A guide to finding records of Crown land at Public Record Office Victoria

LANDS GUIDE
LANDS GUIDE:
A guide to finding records of Crown land
at Public Record Office Victoria

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With an introduction by Charles Fahey

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A note to the reader

This is a large and complex publication. To make the best use of this book, take some time getting acquainted with how it works and how the information contained within its pages has been organised. To begin with, familiarise yourself with the main parts of the book that are listed in the contents overview that can be found on the next page. For more detailed information, proceed to the contents page to find out what is included in each part of the book and to help you locate the information that you are interested in reading, and you will be directed to specific page numbers. Consult the index at the back of the book for page references to locate more specific information or points of interest.
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Foreword

Land is in many ways the foundation for our lives. Whether it is the landscape in which we dwell and find our identity, the reference point of belonging, the patch of ground upon which we build our houses, or the parks and gardens in which we play, some kind of relationship to land is a constant feature of everyone's life.

The Lands Guide is a comprehensive resource for finding records about Victoria's Crown land. It covers the entire sweep of Victorian history, from the inception of the colony under the name of the Port Phillip District in the 1830s, right through to the present day. The guide will provide a comprehensive reference resource for accessing records relating to Crown land in the State of Victoria, and will be an indispensable finding aid for anyone doing research into Victoria's land records.

The records held by Public Record Office Victoria cater to a wide range of researcher interests. Records relating to Crown land offer such a varied, vast and significant collection that there are few researchers who will not find something of interest to them in this guide. Whether you want to find out about the lives of your ancestors or information about the history of land in a particular location, the Lands Guide will be an invaluable resource for your research.

Justine Heazlewood  
Director and Keeper of Public Records  
Public Record Office Victoria
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PART 1: ORIENTATION
1. Getting Started

This chapter will help you to start researching land records held at Public Record Office Victoria (PROV). It will provide you with information and suggestions on how to use this guide and other available resources.

This chapter includes:

- a brief overview of Crown land in Victoria since the 1830s,
- a summary of what this guide contains,
- a quick reference guide to help you find the best place to start your research,
- answers to frequently asked questions (FAQs) to help you start your land research,
- information on the PROV online catalogue and how to search it.
A brief overview of Crown land in Victoria since the 1830s

This guide deals with records relating to Crown land in the State of Victoria, dating back to its beginnings as the Port Phillip District of the Colony of New South Wales. Crown land came into being in Australia when the British applied their concepts and systems of land ownership and management to the new colonies it had established there in the eighteenth and nineteenth centuries. The occupation and alienation of Victoria’s Crown lands began from the time when Europeans first arrived in large numbers in this part of Australia during the 1830s. In so doing they displaced the Indigenous system and laws of land management and ownership that had operated in this land up until that time. This story of non-Indigenous occupation, exploitation, sale and management of land can be roughly divided into four major eras – the squatting period, the gold rushes, selection and closer settlement.

Squatting, the unlawful occupation of Crown land, commenced in Port Phillip (the area now called the State of Victoria) in 1834, with the arrival of pastoralists bringing their flocks and herds across Bass Strait from Van Diemen's Land (Tasmania) or overland from the Riverina District of New South Wales. They were following Major Thomas Mitchell's expedition south of the Murray River, which succeeded in finding suitable land to meet the demand for new pastures. The first pastoralists grazed their animals on vast areas of land against the laws of the colonial administration, thus acquiring the name squatters. In 1836 the New South Wales government (at the time, the Port Phillip District was still part of the Colony of New South Wales) formalised their occupation of the land by means of pastoral licences. By the early 1850s squatting runs were spread across Victoria, but concentrated on the grassy plains of the Western District that Mitchell had named Australia Felix. Only the mountain districts of Gippsland and the dry north western Mallee region were relatively undisturbed by the incursion of the squatters. At the start of the 1850s, Victoria still had a relatively small population in comparison with the number of people living there by the end of that decade, many of whom had come through gold rush immigration. Up until this population explosion, it was generally only land in and around Melbourne and the townships in the squatting districts that had been sold by the colonial government into private hands.

The scene was to change very rapidly following the discovery of payable gold in 1851, which brought goldseekers from all over the world to try their luck. They congregated mainly in central Victoria where the richest deposits were concentrated, but also spread eventually into the mountains in the east. Occupation of goldfields land was temporary. Miners were more interested in what was under the soil than owning it, and the government was keen to protect Crown rights to the minerals therein. However by the end of the 1850s, with most of the alluvial gold deposits exhausted, the miners were making representations for land on which to farm.

The land selection period commenced in the 1860s, with an attempt by the Victorian government to establish a population of independent farmers by selling agricultural land in
Illustration 1

Drawing of an old-time squatter by JR Ashton.

VPRS 12903/P1, BOX 673/09
small allotments. The aim was to break the hold of the squatters, who held much of Victoria's Crown lands under lease and who possessed the wealth to buy their holdings outright. The first land Acts largely failed to make this happen, locking out those with insufficient capital to set up farms. The *Land Act 1869* was more successful in achieving a more broadly-based farming population, with selectors having the opportunity to pay off their land over years as they developed their farms. Much of Gippsland and the Wimmera were settled under the *Land Act 1869*. Over the following two decades Victoria's agricultural industries flourished. This was made economically possible by the provision of a rail network for the transport of produce to market and the development of innovative farming technology suited to Victoria's soil and climate.

With the most economically productive land taken up, special arrangements needed to be made for the use and settlement of marginal land, such as the arid Mallee and swamplands, which both proved to be productive when given special treatment. Special arrangements were also made to encourage and accommodate certain kinds of land use for various industries such as quarrying and tanning, and novel agricultural pursuits, one of which was deemed to be vineyards.

Meanwhile towns were also prospering, each with its industrial base of flour mills, implement and butter factories supporting and complementing rural enterprise. Melbourne boomed and its suburbs expanded. When the boom of the 1880s came to a sudden halt in the early 1890s, leaving many urban unemployed, and forcing others to leave the colony altogether, the answer was seen in moving the poor onto the land.

This led to the concept of 'closer settlement' as the new way of settling more Victorians on the land. The difficulty was that almost all of Victoria's arable land had been alienated from the Crown into private ownership. The closer settlement program involved the re-purchase of freehold land for subdivision into small farms, and also the development of some marginal lands. This process was intensified by soldier settlement after World War I, when as a 'debt of honour', returned soldiers were settled under closer settlement schemes with seemingly generous terms.

By the 1930s, all that remained of Victoria's Crown lands were those parts that had not been suitable for agriculture or had been reserved from sale for particular public purposes. Earlier, temporary reserves had been set aside to accommodate Aboriginal people who had been displaced from their lands, and commons had been reserves for animal grazing near townships. Permanent public reserves included sites for local community facilities and large areas set aside for the conservation of resources such as timber and water for the wider public, or to protect native flora and fauna. National parks are now some of the largest areas of Crown lands in the State of Victoria.

**Note:** For a more detailed exploration of the history of Crown land in Victoria, see Charles Fahey's historical introduction to this guide in Chapter 2.
What does the *Lands Guide* contain?

Below is a summary of what this guide contains. For a more detailed overview see the table of contents which includes chapter titles and main sub-headings for each chapter. The index at the back of the book lists key terms in the guide. You may find items you are interested in there such as parish plans; soldier settlement; workmen's homes schemes; Crown reserves; Mallee lands. The guide has 37 chapters, grouped into the following main parts:

**PART 1: ORIENTATION**

Chapters 1 and 2 aim to provide orientation, informing you about the purpose of this guide, how it can be used, and about some of the broad historical contexts of land administration in Victoria.

**PART 2: INTRODUCTION TO CROWN LAND IN VICTORIA**

Chapters 3 to 11 are designed to provide you with an introduction to important concepts and information about land administration in Victoria and how to search records about Crown land using this guide. These chapters provide information that will be of assistance tackling research possibilities covered in later chapters dealing with specific features of Crown land administration. For example, Chapter 5 explains how land is classified in Victoria and Chapter 6 shows you how to read a parish plan. Chapter 10 introduces you to the microfiche catalogue of Crown land that you can use to search for a significant number of land files and which can help you identify the series location of a file.

**PART 3: SURVEYS, SQUATTERS AND ABORIGINAL PEOPLE – EARLY LAND ADMINISTRATION IN VICTORIA**

Chapters 12 to 15 deal with the selection and sale of Crown land in the nineteenth century explaining the importance of land surveys, types of occupation, the consequence of the land Acts and the alienation of Crown land.

**PART 4: SALE AND SELECTION, LEASES AND LICENCES – THE DEMAND FOR MORE ACCESS TO LAND**

Chapters 16 to 27 relate to the sale and selection of Crown land, or its lease or licence. Chapter 27, for example, covers the land records and administration in place at the time of the gold rush in Victoria.

**PART 5: SETTLEMENT SCHEMES – CROWN LAND ADMINISTRATION IN THE TWENTIETH CENTURY**

Chapters 28 to 34 discuss the concept of closer settlement and schemes such as soldier settlement and workmen's homes, and the precursors to closer settlement such as homestead associations and village settlements.

**PART 6: ENVIRONMENT, INDUSTRIES AND INFRASTRUCTURE**

Chapters 35 to 37 deal with special uses of Crown land such as occupation by novel industries, coal mining, the Great Ocean Road, and National parks.
PART 7: OTHER RESOURCES

This final part of the guide includes a large range of useful appendices, a glossary of unfamiliar words and phrases, a list of references, and an index.

Case Studies

This book also contains a number of case studies demonstrating how the land records held at PROV can be researched and used to illuminate certain aspects of land occupation in Victoria. These have been appended to relevant chapters. See the table of contents at the start of the book to locate these case studies.
Table 1 – Quick reference guide for starting your research

Find the type of land research that you are interested in doing on the left and the level of experience you have in doing research at the top. By then following the row to the right of the type of research you want to do and finding the column down from the level of experience, you will find advice appropriate for you in starting your research.

<table>
<thead>
<tr>
<th></th>
<th>I have never researched before</th>
<th>I am new to archival research</th>
<th>I have researched before but not at PROV</th>
<th>I have researched land before but not at PROV</th>
<th>I have researched land before at PROV</th>
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<tr>
<td><strong>What is land research?</strong></td>
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<td>PROVguide 6 – Researching a property</td>
<td>PROVguide 51 – Family history research</td>
<td>PROVguide 55 – Land records</td>
<td>PROVguide 6, 55, 56, 28</td>
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<td><strong>I want to research a person</strong></td>
<td>Use Private Lives, Public Records to get started</td>
<td>Use Private Lives, Public Records to get started</td>
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<td>PROVguide 55 – Lands records</td>
<td>PROVguide 6, 55, 56, 28</td>
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<tr>
<td><strong>I want to research a property or area</strong></td>
<td>PROVguide 6 – Researching a property</td>
<td>Read Introduction to this book</td>
<td>PROVguide 55 – Lands records</td>
<td>Use the Lands Guide index to find chapters on relevant types of land usage</td>
<td>PROVguide 6, 55, 56, 28</td>
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<td><strong>I want a short overview of lands records</strong></td>
<td>PROVguide 55 – Lands records</td>
<td>PROVguide 55 – Lands records</td>
<td>PROVguide 55 – Lands records</td>
<td>Read Lands Guide introduction</td>
<td>PROVguide 6, 55, 56, 28</td>
</tr>
<tr>
<td><strong>I want a comprehensive overview of lands records</strong></td>
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<td>PROVguides 6, 55, 56, 28</td>
<td>PROVguides 6, 55, 56, 28</td>
<td>Read Lands Guide introduction</td>
<td>Read Lands Guide introduction</td>
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<tr>
<td><strong>I am researching infrastructure and surveys</strong></td>
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<td>PROVguides 6, 55, 56, 28</td>
<td>Read introduction and Chapter 11 of Lands Guide</td>
<td>Chapters 6, 11, 12</td>
<td>Chapters 6, 11, 12</td>
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Answers to frequently asked questions (FAQs)

To help you begin your research into land records held at Public Record Office Victoria (PROV), we have provided a series of answers to frequently asked questions. These begin with very basic questions about what PROV is and what it does and the purposes of this publication, and then followed by more specific questions about land records.

What is Public Record Office Victoria and what does it do?

Public Record Office Victoria is the archival authority for the State of Victoria. PROV holds records of colonial and state governments from the time the colony was established in the mid 1830s. For further information about PROV and its role, visit the PROV website <http://www.prov.vic.gov.au/> and select 'About PROV' from the left-hand-side menu.

Where can I access records held by PROV?

PROV currently holds records in two main locations – at North Melbourne (the Victorian Archives Centre) and at Ballarat (the Ballarat Archives Centre). Public records of local significance are also held in Geelong, Bendigo and a number of other regional centres around Victoria.

What is the purpose of this lands guide?

The guide has been created to help researchers find records relating to the administration of Crown land in Victoria. Most of the records are available for viewing at either the Victorian Archives Centre or the Ballarat Archives Centre. Currently, a small number of records are available for viewing over the Internet through the PROV website. Some of these online records are intended for finding information to access other records that you can order for viewing in PROV reading rooms.

This guide makes frequent reference to microform resources (which include both microfiche and microfilm) held in PROV reading rooms. At some stage in the future, PROV may convert some of its microform resources to electronic formats. This will mean that a growing number of the resources that are currently only available for consultation in PROV readings rooms will be made available online through the PROV website. This program of digitising microform resources may apply to some of the resources listed in this guide. The Lands Guide webpage <http://www.prov.vic.gov.au/landsguide/> will list online resources relating to the Lands Guide as they are made available.

What are Crown land records?

This guide is about records relating to the occupation and sale (alienation) of Crown (public) lands in Victoria, and associated administration records, that are in the custody of PROV. The vast majority of records listed in this guide are original records which you can order to
view in a PROV reading room. A small number of records have been digitised or transcribed and can be accessed online, and the guide also provides information on how to do this.

Are records relating to the ownership of land after it has passed from the Crown held by PROV or the Titles Office at Land Victoria?

Generally, records relating to the ownership of land after it has passed from the Crown into private ownership are accessed through the Titles Office at Land Victoria. The main exception to this statement are files held at PROV that were created to record the progress of applications to bring land alienated from the Crown prior to 2 October 1862 into the Torrens system of land registration. These files can be found in VPRS 460 Applications for Certificate of Title. The Torrens system was introduced by the Real Property Act 1862 (25 VIC., No. 140). That Act, and subsequent legislation, provides that a proprietor of 'old law' land may make application to have the land incorporated into the Torrens system. Successful applications resulted in a certificate of title being issued. Under current legislation application can be made either under section 9 or section 26 of the Transfer of Land Act (for more information about the Torrens system, refer to the agency description for VA 862 Office of the Registrar General and the Office of Titles in the PROV online catalogue).

Access to records of transfer of title to the Torrens systems (in VPRS 460) is by application number. There is no complete index of applicants’ names for the records in this series. For applications which were registered up to 30 July 1866 the index in unit 1 of VPRS 405 may be consulted.

If you hold a certificate of title for a piece of land, then the application number may be marked on that certificate. If present, the number may be shown with the words, for example, 'derived from application number 12345'.

If you do not have an application number you will need to first visit the Office of the Registrar-General and Titles Office to locate an application number. You will need to identify the piece of land in which you are interested. Land is primarily identified by parish, section and allotment numbers. In the search areas of the Titles Office, researchers can locate application numbers by referring to records held there. Note that application numbers listed with the suffix 'S' indicates that there are search notes available for the property at the Registrar-General's Office. These should be consulted in tandem to records held at PROV.

For further details see information under the subheading 'Land Titles and Sales' (the last section) in PROVguide 55 – Land Records.

I am new to archival research, where do I start researching Crown land records?

There are many records about land, and the best way for you to access them is to know as much as possible beforehand about what it is you want to research and how to find that information by reading the questions below. If you are completely new to archival research, you may need to refer to sources other than this book to find out how to research archives at PROV. The quick reference guide on page 15 is a good way to find out what your next step should be before you launch into researching land using this guide.
I know about records and archives, but how do I learn about how the records held at PROV are organised?

The quick reference guide on page 15 is a good way to find out what your next step should be before you launch into researching land using this guide.

What information and what sources will help me with my research on land?

Before you begin to use the Lands Guide, what do you know? What are you looking for? Is it the history of the land? If so what piece of land? Are you researching a heritage site? Are you trying to discover where your family lived, or the businesses that operated in your community? What were the names of your family members? What types of business do you think were pursued? What area of Victoria are you interested in? What records do you have? Have you collected as much information as possible from your local library or historical society?

Collect your information and records. Write down what you know, then proceed to the next section of this guide.

I have some information gathered already that will help me with my research, but how can I get started without reading the whole guide?

Read the frequently asked questions below to see if they can provide answers to take you straight to the part of the guide that will help you satisfy your research needs.

Are there any examples of the kind of records that I can find using this guide, and the kind of information I might expect to find in them?

There are case studies in this guide that give you examples of the kinds of records you can search for and the information they contain. These case studies can be found at the end of chapters 15, 16, 22, 27, 29 and 32. Chapter 2, which contains an historical introduction by Charles Fahey, will also give you an understanding of the kind of information that you can find searching Crown land records.

I am using parish plans to locate land records but there are lots of numbers on the allotments; which ones do I need to locate the records?

Read chapters 6 and 10 in this guide.

There is no ‘fraction number’ on the allotment on the parish plan, what can I do now?

Read Chapter 6 – on using parish plans,

Chapter 7 – on types of land files and how to find them,

Chapter 8 – on file numbers and the main recordkeeping systems relating to land,

Chapter 9 – on summary and source records that can help you find registers of sales, registers of leases, and rent rolls,

Chapter 10 – on searching the microfiche catalogue by parish, allotment or area.
Which words or numbers am I looking for on the Crown lands microfiche catalogue to locate the relevant reference?

Read Chapter 10 – on searching the microfiche catalogue by parish, allotment or area.

Should I check both the numerical and alphabetical indexes in the Crown lands microfiche catalogue?

Yes – they don't always match and there may be more than one entry for an allotment. Read chapters 6 and 10.

I have ordered what I thought was the correct file, but it pertained to a totally different area, what did I do wrong? Where else should I look?

If you are ordering records involving sections 19 and 20 of the Land Act 1869 from VPRS 625 or VPRS 626 read Chapter 22. You will know you are trying to order a land selection file of this sort if you find a number like the one shown in Figure 1 (on the next page) in the shaded rectangle on allotment 162A of J Webb in the parish plan of Illawarra, expanded at the bottom right without shading.

Read Chapter 10 – for using of the Crown lands microfiche catalogue (VPRS 7311 and VPRS 7312).

I am searching for a person but I do not know the location of the allotment of their land – what can I do?

Read Chapter 9 to find out how to use summary and source records to find individuals in registers of crown grants, registers of leases, reports of land sales, registers of application or rent records.

Read the PROV publication Private Lives, Public Records for more information on researching individuals.

I am researching Aboriginal land rights or trying to find information about places where Aboriginal people have lived in Victoria – where should I start?

Read Chapter 15 – which provides information about records relating to Aboriginal occupation of land in Victoria from 1835.

I am interested in records relating to Ballarat – are there any that I can search at the Ballarat Archives Centre?

A list of Crown land records that are available at the Ballarat Archives Centre can be found in appendix 16.

I am looking for a land title – how do I find that?

Land titles are held by Land Victoria, information about contacting them can be found on their website <http://www.land.vic.gov.au>.

See PROVguide 6 – Property Research at PROV.
Figure 1

Example of a fractional representation of a sequential number (21911) above section number(s) (sections 19 and 20), as shown on Illawarra parish plan, with detail of shaded area below.

VPRS 16171/P1 Illawarra(Psh)LOImp2771.pdf, Illawarra Parish Plan, Imperial measure 2771 [detail]
I want to know when a road (or a railway line or station, or bridge, or school, or university, or other structure) was built, and information about the process of its construction – can Crown land records help me?

Read chapters 7 and 13, which deal with use of land for various types of Crown reserves. Also read Chapter 10 about searching the Crown lands microfiche catalogue.

You may also need to research which government body was responsible for construction – examples of responsible agencies are the Country Roads Board, Public Works Department, local councils, water authorities or the Education Department. Use the PROV online catalogue to find the responsible agency relating to the structure you are researching.

I'm interested in redrawn borders of parishes, land districts or municipalities – what resources can help me find this information?

Municipal directories are held by PROV in the Victorian Archives Centre Reading Room for the period 1889–1994 and Ballarat Archives Centre Reading Room for the period 1867–1988.

Information about parishes and land districts can be found in Chapter 5.

I know the land I am looking for was sold at auction, what is the next step? Do I still need to consult the microfiche indexes?

Read Chapter 16 which tells you how to find records relating to sale by public auction.

The allotment I am interested in has since been subdivided, how do I locate the original records?

Read Chapter 9 to find out how to use summary and source records to find individuals in registers of crown grants, registers of leases, reports of land sales, registers of application or rent records.

Read Chapter 14 to find out about pastoral runs.

Where can I find records about a pastoral run?

Read Chapter 14 to find out about pastoral runs.

My ancestor settled on the goldfields, what can I find out about them? What about mining leases?

Read chapters 27 and 28.

I know the year that the Crown grant was issued but not much else – what is my next step?

Read Chapter 11 to work out which sorts of grants or occupation were happening at the time that the grant was issued.

Read chapters 35 and 36 to learn about miscellaneous types of land use.
Which Crown land records contain information about the built environment?

Read chapters 7 and 13, which deal with use of land for various types of Crown reserves.

My ancestor worked for the Department of Crown lands – are there records that I can find about them?

Read the section under the heading 'Personnel' in Chapter 11.

How were the various land departments accountable to the Victorian Parliament for their decisions? What records did they keep and what kind of reports did they make to parliament? Who were they answerable to?

See minutes, annual reports and other reports of the various lands departments and boards. Also check records of royal commissions, parliamentary committees or enquiries into land-related issues.
PROV online catalogue and searching for records online

The *Lands Guide* is a treasure trove of PROV series numbers and titles that you would otherwise spend a long time trying to find – for example, series relating to specific sections of land Acts. You can use the guide to locate additional records and to make sure you do not miss out important information.

These series are catalogued online. Using the online catalogue is critical to your success in finding the files and information you want.

Help Desk staff at PROV are always ready to assist you. There are also subject-specific PROV guides available in PROV reading rooms and also through the PROV website [http://www.prov.vic.gov.au](http://www.prov.vic.gov.au).

PROVguide 20, Online Catalogue – Searching for Records Online is a key PROVguide if you are using the catalogue for the first time. Copies can be obtained from PROV reading rooms or the PROV website (see PROV home page web address above).

The information below briefly explains five ways to search the online catalogue:

- Simple search
- Advanced search
- Find by number
- Search within a series
- Browse the collection

The *Lands Guide* assumes your ability to make these searches, for example, to access a unit in any of the series mentioned in this guide, using a **find by number** search. A more comprehensive explanation on the use of PROV’s online catalogue can be found in PROVguide 20.

**Simple search**

By searching for a particular word or phrase in the **simple** (or **keyword**) search you will get results, but there may be a very large number of results and many of them may refer to records which do not deal with lands.

**Advanced search**

**Advanced** search allows you to enter a number of terms to define your search and limit the results you get. The *Lands Guide* often suggests terms you can use to find records of interest. A common term that you will use is the name of the locality that interests you.
Find by number

Use the find by number search when you have the number given to the Series (VPRS), Agency (VA), Record Group (VRG) or Function (VF). Make sure you select the correct option on the top line of the search screen.

For definitions of the above terms (that is, Series, Agency, Record Group, and Function), see Chapter 3 – Records of the Crown Lands of Victoria or the Glossary.

Search within a series

When searching series that contain online detailed listings of their contents, a search within a series search can be very useful. Many series of lands records include the file name, file number, parish or a person's name in the listing.

However, file-based series are only a fraction of all series relating to lands that are identified in this guide (most of which are in fact large bound volumes). In addition, many of the file-based series listed in this guide cannot be searched for personal names.

If the search results provide you with the series you want, you can check the consignment details to see if this type of listing is available.

Browse the collection

Browse the collection will often produce a large number of results. Agency numbers and names are listed in Chapter 3 – Records of the Crown Lands of Victoria.

Searching place names

When searching the online catalogue using a locality to find what you want, you should be aware that many place names have changed. For example, records relating to Bendigo may also be listed as being from Sandhurst, which was the earlier place name.

You can check name changes by referring to contemporary maps, such as the parish plans for a particular period or by using resources such as Les Blake's Place Names of Victoria (published originally as a book: Melbourne, Rigby, 1977; later published on microfiche: Hampton, Victoria, Genealogical Books, c. 1987).

Also parishes did not remain assigned to the same land district. A considerable number of changes were made around 1884 and 1898, as well as at other times. A list of these changes is available online at <http://www.prov.vic.gov.au/landsguide/>.

Can't find what you want?

There are a number of series of land files which contain files that have at some time become separated from the main series to which they generally belonged. You can try searching these series if all else fails:

- **VPRS 1016** Miscellaneous Correspondence Files (1843 – ?1934)
- **VPRS 11795** General Correspondence Files, 'V' Series (1960 – 1984)
• **VPRS 14964** *Land File, Estrays* (1853 – ?1960)

• **VPRS 15762** *Land Files Estrays, Closer and Soldier Settlement* (by 1900 – ?1960).
2. Introduction to Crown Land in Victoria by Charles Fahey – Unlocking the Land

Leaving us with personal letters, Thomas and William Hird were rare among the thousands of men and women who took up land under the 1869 land Act. However, like all selectors under this act they were obliged to participate in the bureaucratic process of completing an application form, of declaring three years later the improvements they had made to their land and, from time-to-time, corresponding with the Lands Department explaining why they had been tardy in paying their rents. On their files the Lands Department registered mortgages, transfers of leases and finally the receipt of Crown grants. In the nineteenth and early twentieth centuries, before the emergence of the welfare state, contact between the Victorian government and its citizens was lighter than today. From March 1853 all vital events – births, deaths and marriages – had to be formally registered; from 1872 all parents were obliged to send their children to primary school. Citizens came into contact with the state when they broke the law and came before the police and the courts. Yet, unlike today, most citizens had little contact with government. Income tax, for example, was not introduced until the depression of the 1890s and even then most citizens escaped its reach. Among government functions in the nineteenth century, few were as complex as the administration and the disposal of Crown land, and few generated anything like the quantity of archival records created by the Lands Department. The Victorian Government remains a major custodian of public lands and continues to generate a documentary record of this land. This guide is the first detailed overview of this massive archival resource.

In December 1877 both William Hird and his son Thomas replied to letters from relatives in England. William corresponded from the mining village of Barker's Creek in central Victoria, while Thomas wrote from the Gunbower Creek, a tributary of Murray River in Northern Victoria. William was glad to hear that his brother, sister and niece were well, but he was sorry to learn that business was so bad and that they had been 'rambeling' [sic] about so much. He could give no better advice than he had given before – 'not to stay in England to lose your money'. As his brother was contemplating migration, William outlined the opportunities open to settlers. The cost of the passage at £45 was little more than the fare to America, and the voyage was longer at eight weeks. However, liberal land laws more than compensated for this.

William carefully pointed to the conditions for settlers under the famous free selection act of 1869 (that is, the Land Act 1869). Any person 'not being married women, at the age of 18

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can select for themselves any quantity of land not exceeding 320 acres', at the price of £1 per acre besides the cost of survey 'which would cost between £8 – £10 depending upon the location'. He explained that the selector had to reside within six months, cultivate one acre in ten and improve the land at the rate of £1 per acre within three years. The purchase price, he pointed out, could be paid as

\[
\text{rent, half yearly in advance at the rate of 2s per acre per year for ten years which makes £1 per acre or the balance can be paid any time after 3 years, and not before.}
\[
\text{Once the ground was paid off it was worth £1000 to £1200.}
\]

William wrote of how his family had made use of this law. In March of 1877, Thomas Hird had taken up 320 acres and with the help of his two brothers they had put in about eight or ten acres of crops. William had joined them in September and selected an adjoining 300 acres. William observed that his son's land had only 50 acres of 'plain ground' while heavy timber grew on the remainder of the selection. His own block was 'half plain and half timber'. He expected that within five years all his sons would have a block.

With such advantages he advised his family to come if they had money to start with for 'money makes money' and there was 'plenty of room for that purpose'. In his own case he had wasted his opportunities looking for gold. He wanted to 'make a fortune quick', like a great many had done, but the gold digging 'owed him £1,000' which 'he never expected to receive from it'. His experience was 'dear bought' and he told his brother that he was not able to assist their father in his 'declineing [sic] years' not out of his own fault or misconduct but 'by sticking to the digins [sic] to[o] long'. Yet he believed he was in a 'fine country', the best in the world for a 'working industrious [sic] man'.

While Thomas also explained the conditions of the land laws to his family, he was keen to convey his impressions of the country. He liked where he was better than Barker's Creek. Four months of the year were pretty hot but eight 'months in the year you could not wish for better, no cold wintry weather like home'. There were 'plenty of kangaroos and cockatoos to[o] many rather' and the selector had very 'little expense save food, clothing and rent if he gets a timbered block'. With a timbered block he had firewood and logs for fencing and his house. He had constructed a small log house which was plastered and covered in reeds. As he was not 'thinking about getting Old Women yet', it would do 'very well for a bachelor'. His first crop had not been a successful one due to the dry season but when it was wet the Murray River ran past his door.\(^2\)

In November 1834 Edward Henty had landed at Portland with 22 head of cattle, two turkeys, two guinea fowl and six dogs. A month later he was joined in Portland by his brother, Francis, and 100 head of sheep. The following year John Batman and John Fawkner set up rival camps on opposite banks of the Yarra. Over the next ten years these pioneers of European

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\(^2\) The correspondence of the Hird family is held by the Cohuna Historical Society. See also Thomas Hird's land selection file, PROV, VPRS 626/P0 Land Selection Files by Land District, Sections 19 and 20 Land Act 1869, unit 1435, 2767/19.20.
settlement were joined by a constant stream of squatters who rapidly dispossessed the original Aboriginal owners. This initial thrust into the Port Phillip District, as Victoria was then known, was illegal and when the Crown did catch up with the squatters a derisory licence fee of £10 per run was established. To bring order to this scramble Governor George Gipps promulgated new regulations in 1844 that maintained the £10 licence fee but limited the size of each run. These aroused the anger of many powerful squatters who used their influence in London to overturn Gipps's regulations. The Australian land Act of 1846 and the Order-in-Council of 1847 superseded the Gipps regulations and divided the colony into three classes of land: settled, intermediate and unsettled. The Order-in-Council made provision for long-term leases, and offered squatters the right to purchase homestead blocks free from the competition of auction sale. These were latter known as pre-emptive blocks to leaseholders. This was very important as it also gave Lieutenant-Governor Charles La Trobe the power to reserve Crown land for public purposes – for towns, for parks and gardens, for recreation reserves, and reserves for the preservation of timber and water. The Order-in-Council became the foundation of Victorian land legislation, and the registration of squatting leases formed what would become one of the first major series of Victorian land records. The Order also set the battleground for the great fight to 'unlock the land' between the squatters and the settlers of the gold rush decade.3

Squatters were also outraged by reservation of land for Aboriginal protectorates. The move to set aside land for protectorates was forced upon La Trobe by the Secretary of State Lord Glenelg. In 1838 the Secretary of State in London issued orders for the establishment of a protectorate similar to Indian reservations in colonial North America. The finer details of this scheme were left to local administrators, and land occupied by squatters could be revoked and set aside for protectorates. When he arrived in Port Phillip in 1839, one of the first tasks faced by Charles La Trobe was to deal with the opposition of squatters to this imperial scheme. Chapter 15 of this guide contains a comprehensive listing of the records relating to this ill-fated scheme. The protectorate system was dismantled in December 1849. For most of the gold rush years little was done to conserve Indigenous land rights and the 1850s were largely a decade of neglect. In 1859 a select committee of the Legislative Council recommended the establishment of a Central Board for Aborigines. However another decade was to pass until this body was made permanent. This board operated reserves at Coranderrk (near Healesville) and Framlingham (near Warrnambool) while missionaries administered sites at Lake Tyers and Lake Wellington in Gippsland and Lake Hindmarsh and Lake Condah in the Wimmera–Mallee. The administration of these reserves is also dealt with in Chapter 15.

Much to the consternation of the squatters, La Trobe refused to issue leases in the intermediate and settled districts, and he liberally interpreted section 9 of the Order-in-Council permitting the gazetting of public reservations. This clause governed the creation of reserves during the gold rushes and remained in force until the passing of the 1860 land Act. Under this clause the gold-mining cities and towns of inland Victoria and the earliest suburbs of Melbourne were gazetted. Within these communities, reserves were set aside for gardens and recreation areas – race courses and agricultural show grounds – and grants were made for, among other uses, churches and mechanics institutes. Adjoining the goldfields and other towns, timber and water reserves were gazetted. The magnificent civic infrastructure which remains such an enduring feature of urban Victoria was borne out of section 9 of the Order-in-Council. Through the *Lands Guide* we can trace the creation of the formation of much of our existing public spaces (see chapters 10 and 13 of this book).

In her *Men of Yesterday*, Margaret Kiddle observed that, although the Imperial Secretary of State in London accepted La Trobe's interpretation of the Order, tacit agreement between La Trobe and squatters permitted the latter to continue to occupy their runs. From the late 1840s these runs were surveyed, and squatters purchased homestead or pre-emptive rights. Under the Order, surveyors made an assessment of the carrying capacity of runs to determine the cost of licence fees – the first major environmental assessment in Victoria. The records of the purchase of homestead blocks, or pre-emptive rights, are frequently a clue to the earliest non-Indigenous structures in rural Victoria. While many squatters fulminated against La Trobe's actions, the more astute, Margaret Kiddle discovered, hedged their bets and purchased freehold land in the 1850s. They were also joined by successful gold diggers and others who purchased land at auction at the upset price (or minimum) of £1 per acre. Although well known, this purchase of Crown land has seldom been subject to systematic study by historians. Chapter 4 of this guide provides a succinct summary of the records available for such research.

However, the process of acquiring land through sale was stacked against the settler of small financial means. Sale was at competitive auction at a minimum price of £1 per acre. In populated areas, where the demand was high, prices rose above £1. Squatters, such as the Learmonth family, whose runs were near the goldfields, were forced to pay almost £3 per acre. Such prices simply drove out the small settler and fed the political movement to unlock the lands. In the second half of the 1850s easily won alluvial gold declined substantially and unemployment among gold diggers heightened the demand for liberal land laws. The pressure to unlock the lands was also fuelled by the massive migration of the golden decade. In the space of ten years the colony's population rose from 77,000 in 1851 to just over half a

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6 Kiddle, p. 220 for the purchase of land by squatters.
million in 1861.\(^7\) In the late 1850s this was the rallying cry of radical politicians and in the 1860s a series of land Acts were introduced – the Nicholson Act (1860), the Duffy Act (1862), the Grant Act (1865) and, most importantly, the second Grant Act (1869).

In the judgement of most historians, the first two of these acts failed monumentally in their expressed aims of creating a class of yeomen farmers.\(^8\) Through extensive loopholes in the acts, vast tracts of land in the Western District passed from the Crown to the freehold possession of squatters. What was described by one squatter as 'a simple system of corruption' was extended under the main provisions of the first Grant Act to the northern plains, the area extending north of the Great Dividing Range to the Murray. While this judgement is unlikely to be challenged by new research, it is clear from official agricultural returns, and rate books held by Public Record Office Victoria (PROV), that selectors took up small blocks of land under the first three Acts. Each year the colonial government collected figures on agricultural production from settlers. These were first published as *Agricultural Statistics* and later as *Production* in the *Statistical Registers*. These clearly show the presence of small blocks in the late 1850s and through the 1860s. Agriculture was particularly strong in the counties near the goldfields. The earliest rate books of the shires of Creswick and Ripon, for example, show large numbers of farmers on small blocks.\(^9\) One of the great values of the *Lands Guide* is that it brings together for the first time a listing of all the extant documentation on the 1860, 1862 and 1865 Acts. This documentation will provide a starting point for renewed research by family and local historians on the early land Acts.

Prior to 1860 some 3,944,237 acres were sold by auction. A further 1,536,174 acres were similarly transferred from the Crown into private hands under the first three land Acts. These three Acts also resulted in the selection of 4,679,251 acres. Although it is clear that a large part of this land was engrossed by former pastoral licensees, the legislators adopted a novel experiment under the 1865 Act of permitting selectors to take up small blocks of land under licence near goldfields. Under section 42 of the Act, almost 800,000 acres were selected, largely by the very group the Acts had been designed to support – settlers of limited means. In this experiment the legislators found the key to the most successful period of selection – selection before survey – under the 1869 land Act. It was this Act that enticed William and

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\(^9\) *Agricultural Statistics* and *Statistical Registers* were published in Victorian *Papers Presented to Parliament*. For the Creswick Shire Rate Books see VPRS 3794 (unit 1 covers the years 1869–1872) and Shire of Ripon Rate Books VPRS 12321.
Thomas Hird north, and they were not alone. Over the next two decades 13,840,906 acres were selected, and this was largely for family farms.10

The 1869 land Act had a number of key provisions. First, all selectors had to spend three years as licence holders with no security of tenure. During the licence period the selector could be evicted from his land for non-compliance with the land regulations, a factor which deterred squatters from using agents or dummies. This use of licences was a lesson borne out by the success of section 42 of the 1865 land Act. Second, during the licence period they had to improve their blocks to the extent of £1 per acre. Improvements had to include a ring fence, cultivation of ten per cent of the holding and the construction of a permanent residence. Selectors were also expected to reside on their block during the licence period. Along with these stringent conditions came an elaborate system of bureaucratic surveillance. Although selectors could peg out their block before survey, they had to submit their application form to a local land board to prove their bona fides. Once on the land they were monitored by Crown lands bailiffs and they had to complete a schedule of improvements at the end of three years. Although selectors valued their own improvements, these schedules were carefully monitored by officials and bailiffs, or mounted constables were sent to ensure that improvements listed on paper matched those on the ground. They also policed the residency conditions. The final and essential precondition of success of the 1869 land Act was credit payment through an annual rent of 2 shillings per acre per year spread over ten years. Expensive improvement requirements, enforced residency and close monitoring of selectors deterred the use of dummies or agents which had been a key part of the success of the squatters under the earlier acts.

Under this Act, selectors moved north onto the Wimmera and northern plains and east into the great forests of Gippsland. Selectors succeeded for a number of important reasons. Perhaps the most important was experience. Selectors under this Act came overwhelmingly from rural districts in England, Scotland and Ireland, and they frequently brought with them prior experience of Australian farming conditions. German settlers in the Wimmera moved from Western District and South Australian farms. On the northern plains Irish selectors brought experience of farming in southern Victoria. The 1869 selector often came with capital from the sale of a prior farm and they moved in family groups to accumulate larger holdings and spread the burden of pioneering labour. An absolutely essential part of this process was the pattern of single sons and daughters selecting alongside their father. The 1869 selector was also willing to adopt new labour-saving farming technology such as stripping machines.11

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10 For a summary of the alienation of Crown Land up to 1884 see Wright, *The Bureaucrats Domain*, table 4.1, p. 104.

In few other realms of nineteenth-century life were citizens monitored as closely as the first generation of free selectors. The records of the 1869 land Act described in this guide provide ample testimony of this. Selectors' records (such as VPRS 625 and VPRS 626) can be used to plot the geographical origin of selectors and their occupation at the time of taking up the land. The maps and improvement schedules on these files reveal much about the native vegetation they encountered, and about the work they had to do to transform the land for farming. The files also detail rental payments. We can follow the selection through difficult times – including floods, droughts or crop diseases – and we can also follow transfers from one selector to another and finally to the point where the selection passed from Crown to freehold possession. Careful reading of the files reveals kinship links. The files are one of the few places where nineteenth-century citizens corresponded with authority. Frequently the correspondents revealed a shrewd awareness of how to manage bureaucrats.

The 1869 land Act transformed Victoria into a major agricultural area in the Australian colonies, and by the 1880s Victoria joined South Australia as an exporter of wheat. This was largely due to successful settlement on the Wimmera and northern plains. However, this Act did not mark the end of attempts by government to extend rural settlement. Other record series described in this guide help us fill in the gaps in the story of land management and use in Victoria. An essential feature of the Victorian rural landscape today is cereal production in the Mallee. In the 1850s the mallee appeared to be impenetrable scrub to the newcomers. Settlers in South Australia developed ingenious ways of breaking the mallee – through use of the mallee roller, the stump-jump plough and the stripper. Using heavy horse drawn metal or timber rollers, the stems of mallee tree were broken and then laboriously cut by hand. This was known as 'mullenising'. Stump-jump ploughs permitted farmers to till fields still littered with mallee roots, while the light draught of stripping machines enabled them to harvest their fields. At the end of the harvest the stubble was burnt which eventually killed the mallee roots. Continued ploughing finally loosened the root.12 These South Australian methods of clearing the Mallee were adopted in Victoria in the 1890s. The bureaucratic machinery developed to monitor this settlement is set out in Chapter 24 of this guide.

Although selectors under the 1869 Act abandoned the dream of small and intensely settled farms and opted – through family selection – for broad acres, the dream of a yeomanry, or an intensely cultivated landscape of farmers working small plots, was not easily abandoned by legislators. In the late 1890s and early twentieth century the Victorian government introduced legislation to reclaim ('resume' is technically more correct – a more simple term might be 're-purchase') large pastoral estates as Crown land. Chapters 30 to 32 of this guide list the detailed records of closer settlement and its sub-set soldier settlement. Under the closer

this article Fahey employs death certificates to determine the national origins of selectors in northern Victoria and probate records to determine their wealth at death.

12 The derivation of the word mullenising is obscure. It was probably named after the man who invented this technique. For the techniques of pioneer Mallee farming see Dingle, Settling, pp. 110–11.
settlement legislation the freehold estates of pastoralists were cut up into small blocks and sold to settlers at market prices. Under these schemes the bureaucratic record became more intrusive. Estate files were created to assess the value of pastoral holdings chosen for purchase by the state. These can include detailed descriptions of the estates – soil types, tree cover and existing buildings and fences. The cost of the purchase of these properties was in turn passed onto settlers. In addition to the debt incurred in purchasing the farm, closer settlers were given cash advances to erect buildings and fences. The size of properties varied from district to district. The smallest blocks were found in the irrigation estates in the Goulburn Valley and the largest estates in the arid Mallee. Under this legislation the Western District was transformed from a landscape of large pastoral estates to a landscape of small, family farms. One of the lasting environmental changes initiated by closer settlement was the adoption of irrigated farming. Irrigated blocks were administered by the State Rivers and Water Supply Commission and under the leadership Elwood Mead, an American engineer, settlers were charged for water irrespective of whether they used it or not. It was under the process of closer settlement that attempts to introduce irrigated farming were forced upon farmers.

Initially the schemes for closer settlement, and then later for soldier settlement, were an almost unmitigated failure. In all areas the land provided was not sufficient for viable farming and settlers were crushed by a burden of debt incurred to purchase their blocks. The international collapse of commodity prices in the late 1920s only compounded these problems, and the government was forced to step in. Farmers and properties were reassessed and the concept of a 'living area' was developed. For the first time in the history of Victorian land settlement, bureaucrats attempted to rationally assess the size of holding required to make viable farms. Distinctions were made between irrigated areas and more arid areas of settlement such as the Mallee. Individual farmers were judged on their farming (and moral) competency. For settlers considered efficient, debt was re-scheduled and farm sizes increased. These settlers were saved through the generosity of the taxpayer and the demand for produce that came with World War II. In the process of salvaging the scheme, comprehensive files were created that shed much light on farming and rural living conditions in the inter-war years. The lessons learned by the Lands Department through the salvaging of closer settlement – most importantly the provision of a living area – were applied to schemes of Commonwealth Rural Reconstruction after the World War II.

14 The most detailed analysis of the records relating to closer settlement (and by extension soldier settlement), is the doctoral thesis of Jacqueline C Councill-Hope, Back on Track: The Closer Settlement Scheme in Victoria, unpublished PhD thesis, La Trobe University, 2004. This thesis is based on a systematic sample of the revaluation files of settlers (VPRS 5714) drawn from across Victoria. For the lessons learned from this for post-war reconstruction see Bruce R Davidson, European Farming in Australia: An Economic History of Australian Farming, Elsevier Scientific Publishing Company, Amsterdam, 1981, see pp. 366–7. For closer settlement in the Western District see M Keneley, 'Closer
While free selection and closer settlement have left us with a detailed record of the early years of agricultural development in Victoria, this guide reminds us that land administrators touched the lives of Victorians in many other ways. One of the most significant influences – but largely neglected – was the role of the lands bureaucracy in managing miners’ residence areas. Under this scheme, Crown land in the major gold-mining communities was made available for residence at almost nominal rents of only 5 shillings per year (see Chapter 28).\(^{15}\)

The lands officials also administered schemes for dealing with rural debts in the Great Depression. They managed bushfire relief and, in one of the cruellest schemes, they oversaw the hopelessly uneconomic blocks taken up by village settlers in the depression of the 1890s. Under this scheme the unemployed were encouraged to take up small blocks of Crown land. It was cynically expected that these settlers would be employed as rural labourers and work their blocks when no pastoral or agricultural work was available. The scheme ignored the experience gained during the 1860s period of selection that small farms were simply not viable in Victoria. The records of this ill-fated scheme are set out in Chapter 28.\(^{16}\)

Hundreds of other rural Victorians dealt with lands administrators when they applied for licences to undertake such rural enterprises as bee-keeping or forest grazing (see chapters 26 and 35).

In the second half of the twentieth century, the majority of the population in Victoria shifted from rural to urban living. The role of Crown land administrators has changed from dispensing Crown land, to managing the public estate. This modern function is also represented in this guide. Chapter 37 details the records of Victoria’s system of parks.

By bringing together detailed information on Victoria’s land records this guide will further research into the history of Victoria. Using this guide to access land records, we must not forget the other treasures held by Public Record Office Victoria. Land records can be supplemented with, among other records, probate files and rate books. The Hird family saw land settlement as a means of getting on. It would appear that land did hold great opportunities for this family. The probate record of Thomas Hird reveals that when he died in 1899 he left a gross estate of ₤5,091 and the original selection of 320 acres had grown to 1,283 acres. This guide will facilitate research into the lives of Victoria’s rural pioneers, such

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16 There is no adequate study of this scheme that fully uses the extant files but see LJ Blake, ‘Village Settlements’, *Victorian Historical Magazine*, volume 37, number 4, November 1966.
as the Hirds, and help us better understand the history of the management of Victoria's Crown lands.17

One of the more exciting avenues of historical research in recent years has been the environmental history of Australia. For environmental historians the Lands Guide will be an absolutely essential starting point. Nineteenth-century lands officers were Victoria's first environmental managers. From the early days of European settlement they actively made assessments of the natural environment, and published their observations for prospective settlers. One of the great treasures of the nineteenth century was the 1862 land selection map. Drawn to illustrate areas open for settlement under the 1862 land Act, this huge map (VPRS 7664/P3, unit 1) also gives us a snapshot of the environmental assessment of the colony made by administrators in the early 1860s. In the land selection files of the 1869 land Act (VPRS 625 and VPRS 626) we can trace changing attitudes to the natural environment. In the schedules of improvements returned by selectors we can observe the destruction of the great forests of South Gippsland, the open box forests of the northern plains and the impenetrable scrub of the Mallee. Moreover, the Lands Guide helps to remind us that nineteenth-century settlers were not always bent on destruction of the natural environment. One of the richest treasures left by the nineteenth-century land administrators are files created with the creation of timber and water reserves, and grazing commons and forests (VPRS 242 Crown Reserves Correspondence). The same files open a window into the history of the urban environment and in them we can see the reservation of important community assets such as gardens, recreation areas and mechanics' institutes.

The Lands Guide is, therefore, an essential resource for understanding the history of Victoria. I am sure it will become a critical starting point for family, regional and environmental historians. In addition to being a useful resource for individual and family history, it will also assist with researching properties and landscapes, local history, and the history of whole communities and regions. It will make possible the exploration of regional land settlement patterns, the history of natural resource management, historical geography, and the study of the changing policies with regard to Aboriginal ownership and occupation of land.

17 For the various records that can be used with lands files see Bronwyn Fensham, Barbara Wels and Kasia Zygmuntowicz, Private Lives, Public Records: Family History Resources at Public Record Office Victoria, Public Record Office Victoria, Melbourne, 2004.
PART 2: INTRODUCTION TO CROWN LANDS IN VICTORIA
3. Records of the Crown Lands of Victoria

Historical background

At the time of Captain William Lonsdale's appointment as Police Magistrate, Port Phillip District in September 1836, the colonial government in Sydney set up a bureaucracy for the local administration of the district, including the disposal of land. As Lonsdale and his party left Sydney to provide the first government authority in the Port Phillip District, comprehensive instructions for the survey of the district were being issued and arrangements for the survey being made.

Also in 1836, the first applications were made for grazing licences in the Port Phillip District. However, the New South Wales Squatting Act 1836 was not implemented in Port Phillip until 1838 when twenty-six applications for licences were forwarded to Sydney.

Among the police magistrate's many responsibilities was the sale of Crown land. Lonsdale organised the first sale by auction of town allotments in Melbourne in June 1837. The first sales of country land in the Port Phillip District were held in Sydney on 12 September 1838 when land in parishes to the north of Melbourne in the County of Bourke was offered at public auction.

The surveying and management of Crown land continued to be a predominant government activity, administered by a burgeoning bureaucracy. By 1857 the Department of Crown Lands and Survey had become the central government agency responsible for this function, with a number of regional and specialised bodies also having key roles. Detailed information about the activities of these agencies from 1840 to the present can be viewed through Access the Collection by doing a search on any of the Victorian Agency (VA) numbers listed on pages 43 and 44.

Information about government activities from 1836 to 1840 in relation to Crown land can be found in:


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18 See VPRS 11862/P1 Reports of Land Sales by Public Auction, unit 1.
Illustration 2

Survey camp, unknown location.

VPRS 12800/P1, H 1810
Original records published in these two volumes of *Historical Records of Victoria* can be found by consulting record series listed for the following agencies:

- **VA 472** Police Magistrate, Port Phillip District (1836 – 1839)
- **VA 473** Superintendent, Port Phillip District (1839 – 1851)
- **VA 943** Surveyor General’s Department, Port Phillip Branch (also known as the Melbourne Survey Office) (1836 – 1851)

**Note:** For records relating to land after ownership passed from the Crown, consult records held at the Titles Office at Land Victoria. Information is available through the Internet at [http://www.land.vic.gov.au](http://www.land.vic.gov.au).

**Understanding the way land records are organised at PROV**

The land records held by PROV were generated by Victorian Government agencies with responsibility for land administration. Each government agency is allocated a number, and this is known as the Victorian Agency (VA) number. When transferred to PROV, each group of records created by a government agency is allocated a Victorian Public Record Series (VPRS) number. What follows is a brief description of the way records relating to land in Victoria have been organised.

**Victorian Agency (VA)**

An **agency** is a body that has or had responsibility for at least one aspect of government business and has therefore created and maintained public records. Because each agency has an independent recordkeeping system, the agency name – for example, Crown Lands Department (VA 2878) – can be helpful in locating and understanding the organisation of specific records.

For details of the history and functions of the agency, together with a full listing of the records associated with that agency, follow the links given by the VA number. Please note, however, that some of the series listed for these agencies will not have anything to do with Crown land.

The main agencies responsible for the allocation and management of Crown land are:

- **VA 472** Police Magistrate, Port Phillip District (1836 – 1839)
- **VA 473** Superintendent, Port Phillip District (1839 – 1851)
- **VA 856** Colonial Secretary’s Office (1851 – 1855)
- **VA 2878** Crown Lands Department (1853 – 1857)
- **VA 538** Department of Crown Lands and Survey (1857 – 1983)
- **VA 744** Board of Land and Works (1857 – 1964)
Regional agencies which had some responsibility for the disposal and management of Crown land are:

- **VA 2710 Commissioner of Crown Lands, Westernport** (1840 – ?1858)
- **VA 4739 Commissioner of Crown Lands, County of Grant** (1840 – ?1858)
- **VA 4737 Commissioner of Crown Lands, Portland Bay** (1840 – ?1860)
- **VA 4729 Commissioner of Crown Lands, County of Bourke** (1841 – ?1860)
- **VA 2711 Commissioner of Crown Lands, Murray District** (1843 – ?1858)
- **VA 4738 Commissioner of Crown Lands, Gippsland District** (1843 – ?1858)
- **VA 4740 Commissioner of Crown Lands, Wimmera District** (1846 – ?1858)

Agencies responsible for closer settlement and soldier settlement are:

- **VA 538 Department of Crown Lands and Survey** (1898 – 1904)
- **VA 2266 Closer Settlement Board** (1904 – 1933) – known as the Lands Purchase and Management Board from 1905 to 1918
- **VA 2268 Closer Settlement Commission** (1933 – 1938)
- **VA 538 Department of Crown Lands and Survey** (1938 – 1984)

Agencies responsible for the survey of Victoria and specific regions and areas, including the marine survey and the administration of surveys are:

- **VA 943 Surveyor-General’s Department, Port Phillip Branch** (also known as the Melbourne Survey Office) (1836 – 1851)
- **VA 2921 Surveyor-General’s Department** (1851 – 1857)
- **VA 538 Department of Crown Lands and Survey** (1857 – 1983)
- **VA 2591 Office of the Government Astronomer and Superintendent of Geodetic Survey** (1853 – 1943)

**Victorian Public Record Series (VPRS)**

A record series is a group of records which are recorded or maintained by the same agency (or agencies) and which:
are in the same numerical, alphabetical, chronological, or other identifiable sequence

or

result from the same filing accumulation process, perform the same function, or have a
similar physical appearance of information content.

The VPRS is the basic component of the PROV archival control system, and the key to
finding records on any subject covered by the collection. PROV holds hundreds of record
series that relate to the disposal and management of Crown lands. The relevant VPRS
numbers are referred to throughout this guide.

Some other important archival terms used to describe the components of series are:

- **consignment**,  
- **unit**, and
- **item**.

A **consignment** consists of record items belonging to a single record series (VPRS) which
has been transferred to the custody of PROV as part of one accession. A consignment may
comprise the whole or only a part of a series. Each consignment is given an alpha-numeric
identification (ID) number (for example, **P2**), consisting of:

- an alpha code indicating its retention status (P = Permanent, T = Temporary, U =
Unappraised), and

- a sequential number to differentiate it from the other consignments (if any) within the
series

Therefore, in the example given above, **P2** refers to permanent consignment number 2.

Each consignment is divided up into **units**. A unit refers to the storage unit used by PROV (a
box, a volume, and so on) to store records and to provide physical control over them. A unit
may be, for example, a box, bundle, plan press drawer or tube containing record items (see
below) or it may be a single volume. The unit number directs staff to the relevant physical
location within a PROV repository.

A record **item** is a single discrete record entity. It could be, for example, a group of folios
fastened together to form a file, a single volume (or even a page in a volume), a card, a map,
a photograph, a film, a sound recording or a computer tape. Within a series there may be
only one record item, or there may be several thousand – or more. The identifier for an item
may be a file number (perhaps incorporating a date), a name, or a combination of both. Most
of the time, you will be seeking an item when you order PROV records for viewing. Often
however, you may have to order a **unit** containing many items to then find the one you want.

There are a number of other archival concepts that are useful to understand when doing your
research at PROV. They are **Victorian Function (VF)** and **Victorian Record Group (VRG)**
(a description of these can be found on the next page).
Unless otherwise stated, the series listed in this guide consist of original paper records (including bound volumes, document files, maps and plans) produced by government agencies. The guide is intended to help you identify records that may be useful to your research and which you may then order using PROV's online catalogue for viewing in a PROV reading room. A small number of series mentioned in this guide will be accessible via the Internet on the PROV website. These will usually be records like registers, indexes, databases, and other finding aids that can help you identify original paper records that you would like to order for viewing in a PROV reading room.

**Victorian Function (VF)**

The term function refers to the role and administrative activities of an agency (see above) or group (see heading ‘Victorian Record Group’ below). Legislation, the law made by parliament, is the ultimate source of responsibility for a function, which may move between agencies over time – for example, soldier settlement (for a summary of the legislation relating to the administration of Crown land in Victoria see Chapter 4).

Functions (VF) are each given a number. They give you an important insight into the context in which records were created. They allow you to find records associated with a particular function, even if the function itself moves from one agency to another, or from one record group to another.

For general summaries of the history of the activities of government in relation to some of the functions carried out by the following areas of government responsibility, consult:

- VF 309  *Crown lands (public)*
- VF 310  *Crown lands (government)*
- VF 34  *Settlement schemes (irrigable land)*
- VF 113  *Settlement schemes (soldier settlement)*

**Victorian Record Group (VRG)**

A record group brings together agencies that have created records documenting similar functions. They may be agencies that:

- are part of the same ministerial portfolio  
  OR
- have a common function  
  OR
- comprise a sector of government
For an overview of the main areas of government responsibility in relation to lands consult the following record group texts:

- **VRG 18**  
  *Lands*

- **VRG 27**  
  *District Land Offices*

**A note about date ranges and qualifiers**

Year ranges have been included for each of the series and agencies mentioned in this text. Generally, year ranges for series refer to the span of years in which records for the specified series were being created and accumulated, that is, the date range of the recordkeeping process which formed the series. Please note that **series** year ranges do not necessarily correspond with the year range that PROV has in custody for that series. For example, in the case of a series consisting of numbered files, the series date range usually refers to the years in which the first and last file numbers were allocated in the recordkeeping system.

In a small number of cases, the year range of the **contents** of the series, which relates to the dates of the earliest and latest records in a series, is provided instead if this gives a more meaningful guide for using or accessing the records in that series. Full details of series, series in custody, and contents year ranges for all series mentioned in this text can be found by searching on the PROV online catalogue.

Year ranges for records held by PROV are sometimes preceded by qualifiers such as ‘?’, ‘circa’ and ‘by’. The use of ‘?’ indicates a degree of uncertainty as to the year specified; ‘circa’ and the abbreviation ‘c’ are used when a series is known to have commenced or ceased around a particular date; and ‘by’ is used when it is known that a series ceased or commenced by a particular date and it is known that the series existed after or before that date, but the precise date is not known.

**Example:**

**VPRS 440 Land Selection and Occupation Files** refers to the record series containing records generated by the agency **VA 538**, Department of Crown Lands and Survey, as part of function **VF 309** Crown lands (public).

The following three record series contain information about a significant proportion of the lands files held at PROV and are often referred to in this guide:

- **VPRS 7311**  
  *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*  
  (1840 – 1984)

- **VPRS 7312**  
  *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)*  
  (1840 – 1984)

- **VPRS 44**  
  *Inward Registered and Unregistered Correspondence*  
The microfiche catalogues VPRS 7311 and VPRS 7312 are discussed in detail in Chapter 10 – Using Microfiche Catalogues VPRS 7311 and VPRS 7312. These catalogues facilitate access to about two-thirds of the land files held at PROV.

VPRS 44 Inward Registered and Unregistered Correspondence consists of inward correspondence received by the various agencies responsible for land functions in Victoria. Over time these records accumulated and were transferred as each agency became defunct or passed responsibility to the next administration. Therefore, VPRS 44 contains records from over sixty different agencies' correspondence registration systems. Because the series includes land correspondence sent to the land agencies from other government departments, it also contains unregistered correspondence.

The contents of the series spans the years 1839–78, but some files date into the twentieth century.

Essentially there are two ways to access the correspondence in the series:

- **Browse the date of correspondence details for VPRS 44 Inward Registered and Unregistered Correspondence** which can be found on the PROV website at <http://www.prov.vic.gov.au/landsguide/>. The correspondence is listed in chronological order and there is a brief description of the files and correspondence in many instances.

- **Use VPRS 8670 Microfiche Catalogue to Crown Lands and Survey Files in VPRS 44** (computer output microfiche) if you know the file number.

**Further reading on archival concepts and researching records**

For an explanation of the terms 'consignment', 'unit' and 'item' as they are used at PROV, see PROVguide 66 – Records Information – PROV's Archival Control Model, available online on the PROV website or in PROV reading rooms. See also appendix A in Private Lives, Public Records, for an explanation of PROV's archival control system. Chapter 1 in Private Lives, Public Records also provides a good introduction on how to research records at PROV. The whole book is actually a good place to start if you are interested in learning about the kinds of records PROV holds and how they may be useful to your research.
4. Victorian Land Legislation

Introduction

From 1836 to 1860 Crown lands in Victoria were administered under Imperial (British) Acts, Orders-in-Council of the Governor of New South Wales and legislation of the New South Wales Legislative Council. Land was, apart from some special provisions, sold at public auction. The *Waste Lands Act 1842* stated that waste, or unoccupied, lands were to be surveyed, proclaimed and then sold at public auction at a minimum upset price. However, by the mid 1840s a small number of squatters occupied much of the Port Phillip District, holding large pastoral runs under licence. The Order-in-Council of 7 October 1847 allowed the squatters to purchase up to 640 acres of those runs as a homestead area. These provisions remained until the *Land Act 1898*.

Meanwhile, Victoria's population, swollen by the influx of immigrants following the discovery of gold in 1851, was demanding access to agricultural lands on which to settle. In the late 1850s the Victorian government began to address these demands, but this meant breaking the squatters' hold on the land. It took several attempts at land legislation before a satisfactory system of settling people on small farms was achieved. From the implementation of the first land legislation in 1860, would-be farmers were required to 'select' their agricultural allotments from the lands offered for sale or occupation under the terms of the particular Act in force at the time. Hence the general term used for the process of agricultural settlement of Victoria was known as 'selection', and the settlers became known as 'selectors'. The Acts comprising early lands legislation were also known as 'selection acts', and were individually known by the name of the main politician responsible for their creation. For example, James Grant was responsible for both the 1865 and 1869 Acts, and these were respectively referred to as the first Grant Act and the second Grant Act.

Throughout the second half of the nineteenth century and the first half of the twentieth century, the Victorian government – in its ongoing drive to populate Victoria's lands with farmers – developed land legislation addressed at specific issues, such as the occupation of the arid Mallee region, the use of goldfields land, the ideal of a more closely settled rural population, and the settlement on the land of returned soldiers from both World Wars.

This chapter provides a summary of pertinent land legislation from 1860 to 1958 regarding the selection, occupation and management of Crown land. The key provisions of the various Acts, and the records generated by their operations are discussed in more detail in later chapters. Taking note of which land Acts may be of relevance to your research can assist you in locating information in this book.

The legislation is listed and key provisions summarised in the table at the end of this chapter.
Sale of Crown Lands Act 1860 (Nicholson Act)

This was the first Act passed by the Victorian Parliament governing the sale and selection of Crown land.

Three million acres of country land was divided into surveyed allotments of 80–640 acres and proclaimed available for selection.

Each allotment had two equal portions – A and B. Successful applicants could purchase both portions outright, or purchase one and lease the other, with the right to purchase later. There was no provision to acquire one portion only.

No person could select more than 640 acres in any one year, unless the additional land had been open for selection for more than one year.

Instead of giving the would-be small farmer access to land, this Act enabled wealthy squatters to gain freehold to large parts of their runs, particularly in the Western District.

Land Act 1862 (Duffy Act)

Ten million acres were defined under section 12 as agricultural areas to be opened for selection in surveyed allotments of 40–640 acres. Half of the area was to be purchased outright and the other half leased and paid off over eight years. Leaseholds were to be improved by cultivation, or the erection of habitable buildings or fencing within 12 months. However, as it was impossible to enforce the improvement provisions, they were withdrawn in 1863. Again, the legislation played into the hands of the squatters, who used it to further consolidate their holdings, shutting out the small farmer.

This Act did introduce some new key provisions for a variety of uses of Crown land.

Farmers' commons, goldfields commons and town commons, on which small-holders could graze their stock, were established under part 4.

Sections 33 and 34 gave selection rights to persons occupying land on the goldfields under residence and cultivation licences if certain conditions were met.

Section 37 allowed lessees under the Sale of Crown Lands Act 1860 to obtain a completely new lease for 8 years.

Section 47 allowed persons who wished to establish 'novel industries' – for example, vineyards – to lease up to 30 acres of land for a maximum of 30 years. The land could be purchased at any time for up to 5 years after the lease had expired.

Sections 50 (leases) and 53 (licenses) allowed land to be used for a wide variety of purposes such as timber-getting and quarrying, punts, wharfs and jetties, rural businesses and a range of industrial enterprises.
A satirical article about the Land Act 1860 from *Punch* magazine reveals the public reaction to government policy on making Crown land available to people of limited means.

*Melbourne Punch*, 31 May 1860, p. 145. La Trobe Picture Collection, State Library of Victoria
Amending Land Act 1865 (Grant Act)

With the Amending Land Act 1865, the Minister for Lands James Grant aimed to provide better opportunities for people of modest means to acquire farming land. It set in place a system based fully on leasehold rather than straight-out purchase. The Act introduced three key provisions.

Section 7 allowed holders of some existing leases under the previous land Acts, where the transactions were incomplete or the term of the lease had not expired, an extension of time of twelve months to apply to exercise their right of selection or purchase.

Section 12 of the Act allowed for surveyed allotments to be available for selection in surveyed agricultural areas without any division into halves. Land could be leased for between three and seven years. The lessee had to make improvements to the value of one pound per acre within two years. After three years lessees had the opportunity to purchase the land.

Section 42 allowed people on the goldfields to reside on and cultivate up to 20 acres under annual licences before survey. Multiple licences of this type could be obtained under regulations made in 1868. This was the first time that a provision was made that allowed selection and occupation before the land was surveyed.

Land Act 1869 (second Grant Act)

This Act, which came into operation in 1870, opened up most of the remaining arable land in Victoria, including Gippsland and the Wimmera, for selection before survey and was the most effective of the selection acts in settling small farmers on the land. By 1880 only the arid Mallee and hill country of Gippsland and the Otways had not been opened for selection. The Act reduced the maximum selection by half and allowed an individual to select only once.

Some of its key provisions refined earlier conditions of selection.

Sections 19 and section 20 provided for the wide-scale selection of blocks up to 320 acres before survey. At the end of the initial three years, if improvements had been made, the selector could apply for a seven-year lease or purchase the land outright. Rents paid defrayed the purchase price.

The licence term on land selected under this Act was extended to six years and the lease term was extended to 14 years under the Land Act 1878 as amended.

Section 31 enabled holders of licences under section 42 of the Amending Land Act 1865 to purchase their land or obtain a lease leading to purchase.

Section 33 allowed holders of leases under sections of the Amending Land Act 1865 to apply to purchase the land immediately (if certain conditions were met) or to apply for a new seven-year lease leading to purchase.
Section 49, like section 42 of the *Amending Land Act 1865*, allowed residence and occupation licences for up to 20 acres on the goldfields. Later, under a further amendment to the land Act in 1880, licensees were able to purchase the land.

Section 45 (leases) and section 47 (licences) allowed occupation of Crown land for a large number of rural activities other than agricultural or pastoral activities, of the type allowed under sections 50 and 53 of the *Land Act 1862*.

**Land Act 1878 (Longmore's Act)**

With the 1870s came several years of drought, causing hardship to many selectors. This led to easing of the terms of selection under the new *Land Act 1878*. It also brought in a new requirement that every application was heard before a local land board, which heard objections to applications and made recommendations to the Minister for Lands regarding the outcome.

Key provisions of the Act were that the original licence-to-occupy period (see sections 19 and 20 of the *Land Act 1869*) was extended to 6 years, and the leasehold period was extended to 14 years (under sections 2 and 5 of the 1878 land Act).

**Mallee Pastoral Leases Act 1883**

The *Mallee Leases Act 1883* addressed the problem of vermin – rabbits that were destroying pasture and wild dogs that were killing sheep – which were causing squatters to abandon their runs in this arid part of north-western Victoria. The Act gave squatters some secure tenure to their runs by providing for grazing leases for up to 20 years.

The Act defined 'Mallee Country', and 'Mallee Border'. Mallee country was divided into large blocks ranging from 60 to 500 square miles. Each block was divided into two, sections A and B, with a lease to be taken on one section and an obligation to occupy the other for five years. The tenant was expected to clear the vermin on the block within three years. The Mallee border was divided into allotments ranging from 500 acres to 2,000 acres, available by 20-year lease on the same terms as the blocks. At the expiry of the lease the land with the improvements thereon was to revert to the Crown. The leaseholder was compensated with the full value of the improvements.

**Land Act 1884**

With much of the best arable land now alienated from the Crown, the *Land Act 1884* transferred the emphasis from the sale of land to leasing.

Section 32 provided for a lease of land for grazing purposes for up to 14 years.
Illustration 4

Drifting sand was one of the many challenges that confronted efforts to develop the Mallee region of Victoria.

VPRS 12903/P1, BOX 496/08
Section 42 allowed for the issue of agricultural licences for up to 320 acres (corresponding to provisions in section 9 of the 1869 land Act), and section 44 allowed for these to be converted after six years to a 14-year lease, or a Crown grant if specified conditions were met (corresponding to provisions in section 20 of the 1869 land Act).

Section 65 and section 67 provided for licences to be granted to occupy up to 20 acres of auriferous lands for cultivation and grazing respectively.

Sections 91 and 93 made provision for the licensing or leasing of land for miscellaneous purposes in the 1862 and 1869 land Acts.

Section 85 introduced leases for swamp lands.

Note: The provisions of sections 65, 85, 91 and 93 continued under different section numbers and with minor alterations in subsequent Acts. For further details on these changes see table 2 on page 60 to locate relevant chapters for these sections of the Land Act 1884.

**Mallee Act 1889**

This Act was an amendment to the *Mallee Pastoral Leases Act 1883*.

In the early 1880s the Mallee was not considered suitable for agriculture, therefore no provision for selection was made in the *Mallee Pastoral Leases Act 1883*. Within a few years, however, the Mallee's potential for agriculture was discovered, and some illegal private subdivisions for agriculture were made on Mallee border allotments. The *Mallee Act 1889* allowed lessees of Mallee allotments to select 320 acres of their leases for cultivation or grazing, under the same terms as the *Land Act 1884*, that is a 6-year licence then with the option of a 14-year lease or Crown grant.

**Land Act 1890**

The *Land Act 1890* was a consolidation of the *Land Act 1884* and all amendments made to it prior to 1890.

**Settlement on Lands Act 1893**

The *Settlement on Lands Act 1893* was designed to alleviate urban unemployment following the severe economic downturn of 1892.

Sections 5 and 10 provided for village settlements.

Sections 20 and 26 provided for groups to form homestead associations for the purpose of settlement.

Both village settlements and homestead associations involved a two-stage process of permit-to-occupy and then a conditional purchase of a lease.
Sections 33–41 provided for the establishment and management of labour colonies.

**Mallee Land Act 1896**

After the passing of the *Mallee Land Act 1896*, unoccupied Mallee country, including blocks resumed on expiry of lease, became available for selection in allotments not exceeding 640 acres with the right to freehold. Occupation could also occur under a perpetual lease.

**Land Act 1898**

Under the provisions of the *Land Act 1898* (in conjunction with provisions in the 1890 land Act) land was divided into classes depending upon its quality and location. Each class allowed for a different area to be leased with different amounts of rent to be paid.

Section 29 made 21-year leases available (any term of years expiring no later than 29 December 1920, therefore a maximum of 21 years).

Pastoral licences and pre-emptive rights were abolished.

Part III of the Act introduced closer settlement with provision being made for the government to re-purchase freehold land that could then be subdivided into small allotments and made available to small farmers or for workmen's homes.

**Land Act 1901**

The *Land Act 1901* consolidated into one Act the *Land Act 1898*, *Settlement on Land Act 1893* and the *Mallee Land Act 1896* to bring together all continuing legislation relating to land, Mallee lands, village settlements and homestead associations.

**Closer Settlement Act 1904**

The *Closer Settlement Act 1904* gave the government the power to compulsorily acquire land from freeholders for subdivision and allocation as closer settlement blocks. Some Crown lands were also offered as closer settlement estates.

Terms were for a period of permit-to-occupy and, if conditions were satisfied, then a conditional purchase lease was issued. Settlers could obtain advances of money to assist in establishing and conducting their farming operations. Village settlements and homestead associations came under this Act.

The Act was to be administered by a separate statutory body, the Lands Purchase and Management Board from 1905 to 1918, when it became known as the Closer Settlement Board (*VA 2266*).
Land Act 1911

The Land Act 1911 introduced two key provisions.

Section 8 introduced a system of selection purchase leasing for a 20-year term.

Section 22 introduced the same system of selection purchase leasing for Mallee lands (this new provision was to be read in the context of those already existing in part II of the 1901 land Act).

Land Act 1915 and Closer Settlement Act 1915

The Land Act 1915 and Closer Settlement Act 1915 were consolidations of all legislation relating to land and to closer settlement prior to 1915.

Discharged Soldier Settlement Act 1917

Special provision was made in the Discharged Soldier Settlement Act 1917 for the settlement on the land of returned soldiers from World War I, under more liberal conditions than for closer settlement. Soldier settlement was administered as part of the closer settlement program.

Land Act 1928 and Closer Settlement Act 1928

The Land Act 1928 and Closer Settlement Act 1928 were consolidations of all legislation relating to land and to closer and soldier settlement prior to 1928.

Closer Settlement Act 1932

The Closer Settlement Act 1932 changed the name of the responsible body from the Closer Settlement Board to the Closer Settlement Commission and provided it with a different constitution. The Act also provided for the reassessment of settlers’ indebtedness, from 1937.

Land (Residence Areas) Act 1935

The Land (Residence Areas) Act 1935 transferred the administration of residence area rights in gold-mining districts from the mines Act and Mines Department to the land Act and the Department of Crown Lands and Survey, as the miner’s right was no longer required.
**Closer Settlement Act 1938**

The *Closer Settlement Act 1938* dissolved the Closer Settlement Commission with administration of closer and soldier settlement passing to the Department of Crown Lands and Survey.

**Soldier Settlement Act 1945**

Following World War II, a program similar to the discharged soldier settlement scheme that followed World War I was put in place under the *Soldier Settlement Act 1945*. Amendments to this Act were introduced later in the same year (1945) and a new Act the next year (1946). This new soldier settlement scheme was administered by the Soldier Settlement Commission, and for various reasons, proved to be more successful than the schemes provided for World War I veterans. At the time of publication, PROV holds only a limited number of records relating to this latter soldier settlement scheme.

**Land Act 1958**

The *Land Act 1958* was a consolidation of all current legislation relating to land. It is, despite considerable amendments since 1958, the Act currently in force today. Text of the current Act is available at the Australian Legal Information Institute website at [http://www.austlii.edu.au](http://www.austlii.edu.au).

**Summary of land legislation**

The following summary table shows the provisions of the different land Acts, and other relevant Acts, for the selection, occupation and management of Crown lands in Victoria. Knowing the Act (and which section(s) of an Act) that is relevant to the land transactions you are researching will help you find information in this guide that can assist you with your research. Records have often been organised on the basis of the relevant Act and section(s) of an Act.

*Table 2 – Summary of land legislation in Victoria (1860–1958)*

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<td>49</td>
<td>Conditions of licence for an agricultural allotment</td>
<td>23, 24</td>
</tr>
<tr>
<td></td>
<td>54</td>
<td>Licence (residential and non-residential) to occupy a grazing allotment</td>
<td>23</td>
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<tr>
<td></td>
<td>56</td>
<td>Conditions of licence for a grazing allotment</td>
<td>23</td>
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<tr>
<td></td>
<td>103</td>
<td>Licence to occupy land in auriferous areas</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>105</td>
<td>Licence for grazing in auriferous areas</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>106</td>
<td>Worked-out auriferous areas licensed for occupation</td>
<td>23</td>
</tr>
<tr>
<td>Act</td>
<td>Section</td>
<td>Provision</td>
<td>Chapter(s)</td>
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</tr>
<tr>
<td></td>
<td>131</td>
<td>Swamp lease</td>
<td>23</td>
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<tr>
<td></td>
<td>142</td>
<td>Lease: miscellaneous leases without right to buy</td>
<td>25, 36</td>
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<td></td>
<td>145</td>
<td>Licence to occupy: miscellaneous purposes</td>
<td>25, 36</td>
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<td></td>
<td>146</td>
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<td>17, 25, 36</td>
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<td>Bee-keeping licences</td>
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<td>Grazing licence</td>
<td>26</td>
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<td>192</td>
<td>Right of occupiers of forest land to purchase</td>
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<td>217 and 218</td>
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<td></td>
<td>344 and 346</td>
<td>Right of landholders in village settlements to acquire more land</td>
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<td>Closer Settlement Act 1904</td>
<td>49</td>
<td>Conditional purchase leases for farm allotments</td>
<td>27, 30, 31,32, 33, 34</td>
</tr>
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<td></td>
<td>50</td>
<td>Workmen's home allotments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>55</td>
<td>Regulations for allotments</td>
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</tr>
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<td>57</td>
<td>Sale of lands for public purposes</td>
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<tr>
<td>Land Act 1911</td>
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<td>Selection purchase leases for Mallee lands</td>
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<tr>
<td>Wonthaggi Land Act 1912</td>
<td>Whole Act</td>
<td>Special provision for the leasing and sale of Crown land in the Township of Wonthaggi (near the State Coal Mine)</td>
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<td></td>
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<td>Advances could be obtained</td>
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<td>Grazing lease without right to purchase</td>
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<td></td>
<td>46</td>
<td>Lease of selection purchase allotment</td>
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<td></td>
<td>49</td>
<td>Conditions of the lease and the right to a grant</td>
<td>23, 25</td>
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<td></td>
<td>86</td>
<td>Licence to occupy land in auriferous areas</td>
<td>27</td>
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<td></td>
<td>110</td>
<td>Swamp lease (see also sections 109–116 for further information)</td>
<td>23</td>
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<tr>
<td>Act</td>
<td>Section</td>
<td>Provision</td>
<td>Chapter(s)</td>
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<tr>
<td>------------------------------------------</td>
<td>---------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Grazing licence: without right to purchase – no exclusive right but if open for selection, anyone can make an application (which may or may not succeed)</td>
<td>121</td>
<td></td>
<td>26</td>
</tr>
<tr>
<td>Lease: miscellaneous leases without right to buy</td>
<td>125</td>
<td></td>
<td>25</td>
</tr>
<tr>
<td>Licence to occupy: miscellaneous purposes</td>
<td>129</td>
<td></td>
<td>25</td>
</tr>
<tr>
<td>Bee-keeping licences (for further details, see also section 132–136 for Bee Farm Licences and sections 137–140 for Bee Range Area Licences)</td>
<td>139</td>
<td></td>
<td>35</td>
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<tr>
<td>Conditional purchase leases for farm allotments</td>
<td>86</td>
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<td>27, 30, 32</td>
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<td>Land made available for farms for discharged soldiers</td>
<td>Various sections</td>
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<td>30, 32</td>
</tr>
<tr>
<td>Conditions for writing-off of certain debts</td>
<td>15</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Residential lease of selection purchase allotment</td>
<td>44</td>
<td></td>
<td>23</td>
</tr>
<tr>
<td>Adjustment of liabilities for closer settlers</td>
<td>32</td>
<td></td>
<td>30, 32, 34</td>
</tr>
<tr>
<td>Definition of residence areas expanded beyond the goldfields</td>
<td>6</td>
<td></td>
<td>28</td>
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<tr>
<td>Covering acquisition and allocation of land to discharged soldiers returning from World War II</td>
<td>part 4</td>
<td></td>
<td>32</td>
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<tr>
<td>Regarding power of Soldier Settlement Commission to make advances to discharged soldiers</td>
<td>4</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Making further provisions and amending previous soldier settlement Acts</td>
<td>Various</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Right to purchase land (including in an auriferous area) occupied under a residence area right</td>
<td>12</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Lease: miscellaneous leases without right to buy</td>
<td>134</td>
<td></td>
<td>25, 26</td>
</tr>
<tr>
<td>Act</td>
<td>Section</td>
<td>Provision</td>
<td>Chapter(s)</td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>-------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>138</td>
<td></td>
<td>Licence to occupy: miscellaneous purposes</td>
<td>25, 26</td>
</tr>
<tr>
<td>123</td>
<td></td>
<td>Lease for agricultural purposes without right to purchase</td>
<td>25, 26</td>
</tr>
<tr>
<td>130</td>
<td></td>
<td>Licence for agricultural purposes: without right to purchase</td>
<td>25, 26</td>
</tr>
<tr>
<td>173</td>
<td></td>
<td>Right to purchase land in an auriferous area occupied under a residence area right</td>
<td>28</td>
</tr>
</tbody>
</table>
5. Locating and Identifying Land in Victoria

Introduction

This chapter explains the cadastral organisation of land into parishes, townships and Crown allotments, which form the basis of land location and identification in Victoria.

Administrative groupings of parishes into land districts, and later divisions, were an important part of the disposal and management of land in Victoria and also need to be taken into account when locating land records.

Background

For the purpose of identification and location of land, the State of Victoria is divided into 37 proclaimed and named counties. Each county is further divided into parishes and townships proclaimed under the land Act. Proclaimed parishes and townships are listed in the *Township and Parish Guide* (Department of Crown Lands and Survey, Melbourne, 1955). Copies of this guide are available in PROV reading rooms. A list of these is also available online at <http://www.prov.vic.gov.au/landsguide/>.

Some microfiche copies of original survey maps and plans of parishes can be accessed at the Victorian Archives Centre:

- **VPRS 15899 Historic Plans Collection [Copy of VPRS 8168] (1836 – 1984)**
- **VPRS 8164 Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche)**, which lists the contents of VPRS 15899 in plan number order, and under parish and county headings.

Examples of the surveyors’ returns between 1861 and 1865 to the Department of Crown Lands and Survey (VA 538) for the measurement and delineation of allotments and sections in selected parishes are available in:

- **VPRS 14960 Areas of Parishes and Allotments (by 1861 – ?1865).**

Cities, towns and boroughs proclaimed under Victorian local government legislation are not part of the system of description of Crown land.

Parishes and townships

The key to locating specific pieces of land and the records associated with them is the parish or township plan. As noted above, Victoria’s land was divided into 37 counties, which were further divided into parishes and townships. This process took place progressively as areas were surveyed and made available for sale. A parish plan was drawn and maintained for
each parish. It provided a comprehensive record of the use and alienation of land from the Crown. Information on these plans can be used to access records. See Chapter 6 – Using Parish Plans.

Parish and township names can be identified from a number of sources:

- Maps of the counties and parishes of Victoria. These maps are available in the Victorian Archives Centre. Parish and township maps of western Victoria are available in the Ballarat Archives Centre.

- Microfiche copies of the parish plans are held in PROV reading rooms. Digital copies of a set of regional land office working plans are available from the PROV online catalogue as VPRS 16171 Regional Land Office Working Plans Digitised Reference Set.

  The digitised plans in this series can be searched by parish, township, county and land district name. For help identifying likely names to search, consult the lists of parish and township names online at <http://www.prov.vic.gov.au/landsguide/>.

  The plans available on microfiche in PROV reading rooms were known as 'record plans'. They represent a record of the permanent status of Crown land. Retired generations of parish/record plans are referred to as 'put-away plans'. They were differentiated from the 'working plans' which were used to record temporary occupation of Crown land. These 'working plans' that were held by regional land offices are now available online as VPRS 16171. Either set contains basic information about Crown land ownership and may be used to identify land files in the ways suggested in later chapters of this guide.

- If the name of a township proclaimed under the land Act is known, use the first table in the Township and Parish Guide, entitled 'List of Townships proclaimed under the land Acts of the State of Victoria' to find the name of the parish(es) in which that township is situated. A list of these is also available online at <http://www.prov.vic.gov.au/landsguide/>.

- Parish names may be identified in the inventories of property in probate papers. These describe any land held by freehold or Crown lease in terms of the parish, section and allotment.

- Municipal rate records and notices usually indicate the parish in which land is located.

- Where the name of a person and approximate date of occupation are known, consult records such as: registers of applications; rent rolls; register of Crown grants; and registers of leases. These control records may be used to find details of the parish name and section, and allotment identifying numbers or letters.

- Title deeds held for freehold land.

- To locate records after 1873, you must identify not only the parish or township but also the land (or survey) district which you can obtain by consulting the Township and Parish Guide at the Victorian Archives Centre. A list of these is available online at <http://www.prov.vic.gov.au/landsguide/>.
Crown allotments

When a portion of land, known as a Crown allotment (or Crown portion prior to 1860) was surveyed and its boundary lines and area charted, it was given an allotment number. This was a numeral or letter and was printed on the plan inside the boundaries, together with the area in acres, roods and perches (for definitions of these units of land measurement consult the Glossary). A number of allotments could be grouped to make up a section described by a number or a letter or both.

Land districts

From 1873, in the interests of more efficient administration of land selection and occupation, the Department of Crown Lands and Survey divided Victoria into land districts, sometimes referred to as survey districts. Each existing parish was allocated to a specific land district.

The original listing of parishes and survey districts can be seen in the Report of Proceedings Taken under Provisions of the Land Act 1869 for the year 1874 as presented to both Houses of Parliament. A copy of this listing is available in the Victorian Archives Centre Reading Room. For early allocation of parishes to land districts see also:

- **VPRS 14962 Lists of Parishes, Proclaimed Townships and Land Districts (1887 – 1889).**

The original land districts in Victoria were named according to the towns where district survey offices were located. These were:

<table>
<thead>
<tr>
<th>Alexandra</th>
<th>Hamilton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ararat</td>
<td>Horsham</td>
</tr>
<tr>
<td>Beechworth</td>
<td>Kerang</td>
</tr>
<tr>
<td>Benalla</td>
<td>Melbourne</td>
</tr>
<tr>
<td>Bairnsdale</td>
<td>Omeo</td>
</tr>
<tr>
<td>Ballarat</td>
<td>Sale</td>
</tr>
<tr>
<td>Camperdown</td>
<td>Sandhurst (or Bendigo)</td>
</tr>
<tr>
<td>Castlemaine, with Castlemaine and Dunolly divisions</td>
<td>Seymour</td>
</tr>
<tr>
<td>Echuca</td>
<td>St Arnaud</td>
</tr>
<tr>
<td>Geelong</td>
<td>Stawell</td>
</tr>
<tr>
<td></td>
<td>Warrnambool</td>
</tr>
</tbody>
</table>

Later the Mallee land district was created and its office administered the land Acts specifically in the Mallee region of Victoria, although portions of the Horsham, Kerang and St Arnaud land districts were also considered to be Mallee lands and administered accordingly.

The Township and Parish Guide gives the land district for each parish from 1955 onwards.
Between 1874 and 1955 a number of parishes were changed from one land district to another, and some land districts were abolished or altered. A list of these changes is available online at <http://www.prov.vic.gov.au/landsguide/>.

Some significant changes were:

- by about 1884, the land districts of Camperdown and Warrnambool had become part of the Geelong land district;
- by about 1884, the Dunolly division of the Castlemaine land district had been divided between the Castlemaine and St Arnaud land districts;
- about 1898, the western portion of the original Sale land district (in the County of Buln Buln) was re-allocated to the Melbourne land district.

As the volume and type of business conducted by the Department of Crown Lands and Survey changed in the twentieth century, the land districts were contracted into divisions. Alphabetical designators were used for each division and became the distinguishing characteristic for correspondence and file numbers as shown in the table below.

**Table 3 – List of abbreviations of land divisions**

<table>
<thead>
<tr>
<th>Letter</th>
<th>Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>G</td>
<td>Central (Melbourne, Geelong and some Ballarat)</td>
</tr>
<tr>
<td>H and HO, Y and T</td>
<td>Eastern</td>
</tr>
<tr>
<td>W</td>
<td>Northern (Bendigo, Castlemaine, Echuca, Kerang and St Arnaud)</td>
</tr>
<tr>
<td>Z</td>
<td>Western (Horsham and Hamilton and some Ararat)</td>
</tr>
<tr>
<td>J</td>
<td>Western Victoria</td>
</tr>
<tr>
<td>T</td>
<td>Sale, Bairnsdale and Omeo (became part of H and HO).</td>
</tr>
<tr>
<td>M</td>
<td>Mallee</td>
</tr>
</tbody>
</table>
6. Using Parish Plans

Introduction

This chapter guides you through the intricacies of the parish plan, which holds a wealth of coded information about the sale and management of Crown land records, but is full of pitfalls for the inexperienced.

Parish plans

The parish plan shows all land dealings of a permanent nature. It shows details of allotments sold (or alienated) by the Crown or of allotments held under an alienating Crown lease or licence – that is, a perpetual lease or a licence giving exclusive occupation. The parish plan also shows reservations, government roads, permanent surveys and remaining unalienated Crown lands at a given date.

There are usually variations in the information shown on parish plans from one date to another, as new transactions or changes to land use occur – for example:

- land is reserved from sale for a particular purpose,
- a reservation is revoked,
- land previously unsold by the Crown is sold,
- land is re-acquired by the Crown and then reserved or re-subdivided and re-sold (as occurred with closer and discharged soldier settlement).

Microfiche copies of the parish plans are held in PROV reading rooms. Digital copies of a set of regional land office working plans are available from the PROV online catalogue:


The digitised plans in this series can be searched by parish, township, county and land district name. For help identifying likely names to search, consult the lists of parish and township names online at <http://www.prov.vic.gov.au/landsguide/>.

The plans available on microfiche in PROV reading rooms were known as 'record plans'. They represent a record of the permanent status of Crown land. Retired generations of parish/record plans are referred to as 'put-away plans'. They were differentiated from the 'working plans' which were used to record temporary occupation of Crown land. These 'working plans' that were held by regional land offices are now available online as VPRS 16171. Either set contains basic information about Crown land ownership and may be used to identify land files in the ways suggested in later chapters of this guide.
Illustration 5

Plan of the Parish of Katyil. The plan covers the area that is featured in 'Case study: from mission to fringe camp to welfare housing'.

VPRS 16171/P1 Katyil-1(Psh)LOImp2853.pdf, Katyil -1 Parish Plan, Imperial measure 2853
Plan of the Township of Dimboola. The town is located near the Ebenezer Moravian mission station that is featured in 'Case study: from mission to fringe camp to welfare housing'.

VPRS 16171/P1 Dimboola(Tp)LOImp5245.pdf, Dimboola Township Plan, Imperial measure 5245
For government information about land and property in Victoria, including a large range of digitised maps, see the Land Channel website at <http://www.land.vic.gov.au>.

**General Information on the Parish Plan**

The parish plan shows (see *figure 2* on facing page for an example):

- name of the parish and county;
- number of plan, comprising a letter (the first initial of the parish name) and numerals – each time a fresh plan is drawn the edition of the plan is shown in brackets;
- details of scale, the orientation of the land, and date of currency;
- allotments that were allocated when the land was initially surveyed and offered for sale by the Crown – the allotments can include Crown reserves and un-reserved Crown land;
- section numbers;
- government roads;
- names of adjoining parishes in most cases;
- boundaries of townships within the parish.

Consult the township plan for details of townships. The township plan has similar details to the parish plan.

**Information on each Allotment on the Parish Plan**

The parish plan includes the following information about each allotment sold by the Crown or occupied under lease or licence for private use (see *figure 3* on page 74 for an example):

- allotment number;
- area of the allotment in acres, roods and perches (or hectares after introduction of metric system in 1966);
- if the full Crown grant comprises more than one allotment, the aggregate area of the grant, with the area of each individual allotment in brackets;
- name of the Crown grantee;
- length of the boundary in links or metres;
- bearing of the boundary in degrees and minutes;
- file number or correspondence number (see the section on *File numbering* starting on page 76);
- date of the Crown grant – where shown, it is written in small numbers just under the name of the grantee.
Figure 2

Typical features of a parish plan using the plan for the Parish of Illawarra as an example.

VPRS 16171/P1 Illawarra(Psh)LOImp2771.pdf, Illawarra Parish Plan, Imperial measure 2771
Figure 3

Typical features of an allotment on a parish plan using allotment 162A of J Webb on the plan for the Parish for Illawarra as an example.

VPRS 16171/P1 Illawarra(Psh)LOImp2771.pdf, Illawarra Parish Plan, Imperial measure 2771 [detail]
The practice of inserting dates (the last item in the list above) did not generally commence until 1863. Also, where a date is given on the parish plan and the land was sold at public auction, the date may be that of the sale rather than the date of the Crown grant.

If you are seeking dates of acquisition prior to 1863 consult:

- **VPRS 11867** *Name Index to Register of Crown Grants* (by 1851 – 1858)
- **VPRS 11866** *Register of Crown Grants* (1851 – 1859)

Other useful records are:

- **VPRS 11862** *Reports of Land Sales by Public Auction* (1837 – ?1972)
- **VPRS 102** *Register of Purchasers of Town Land* (1837 – 1856).

**Other Information on the Parish Plan**

Other information on the parish plan may relate to the following:

- **Crown reserves**: this usually includes the purpose of the reserve – for example, timber reserve or water reserve – the reference to the proclamation of the reserve in the *Victoria Government Gazette*, and the relevant reserves file number. The proclamation gazettal is given the form of date and page number – for example, '1881:1389', meaning the reserve was gazetted in 1881, and the notice can be found on page 1389. The file number will have an 'Rs' prefix. See Chapter 13 – Grants of Land for Special Purposes, Crown Reserves and Commons.

- **Pre-emptive right**: these are areas of land that were purchased by holders of pastoral runs between 1847 and 1898. Because many of these holdings were alienated before the parishes were proclaimed, they appear out of alignment with the allotments, which were surveyed later. See Chapter 14 – Pastoral Occupation and Pre-emptive Rights.

- **Certificates of adjustment**: these are prepared and issued to correct an anomaly in the description or dimensions of the Crown allotment after the Crown grant was issued. Records of these from 1881 to 1932 are available in:
  - **VPRS 14483** *Certificates of Adjustment, Regulation 12 April 1881* (1881 – 1932).

- **Church reserves**: with the notation of 'Act 391', which refers to *State Aid to Religion Abolition Act 1871*, if the right under that Act to make church reserves freehold was exercised.

A sample parish plan providing an explanation of the information found on these map records can be found in the visual guide *Explanations of Parish Plan information as referred to on a sample sheet* which is available at both the Victorian and Ballarat Archives Centre, and also online at <http://www.prov.vic.gov.au/landsguide/>. This visual guide includes a sample parish plan as an illustration.
Pre-metric and metric parish plans

On pre-metric parish plans, the information about a specific allotment appears on the plan and, as far as possible, within the boundaries of the allotment.

From about 1966 parish plans were prepared using metric measurements. For these plans, the actual plan shows only the allotment and section alphabetical or numerical designators. Other information is given on a separate schedule to the plan.

On that schedule, listed in section and allotment order, are:

- name of any Crown grantee,
- area of the land,
- date of any Crown grant,
- any applicable file number,
- plan number.

For Crown reserves, the nature of the reserve, the area, the date of publication of its proclamation in the *Victoria Government Gazette*, the file number and plan number are given.

File numbering

The file or correspondence number appears in various forms on the parish plan.

- The most common form of the file or correspondence number is a fraction that usually indicates occupation files, but can indicate files of sales other than by public auction. The upper number of the fraction is the serial number – a sequential number derived from a register of applications. The lower number is the category showing the particular section of a land Act under which the land was selected and/or occupied or sold. For an example of this kind of number see [figure 1](#) on page 20 where the number 21911 over 19.20 indicates the application numbered 21,911 relating to sections 19 and 20 *Land Act 1869*.

  **Note:** Occasionally these fractional numbers were reversed on the parish plan, especially for files created under section 31 of the *Land Act 1869* – for example the file number may be shown as 31/1234.

See section entitled *Records based on the relevant section(s) of the land Act* in Chapter 8 – File Numbers and Recordkeeping Systems Relating to Land.

- Another form of numbering is an alphabetical letter followed by a number – for example, W456. This may be a file number with the alphabetical prefix indicating a division of Victoria or a category of files. For example, C files indicate Crown reserves after 1896. However, before 1896 this may indicate an alphabetical correspondence number.
The third form relates to correspondence where the final number on the correspondence became the file number. This occurred prior to 1875. For example, in 75/R17982, 75 is the year (1875), the alphabetical letter R indicates the volume in which the correspondence was registered, or indicates the name of the correspondent or subject, and 17982 was the sequential number of the piece of correspondence in that year – that is, 17,981 letters were previously registered in 1875 and this is letter number 17,982.

See section entitled *Records of the lands correspondence system* in Chapter 8 – File Numbers and Recordkeeping Systems Relating to Land.

Any of these types of file or correspondence number may lead you to a detailed land file.

**Note:**

1. Lands sold at public auction will not have file or correspondence numbers on the parish plan. No file was necessary as there was no ongoing relationship between the purchaser and the Crown.

2. Lands sold by tender, by private negotiation with the Crown, will have file or correspondence references of one of the types outlined above.

3. Lands sold under a number of specific sections of land Acts (such as the conversion of a goldfields residence area to freehold) may have a note of the section of the land Act and the number or name of the Act.

4. In the case of lands sold before 1862, the date of grant and file number are rarely shown. The information contained on those allotments is usually limited to an allotment number, the name of the grantee and the size of the parcel of land. This relates mainly to land acquired under the *Sale of Crown Lands Act 1860*, which will have no file numbers appearing on plans for the land, and possibly also to land acquired under some provisions of the *Land Act 1862*. Land selected under the 1860 Act will be in adjacent allotments (the A and B sections), each the same size, often granted to the same person. For land granted under the *Land Act 1862*, there may be an indication of the section of the Act under which it was granted. For example, '7th Section' or 'section 33'. Further information may be obtained from registers of Crown grants or records relating to specific sections of the Act.
7. Types of Land Files and How to Find Them

Introduction

This chapter describes the kinds of land files you are likely to encounter and their contents. It also guides you through the process of finding the file numbers necessary for establishing the location of the files.

Land files are usually either occupation files or reserves files. Other types of files relate to sales of land, general correspondence, financial and other assistance to settlers, or administrative schedules and returns.

Occupation files

Occupation files document the administration of Crown lands occupied for private use. They consist of:

- **Selection files**: these cover leases and licences which generally terminate in the sale of the land to the occupants – for example, leases and licences under sections 19 and 20 of the *Land Act 1869*.

- **Temporary occupancies**: these cover licences to occupy that are normally issued for one year or less and do not include the option of purchase – for example, auriferous licences to occupy under section 65 of the *Land Act 1884*.

- **Long-term occupancies**: these cover leases and licences where long-term tenure is guaranteed, but there is no option to purchase the land unless there is a change in legislation – for example, grazing leases without purchase under section 29 of the *Land Act 1898*.

Note:

1. Where there was no ongoing relationship between the Crown and an individual, such as the purchase of land at public auction, no file was created or maintained.
2. Not all occupation land files created have survived.
3. Land files do not document the land being held as private property or the chain of ownership.

**Contents of the Occupation File**

The occupation file records actions taken in relation to the piece of land after it has been selected or surveyed. That piece of land may have been occupied by a succession of different individuals between its initial occupation and its alienation from the Crown, but the file number remains the same once the parcel of land is identified and defined. The
exceptions to this rule are files documenting occupation of a piece of land under a conditional purchase lease for closer or soldier settlement, where the file number changes with each new lessee. Researchers looking for a specific person's name in relation to a piece of land should look through the entire file.

Occupation files include some or all of the following:

- completed application forms that provide details of the applicant's domestic situation, living conditions and farming activities
- licence and/or lease documents
- correspondence between the licensee or lessee and the Department of Crown Lands and Survey (VA 538) (1857 – 1983)
- details of hearings of a local land board relevant to the application or continuation of the tenancy
- reports of Crown lands bailiffs or inspectors of land settlement regarding the allotment and improvements made by the selector
- documents setting out the actions taken by the department in relation to the occupation of the land, including original survey data and any amendments of the survey
- details of transfers of leases between individuals and/or institutions, such as banks, and transfers of licences to occupy
- details of the Crown grant if ownership finally passed from the Crown to an individual.

Note: In some cases the selection failed to mature to a Crown grant and the allotment remained as Crown land. Many failed selections became part of Crown reserves, such as timber reserves, state forests or national parks.

Numbers relating to files for these failed selections may be found using registers of applications and rent rolls. They can also be found using parish plans. You will need to know the parish where the land was located and search for the relevant section and/or allotment details in the Crown Lands and Survey microfiche catalogue VPRS 7311 and VPRS 7312.

Reserves files

Reserves files document the identification, reservation, use and form of management for Crown reserves and commons. They also cover the identification and proclamation of townships, proclamation of roads and the protection of natural or cultural features on Crown land. See Chapter 13 – Grants of Land for Special Purposes, Crown Reserves and Commons.
Contents of Reserves Files

Reserves files include some or all of the following:

- map or plan of the reserve
- correspondence relating to the reserve's proclamation and/or the revocation of its reserve status
- details of entries in the Victoria Government Gazette describing the reserve's extent and location and its status as a reserve
- correspondence or other documents relating to the reserve's management.

Finding a file number to obtain a land file

To obtain the occupation or reserves file for a specific allotment you need the file number. You can find a file number if you know the parish, section and allotment numbers of the land in question and after 1873, the land district.

There are a number of different ways of finding the file number of occupation or reserves files detailed below.

Parish Plans

On the relevant parish plan find the allotment/s with the name in which you are interested. The details of any file or correspondence number, and the section and allotment details, are written on the plan. See Chapter 6 – Using Parish Plans.

Registers of Applications

When an entry was made in the register of applications, the next file number in the register was allocated. For successful applications, this file number remained as the one used for that parcel of land, even if the occupant changed. Any alteration of the file number – for example, when the section of the Act under which the land was held changed – is recorded in the 'remarks' column. To find the register in which the relevant file may be listed, use the PROV online catalogue to search on the locality and/or section of the land Act together with the words 'register of application'.

As noted at the start of this chapter, closer and soldier settlement land files are an exception as the file number changed with each new lessee. It is therefore important that the parish name and details of allotment and section have been attained from other sources such as those listed in chapters 30 and 32, or from probate inventories, municipal records, or
records regarding these leases published in the *Victoria Government Gazette*. With details of parish, section and/or allotment, searches may be done on the Crown Lands and Survey microfiche catalogue (see Chapter 10 for further details on the microfiche catalogue and how to search it).

**Rent Rolls**

If you only know a name, use rent rolls for the relevant area to find out whether that person occupied Crown land. The rent rolls show the location of the land and the file number. Use the PROV online catalogue to search on the locality and/or section of the relevant land Act together with the words 'rent roll'. An example of a page from a rent roll can be found on page 221 in the case study of Thomas Low.

**Indexes to Applications**

To find the file numbers for land applications for between 1869 and around 1873, use the index to applications. There is an index to applications for each land district for land held under sections 19, 20 and 49 of the *Land Act 1869*. Use the PROV online catalogue to search on the locality or section of the land Act together with the words 'index to application'.

**Register of Crown Grants**

The volumes in this series record the file or correspondence number for specific Crown grants, as well as the details of the grantee, the location and extent of the land, and of the grant itself. For a list of registers of Crown grants see appendix 1 on page 349.

**Registers of Leases**

The number given as the reference number in registers of leases is the file number's serial (or the top line of the fraction). The section of the land Act under which the lease was held gives the category (the bottom line of the fraction). Use the PROV online catalogue to search on the locality and/or section of the land Act together with the words 'register of leases'.

**Correspondence and File Registers**

Correspondence and file registers are arranged alphabetically by family or organisation name, or indexed by name. To find the file number, first find the relevant entry. The entry number may also be the file number, or the file number may be noted in the final 'remarks' or 'how disposed of' columns. For a list of correspondence and file registers see appendix 2 on page 353. You will need to then consult the PROV catalogue to search for the relevant series and browse the consignment details for that series.
This double-page spread includes an entry registering the application by Thomas Low for allotment 51 in the Parish of Monea South under sections 19 and 20 of the Land Act 1869. This record is among the documents discussed in 'Case Study: Selection, Sections 19 and 20 of the Land Act 1869 – Thomas Low and Family' located at the end of chapter 22.

VPRS 12235/P1, unit 1, folio 104, entry 3034
Local Land Board Schedules

In local land board schedules, the file number is the correspondence or application number, which is usually noted in the column next to the number allocated to the hearing. For a list of local land board schedules see appendix 3 on page 354.

Victoria Government Gazette

All official actions taken with respect to the occupation of land are listed in schedules in the Victoria Government Gazette. These notices are published as tables relating to specific sections of the land Act with the correspondence number (or file number) in the first column.

All proclamations of and changes of status of reserves are published in the Victoria Government Gazette. The file number is given at the end of the descriptive details. The relevant notices can be found via the index in each volume (or sometimes only in each year). The Victoria Government Gazette can be accessed online in PROV reading rooms. A number of external websites also provide access to the gazette:

State Library of Victoria provides free online access (using keyword searching) for the period 1851 to 1997 and access to PDF copies of the earlier Port Phillip Gazette (1836–51) at <http://gazette.slv.vic.gov.au/>.

Recent copies of the gazette, for the period after 1997 to the present, are available online at <http://www.gazette.vic.gov.au/index.htm>.

Microfiche Catalogue

If the parish, allotment and section numbers are known, check VPRS 7312 Microfiche Catalogue of Crown Land and Survey Files: Parish/Township Order for a file listing dealing with the time period of interest.

Note: Not all files in PROV custody are listed on this catalogue. For those that are, the parish and allotment numbers can allow a relevant file to be identified.

For reserves files detailed descriptions given on the catalogue may contain files of interest.

The catalogue is held in PROV reading rooms. See Chapter 10 – Using Microfiche Catalogues VPRS 7311 and VPRS 7312 for information on the use of the catalogue.

At some stage in the future, PROV may convert some of its microform resources, such as the microfiche catalogues, into electronic formats. This will mean that a growing number of the resources that are currently only available for consultation in PROV readings rooms will be made available online through the PROV website. This program of digitising microform resources may apply to some of the resources listed in this guide. The Lands Guide webpage <http://www.prov.vic.gov.au/landsguide/> will list online resources relating to the Lands Guide as they are made available.
Information from the microfiche catalogue is being progressively placed online – updates about this process can be accessed at <http://www.prov.vic.gov.au/landsguide/>.
8. File Numbers and Recordkeeping Systems Relating to Land

Introduction

An understanding of the main file numbering conventions, and the recordkeeping systems in which they were used by the Department of Crown Lands and Survey (VA 538), can assist you in locating records of interest. By learning about how these records were numbered for identification, you can learn how to access them.

Correspondence received and registered by the survey office, the Police Magistrate Port Phillip District, the Superintendent Port Phillip District and the Colonial Secretary prior to the establishment of government departments specifically relating to lands can provide records relating to the survey, purchase or occupation of lands. This continued under the departments specifically responsible for lands from 1853. Whilst much of this correspondence was placed on land files, the remainder was retained in series of records relating to the administration of the department and functions other than land selection and occupation.

Three main recordkeeping systems of the Department of Crown Lands and Survey used for managing correspondence and files are detailed in this chapter:

- The original recordkeeping system based on the relevant section(s) of a land Act.
- A system introduced in about 1896 for recording inwards correspondence under which details of the correspondence were entered in a correspondence register on receipt. Either the correspondence registration number became the file number or a file number was allocated from a file register.
- A system for recording applications introduced around 1907, under which applications were first recorded in a single register held in each district office. Successful applications were later recorded in a register in the land district office under the relevant section of the land Act, and on cards at the Occupation Branch, Department of Crown Lands and Survey.

Note: From 1873 records were created in land district offices as well as the head office of the Department of Crown Lands and Survey.

Records based on the relevant section(s) of the land Act

The first and most important recordkeeping system was based on the land Act and its operative section(s). Specific sections of the land Act gave authority for the occupation, selection and purchase of Crown lands. Separate records (application records, sales and
payment records, maps and files) were created for each relevant section of the land Act. See the series text for any register of applications relating to sections 19 and 20 of the *Land Act 1869* for further details.

- From 1860 to 1874 the records based on sections of a land Act were maintained on a Victoria-wide basis. This continued after 1873 for records created and maintained under section 31 and section 33 of the *Land Act 1869*.

- From 1874, the records based on specific sections of a land Act were maintained separately for each land district at the head office of the Department of Crown Lands and Survey. Some of these records, especially registers of applications, partially duplicated the record created at the district survey (or land) office. This was achieved by establishing land district groups or offices within the Occupation Branch of the Department of Crown Lands and Survey (VA 538), which kept separate sets of records for relevant section(s) of the Act they were administering for their land district. Under this system, a file number had two components – a category and a serial – presented as a fraction (for an example see figure 1 on page 20). The category was the section number of the relevant Act. The serial was the sequential number derived from the register of applications. After about 1869 it became the usual practice to have the section of the Act, the category, below the line and the serial above it.

There is evidence that the practice described above started about 1860, but with the category and serial reversed – that is, the section number appeared on the top line and the sequential number on the bottom line of the file number. In such cases, the top numbers, for example, would be 50, 53 or 42, as these were some of the relevant sections of the land Acts before 1869 for land occupation under lease/licence.

- Often, the same provisions for occupation or selection were repeated relatively unchanged from one land Act to another, but with the section number changing. For example, section 47 of the *Land Act 1869* became section 93 of the *Land Act 1884*.


This recordkeeping system continued in use for ongoing files until 1984 and is reflected in series names and is a key to the retrieval of files using series such as:

- **VPRS 624** *Application Files, Section 42 Amending Land Act 1865* (1865 – ?1872)
- **VPRS 625** *Land Selection Files, Sections 19 and 20, 1869* (1870 – ?1874)
- **VPRS 626** *Land Selection Files by Land District, Sections 19 and 20 Land Act 1869* (1874 – circa 1911)
- **VPRS 627** *Land Selection Files, Section 31 Land Act 1869* (1870 – ?1918)
• VPRS 629 Land Selection Files, Section 33, Land Act 1869 (?1870 – ?1883)

Or by consulting:
• VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
• VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Records of the land correspondence system

From 1896, inwards correspondence about land occupation or reservation matters was registered in the correspondence register and then attached to an existing relevant file with a fractional file number (for an example of which see figure 1 on page 20). If no file existed a new one with a non-fractional number was created.

At about this time, new business was conducted on the basis of regional divisions each made up of a number of land districts. Divisions and business areas were identified by alphabetical letters. Most of the series of correspondence registers for the divisions/business areas listed in table 4 are held by PROV, except for the correspondence relating to Crown reserves (in custody of Land Victoria at the time of publication).

Table 4 – List of abbreviations of division or business areas

<table>
<thead>
<tr>
<th>Letter</th>
<th>Division/business area responsible for the correspondence register</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Chief clerk</td>
</tr>
<tr>
<td>K</td>
<td>Selection purchase – irrigable lands and Mallee</td>
</tr>
<tr>
<td>V</td>
<td>Village settlements</td>
</tr>
<tr>
<td>G</td>
<td>Central (Melbourne, Geelong and some Ballarat)</td>
</tr>
<tr>
<td>Y and H</td>
<td>North-eastern Victoria including Seymour and Benalla</td>
</tr>
<tr>
<td>T</td>
<td>Sale, Bairnsdale and Omeo</td>
</tr>
<tr>
<td>J</td>
<td>Western Victoria</td>
</tr>
<tr>
<td>M</td>
<td>Mallee</td>
</tr>
<tr>
<td>W</td>
<td>Central or northern Victoria (Bendigo, Castlemaine, Echuca and Kerang)</td>
</tr>
<tr>
<td>Z</td>
<td>Western Victoria (Horsham and Hamilton)</td>
</tr>
<tr>
<td>HO</td>
<td>Eastern division&lt;br&gt;From around 1923, encompassed all of eastern Victoria (Seymour, Benalla, Alexandra, Beechworth, Omeo, Bairnsdale and Sale land districts)</td>
</tr>
<tr>
<td>C</td>
<td>Correspondence relating to Crown reserves (these registers remain in the custody of Land Victoria at time of publication)</td>
</tr>
</tbody>
</table>
When numbers were allocated to inwards correspondence in the register of inward correspondence, they were prefixed by the identifying alphabetical letter for the business area or division. For example, W1234 meant the registered correspondence number 1,234 in the 'W' (central or northern Victoria) register. Where there was no pre-existing file, these alpha-numeric numbers were written on the appropriate locality (or working) parish plan as the file (that is, correspondence) reference.

You will find lists of files with these alpha-numeric numbers when you search on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Files with alphanumeric prefix of 'J', 'W' and 'HO' are also held in:

- **VPRS 441** Crown Land Occupation Files, Correspondence Series (1896 – ? 1978).

For 'H' or 'HO' division and 'Z' division a file number different from the registration number in the register of inward correspondence was allocated in a register of files for new business with these numbers being used as the file number. These file numbers may be found by searching in:

- **VPRS 6574** Register of 'H' and 'HO' Files (by 1923 – 1964)
- **VPRS 15019** Register of 'Z' Series Files (by 1932 – ?1955).

**Note:**

Holdings of some of these correspondence and file registers cover only a limited time period. Others are closed under section 11 of the Public Records Act 1973, which permits the Keeper of Public Records to withhold any public record from inspection if the preservation of the record would be compromised.

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**File Management Details for Correspondence Files**

From about 1943 file management details for these correspondence files were kept on cards. A number of series of these cards are at PROV, but they are difficult to access as they are in sequential number order. The following series cover the period from about 1943 to 1978:

- **VPRS 15014** File Management Cards, 'G' Series (?1943 – 1978)
- **VPRS 15015** File Management Cards, 'HO' Series (1943 – 1978)
- **VPRS 15016** File Management Cards, 'J' Series (?1943 – 1978)
Records in new registers and cards from late 1907

From late 1907, the system of registers of applications and rent rolls used to register applications for the occupation of land and to manage the files and record rent payments was changed. Under the new recordkeeping system all applications, regardless of Act and section of the Act, were recorded in a single register kept at each land district office and allocated an annual single number. Only successful applications were recorded in volumes under the relevant section(s) of the land Act.

A weekly return of all applications received was forwarded to Melbourne, together with a list of the cases to be considered by the local land board prior to hearings.

Applications that belonged to another land district were recorded separately and then forwarded to the appropriate district office.

General Registers of Applications from 1908 are held for the land districts of:

- **Alexandra**
- **Ararat**
  - VPRS 14032 Register of Applications, Ararat, Land Acts (Ararat District Land Office) (1907 – 1931)
- **Bendigo**
  - VPRS 14024 Register of Applications, Bendigo, Land Acts (Bendigo District Land Office) (1907 – 1967)
- **Geelong**
  - VPRS 14039 Register of Applications, Geelong, Land Acts (Geelong District Land Office) (1907 – 1913)
- **Hamilton**
- **Melbourne**
  - VPRS 14040 Register of Applications, Melbourne, Land Acts (Melbourne District Land Office) (1907 – 1952)
- **Seymour**
  - VPRS 14034 Register of Applications, Seymour, Land Acts (Seymour District Land Office) (1907 – 1960)
- **St Arnaud**
  - VPRS 14027 Register of Applications, St Arnaud, Land Acts (St Arnaud District Land Office) (1907 – 1969).
Successful Applications

Land district office

Details of applications that were successful after hearings of local land boards were entered in the register kept for specific sections of an Act at the land district office.

Registers of approved applications for various sections under the Land Act 1901 are available for the land districts of:

Alexandra

- **VPRS 14043** Register of Approved Applications, Alexandra, Other Sections Land Acts 1901 and 1915 (Alexandra District Land Office) (1908 – 1941)

Ararat

- **VPRS 14033** Register of Approved Applications, Ararat Agricultural and Grazing Leases and Licences (Ararat District Land Office) (1908 – 1921)
- **VPRS 15683** Register of Approved Applications, Ararat, Section 103 Land Act 1901 and Section 86 Land Act 1915 (Ararat District Land Office) (1908 – 1934)

Bairnsdale

- **VPRS 14047** Register of Approved Applications, Bairnsdale Agricultural and Grazing Leases and Licences (Bairnsdale District Land Office) (1908 – 1921)
- **VPRS 14046** Register of Approved Applications, Bairnsdale, Section 103 Land Act 1901 (Bairnsdale District Land Office) (1909 – 1914)
- **VPRS 14049** Register of Approved Applications, Bairnsdale, Section 35 Land Act 1901 (Bairnsdale District Land Office) (1908 – 1920)
- **VPRS 14048** Register of Approved Applications, Bairnsdale, Sections 187 and 145 Land Act 1901 and Sections 121 and 129 Land Act 1915 (Bairnsdale District Survey Office) (1908 – 1941)

Ballarat (all held at Ballarat Archives Centre)

- **VPRS 15680** Register of Approved Applications, Ballarat and Western Victoria, Other Sections Land Acts 1901 to 1958 (Ballarat District Land Office) (1908 – 1976)
- **VPRS 15682** Register of Approved Applications, Ballarat, Section 103 Land Act 1901 and Section 86 Land Act 1915 and Section 49 Land Act 1958 (Ballarat District Land Office) (1908 – ?1948)
- **VPRS 15686** Register of Approved Applications, Ballarat, Sections 47 and 98 Land Act 1901 (Ballarat District Survey Office) (1908 – 1923)
Bendigo

- **VPRS 14026** Register of Approved Applications, Bendigo Agricultural and Grazing Leases and Licenses (Bendigo District Land Office) (1908 – 1922)
- **VPRS 14025** Register of Approved Applications, Bendigo, Section 103 Land Act 1901 and Section 86 Land Act 1915 (Bendigo District Land Office) (1908 – 1946)
- **VPRS 14099** Register of Approved Applications, Bendigo, Swamp Lands (1908 – 1943)

Castlemaine

- **VPRS 14045** Register of Approved Applications, Castlemaine Agricultural and Grazing Leases and Licences (Castlemaine District Land Office) (1908 – 1921)
- **VPRS 14044** Register of Approved Applications, Castlemaine, Sections 103 and 106 Land Act 1901 and Section 86 Land Act 1915 (Castlemaine District Land Office) (1908 – 1955)

Hamilton

- **VPRS 14038** Register of Approved Applications, Hamilton, Agricultural and Grazing Leases and Licences (Hamilton District Land Office) (1908 – 1924)
- **VPRS 14118** Register of Approved Applications, Hamilton, Bee Farms and Ranges (Hamilton District Office) (?1907 – 1948)

Seymour

- **VPRS 14035** Register of Approved Applications, Seymour, Other Sections Land Acts 1901 and 1915 (Seymour District Land Office) (1909 – 1942)
- **VPRS 14036** Register of Approved Applications, Seymour, Sections 103 and 106 Land Act 1901 and Section 86 Land Act 1915 (Seymour District Land Office) (?1907 – 1935)

St Arnaud

- **VPRS 14028** Register of Approved Applications, St Arnaud, Sections 103 and 106 Land Act 1901 and Section 86 Land Act 1915 (St Arnaud District Land Office) (1908 – 1937)
- **VPRS 14029** Register of Approved Applications, St Arnaud, Other Sections Land Acts 1901 and 1915 (St Arnaud District Land Office) (1909 – 1935)
- **VPRS 14031** Register of Approved Applications, St Arnaud, Agricultural and Grazing Leases and Licences (St Arnaud District Land Office) (1908 – 1923)

Note: Registers for the Geelong district are held at the Geelong Heritage Centre.
Occupation Branch Melbourne

Two cards were created for successful applications at the Occupation Branch in Melbourne. One card recorded the details of the application and subsequent correspondence and file management matters. It replaced the registers of applications. Application and file management cards are available for:

Alexandra

VPRS 14121 Applications and File Management Cards, Alexandra Land District (Occupation Branch) (1907 – ?1946)

Ararat

VPRS 14134 Application and File Management Cards, Ararat Land District (Occupation Branch) (1907 – ?1941)

Bairnsdale

VPRS 14120 Applications and File Management Cards, Bairnsdale Land District (Occupation Branch) (1907 – ?1955)

Ballarat

VPRS 14126 Applications and File Management Cards, Ballarat Land District (Occupation Branch) (1907 – ?1966)

Benalla

VPRS 14125 Applications and File Management Cards, Benalla Land District (Occupation Branch) (1907 – ?1953)

Beechworth

VPRS 14102 Applications and File Management Cards, Beechworth Land District (Occupation Branch) (1907 – ?1956)

Geelong

VPRS 14133 Application and File Management Cards, Geelong Land District (Occupation Branch) (1907 – ?1954)

Hamilton

VPRS 14128 Application and File Management Cards, Hamilton Land District (Occupation Branch) (1907 – ?1967)

Horsham

VPRS 14129 Application and File Management Cards, Horsham Land District (Occupation Branch) (1907 – ?1968)

Mallee

VPRS 15652 Applications and File Management Cards, Mallee Division (by 1911 – ?1974)

Melbourne

VPRS 14132 Application and File Management Cards, Melbourne Land District (Occupation Branch) (1907 – ?1975)

Omeo

VPRS 14100 Applications and File Management Cards, Omeo Land District (Occupation Branch) (?1907 – ?1942)

Sale

VPRS 14101 Applications and File Management Cards, Sale Land District (Occupation Branch) (1907 – ?1944)

Seymour

VPRS 14103 Applications and File Management Cards, Seymour Land District (Occupation Branch) (1907 – ?1947)

St Arnaud

VPRS 14124 Applications and File Management Cards, St Arnaud Land District (Occupation Branch) (1907 – ?1974)

Stawell

VPRS 14130 Application and File Management Cards, Stawell Land District (Occupation Branch) (1907 – ?1968)
The other card recorded the payments of rent. It replaced the rent rolls. Rent roll cards for only the Melbourne land district, the Parish of Wonthaggi and a small number for central and northern Victoria are held by PROV. These are:

- **VPRS 15648 Rent Roll Cards, Central and Northern Victoria** (1908 – ?1957)
- **VPRS 14135 Rent Roll Cards, Melbourne Land District, Agricultural and Pastoral Leases** (1907 – ?1946)
- **VPRS 14136 Rent Roll Cards, Melbourne Land District, All Sections** (1907 – ?1946)
- **VPRS 14137 Rent Roll Cards, Parish of Wonthaggi, All Sections and the Wonthaggi Land Act 1912** (1907 – ?1924)
- **VPRS 15649 Rent Roll Cards, Section 187 Land Act 1901, Section 121 Land Act 1915, Central and Northern Victoria** (?1910 – ?1957)

Details of active files were transferred from the former records to the cards. If this occurred, the entry in the register of applications and/or the rent roll has the word 'card' written at the end in the 'remarks' column or a coloured tick.

**Unsuccessful Applications**

Unsuccessful applications were stamped with the district office 'put away' stamp and the application number was written inside the 'put away' stamp. Although these applications were put away, they continued to be available if there was an appeal against the decision of the local land board.

**Relevant sections of land Acts 1862–1958 relating to selection and other Crown land occupation**

The same essential provisions for selection or occupation usually were repeated from one land Act to another, although sometimes the number of the section of the Act changed when legislation was consolidated, as in 1901. For example, section 65 of Land Act 1884 and Land Act 1890 became section 103 of Land Act 1901 and section 86 of Land Act 1915. Table 5 and table 6 on the following pages show these changes to section numbers.
Table 5 – List of legislative provisions introduced for selection, and adjustments to section number over time

<table>
<thead>
<tr>
<th>Category of occupation covered by section(s) of the Acts relating to selection</th>
<th>1862</th>
<th>1865</th>
<th>1869</th>
<th>1884</th>
<th>1890</th>
<th>1898</th>
<th>1901</th>
<th>1911</th>
<th>1915</th>
<th>1928</th>
<th>1958</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licence</td>
<td>19</td>
<td>42</td>
<td>44</td>
<td>47</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditions of licence and right to lease or grant – agricultural allotment from 1884</td>
<td>20</td>
<td>44</td>
<td>46</td>
<td>49</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conditions of licence and right to lease or grant – grazing allotment from 1898</td>
<td></td>
<td></td>
<td>59–61</td>
<td>54–56</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease of selection purchase allotment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
<td>46</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>Conditions of lease and right to grant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11</td>
<td>49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-residential</td>
<td>49</td>
<td>50</td>
<td>13</td>
<td>50</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Category of occupation covered by section(s) of the Acts relating to miscellaneous forms of occupation (that is, other than selection)</td>
<td>1862</td>
<td>1865</td>
<td>1869</td>
<td>1884</td>
<td>1890</td>
<td>1898</td>
<td>1901</td>
<td>1911</td>
<td>1915</td>
<td>1928</td>
<td>1958</td>
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</tr>
<tr>
<td>Authority to purchase on the goldfields</td>
<td>31</td>
<td>18</td>
<td>2 (9)</td>
<td>2 (5)</td>
<td>2 (6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auriferous licence to occupy</td>
<td>65</td>
<td>103</td>
<td>86</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licence – miscellaneous purposes</td>
<td>50</td>
<td>47</td>
<td>93</td>
<td>99</td>
<td>145</td>
<td>129</td>
<td>138</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease – miscellaneous purposes without purchase</td>
<td>53</td>
<td>45</td>
<td>91</td>
<td>97</td>
<td>142</td>
<td>125</td>
<td>134</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grazing lease (without purchase)</td>
<td>32</td>
<td>29</td>
<td>35</td>
<td>32</td>
<td>123</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Grazing licence (without purchase)</td>
<td>187</td>
<td>121</td>
<td>130</td>
<td></td>
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<tr>
<td>Swamp lease</td>
<td>85</td>
<td>103</td>
<td>131</td>
<td>110</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Bee-keeping licences</td>
<td>147</td>
<td>139</td>
<td></td>
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</tbody>
</table>
9. Summary and Source Records

Introduction

A number of records, such as registers and reports, summarise the management of, and dealings in, Crown lands. These summary records provide information such as the names and addresses of people occupying or purchasing Crown land, the location and extent of the land occupied or sold, administrative actions taken, financial details and file numbers.

The following summary records are covered in this chapter:

- Registers of Crown grants,
- Registers of leases,
- Reports of land sales by public auction,
- Registers of applications,
- Rent records,
- File registers.

Registers of Crown grants

Registers of Crown grants record details of the transfer of ownership from the Crown to private individuals, or to an organisation such as a municipality. They are commonly indexed by parish names.

Registers of Crown grants record:

- name and location (address) of the grantee;
- location (parish, section and allotment) and extent of the land (in acres, roods and perches);
- date of consent to the transfer by the Governor-in-Council;
- date of the Crown grant documentation;
- date of notice of the forwarding of the title to the Titles Office and to the grantee.

File or correspondence numbers may be included in the entry in the register.

Relevant series held are:

- **VPRS 11863** Consolidated Name Index to Register of Crown Grants (1851). Contents summarised from 1838
- **VPRS 11867** Name Index to Register of Crown Grants (by 1851 – 1858)
• VPRS 11866 Register of Crown Grants (1851 – 1859)
• VPRS 11865 Register of Crown Grants (1859 – 1988)

For a list of registers of Crown grants see appendix 1 on page 349.

Registers of leases

Crown leases were approved by the Governor-in-Council and the Board of Land and Works (1857–1964). They were registered with the registrar-general (the Titles Office) and were negotiable instruments (able to be transferred, assigned or used as security). Registers of Crown leases were organised and named under a range of sections and Acts. The volumes were either arranged in alphabetical sections according to family name or indexed by family name and page.

Registers of leases record:

• reference (or file) number;
• name and address of the lessee;
• location (parish, section and allotment) and extent of the land (in acres, roods and perches);
• date of the lease;
• date of the governor's consent to the lease;
• date of execution of the lease;
• date and place of final issue of the lease;
• any remarks.

Relevant series held are:

• VPRS 11871 Register of Leases Granted Under Land Acts 1869, 1878, 1880 (1870 – by 1903)
• VPRS 11872 Register of Leases and Licences Granted Under Sections 32 and 42 Land Act 1884 (1886 – 1898)
• VPRS 11873 Register of Leases Granted Under Section 44 Land Act 1890 (1893 – 1903)
• VPRS 11874 Register of Leases Granted Under Sections 5, (Village Settlement) 20, and 26 (Homestead Associations) of the Settlement on Lands Act 1893 (by 1897– by 1903)

• **VPRS 11876** *Register of Perpetual Leases Sections 7 and 19 Mallee Lands Act 1896* (1897 – by 1915).

**Reports of land sales by public auction**

Reports of land sales by public auction summarise the sale of Crown lands at public auctions, and provide the following details:

- place and date of the sale;
- location (lot number, county/town, allotment and section) and extent of the land (in acres, roods and perches);
- whether the land was sold/unsold and the reason if unsold;
- upset price per acre;
- sale price;
- name and residence (address) of the purchaser;
- deposit paid and balance owing.

Each volume has an alphabetical index of places of sale and the town, county or parish in which the allotments offered for sale were located.

Relevant series held are:

- **VPRS 11862** *Reports of Land Sales by Public Auction* (1837 – ?1972)
- **VPRS 1285** *Register of Land Sales* (1856 – 1884).

**Note:** Remember that the records of land sales by public auction relate only to the sale of Crown land, not to the auction of private property.

For a list of reports of lands sales by Auction see **appendix 4** on page 354.

**Registers of applications**

Until 1873, registers of applications recorded applications for land in the whole of Victoria. They were arranged by section of the land Act under which the land was to be occupied – for example, register of applications, sections 19 and 20 *Land Act 1869*. 

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From 1873, they continued to be arranged by section of the Act, but with separate registers for each land district. They were maintained in duplicate, with one set being held in the district survey office and another set by the Occupation Branch at the Department of Crown Lands and Survey in Melbourne. For example, there was a Register of Applications, Sandhurst, Sections 19 and 20 Land Act 1869 (Occupation Branch) and Register of Applications, Sandhurst, Sections 19 and 20 Land Act 1869 (Sandhurst District Survey Office).

These registers were used until about 1908.

Before 1873, applications were entered beside a written or printed sequential number in the register. All applications were entered in the register and all sequential numbers were allocated. For successful applications this register number became the file number. The file number consisted of the sequential number and the relevant section of the Act shown as a fraction (see figure 1 on page 20 for an example of fractional file numbers).

Applications in registers of applications used from 1873 to about 1908 are not only arranged in numerical order but also arranged in alphabetical sections corresponding to the family name of the applicant. Each application was entered beside a written or printed sequential number and that application number became the file number for that piece of land, if the application was successful. Not all register numbers became file numbers – for example, the register numbers of unsuccessful applications. Not all numbers printed in the standard register were allocated.

Registers of applications provide details of:

- application or file number;
- name and address of the applicant;
- the location of the land (parish, section and allotment) and the extent of the land (in acres, roods and perches);
- date of issue of the licence to occupy, where relevant;
- date of the lease, where relevant;
- references for entries in the Victoria Government Gazette often shown as year and page;
- any details specifically relevant to the section(s) of the land Act.

From 1869 the registers of applications provided further details, namely:

- references to hearings of local land boards;
- file management details in a 'remarks' column with any new or subsequent file number;
- for post-1907 applications, a tick or the word 'card' will indicate that details have been transferred to a card.
Holdings of registers of applications are considerable and comprehensive. To retrieve registers of application you should search on:

- locality (land district), and/or
- section of land Act.

Use the PROV online catalogue to search on the locality or section of the relevant land Act together with the words 'register of application'.

Registers of applications were succeeded by applications and file management cards after the latter half of 1907. Holdings of these cards do not cover records for the whole of Victoria. See Chapter 8 – File Numbers and Recordkeeping Systems Relating to Land. For listings of registers of applications for various sections and Acts, see appendices 8, 10, 12, 14 and 15.

Rent records

Rent records were arranged according to the section of the land Act under which land was occupied. Before 1873 these records were known as registers of lessees and registers of licensees. The registers were arranged in volumes according to a district survey office or a number of district survey offices which were included in the series titles – for example, **VPRS 13056 Register of Licensees, Clunes and Creswick, Section 42 Amending Land Act 1865**.

After 1873 the rent records became known as rent rolls. These were organised by land district as well as by section of the land Act – for example, **VPRS 13848 Rent Roll, Melbourne, Sections 42 and 44 Land Act 1884**.

Rent records provide details of:

- the land file number;
- name and address of the person paying the rent;
- location (parish, section and allotment) and extent (in acres, roods and perches) of the land;
- payments made, with date and amount;
- information relating to transfer or cancellation or revocation of occupancy rights and/or the alienation of the land.

There may also be references to entries in the **Victoria Government Gazette**, often shown as year and page.
From about 1908 rent rolls were succeeded by rent roll cards. Only the cards for the Melbourne land district, the Parish of Wonthaggi and a small number for central and northern Victoria are held by PROV. These are:

- **VPRS 15648** Rent Roll Cards, Central and Northern Victoria (1908 – ?1957)
- **VPRS 14135** Rent Roll Cards, Melbourne Land District, Agricultural and Pastoral Leases (1907 – ?1946)
- **VPRS 14136** Rent Roll Cards, Melbourne Land District, All Sections (1907 – ?1946)
- **VPRS 14137** Rent Roll Cards, Parish of Wonthaggi, All Sections and the Wonthaggi Land Act 1912 (1907 – ?1924)
- **VPRS 15649** Rent Roll Cards, Section 187 Land Act 1901, Section 121 Land Act 1915, Central and Northern Victoria (?1910 – ?1957)
- **VPRS 15651** Rent Roll Cards, Terminated Leases and Licences, Section 29 Land Act 1898 and Section 121 Land Act 1915 (by 1935 – ?1964)

For listing of rent rolls, see **appendices 9 and 13**.

**File registers**

File registration systems were introduced in the twentieth century. Holdings of file registers are limited. Those held give:

- file number,
- file subject,
- details of file management until 1943 when a card system was introduced to record file movements.

In the following series the file registers are in sequential number order. Some of these may include alphabetical indexing by name at the start of the volume.

Relevant series held are:

- **VPRS 6574** Register of ‘H’ and ‘HO’ Files (by 1923 – 1964); alphabetically indexed by name
- **VPRS 15019** Register of ‘Z’ Series Files (by 1932 – ?1955); alphabetically indexed by name
- **VPRS 14450** Register of Files, Soldier Settlement (by 1921 – ?1923); sequential number, no indexing except by index cards (see **Chapter 13**)

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• **VPRS 14651** *Register of 'Rs' Files* (1914 – ?1980); sequential number, no indexing.
10. Using Microfiche Catalogues VPRS 7311 and VPRS 7312

Introduction

**VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche) and **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) list the files held in a number of series.

The catalogues were prepared in 1985 by the Department of Conservation, Forests and Lands (VA 1034) (1983–1990). To facilitate access to the large number of land files and other files held at PROV, these catalogues can help you determine in which series a file is located. If you know the file number, use VPRS 7311. If you know the parish and section/allotment number use VPRS 7312 where you will find the file number as well as the series.

This chapter includes information about how the file lists are organised in the catalogues, the series covered by the catalogue and the information they provide. At the end of the chapter there is advice for using the catalogues efficiently.


Organisation of file lists in VPRS 7311 and VPRS 7312

**VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche) is arranged according to category, as follows:

1. files with a date as the category in the file number (annual single number) – for example, 78/1234 where the category 78 refers to the year 1878 and the serial indicates letter number 1,234 registered in that year;

2. files with an alphabetical letter such as ‘M’ or a word such as ‘Auctions’ as the category in the file number;

3. files with a number as the category in the file number – these are listed in ascending numerical order, the number being a section number (or numbers) from a land Act.

**VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) is arranged in alphabetical order by name of parish or township (T) or where neither is known, by county (C).
Series covered by VPRS 7311 and VPRS 7312

Series covered by these microfiche catalogues are:

- **VPRS 242** *Crown Reserves Correspondence* (?1850 – 1980)
- **VPRS 439** *Land Selection Files, by Land District, Section 49 Land Act 1869* (?1872 – ?1945)
- **VPRS 440** *Land Selection and Occupation Files* (1869 – 1928)
- **VPRS 444** *Miscellaneous Land Selection and Occupation Files* (?1857 – 1971)
- **VPRS 5357** *Land Selection and Correspondence Files* (?1856 – ?1984)
- **VPRS 5714** *Closer [and Soldier] Settlement Files* (?1898 – ?1960)
- **VPRS 6605** *Chief Commissioner of Crown Lands – Inward Correspondence* (1853 – 1860)
- **VPRS 5359** *Pastoral Run Files* (1840–1878) – see microfiche copy available at the Victorian Archives Centre Reading Room as VPRS 5920.

Information given on VPRS 7311 and VPRS 7312

A full description of the contents and arrangement of these microfiche catalogues, how to use them and solutions to problems you may encounter when using them are available in 'Part 3B Most Other Lands Files' in P Cabena, H McRae and E Bladin *The Lands Manual: A Finding Guide to Victorian Lands Records 1836–1983*, Royal Historical Society of Victoria, 1992. This volume is available in the Melbourne and Ballarat reading rooms.

In the microfiche catalogue, information is arranged in ten columns, from left to right with a number of sub-columns.

1. *P.R.O. Ref* – stands for Public Record Office Reference and refers to a PROV storage location. Three hyphenated numbers in this column describe:
   - **Series number** – that is, **VPRS number**. To be used for ordering records;
   - **Unit number** – also to be used for ordering of records;
   - **Order number** – this was intended to indicate the position of a file in the unit (or box), however, the records are not marked with these numbers, and they have often been found to be inaccurate as a description of the existing order. For this reason, we advise you not to try using these numbers for ordering records or for trying to locate a specific item within a unit (or box).

   **Note:** Consignment numbers are not recorded in this column as there is only one consignment for each series.
2. 'File Cat.' – refers to the file category. This may be a date, a word, a letter or a number. See for example Chapter 6 – Using Parish Plans and Chapter 8 – File Numbers and Recordkeeping Systems Relating to Land.

3. 'Serial' – refers to the sequential number of a file within a category.

**Note**: A list of alphabetical and numerical categories is available in Appendix 9 Digest of Crown Land and Survey File Categories in *The Lands Manual* which is available in PROV reading rooms. A copy of this appendix can also be accessed from the PROV website at <http://www.prov.vic.gov.au/landsguide/>_. Further explanations of categories are given in relevant chapters of this book and in the 'Function and Content' section of the description of the relevant series available on the PROV catalogue.

4. 'Date' – gives the date of the file, or start and end date as appropriate:
   - **First**: The year of the first paper on a file (at the rear of the file folder);
   - **Last**: The year of the last paper on a file (at the front of the file folder).

5. 'Parish/Town Name' – gives the location of the land, by parish or township, and sometimes by county.

6. 'Code' – refers to a unique four-digit code assigned to each parish. This information is largely redundant.

7. 'Allotment' – the allotment number of the parcel of land.

8. 'Section' – the section number of the parcel of land.

**Note**: Where precise details of the place where the land was located were unavailable or deemed unnecessary, the columns for allotment and section often contain an indication of the subject matter of the file.

9. 'Area' – refers to the size of the land described measured in acres, roods and perches (definitions of these measurements can be found in the Glossary).

   The area may not be exactly the same as that shown on the parish plan. Areas and boundaries could change as a result of:
   - issuing of certificates of adjustment
   - re-survey
   - land taken for road reserves or changes due to road alignment
   - addition of small areas of land.

10. 'Land district' – which refers to the district in which the land is located.
Suggestions for using VPRS 7311 and VPRS 7312 efficiently

Depending on the information you already have, the following table suggests the most efficient way to use this microfiche catalogue.

*Table 7 – Steps for making the most efficient use of the microfiche catalogue*

<table>
<thead>
<tr>
<th>Information available</th>
<th>Suggestions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The name of the parish and section/allotment number</td>
<td>Use <strong>VPRS 7312</strong> <em>Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)</em></td>
</tr>
<tr>
<td>If the name of the parish is <strong>not</strong> known, but you know the place name of the location of the land you are researching</td>
<td>You may be able to identify the parish from:</td>
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<tr>
<td></td>
<td>• Maps showing parishes in Victoria – these are available in the Victorian Archives Centre Reading Room and a map showing parishes for western and central Victoria is available in the Ballarat Archives Centre Reading Room.</td>
</tr>
<tr>
<td></td>
<td>If you do not know the allotment and section number you will have to browse the parish plan looking for familiar landmarks (roads, parks, rivers and so forth) to locate the property, or by looking for the name of the person on the allotment.</td>
</tr>
<tr>
<td>The file number</td>
<td>Use <strong>VPRS 7311</strong> <em>Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche).</em></td>
</tr>
<tr>
<td></td>
<td>See the relevant chapter in this guide for help in determining file numbers for different topics.</td>
</tr>
<tr>
<td></td>
<td><strong>Note</strong>: If you cannot find a file using <strong>VPRS 7311</strong>, it may be that the file number or category has changed. This could happen if a file was attached to a new file or top-numbered (given a new category and serial) as other papers relating to a new category were added. In this case use <strong>VPRS 7312</strong> rather than <strong>VPRS 7311</strong>. That is, search by parish and section/allotment number rather than by file number. An example of this is a closer settlement lease file that becomes an auction file after the lease was cancelled.</td>
</tr>
<tr>
<td>Information available</td>
<td>Suggestions</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>The file number is known but there is no listing under a parish heading</td>
<td>Check the final microfiche in VPRS 7312 that lists records under the heading of the county in which the land was located.</td>
</tr>
<tr>
<td>If you only have a subject or topic in mind (such as returns, appointments and other administrative matters in relation to closer and soldier settlement, royal commissions, overseas settlers, and vermin and noxious weeds)</td>
<td>Files on such matters are listed on the final microfiche of VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche). The microfiche is headed as being for Counties/No Parish Code. Files are listed by category. Many have a subject description where the parish, allotment and section data would usually be recorded. Browse on a specific topic in these listings and note the file numbers (‘File Cat.’ and ‘Serial’) and PROV locations (first two columns of numbers under ‘P.R.O. Ref’).</td>
</tr>
</tbody>
</table>

Introduction

The administration of the occupation and sale of Crown lands began with the arrival of the police magistrate in the Port Phillip District in 1836. Responsibility passed to the superintendent in 1839, then to the colonial secretary after the separation from New South Wales in 1851. The government of the newly proclaimed colony of Victoria subsequently established its own bureaucratic structures for governing Victoria. The Crown Lands Department, established in 1853, was the first department responsible for land policy and administration. At this stage land administration was still carried out under the provisions of the laws of Britain and New South Wales, prior to the passing of Victoria's first land legislation, the Sale of Crown Lands Act 1860.

The Crown Lands Department incorporated the office and work of the surveyor-general, to become the Department of Crown Lands and Survey in 1857. This department retained the responsibility for land administration until 1983, when it was replaced by the Department of Conservation Forests and Lands. Records generated subsequent to the 1983 change have yet to be transferred to the custody of PROV.

The earliest lands administration was by a centralised bureaucracy in Melbourne, however the need for local administration soon became apparent. In the 1840s commissioners of Crown lands were appointed for several different regions or districts of Victoria. District offices became responsible for lands administration at the local level, however organisational problems led to the creation of the Occupation Branch in Melbourne in 1873, and the division of Victoria into land districts, each with a district survey office. These districts were eventually amalgamated into a smaller number of divisions.

1836–1839: administration by the Police Magistrate

From 1836 to 1839 the Police Magistrate, Port Phillip District (VA 472) was responsible for land policy and administration. A collection of records relating to the administration of lands in this period is available in Historical Records of Victoria: Foundation Series; volume 6, The Crown, the Land and the Squatter, 1835–1840.

Other records relevant to land administration may be found amongst the inwards and outwards correspondence of the police magistrate. These records are available on microfilm in reading rooms.

For researching this era of land administration you should consult:

- VPRS 2140 Outward Letter Books (Microfilm Copy of VPRS 1) (1836 – 1842)
- VPRS 4729 Inward Registered Correspondence, Annual Single Number System (Microfilm Copy of VPRS 4) (1836 – 1839)
1839–1851: administration by the Superintendent of the Port Phillip District

On his arrival in 1839, Superintendent Charles Joseph La Trobe became responsible for land administration. You can find records relating to land policy and administration interspersed through all correspondence series of the Superintendent, Port Phillip District (VA 473). However under the superintendent's administration the creation of records specific to land began, especially for land sales and pastoral occupation.

Business relating to land increased markedly with the Order-in-Council of 7 October 1847 in New South Wales, which allowed pastoralists to claim their pre-emptive rights. Subsequently the Superintendent, Port Phillip District established a separate lands branch in the administration. Matters relating specifically to land may be found in the series listed below. Correspondence relates to policy and the application of policy, and also to transactions for the sale and occupation of land by private interests and to the use of land by the Crown.

For these aspects of land administration you should consult:

- **VPRS 47 Registers of Inward Correspondence I [Land Branch] (1847 – 1851)
- **VPRS 74 Outward Letter Books to Local and Sydney, Lands Branch (1847 – 1851)
- **VPRS 4830 Index to Inward Registered Correspondence – Land Grants I (1849 – 1855)
- **VPRS 1347 Index to Inward Registered Correspondence – Land Grants II (1849 – 1855)
- **VPRS 6905 Inward Registered and Unregistered Correspondence, Lands (1839 – 1853)
- **VPRS 44 Inward Registered and Unregistered Correspondence (?1839 – ?1896).

**VPRS 44** covers correspondence and returns sent to and received from the various agencies responsible for land in Victoria. Browse the consignment details for items of interest. The consignment list for **VPRS 44** can be found on the PROV website at [http://www.prov.vic.gov.au/landsguide/](http://www.prov.vic.gov.au/landsguide/).

However, if you know the correspondence file number, you can access the files through the microfiche catalogue to the series:

- **VPRS 8670 Microfiche Catalogue of Crown Lands and Survey Files in VPRS 44 (Computer Output Microfiche) (1839 – 1930).**
Note:

1. From 1836 to 1851 the New South Wales Surveyor-General's Department, Port Phillip Branch (also known as the Melbourne Survey Office) (VA 943) was responsible for carrying out surveys. See Chapter 12 – Victorian Survey Records.

2. Survey and general lands correspondence often overlap, as requests for land to be made available for purchase often included requests for the necessary survey and were thus addressed to the surveyor-general.

Local Administration by Commissioners of Crown Lands

Local administration of lands was carried on by the commissioners of Crown land under the Chief Commissioner of Crown Land.

The first commissioners were appointed in 1840 for Portland Bay, Westernport and the County of Grant (Geelong district):

- **VA 4737** Commissioner of Crown Lands, Portland Bay (1840 – ?1860)
- **VA 2710** Commissioner of Crown Lands, Westernport (1840 – ?1858)
- **VA 4739** Commissioner of Crown Lands, County of Grant [Geelong district] (1840 – ?1858).

Further appointments were made in the next few years:

- **VA 4729** Commissioner of Crown Lands, County of Bourke [Melbourne district] (1841 – ?1860)
- **VA 2711** Commissioner of Crown Lands, Murray District (1843 – ?1858)
- **VA 4738** Commissioner of Crown Lands, Gippsland District (1843 – ?1858)
- **VA 4740** Commissioner of Crown Lands, Wimmera District (1846 – ?1858).

Stipendiary magistrates often acted as assistant Crown lands commissioners. Commissioners of Crown lands could also receive assistance from Crown rangers and Crown land bailiffs.

A comprehensive description of the functions of the commissioners of Crown lands can be found in the text for **VRG 27 District Land Offices** (1836 – cont.) available through the PROV online catalogue.

There are limited records held by PROV for all of these commissioners of Crown lands. Researchers should check the related series listed for each agency on the PROV online catalogue.
For information on the activities of the commissioners consult:

- **VPRS 6909** *Inward Registered Correspondence and Circulars, Crown Lands Commissioners* (1842 – 1851)
- **VPRS 44** *Inward Registered and Unregistered Correspondence* (?1839 – ?1896) (see above).

1851–1853: administration by the Colonial Secretary

After the separation of Victoria from New South Wales in July 1851, the Colonial Secretary (VA 856) took on the responsibility for lands policy and administration with the commissioners of Crown lands working as local administrators. The Surveyor-General’s Department (VA 2921) became responsible for survey until 1857.

For this aspect of lands administration you should consult:

- **VPRS 2879** *Registers of Inward Correspondence II [Land Branch]* (1851 – 1852)
- **VPRS 1347** *Index To Inward Registered Correspondence – Land Grants II* (1849 – 1855)
- **VPRS 4830** *Index To Inward Registered Correspondence – Land Grants I* (1849 – 1855)
- **VPRS 1410** *Index To Inward Correspondence (Lands Branch)* (1855 – 1855)
- **VPRS 6905** *Inward Registered and Unregistered Correspondence, Lands* (1839 – 1853)
- **VPRS 2878** *Inward Registered Correspondence II [Land Branch]* (1851 – 1853)
- **VPRS 2884** *Local Despatch Letter Book, Land Branch* (1851 – 1852)
- **VPRS 1261** *Inward Correspondence* (1851 – 1903)
- **VPRS 6906** *Inwards Correspondence, Colonial Secretary [1851–1855] and Chief Secretary [1855–1858]* (1851 – 1858)
- **VPRS 74** *Outward Letter Books to Local and Sydney, Lands Branch* (1847 – 1851)
- **VPRS 122** *Outward Letter Books* (1851 – 1855)
- **VPRS 44** *Inward Registered and Unregistered Correspondence* (?1839 – ?1896) (see above reference to VPRS 44 on page 114 earlier in this chapter).

**Note:** The contents of many of these series are not listed in detail. You may need to order and browse through records that are of interest. Registers of correspondence and indexes to correspondence might provide the registered numbers which you may then use to find items of interest.
1853–1857: administration by the Crown Lands Department

As part of the development of administration, the Crown Lands Department (VA 2878) was established in 1853 to take on the responsibility for lands policy and administration until it was replaced in 1857.

Records relating to the administration of land sales, land occupation and use are available in:

- **VPRS 6908 Inwards Registered and Unregistered Correspondence Files** (1853 – 1876)
- **VPRS 1016 Miscellaneous Correspondence Files** (1843 – ?1934)
- **VPRS 13015 Correspondence Reference Book** (by 1855 – ?1859)
- **VPRS 226 Index to Inward Registered Correspondence [Microfilm Copy of VPRS 5522]** (1856 – 1876)
- **VPRS 227 Registers of Inwards Correspondence [Microfilm Copy of VPRS 70]** (1856 – 1876)
- **VPRS 6605 Chief Commissioner of Crown Lands, Inward Correspondence** (1853 – 1860)

This series is accessible through:

- **VPRS 44 Inward Registered and Unregistered Correspondence** (see the reference to VPRS 44 on page 114 earlier in this chapter).

Details of some employees of the Crown Lands Department can be found under the heading of 'Crown Lands Department' in *Statistics and Civil Establishment of the Colony of Victoria for the Year 1856* (and subsequent years), copies of which are available at Victorian Archives Centre and Ballarat Archives Centre reading rooms.

The details you will find include:

- the office;
- name of the office-holder;
- date of the appointment;
- person making the appointment;
- office-holder's annual salary;
- date of first appointment under the colonial Government.
1857–1983: administration by the Department of Crown Lands and Survey

The Department of Crown Lands and Survey (VA 538) was responsible for the administration of the sale, occupation and general use of Crown lands from 1857 until 1983. The department came under the oversight of the Board of Land and Works (VA 744) until that agency was abolished in 1964. Within the department specific areas of business were the responsibility of branches, such as:

- Survey Branch including the Office of the Surveyor-General (see Chapter 12 – Victorian Survey Records)
- Vermin and Noxious Weeds Branch (see Chapter 36 – Life Event Registers, Rabbits, a Coalmine and a Road)
- Closer Settlement and Discharged Soldier Settlement (dealt with in various chapters in this guide).

The following branches reported through the Chief Clerk to the Secretary for Lands:

- Occupation Branch (from 1873) responsible for selection, leasing and licensing of Crown lands
- Correspondence Branch, responsible for reserves and commons (see Chapter 13 – Grants of Land for Special Purposes, Crown Reserves and Commons)
- Land Sales Branch
- Deeds Branch responsible for legal documents.

The Executive Council and the Board of Land and Works

Much of the legislation relating to lands required the approval of the Board of Land and Works (VA 744) and/or the Governor-in-Council (Executive Council VA 2903) before land could be reserved, granted for special purposes, alienated, leased or licensed for occupation. After the abolition of the Board of Land and Works in 1964, approval had to be given in certain cases by the Minister of Lands and/or the Governor-in-Council.

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19 This guide covers only land records currently held by PROV and provides information about the administrative agencies that created them or which were responsible for them. Land records from 1984 to the present have not yet been transferred to archival custody.
Schedules of these matters for approval were published regularly in the *Victoria Government Gazette*. Comprehensive records of matters submitted for approval are available in:

**For Board of Land and Works**

- **VPRS 11870** *Schedules of Land Grants, Leases, Licences and Sales Submitted for Approval* (1857 – 1975) – however, contents range only from 1901
- **VPRS 15735** *Schedules of Land Grants, Leases, Licences and Sales Submitted for Approval, Closer Settlement* (by 1946 – 1974)

**For Executive Council (Governor-in-Council)**

- **VPRS 863** *Orders-In-Council* (by 1868 – ?1981)
- **VPRS 14000** *Register of Papers submitted for the Decision of the Governor-in-Council* (by 1867 – 1933)
- **VPRS 14001** *Register of Orders in Council* (by 1900 – ?1977)

**Secretary**

The department was headed by the Secretary for Lands responsible to the minister for the overall administration of the department. The secretary was originally known as the Assistant Chief Commissioner for Lands, and he reported to the Chief Commissioner for Lands (also known as the Minister of Lands). Comprehensive records of the secretary's correspondence from 1876 to 1960 are held by PROV.

For **inwards correspondence** consult:

1876–1896

- **VPRS 14262** *Register of Inward Correspondence, Secretary* (1878 – 1896)
- **VPRS 619** *Secretary's Correspondence Files, Alphabetical System* [1876–1896]; *Correspondence Files, ‘A’ Series* [1901–1929]; *Unregistered Inward Correspondence, Minister of Lands [1881]* (1876 –1929)

1896–1960

- **VPRS 3217** *Register of Inward Correspondence, Numerical System, Secretary* (1896 – ?1960)
- **VPRS 14272** *Index to Inward Correspondence, Numerical System, Secretary* (1901 – 1915)
• VPRS 3218 *Index to Inward Correspondence, Numerical System, Secretary* (circa 1915 – 1960)

• VPRS 865 *Secretary’s Correspondence Files, Numerical System* (1896 – 1960).

For *outwards correspondence* consult:

• VPRS 7936 *Outward Letterbooks of the Secretary for Lands* (by 1863 – 1930)

• VPRS 7934 *Outward Letter Books to Other Departments and District Land Offices* (1862 – 1942)

• VPRS 7935 *Outward Letter Books to General Public* (1858 – 1983)

• VPRS 15710 *Outward Letter Book, Education Department, Secretary for Lands* (by 1877 – ?1879)

• VPRS 15711 *Outward Correspondence, Crown Reserves, Secretary for Lands* (by 1915 – ?1915).

### Departmental Files 1960–1983

From 1960, departmental administrative and policy files were assigned to one recordkeeping system – the 'X' series. Some of these files may be accessed through:

• VPRS 7311 *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)* by searching for numbers with the file category 'X' that were placed in VPRS 242 *Crown Reserves Correspondence* (?1850 – 1980)

• VPRS 14640 *Numerical Index Cards and File Movement Cards, General Correspondence Files, ‘X’ Series* (1960 – 1984)

• VPRS 14641 *Subject Index Cards, General Correspondence Files, ‘X’ Series* (1960 – 1984)

• VPRS 11796 *General Correspondence Files, ‘X’ Series* (1960 – 1984)

• VPRS 3218 *Index to Inward Correspondence, Numerical System, Secretary* (circa 1915 – 1960). Some indications of 'X' file numbers for specific subjects are noted on the cards in this record series.

From 1978 a second series of policy and administrative files for the Crown Lands Management Division were developed. These are available through:

• VPRS 14644 *Subject Index Cards, General Correspondence Files, Crown Land Management Division (*‘MA’ Series*) (1978 – 1984)

• VPRS 11797 *General Correspondence Files, Crown Land Management Division (*‘MA’ Series*). (1978 – 1985).
### Legal Opinions

At times opinions were sought from the Crown solicitor, attorney-general and other officials regarding the interpretation and application of legislation and regulations. Correspondence regarding this may be found in the series listed under the heading 'Secretary' on page 119. Other relevant series available are:

- **VPRS 14002 Register of Crown Solicitors' Opinions** (by 1858 – ?1928)

### Internal Communications

Memoranda and circulars were important means of communication within the department. They usually dealt with mundane administrative matters, but sometimes they dealt with procedures and policies for the application of legislation and regulations to individual cases or at specific times. You should consult:

- **VPRS 14295 Circulars** (by 1881 – ?1969)
- **VPRS 14297 Memoranda** (by 1893 – ?1908)
- **VPRS 14981 Memorandum and Circulars, Surveyor General** (by 1860 – ?1914)
- **VPRS 10645 Memos, Circulars and Correspondence** [for the Closer Settlement Board] (by 1914 – ?1927)

### Personnel

The Department of Crown Lands and Survey employed many people throughout Victoria. **VPRS 15031 Salaries Registers** provides a listing of all employees for much of the period between 1857 and 1933. Considerable correspondence relating to appointments, personnel administration and disciplinary matters can be found in the inwards and outwards correspondence of the Secretary for Lands as listed under the heading 'Secretary' on page 119.

Other employee records can be found in the records of **VA 886 Public Service Board** (later known as the **Public Service Commissioner**, between 1901 and 1940) in such series as:

- **VPRS 4403 Index to Record of Public Servants** (1884 – 1924)
- **VPRS 4402 Record of Public Servants** (1884 – 1925)
- **VPRS 9889 Record Cards of Public Servants** (1925 – 1977)
Appointments were also listed in the *Victoria Government Gazette*, where they were regularly indexed by the person's name under the heading 'Appointments'. Each January a list of permanent public servants in each government department was printed in the *Victoria Government Gazette* with details such as the date of appointment, salary and role within the department.

Some schedules of appointments prepared for the Governor-in-Council or the Board of Land and Works with associated correspondence for a limited period are available in:

- **VPRS 1016/P0** *Miscellaneous Correspondence Files* (1843 – ?1934).

### District Administration and Correspondence

As noted above, commissioners of Crown lands were appointed in the 1840s, after which local district offices became responsible for survey, the receipt of applications and rents and the dissemination of information. They did not always operate efficiently or in harmony with head office in Melbourne and with the passing of the *Land Act 1869*:

> the disorganization increased in a ratio corresponding to the growth of the demand for land.

As a result, considerable reforms were made in departmental organisation and management in 1873 with the creation of the Occupation Branch. The state was divided into land districts, to which parishes were assigned, and district survey offices were established in each land district responsible for the administration of the land Acts in that district. Over time, the land districts became divisions and the number of district survey offices or land offices decreased. For details see Chapter 5 – Locating and Identifying Land in Victoria.

Local correspondence records prior to the 1873 reforms are available for district surveyors and survey offices in:

- **VPRS 1259** *Inward Correspondence, Reports and Instructions, District Surveyor, Portland* (?1848 – 1870)
- **VPRS 1654** *Outward Letter Book and Minute Book, District Surveyor, Bairnsdale and Omeo* (1865 – 1870)
- **VPRS 442** *Outward Letter Books [1862–1907]; Register of Inward Correspondence [1877–1880] [for Hamilton]* (1862 – 1907)
- **VPRS 1328** *Outward Letter Book, District Surveyor, Sale* (1855 – 1856)

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• VPRS 15712 *Referred Correspondence Book, District Surveyor, Sale* (by 1865 – ?1867)
• VPRS 1640 *Outward Letter Books* [for Bendigo] (1860 – ?1915)

Another collection of correspondence as received by a local office is available in:

• VPRS 459 *Bairnsdale District Records [Lands]* (1865 – 1890).

District survey offices received their own correspondence from the public, but also a considerable amount forwarded by head office in Melbourne requesting information or requiring action to be taken. The receipt of this correspondence was duly recorded in registers of inward correspondence. For the post-1873 period, these are available in:

• VPRS 14332 *Register of Inward Correspondence, Ballarat District Land Office* (1881 – ?1924)
• VPRS 15045 *Index to Correspondence, Ballarat District Land Office* (1871 – 1871)
• VPRS 14330 *Register of Inward Correspondence Forwarded from Head Office, Hamilton District Land Office* (1872 – ?1872)
• VPRS 14331 *Register of Inward Correspondence, Hamilton District Land Office* (1874 – ?1885)
• VPRS 15041 *Index to Correspondence, Land Office Hamilton* (1921 – ?1933)
• VPRS 14334 *Register of Inward Correspondence, Alexandra District Land Office* (1875 – ?1964)
• VPRS 14327 *Register of Inward Correspondence, Bairnsdale District Land Office* (1874 – 1931)
• VPRS 14340 *Register of Inward Correspondence, Local, Bendigo District Land Office* (1876 – 1892)
• VPRS 14341 *Register of Inward Correspondence, Head Office, Bendigo District Land Office* (1876 – 1892)
• VPRS 14342 *Register of Inward Correspondence, Bendigo District Land Office* (1892 – ?1961)
• VPRS 14339 *Register of Inward Correspondence, Ballarat District Survey Office* (by 1874 – 1876)
• VPRS 14329 *Register of Inward Correspondence, Castlemaine District Land Office* (1887 – ?1915)
• VPRS 14326 *Register of Inward Correspondence, Geelong District Land Office* (1896 – ?1911)
Transcripts and/or duplicates of correspondence sent to district offices by the Secretary for Lands can be found in:

- **VPRS 15604** Register of Inward Correspondence, Horsham District Land Office (by 1884 – ?1844)
- **VPRS 14328** Register of Inward Correspondence, Sale District Land Office (by 1873 – ?1889)
- **VPRS 14333** Register of Inward Correspondence, Seymour District Land Office (by 1903 – 1968)
- **VPRS 14335** Register of Inward Correspondence, St Arnaud District Land Office (by 1902 – 1974)
- **VPRS 14337** Register of Inward Correspondence, Stawell District Land Office (1873 – ?1879)
- **VPRS 14338** Register of Inward Correspondence, Warracknabeal District Land Office (1896 – 1953).

Receivers of Revenue and Registers of Deeds

Rents were paid to the local receiver of revenue and paymaster as appointed by the Treasury. Often the local clerk of courts acted in this capacity. Examples of these locally kept payment records are available in:

- **VPRS 15645** Register of Licensees, Section 19 Land Act 1869, Receiver of Revenue, Wedderburn (by 1882 – 1911)
- **VPRS 13296** Register of Licensees, Inglewood, Section 49 Land Act 1869 and section 67 Land Act 1884 (?1874 – ?1889)
- **VPRS 13858** Register of Licensees, Inglewood, Section 19 and 20 Land Act 1869 (1871 – ?1885)
- **VPRS 5312** Register of Lessees, Mallee Lands, Horsham Land District (1884 – 1910) (held at Ballarat Archives Centre)
- **VPRS 14410** Rent Roll, Horsham Land District, Sections 7 and 19 Mallee Lands Act 1896 and Sections 217 and 218 Land Act 1901 (by 1902 – 1920).

Crown grants, leases and licences were also often forwarded to the receiver of revenue (or clerk of the court) for collection and for the payment of any outstanding administrative fees. These were recorded in registers of deeds. Registers of deeds are available for a large number of localities. Use the PROV online catalogue to identify registers of deeds that are of interest to you by searching for 'register of deeds' and the name of the locality or town.
Crown land Bailiffs

The Crown land bailiff did much of the work of:

- monitoring, at the local level, the observance of the law relating to the occupation and use of Crown land;
- providing reports on such matters as improvements and their valuation;
- acting as a representative of the Department of Crown Lands and Survey (VA 538).

In a number of districts the local police were appointed to act in this capacity. Examples of such appointments are available in:

- **VPRS 1261 Inward Correspondence** (1851 – 1903)
- **VPRS 1016/P0 Miscellaneous Correspondence Files** (1843 – ?1934).

More recent records relating to appointments are available in:

- **VPRS 11796 General Correspondence Files, ‘X’ Series** (1960 – 1984).

Other records relating to the work of nineteenth-century Crown land bailiffs can be found in:

- **VPRS 1655 Register of Inward and Outward Correspondence, Crown Lands Bailiff Ballarat** (held at Ballarat Archives Centre) (by 1883 – ?1887)
- **VPRS 15704 Register of Files Sent to Crown Lands Bailiffs** (by 1880 – ?1950)
PART 3: SURVEYS, SQUATTERS AND ABORIGINAL PEOPLE – EARLY LAND ADMINISTRATION IN VICTORIA
12. Victorian Survey Records

Introduction

As stated in Chapter 3 – Records of the Crown Lands of Victoria, when Captain William Lonsdale and his party left Sydney in 1836, comprehensive instructions for the survey of the district were being issued and arrangements made to conduct it. Details of these early survey activities can be found in Historical Records of Victoria: Foundation Series; volume 5, Surveyor’s Problems and Achievements, 1836–1839.

This chapter covers the records of the continuing survey of Victoria which are held by PROV.

Background

Until separation from New South Wales in 1851, the Surveyor-General's Department, Port Phillip Branch (also known as the Melbourne Survey Office) (VA 943) was responsible to the surveyor-general in Sydney. After separation, Victoria had its own Office of the Surveyor-General. Initially survey activity was confined to the Surveyor-General's Department (VA 2921), but from 1858 to around 1872 responsibility was shared with the Office of the Government Astronomer and Superintendent of the Geodetic Survey (VA 2591), with the latter carrying out the scientific survey and working on the delineation of state boundaries, particularly that between Victoria and New South Wales.

In 1857 the Surveyor-General's Department became a major branch within the Department of Crown Lands and Survey (VA 538). For a considerable time the surveyor-general and the Survey Branch prepared their own separate annual reports, tabled as appendices to the Land Report of the Minister of Land.

The surveyor-general continues to exercise important statutory authority in relation to land in Victoria. Details of the role and responsibilities may be found by searching on <http://www.land.vic.gov.au>. A history of the office and of surveying in Victoria is set out in KS Chappel Surveying for Land Settlement in Victoria 1836–1960. Copies of this publication can be consulted at the Victorian Archives Centre and Ballarat Archives Centre reading rooms.

Correspondence records

Correspondence records relating to the survey of Victoria and the administration of the survey are available in a number of series. You should be aware that:

- these series usually do not have full detailed listings of contents
- many of these series have records in bundles identified by dates or by subject, while many other series have general descriptions
most of the correspondence is inwards.

You will find a comprehensive collection of this correspondence relating to survey in:

- **VPRS 44 Inward Registered and Unregistered Correspondence (1839 – 1896)**
  VPRS 44 covers correspondence received by the various agencies responsible for lands in Victoria. Browse the consignment details for items of interest. The consignment list for VPRS 44 can be found at <http://www.prov.vic.gov.au/landsguide/>.

Correspondence in VPRS 44 and other series deal with matters such as:

- **Official instructions and reports to senior officials** as contained in:
  - **VPRS 5 Outward Registered Correspondence to Surveyor General** (1836 – 1848)
  - **VPRS 6 Outward Letter Books** (1836 – 1856)
  - **VPRS 14030 Register of Inward Correspondence** (Colonial Secretary 1854–1855; Chief Secretary 1855) (1854 – 1855)
  - **VPRS 6906 Inwards Correspondence, Colonial Secretary [1851–1855] and Chief Secretary [1855–1858]** (1851 – 1858).

- **Requests from the occupants of land** for the land to be surveyed and put up for auction as contained in:
  - **VPRS 6904 Applications to Purchase Land** (by 1848 – ?1859)
  - **VPRS 14255 Register of Inward Correspondence (General)** (1854 – 1855).
  However, you will also find such request letters in other series.

- **Reports and requests from surveyors** in the field, including matters relating to the marine survey, as contained in:
  - **VPRS 1258 Inwards Correspondence, Surveyor-General** (1840 – 1915).
  See also ‘Surveyors' records' on page 131 in **Chapter 12**.

- **Applications for employment** as a surveyor or draughtsman.

- **Matters relating to the administration and support of surveyors** and survey parties, such as the provision of stores and equipment as well as personnel matters.

Series other than those listed above containing correspondence records relating to survey are:

- **VPRS 97 Inwards Correspondence** (1836 – 1868)
- **VPRS 93 Miscellaneous Records** (1840 – 1879)
- **VPRS 1261 Inward Correspondence** (1851 – 1903)
- **VPRS 6898 Correspondence Relating to the Administration and Development of Roads** (1851 – 1860)
Records of minutes written by the surveyor-general on correspondence sent for attention and comment in 1858 can be found in:

- **VPRS 1321** *Minute Register, Surveyor-General (1858); Register of Applications for Residence and Cultivation Licences, Land Act 1860 (1861–1862) (1858 – 1862).*

The general instructions issued to members of the Survey Branch for carrying out their duties can be found in:

- **VPRS 14981** *Memorandum and Circulars, Surveyor General (by 1860 – ?1914).*

**Surveyors' records**

Reports and data from survey parties and surveyors in the field found in the correspondence series listed above, are also available in:

- **VPRS 15** *Surveyors Descriptions of Subdivisions and Allotments (?1837 – ?1871)*
- **VPRS 14960** *Areas of Parishes and Allotments (by 1861 – ?1865)*
- **VPRS 14982** *Register of Government Proclamations (?1861–?1862); Surveyors Descriptions of Land Allotments, Parish of Bellarine [1853] (1853 – ?1862).*

Organisation and allocation of survey tasks are recorded in the orders for survey. Series recording these tasks are:

- **VPRS 6164** *Orders for Surveys, Ballarat (1938 – 1966) (held at Ballarat Archives Centre)*
- **VPRS 15336** *Orders for Surveys, Western and Northern Victoria (1900 – 1960)*
- **VPRS 15337** *Orders for Surveys, Melbourne (1917 – 1936).*

**Maps and plans**

Reproductions of a considerable number of maps and plans created by early surveys, including the coastal survey, can be found in:

- **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168] (1836 – 1984).*

This series is available at the Victorian Archives Centre, together with **VPRS 8164** *Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche)*, which lists the contents of **VPRS 15899**. Survey maps can be searched in plan number order under parish and county headings.
District survey office records

The district surveyor was responsible for survey matters in a specific area or, later, a land district. Records showing the variety of matters referred to these officers and dealt with by them are available for a number of areas in Victoria in the form of correspondence and letter books.

Local correspondence records of district surveyors and survey offices for:

Portland
- **VPRS 1259** *Inward Correspondence, Reports and Instructions, District Surveyor, Portland* (?1848 – 1870).

Bairnsdale and Omeo
- **VPRS 1654** *Outward Letter Book and Minute Book, District Surveyor, Bairnsdale and Omeo* (1865 – 1870)
- **VPRS 459** *Bairnsdale District Records* (1865 – 1890) contains a collection of correspondence as received by a local office and also local office accounting records.

Hamilton
- **VPRS 442** *Outward Letter Books [1862–1907]; Register of Inward Correspondence [1877–1880]* (1862 – 1907).

Sale
- **VPRS 1328** *Outward Letter Book, District Surveyor, Sale* (1855 – 1856)
- **VPRS 15712** *Referred Correspondence Book, District Surveyor, Sale*, (by 1865 – ?1867).

Bendigo

Ballarat
- **VPRS 15602** *Outward Letter Book, District Survey Office, Ballarat* (by 1856 – ?1858)
- **VPRS 15045** *Index to Correspondence, Ballarat District Survey Office* (1871 – 1871).

Taradale

Murray district
- **VPRS 94** *Inward Correspondence* (1839 – 1865) (see microfilm copy **VPRS 6930**).
For the period 1875 to 1880, district surveyors were required to keep journals recording matters dealt with by them. These journal records can be seen in:

- **VPRS 447** *Journal, District Surveyor Bairnsdale* (1875 – 1880)
- **VPRS 15028** *Journal, District Surveyor, Omeo* (1875 – 1880)
- **VPRS 15029** *Journal, District Surveyor Sale* (1875 – 1880)
- **VPRS 15030** *Journal, District Surveyor St Arnaud* (1875 – 1880).

**Geodetic Survey records**

From 1858 the Office of the Government Astronomer and Superintendent of Geodetic Survey (VA 2591) under the leadership of RJ Ellery became responsible for conducting the first scientific survey of Victoria. The data collected as part of that survey and in relation to the initial charting of the eastern border between New South Wales and Victoria can be found in:

- **VPRS 15315** *Field Books of the Old Geodetic Triangulation Survey* (1859 – 1876)

Correspondence from 1859 to 1872 relating to the activities of the survey is available in:

- **VPRS 6910** *Inwards Correspondence, Geodetic Survey* (1859 – 1872).

A number of small series containing field notes, computations, observations and reports are listed for VA 2591.

A comprehensive number of maps produced as part of the activities of the geodetic survey can be found in:

- **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168]* (1836 – 1984).

This series is available at the Victorian Archives Centre, together with **VPRS 8164** *Register of Historic Plan Collection (1802–1963)* (Computer Output Microfiche), which lists the contents of VPRS 15899 and is subdivided into four separate lists ordered by:

- plan type/number
- parish
- county
- surveyor.

Introduction

Not all of Victoria's lands were sold into private ownership. In every parish and township certain areas were set aside – reserved from sale – for various public purposes. Some areas were granted to community bodies for purposes such as schools, churches or municipal markets. Others were designated Crown reserves as a way of providing public space for recreation or for conserving resources such as timber or water. Reserves were also set aside as Aboriginal missions in the nineteenth century (for further details regarding land records relating to Aboriginal missions see Chapter 15). Another type of reserve in the nineteenth century was the common, an area set aside for the temporary grazing of livestock. Reserves were noted on parish and township plans and their proclamation and revocation were published in the Victoria Government Gazette. This chapter deals with the Crown land that was:

- granted, in trust, for community purposes such as churches, schools and municipal facilities;
- reserved from sale for public use as parks, recreation reserves and other community Crown lands;
- set aside as commons for temporary forage and grazing space for livestock.

The aim of this chapter is to provide access to records showing how Crown land was allocated for the above purposes. Access to records about the ongoing management of these lands is not covered in this chapter. A starting point for such research would be to consult the records series listed for the government department or agency that was made responsible for the management of the land in question.

Grants for special purposes

Grants are made (initially in Victoria under section 5 of the Sale of Crown Lands Act 1860) in trust for public purposes such as:

- churches and associated schools and facilities;
- schools, prior to the Education Act 1873;
- municipal buildings and facilities such as town halls, abattoirs and markets;
- community and recreational use – for example cricket grounds and racecourses;
- cemeteries.
Proclamations and revocations were (and still are) published in the *Victoria Government Gazette*. The *Victoria Government Gazette* can be accessed online in PROV reading rooms. A number of external websites also provide access to the gazette:

- State Library of Victoria provides free online access (using keyword searching) for the period 1851 to 1997 and access to PDF copies of the earlier *Port Phillip Gazette* (1836–51) at [http://gazette.slv.vic.gov.au/](http://gazette.slv.vic.gov.au/).
- Recent copies of the gazette, for the period after 1997 to the present, are available online at [http://www.gazette.vic.gov.au/index.htm](http://www.gazette.vic.gov.au/index.htm).

Consult the following for details of grants of land for special purposes:


  Through annotations, this series also provides access to the following two series that contain transcriptions of many of the deeds of grant:
  
  
  - **VPRS 14149** *Special Deeds Books, Railway Grants* (by 1905 – 1913)

- **VPRS 81** *Land Grants for Special Purposes* (?1843 – ?1875) – copies of early deeds of grant, particularly to churches and schools, to about 1875.

You will find lists and details of grants made between 1849 and 1861 also in:

- **VPRS 15049** *Register of Crown Grants* (by 1855 – 1859)

- **VPRS 15050** *Registers of Grants to Schools and Churches* (by 1854 – 1861)

- **VPRS 4830** *Index to Inward Registered Correspondence – Land Grants I* (1849 – 1855)

- **VPRS 1347** *Index to Inward Registered Correspondence – Land Grants II* (1849 – 1855).

**Note:** You may see the words 'Act 391' on a parish plan. This refers to Act 391, *State Aid to Religion Abolition Act 1871* that repealed the power to reserve Crown lands for church property and enabled existing lands promised or reserved to be converted to freehold.

A number of properties reserved or granted for a special purpose for functions such as post offices, drill halls, customs houses, lighthouses, rifle ranges and military land were transferred to the Commonwealth of Australia after Federation in 1901. Details about this transfer and file references for **VPRS 242** *Crown Reserves Correspondence* (?1850 – 1980)
referred to later in this chapter, can be found by consulting:

- **VPRS 13944** *Transferred Property Files, Commonwealth - State Transfers* (1908 – 1943)
- **VPRS 13945** *Register of Sites Acquired by Victoria for Postal, Defence and Customs Prior to Federation and Transferred to the Commonwealth* (1907 – 1908)

## Crown reserves

The first land Act passed by the Victorian Parliament, the *Sale of Crown Lands Act 1860*, enabled the Governor-in-Council to reserve lands permanently or temporarily for a wide variety of public purposes. This meant that Crown land was reserved from sale, leasing or licensing and exempted from the provisions of the mines Act.

Crown land is reserved for such facilities as public parks (including state and national parks), recreation reserves, foreshores, camp reserves, public halls, timber reserves, commons, water reserves, flora and fauna reserves, as well as the banks and beds of streams.

Proclamation of, alterations to and any revocations of reserves are published in the *Victoria Government Gazette* indexed under the land Acts until 1978 and from then under the *Crown Land (Reserves) Act 1978*.

Many of the records relating to Crown reserves, especially where the land is still being used for the purpose for which it was originally reserved, remain with Land Victoria.

For lists of Crown reserves consult:

- **VPRS 226** *Index to Inward Registered Correspondence* [*Microfilm Copy of VPRS 5522*] (by 1856 – 1876) in the appropriate alphabetical categories
- **VPRS 227** *Registers of Inwards Correspondence* [*Microfilm Copy of VPRS 70*] (1856 – 1876) using the annotations beside the original correspondence numbers of the twentieth-century file numbers
- **VPRS 228** *Alphabetical Registers of Inward Correspondence* [*Microfilm Copy of VPRS 166*] (1876 – 1896) using the letter for the type of reserve, such as **C** for Commons and Cricket Grounds and **G** for Gardens

A number of series give information that allows you to match correspondence and file numbers for Crown reserves to specific localities. Some of these are:

- **VPRS 14651** *Register of ‘Rs’ Files* (1914 – ? 1980)
- **VPRS 14657** *Subject and Locality Index Cards, ‘Rs’ and ‘C’ Files* (1914 – ?1984)

Correspondence files relating to reserves and former reserves may be found in:

• **VPRS 242** *Crown Reserves Correspondence* (?1850 – 1980)

• **VPRS 6605** *Chief Commissioner of Crown Lands – Inward Correspondence* (1853 – 1860)

These two series (directly above) and their contents may be accessed by using:

  o **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)* (1840 – 1984)


Other correspondence files are available in:

• **VPRS 11794** *General Correspondence Files, 'M' Series* (1860 – 1997)

• **VPRS 11796** *General Correspondence Files, 'X' Series* (1859 – 1984)

• **VPRS 11797** *General Correspondence Files, Crown Land Management Division ('MA' Series)* (1978 – 1985).

Index cards may assist in accessing this series. These are available in:

  o **VPRS 14643** *Numerical Index and File Movement Cards, General Correspondence Files, Crown Land Management Division ('MA' series)* (1978 – 1984)

  o **VPRS 14644** *Subject Index Cards, General Correspondence Files, Crown Land Management Division ('MA' series)* (1978 – 1984).

You will need to order the above index cards for viewing in the Victorian Archives Centre Reading Room. These will assist you to find references to records of interest in VPRS 11797.

Plans of reserved cemeteries can be found in:

• **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168]* (1836 – 1984).

This series is available at the Victorian Archives Centre, together with **VPRS 8164** *Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche)*, which lists the contents of VPRS 15899. Records relating to cemeteries can be searched in plan number order under parish and county headings.
Commons

Farmers’ commons, town commons and goldfields commons were first formally established by the Sale of Crown Lands Act 1860. They provided free temporary forage and grazing space for livestock.\(^{21}\)

Lists of commons and details regarding their extent and management as published in the Victoria Government Gazette until the 1880s may be found in:

- **VPRS 1294** Register of Commons (1861 – circa 1886)

- **VPRS 8769** Register of Description of Permanent Reserves-Commons (?1861 – ?1878).

The Land Act 1862 provided that each common should be governed by a manager or managers who, for the purpose of the common management, had the powers of a commissioner of Crown land. Examples of bonds lodged as a surety for the performance of duties as manager from 1862 to 1869 are held in:

- **VPRS 821** Bonds Issued by the Board of Land and Works for Managers of Commons (1862 – 1869).

Other aspects of the routine management of commons, from 1876 to 1884, may be seen in:

- **VPRS 12375** Committee Minutes, Briagalong Common (by 1876 – 1884).

Correspondence files relating to commons, particularly those whose reservation has been revoked, can be found in:

- **VPRS 242** Crown Reserves Correspondence (?1850 – 1980).

Other correspondence, bonds and returns relating to commons can be found by browsing the consignment details of VPRS 44 for items of interest. The consignment list for VPRS 44 can be found at <http://www.prov.vic.gov.au/landsguide/>.

\(^{21}\) Commons may still exist because their reservation as a commons has never been specifically revoked.
14. Pastoral Occupation and Pre-emptive Rights

Introduction

This chapter covers the regulation of pastoral activity on Crown lands from 1835. It also deals with the pastoral occupants' pre-emptive right to purchase up to 640 acres (a square mile) – which usually included the homestead and the best adjoining land – and their efforts at acquiring additional land.

Pastoral occupation

Details of the initial efforts of government authorities to regulate pastoral occupation in the Port Phillip District are to be found in *Historical Records of Victoria: Foundation Series; volume 6, The Crown, the Land and the Squatter, 1835–1840.*

Use the following series to find comprehensive records relating to individual pastoral runs from 1840 to 1878:

- **VPRS 5920** *Pastoral Run Files [Microfiche Copy of VPRS 5359] (1840 – 1878).*

Accompanying maps are available in:

- **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168] (1836 – 1984).*

This series is available at the Victorian Archives Centre, together with **VPRS 8164** *Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche)*, which lists the maps under 'Runs' in plan number order under parish and county headings.

If the name of the run is unknown, check RV Billis and AS Kenyon, *Pastoral Pioneers of Port Phillip,* 1974. This book has an alphabetical list of pastoral run licence holders with details of run names.

Copies of *The Crown, the Land and the Squatter* and *Pastoral Pioneers of Port Phillip* can be consulted at both the Victorian Archives Centre and the Ballarat Archives Centre.

**VPRS 5920** *Pastoral Run Files [Microfiche Copy of VPRS 5359] also has information regarding unnamed runs (these microfiche are available at both the Victorian Archives Centre and the Ballarat Archives Centre). Consult section 1.2.5 of the index to this microfiche series which gives a list of the run holders, the district in which the run was situated and the microfiche upon which further information may be found.

Details of the stock owned, how stock were identified and the extent of cultivation, can be found in the returns lodged by pastoralists between 1844 and 1862 under the stock assessment Acts and earlier regulations.

For details see:

- **VPRS 77** *Return of Livestock and Stations (1844 – 1862).*
For summaries see:

- **VPRS 14481** *Returns of Occupants of Pastoral Lands* (1852 – 1869).

Until 1852, the returns showing the number of stock actually carried were used to calculate rents. Later, the estimates and returns lodged by pastoralists were used to calculate the grazing capacity of the run, which then became the basis for rent calculations.

Pastoralists were able to occupy land under depasturing licences and grazing licences of varying lengths of tenure. Periodically, lists and notices relating to these licences were published in the *Victoria Government Gazette*. The *Victoria Government Gazette* can be accessed online in PROV reading rooms. A number of external websites also provide access to the gazette:

- State Library of Victoria provides free online access (using keyword searching) for the period 1851 to 1997 and access to PDF copies of the earlier *Port Phillip Gazette* (1836–51) at <http://gazette.slv.vic.gov.au/>;

- Recent copies of the gazette, for the period after 1997 to the present, are available online at <http://www.gazette.vic.gov.au/index.htm>.

Early applicants for pastoral leases before 1851 are listed in:

- **VPRS 13924** *Register of Applications for the Lease of Pastoral Runs* (?1848 – ?1851).

You can find details of pastoral licences issued from 1875 to 1900 in:

- **VPRS 1293** *Register of Pastoral Licences* (1875 – 1900).

You can also find details of pastoral licensees in the following Treasury records:

- **VPRS 7** *Inwards Correspondence* (1838 – 1855).

An index to this series is available as an online database, Index to **VPRS 7/P0** *Treasurer's Correspondence Relating to Pastoral Runs 1838–1855*, which can be accessed through the PROV website at:


This database can be used to find references to licensee and pastoral run names in the inward correspondence received by the Department of Treasury. It is also possible to search on the basis of the year in which the letter was received, the district in which the run was located and, if applicable, the name of the person who acquired the run.

After the passing of the *Land Act 1862*, licences for new or forfeited runs were available through auction. A small number of records relating to these sales between 1862 and 1867 are available in:

You can find comprehensive lists of the pastoral runs of Victoria until 1898 in the following series; information provided includes ownership of the runs, their location and extent, and the amounts of rent paid and, in some records, references to entries in the *Victoria Government Gazette*:

- **VPRS 5826** *Pastoral Run Registers [Microfiche Copy of VPRS 5825]* (1848 – 1883)
- **VPRS 14144** *Rent Rolls, Pastoral Runs* (1862 – 1878)
- **VPRS 3649** *Register of Payment of Pastoral Rents* (1871 – 1874)
- **VPRS 809** *Return of Pastoral Rents Received* (?1864 – ?1873)
- **VPRS 14143** *Summary of Returns Regarding Pastoral Allotment Leases, Part II Land Act 1884* (1886 – 1897)
- **VPRS 14780** *Inwards Registered Correspondence, Pastoral Runs, Section 78 Land Act 1869* (1870 – ?1884).

Information regarding the regulation and administration of early pastoralism (until 1857) can be found in the introductory sections of:

- **VPRS 5920** *Pastoral Run Files [Microfiche Copy of VPRS 5359]* (1840 – 1878)
- **VPRS 6467** *Correspondence Relating to the Regulation and Administration of Depasturing Licences* (1845 – 1867)
- **VPRS 6905** *Inward Registered and Unregistered Correspondence, Lands* (1839 – 1853).

Other correspondence series of the Superintendent Port Phillip District, Colonial Secretary (particularly those marked lands or Lands Branch) and commissioners of Crown lands for the various districts, may provide additional information. See Chapter 11 – Administration of Crown Lands 1836–1983.

If you are enquiring about pastoralism in specific periods, you may find further correspondence and returns by browsing the date of correspondence in the consignment details **VPRS 44**. The consignment list for **VPRS 44 Inward Registered and Unregistered Correspondence** can be found at [http://www.prov.vic.gov.au/landsguide/](http://www.prov.vic.gov.au/landsguide/).

### Pre-emptive right

From 1847 to 1899, pastoral occupants had the right to purchase a maximum area of 640 acres for each run. The area purchased usually included the homestead and the best adjoining land. Land purchased under pre-emptive right is shown as such on parish plans.

A summary of applications until 1860 is available in:

- **VPRS 13016** *Applications Register for the Purchase of Land Under Pre-Emptive Right* (1851 – 1860).
An additional and extended list of applicants is available in:

- **VPRS 14146/P1** Register of Grants for Special Purposes (Grants Without Purchase) [1842 - 1990]; Register of Pre-Emptive Right Descriptions [1852 - 1893], unit 2.

Use the number beside the name of each applicant in **VPRS 14146** to access a full surveyor's description of the land they were seeking in:

- **VPRS 14147** Pre-Emptive Right Descriptions (1852 – 1884).

An example for the Murray district of the reports prepared in relation to these applications by the local commissioner of Crown land before 1860 is provided in:


Correspondence regarding the exercise of pre-emptive right 1847–1855 may be found in:

- **VPRS 47** Registers of Inward Correspondence I [Land Branch] (1847 – 1851)
- **VPRS 2878** Inward Registered Correspondence II [Land Branch] (1851 – 1852)
- **VPRS 2879** Registers of Inward Correspondence II [Land Branch] (1851 – 1852)
- **VPRS 122/P1** Outward Letter Books, units 2 and 7 (1851 – 1855)

Maps of pre-emptive right purchases can be seen in:


This series is available at the Victorian Archives Centre, together with **VPRS 8164** Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche), which lists the maps under 'pre-emptive right' in plan type/number order, or under the relevant county or parish.

**After pastoral occupation**

Pastoralists took the opportunity to gain ownership of further portions of their runs above the 640 acres allowed by pre-emptive right, either by purchase after survey at auction or by taking advantage of legislation relating to selection.

Research this by consulting records relating to specific Acts and sections or, where the names of the pastoralist and parish are known, by consulting such general records as:

- **VPRS 11862** Reports of Land Sales by Public Auction (1837 – ?1972)
- **VPRS 11868** Register of Crown Grants (1837 – 1851)
- **VPRS 11866** Register of Crown Grants (1851 – 1858)
From 1899, pastoral leases and licences and pre-emptive rights were phased out. Section 16 of the Land Act 1898 allowed the leasing of pastoral allotments until 1909, or permitted the occupant the option of leasing under section 29 of the Land Act 1898 (section 35 of the Land Act 1901) or section 123 of the Land Act 1890 (section 187 of the Land Act 1901) or section 80 of the Land Act 1898.

The decisions made regarding a very large number of runs are noted beside the entries for the specific pastoral runs in unit 6 of:

- **VPRS 1293 Register of Pastoral Licences** (1875 – 1900).

Registers of applications and rent rolls are available for the sections of Acts listed above for a number of districts. For the availability of files relating to these details, search:

- **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)**, if the file number is known,

- **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)**, if parish, allotment and section are known.
15. Aboriginal Occupation of Land in Victoria from 1835

WARNING: the following chapter contains quotes and terms from government records that some people may find offensive.

Dispossession

The process of dispossession of the Indigenous inhabitants of the land was swift and often violent as squatters and their livestock spread across the Port Phillip District. Under British law Aboriginal people were British subjects and, in theory, entitled to the protection and privileges of the law. In practice, however, they experienced discrimination, both legal (through specific legislation) and structural (built into general social and administrative systems). The law of the British colonial government afforded Aboriginal people little protection of their personal safety or their rights to occupy their land. In 1841, Justice Willis of the Supreme Court in Melbourne acquitted a squatter named Bolden of murder, ruling that he had every right to shoot the Aborigine, Tackiar, for being on his pastoral run,

*if a party receives a licence from Government to occupy a run and any person white or black comes on my run for the purpose of stealing my property, I have a right to drive them off by every lawful means in my power ... The blacks have no right to trespass unless there is a special clause in the licence from the government.*

Taking note of these developments, in January 1842 Superintendent La Trobe, the head of the Port Phillip District government, wrote to the colonial secretary in Sydney pointing out that a licence to graze did not disturb the natural right of occupation of the Aboriginal inhabitants and that,

*apart from the presumed illegality of attempting complete expulsion there was a manifest inhumanity in pursuing such a course.*

*In many parts of the country it would in fact drive certain tribes from every portion of the wide District to which their wanderings were ordinarily limited, before any provisions could be made.*

In an effort to protect the colony’s Indigenous people by removing them from the path of people like Bolden, the colonial government designated areas of land for the use of Aboriginal people.

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23 VPRS 16/P0 Outward Registered Correspondence, unit 12, item 42/132 (also available on microfilm VPRS 4467).
Writing to Governor George Gipps in Sydney in 1842, Superintendent Charles La Trobe expressed concerns regarding a recent court case (*Queen v. Bolden*). The outcome of the case, La Trobe believed, would reinforce the view among settlers that they had a right to defend their stock and the land they were occupying at all costs.

VPRS 16/P0, unit 12, item 42/132, letter from Superintendent La Trobe writing to the Colonial Secretary of NSW George Gipps in Sydney, January 1842
Between 1837 and 1891 approximately 30 areas of land were set aside for the use of Aboriginal people. These areas were usually known as reserves, but were not always officially gazetted as such, and were rarely gazetted as permanent reserves. These reserves included a number of missions or stations, on which Aboriginal people were encouraged to reside, under the supervision of European missionaries or managers. Most of the reserves were subsequently reallocated to others. Today only a small proportion of the total lands once reserved for Aboriginal people are in Aboriginal ownership.

From 1886 official policies toward people of mixed Aboriginal and European descent were aimed at their absorption or assimilation into the white community. Such policies failed to recognise the importance of cultural identity and kinship, and the racial prejudices that blocked the participation of Aboriginal people in the white community. Consequently, many Aboriginal people, barred from their own mission communities and from mainstream society, had little choice but to live in camps on the fringes of both communities.

Although there were no legal barriers to Aboriginal people selecting land for themselves, they had to overcome enormous economic and social barriers to attain access and to use Crown land. The stories of those Aboriginal people who made the attempt to overcome these barriers can be found amongst the land selection records held by Public Record Office Victoria (PROV).

This chapter deals with land occupied by Aboriginal people in the post-contact era (1835 onwards) under the categories of:

- lands set aside for the use of Aboriginal people
- fringe camps
- Aboriginal selectors.

Lands set aside for the use of Aboriginal people

A Brief History of Aboriginal Reserves

The history of Aboriginal reserves needs to be understood in the context of changing government policies towards Victoria’s Indigenous people from the 1830s to the mid-twentieth century. Initially reserves were established for the purpose of removing Aboriginal people from the lands being taken over by the Europeans, in order to mitigate frontier violence. Reserves provided places of refuge in the early years, but many were also places of instruction, as the colonisers sought to instill European ideas of civilisation and Christianity into the minds of Aboriginal people.

The first Aboriginal reserve was a mission. It commenced in 1837 on the present site of Melbourne’s Botanic Gardens, under the supervision of missionary George Langhorne. In 1838 the British Government set up the Aboriginal Protectorate system that was supposed to protect the rights of Aboriginal people as British subjects and to educate and ‘civilise’ them.
Illustration 9

Aboriginal stations and nearby towns across the State of Victoria.

Public Record Office Victoria
George Augustus Robinson was appointed to head this government agency as Chief Protector of Aborigines. The colony was divided into four Protectorate districts – Melbourne and Western Port, Goulburn, Loddon and Western District – with an assistant protector assigned to each of these. All four protectorates had a reserve of five miles in radius, to allow for hunting, with land near the protector's homestead to be used for farming. The aim of the Protectorate system was to induce Aboriginal people to take on the sedentary life of farmers. The government believed this would help to civilise the Indigenous population and help them to assimilate into the mainstream community. The Protectorate system was not successful in achieving this aim, and for this reason was deemed a failure by its supporters. Amidst growing pressure from pastoralists demanding the reserve lands for their use, the Protectorate was abolished in 1849.


Following the demise of the Protectorate, William Thomas, Assistant Protector for Melbourne and Western Port, was appointed Guardian of Aborigines for the whole Port Phillip District. This government position replaced the role played by Robinson as Chief Protector, except that he only took direct responsibility for the Aboriginal people in the Melbourne area. In regional areas Crown land commissioners were appointed as local guardians. There were also honorary correspondents. These were usually pastoralists (or farmers) who were given the responsibility of distributing blankets and rations to the Aboriginal people in their areas. During the 1850s a few mission stations were set up by church groups, including the Moravian missionaries' Ebenezer Mission at Lake Hindmarsh and Lake Boga Mission south-east of Swan Hill, and the Church of England's Yelta Mission on the Murray River. The Moravians were a German Protestant church that had a strong commitment to missionary work.

With the commencement of responsible government in Victoria in 1856, Aboriginal affairs became the responsibility of the surveyor-general. Concern over declining numbers of Aboriginal people resulted in the appointment of a select committee of Victorian members of parliament. The select committee, after making its enquiries in 1858–59, recommended that the best solution was to move Aboriginal people to reserves where they were supposed to receive the support of government and missionaries. This was a revival of the ideas of the Aboriginal Protectorate, but the government agency was now called the Central Board to Watch Over the Interests of the Aborigines (the Central Board). The first Land Act 1860 provided for the reservation of land ‘for the use or benefit of the aboriginal inhabitants’.

This list of Aboriginal people in the Moorabool and Bacchus Marsh area receiving blankets includes both their English and Aboriginal names, and is signed by justice of the peace Mordant Maclean on 8 April 1859 at Bacchus Marsh post office.

VPRS 242/P0, unit 466, file C15690, list of Aborigines receiving blankets at Beremboke reserve 1859
at Lake Hindmarsh (Ebenezer), Framlingham, Lake Wellington (Ramahyuck) and Lake Tyers, and the government-run Coranderrk and Lake Condah stations.

The sites of some reserves, including Coranderrk and Lake Tyers, were chosen in consultation with members of the tribal groups, the Kulin and GunaiKurnai respectively. In addition, a number of reserves ranging in size from 1 acre to 2,000 acres were set aside for the use of Aboriginal people as camping grounds and sites for the distribution of rations. One such reserve was near Bacchus Marsh, where a 640-acre site in the Parish of Beremboke – probably a traditional camping ground – was temporarily reserved for the 'Moorabool and Bacchus Marsh Natives' in June 1860. Here the local honorary correspondent, Mordant Maclean, distributed blankets to the people.25

Only about one quarter of Victoria's Aboriginal people lived on reserves. Most preferred to dwell on the fringes of European settlements, where they lived by working on pastoral stations, begging, and where possible, hunting and fishing. In 1869 an Act for the Protection of Aboriginal Natives of Victoria provided for tighter control over the lives of Aboriginal people. The Act defined Aboriginal people to include 'half-castes' and children of 'half-castes' habitually associating and living with Aboriginal people, and had the power to prescribe where Aboriginal people should live. The Act also prescribed work permits, making it difficult for Aboriginal people to find employment, thus forcing them onto reserves and missions. The Central Board became the Board for the Protection of the Aborigines (BPA), which continued to operate until 1957, when it was superseded by the Aborigines Welfare Board.

The purpose of the mission stations was to protect the old, and train the young for an independent life within the mainstream community. However, the paternalism of the BPA and missionaries tended to stifle independence. At Coranderrk, where the manager John Green did foster independence, considerable success was achieved towards self sufficiency on the land. When Green was dismissed over disagreements with the BPA, William Barak, elder of the Kulin, led a campaign to keep their manager, and the reserve itself. In February 1882 Barak and twenty other Coranderrk residents petitioned the Chief Secretary, the head of the Victorian colonial government:

\[ \text{We informed you by these few lines that we don't want a strange manager here only} \]
\[ \text{the one we ask for please. We also don't want the Central Boards, and the present} \]
\[ \text{Inspector, to be no longer over us.}^{26} \]

The Coranderrk people did manage to retain their reserve for a few more years, however pressure from white settlers wanting land continued to threaten the Aboriginal reserves.

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26 VPRS 1226/P0 Supplementary Inward Registered Correspondence, unit 4, X1857 Aborigines and Coranderrk Inquiry.
Besides, it was clear that the absorption policy had failed because Aboriginal people of mixed descent were remaining on the reserves with their families instead of merging into the white population. Consequently the government passed the *Aborigines Protection Act 1886*, which required all 'half-castes' up to the age of 34 years to leave the Aboriginal stations. The expulsion of the 'half-castes' resulted in the desired decline in numbers on the mission stations. The government subsequently adopted a policy of concentrating the remaining people on fewer stations. One by one the stations were closed, with only Lake Tyers and Framlingham remaining open beyond 1924. Lake Tyers took in residents that had previously called one of the other stations their home. These new residents belonged to Aboriginal groups from all over Victoria.

Special Acts of parliament were passed to revoke the two permanent reserves at Coranderrk and Lake Hindmarsh. Much of the land around Victoria formerly reserved as Aboriginal stations was subdivided and sold. A greatly reduced Framlingham Reserve remained, as well as Lake Tyers.

Campaigns by Aboriginal people and their white supporters eventually succeeded in persuading the government to retain the last two remaining reserves for Aboriginal people. The government made permanent the Aboriginal reserves at Lake Tyers 1965 and Framlingham in 1967. The campaign for ownership of the land continued, with even an appeal to the United Nations led by Pastor Douglas Nicholls. Finally the Victorian Parliament accepted that Aboriginal people had an attachment to their reserves, and passed the *Aboriginal Lands Act 1970*. The Act vested the Lake Tyers and Framlingham Aboriginal reserves in trusts consisting of the people then residing on the reserves.


**Records of the Aboriginal Protectorate and its Successors**

For full details of records relating to Aboriginal people in Victoria held by PROV and the National Archives of Australia, consult 'My heart is breaking': A Joint Guide to Records about Aboriginal People in the Public Record Office of Victoria and the Australian Archives (now National Archives of Australia) Victorian Regional Office, first published in 1993.

Many of the early records described in this work have been microfilmed and are only available on VPRS 4467 Aboriginal Affairs Records (circa 1859 – circa 1873), which is on open access at the joint National Archives and PROV reading room located in North Melbourne (Victorian Archives Centre).

In 2006 PROV began work on the Koorie Index of Names (KIN). This is an index to names of Aboriginal people, organisations and places that appear in records held by PROV. Most of these records have been created by government agencies that were responsible for
A petition orchestrated and signed by Aboriginal Elder William Barak, signed also by twenty other residents of Coranderrk Station, addressing the Chief Secretary, the head of the Victorian colonial government.

VPRS 1226/P0, unit 4, X1857 Aborigines and Coranderrk Inquiry, petition dated February 1882
administering Aboriginal Affairs. For information about the index and how to access it, contact the Koorie Records Unit (KRU) or the reference service at PROV. Consult PROVguide 67 Koorie Heritage – Koorie Index of Names Project for further details.

The records indexed in the KIN project were generated by the following agencies:

- **VA 512 Chief Protector of Aborigines (1838 – 1849)**
- **VA 513 Guardian of Aborigines (1849 – 1860)**
- **VA 514 Central Board Appointed to Watch over the Interests of Aborigines (1860 – 1869)**
- **VA 515 Board for the Protection of Aborigines (1869 – 1957).**

**Records of the Central Administration**

Also listed in 'My heart is breaking' are records created by various agencies of Victoria's central administration, particularly in the early years of the Port Phillip District and colony of Victoria, including:

- **VA 472 Police Magistrate Port Phillip District (1836 – 1839)**
- **VA 473 Superintendent Port Phillip District (1839 – 1851)**
- **VA 856 Colonial Secretary's Office (1851 – 1855)**
- **VA 475 Chief Secretary's Department (1855 – 1979).**

Many of the early records relevant to Aboriginal matters have been microfilmed and are only available on VPRS 4467, see details on page 154. Refer to 'My heart is breaking' for further information.

**Records of Crown Lands and the Surveyor-General**

The following land records have significant material on Aboriginal lands and people:

  This series includes Commissioner of Crown Lands HF Gisborne's account, dated 15 January 1840, of a pitched battle with Aboriginal people at Ryrie's Station and the capture and escape of a leader Jaga Jaga. Another part of this volume comprises VPRS 25 Letter and Report Book (1853 – 1857).
- **VPRS 44 Inward Registered and Unregistered Correspondence (?1839 – ?1896)**
  The series contains:
  - the reports of commissioners of Crown lands who were also responsible for the protection of Aboriginal people, correspondence and reports from Assistant Protector, William Thomas, together with his weekly reports as Guardian of Aborigines
correspondence of R Brough Smyth, Secretary, Central Board for the Protection of the Aborigines

Central Board for the Protection of the Aborigines: Outward Correspondence, 1861

Superintendent Port Phillip District: Inward Correspondence relating to Aboriginal Affairs.

You can browse the consignment details for VPRS 44 online at <http://www.prov.vic.gov.au/landsguide/>.

- **VPRS 4415 Chief Secretary's Registered Inwards Correspondence relating to Aboriginal Affairs transferred to the Department of Crown Lands and Survey (refer to Microfilm Copy, VPRS 4467) (1851 – 1858)**

This series includes correspondence regarding former Assistant Protector ES Parker's occupancy of portions of the Loddon River Aboriginal Station, claims for compensation by Moravian Missionaries at Lake Boga, and tracings of various properties.

- **VPRS 2894 Registered Inward Correspondence To The Surveyor General from the Guardian Of Aborigines (refer to Microfilm Copy, VPRS 4467) (1856)**

The weekly reports give detailed daily accounts of William Thomas's activities.

- **VPRS 2896 Registered Inward Correspondence to the Surveyor-General, Board of Land and Works and Board of Land and Survey Relating to Aboriginal Affairs (refer to Microfilm Copy, VPRS 4467) (1856 – 1873)**

Much of this series is devoted to the weekly reports (1856–1860) of the Guardian of Aborigines, William Thomas, but correspondence is included referring to Aboriginal stations and reserves at Acheron, Coranderrk, Karngun Parish, Lake Wellington, Loddon River (Mt Franklin), Maffra, Mordialloc, Lake Boga (Moravian Mission), Chepstowe Parish and Tangambilanga.

**Records Specific to Reserves**

Holdings of series relevant to all types of Crown reserves are detailed in Chapter 13 – Grants of Land for Special Purposes, Crown Reserves and Commons. To simplify the search for files on Aboriginal reserves it is recommended that researchers commence with:

- **VPRS 242 Crown Reserves Correspondence (1850 – 1980)** – this series contains a number of files for Aboriginal reserves. The best way to locate relevant files in this series is to search the two microfiche catalogues:
  
  o **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)**, if the file number is known (usually a C file or Rs file), or
  
  o **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)** – browse this catalogue for file descriptions such as mission station,
Aboriginal station, Aborigines site, native reserve, or the name of the mission or station you are researching.

Also check:

- **VPRS 228** *Alphabetical Registers of Inward Correspondence [Microfilm Copy of VPRS 166]* (1876 – 1896) – using the letters 'A', for Aboriginal, 'M' for mission, 'N' for native, or the initial of the name of the mission station or any other keyword that may have been used to describe an Aboriginal reserve.

Other series that contain information about early Aboriginal reserves are:

- **VPRS 6760** *Aboriginal Estrays (Refer to Microfilm Copy, VPRS 4467)* (1840 – 1960) – contains miscellaneous papers, and several sketch maps. Among them are Mordialloc Aboriginal reserve, the Wesleyan mission near Birregurra, Aboriginal Reserve no. 1 at Warrandyte, Goulburn River Central Station and William Thomas’s map of the Western Port Protectorate District – access these records through microfilm copy on **VPRS 4467**

- **VPRS 4411** *Copies Of Registered Correspondence Relating To The Moravian Mission Lake Boga Aboriginal Reserve (Refer to Microfilm Copy, VPRS 4467)* (1851 – 1856) – also available on microfilm **VPRS 4467**.

'Fringe' Camps

Few people leaving the mission stations after 1886 were able to establish themselves independently in the general community. Although Aboriginal people of mixed descent were now 'legally white' they lacked the privileges of white society, and lost the support that had previously been available to them as 'Aborigines' under the old Act. Many families remained for generations on or near the former reserves or traditional camping places. Known in the mainstream community as 'fringe dwellers', they formed strong communities on the outskirts of country towns, usually those located in the vicinity of the old missions such as Dimboola (near the former Ebenezer Mission), Orbost and Newmerella (near Lake Tyers) and Echuca (near Cummeragunja across the river in New South Wales).

In 1955 a Victorian Government inquiry into the operation of the *Aborigines Act 1928* found that most of Victoria's Aboriginal people were fringe dwellers, living in shacks and riverside camps on the fringes of country towns throughout the state. By 1965 the Aborigines Welfare Board had instituted a number of housing programs, but progress was slow. By then a new *Aborigines Act 1958* had re-defined Aboriginal people as 'any person of Aboriginal descent' as well as 'full-blooded Aboriginal natives', that more people were now legally entitled to assistance. Charitable organisations also built a few houses in country towns for Aboriginal families to rent.

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One of several photographs accompanying correspondence sent by the Secretary of the Board for the Protection of Aborigines to the Local Guardian of Aborigines at Warrnambool on 13 April 1922, requesting a report about the huts and their inhabitants. The comment written at the bottom of this photograph states that a family of eight was living in this one-room hut, which was located near the Framlingham Aboriginal reserve.

VPRS 1694/P0, unit 9, bundle 3, photograph of an Aboriginal hut
The Aborigines Welfare Board was replaced by the Ministry of Aboriginal Affairs in 1967. Aboriginal town camps were generally on public land, usually a reserve of some sort, and close to a stream for water supply. Inhabitants of these camps were often granted permissive occupancy to reside on public land, but some people camped without administrative authority or remained after their permissive occupancy lapsed.

To find files relating to these Aboriginal communities, researchers should be prepared to think laterally and to have some idea of the location of such communities and the name of the parish. Check the parish plans for likely locations and browse:

- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) (1840 – 1984)*

  Look for any file with a name that suggests Aboriginal or native occupation, old reserve, mission, or the name of a former mission station or reserve. Also consider reserves for any other purposes, or allotments of Crown land in areas where Aboriginal people were known to reside.

Some files relevant to fringe camps are held in:

- **VPRS 5357** *Land Selection and Correspondence Files (1856 – 1984)*.

### Aboriginal selectors

In a few cases Aboriginal people managed to secure their own small blocks on former reserves. In the 1850s, 60s and 70s, six families farmed at Franklinford on the old Loddon Protectorate, which had been located on the Loddon River in Djadjawurrung country. At Framlingham four families were allocated land on the remnants of the reserve in 1893. Few, if any, such arrangements resulted in the Aboriginal farmers receiving Crown grants. Those who applied for grants of land at Ramahyuck after the closure of the mission were refused. See the case studies below to read about how some Aboriginal people gained access to land for farming.

The various land Acts from the 1860s did not exclude Aboriginal people from selecting, however cultural and financial barriers would have been prohibitive for most. All selectors were required to go through a daunting application process. Applicants were required to satisfy the local land board that they had sufficient capital and prospects of making a living from the land. This was a competitive system, where prejudices of those allocating land may well have favoured other applicants over Aboriginal.

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Nevertheless, the Aborigines Protection Act 1886, which required the expulsion of ‘half-castes’ from the reserves (as noted above), at least provided for government assistance to ‘half-castes’ in selecting Crown land. A number of Aboriginal people did apply to select; some were successful. Billy Thorpe, a former resident of Lake Tyers Mission, selected about 42 acres in the Parish of Colquhoun at Lakes Entrance for the survey fee of half a crown per acre.31 In the early 1900s, Pelham Cameron was a selector in the Wimmera (see ‘Case study: Aboriginal selector’ below). Some Aboriginal soldiers who returned from the World War I were able to select as soldier settlers. Like many other returned soldiers who took up soldier settlement blocks, many were unable to sustain their blocks and eventually had to relinquish them.

Once their applications to select were accepted, Aboriginal selectors were subject to the same administrative processes as all other selectors. To locate records about these selectors, follow the same research procedures as outlined in the chapters on selection and soldier settlers (see chapters 20–23, and 30–32). It may be worthwhile researching the records of the Board for the Protection of Aborigines in the National Archives of Australia (see details of holdings in ‘My heart is breaking’) for information regarding assistance to Aboriginal selectors after 1886.

For an example of an Aboriginal person who applied for a soldier settlement block see the joint National Archives of Australia–Public Record Office Victoria publication Footprints: The Journey of Lucy and Percy Pepper (Melbourne, 2007). Percy Pepper served in World War I between 1916 and 1918. When he returned, he applied for and was granted a soldier settlement block at Koo-Wee-Rup, on which land he cultivated a farm until he was evicted in 1924 following several years of hardship.

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Illustration 13

Map showing Wimmera–Mallee Gravitation Water Supply Scheme, which included the area of Ebenezer mission station.

VPRS 12903/P1, BOX 555/09
Case study: from mission to town camp to welfare housing

*Ebenezer Mission Station 1859–1904*

In January 1859 two Moravian missionaries from Germany set up the Ebenezer Mission Station on the Wimmera River near Lake Hindmarsh. On 7 November of the same year the site was reserved for Aboriginal people. The area of the original reserve was not specified. However, the boundaries were revised in October 1860, when 1,897 acres were reserved. On 4 November 1861 the reserve was granted to three trustees as 'land set apart for the aborigines containing 1897 acres, near Lake Hindmarsh'. The missionaries built a church, a school and established a farm. Aboriginal people who settled on the mission built huts, cultivated the land and worked for local squatters.

In 1871, following requests by the missionaries and the Board for the Protection of Aborigines (BPA), 1,700 acres were added to the station, being temporarily reserved for the use of the Aboriginal people. A map (see overleaf on page 164) of the proposed addition is included in the mission station reserve file number C15844, which covers 1871–1904.

Although file C15844 tells us little about the way of life for Aboriginal people on the Ebenezer Mission, it does provide some valuable insights into their concerns and aspirations. The file contains part of a letter dated 8 July 1878 from BPA to the surveyor-general complaining that the Lake Hindmarsh Station was not big enough to graze sufficient sheep to support the station. The commissioners for the Royal Commission on Aborigines (1877, report held in National Archives of Australia) and the Crown land bailiff at Horsham had seen the run and reckoned that it would carry only one sheep per 10–20 acres. The mission was trying to run 750 to 850 sheep on the limited land it had available. Because there were so many sheep on such a small area of land, the sheep were in poor condition, forcing the mission to buy mutton for food. The BPA's letter is also a response to the 1877 census of Aboriginal people, which showed a decline in numbers of people. The missionary, Mr Kramer, did not consider that the decrease at Ebenezer to be any greater than on other stations. There were 70 Aboriginal people at Ebenezer at the time. Eight had left in the previous February, presumably with the intention of becoming independent farmers, but of this group of men, women and children, only one man had selected land, Pelham Cameron.

A decade later Aboriginal residents of the mission station were writing to the Minister for Lands asking for land of their own on the station. The first letter, dated 1 August 1888, asks...
The map shows the area in pink as the addition to the existing reservation of the Moravian mission station in yellow, and also shows the nearby Antwerp homestead and the township of Dimboola.

VPRS 242/P0, unit 467, file C15844, map of proposed addition to Aboriginal reserve of Moravian mission station
that land be granted on the west bank of the Wimmera River for a home, as 'the lands of the colony as [sic] passing away by selection and lease'. The letter is signed by nine Aboriginal men. A year later, on 8 July 1889, the residents wrote another letter in response to proposals to break up the mission station,

\[\text{would it not be for the best to give us a piece on the North side of the Wimmera individually for our exclusive use a selection three hundred and twenty on term of Five years we are willing to work if they would only give us the means we don't want to be fed by the Government all the rest of our days} \ldots\]

Although this letter was forwarded on for the consideration of the Minister for Lands, no response appears on the file. There are, however, several letters from other prospective selectors wanting the land, and from the Shire of Dimboola in favour of having the land opened for selection.

In 1900 the trustees of the reserve indicated their willingness to surrender to the Crown the land that had been reserved and granted for the mission station, with the proviso that,

\[\text{an Aboriginal half cast [sic] named Pelham Cameron who has had permissive occupation during the last ten years of a block of land of about 250 acres on the north west boundary where he has done well and still resides to be allowed to remain in possession either by selection or otherwise with the benefit of improvements given in.}\]

Pelham Cameron's story is told in 'Case study: Aboriginal selector', below.

One of the last documents on file C15844 is a note written in 1904 about Aboriginal people camping near the mission station, suggesting they should be granted some land, a suggestion that appears to have been ignored.

The story of the mission station land continues in the reserve file C55663 Old Aboriginal Reserve Antwerp. The main subject matter of the file is the resumption of the reserve by the Crown, and its survey for selection. It includes many letters from prospective selectors, most of them local residents of German origin, waiting for the land to be made available for selection. Before this could happen, however, it was necessary for the government to revoke the reserve, part of which had been granted by deed poll to the trustees in 1861. Such revocation required an Act of parliament – the \textit{Lake Hindmarsh Act 1904}. In December 1904 the former reserve, apart from a few portions, was thrown open for selection as Mallee agricultural allotments. File C55663 also has some interesting information about official attitudes to the Aboriginal occupants of the reserve. In a report dated 16 October 1901, AB Lang, presumably a local lands office official, responded to a suggestion that some
This map from the Historic Plan Collection was created as part of a survey of the Wimmera River and shows the Aboriginal reserve at Ebenezer as well as the location of the nearby town of Dimboola.

VPRS 8168/P1, Survey Wimmera River 31
'half castes' be placed upon the land:

[T]he suggestion is apparently made in ignorance of the fact that the experience of the Mission Station is that generally the half castes [sic] will not work the land – Cameron being the only instance in the country.

The file has other material relevant to Cameron, which will be discussed in 'Case study: Aboriginal selector'.

The story of selection on the old Ebenezer mission closes in 1912, however file C55663 also contains information about the descendants of the mission's Aboriginal residents. That story is told in the following section on camp dwellers.

**Camp Dwellers**

**Antwerp**

As mentioned above in file C15844, after the dissolution of the Ebenezer reserve in 1904, Aboriginal people continued to camp near the mission station. File C55663 takes up the story from 1940. A letter dated 27 October from the Aborigines Uplift Society to the Secretary for Lands expressed grave concern over the conditions in which Aboriginal people were living on Crown land at Antwerp. The Aborigines Uplift Society was a humanitarian organisation founded in Melbourne in 1937 that aimed to improve the lives of Aboriginal people. The letter describes how an inspection of the camp revealed that eight families were living there, some with the same surnames as those who requested land in 1888 and 1889. The camp was not visible from the highway, and nobody else used the land. A local storekeeper, who had been 'looking after the interests of these aboriginals for some time' believed that the site had been set aside for their occupation.

The site was in fact allotment 3 Parish of Katyil, a portion of the former Ebenezer mission that had been reserved from sale when the station was opened for selection. The 30 acre allotment was reserved for the township of Antwerp on 7 June 1905, but the 'township' that formed was not the township of selectors intended by the Lands Department, but a collection of huts that housed the displaced Aboriginal community.

In 1941 the acting surveyor-general agreed to grant permissive occupancy (see the Glossary) to the Aborigines Uplift Society for the land, and drew up a plan of settlement. The society intended to erect a 'humble home of three rooms' to be occupied by a 'selected family', with room for a cow and vegetable garden. The society paid the rent of ten shillings a year for the permissive occupancy until 1947, but there is no indication that the proposed house was ever built.

A letter from Superintendent of Aborigines Welfare PE Felton in 1961 indicates that Aboriginal people were still residing on the reserve in the belief that the site had been reserved for their use.
Some of the Aboriginal people from the Ebenezer mission also moved down to Dimboola, where they formed a community on the banks of the Wimmera River on the outskirts of the township. Records about this community during the 1950s and 60s can be found in file M36492, which was located by searching the microfiche catalogue VPRS 7312 under the Parish of Dimboola. This file gives the names of Aboriginal families and individuals residing in the area over a period of ten years. Like the Antwerp camp dwellers, some families had the same surnames as those who signed the letters asking for land in the 1880s. According to a memo to the surveyor-general in April 1956:

*From enquiries made it would seem that these native people are compelled to live in these unattractive and probably unhealthy positions because there is nowhere else for them to go. They are unable to find any quarters in the Townships. Until such time that some better arrangement is made for them it would be unjust to deprive them of the only available camping place close to the township, where the adults work and the children attend school.*

Most of the residents occupied the area under permissive occupancy, for which they paid an annual rent of ten shillings. However some were there without authorisation from the Lands Department. File M36492 includes sketch maps (see page opposite) of the area, showing the dwellings and names of occupants.

A large part of the file relates to efforts by welfare and charitable organisations to provide housing for the Aboriginal people in the district. Much of this activity followed the release of Charles McLean’s ‘Report on the Operations on the Aboriginal Act 1928’, for which a survey was made of all Aboriginal communities in Victoria. The report highlighted the inadequate housing conditions that existed in most Aboriginal communities. File M36492 indicates that by 1965 most of the families at Dimboola had been housed in the town and most of the old buildings in the camp demolished. The file includes press cuttings that report on the issue.

File number M36492 is the general file number of related M and Z files that may be accessed in series other than VPRS 5357 through the microfiche catalogue VPRS 7311 to tell a more detailed story of the Lands Department's dealings with the Dimboola Aboriginal community in the 1950s and 60s.
Illustration 16

A map of the Horsham allotments in the Parish of Watchegatcheca showing dwellings and names of authorised and unauthorised occupants.

VPRS 5357/P0, unit 2899, Parish of Watchegatcheca, Horsham 36492
Case study: Aboriginal selector

As noted in 'Case study: from mission to fringe camp to welfare housing', Pelham Cameron was the only Aboriginal resident of Ebenezer Mission who was granted land and established a farm in the latter part of the nineteenth century. File C55663 contains a report dated 11 July 1901, by District Surveyor W Urbahus, who noted that Cameron was married with four children, two living away from home and one son helping on the farm. Cameron had occupied the land for 12 years, with no support from the government. Cameron wrote to the Secretary of the Board for Protection of Aborigines on 5 September 1903:

*Understanding that this Station will be shortly closed I, as one of the oldest residents brought up and always having lived on the Station, feel constrained to ask the Board, through you, who so kindly granted me some 12 years ago a piece of land on the north corner of the Mission Station Western side of the Wimmera River, containing 300 acres – on which land I have been farming successfully all these years, and thereby carved a living for myself and family I, therefore would ask the Board to grant me their assistance to induce the Hon. The Chief Secretary and the Hon. The Minister of Lands, to grant me permanent lease for the above 300 acres of land including the small frontage across the road to the river which in this district is absolutely necessary.*

*Members of the Board including the Hon. The Minister of Mines, have visited my farm and expressed themselves as highly pleased with it.*

*With the approval of the Board, will you kindly forward this to the Hon. The Chief Secretary who, as a proved friend of the Aboriginals will I feel do his best to grant my petition.*

The General Inspector of Aborigines Rev. FA Hagenauer – who had been one of the founders of the Ebenezer mission – forwarded Cameron's letter to the Chief Secretary, with a letter of support by the Board for the Protection of Aborigines.

The next episode in Pelham Cameron's story is found in his selection file. The file was identified from an early version of the parish plan for the Parish of Banu-Bonyit, which showed Cameron's name on allotment 4. A later version of the parish plan showed the same allotment as number 47, with the file number 311L/217R under Cameron's name. The series in which this file is held was identified by using microfiche catalogue VPRS 7311 and finding an entry for a file that closely matched the number on the parish plan: 311/217 H. The entry indicated that the file relating to allotment 47 is in VPRS 5357/P0 Land Selection and Correspondence Files, unit 2551.
Illustration 17

A photograph of residents of the Ebenezer mission around 1870. Pelham Cameron is the third man standing from the right.

Ebenezer Mission Station, circa 1870, from CW Schooling Papers, MS 9896. Australian Manuscripts Collection, State Library of Victoria
First page of the letter from Pelham Cameron requesting that some land from the Moravian Mission Station at Ebenezer be granted to him, pointing out that he had lived all his life on this land.

VPRS 242/P0, unit 306, file C55663 old Aboriginal reserve Antwerp, letter from Pelham Cameron to the Secretary of the Board for Protection of Aborigines, 5 September 1903
This is a typical selection file for a Mallee allotment. There is only one reference to the fact that Pelham Cameron was an Aboriginal person, and that is noted on the report from the local land board, which met at Dimboola on 16 March 1905. The board recommended Cameron's application and he was granted a residence licence under the _Land Act (Mallee) 1901_. The file includes details of the improvements Cameron had made – a four-room house, out-buildings, fencing and cultivation – and confirms that Cameron and his family had been residing on the land and cultivating it for 14 years, by special arrangement with the mission.

In 1908 Cameron appeared to be in financial difficulties, because he was allowed to borrow £100 from his neighbour Carl Johannes Block under a licence lien over his improvements, which were valued at £263. Cameron complied with the conditions of his licence and in 1911 was granted a lease for his selection. In 1912 Cameron transferred the leasehold to another neighbour Carl Frederich Nitschke, who eventually received the Crown grant in 1930.

An inspection of the parish plan for the Parish of Katyil, which took in part of the former Ebenezer mission, shows that Pelham Cameron also held land at allotment 17 of section A at one stage. The file 701L/217R is shown on the parish plan. Using the microfiche catalogue, an entry was found referring to the number 701/217. The file location for this allotment was given as 440 1634 in the 'P.R.O. ref. column' which means _VPRS 440 Land Selection and Occupation Files_, unit 1634 (consignment numbers are not given in the microfiche catalogue as each of the series it refers to are all composed of single consignments). The file shows that Elizabeth Gill was the only applicant for the allotment in 1905. At some stage Mrs Gill transferred the lease to Pelham Cameron, hence his name on the parish plan. In 1914 Cameron transferred the leasehold to J Whitney, who received the Crown grant in 1919.

Pelham Cameron's story as a Mallee selector is told, albeit only in outline, in these two selection files. There is no evidence in the files that Cameron was treated any differently because of his Aboriginality once he became a selector under a land Act. Prior to becoming a selector, he did have the unusual advantage of having been farming the land for several years, presumably for no rental. The files reflect the usual struggles and fortunes of any other Mallee selector, many of whom were not able to sustain their farms long enough to achieve the prize of a freehold title to their allotment.

As a postscript, we find that when Pelham Cameron died, aged 79 in 1932, an obituary was written in the Melbourne _Herald_ acknowledging he was held in high regard in the Dimboola district and considered to be an authority on the legends and history of his mother's tribe. Cameron was widely known in the district for making canoes, which he demonstrated at local regattas.
PART 4: SALE AND SELECTION, LEASES AND LICENCES – THE DEMAND FOR MORE ACCESS TO LAND
16. Crown Land Sales by Public Auction

Introduction

Sale of Crown lands in the Port Phillip District began with the auction of Melbourne town lands (now known as the Central Business District) and several allotments at Williamstown on 1 June 1837. The auction took place in Melbourne. All early sales were conducted under the provisions of New South Wales and British law. The terms of the Waste Lands Act 1842 stated that Crown lands were to continue to be sold at public auction after survey and proclamation of their availability. From the 1860s many more public auctions were to take place under Victorian law.

This chapter discusses the records generated in the process of selling Crown lands by auction. Records cover all aspects of the disposal, from the requests that instigated auctions, to the finalisation of the Crown grants, and also subsequent sales of allotments that remained unsold after auction.

Sales of Crown lands

An upset price (the acceptable minimum) per acre was set at auctions of Crown land. At the conclusion of the auction the purchaser was to pay a deposit and sign the sale contract book. The balance of the purchase price was to be paid within a month, at which time the purchaser would receive the Crown grant for the land.

Complete final details of the sales were entered in the reports and register in the following series:

- **VPRS 11862 Reports of Land Sales by Public Auction (1837 – ?1972)**
- **VPRS 1285 Register of Land Sales (1856 – 1884).**

A scheme operating from 1848 allowed potential buyers of land at auction to lodge money with the colonial Treasury for five years and receive interest of five per cent per annum. The funds could only be used as credit for the purchase of land. Records relating to this scheme can be seen in:

- **VPRS 92 Land and Immigration Receipts (1849 – 1851).**

Early purchases of town lands from 1837 to 1856 are recorded in:

- **VPRS 102 Register of Purchasers of Town Land (1837 – 1856).**

Further details of some purchases from 1851 to 1857 by individuals are available in:

- **VPRS 15581 Register of Land Purchases (1851 – 1857).**
Details of the issue of Crown grants are available in:

- **VPRS 11863** *Consolidated Name Index to Register of Crown Grants* (1851 – 1851) – however contents actually relate to grants from 1838 to 1851
- **VPRS 11867** *Name Index to Register of Crown Grants* (by 1851 – 1858)
- **VPRS 11866** *Register of Crown Grants* (1851 – 1859)

**Note:** No files relating to individual purchases were created for sales by public auction as there was no ongoing relationship between the Crown and the purchaser. The name of the Crown grantee and the date of either the sale or the Crown grant can be found on parish plans, but, with no file, there is no file or correspondence number. Files and other records only relate to the arrangements for the auction and the conduct of the sale itself.

Files relating to the arrangements for an auction can be found by searching on:

- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)*, if you know the parish, section and allotment,
- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*, if you know the file number.

**The public auction**

Land could not be sold at auction until it was surveyed. Throughout the correspondence series for the following listed agencies there are letters from individuals requesting that specific areas of land be surveyed and put on sale:

- **VA 943** *Surveyor General’s Department, Port Phillip Branch (also known as the Melbourne Survey Office)* (1836 – 1851)
- **VA 2921** *Surveyor-General’s Department* (1851 – 1857)
- **VA 538** *Department of Crown Lands and Survey* (1857 – 1983) – for correspondence sent to and registered by the surveyor-general.

By 1865, district survey officers and land officers were regularly invited to make recommendations to the Department of Crown Lands and Survey for land to be sold and possible arrangements for the auction sale. This can be seen in the following example:


Schedules of the details of sales between 1860 and 1875 are available in:

Photograph of a land auction taking place at the Kilmore/Heathmont junction in 1916.

VPRS 12800/P1, H 3556
Once these details were finalised and approved by the Governor-in-Council, proclamation of the sale was made and published in the *Victoria Government Gazette*. These proclamations gave details of:

- date and place of sale
- lots on offer with a surveyor’s description of the land
- the upset price.

From the passing of the *Sale of Crown Lands Act 1860* each proclamation of a sale was numbered sequentially. This number became the sale number and identified all records relating to that sale. Plans of land for sale are available in:

- **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168]* (1836 – 1984) under the category ‘sale’ (of Crown land).

Notices of sale (or sale bills) were prepared. A record of these from 1890 to 1983 is available in:

- **VPRS 11869** *Notices of Sale by Auction (Sale Bills)* (by 1860 – 1983).

These notices, with advertising in local newspapers, were also used as flyers to advertise sales and for recordkeeping by the auctioneer. The sale contract books were also prepared and forwarded to the auctioneer for signature by purchasers at the close of bidding. See:


The auctioneer, who could be a local receiver and paymaster, a district survey officer, a land officer or a professional auctioneer engaged to conduct the auction, completed two reports:

- report of sales and receipts at the time of the auction, which was forwarded both to the Treasury and to the responsible land agency;
- final report of sales when all balances had been paid.

Copies of these reports, which include a mixture of original and final reports from 1847 to 1984 are available in:


A copy of each sales report was kept locally in a report book. PROV holds the report books from some localities, covering various time periods from 1856 onwards. See **appendix 4** on page 354 for a listing of these.

For the preparation of the Crown grant a description and plan of the land had to be finalised by the Survey Branch and the Deeds Branch of the Department of Crown Lands and Survey. Records relating to these are available in:

- **VPRS 15577** *Record of Land Sales, Surveyor-General* (by 1874 – ?1914)
Summaries of the financial results of land sales by public auction are contained in:


Detailed summaries of Crown land sold at auction are available in:


A limited number of indexes to twentieth-century sales by public auction are available in:


There are a number of summary records relating to sales by auction in the Ballarat and western Victorian regions. The following are held at the Victorian Archives Centre:

- **VPRS 14706** *Land Sales Registers (Ballarat District Land Office)* (1852 – 1897)
- **VPRS 14707** *Index to Land Sales Registers (Ballarat District Land Office)* (?1852 – ?1897).

The following Ballarat and western Victorian auction summary records are held at Ballarat Archives Centre:

- **VPRS 3576** *Register of Land Sales (Ballarat District Land Office)* (1871 – 1885)
- **VPRS 5792** *Register of Land Sales (Creswick District Land Office)* (1860 – 1882)
- **VPRS 5317** *Register of Public Land Auctioned (Nhill District Land Office)* (1886 – 1925).

A record of sales managed by the Geelong Lands Office 1854–1984 is available at the Geelong Heritage Centre in **GRS 973 Land Sales**. An index to this series is also available.

**Sales of land unsold at auction**

After a public auction there may have been allotments which did not receive a bid, or lots where the balance of the purchase price had not been paid by the due date. These allotments were then made available for purchase by a form of tender known as selection (not to be confused with the later process of selection discussed in other chapters of this guide). Some selection lists and reports relating to these can be found in:

- **VPRS 13019** *List of Land Offered for Selection After Forfeiture of Deposit or Land Unsold at Auction* (?1856 – ?1860)
- **VPRS 80/P4** *Auctioneers’ Reports of Land Sales by Public Auction* (1854 – 1874) – the contents for each unit of this series can be browsed online.

By completing an application form, an individual could make an offer for these lots. Examples of these offers under the provisions of a number of Acts from about 1848 to about 1873 are available in:

- **VPRS 86** *Applications to Select Land Unsold at Auction or After Forfeiture of Deposit* (by 1848 – ?1864)
• **VPRS 831** Applications under Section 42, Land Act 1862 (1863 – 1866)

• **VPRS 769** Applications under Section 35, Amending Land Act 1865 (1865 – 1869)

• **VPRS 768** Applications to Purchase Land, Section 37 Land Act 1869 (1870 – 1876)

• **VPRS 3700** Register of Deposits on Lands Selected, Section 42 Land Act 1862, Daylesford District (1864 – 1868) – held at the Ballarat Archives Centre.

A summary of purchases made under this provision for post-auction selection from 1844 to 1856 can be seen in:

• **VPRS 13029** Selection Books (1844 – 1856).
The entry for Thomas Low at the very top of this page from the name index for the register of Crown grants refers to folio 256 in Volume F (now listed as unit 3) of VPRS 11866/P1, which is the register of Crown grants.

VPRS 11867/P1, unit 2, folio 84
Case study: buying land at a public auction – Thomas Low

Thomas Low arrived in Victoria from Scotland in December 1852 on the Grampian. He married Mary Reikie Way at Scots Church, Melbourne in June 1853. He died aged 66 at Bacchus Marsh in 1890. He was survived by his wife Mary and eleven children.

The 1856 electoral roll for Victoria recorded him as a freehold farmer located at the Pentland Hills in the Bacchus Marsh division of Victoria. The parish plan for the Parish of Korkuperrimal shows Thomas Lowe (sic) as the first Crown grantee of Allotment 4 of Section III comprising 134 acres fronting onto the Werribee River. No date of sale or alienation from the Crown is given.

When and where did Thomas Low purchase his land?

VPRS 11867 Name Index to Register Crown Grants lists the names of those obtaining a Crown grant between 1851 and 1858. It also lists the volume of VPRS 11866 Register of Crown Grants in which details can be found.

Thomas Low is listed in VPRS 11867 with the reference number F256. F is the original designation of volume number 3 of VPRS 11866 and 256 is the page on which the entry appears in that volume. Browsing the consignment details for VPRS 11866/P1 you will find that Book F, Country Land 10 May 1854 – 11 December 1856 is unit (that is, volume) number 3 of this series.

After ordering unit 3 of VPRS 11866/P1 and finding page 256 you will discover that it shows that the land sale for allotment 4 was held on 28 September 1854. The date of the deed was 12 January 1855. It was forwarded to the Treasury on 11 April 1855.

Sales are summarised in VPRS 11862/P1, and in this case unit 25 for Country and Suburban Lots 17 January 1854 – 29 December 1854 covers the date of the sale. By searching within it we find that the sale was originally proclaimed on the 5 August 1854.

We learn from these records that the sale of a number of lots in the Parish of Korkuperrimal 'at the Pentland Hills, about 34 miles from Melbourne, on the road to Ballarat' was advertised in the Victoria Government Gazette and was to take place at the 'Auction Rooms of Messrs W M Tennent and Co Great Collins-street, Melbourne'. The lots were on offer at an upset price of £1 per acre. Thomas Low paid the sum of £1/12/- per acre, a total of £214/8/- for his 134 acres. He was a Collingwood resident at the time of purchase.

He paid a deposit of £22, with a balance of £192/8/-.
Another case study featuring Thomas Low can be found in Chapter 22 – Land Selection under the Land Act 1869 and Land Act 1878.
Among the sale details shown on this double-page spread are those for allotment 4 in the Parish of Korkuperrimul, purchased by Thomas Low at a public auction, 28 September 1854.

VPRS 11866/P1, unit 3, folio 256
Among the sale summaries shown on this double-page spread are those relating to the sale registered in VPRS 11866/P1, unit 3, folio 256 of allotment 4 in the Parish of Korkuperrimul, which was purchased by Thomas Low.

VPRS 11862/P1, unit 25, folio 359
17. Crown Land Sales other than by Public Auction

Introduction

This chapter deals with a number of quite disparate provisions for the direct sale of Crown land, other than by auction. The topics in this chapter are spread across time from the special surveys of 1841 to the disposal of leftover closer settlement land in the early twentieth century.

For details of direct land sales by the Crown through the process of public auction, see Chapter 16 – Crown Land Sales by Public Auction. The sale of lands in gold-mining districts is discussed in more detail in later chapters.

Special surveys

The system of special surveys of 1841 allowed wealthy capitalists to invest in large tracts of land at a fixed price prior to survey. The proceeds were to be used to finance emigration from Britain to Australia. Examples of special survey estates in Victoria include Dendy's in Brighton, Elgar's in Box Hill and Rutledge's in Gippsland.

Some details of these special survey lands are available in:

- **VPRS 14152 Special Survey Descriptions (1841 – 1844)**
- **VPRS 15909 Inwards and Outwards Correspondence, Survey Office Copies (1841 – 1851)**, regarding the Alberton survey.

Other details may be found in the correspondence records of:

- **VA 473 Superintendent, Port Phillip District (1839 – 1851)**
- **VA 943 Surveyor General’s Department, Port Phillip Branch (also known as the Melbourne Survey Office) (1836 – 1851)**

  - *Historical Records of Victoria: Foundation Series; volume 6, The Crown, the Land and the Squatter, 1835–1840*, also provides relevant information.

A small number of plans of these special surveys are available in:

- **VPRS 15899 Historic Plans Collection [Copy of VPRS 8168] (1836 – 1984)**.

  This series is available at the Victorian Archives Centre, together with **VPRS 8164 Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche)**, which is a listing of maps and plans in **VPRS 15899**. To find special surveys look under plan type/number order listing under the heading ‘SS Special Surveys’.
Illustration 23

Etching of a land sale in the 1880s, from *Illustrated Australian News*, 14 May 1884.

VPRS 12903/P1, BOX 524/15
Purchase by holders of occupation licences

Sections 113 and 114 of the Land Act 1898 allowed those occupying land under licence for particular purposes (as outlined in Chapter 25 – Miscellaneous Leases and Licences) the opportunity to purchase the land they were using.

- Under section 113 (section 146 of the Land Act 1901), persons who had occupied land under a miscellaneous licence for five years, had fulfilled the conditions of the licence and had made improvements, could apply to purchase the land. The licence fees they had paid defrayed the purchase price.

- Section 114 (section 192 of the Land Act 1901), extended, under certain conditions, the same right to holders of forest land which had been held and occupied by them for at least five years prior to 1 July 1899.

Purchases in special situations

Section 113 of the Land Act 1901 also allowed the sale, without auction, of small areas of land in certain situations:

- sale of detached portions of Crown land not exceeding 50 acres, which were isolated from other areas of Crown land or land holdings;

- sale of sites not exceeding three acres for churches and charitable organisations;

- from 1860, section 56 of the land Act had permitted the sale of parcels of land, often small, to owners of adjacent land by private treaty.

Such sales are usually shown on a parish plan by a correspondence or file number followed by the relevant section of the Act.

Records held relating to purchases of land under such circumstances are available in:


- **VPRS 14546** Register of Applications, Melbourne, Sections 113 and 114 Land Act 1898 and Sections 146 and 147 Land Act 1901 (Occupation Branch) (1903 – 1908)

- **VPRS 15578** Index of Purchasers, Section 113, Land Act 1898 and Section 146, Land Act 1901 (1899 – ?1966)

- **VPRS 15661** Register of Applications, Ballarat, Purchase of Land Sections 113, 146 and 192 Land Act 1901 (Occupation Branch) (1901 – 1908)

- **VPRS 13506** Register of Applications, Ballarat, Section 5 Wattles Act 1890 and Sections 114 and 192 Land Act 1901 (Ballarat District Survey Office) (1891 – 1905)
You may find a limited number of files relating to these purchases by searching on:

- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*
- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)*.

File numbers can be obtained from registers of applications, from parish plans and on the microfiche catalogue if the allotment and section numbers are known.

**Former closer settlement land**

Under certain specified conditions, land initially allocated for closer settlement, but which had not been taken up by selectors, or had been taken up but subsequently forfeited, could be disposed of either by public auction, through the tender process, or by private treaty. These sales are summarised for 1913 to 1969 in:


A number of files relating to these sales are available by searching on VPRS 7311 and VPRS 7312 (see above). However, to identify relevant files you need the details of parish, allotment and section. Some are listed on the microfiche catalogue with the category of 26 (for section 26 of the *Closer Settlement Act 1938*). Others are listed with the categories of 'auctions', 'land sales' (LS) and 'sales by contract' (Sale Cont).

**Note:** Parts of these sale files may relate to earlier cancelled leases, but have subsequently been top-numbered with the new category. Use the parish, section and allotment details to find these files.

**Correspondence records**

A considerable number of correspondence records relating to land sales are available to researchers. This correspondence may deal with requests for certain lands to be surveyed and included in future auctions or may deal with negotiated arrangements by the Department of Crown Lands and Survey with private individuals and bodies such as municipalities.

There are numerous requests for survey and auction in the correspondence series of the following agencies (see **Chapter 12 – Victorian Survey Records**):

- **VA 943** *Surveyor General's Department, Port Phillip Branch (also known as the Melbourne Survey Office)* (1836 – 1851)
- **VA 2921** *Surveyor-General's Department* (1851 – 1857)
You should also consult such registers as those in the following series:

- **VPRS 620** *Register of Inward Correspondence, Lands* (1896 – 1908)
- **VPRS 14263** *Register of Inward Correspondence, Land Sales Branch* (by 1889 – 1902)
- **VPRS 14319** *Register of Inward Correspondence, Land Sales Branch* (1896 – 1972).

Actual correspondence files date from about 1876 until about 1930 and are generally arranged in alphabetical groups. The alphabetical letter was determined by the name of the correspondent. For example, the 'P' group would include both the surname Potts and Portland Shire Council. Researchers should check the consignment details for all consignments to find alphabetical groups of interest.

Correspondence of this nature is available in:

- **VPRS 1003** *Correspondence Files, Land Sales Branch* (by 1885 – ?1939).

Further correspondence files relating to sales, particularly for the Hamilton and Melbourne land districts are available in:

- **VPRS 1016** *Miscellaneous Correspondence Files* (1843 – ?1934).
Introduction

The Sale of Crown Lands Act 1860 was the first piece of land legislation passed by the Victorian Parliament. Previously land was administered under the authority of British laws (such as the Waste Lands Act 1842) or laws passed by the Legislative Council of New South Wales. The new Act initiated the system of selection by which the government disposed of most of Victoria’s land (refer to Chapter 4 – Victorian Lands Legislation for the historical background).

Purpose of the Sale of Crown Lands Act 1860

The stated goals of this Act (also known as the Nicholson Act after its sponsor) were:

*to make better provision for the disposal of Crown lands and to afford greater facilities than have hitherto existed to persons desirous of engaging in agricultural pursuits.*

The Act provided for the survey of three million acres of country land in allotments of between 80 and 640 acres, to be made available for selection at the price of one pound per acre. No person could select more than 640 acres in any one year unless the desired land had been available for more than one year. If there was more than one application for the same allotment an auction was to be held. The only eligible bidders were the applicants with the selection going to the highest bidder.

The selections were divided into two equal portions – A and B. The selectors had the option of purchasing one portion and leasing the other, or of purchasing both.

Improvements to the value of one pound an acre were to be made on the purchased portion and the selector was required to reside on either the purchased or the leased portion. The selector had the option of purchasing the leased allotment and the rent paid was credited against its purchase price.

Selection records

Selection applications can be found in:


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Applications in the P1 consignment of VPRS 853 are listed by parish and proclamation number. Applications were grouped according to the number of the proclamation of a sale given on the notice published in the Victoria Government Gazette.

A local summary record of applications for the Sale district is available in:

- **VPRS 1326 Register of Application to Select, Sale, Land Act 1860 and Land Act 1862 (1861 – 1862).**

More comprehensive details of the land actually sold and leased under the provisions of this Act are provided in:

- **VPRS 829 Return of Country Lands Sold and Leased, Sale of Crown Lands Act 1860 (1860 – 1862).** Details given are for each allotment include:
  
  o date of sale or lease;
  o number of the lot (allotment);
  o location (county and parish) and extent (area) of the land in acres, roods and perches;
  o amount realised by selection;
  o whether limited auction or by lease;
  o name and the address of the purchaser or lessee;
  o date of the sale or lease.

A summary record of purchases is available in:

- **VPRS 13104 Register of Purchases under Section 40 Land Act 1860; Sections 33, 34 and 42 Land Act 1862; and Sections 31 and 33 Land Act 1869 (1861 – 1873).**

Land files and other records are not available for land alienated under the Sale of Crown Lands Act 1860. Using a parish plan to identify land sold under this Act may be difficult as the date of alienation was not always placed on the plan before 1863. However, because most sales were in western Victoria and there were adjacent blocks with exactly the same acreages, it may be possible to identify land sold under this Act by looking in the register of leases for adjacent blocks with A and B portions of equal size. Payments of rent made by lessees are available in:

- **VPRS 13262 Register of Lessees, Country Lands, Land Act 1860 and Section 37 Land Act 1862 (1860 – 1873).**

**Introduction**

While mining activities were administered under the Mines Act, the occupation of land for purposes other than mining generally came under the provisions of the land Acts. Regulations made under the *Sale of Crown Lands Act 1860*, provided for the occupation of Crown land in mining districts under residence and cultivation licences. The residence and cultivation licence was designed for country and goldfields land, provided that it did not interfere with mining. The licence allowed the licensee to use the land for a residence, agriculture and grazing, and other rural activities.

This chapter covers the records relevant to residence and cultivation licences under the *Sale of Crown Lands Act 1860*.

**Country Lands**

Country lands as defined by section 14 of the *Sale of Crown Lands Act 1860* could be licensed for residence and cultivation as long as they were seven and a half miles from existing gold workings and had not been proclaimed for selection or were not already open for selection.

Residence and cultivation licences were issued for areas between 40 and 160 acres for one year at the rate of two shillings and sixpence per acre per annum. Licences were renewable annually for up to seven years.

The land could be sold with an allowance for the licensee's improvements. This could not occur without the consent of the licensee or until the licensee had been able to renew his/her licence each year for seven years. However, the land could be surveyed by the government if it was deemed essential for the public convenience.

Section 33 of the *Land Act 1862* allowed holders of these licences to apply to the Board of Land and Works to select the land they were licensed to occupy. At the time of any such sale, an allowance was made for the licensee's improvements. See Chapter 17 – *Crown Land Sales other than by Public Auction*.

**Goldfields lands**

Residence and cultivation licences for goldfields land were issued at a rental of ten pounds per annum for two acres, with the same provisions for renewal as for country lands. Additional land up to 20 acres could be rented for five shillings per acre per annum. These licences would only be issued if it was proved that there was no obstruction to the working of
mining claims. Miners were empowered to enter the land after payment of compensation to the licensee for any improvements that the licensee had made.

Records of residence and cultivation licences

Holdings of records relating to residence and cultivation licences are limited.

Applications for such licences are listed in:

- **VPRS 1321** Minute Register, Surveyor-General (1858); Register of Applications for Residence and Cultivation Licences, Land Act 1860 (1861–1862) (1858 – 1862)

Applications for the counties of Normanby, Dundas and Villiers are in a looseleaf list in unit 2 of:

- **VPRS 1307** Register of Licensees, All Districts, Residence and Cultivation Licences, Land Act 1860 (1861 – 1863).

A small number of the documents forwarded to Melbourne relating to applications in the Ballarat, Ararat and Steiglitz areas are held in:

- **VPRS 1264** Return of Residence and Cultivation Licences (1862 – 1862) (held at the Victorian Archives Centre).

Other details relating to the Ballarat area are available in:

- **VPRS 1365** Register of Residence and Cultivation Licences, Ballarat (1863 – 1863) (held at the Ballarat Archives Centre).

A record of payments made for these licences is available in:

- **VPRS 1307** Register of Licensees, All Districts, Residence and Cultivation Licences, Land Act 1860 (1861 – 1863) (held at the Victorian Archives Centre).

Correspondence and related applications for residence and cultivation licences can be found in:

- **VPRS 44** Inward Registered and Unregistered Correspondence. Browse the consignment details for items of interest. The consignment list for **VPRS 44** can be found on the PROV website at <http://www.prov.vic.gov.au/landsguide/>. When you identify a unit containing the correspondence and related applications you can identify the parishes for which records are held by searching on:
  - **VPRS 8670/P0** Microfiche Catalogue of Crown Lands and Survey Files in VPRS 44 (Computer Output Microfiche) – at the Victorian Archives Centre.

Under sections 33 and 34 of the Land Act 1862, holders of residence and cultivation licences could apply to the Board of Land and Works to select the land they were licensed to occupy. Again, correspondence and related applications relating to this provision can be found in VPRS 44 (see above).
Records of purchases made under section 33 of the *Land Act 1862* are held in:

- **VPRS 13104** *Register of Purchases under Section 40 Land Act 1860; Sections 33, 34 and 42 Land Act 1862; and Sections 31 and 33 Land Act 1869* (1861 – 1873).

Registers of lessees with payment records for holders of leases under section 33 of the *Land Act 1862* are available at the Victorian Archives Centre for a number of districts:

- **VPRS 13258** *Register of Lessees, Ballarat, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)
- **VPRS 13257** *Register of Lessees, Beechworth and Benalla, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)
- **VPRS 1295** *Register of Lessees, Hamilton, Sections 22, 33 and 37 Land Act 1862* (1862 – 1869)
- **VPRS 13259** *Register of Lessees, Melbourne, Sections 22, 33 and 37 Land Act 1862* (1862 – 1879)
- **VPRS 13260** *Register of Lessees, Mornington, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873)
- **VPRS 13256** *Register of Lessees, Seymour and Alexandra, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873).

**Note:** Be careful not to confuse section 33 of the *Land Act 1862* with section 33 of the *Land Act 1869*. The date of the transaction will give a clue to the particular Act in force and, therefore, the relevant section of the Act that forms the category in the file number.
20. Land Selection under the *Land Act 1862*

Introduction

The *Land Act 1862* (known also as the Duffy Act after its sponsor) amended and extended the conditions for the occupation and acquisition of land set out in the *Sale of Crown Lands Act 1860* (Nicholson Act). Under section 12 of this new Act,

> the ten millions of acres and upwards delineated on the map signed and with the boundaries initialed ... and deposited with the clerk of the Parliaments shall be reserved for proclamation in Agricultural Areas as hereinafter provided ...

The first of these surveyed agricultural areas consisting of one or more parishes were proclaimed in the *Victoria Government Gazette* (page 1412 onwards) in August 1862.

Local records listing lands available for selection are:

- **VPRS 1284** List of Lands Proclaimed for Selection, Hamilton District, Section 12 Land Act 1862 (1862 – 1863)
- **VPRS 13095** List of Lands Proclaimed for Selection, Sale District, Section 12 Land Act 1862 (1862 – 1869)
- **VPRS 13094** Registers of Land Selected, Ballarat and Ararat Districts, Land Act 1862 Section 12 (1865 – 1869).

Sections 21 and 22 of the *Land Act 1862*

Under the *Land Act 1862*, land was offered as allotments divided into two equal portions (A and B) at the price of one pound per acre. Selectors could purchase both portions or could purchase one (A) and lease the other (B) leading to eventual purchase:

- Section 21 set the terms for immediate purchase;
- Section 22 set out the terms of the lease – eight years with a yearly rent of two shillings and sixpence per acre. At any time in this period or at the end of it, the leased portion could be purchased by the payment of the difference (if any) between the rent paid and the set price of one pound per acre.

Examples of completed application forms for both a section 21 Crown grant and a section 22 lease are available in:

- **VPRS 835** Applications for Grant and Lease, Sections 21 and 22 Land Act 1862 (1862 – 1877).

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33 *Land Act 1862*, section 12. The map described in this section is held by PROV in VPRS 7664/P3 Unregistered Maps and Plans, unit 1.
Applications were listed in registers of application on both a Victoria-wide and local basis. For these, consult:

- **VPRS 14145 Register of Applications, All Districts, Land Act 1862** (1862 – ?1866)
- **VPRS 1326 Register of Application to Select, Sale, Land Act 1860 and Land Act 1862** (1861 – 1862)

Returns were sent from district survey offices to Melbourne listing land that was selected and the name of the selector. Examples of these returns are available in:

- **VPRS 1262 Returns of Selections, Land Act 1862** (1862 – 1862) arranged according to district.

To record progressive payment of rents, officials in Melbourne created and maintained registers of lessees under section 12 or section 22 of the *Land Act 1862*. The registers of lessees recorded:

- name of the lessee;
- date of the lease or its reference number;
- extent and location of the land;
- the number of the yearly report about the lessee's observance of the conditions of the lease;
- amount of rent to be paid in half-yearly installments;
- notes in a remarks column about, for example:
  - subsequent purchase of the land;
  - transfer to another lessee or to a section of the *Land Act 1869* (usually section 33);
  - any cancellation, transfer or revocation of the lease;
  - entries in the Victoria Government Gazette.

Registers of lessees (section 22, *Land Act 1862*) are available for a number of districts throughout Victoria:

- **VPRS 13258 Register of Lessees, Ballarat, Sections 22, 33 and 37 Land Act 1862** (1862 – 1872)
- **VPRS 13257 Register of Lessees, Beechworth and Benalla, Sections 22, 33 and 37 Land Act 1862** (1862 – 1872)
- **VPRS 1295 Register of Lessees, Hamilton, Sections 22, 33 and 37 Land Act 1862** (1862 – 1869)
• **VPRS 13259** *Register of Lessees, Melbourne, Sections 22, 33 and 37 Land Act 1862* (1862 – 1879)

• **VPRS 13260** *Register of Lessees, Mornington, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873)

• **VPRS 13256** *Register of Lessees, Seymour and Alexandra, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873).

**Sections 23, 24, 33 and 34 of the Land Act 1862**

Sections 23 and 24 allowed people who had previously purchased land to select additional land in agricultural areas and to hold it under lease providing they had not selected in the previous twelve months or selected within twelve months of the passing of the Act. They also had to provide the title deeds of the property they purchased previously for the perusal of a solicitor. Some individuals acquired a large number of land parcels under this provision.

The only records specific to sections 23 and 24 of the *Land Act 1862* are in:

• **VPRS 1316** *Index to Lessees, Sections 23 and 24, 33 and 34 and 37 Land Act 1862* (?1862 – ?1865) which indicates names and lease or file numbers

• **VPRS 874** *Applications for Crown Grants, Sections 23 and 24 Land Act 1862 and Section 7 Amending Land Act 1865* (1869 – 1880) which contains packages of applications for Crown grants from individuals.

Applications and correspondence relating to this provision are available in:

• **VPRS 44** *Inward Registered and Unregistered Correspondence* (?1839 – ?1896).


Under sections 33 and 34 of the *Land Act 1862*, holders of country and goldfields residence and cultivation licences could apply to the Board of Land and Works to select the land they were licensed to occupy. Applications and correspondence relating to this provision can also be found in **VPRS 44** (see above).

Actions taken with respect to selection under section 33 are recorded in the ‘final remarks’ column in:

• **VPRS 1307** *Register of Licensees all Districts, Residence and Cultivation Licenses, Land Act 1860* (1861 – 1863).

Records of purchases made under section 33 of the *Land Act 1862* are held in:

• **VPRS 13104** *Register of Purchases under Section 40 Land Act 1860; Sections 33, 34 and 42 Land Act 1862; and Sections 31 and 33 Land Act 1869* (1861 – 1873).
Registers of lessees containing payment records for holders of leases under section 33 of the *Land Act 1862* are available for the following districts:

- **VPRS 13258** *Register of Lessees, Ballarat, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)
- **VPRS 13257** *Register of Lessees, Beechworth and Benalla, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)
- **VPRS 1295** *Register of Lessees, Hamilton, Sections 22, 33 and 37 Land Act 1862* (1862 – 1869)
- **VPRS 13259** *Register of Lessees, Melbourne, Sections 22, 33 and 37 Land Act 1862* (1862 – 1879)
- **VPRS 13260** *Register of Lessees, Mornington, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873)
- **VPRS 13256** *Register of Lessees, Seymour and Alexandra, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873).

Purchases under section 33 of the *Land Act 1862* are shown on the parish plan with:

- letters R and C L (residence and cultivation licence),
- the note 'Sec 33',
- name of the Crown grantee,
- date of the grant,
- acreage.

**Section 37 of the Land Act 1862**

Section 37 of the *Land Act 1862* provided for those who were already the lessees of the second portion (B) of an allotment under the *Sale of Crown Lands Act 1860*. These selectors could surrender their existing leases within 12 months of the passing of the Act and receive a new lease for eight years under the same terms and conditions as the previous lease and with the same right of pre-emptive purchase of the block of land. This meant that selectors under the *Sale of Crown Lands Act 1860* now had until 1870 to pay off their leased land.

Examples of schedules of applications under this provision can be found in:

- **VPRS 833** *Schedules of Applications for Surrender of Lease, Section 37, Land Act 1862* (1862 – 1863).
Registers of lessees recording the details of rent payments made under section 37 are available in:

- **VPRS 13262** *Register of Lessees, Country Lands, Land Act 1860 and Section 37 Land Act 1862* (1860 – 1873)

- **VPRS 13256** *Register of Lessees, Seymour and Alexandra, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873)

- **VPRS 13257** *Register of Lessees, Beechworth and Benalla, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)

- **VPRS 13258** *Register of Lessees, Ballarat, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)

- **VPRS 13259** *Register of Lessees, Melbourne, Sections 22, 33 and 37 Land Act 1862* (1862 – 1872)

- **VPRS 13260** *Register of Lessees, Mornington, Sections 22, 33 and 37 Land Act 1862* (1862 – 1873)

- **VPRS 1295** *Register of Lessees, Hamilton, Sections 22, 33 and 37 Land Act 1862* (1862 – 1869).
21. Land Selection under the *Amending Land Act 1865* and Section 33 of the *Land Act 1869*

**Introduction**

In 1865 the *Amending Land Act* (or Grant Act named after the Minister of Lands) was passed, amending the *Land Act 1862*. Section 42 introduced a new provision for the licensed occupation of auriferous lands for residence and cultivation. Details of this provision can be found in **Chapter 27 – Land on the Goldfields**.

The main sections dealt with in this chapter are sections 12 and 7 of the *Amending Land Act 1865* and section 33 of the *Land Act 1869*, which gave earlier selectors further concessions.

**Section 12 of the *Amending Land Act 1865***

The *Amending Land Act 1865* abolished the system whereby the wealthy could readily purchase allotments, and made it a little easier for people of more modest means to select land of their own and pay it off through a leasing arrangement. Selections of between 40 and 640 acres could be leased for a term of seven years.

Section 12 established the principle that agricultural land was to be acquired in the first instance under lease, with conditions that a payment of two shillings per acre was to be made for three years and that improvements to the value of twenty shillings per acre were to be made within two years of the commencement of the lease. If the lessee resided on the land and met these conditions, the land could be purchased for one pound per acre after three years.

However, if after three years the lessee had not lived on the land and made the improvements, the land, with the value of improvements added to the upset price of one pound per acre, could be put up for public auction. The lessee was entitled to recover the value of the improvements.

Land available for selection was listed in agricultural areas consisting of one or more parishes (as it was in the *Land Act 1862*). These were proclaimed and described in the *Victoria Government Gazette*. A list of parishes and their corresponding agricultural areas can be found in:

- **VPRS 15715** *Index to Agricultural Areas, Amending Land Act 1865* (1865 – ?1865).

Maps of these agricultural areas are held in:

- **VPRS 15899** *Historic Plans Collection [Copy of VPRS 8168]* (1836 – 1984).
This series is available at the Victorian Archives Centre, together with VPRS 8164 Register of Historic Plan Collection (1802–1963) (Computer Output Microfiche), which lists the contents of VPRS 15899 in plan number order under parish and county headings.

Records of the leases granted are available in:

- **VPRS 13922** Register of Leases to Selectors under Section 12 of the Act 237 (Amending Land Act 1865) (1866 – ?1872)
- **VPRS 13076** Register of Leases Granted by the Board of Land and Works, Section 12 Amending Land Act 1865 (1866 – 1870).

Full details of the land selected under sections 7 and 12 of the Amending Land Act 1865 can be found in:

- **VPRS 871** Returns of Selections made at Land Offices, Sections 7 and 12 Amending Land Act 1865 (1865 – 1870). For details of a specific locality, you can do a search within this series using the PROV online catalogue.

Local records for the Hamilton district are available in:

- **VPRS 13096** List of Lands Proclaimed for Selection, Hamilton District, Sections 7 and 12 Amending Land Act 1865 (1865 – 1869).

Rent payments were recorded in registers of lessees divided according to locality within Victoria, and are available for a number of localities (see appendix 5 on page 355 for a listing).

Land files are not available for section 12 of the Amending Land Act 1865, however some details of purchases directly related to this section can be found in:

- **VPRS 13105** Registers of Purchases under Section 14 Amending Land Act 1865 and Section 33 Land Act 1869 (1868 – 1885).

**Section 7 of the Amending Land Act 1865**

Under section 7 of the Amending Land Act 1865, selectors who had already taken leases under sections 23 and 24 (agricultural lands) of the Land Act 1862, where the transactions were incomplete or the term of the lease had not expired, were allowed a twelve-month extension to apply to the Board of Land and Works to exercise their right to purchase. This provision also applied for holders of former residence and cultivation licences under section 14 of the Sale of Crown Lands Act 1860, who wished to select their allotments under sections 33 and 34 of the Land Act 1862.

Purchasers, who had paid more than the minimum upset price of one pound per acre under the limited auction system of the Sale of Crown Lands Act 1860 were now able to lease an equivalent amount of land for eight years at a rental of two shillings and sixpence per acre provided that 320 acres was not exceeded. The Board of Land and Works was to issue
certificates which were valid for three months, authorising the holders to select lands to be held under lease. Those persons who waived their right of selection were to be credited with the equivalent of four shillings per acre towards the purchase of Crown lands at an auction of Crown lands.

Examples of applications under this section are available in:

- **VPRS 852 Applications for Leases, Section 7 Amending Land Act 1865** (1865 – ?1870).

If the land had been transferred from the original selector to another person, the rights of selection under this section could be acquired from the previous holder of the land. Such assignment contracts had to be documented. Applications based on rights acquired by assignment from others are available in:

- **VPRS 834 Assignment of Rights of Selection, Section 7 Amending Land Act 1865** (1865 – 1866).

Proof of ownership by the certification of title to the land also had to be provided and some examples are available in:

- **VPRS 15560 Statements of the History of Titles, Section 7 Amending Land Act 1865** (1865 – 1865).

Summary details are available in:

- **VPRS 1296 Register of Certificates, Section 7 Amending Land Act 1865** (1865 – 1865).

Details of the payments of rents under these section 7 leases are available in registers of lessees such as:

- **VPRS 13267 Register of Lessees, Hamilton, Section 7 Amending Land Act 1865** (1865 – 1871)
- **VPRS 13083 Register of Lessees, Seymour and Echuca, Section 7 and Section 12 Amending Land Act 1865** (1865 – 1870).

Records relating to the eventual purchase of the land are available in:

- **VPRS 874 Applications for Crown Grants, Sections 23 and 24 Land Act 1862 and Section 7 Amending Land Act 1865** (1869 – 1880)
- **VPRS 14293 Register of Purchases, Section 7 Land Act 1865** (1871 – 1888).

Further examples of applications for selection and other correspondence relating to section 7 of the *Amending Land Act 1865* are available in:

- **VPRS 44 Inward Registered and Unregistered Correspondence** (?1839 – ?1896). To identify an item of interest browse the date of correspondence in the consignment details which can be accessed at <http://www.prov.vic.gov.au/landsguide/>.

Land files are not available for section 7 of the *Amending Land Act 1865*. 
Section 33 of the Land Act 1869

Section 33 of the Land Act 1869 made a new provision for those who had been lessees under the first subdivision of part II of the Amending Land Act 1865. To reiterate:

- Section 7 of the Amending Land Act 1865, extended the time for purchase for those who had entitlements under the Land Act 1862.

- Section 12 of the Amending Land Act 1865 set the principle that agricultural land was to be acquired in the first instance under lease, with the right to purchase after three years if certain conditions regarding payments, and improvements were met.

Under section 33 of the Land Act 1869, leaseholders under sections 7 and 12 Amending Land Act 1865 were given a new choice.

1. They could obtain a certificate from the Board of Land and Works (VA 744) stating that they had complied with the conditions with respect to improvements, with the board prepared to issue certificates for all those who had substantially done so. Then three years after the commencement of the lease they could immediately obtain a Crown grant on the payment of one pound per acre.

2. Alternatively, they could surrender the existing lease for a new seven-year lease for a payment of two shillings per acre per annum for seven years. At any time or at the completion of the seven years, a Crown grant could be obtained by paying the difference between the rent already paid and the sum of one pound per acre.

Detailed records of both leases and purchases are available. You should consult:

- VPRS 13117 Register of Leases Brought Under the Provisions of Sections 31 and 33, Land Act 1869 (1870 – 1877)

- VPRS 13237 Register of Lessees and Grants, Section 33 Land Act 1869 (1869 – 1883)

- VPRS 1319 Index to Register of Lessees and Grants, Section 33 Land Act 1869 (?1869 – ?1883)

- VPRS 13104 Register of Purchases under Section 40 Land Act 1860; Sections 33, 34 and 42 Land Act 1862; and Sections 31 and 33 Land Act 1869 (1861 – 1873)

- VPRS 13105 Registers of Purchases under Section 14 Amending Land Act 1865 and Section 33 Land Act 1869 (1868 – 1885).

Details of the payments of rents under these leases are available in registers of lessees. These are available for areas throughout the state and may be found in appendix 6 on pages 355–6.
Finding files for Section 7, *Land Act 1865* and Section 33, *Land Act 1869*

Land files are available in:

- **VPRS 629 Land Selection Files, Section 33, Land Act 1869** (?1870 – 1883).

In general, these land files contain

- applications for the Crown grant or the lease
- a list of previous rent payments
- the Board of Land and Works certificate of improvements
- the original lease
- any details of transfer of title to the lease
- correspondence.

It was essential that the original lease, the certificate of improvements and any certificate of title under the *Transfer of Land Act 1866* be forwarded with the section 33 application.

File numbers may be found on:

- **parish plans** – these are shown in the fractional form of 1234/33 where 33 is the file category (indicating section 33) and 1234 is the serial number of the file (for an actual example of a fractional number that appears on a parish plan see **figure 1** on page 20);

- **VPRS 11871 Register of Leases Granted Under Land Acts 1869, 1878, 1880** (1870 – by 1903);

- **VPRS 11865 Register of Crown Grants** (1859 – 1988);

- from the register records, particularly **VPRS 13237**, as listed on the page opposite (page 210).

Further examples of applications for certificates of improvements and other correspondence relating to section 33 of the *Land Act 1869* are available in:

- **VPRS 44 Inward Registered and Unregistered Correspondence**. To identify an item of interest browse the date of correspondence in the consignment details which can be accessed at <http://www.prov.vic.gov.au/landsguide/>.
22. Land Selection under the *Land Act 1869* and *Land Act 1878*

**Introduction**

The *Land Act 1869* was James Grant's second land Act, and the most effective of the land selection Acts. Under this Act, most of Victoria's remaining arable Crown land was made available for selection before survey. In response to hardships many selectors suffered during years of drought in the 1870s, Longmore's *Land Act 1878* eased the terms, allowing double the time for paying off the selection.

In 1874 a system of local administration by land districts was introduced. This chapter deals with the large collection of records generated by both the Victoria-wide system from 1870 to 1874 and this new system for administering the huge volume of selections made during the currency of the two Acts.

**Sections 19 and 20 of the *Land Act 1869***

Sections 19 and 20 enabled the selector to peg out no more than 320 acres and then apply to have the land surveyed. Occupation was under licence for three years. During that time a rental of two shillings per acre per annum was payable. The selector was required to cultivate ten per cent of the land, enclose it and prove residence for two and a quarter years.

If the above conditions were met, they had two options they could pursue after three years.

1. They could apply for a Crown grant immediately if the outstanding portion of the purchase price of one pound per acre, amounting to fourteen shillings per acre, was paid.

2. Alternatively, a lease for seven years could be granted during which time the remainder of the purchase price could be paid at the same rental as the licence (two shillings per acre per annum). This lease was to be registered with the Registrar-General (the Titles Office) and could be assigned or used as a negotiable instrument. As well, the lessee could apply for a Crown grant at any time during the term of the lease if the amount owing was paid off.

**The *Land Act 1878***

The *Land Act 1878* made the terms outlined above more liberal. The duration of both the licence and lease was doubled (to 6 and 14 years respectively), the rent was halved and the selector was permitted to be absent from his holding for three months of the year.
Illustration 24

First page of the *Land Act 1869.*

VPRS 14558/P1, unit 17, Act no. 360 *Land Act 1869*
All applications had to go before a local land board, which advised the minister. The local land board also heard any objections to the application. The Department of Mines had the right of objection, particularly in auriferous (gold-bearing) areas, as did construction authorities responsible for roads and railways. These hearings were advertised widely in local newspapers. The date, location and result of hearings were entered in registers of applications.

Local land board schedules (summaries of the hearings) are held for a number of land districts over varying periods, see appendix 3 on page 354.

**Recordkeeping systems**

1. **Victoria-wide from 1870 to 1874**

Applications were entered into a sequentially numbered register of applications which, from 1871, was divided into alphabetical sections by family name of the applicant. See:

- **VPRS 12026** Register of Applications, Sections 19 and 20 Land Act 1869 (1870 – 1874).

Files relating to these applications are available in:

- **VPRS 625** Land Selection Files, sections 19 and 20, 1869 (1870 – 1874).

A summary of those applying for leases and Crown grants under this system from 1873 to 1875 is available in:

- **VPRS 13310** Register of Applications for Lease and Grant, All Districts, Section 20 Land Act 1869 (1873 – 1875).

A summary record arranged by parish of those applying for licences is available in:

- **VPRS 1308** Register Of Licences by Parish, Land Act 1869 Part 2 (Sections 19 to 44) (1870 – 1873).

Local registers of applications from 1869 to 1874 are available in:

- **VPRS 726** Register of Applications, Ballarat, St Arnaud and Kerang, Part II Land Act 1869 (held at the Ballarat Archives Centre) (1870 – 1874)

- **VPRS 13235** Register of Applications, Bendigo, Castlemaine and Seymour, Part II Land Act 1869 (1870 – 1874)

- **VPRS 13236** Register of Applications, Castlemaine and St Arnaud, Part II Land Act 1869 (1870 – 1873)

- **VPRS 15361** Register of Applications, Castlemaine, Part II Land Act 1869 (1870 – 1874)

2. By Land District from 1874 to 1908

Beginning in 1873 (in some districts), and by 1874 (for all districts), Victoria was divided into land districts administered by district survey offices. A system of dual registers of applications was introduced, one maintained at the district survey office and the other at the Occupation Branch of the Department of Crown Lands and Survey in Melbourne. Registers are arranged in numerical order in alphabetical sections corresponding to the family name of the applicant.

PROV holds registers of applications for all land districts for sections 19 and 20 of the Land Act 1869. Files relating to these applications are kept in:

• **VPRS 626 Land Selection Files by Land District, Sections 19 and 20 Land Act 1869** (1874 – circa 1911).

Indexes of Applications

To allow administration to proceed smoothly after the change to the land district system of recordkeeping, indexes of application file numbers were prepared. These indexes brought together information regarding selectors, the extent and location of the land and the file number from the pre–1874 register of applications. The entries in the indexes were taken from the existing records (the register of applications) in:

• **VPRS 12026 Register of Applications, Sections 19 and 20 Land Act 1869** (1870 – 1874).

For each land district, index details were entered in alphabetical sections according to the family name of selectors, as well as the file numbers. Details for sections 19 and 20 of the Land Act 1869 were usually in black ink and those for section 49 in red ink. These indexes are available for most land districts and provide an easy reference to file numbers allocated between 1870 and 1874, if you know the land district.

A list of indexes of application for sections 19 and 20 may be found in appendix 7 on pages 356–7.

Finding files for Section 19 and 20, Land Act 1869 and for Land Act 1878

1. Identify the parish and the land district. For information about finding these see Chapter 4 – Locating and Identifying Land in Victoria.

2. Identify the file number. This will be expressed as a fraction with either 19.20 or 20 below the line as the category (the section of the Act under which the land was selected). The number on the top line is the serial or sequential number (for an example see figure 1 on page 20).

Thus, as in the example on page 20 of this guide, 21911/19.20 indicates the application numbered 21,911 under sections 19 and 20 Land Act 1869.
Sources of file numbers:

- the parish plan, if the person of interest was the Crown grantee;
- the register of applications, either for the whole state or for the individual land district, is most useful if the person of interest was the original applicant, but was not the eventual Crown grantee;
- the index of applications for the land district, if it is believed that the original application was made before 1874;
- the rent roll, which is most useful if the person of interest was neither the original applicant nor the Crown grantee, or if a register of applications is missing from both the district survey office series and the Occupation Branch series for a land district.

You can search the rent roll by a person’s name and find details of transfers of leases.

For other sources of file numbers see Chapter 7 – Land Files.

Note: The file number once allocated was given to identify the piece of selected land, not the specific selector.

If an occupant left the selected piece of land during the licence period, the existing file was closed. When the land was re-selected, a new application (and file) number was allocated for that piece of land. Papers relating to the initial application, especially if they included survey information, can be found attached at the bottom of the land file. A note of the new file number was made on the original entry in the register of applications and a note of the original file number was made on the register of applications entry for the new application. If the lease was transferred from one holder to another, the file number remained the same.

3. Decide whether to consult the consignment details for VPRS 625 or VPRS 626 to order a file.

   a. If the file number has been obtained from VPRS 12026 Register of Applications, Sections 19 and 20 Land Act 1869 (Victoria-wide) or an index of applications or a rent roll where the date of first entry for payments is before 1874, consult consignment details for VPRS 625 only.

   b. If the file number has been obtained from a land district's register of applications or a rent roll where the date of the first entry for payments is from 1874, consult consignment details for VPRS 626 only.

   c. If the file number was obtained from the parish plan with reference to no other record, then it may be necessary to consult the consignment details for both VPRS 625 and VPRS 626 and order a file with the appropriate number from each series. This can be avoided by not relying solely on the parish plan as the source of a file number. It may be partly avoided by referring to table 8 (see page opposite) – the
highest file number registered in each land district is different in VPRS 626 Land Selection Files by Land District, Sections 19 and 20 of the Land Act 1869. If the file number is higher than the number given below, consult VPRS 625 only.

Table 8 – Highest selection file number by land district (VPRS 626)

<table>
<thead>
<tr>
<th>Land district</th>
<th>File number</th>
<th>Land district</th>
<th>File number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexandra</td>
<td>4691</td>
<td>Hamilton</td>
<td>5999</td>
</tr>
<tr>
<td>Ararat</td>
<td>3995</td>
<td>Horsham</td>
<td>13959</td>
</tr>
<tr>
<td>Bairnsdale</td>
<td>5869</td>
<td>Kerang</td>
<td>7969</td>
</tr>
<tr>
<td>Ballarat</td>
<td>3176</td>
<td>Melbourne</td>
<td>17029</td>
</tr>
<tr>
<td>Beechworth</td>
<td>9978</td>
<td>Omeo</td>
<td>2899</td>
</tr>
<tr>
<td>Benalla</td>
<td>19984</td>
<td>Sale</td>
<td>10029</td>
</tr>
<tr>
<td>Bendigo</td>
<td>3961</td>
<td>Seymour</td>
<td>5999</td>
</tr>
<tr>
<td>Castlemaine and Dunolly</td>
<td>2981</td>
<td>St Arnaud</td>
<td>10029</td>
</tr>
<tr>
<td>Echuca</td>
<td>7863</td>
<td>Stawell</td>
<td>3999</td>
</tr>
<tr>
<td>Geelong (includes Camperdown and Warrnambool)</td>
<td></td>
<td></td>
<td>2558</td>
</tr>
</tbody>
</table>

4. If there is no file in either VPRS 625 or VPRS 626
   o The file may not have survived over time;
   o Consult VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche) or VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) as a small number of files are listed here;
   o Consult the consignment details for VPRS 1016 Miscellaneous Correspondence Files or VPRS 11795 General Correspondence Files, 'V' Series or VPRS 14964 Land Files Estrays.

Other records

A small number of examples of other records kept relating to the administration of sections 19 and 20 of Land Act 1869 are available in:

- **VPRS 857** Schedules of Approved Applications, Section 19 Land Act 1869 (1869 – ?1878)
- **VPRS 858** Schedules of Approved Applications, Section 20, Land Act 1869 (1869 – ?1880)
- **VPRS 861** Schedules of Unapproved Licence Applications Sections 19 and 49 Land Act 1869 (1869 – ?1878)
Case study: selection, sections 19 and 20 of the Land Act 1869 – Thomas Low and family

This is a case study of land selection under sections 19 and 20 of the Land Act 1869 and the Longmore Act. It relates to a property, allotment 51, selected by Thomas Low in the County of Delatite, in the Parish of Monea South.

Unless other records are referenced, all information comes from the land file VPRS 626/P0 Land Selection Files by Land District, Sections 19 and 20 Land Act 1869, unit 2077, file number 3034/19.20 Seymour.

Thomas Low provided for his two elder sons David and Thomas junior by financing the selection of two adjacent blocks, each of 320 acres, near Avenel in central Victoria.

Thomas junior applied for his licence to occupy under Section 19 of the Land Act 1869 at Melbourne on 14 June 1876. Thomas was 21 years old and described himself as a farmer resident at Bacchus Marsh.

After the payment of a fee of £1/-/- a certificate of registration was issued with the correspondence (or file) number of 1031/19, Seymour. There was no objection from the Department of Mines and the land was surveyed.

In January 1878, Thomas junior applied to surrender his existing licence and replace it with a new one under section 8 of the Land Act 1878. This new licence doubled the time allowed for the completion of the requirements of the licence and the subsequent lease. Thomas reported in his application that apart from 80 chains the land was enclosed with a combination of chock and log, and log and brush fences; a one room dwelling house had been erected; five acres had been sown to wheat with no return; and much of the land was either ring-barked, or grubbed and cleared. The value of the improvements was estimated at £252/-/-.

VPRS 13721/P1 Rent Rolls, Seymour, Sections 19 and 20 Land Act 1869, unit 2 reveals that the new licence was granted, but only one payment of rent was made under it. The notice of the revoking of Thomas Low junior’s licence to occupy was published in the Victoria Government Gazette of 6 May 1881 and the land declared open for selection on 20 May 1881.

In the meantime, Thomas Low senior of Bacchus Marsh requested that the land be forfeited and that 'either the land itself or the value of improvements upon it may be granted' to him.
Application of Thomas Low junior for the lease of allotment 51 at Monea South.

VPRS 626/P0, unit 2077, file no. 3034/19.20 Seymour, application document in Thomas Low land selection file
The entry for Thomas Low's allotment at Monea South at the top of the page of this rent roll includes information about fees paid in relation to the property and the approval of a 14-year lease in 1887 to Thomas senior's son-in-law Harry Bellingham.

VPRS 13721/P1, unit 2, folio 300, entry 3034
In supporting statutory declaration he stated:

_That on or about March 1880 he (Thomas Junior) left this selection without my knowledge or consent and ... I ... cannot discover his whereabouts ... Whatever improvements or payments he has made have been from money supplied by me._

The judgment of the Department of Crown Lands and Survey was that the licence be revoked and the land thrown open with value of improvements.

In July 1881 an application for a licence to occupy by Thomas Low senior aged 57 was registered in the register of applications and given the number of 3034/19 Seymour. The parcel of land remained the same, but the land file number changed as the land had been held only under the licence to occupy. The original number of 1031/19 was noted on the record of Thomas senior's application, and the new number noted on Thomas junior's original application in the register. The new papers with the new number were attached to the original file. The licence to occupy was duly issued in August 1881.

In September 1887 Thomas Low senior applied for a lease under section 20 of the _Land Act 1869_. He reported that he had resided with his son (David Low) on the adjoining selection; that there was a two-roomed brick and plaster house on the block; that it was completely fenced; that for four of the seven years, portions of the land had been cultivated for a hay crop; and a dam had been built.

In July 1881 an application for a licence to occupy by Thomas Low senior aged 57 was registered in the register of applications and given the number of 3034/19 Seymour. The parcel of land remained the same, but the land file number changed as the land had been held only under the licence to occupy. The original number of 1031/19 was noted on the record of Thomas senior's application, and the new number noted on Thomas junior's original application in the register. The new papers with the new number were attached to the original file. The licence to occupy was duly issued in August 1881.

In September 1887 Thomas Low senior applied for a lease under section 20 of the _Land Act 1869_. He reported that he had resided with his son (David Low) on the adjoining selection; that there was a two-roomed brick and plaster house on the block; that it was completely fenced; that for four of the seven years, portions of the land had been cultivated for a hay crop; and a dam had been built.

_VPRS 11871/P1 Register of Leases Granted Under Land Acts 1869, 1878, 1880_, unit 14 shows us that the lease was sent for execution on 19 December 1887, with all details being recorded in the register of leases.

The lease was almost immediately transferred to Thomas senior's son-in-law Harry Bellingham who had received the Crown grant for his own selection some 10 years previously. In 1895 Bellingham mortgaged this land to Aloysius MacDonald, George Baker and Margaret Rigg. It is apparent that his mortgage holders foreclosed. In July 1902 Margaret, William and Mary Rigg as the mortgagees of Harry Bellingham transferred the lease to Louis Wilhelm Dargatz a factory employee of Euroa. The land was noted as being occupied by Otto Dargatz.

Despite some difficulties with rent payments, Louis Dargatz's Crown grant for allotment 51 was sent to the Office of Titles on 12 December 1904. He died at Euroa in 1926 aged 65.

**Postscript:** Thomas Low senior died at Bacchus Marsh in 1890. His sons David and Thomas junior were not recorded as being beneficiaries in his will. David Low also left his selection, becoming a policeman in New South Wales.

Thomas Low junior served as a farrier in the New South Wales Bushmen in the Boer War giving his sister, Mrs Bellingham of Avenel Victoria as his next of kin. He died at Auburn (NSW) in 1927. Harry Bellingham, his wife Jean (nee Low) and their 10 children moved to South Gippsland.
The document certifies the survey of allotment 51 in the Parish of Monea South, and includes a sketch of the property.

VPRS 626/P0, unit 2077, file no. 3034/19.20 Seymour, survey of 320 acres allotment 51 Monea South
23. Land Selection under the *Land Act 1884 and Subsequent Acts*

**Introduction**

With most of Victoria's best arable land selected, the *Land Act 1884* focussed on leasing rather than selling the remaining Crown land. However, alienation of the land did continue in certain circumstances. As mentioned in Chapter 4 – *Victorian Lands Legislation*, the Act also classified the land into eight different classes. This chapter deals with two of these classes – agricultural and grazing lands, and swamp lands.

The *Land Act 1898* further divided the classification of agricultural and grazing lands into three new classes:

1. first-class: good agricultural or grazing land;
2. second-class: agricultural and grazing land;
3. third-class: grazing land.

These new classes determined the amount of land that could be leased or selected and the amount of rent to be paid. The same provisions for selection were continued in the *Land Act 1901*.

This chapter outlines the relevant legislation and availability of records. It includes a table showing key sections in each of the relevant Acts.

**Section 32 of the *Land Act 1884***

Section 32 of the *Land Act 1884* allowed for the leasing of Crown land for grazing purposes. Land thus leased could not be purchased and was to revert to the Crown after the expiration of 14 years. No person was to hold more than one lease and no one lease was to exceed 1,000 acres. Further details are available in Chapter 26 – *Grazing Leases and Licences*.

**Sections 42 and 44 of the *Land Act 1884***

Section 42 enabled holders of grazing area leases (under section 32 as described above) to apply for licences to occupy 320 acres of their leases for agricultural purposes. Persons who had selected 320 acres under previous land Acts were not eligible for this provision. Those who had previously selected less than 320 acres could select the area necessary to bring the total area up to 320 acres. Rent was set at one shilling per acre per annum with the licensee to reside on the allotment and make improvements to it.

Section 44 enabled section 42 selectors, after six years of occupation under licence, to apply to lease their agricultural allotments for up to 14 years at the rental of one shilling per acre.
per annum, or to obtain a Crown grant on payment of the full purchase price of 14 shillings per acre. Lessees could obtain a Crown grant at any time during this 14-year period by the payment of the difference between the rent already paid under the lease and the set price of 14 shillings per acre.

Section 44 of the Land Act 1898

As noted above, the Land Act 1898 divided agricultural and grazing lands into three classes. Section 44 provided for the selection of agricultural and grazing land under licence similar to the provisions of the Land Act 1884. First-class land was available in maximum allotments of 200 acres at a rental of one shilling per acre per annum, and second-class land in maximum allotments of 320 acres at a rental of nine pence per acre per annum. Neither class of land was to be licensed for more than six years.

Sections 58, 59 and 61 of the Lands Act 1898

Sections 58 and 59 provided for the extension of the licensing and leasing provisions relating to agricultural allotments to grazing allotments. Sections 59 and 61 allowed for the issue of residential or non-residential licences for grazing allotments on third-class land. A licence to occupy could initially be issued for up to six years for 640 acres. If conditions relating to the provision of fencing and the destruction of vermin were met, a lease for 14 years could be obtained at a cost of sixpence per acre per annum. Rent payments could be used to defray the purchase price of ten shillings per acre.

The Land Act 1901

Under the consolidated Land Act 1901, agricultural allotments were dealt with under sections 47 (licensing) and 49 (leasing) and grazing allotments by sections 54 (licensing) and section 56 (leasing).

Details of leases granted under these sections and Acts are summarised in:

- VPRS 11872 Register of Leases and Licences Granted Under Sections 32 and 42 Land Act 1884 (1886 – 1898)
- VPRS 11874 Register of Leases Granted Under Sections 5, (Village Settlement) 20, and 26 (Homestead Associations) of the Settlement on Lands Act 1893 (by 1897 – by 1903)
Registers of applications for these sections maintained for the Geelong region are held at Geelong Heritage Centre in **GRS 972 Geelong District Crown Lands Department – Application Registers**, units 1–5.

**Section numbers of Acts used in file numbers on parish plans**

The following table summarises the different section numbers used as the categories of file numbers shown on parish plans indicating selection under the *Land Act 1884*, *Land Act 1890* (a consolidation Act), *Land Act 1898* and *Land Act 1901*.

*Table 9 – Section number categories in file numbers – 1884, 1890, 1898 and 1901 land Acts*

<table>
<thead>
<tr>
<th>Type of selection</th>
<th>Land Act</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1884</td>
</tr>
<tr>
<td>Conditions of a licence – agricultural allotments</td>
<td>42</td>
</tr>
<tr>
<td>Right to lease and grant – agricultural allotments</td>
<td>44</td>
</tr>
<tr>
<td>Conditions of licence – grazing allotment</td>
<td></td>
</tr>
<tr>
<td>Right to lease and grant</td>
<td></td>
</tr>
</tbody>
</table>

**Finding files for *Land Act 1884* and subsequent land Acts**

Files are held for all of the sections of the land Acts (1884, 1898 and 1901) listed and described above. These files contain papers relating to a section 32 of the *Land Act 1884* lease or the holding of land under a different section and/or a previous Act (such as section 19 of the *Land Act 1869*). Other papers may document the application for an agricultural or grazing allotment, the issuing of a lease and/or a Crown grant, and correspondence between the landholder and the Department of Crown Lands and Survey. There may also be papers relating to hearings of the local land board regarding the evaluation of the application or regarding non-compliance with conditions of a lease.

Files may be accessed by searching on:

- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*, or
- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)*.

File numbers may be obtained from:

- **registers of applications** for both section 32 and for the sections relating to selection. Where the selector had held a section 32 lease often the section 42 file number will be given as part of the details relating to the management of that file in the remarks column. Registers of applications are held for all land districts.
• **rent rolls** for section 32 and those for agricultural and grazing licences and leases. These are held for all land districts.

• **parish plans** – where a Crown grant was obtained, the file number is given on the parish plan.

• reference or correspondence numbers in the **registers of leases** listed on page 226, earlier in this chapter.

• correspondence numbers given in schedules for these sections published in the **Victoria Government Gazette**.

• To find the register or rent roll you need, browse the list of series at **appendices 8 and 9** on pages 357–9.

**Note:** Files relating to sections 42.44 of the **Land Act 1884** will **not** be found in **VPRS 624 Application Files, Section 42 Amending Land Act 1865 (1865 – ?1872)** as these deal with licences to occupy goldfields land after the passing of the **Amending Land Act 1865**.

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### Part VI of the **Land Act 1884** – swamp lands

Swamp lands were one of the eight classifications of land in Victoria under the **Land Act 1884**. The Act identified several swamps and stated that:

> A plan shall be prepared from actual survey of the areas known as the Condah, Koo-wee-rup, Moe, Panyabr and Mokoan swamps ...

The Act provided for the preparation of plans for survey of areas so that they could be drained and reclaimed for settlement using prisoners or other labourers – for example, draining Moe swamp gave work to the unemployed. Areas could then be leased in allotments of 160 acres for 21 years. Under sections 103 and 170 of the **Land Act 1898** (and sections 130 and 131 of the **Land Act 1901**) provision was made for perpetual leases and conditional purchase leases of these swamp areas under closer settlement sections of legislation. Lessees were responsible for maintenance of drainage channels and making permanent improvements to the value of 10 shillings per acre for each of the first 3 years of occupancy.

**Note:** Section 103 of the **Land Act 1898** was replaced by section 131 of the **Land Act 1901**. Section 103 of the **Land Act 1901** refers to goldfields lands.

Details of leases of swamp lands granted under section 85 of the **Land Act 1884** and sections 91 and 92 of the **Land Act 1890** are available in:

• **VPRS 14544 Register of the Sale of Right to Lease, Sections 91 and 92 Land Act 1884 and Swamp Land Leases Section 85 Land Act 1890 (1885 – ?1900).**

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34 *The Land Act 1884*, part VI, section 79.
Applications for swamp lands are also available in:

- **VPRS 14153** Register of Applications, Section 103 Land Act 1898 (Occupation Branch) (1899 – 1900)
- **VPRS 14387** Register of Applications, Sections 130 and 131 Land Act 1901 (Occupation Branch) (1903 – 1908).

Local applications in the Bendigo area registered from 1908 to 1931 are available in:

- **VPRS 14099** Register of Approved Applications, Bendigo, Swamp Lands (1908 – 1931).

Payments of rent for swamp lands are available in:

- **VPRS 13947** Rent Roll, Farm Allotments, Sections 103 and 170 Land Act 1898 (1900 – 1902)
- **VPRS 13949** Rent Roll, Section 103 Land Act 1898 and Sections 130 and 131 Land Act 1901 (1901 – 1909)

Other related financial records are available in:

- **VPRS 14432** Register of Mortgage and Lien Payments, Koo-Wee-Rup (by 1901 – ?1909).

Files relating to swamp lands are available. It should be noted that some former swamp areas (particularly in the Koo-wee-rup area and other parts of Gippsland) became parts of village settlements and were later also used for closer and soldier settlement. See Chapter 29 – Village Settlements, Homestead Associations and Labour Colonies. File numbers may be obtained from the register of applications and rent rolls (these are the series listed above).

File numbers can be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Other records relating to swamp lands, specifically the draining of the Koo-wee-rup Swamp, are available in series created by the Public Works Department (VA 669). Information of interest is available in:

- **VPRS 12650** Outward Letter Book (Engineer in Charge of Reclamation Works) (by 1896 – ?1901) (with references also to the Condah Drainage Scheme)
- **VPRS 1054** Outward Letter Book (Superintendent Koo-Wee-Rup Swamp Drainage Scheme) (by 1894 – ?1896)
• **VPRS 1698** *Wages Payment Book, Koo-Wee-Rup Swamp Drainage Scheme* (?1892 – ?1896)

24. Mallee Lands

Introduction

The *Mallee Pastoral Leases Act 1883* made special provisions for pastoral occupation of the arid Mallee lands in north-western Victoria. The Act divided the Mallee lands into 'Mallee country', which comprised the bulk of the Mallee lands, and the 'Mallee border', which stretched along the southern and eastern fringe. The first schedule of the Act defined the extent of the Mallee lands. The second schedule defined the Mallee border as 'lands not alienated ... in the North-Western district ... wholly or partially covered with the mallee plant'.

The Mallee lands not only took in the geographic Mallee region, but also portions of the land districts of Horsham, St Arnaud and Kerang in the counties of Borung, Lowan, Gladstone, Tatchera and Karkaroc.

The *Mallee Pastoral Leases Act* provided for grazing only, with no provision for selection leading to alienation of the land. Subsequent legislation recognised the Mallee's agricultural potential and provided for selection. The consolidating *Land Act 1901* brought the provisions relating to Mallee lands into the principal Act relating to lands.

Mallee blocks

Under the *Mallee Pastoral Leases Act 1883* land in the Mallee country was divided into blocks that could be leased for 20 years for pastoral purposes. These blocks were to be divided into A and B portions. One portion was leased with the obligation that the other portion be occupied for five years. Lessees were required to clear their blocks of vermin in three years. This division into A and B portions was abolished by section 3 of the *Mallee Lands Act 1896*. The only records held by PROV relating to Mallee blocks are part of local records listed on page 236 later in this chapter.

Mallee allotments

Sections 15 to 17 of the *Mallee Pastoral Leases Act 1883* set out the terms and conditions for leases of allotments in the Mallee border. Leases were to be for a maximum of 20 years, with half a year's rent being payable in advance. At the end of the lease, the land and all improvements were to revert to the Crown. Existing occupants of the land were entitled to lease one of the Mallee allotments if they applied within one month of the end of the proclamation of the Act, otherwise the land was generally made available to all. Under the

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35 *Mallee Pastoral Leases Act 1883*, second schedule. The 'mallee plant' referred to several varieties of dwarf eucalypts that covered the region as scrub.
Illustration 28

This detail of the 1862 land Act map featured on the cover of this book shows the area in north western Victoria known as the Mallee.

VPRS 7664/P3, unit 1, map of the Colony of Victoria [Mallee detail]
AN ACT
Relating to Mallee Lands.

By it enacted by the Queen's Most Excellent Majesty by and with
the advice and consent of the Legislative Council and the
Legislative Assembly of Victoria in this present Parliament assembled
and by the authority of the same as follows (that is to say)—

1. This Act shall be cited as the Mallee Lands Act 1896, and
shall be read and construed in union with Part III of the Land Act 1890,
and this Act and the Land Act 1890 shall be Act restraining the said
Act as this Act may be cited together as the Land Acts.

2. In the following sections of this Act unless inconsistent with
the context—

(a) “Lessee” with reference to a mallee allotment lease includes
any person to whom with the consent of the Board the whole or any part of
such mallee allotment was assigned before the twenty-fourth day of October
thousand eight hundred and sixty-five and shall also mean any
person of a mallee allotment include any person who
before the first day of January thousand eight hundred
and sixty-six was in the said twenty-fourth day of
October thousand eighty-six for valuable consideration
and the amount in writing of the Board agreed to writing with
the leasee of such mallee allotment that such leasee would
assign to him such portions of such mallee allotment and
that he had before the twenty-fourth day of October thousand

First page of the Mallee Lands Act 1896.
VPRS 14558/P1, unit 53, Act no. 1428 Mallee Lands Act 1896
Land Act 1890, the maximum area allowed to any one holder of Mallee allotments was 20,000 acres.

Records relating to Mallee allotments for the whole of the Mallee division are available in:

- **VPRS 14367** Register of Applications, Mallee Allotments, Mallee Pastoral Leases Act 1883 (1883 – ?1910)
- **VPRS 1327** Rent Roll, Mallee Allotments (1884 – 1884)
- **VPRS 14385** Register of Lessees, Mallee Allotments (1884 – 1896) (contains payment records with contents ranging from 1884 to ?1909).

**Agricultural allotments**

From 1889 provision was made for selection of agricultural allotments. Existing leaseholders of Mallee allotments were allowed to select 320 acres of their leases for cultivation or grazing, under licence for six years, with the option of a 14-year lease or Crown grant.

Details of applications are available in:

- **VPRS 14405** Register of Applications, Agricultural Allotments, Mallee Lands (Occupation Branch) (1892 – ?1920)
- **VPRS 14413** Register of Applications, Mallee Region, Mallee Lands (by 1892 – 1908)
- **VPRS 14383** Register of Applications, Mallee Lands, Section 6 Mallee Lands Act 1896 (1897 – 1899).

Records relating to payments of rents are available in:

- **VPRS 1305** Register of Licensees, Mallee, Agricultural Allotments Section 3 The Mallee Act 1889 and Section 203 Land Act 1890 (1890 – 1913)
- **VPRS 14386** Register of Lessees, Mallee Lands, Section 6 Mallee Lands Act 1896 (1897 – 1899).

Records of leases granted after 1899 are available in:


**Perpetual leases**

The Mallee Lands Act 1896 made land in the whole region available for occupation as agricultural allotments not exceeding 640 acres, under licence or perpetual lease.

Perpetual leases gave tenants full security of tenure with no time limitations. The land had to be improved, but the rent paid did not offset any payments due if the land was subsequently purchased.
Records regarding perpetual leases are available in:

- **VPRS 14384** Register of Applications, Mallee Lands, Perpetual Leases (1896 – 1915)
- **VPRS 11876** Register of Perpetual Leases Sections 7 and 19 Mallee Lands Act 1896 (1897 – ?1915).

**Selection purchase leases**

As a result of the *Land Act 1911*, leased occupation of Mallee land was administered under section 22, which provided for selection purchase leases. Rent paid defrayed the cost of purchase of the land. Selection purchase leases included the right of freehold, could be residential or non-residential and could be for either 20 or 40 years. Depending on the class of lands, improvements to specified values had to be made. Special conditions for selection purchase leases for Mallee lands were that:

- one-quarter of the allotment had to be cleared and cultivated within two years;
- a proportion of the existing timber on the land had to be protected or trees planted.

Application and file management records for section 22 selection purchase leases and other Mallee land leases and licences to occupy are available in:

- **VPRS 15652** Applications and File Management Cards, Mallee Division (by 1911 – ?1974).

**Closer and soldier settlement**

For records relating to closer and soldier settlement in the Mallee region, consult Chapter 30 – Closer Settlement and Chapter 32 – Soldier Settlement.

**Finding files relating to Mallee lands**

Files are available for:

- sections 7 and 19 (perpetual leases) *Mallee Lands Act 1896* – only a small number of files are available;
- sections 217 and 218 (agricultural allotments in Mallee lands) *Land Act 1901* – a greater number of files are available;
- section 22 (selection purchase leases for Mallee lands) *Land Act 1911*.

You can obtain file numbers from:

- registers of applications,
- application and file management cards,
• parish plans.

Access files using either the file number or details of parish, section and allotment using:

• VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche) look for ‘estate’ under the ‘file cat.’ heading, or

• VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

See Chapter 10 – Using Microfiche Catalogues VPRS 7311 and VPRS 7312, for details of how to search these two series.

**Note:** Make sure that the land district (especially for section 22 files) listed on the microfiche catalogues is ‘Mallee’.

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**Local records**

Some local records relating to Mallee lands are available in the series listed below. You should consult the consignment details to identify units and items of interest. Please note, all of the series listed below are held at the Victorian Archives Centre, with the exception of VPRS 5312, which is held at the Ballarat Archives Centre:

• VPRS 15985 Register of Applications, Horsham, Mallee Lands (Horsham District Land Office) (1884 – 1928)

• VPRS 14410 Rent Roll, Horsham Land District, Sections 7 and 19 Mallee Lands Act 1896 and Sections 217 and 218 Land Act 1901 (by 1902 – 1920)

• VPRS 14406 Register of Holders of Mallee Blocks and Mallee Allotments, Counties of Lowan and Borung (Horsham District Survey Office) (1883 – 1896)

• VPRS 5312 Register of Lessees, Mallee Lands, Horsham Land District (1884 – 1910) – held at the Ballarat Archives Centre and containing records from the Kaniva, Nhill and Dimboola areas

• VPRS 14412 Register of Applications, Kerang, Mallee Lands (Kerang District Land Office) (1883 – 1915)

• VPRS 14411 Register of Applications, St Arnaud, Mallee Lands (St Arnaud District Land Office) (1890 – 1897)

• VPRS 15702 Register of Leases, Section 157 Land Act 1890 and the Mallee Lands Act 1896, St Arnaud (1892 – 1899).
Administrative and other records

Comprehensive correspondence records are available for the Mallee division in:

- **VPRS 14320 Register of Inward Correspondence, Mallee Division** (1896 – 1956), unfortunately, a number of volumes are closed to public inspection under section 11 of the *Public Records Act 1973* due to their extremely poor physical condition

- **VPRS 15012 File Management Cards, Mallee Division** (?1943 – 1978).

Before leases or licences to occupy land were granted, hearings before a local land board were required. Some limited examples (from 1904 to 1908) of records from these hearings are available in:


Records relating to sales of land by public auction from 1894 to 1978 are available in:


For the period 1934 to 1939 records of temporary leases are available in:

- **VPRS 10050 Registers of Mallee Division Temporary Lease Accounts** (1934 – 1939).
25. Miscellaneous Leases and Licences

Introduction

Many people occupied and used Crown land without becoming landowners and without their names appearing on parish plans. They were, and still are, able to do so under the provisions in the land Acts relating to leases and licences for non-agricultural purposes.

Non-agricultural uses of land

From 1862 until 1983 the non-agricultural uses of land were listed in the land Act in operation at the time. Leases could be obtained for:

- the extraction of guano and other manure;
- the removal of stone or earth;
- inns, stores, smithies and bakeries in sparsely populated areas;
- bathing houses and places, bridges, ferries and punts;
- tanneries and factories;
- quays and landing places;
- mineral springs;
- ship and boat building and repairing;
- the manufacture of salt;
- amusement and recreation, and as authorised by the Governor-in-Council (this was added later).

Licences to occupy could be obtained for the same uses as a lease (in the list above) with the additional non-agricultural uses of:

- searching for minerals other than gold;
- making improvements to a race, drain, dam or reservoir;\(^{36}\)
- the extraction of timber, bark, stone and a number of other materials;
- fishermen's residences and drying grounds;
- fell mongering, slaughtering and for lime and brick kilns;\(^{37}\)
- the erection of pumps;

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\(^{36}\) 'Race' is a type of water channel.

\(^{37}\) 'Fellmongering' is the preparation of skins for leather-making.
• collecting ballast;
• from 1869 to 1884, depasturing stock away from the commons;
• from 1884 onwards, a garden of no more than three acres, a provision often used by Chinese in proximity to large towns on or near the goldfields.

For bee farm and bee range licences see Chapter 35 – Special Provisions for Special Industries.

Since the passing of the Land (Amendment) Act 1983 the purposes are stated in a more general way with the minister authorised to:

grant leases ... for any purposes (except for the purpose of agriculture) [and], grant to an applicant a licence to enter and use for any purpose which the person granting the licence thinks fit any Crown land which is not held by a lease under this Act.³⁸

Licences were held for varying periods but were not renewable for more than one year at a time. In some cases licensees did have rights of purchase, but not those occupying Crown reserves. See Chapter 17 – Crown Land Sales other than by Public Auction.

Leases were long-term, but the maximum term, the area that could be leased and the rental changed with successive legislation.

Section numbers applicable to the non-agricultural use of land

The sections relating to these leases and licences to occupy were repeated in successive land Acts, but the identifying section numbers changed with each Act. The table below gives the section numbers as used in each significant land Act.

Table 10 – Section numbers applicable to the non-agricultural licences and leases

<table>
<thead>
<tr>
<th>Land Act</th>
<th>Section number licence</th>
<th>Section number lease</th>
</tr>
</thead>
<tbody>
<tr>
<td>1862</td>
<td>50</td>
<td>53</td>
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<td>125</td>
</tr>
<tr>
<td>1958</td>
<td>138</td>
<td>134</td>
</tr>
</tbody>
</table>

Records of non-agricultural use of land

Most of the records at PROV are for land held under the licence provisions.

As well as the records listed in the following sections, records relating to land held under these licences or leases may be found by referring to the registers of inward correspondence and file registers created under the lands correspondence recordkeeping system. See Chapter 8 – Locating and Identifying Land in Victoria.

Licences to Occupy

Scant records are held for section 53 Land Act 1862. Registers of applications are available for a small number of districts in:

- **VPRS 13041** Register of Licences Benalla, Section 53 Land Act 1862 (1862 – 1864)
- **VPRS 13042** Register of Applications, Sale, Section 53 Land Act 1862 and Section 42 Amending Land Act 1865 (1864 – 1871)
- **VPRS 15036** Register of Applications, Section 53 Land Act 1862, Horsham District (1864 – 1866)
- **VPRS 13077** Register of Licensees, Section 53 Land Act 1862 (1863 – 1867) (area uncertain).

Records relating to licences to occupy land after the Land Act 1862 are comprehensive, covering the period up to about 1940 for some districts. Registers of applications and rent rolls are held for all land districts. For licences held under the Land Act 1869, records are identified as being for section 47. Licences held under land Acts passed from 1884 onwards are identified by the terms ‘other sections’ or ‘section 145’ (Land Act 1901).

Some records for the Geelong district are held at the Geelong Heritage Centre in GRS 972 Geelong District Crown Lands Department – Application Registers, in units 7 and 8.

For records in relation to the period 1926 to 1979, researchers should also consult:

- **VPRS 15729** Licence Register, Miscellaneous and Residence Licences (1926 – 1979).

For land in the Melbourne district, researchers should also see:

- **VPRS 15646** Licence Issue Book, Melbourne (by 1903 – 1928).

Leases

PROV holds few records specifically relating to miscellaneous leases. Some entries may be recorded under the heading of 'other sections' in registers of application and rent rolls. For details of rent payments under lease for the period 1871 to about 1906, consult:

- **VPRS 13842** Rent Roll, Melbourne, Section 45 Land Act 1869 and Section 91 Land Act 1884 (1871 – ?1906) – predominantly for enterprises on the Yarra Bank South and in South Melbourne, as well as other places in the Melbourne metropolitan area.
For transcripts of long-term leases issued between about 1915 and 1947, consult:

- **VPRS 14482** Copies of Leases, Section 142 Land Act 1901 and Section 125 Land Act 1915 (by 1915 – ?1947) – many for substantial industrial sites around Melbourne or for sites occupied by the Commonwealth of Australia.

**Files relating to these miscellaneous provisions**

Although PROV has a small number of files relating to leases held under these miscellaneous provisions, it does hold a larger number of files relating to licences to occupy, especially from about 1890. Files can contain:

- copies of applications,
- actual leases or licences,
- correspondence including enquiries regarding purchase of the occupied land.

Files can be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

The particular use of the site is often indicated in the 'section' and 'allotment' columns.

Files are also available in:

- **VPRS 441** Crown Land Occupation Files, Correspondence Series (1896 – ?1978).

Further examples of applications and other correspondence, particularly for the 1862 to 1869 period, can be found by browsing the 'date of correspondence' in the records description list of:

- **VPRS 44** Inward Registered and Unregistered Correspondence (?1839 – ?1896).

Browse the consignment details for items of interest. The consignment list for **VPRS 44** can be found at <http://www.prov.vic.gov.au/landsguide/>. Records are listed as 'applications for business and quarry sites' and 'applications for business and pastoral leases'.

File numbers can be found using the following options:

- **Registers of applications** and **rent rolls**
  
  It is useful to take note of the section and allotment, as well as the file number and parish. Files regarding licences to occupy, or leases, may also be attached to later papers relating to the selection or sale of a piece of land leading to its eventual alienation. These section and allotment details can assist in finding relevant references on the microfiche catalogues.

- **Registers of inward correspondence** and **rile registers** after 1896
In these registers the correspondence number is the file number, or the number of the file to which correspondence was attached, and is given in the final column.

- Other registers of licences as indicated throughout this chapter.
- Correspondence numbers published in schedules in the *Victoria Government Gazette* for the section numbers listed in table 10 on page 240.
26. Grazing Leases and licences

Introduction

The *Land Act 1884* made provision for Crown land to be held for grazing under a lease or a licence for a fixed term, with limited options and, generally, no option for purchase. These provisions remained until the *Crown Lands (Amendment) Act 1994* removed all references to grazing leases and licences from the *Land Act 1958*.

Section 32 of the *Land Act 1884*

Section 32 of the *Land Act 1884* allowed for leasing of Crown land for grazing purposes. Land thus leased could not be purchased and was to revert to the Crown after 14 years. No person was to hold more than one lease and no one lease was to exceed 1,000 acres. Land was appraised for the purpose of setting an annual rental of between two pence and four pence per acre, with the right to levy an additional rental of five per cent per annum of the capital value of improvements made on the leasehold. The Crown was able to resume land:

- for specific purposes listed in the Act,
- if the lease conditions were not complied with, or
- at the conclusion of the 14 years.

Compensation was paid to the lessee for any improvements made.

An agricultural allotment of not more than 320 acres could be excised from such leasehold under the conditions as set out in section 42 of the Act. See Chapter 23 – Land Selection under the *Land Act 1884* and Subsequent Acts.

While a considerable number of people took the opportunity to select land or extend their existing selections under section 42, others preferred to have, or were only able to have, leasehold. The granting of such leases is summarised in:

- **VPRS 11872** Register of Leases and Licences Granted under Sections 32 and 42 *Land Act 1884* (1886 – 1898).

Registers of applications for section 32 of the *Land Act 1884* and/or rent rolls for section 32 of the *Land Act 1884* are available for all land districts, for a listing of these see appendix 8 on pages 357–8.

Section 67 of the *Land Act 1884*

Section 67 of the *Land Act 1884* allowed for the annual licensing of no more than 1,000 acres for grazing on auriferous lands. Details of records relating to this provision can be found in Chapter 27 – Land on the Goldfields 1884–1994.
Section 29 of the Land Act 1898, until 1994

Section 29 of the Land Act 1898 (later section 35 of the consolidated Land Act 1901 and section 32 of the consolidated Land Act 1915) succeeded section 32 of the Land Act 1884 as the means whereby grazing areas could be leased from the Crown. Land could be leased for any term until 29 December 1920 when the land would revert to the Crown. Land was divided into classes for the purpose of the lease. Two hundred acres of first-class land could be leased, 640 acres of second-class land, 1,280 acres of third-class land and 1,920 acres of fourth-class land. A permanent agricultural allotment could be selected from leaseholds of first- and second-class land and a grazing allotment from third- and fourth-class land.

Between 1920 and 1934 legislation did not provide for grazing leases. They were re-instituted by the Land Act 1934. Section 4 of that Act permitted grazing leases after consultation with the Forests Commission on land classed as fourth-class or, if unclassified, land that would be deemed to be fourth-class. The provisions of this Act became part of division 8 of the Land Act 1958 with section 123 providing for grazing leases. All references to grazing leases were removed by the Crown Lands (Amendment) Act 1994.

Records of all these leases are summarised in:


Some further records may be found in series of applications and file management cards for a range of land districts. Some information relating to the Geelong district can be found in **GRS 972 Geelong District Crown Lands Department – Application Registers**, in unit 13.

Section 80 of the Land Act 1898

Under section 80 of the Land Act 1898 (and later section 63 under the consolidated Land Act 1901), the Governor-in-Council could issue perpetual leases for the use of Crown lands. Rent was to be paid yearly at rates to be fixed by regulation. Conditions included:

- residence on the land by the lessee;
- fencing of the land within six years – the Fences Act 1890 was also applicable;
- eradication of vermin and noxious weeds within two years;
- substantial and permanent improvements to the land by the lessee.

Leases could not be transferred during the first six years. It appears that the number of applicants was small.

Records of these leases are summarised in **VPRS 11875** (see above). Some further records may be found in series of applications and file management cards.

Registers of applications are available for a number of land districts, see **appendix 10** on pages 359–60 for a listing of these.
Rent rolls are available in:

- **VPRS 13784** *Rent Roll, Hamilton, Ararat, Stawell and St Arnaud Section 80 Land Act 1898* (1900 – ?1910)
- **VPRS 13815** *Rent Roll, Horsham, Section 80 Land Act 1898 and Sections 63 and 64 Land Act 1901* (1900 – ?1930)
- **VPRS 15641** *Rent Roll, Benalla Land District, Section 80 Land Act 1898* (1900 – 1911).

**Grazing licences**

From 1869 to 1884 licences for grazing purposes were available under section 47 of the *Land Act 1869* – licences for miscellaneous purposes. From 1884 until 1994 they were provided for under specific sections of the land Act. The number given these sections changed with each major land Act as set out in the table below.

*Table 11 – Section numbers for grazing licences in land Acts*

<table>
<thead>
<tr>
<th>Land Act</th>
<th>Section number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1884</td>
<td>119</td>
</tr>
<tr>
<td>1890</td>
<td>123</td>
</tr>
<tr>
<td>1901</td>
<td>187</td>
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<td>121</td>
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<tr>
<td>1928</td>
<td>121</td>
</tr>
<tr>
<td>1958</td>
<td>130</td>
</tr>
</tbody>
</table>

At different times, licences had to be renewed annually or for periods up to seven years. Various conditions were also placed on licensees regarding the making of improvements and the assigning (or transfer) of licences to others. Different provisions were also made for compensation if the land occupied under licence was resumed by the Crown.

All references to grazing licences in the land Act were removed by the *Crown Lands (Amendment) Act 1994*.

For applications for these licences between 1884 and about 1907 look for registers of application 'other sections' and rent rolls 'other sections' for the land district of interest.

Specific payments records made locally at Alexandra and for the Melbourne district are available in:

- **VPRS 14141** *Register of Licensees, Receipt and Pay Office Alexandra, Section 47 Land Act 1869 and Section 119 Land Act 1884* (1882 – 1888)
- **VPRS 13844** *Rent Roll, Melbourne, Section 67 Land Act 1884 (Section 105 Land Act 1901) Section 119 Land Act 1884 and Section 123 Land Act 1890* (1884 – ?1908).
Application records for different periods between 1900 and 1957 are available in:

- **VPRS 13916** Register of Applications, Ballarat, Sections 145 and 187 Land Act 1901 (Ballarat District Survey Office) (1902 – 1908)
- **VPRS 14366** Register of Applications, Castlemaine, Sections 145 and 187 Land Act 1901 (Ballarat District Survey Office) (1908 – 1909)
- **VPRS 13405** Register of Applications, Omeo, Sections 145 and 187 Land Act 1901 (Occupation Branch) (1903 – 1908)
- **VPRS 14048** Register of Approved Applications, Bairnsdale, Sections 187 and 145 Land Act 1901 and Sections 121 and 129 Land Act 1915 (Bairnsdale District Survey Office) (1908 – 1941).

Some records for the Geelong district are held at the Geelong Heritage Centre in **GRS 972** Geelong District Crown Lands Department – Application Registers, in units 8, 9 and 10.

As well as appearing in rent rolls 'other sections', limited records of rent payments are available in:

- **VPRS 15649** Rent Roll Cards, Section 187 Land Act 1901 and Section 121 Land Act 1915, Central and Northern Victoria (?1910 – ?1957)
- **VPRS 13846** Rent Roll, Melbourne, Section 187 Land Act 1901 (1902 – ?1909)
- **VPRS 13921** Rent Roll, St Arnaud, Section 187 Land Act 1900 and Section 121 Land Act 1916 (1904 – ?1922).

Details may also be found in registers of inward correspondence and file registers for the various land divisions of Victoria.

**Finding files relating to grazing leases and licences**

Files are available for all of the sections of the land Acts under which grazing leases and licences were held.

Files may be accessed by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

File numbers may be obtained from:

- registers of applications and file management cards;
- registers of inwards correspondence and file registers;
• rent rolls;
• schedules published in the Victoria Government Gazette;
• from VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) if the parish, section and allotment details are known. The section and allotment details can be found in records such as registers of applications or rent rolls, or:
  o VPRS 11872 Register of Leases and Licences Granted Under Sections 32 and 42 Land Act 1884 (1886 – 1898).
PART 5: SETTLEMENT SCHEMES – CROWN LAND ADMINISTRATION IN THE TWENTIETH CENTURY
27. Land on the Goldfields

Introduction

For much of the nineteenth century, there was a reluctance to allow the alienation of land in proven or potential auriferous (gold-bearing) areas. However, people wished to settle and live in these areas and pursue other activities in addition to, or instead of, mining. Provision was made to accommodate these needs, apart from the provisions for residence area rights under the *Mines Act 1865* regarding which see Chapter 28 – Residence Areas.

The *Land Act 1869* brought a slightly more liberal approach to the occupation of land on the goldfields, allowing the purchase of small parcels of land previously occupied under licence.

Restrictions on alienation of auriferous land remained in force under later legislation, with special provisions for occupation licences continuing until they were finally repealed by section 22 of the *Crown Lands Acts (Amendment) Act 1994*.

Section 42 of the *Amending Land Act 1865*

Section 42 of the *Amending Land Act 1865* allowed the use of lands on or adjacent to the goldfields to the advantage of the general population without interfering with miners' operations. Under licence and at a modest rental, occupation was to be temporary and for the purposes of residence and cultivation. Each licence was to cover a maximum of 20 acres for no more than one year, although applications for multiple licences were possible. Rental was fixed at the rate of two pounds, ten shillings per annum for an area less than 10 acres and at four pounds per annum for an area of between 10 and 20 acres. Licence holders were required to enclose their allotments and cultivate a prescribed proportion of the area.

Applications between 1865 and 1871 are available in:

- **VPRS 13034 Register of Applications, All Districts, Section 42, Amending Land Act 1865** (1865 – 1871) which is indexed by:
  - **VPRS 1288 Index to Applications Registers, All Districts, Section 42, Land Act 1865** (1865 – 1871) – these application numbers are recorded as annual single numbers – for example, 65/1234, where '65' refers to the year 1865.

From 1871, applications were recorded in:

- **VPRS 14140 Register of Applications, All Districts, Section 42, Amending Land Act 1865 II** (?1869 – 1891) – these application numbers are recorded in the fractional style – for example, 1234/42 where 42 refers to the section 42 of the *Amending Land Act 1865*. For an actual example of a fractional number that appears on a parish plan see figure 1 on page 20.
Application details sorted by parish are also available in:

- **VPRS 13058** Register of Applications by Parish, Section 42 Amending Land Act 1865 (1865 – 1872)
- **VPRS 13060** Register of Licences Issued by Parish, All Districts, Regulations of 1868 Section 42 Amending Land Act 1865 (1868 – 1871).

**Note:** Land occupied under section 42 of the *Amending Land Act 1865* will generally be marked only on ‘working plan’ copies of a parish plan. Where categories 42 or 42.44 appear on ‘record plan’ versions of the parish plan, the reference is usually to selection under section 42 or sections 42 and 44 of the *Land Act 1884*. See page 66 for an explanation of the different versions of parish plans that are available and the information they record.

For local applications in the Sale, Rosedale, Palmerston and Woods Point districts, see:

- **VPRS 13042** Register of Applications, Sale, Section 53 Land Act 1862 and Section 42 Amending Land Act 1865 (1864 – 1871) – these are arranged according to the hearings of the appointed commission (succeeded by the local land board from 1869) that made rulings and advised the minister on applications.

Numerous examples of applications are in:

- **VPRS 624** Applications Files, Section 42 Amending Land Act 1865 (1865 – ?1872).
  
  These files relate to those applications that were unsuccessful, received objections from mining and other interests, did not proceed for other reasons, or were revoked or lapsed.

  Files of a considerable number of applicants who obtained licences to occupy land under section 42 were attached to subsequent files created under section 31 of the *Land Act 1869*. To find such a file, do a search on the PROV online catalogue using the search within a series facility. Enter the number 624 in the box for search for items within series. Enter the file number, family name or parish in the with any of the words or numbers box to define your search.

Unindexed examples of correspondence and returns relating to applications are available in:

- **VPRS 1016/P1** Miscellaneous Correspondence Files, unit 2;

Limited examples of the licence document issued are available in:

- **VPRS 15605** Licences Issued under Section 42 Amending Land Act 1865 (1865 – 1870)
- **VPRS 1013** Licences Issued under Section 42, Amending Land Act 1865 (1865 – 1870) – for Talbot and Maryborough – this series is held at the Ballarat Archives Centre.
Records of the payment of licence fees were kept in registers of licensees for section 42 of the Amending Land Act 1865. These are arranged by district, which is indicated in the series titles. For a listing of these series see appendix 11 on pages 360–61.

**Note:** Where land was purchased or leased under the provisions of section 31 of the Land Act 1869 or alternately selected under the provisions of sections 19 and 20 of the Land Act 1869, these registers of licensees often give subsequent file numbers at the end of each entry.

**Section 31 of the Land Act 1869**

Section 31 of the Land Act 1869 gave a pre-emptive right of purchase to holders of occupation licences under section 42 of the Amending Land Act 1865. The following conditions applied for this right to be exercised:

- the licensee had to have occupied the land for at least two and a half years and made improvements to the land;
- there was to be no objection to the purchase on the grounds that the land was auriferous (gold-bearing);
- there were to be no objections on other grounds of a public nature, such as plans for roads or railways.

Licence fees already paid were to be credited against the purchase price. The amount of land occupied and survey fees paid during the licensee's period of occupation were specified in a certificate given to the licensee by the Board of Land and Works.

The licensee had the option of leasing the land under the same conditions and paying the purchase price in ten equal installments.

Applications recorded are available in:

- **VPRS 13118 Registers of Applications, Section 31 Land Act 1869 (1870 – 1918).**

Lists of purchasers and lessees are available in:

- **VPRS 13106 Register of Purchases under Section 31 Land Act 1869 (1870 – 1917)**
- **VPRS 13104 Register of Purchases under Section 40 Land Act 1860; Sections 33, 34 and 42 Land Act 1862; and Sections 31 and 33 Land Act 1869 (1861 – 1873)**
- **VPRS 13117 Register of Leases Brought Under the Provisions of Sections 31 and 33, Land Act 1869 (1870 – 1877).**

Files for purchases under these provisions are available in:

- **VPRS 627 Land Selection Files, Section 31, Land Act 1869 (1870 – ?1918).**
A small number of other files can be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

**File Numbers**

File numbers relating to section 31 of the *Land Act 1869* can be found in the following sources:

- **parish plans** – the file numbers should appear as a fraction with the category 31 (indicating section 31) as the bottom line – that is, 1234/31 (1234 is the sequential number of the file). However, due to a nineteenth-century clerical error, some file numbers may have been reversed – that is, 31/1234.

- **VPRS 13118 Registers of Applications, Section 31 Land Act 1869 (1870 – 1918)** – this is a difficult source as entries are in chronological sequential number order with no alphabetical sorting or indexing.

- **registers of licensees** for section 42 of the *Amending Land Act 1865* – in the final entry for each licensee, the section 31 file number is often given.

- **registers of lessees** for section 31 of the *Land Act 1869* – recorded payments of rent and the finalisation of any purchase. These are arranged by district, which is indicated in the series title.

- further examples of applications and other correspondence relating to section 31 of the *Land Act 1869* can be found by browsing the date of correspondence details for **VPRS 44 Inward Registered and Unregistered Correspondence** which can be found at <http://www.prov.vic.gov.au/landsguide/>.

**Section 49 of the *Land Act 1869***

Section 49 of the *Land Act 1869* replaced section 42 of the *Amending Land Act 1865* as licensees under that provision were now able under section 31 of the *Land Act 1869* to purchase the land they had occupied under licence. Section 49 enabled selectors to apply for a licence to occupy and cultivate auriferous (gold-bearing) land. The licence was for one year and the size of the land occupied was not to exceed 20 acres. The licence was renewable each year with no selector permitted to hold more than one licence.

Under *Land Regulations 1873* holders of residence and cultivation licences under section 49 of the *Land Act 1869* could apply to have the land sold at public auction. The minister could allow this after a year from the date of the first licence if the land was not auriferous and if the conditions of the licence had been fulfilled. Improvements made by the licensee were valued
for the purpose of compensation to the licensee. An example of a register recording applications for such licences is:

- **VPRS 15585** *Applications for Allotments for Sale, Bendigo District, Land Regulations 1873* (?1873 – 1891).

Section 4 of the *Land Acts Amendment Act 1880* gave holders of licences under section 49 the exclusive right to buy their holdings thus removing the need for the public auction. The price was to be determined by the Board of Land and Works.

**Recordkeeping Systems**

During the currency of *Land Act 1869*, the administration of lands was shifted from a Victoria-wide system to one based on land districts. The available records reflect this change.

**Victoria-wide from 1870 to 1874**

Applications were entered into the following sequentially numbered registers of applications which are available in:

- **VPRS 13128** *Registers of Applications, Section 49 Land Act 1869* (1870 – 1874).

Local application records for this period are available in:

- **VPRS 13173** *Register of Applications and Decisions, Ballarat, Section 49 Land Act 1869* (1870 – 1890)
- **VPRS 13290** *Register of Applications for Leases and Licences, Bendigo, Sections 19 and 49 Land Act 1869* (1870 – 1873)
- **VPRS 13298** *Register of Applications, Dunolly, Section 42 Land Act 1865 and Sections 19 and 49 Land Act 1869* (1868 – 1880)
- **VPRS 13923** *Register of Applications, Geelong, Section 49 Land Act 1869 (Geelong District Survey Office)* (1872 – 1874).

**By Land District from 1874 to 1908**

Victoria was divided into land districts administered by district survey offices. A system of dual registers of applications (one maintained at the district survey office and the other at the Occupation Branch of the Department of Crown Lands and Survey in Melbourne) was introduced for each land district. Registers are arranged in numerical order in alphabetical sections according to the family name of the applicant.

PROV holds registers of applications for all land districts for section 49 of the *Land Act 1869*. For a listing of these series see **appendix 12** on pages 362–4.
**Index of Applications**

As part of the transition to the new land district system of recordkeeping, indexes were prepared from the existing records in:

- **VPRS 13128 Registers of Applications, Section 49 Land Act 1869** (1870 – 1874).

Details were entered in the index in alphabetical sections by family name. It was common practice to include the details for section 49 of the *Land Act 1869* in red ink. These indexes, available for most land districts, provide an easy reference to file numbers allocated between 1870 and 1874, if the land district is known.

Files for land held and purchased under section 49 of the *Land Act 1869* are available in:


File numbers for section 49 of the *Land Act 1869* can be found in the following sources:

- **parish plans** – the file numbers should appear as a fraction with the category 49 (indicating section 49), below the line – that is, 567/49 (567 is the sequential number);
- **VPRS 13128 Registers of Applications, Section 49 Land Act 1869** (1870 – 1874);
- **index to applications** – by land district, as noted above;
- **register of applications** for section 49 of the *Land Act 1869* – by land district (only after 1874);
- where parish, and allotment and section numbers of the land are known, Crown Lands and Survey microfiche catalogue is also useful (and will also give you file location):
  - **VPRS 7312 Catalogue to Crown Land and Survey Files: Parish/Township Order (Microfiche)**, or
  - **VPRS 7311 Catalogue to Crown Land And Survey Files: File Number Order (Microfiche)**.

Once you have obtained a file number from any of the above sources, consult the microfiche catalogues (VPRS 7311 or VPRS 7312) to find series and unit numbers to retrieve the file.

**Note:**

1. Do not confuse files for section 49 of *Land Act 1869* and section 49 of *Closer Settlement Act 1904* on the microfiche catalogues. This confusion may be avoided by noting the date range. Files for section 49 of *Land Act 1869* have nineteenth-century commencement dates.

2. Not all files have survived over time. You may be able to find stray files by consulting consignment details for **VPRS 1016 Miscellaneous Correspondence Files** (1843 – ?1934) or **VPRS 11795 General Correspondence Files, 'V' Series** (1960 – 1984) or **VPRS 14964 Land Files, Estrays** (1853 – ?1960).
Examples of schedules (or lists) of approved and unapproved applications made under section 49 from 1869 to 1878 are available in;

- **VPRS 860** Schedules of Approved and Unapproved Licence Applications, Section 49, Land Act 1869 (1869 – ?1878)
- **VPRS 861** Schedules of Unapproved Licence Applications Sections 19 and 49 Land Act 1869 (1869 – ?1878).

### Records of Payments of Rent

The central office recorded payments of rent in rent rolls, often using the same volume to record payments under both section 49 and section 47. The relevant section is recorded with each individual record of payment. Rent rolls are arranged by land district. For a listing of these see appendix 13 on pages 364–5.

Locally maintained records of payments were kept in registers of licensees, or registers of licensees and lessees, section 49 Land Act 1869. These are available at the Victorian Archives Centre Reading Room for the following districts for varying periods of time from 1870:

- **VPRS 13285** Register of Licensees and Lessees, Castlemaine, Sections 31 and 49 Land Act 1869 (1870 – 1877)
- **VPRS 13286** Register of Licensees and Lessees, Melbourne, Sections 31 and 49 Land Act 1869 (1870 – 1877)
- **VPRS 13074** Register of Licensees, Alexandra, Section 49 Land Act 1869 (1875 – 1891)
- **VPRS 13063** Register of Licensees, Hamilton, Section 42 Amending Land Act 1865 and Section 49 Land Act 1869 (1869 – 1873)
- **VPRS 1311** Register of Licensees, Hamilton, Section 49 Land Act 1869 (1873 – 1885)
- **VPRS 13295** Register of Licensees, Ararat, Section 49 Land Act 1869 (?1872 – ?1885)

### Sections 65 and 67 of the Land Act 1884

Section 65 of the *Land Act 1884* provided for the occupation of up to 20 acres by annual licence, limited to one licence per individual. There was to be no sale of these lands, however rentals could be adjusted under the provisions of section 90 of the *Land Act 1898*. This applied if the value of the land was more than the rent already paid. The subsequent rental was to be no more than two shillings and sixpence per annum with no annual licence fee payable.
Section 67 of the *Land Act 1884* allowed for the annual licensing of no more than 1,000 acres for grazing on auriferous lands. The grazing was allowed to continue for five years and the right of the licensee or others to mine the land remained. Under section 91 of the *Land Act 1898* this term was extended to 21 years and the right to fence the land was extended to licensees. The land was treated as rateable property.

**Note:**


2. Section 67 of the *Land Act 1884* remained in the *Land Act 1890* and the *Land Act 1898*. The same provision became section 105 of the *Land Act 1901*.

Applications for a licence to occupy land on the goldfields under sections 65 and 67 were recorded in registers of application by land district from 1884 to 1907.

The following land districts had separate registers for section 65 from 1884 to 1908:

- Alexandra
- Bendigo
- St Arnaud
- Ararat
- Castlemaine
- Sale
- Bairnsdale
- Geelong
- Seymour
- Ballarat
- Melbourne
- Stawell
- Beechworth
- Omeo

For a listing of these series see **appendix 14** on pages 365–7.

The following land districts included any applications under these sections (65 and 67) of the *Land Act 1884* in their registers of applications, other sections from 1884 to 1907–1908:

- Benalla
- Horsham
- Kerang
- Echuca
- Hamilton
- Warracknabeal

For a listing of these series see **appendix 15** on pages 367–8.

The district survey office record for Geelong is held at the Geelong Heritage Centre in **GRS 972 Geelong District Crown Lands Department – Application Registers**, unit 12.

Details of applications and holders of licences to occupy goldfields land in regional areas after the changes made in recordkeeping at the end of 1907 are available in:

- **VPRS 14025** Register of Approved Applications, Bendigo, Section 103 Land Act 1901 and Section 86 Land Act 1915 (Bendigo District Land Office) (1908 – 1946)
- **VPRS 14046** Register of Approved Applications, Bairnsdale, Section 103 Land Act 1901 (Bairnsdale District Land Office) (1909 – 1914)
• **VPRS 14028** Register of Approved Applications, St Arnaud, Sections 103 and 106 Land Act 1901 and Section 86 Land Act 1915 (St Arnaud District Land Office) (1908 – 1937)

• **VPRS 14036** Register of Approved Applications, Seymour, Sections 103 and 106 Land Act 1901 and Section 86 Land Act 1915 (Seymour District Land Office) (?1907 – 1935)

• **VPRS 14126** Applications and File Management Cards, Ballarat Land District (Occupation Branch) (1907 – ?1966), unit 2

• **VPRS 15682** Register of Approved Applications, Ballarat, Section 103 Land Act 1901 and Section 86 Land Act 1915 and Section 49 Land Act 1958 (Ballarat District Land Office) (1908 – ?1948) – held at Ballarat Archives Centre

• **VPRS 15683** Register of Approved Applications, Ararat, Section 103 Land Act 1901 and Section 86 Land Act 1915 (Ararat District Land Office) (1908 – 1934) – held at Ballarat Archives Centre.

Of the record series listed directly above, only the last two (**VPRS 15682** and **VPRS 15683**) are located at the Ballarat Archives Centre.

Records for the Geelong region are held at the Geelong Heritage Centre in **GRS 972 Geelong District Crown Lands Department – Application Registers**, unit 10.

The payments of annual licence fees from 1884 to about 1907 were recorded in rent rolls. For all land districts payments were recorded in rent rolls for 'other sections' of land Acts from 1884, or in rent rolls for sections 47 and 49 of the **Land Act 1869**.

You can find files for land occupied under the provisions of sections 65 and 67 of the **Land Act 1884** (sections 103 and 105 of the **Land Act 1901**) by searching:

• **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)

• **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

**Note:** There may be a small number of files for section 86 of the **Land Act 1915** but these are difficult to distinguish unless the section and allotment are also known, because the section number is the same as that for conditional purchase leases under the **Closer Settlement Act 1915** and with a similar time period.

### File Numbers

File numbers for records relating to sections 65 and 76 of the **Land Act 1884** can be found in the following sources:

• registers of applications;

• rent rolls;
correspondence numbers given in schedules for these sections published in the Victoria Government Gazette;

where the parish, and allotment and section numbers of the land are known, search VPRS 7312 Microfiche Catalogue to Crown Land and Survey Files: Parish/Township Order.

**Note:** These file numbers do not appear on 'record plan' versions of a parish plan because they are associated only with the temporary occupation of land under licence. They may, however, appear on 'working plan' versions of a parish plan. See page 66 for an explanation of the different versions of parish plans that are available and the information they record.

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**Section 22 of the Land Act 1891**

Section 22 of the Land Act 1891 (subsequently section 106 of the Land Act 1901) provided for worked out auriferous lands to be proclaimed as such and licensed for occupation. An individual could not occupy more than five acres and the period of occupation could not exceed seven years. Minimum rent was one shilling per acre and the land was to be used for such purposes as a residence, place of business or an orchard, vineyard or garden. After seven years the licensee could apply for a Crown grant, with a minimum purchase price of one pound per acre. Rentals previously paid were used to defray the purchase price.

PROV holds limited records relating to the operation of this section. The set of registers of application sand the rent roll, are available for the Castlemaine district in the following series:

- **VPRS 13914 Register of Applications, Castlemaine, Section 22 Land Act 1891 and Section 106 Land Act 1901 (Occupation Branch) (1893 – 1910)**
- **VPRS 13377 Register of Applications, Castlemaine, Section 22 Land Act 1891 and Section 106 Land Act 1901 (Castlemaine District Survey Office) (1893 – 1907)**
- **VPRS 13649 Rent Roll, Castlemaine, Section 22 Amending Land Act 1891 and Section 106 Land Act 1901 (1893 – ?1911).**

Some files relating to section 22 (section 106 from 1901) may be accessed by searching on:

- **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)**
- **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).**

**File Numbers**

File numbers relating to section 22 of the Land Act 1891 can be found in the following sources:

- for the Castlemaine district, the series listed above;
• for other land districts, the schedules published in the *Victoria Government Gazette*;

• if the option to purchase was exercised, details should be available on the parish plan with a file number with the category 22 or 106, or in **VPRS 11864 Register of Crown Grants** (1870 – ?1991).

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**Note:**

1. Be careful if searching on section 22. This section number also governed selection purchase leases in the Mallee district under the *Land Act 1911*.

2. When searching on **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)**, check that the land district for an entry is **not** Mallee.

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**Maps**

A number of maps of the goldfields may be seen in **VPRS 15899 Historic Plan Collection [Copy of VPRS 8168]** which is available on microfiche in the Victorian Archives Centre. To find maps of interest consult **VPRS 8164 Register of Historic Plan Collection (1802 – 1963) (Computer Output Microfiche)** under the heading ‘GF Goldfields’ or under the relevant parish.
Case study: a licence to occupy and purchase – Alfred and Louisa Dickenson

**Alfred John and Louisa Dickenson**

Alfred John Dickenson, aged 28, arrived in Melbourne on the *Prince Alfred* in 1852. In 1854 he married Louisa Burton. She had arrived from Middlesex as an assisted 26-year-old on the *Monteagle* in April 1853.

The first of their registered children was born at Maryborough in 1856. By the time an unnamed female child was registered in 1858, the family had moved to Great Western and later to Pleasant Creek, the gold-mining district later known as Stawell.

This story about selection before survey under section 42 of the *Land Act 1865* and the right of licence holders to purchase auriferous lands under section 31 of the *Land Act 1869* takes place in the Parish of Illawarra.

Alfred Dickenson may have already held a residence and cultivation licence for the area under the regulations of 1862. Dickenson’s application for a licence to occupy Crown lands under section 42 of the *Amending Land Act 1865* can be found in unit 1 of VPRS 1288/P0 *Index to Applications Registers, All Districts, section 42, Land Act 1865*, which was given the number 4471.

Dickenson’s application for another licence to occupy was registered on 5 August 1869. This application registered on 5 August 1869 was for the 20 acres of allotments 107 and 108 in the Parish of Illawarra.

Dickenson’s application for another licence to occupy was registered on 5 August 1869. This application registered on 5 August 1869 was for the 20 acres of allotments 107 and 108 in the Parish of Illawarra.

In 1870 an application was made to purchase the land under section 31 of the *Land Act 1869*.
Illustration 30

Plan of the Parish of Illawarra.

VPRS 16171/P1 Illawarra(Psh)LOImp2771.pdf, Illawarra Parish Plan, Imperial measure 2771
Illustration 31

Plan of the Township of Stawell.

VPRS 16171/P1, Stawell(Tp)LOImp5730.pdf, Stawell Township Plan, Imperial measure 5730
In the same way, licence number 16149 was issued for allotments 107 and 108 and rent of £2/10/- per year was paid from 1869 until 1876 (for allotment 107) and 1877 (for allotment 108) despite the death of Alfred Dickenson in June 1870.

Application was made to purchase the land under section 31 Land Act 1869 in 1908.

VPRS 13118/P1 Registers of Applications, Section 31 Land Act 1869 confirms both applications to purchase, with application number 506 being allocated to the first application and 22228 to the second.

For allotments 105 and 106 Alfred Dickenson had obtained the obligatory certificate of rent and survey fees paid, and in March of 1870 he wrote to the Department of Crown Lands and Survey seeking to speed up the issue of the Crown grant. Nothing more was heard or dealt with until a letter was sent to the Department of Crown Lands and Survey by Alfred Dickenson's son Edgar in August 1907.

VPRS 627/P0 Land Selection Files, Section 31 Land Act 1869, unit 6, file number 506/31 has the letter. Edgar stated that the family had continued to reside upon the four allotments, had paid the rents 'until the full amount was paid' with appropriate improvements having been made. He went on to state,

now that my mother is getting old and her health is failing she would like to put matters straight in case anything might happen to her for that reason my mother makes application for the Crown grants of the allotments.

The department instructed that for the matter to proceed, letters of administration must first be obtained for the late Alfred Dickenson's estate.

Through correspondence from Edgar Dickenson on the land file and from the affidavit of administration it is clear that Louisa Dickenson along with the seven young children in her care (ranging in age between 1 and 15) had been left in extremely difficult circumstances upon her husband’s death (see VPRS 627/P0 and also VPRS 28/P2 Probate and Administration Files, unit 825, file number 105/382). It was asserted that after most of their possessions, including the house, had been seized and sold by a debtor, the estate was valued at £10.

Letters of administration were granted to Louisa Dickenson on 13 February 1908 and forwarded to the department.

With the consent of the Mines Department and urgings of haste by the family's solicitor as Louisa's health deteriorated, the Crown grants for allotments 105, 106, 107 and 108 were sent to the Titles Office on 19 May 1908.

Louisa Dickenson died at Stawell only a short while later in 1908 aged 82.
Illustration 32

Plan of selection of AJ Dickenson (deceased), in the Parish of Illawarra, County of Borung.

VPRS 627/P0, unit 6, file no. 506/31
28. Residence Areas

Introduction

Until 1935 residence areas were confined to mining districts and were administered under the mines Acts. From 1884 holders of residence area rights were permitted to purchase their land. PROV holds records for residence areas created by the Mines Department prior to 1935, and records for Bendigo and St Arnaud after 1935. Land files are held for purchase of residence areas in all districts from 1884 onwards.

Residence areas under the mines Acts

The concept of the residence area dates back to the Mines Act 1855 (originally known as the Goldfields Act 1855), which allowed the holders of a miner's right to occupy land adjacent to his or her claim for a dwelling. An amending Mines Act 1857 (originally known as the Goldfields Act 1857) clarified the residence provisions, giving exclusive occupancy to the land held by virtue of a miner's right, and set a maximum area of 20 perches (1/8 acre). Both Acts provided for business licences for those carrying on a business on the goldfields. The holders of business licences enjoyed the same occupancy rights as those holding miner's rights.

The Mines Act 1865 allowed claims to be registered for greater security of title, so that the holder of a miner's right or business licence had all the responsibilities and rights of an owner. The right of residence could be transferred or cancelled. The Mines Act 1890 provided for the maximum residence area and business licence of one acre.39

The Land (Residence Areas Act) 1935 moved the provisions relating to residence areas from the Mines Act to lands legislation. This Act also broadened the right of occupation of residence areas to include all Crown land, not only land in mining areas. The administration of residence areas was placed under the land Act.

People had to make direct application for a residence area right. It was no longer dependent on the holding of a miner's right. Residence area rights had to be for bona fide residence and had to be renewed each year. People over the age of eighteen years could apply for land not permanently or temporarily reserved or occupied under the land Act or not occupied under the mines Act for mining purposes. A number of other conditions also applied to residence area land and its occupation.

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Residence areas before 1935

Records of holders of residence area rights were maintained by the district mining registrar in registers that gave the name of the holder, the location of the land, some details of payments of fees, and details of cancellations and transfers. The registers held by PROV for the period before 1935 are in the list of related series registered for the following government agencies:

- **VA 2719** Department of Mines (also known as the Mining Department) (1860 – 1895)
- **VA 2720** Department of Mines and Water Supply (1895 – 1977)
- **VA 612** Mines Department (also known as Department of Mines and Mining) (1909 – 1936).

PROV holds the following registers of residence for the period before 1935:

- **VPRS 15622** Index to Register of Residence Areas Castlemaine District, Taradale Division (1895 – 1926)
- **VPRS 400** Index to Register of Residence Areas, Castlemaine District, Fryerstown Division (1901 – 1922)
- **VPRS 15367** Index to Residence Areas, Rushworth (?1860 – ?1935)
- **VPRS 15621** Register of Residence Areas, Castlemaine District Taradale Division (by 1895 – 1937)
- **VPRS 6045** Register of Residence Areas, Castlemaine District, Daylesford Division (by 1897 – 1935)
- **VPRS 401** Register of Residence Areas, Castlemaine District, Fryerstown Division (1882 – 1935)
- **VPRS 15618** Register of Residence Areas, Gippsland Mining District, Tanjil Division (by 1897 – 1936)
- **VPRS 15620** Register of Residence Areas, Maryborough District, Amherst Division (by 1904 – ?1907)
- **VPRS 1637** Register of Residence Areas, Maryborough District, Maryborough Division (1882 – 1935)
- **VPRS 15623** Register of Residence Areas, Maryborough District, Redbank Division (by 1889 – 1935)
- **VPRS 3669** Register of Residence Areas, Maryborough District, Wedderburn Division (1881 – 1935)
- **VPRS 2203** Register of Residence Area, Beechworth District (by 1927 – 1935)
- **VPRS 10654** Register of Residence Areas, Dunolly (1913 – 1914)
• **VPRS 150** *Register of Residence Areas, Jamieson* (by 1933 – 1935)

• **VPRS 3664** *Register of Residence Area, Sandhurst District, Waranga North Division* (by 1876 – 1885)

• **VPRS 15619** *Register of Residence Areas, Sandhurst District, Eaglehawk and Raywood Division* (by 1885 – ?1887).

Records for the Rushworth district are available as units 6, 7 and 8 of:

• **VPRS 390/P0** *Registrars' Records* (1859 – 1937).

Records for the Wandiligong area are available in unit 1 of:

• **VPRS 7877/P1** *Mining Registrar's Registers of Claims and Residence Areas, Various Divisions* (1902 – ?1971).

The following records are available at the Ballarat Archives Centre:

• **VPRS 5448** *Registers of Residence Areas, Ballarat District, Central Division* (1883 – 1936)

• **VPRS 15678** *Index to Residence Area Rights, Ballarat District, Central Division* (1874 – 1936)

• **VPRS 15685** *Index to Transferees of Residence Area Rights, Ballarat District, Central Division* (1882 – 1936)

• **VPRS 6432** *Notice of Application for Registration of Residence Areas and Business Sites, Ballarat Division, Central District* (by 1935 – 1936)

• **VPRS 5416** *Notices of Application for Registration of Residence Areas and Business Sites, Stawell District, Raglan Division* (1908 – 1934)

• **VPRS 1382** *Applications For Residence and Business Areas and Claims, Ballarat District, Central Division* (1871 – 1914).

**Note:** Records may give the number of a miner's right, but will not include the miner's right itself nor any information in relation to mining activities, except in parts of VPRS 1382.

### Residence areas after 1935

With the passing of the *Land (Residence Areas) Act 1935*, the Department of Crown Lands and Survey (VA 538) became responsible for the administration of continuing residence area rights.

New applications for residence area rights made after 1935 are recorded in:

Records relating to the administration of residence area rights after 1935 are held for the St Arnaud and Bendigo districts in:

- **VPRS 15656** *Index of Residence Areas, St Arnaud District Survey Office* (1936 – ?1954)
- **VPRS 15657** *Schedules of Residence Areas, St Arnaud District Survey Office* (1936 – 1954)
- **VPRS 15658** *Transfers and Cancellations of Residence Area Rights, St Arnaud District Survey Office* (1941 – 1970)
- **VPRS 15659** *Schedules of Residence Areas, Bendigo District Survey Office* (1937 – 1958)

Files relating to the exercise of residence area occupants to let, mortgage, sell or transfer their rights have the category 173 (indicating section 173 of the *Land Act 1958*) or 174 (indicating section 174 of the *Land Act 1958*). Section 173 allowed others to act on behalf of the residence right holder in certain situations – for example, the executor of a deceased estate. No file listings or application registers are held by PROV (at time of publication), but if the parish, section and allotment are known, files may be found by searching on:

- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)*, or
- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*.

**Purchasing land occupied under residence area rights**

Section 3 of the *Residence Areas Act 1884* amended earlier Acts to permit the purchase of land in auriferous areas occupied under residence area rights. If people had been resident on land for two and a half years, had made substantial improvements and the land was not required for mining or public purposes such as roads, holders of registered miner's rights were permitted to purchase that area at a price determined after a valuation based on an appraisal of the land. This clause was reinforced by section 36 of the *Mines Act 1890* and section 45 of the *Mines Act 1915*.

This provision was re-enacted in section 12 of the *Land (Residence Areas) Act 1935* (and subsequently section 171 of the *Land Act 1958*) to continue to allow people occupying residence areas on auriferous land to purchase that land. Payment could be made in up to 40 half-yearly installments.
Registers of applications under these provisions are held for the Ballarat and Castlemaine districts at the Victorian Archives Centre in the following series:

- **VPRS 13507** Register of Applications, Ballarat, Section 3 Residence Areas Act 1884, Section 36 Mines Act 1890 and Section 45 Mines Act 1915 (Ballarat District Survey Office) (1885 – 1945)

- **VPRS 13984** Register of Applications, Castlemaine, Section 55 Land Act 1884 and 1890 and Section 36 Mines Act 1890 and Section 45 Mines Act 1915 (Occupation Branch) (1895 – ?1918).

Land purchased under these provisions from 1886 to 1938 is listed in:

- **VPRS 14294** Register of Purchases, Residential Areas (1886 – 1938).

Registers of applications for the Ballarat and Ararat districts (western division of Victoria) are held at the Ballarat Archives Centre in:

- **VPRS 15684** Register of Applications, Ballarat, Section 12 Land Act (Amendment) Act 1936 and Section 171 Land Act 1958 (Ballarat District Land Office) (1936 – 1975)

- **VPRS 6169** Applications and File Management Cards, Ballarat and Ararat (by 1927 – ?1941).

**Finding files relating to residence areas**

Files relating to applications after 1935 for the purchase of land initially held under a residence area right are available. You should search on:

- **VPRS 7312** Catalogue to Crown Land and Survey Files: Parish / Township Order (Microfiche), or

- **VPRS 7311** Catalogue to Crown Land And Survey Files: File Number Order (Microfiche).

The microfiche catalogues list some files relating to section 12 of the *Land (Residence Areas) Act 1935* which may be relevant. They are listed with a start date of 1936 or later, with the land usually less than one acre. They are situated in land districts covering the traditional gold-mining areas such as Ballarat, Castlemaine and Bendigo. A considerable number of section 171 files are also listed.

File numbers can be obtained from:

- the relevant *parish plan*;

- **VPRS 14294** Register of Purchases, Residential Areas (1886 – 1938), where the correspondence number became the file number;

- *application records* such as those held at the Ballarat Archives Centre (see above);

- *correspondence registers* where the registered number becomes the file number or the file number is indicated in the final column of the registration (usually an alphabetical
prefix followed by a number) – refer to the section 'Records of the lands correspondence system' in Chapter 8;

- where the parish, and the allotment and section numbers of the land are known, you can find the file number in:
  
  o **VPRS 7312 Catalogue to Crown Land and Survey Files: Parish/Township Order (Microfiche)**, or
  
  o **VPRS 7311 Catalogue to Crown Land And Survey Files: File Number Order (Microfiche)**.
29. Village Settlements, Homestead Associations and Labour Colonies

Introduction

In many ways the Settlement on Lands Act 1893 in Victoria can be seen as the forerunner of closer and soldier settlement. All aspects of it were designed to establish small but intensively cultivated blocks to make unused land in Victoria more productive. The Settlement on Lands Act 1893 was passed to provide relief from both urban and rural unemployment during the economic depression of the 1890s and to stem the movement of population from rural to urban areas. General correspondence relating to village settlements, homestead associations and labour colonies can be found in:

- **VPRS 14104 Register of Inwards Correspondence, Settlement on Lands Act 1893 (Alphabetical) (1893 – 1896)**
- **VPRS 14105 Register of Inwards Correspondence, Settlement on Lands Act 1893 and Land Act 1898, Numerical System (1896 – ?1919).**

Village settlements

After the Settlement on Lands Act 1893 was proclaimed, land could be divided into allotments of 1–20 acres. Under section 5 (and subsequently section 318 of the Land Act 1901) a permit to occupy a village community allotment could be granted for three years at a nominal rental. After that time, under section 10, a lease for up to 20 years could be granted upon application, if certain conditions had been met. The maximum price of an allotment was to be one pound per acre to be paid in 40 half-yearly installments. To obtain a Crown grant at the end of the period, the lessee had to pay this sum, repay any advances received and meet the cost of the survey of the land. The lessee or his family was required to reside on the land and cultivate certain proportions within specified time periods.

It was soon recognised that not all the land allocated by the Board of Land and Works was suitable for village settlements and that 20 acres was an inadequate area for a settler to make a living. Provision was made in sections 344 to 346 of the Land Act 1901 for landholders to acquire more land so that the value of the original holding and the additional land was not more than 200 pounds.

A number of village settlements were associated with swamp reclamation areas and the development of irrigation areas.
Application records for land in village settlements are held in:

- **VPRS 13940** Register of Applications, Village Settlements, Settlement on Lands Act 1893 (1893 – 1911)
- **VPRS 1322** Register of Applications, Sections 113 and 114 Land Act 1898 [1899–1901]; Register of Applications, Village Settlement, Settlement on Lands Act 1893, Land Act 1901 [1909–1910] (1899 – 1910) (the volume in this series was used for more than one purpose).

Separate rent rolls were kept for rents paid under the initial stage of permits to occupy and those paid under the later conditional purchase lease. Records of these are available in:

- **VPRS 1298** Rent Roll, Conditional Purchase Leases Village Settlements Land Act 1901 (1901 – 1909)

Once leases were issued they were registered in unit 1:

- **VPRS 11874/P1** Register of Leases Granted Under Sections 5, (Village Settlement) 20, and 26 (Homestead Associations) of the Settlement on Lands Act 1893 (by 1897 – by 1903).

**Homestead associations**

Associations or combinations of not less than six people who wanted to settle adjacent to each other on Crown land could have up to 2,000 acres reserved for allocation to the members of the association. Members had to be over the age of 18 and not have any other land holdings. Associations were formed with descriptive names such as the Energy Homestead Association and Star of Hope Homestead Association, both of which were located on French Island.

The maximum area allowed to each member was 50 acres. Under section 20 of the Settlement on Lands Act 1893, occupancy was by licence for three years at a nominal rent. No member could receive more than one permit to occupy. After the three years, under section 24, a lease could be granted for a period of 20 years as long as specific conditions were met including residence by the lessee or a member of his family. Permissive occupants could receive an advance by way of a loan not exceeding 15 pounds for improving the allotment and building on it. These advances were to be repaid in 20 annual installments. The first installment was due with the issue of the lease. Those who received advances were to match the sum advanced in expenditure.
Under section 26, township sites not exceeding 100 acres were to be located within the same reserved area. Each occupant of a homestead allotment could also be granted a lease of a one acre township allotment.

These associations were generally unsuccessful. By 1895, it was observed in the annual report on the operations of the Act tabled in parliament that ‘very few ... worked harmoniously’. The relevant parts of the Act were repealed in 1904.

Application records for land for homestead associations are available in:

- **VPRS 13928** Register of Applications, Homestead Associations Settlement on Lands Act 1893 and Land Act 1901 (1893 – 1894)
- **VPRS 1317** Register of Applications, Permits to Occupy, Homestead Associations Settlement on Land Act 1893 (1893 – 1894)

Separate rent rolls were kept for rents paid under the initial stage of permits to occupy and those paid under the later conditional purchase lease. These are available in:


Once leases were issued these were registered in unit 2 of:

- **VPRS 11874/P1** Register of Leases Granted Under Sections 5, (Village Settlement) 20, and 26 (Homestead Associations) of the Settlement on Lands Act 1893 (by 1897 – by 1903).

Local records relating to both village settlements and homestead associations are available for the Bairnsdale and Hamilton districts in:

- **VPRS 1325** Registers of Outwards Correspondence [1873-1874 & 1893-1894]; Register of Applications & Rent Roll (Homestead and Village Settlement), Bairnsdale District Office (1873 – 1898), for the Bairnsdale area, and

**Labour colonies**

Labour colonies were farming settlements designed to give temporary work to able-bodied unemployed men at subsistence wages.
Under section 33 of the Settlement on Lands Act 1893, areas of land of up to 1,500 acres could be allocated for labour colonies. Trustees were appointed for each colony, assisted by a committee of management elected by subscribers (or members) of the colony. An annual grant for the maintenance of each colony was to be made at the rate of two pounds for every pound raised from public or private subscription.

Only one labour colony was ever established, and it was located near Leongatha. Progress reports were for some time provided as an appendix to ministerial annual reports to parliament. These can now be found in the publication Papers Presented to Parliament.

Finding files for these settlement schemes

Only one general estates file is available relating specifically to labour colonies. It records the takeover of the land of the Leongatha labour colony in 1919 for soldier settlement purposes.

However, a substantial number of files are available relating to both village settlements and homestead associations.

Those relating to village settlements usually have the categories of 5.10 (permit to occupy and conversion to lease with eventual Crown grant) or 344, 345 or 346 (land acquired under those sections of the Land Act 1901).

Those relating to homestead associations usually have the categories of 20.24 (permit to occupy and conversion to lease with eventual Crown grant) or 344, 345 or 346 (land acquired under those sections of the Land Act 1901).

Files may be accessed by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

File numbers may be obtained from:

- **registers of applications** – for both village settlements and homestead associations;
- **rent rolls** – for both village settlements and homestead associations;
- **parish plans** – where a Crown grant was obtained;
- **registers of leases** – listed above, from the reference or correspondence numbers;
- **registers of inward correspondence** – listed above, from references in the register;
- correspondence numbers given in **schedules** for these sections published in the Victoria Government Gazette.
Some other files relating to both village settlements and homestead associations are held in:

- **VPRS 1016/P0** *Miscellaneous Correspondence Files*, unit 14.
Case study: Lindenow Homestead Association

The Settlement on Land Act 1893 paved the way for homestead associations. People who wanted to settle adjacent to each other on Crown land could have up to 2,000 acres reserved for allocation to the members of the association. Members had to be over the age of 18 and not have any other land holdings.

In 1893 PS Phillips, W McIntosh, F Eccles, H Kohte, T Lovell, E Knight and P Redenbach formed the Lindenow Homestead Association.

After the passing of the Settlement on Land Act 1893, the district land office in Bairnsdale sent a flurry of letters to the head office of the Department of Lands and Survey seeking guidance on how to proceed. The registers show that village settlements were proposed for Eagle Point, Sarsfield and Raymond Island, and homestead associations for Lindenow, Raymond Island and Deepwater (also near Lindenow).

The application from the Lindenow Homestead Association was received and registered as number 491 by the Department of Crown Lands and Survey on 10 October 1893. The members of the association were listed as PS Phillips, W McIntosh, F Eccles, H Kohte, T Lovell, E Knight and P Redenbach. The application was approved and an irregular allotment was allocated. It was located on the original course of the Mitchell River, mainly in the Parish of Wuk Wuk (County of Dargo) but with a small area in the adjacent Parish of Coongulmerang (County of Tanjil).

The parish plan for Wuk Wuk and Coongulmerang shows that the blocks were small, and some applicants had their allocations divided into two separate areas. VPRS 5357/P0 Land Selection and Correspondence Files, unit 5364, file number 1451/20.24, contains documents that detail the sizes of allocations which are listed in the table below.

Table 12 – Details of block sizes for applicants of Lindenow Homestead Association

<table>
<thead>
<tr>
<th>Applicant number</th>
<th>Name</th>
<th>Size of block</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Francis Eccles</td>
<td>2 to 3 acres</td>
</tr>
<tr>
<td>2</td>
<td>Phillip Phillips</td>
<td>2 to 3 acres</td>
</tr>
<tr>
<td>3</td>
<td>Philip Redenbach</td>
<td>2 to 3 acres</td>
</tr>
<tr>
<td>4</td>
<td>William McIntosh</td>
<td>5 acres</td>
</tr>
<tr>
<td>5</td>
<td>Henry Kohte</td>
<td>more than 6 acres</td>
</tr>
<tr>
<td>6</td>
<td>Eli Knight</td>
<td>more than 6 acres</td>
</tr>
<tr>
<td>7</td>
<td>Thomas Lovell</td>
<td>more than 6 acres</td>
</tr>
</tbody>
</table>
VPRS 1325/P0 Registers of Outwards Correspondence [1873-1874 & 1893-1894]; Register of Applications & Rent Roll (Homestead and Village Settlement), Bairnsdale District Office, unit 1 and VPRS 13929/P1 Rent Roll, Permits to Occupy, Homestead Associations Settlement on Lands Act 1893 and Land Act 1901, unit 1, list the name of the association, including the names of its members, and the pages upon which entries appear. We find that permits to occupy were issued, and the members of the Lindenow Homestead Association began to develop their blocks with the assistance of advances. Of course, these advances had to be re-paid, as were the rent and survey fees. Comprehensive records of these payments can be found in both the district records in Bairnsdale and the master records in Melbourne.

From surviving files, it appears that the favoured crop was maize, but some settlers also planted fruit trees. The homesteaders fenced their land and built for themselves and their families' four-roomed weatherboard houses with verandas and brick chimneys.

However, by the time the homesteaders applied for their 20-year leases, William McIntosh had already transferred his land to William Glenn. Those leases were granted and commenced on 1 January 1893. The Victoria Government Gazette of 19 May 1899 published the details of the registration of the leases and payments, and includes the page on which entries were made in the rent roll. These leases were also registered in VPRS 11874/P1 Register of Leases Granted Under sections 5, (Village Settlement) 20, and 26 (Homestead Associations) of the Settlement of Lands Act 1893.

From this point forward, a comprehensive record of payments of rents, survey fees, lease fees and repayments of advances can be found in VPRS 13942/P1 Rent Roll, Leases, Homestead Associations and Village Settlements, Settlement on Lands Act 1893 and Land Act 1901. Philip Redenbach's lease was revoked in 1902. It appears that his son Louis Philip Redenbach was able to obtain a permit to occupy that land, and was granted a lease and eventually a Crown grant under the provisions relating to village settlement in the Land Act 1901.

Matters do not appear to have been easy for the settlers. Henry Kohte wrote, in his lease application in 1897 (see VPRS 5357/P0, unit 5364, file 1451/20.24) that his crop in the first year had been 'carried away by flood'. When explaining the non-payment of rent in January 1903 he stated that the block 'keeps me struggling and at this time of year we are always short'.

Francis Eccles, in letters to the Department of Crown Lands and Survey talked about the non-payment of rent and fees (see VPRS 440/P0, unit 138, file 1279/20.24). In a letter dated April 1900 he wrote 'must say I find it very hard to make a living on the two acres of Land for ten of a family and I put over one Hundred pounds improvements on same'. In July of the
same year he described more problems: 'I could not get my maize to market owing to Mitchell River being too high to get across as we have no Brige [sic] here and has to ford it'.

Eli Knight's file (see VPRS 5357/P0, unit 504, file 1452/20.24) shows that he died in 1905. His son finalised his estate in 1910 and obtained the Crown grant for the land as he wished to sell it and purchase another property. He complained that the 'block I am holding I cannot make a living off it'.

The first settler to apply for and receive a Crown grant was Phillip Phillips in 1907. He had been made an offer of purchase by his neighbour Louis Philip Redenbach. The other settlers continued to struggle. Although rent records are not available for the period after the change to card-based recordkeeping systems in 1909, the application and file management details are available in VPRS 14120/P1 Applications and File Management Cards, Bairnsdale Land District (Occupation Branch).

Eventually all the other leases matured into Crown grants, but, apart from Phillips, none of the original homesteaders personally received grants. VPRS 11864/P1 Register of Crown Grants shows when each one was granted. William Glen, who had taken over William McIntosh's land, received a Crown grant in 1910. Also in 1910, Richard Knight as executor of the will of his father Eli Knight obtained the Crown grant for his allotment which he promptly sold to Redenbach. Mary Jane Lovell, responsible for the estate of Thomas Lovell who died in 1905, took out the grant in 1914. Francis Eccles prior to his death in 1911 had enquired anxiously about the possibility of transferring his lease to Louis Redenbach. Mary Jane Eccles as administratrix of his estate obtained the Crown grant in 1915, the year of Louis Redenbach's death. Finally in 1918, the last Crown grant was obtained by Isaac Prout, executor of the will of Henry Kohte, who had died by 1913.
Attached on top of a circular from Secretary of Lands Thomas Morkham requesting payment of outstanding fees, Henry Kohte's reply on 27 January 1903 explains when payment will be finalised and reasons for late payment.

VPRS 5357/P0, unit 5364, letter from Henry Kohte to Secretary of Lands Thomas Morkham, dated 27 January 1903
30. Closer Settlement

Introduction

The first closer settlement provisions were included in the Land Act 1898. However, the ideals of closer settlement were already apparent in the Settlement of Lands Act 1893. As Victoria recovered from the depression of the 1890s the demand for agricultural land increased, but most arable land had already been alienated through selection or was part of pastoral estates. The government, concerned about the exodus of farmers to other colonies and keen to boost Victoria's rural population, attempted to settle more people on the land by acquiring large estates and breaking them up into small farms.

The Land Act 1898 empowered the government to purchase freehold land for subdivision and re-sale as farming allotments. Urban land was also purchased and subdivided as workmen's home sites. The intention of closer settlement was to sell to genuine settlers at prices that covered the government's costs of purchase and subdivision. Occupation of farm allotments and workmen's homes was under conditional purchase lease that could eventually mature into freehold.

By 1917 over 570,000 acres had been resumed and about 4,500 farmers had taken up the new allotments. Some remaining Crown lands were also made available for closer settlement.40

After the passing of the Discharged Soldier Settlement Act 1917, closer settlement was linked to the soldier settlement program, which provided for the settlement of returned soldiers under the same terms as closer settlement, but with a few special concessions. See Chapter 32 – Soldier Settlement.

Closer settlement achieved limited success. Some areas were unsuitable for intensive cultivation, some blocks were too small, and some settlers were unsuited to the task of farming. The general reliance on government advances to settlers, combined with poor seasons and adverse economic conditions, resulted in the accumulation of large debts by settlers and the abandonment of many holdings. Several official inquiries into the effectiveness of closer and soldier settlement led to changes in administration, the easing of terms of occupation and the adjustment of liabilities.

Administration of closer settlement was initially by the Department of Crown Lands and Survey, then by the Lands Purchase and Management Board from 1905. This was replaced by the Closer Settlement Board in 1918, which also administered the settlement of soldier settlers in non-irrigation areas after World War I. Closer and soldier settlement in irrigated

areas was administered by the State Rivers and Water Supply Commission (VA 723), which was established in 1905.

Estates

The first estates, purchased under the Land Act 1898, were at Wando Vale, Walmer, Whitfield and Eurack, which were subdivided into farming allotments, and at Brunswick, which was acquired for a workmen's homes scheme. See Chapter 31 – Types of Closer Settlement Schemes under the subheadings 'Workmen's Homes' and 'Small Improved Holdings' for details about workmen's homes schemes.

Pamphlets published to advertise the availability of land in these and other estates between 1905 and 1915 can be found in:

- **VPRS 15794 Estates Information Pamphlets, Closer Settlement (1905 – 1915).**

Maps and plans of some estates are available in **VPRS 15899 Historic Plan Collection [Copy of VPRS 8168]**, which is available on microfiche at the Victorian Archives Centre. To find maps of interest consult **VPRS 8164 Register of Historic Plan Collection (1802 – 1963) (Computer Output Microfiche)** under the heading 'PROC (2) Proclamations (Other)' or under the relevant parish.

Details relating to land purchases can be found in the estates files held in:

- **VPRS 5714 Closer [and Soldier] Settlement Files (?1898 – ?1960).**

Files may be accessed by searching on:

- **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)** – look for 'estate' under the 'file cat.' heading
- **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).**

**Note:** Estates or purchased blocks could be named after the district, or area, or after the previous occupant. These names can distinguish between different estates located in the same parish. They were also used to identify blocks previously owned or occupied by others.

Other records relating to these purchases are:

- **VPRS 14435 Register of Estate Purchases, Closer Settlement Acts (1901 – 1928)**
- **VPRS 15706 Purchases of Land, Closer and Discharged Soldier Settlement Acts (by 1912 – ?1918)**
Land acquired by the closer settlement agencies that became surplus to requirements, or that was forfeited by the settler could be re-sold under other land legislation. Summary records of these sales are available in:


For further details see Chapter 16 – Crown Land Sales by Public Auction.

**Note:** Parts of these sale files may relate to earlier cancelled leases and have subsequently been top-numbered with the new category of 'auctions' or 'land sales'. Use the section and allotment details to find such files on the Department of Crown Lands and Survey microfiche catalogues **VPRS 7311** and **VPRS 7312**.

Advances of money were sometimes made to municipalities for the provision of facilities, such as roads, in the vicinity of closer settlement estates. Financial records relating to these are available in:

- **VPRS 14447 Ledger Cards – Advances to Municipalities, Closer Settlement Acts (by 1929 – ?1939).**

**Settlement**

Farm allotments and workmen's home sites were to be acquired by conditional purchase leases with no person allowed to hold more than one lease. Installments of the purchase price were to be paid half-yearly with fines for late payments. The first installment accompanying the application was refundable if the application was unsuccessful. Interest was to be paid on the purchase price, with payments in 63 equal installments or otherwise as negotiated with the board. After 6 years (under the **Land Act 1898** or 12 years (under the **Closer Settlement Act 1904**, and subsequent Acts), an application could be made for a Crown grant, providing all conditions had been met and the full purchase price paid.

A lengthy list of conditions for the lease were set out in section 49 of the **Closer Settlement Act 1904** (and subsequently section 86 of the **Closer Settlement Act 1915** and section 113 **Closer Settlement Act 1928**). These included compulsory residence requirements, fencing requirements, the destruction of vermin and noxious weeds, the making of substantial improvements to a specified value (subject to inspection and certification by the board) and the prohibition of the transfer or mortgage of the land within the first 6 years.

Records relating to applications under the Act and the supervision of requirements are available in:
- **VPRS 13943** Register of Applications, Farm Allotments Conditional Purchase Leases, Sections 103 and 170 Land Act 1898 and Sections 130 and 383 Land Act 1901 (1899 – 1913)
- **VPRS 13950** Register of Applications, Section 49 Closer Settlement Act 1904 (1905 – 1912)
- **VPRS 13981** Register of Applications, Sections 55, 57 and 60 Closer Settlement Act 1904 (1906 – 1912)
- **VPRS 13982** Applications and File Management Cards, Closer Settlement (by 1912 – ?1940)
- **VPRS 14538** Allotments Granted under the Closer and Discharged Soldiers Settlement Acts (by 1917 – ?1926)
- **VPRS 14417** Estates Registers, Closer Settlement (1911 – 1920)
- **VPRS 14582** File Cards, Melbourne Division, Closer and Discharged Soldiers Settlement Acts (1932 – ?1934)
- **VPRS 14584** File Cards, Northern Division, Closer and Soldier Settlement Acts (1932 – ?1934)
- **VPRS 14593** Cancellation Cards, Closer and Discharged Soldier Settlement (1939 – 1948)
- **VPRS 14444** Summary Cards, Closer Settlement Blocks, Vacated or Lease Cancelled, Northern Victoria (by 1925 – ?1936)
- **VPRS 15027** File Management Cards, Hamilton Land District, Section 12 Closer Settlement Act 1938 (1939 – ?1967).

Some early records of rent payments are available in:
- **VPRS 13948** Rent Roll, Estates, Conditional Purchase Leases, Section 170 Land Act 1898 and Section 383 Land Act 1901 (1900 – 1906)
- **VPRS 13951** Rent Roll, Estates, Section 49 Closer Settlement Act 1904 (1905 – 1917)
- **VPRS 14416** Rent Roll, Section 55 Closer Settlement Act 1904 (1908 – 1914)

Records relating to improvements made on blocks of land are available in:
- **VPRS 14477** Register of Valuation of Improvements (?1918 – 1934)
- **VPRS 14487** Estates Register, Valuation of Improvements (?1921 – ?1930).
Illustration 34

Irrigation channel, Campaspe closer settlement area.

State Rivers and Water Supply Commission, Victoria, Campaspe closer settlement area, 6 November 1967, gelatin silver; 9.5 x 12.0 cm approx. Reproduced courtesy of State Library of Victoria
Advances and assistance

The closer settlement Acts allowed for advances to be granted to settlers in money or in kind to allow for the erection of buildings, for fencing, for the purchase of implements and stock, and for other defined purposes. The amounts of advances available and the terms of repayment were set out in the Acts with the board (or commission) able to take a lien, mortgage or other security to ensure repayment of the advance. Where repayment did not occur, the board could foreclose or take some other action as penalty.

Summary records relating to applications for these advances and their administration are available in:

- **VPRS 14443** Register of Applications, Advances, Section 86 Closer Settlement Acts 1912 and 1915 (1913 – 1918)
- **VPRS 11921** Register of Agreements to Let and Hire, Closer and Soldier Settlement Acts; Securities Taken by the Board of Land and Works Bushfire Advances 1926 and Cultivation Advances Act 1927 (1924 – 1938)
- **VPRS 15569** Register of Applications for Assistance, Closer Settlement (by 1921 – ?1926)
- **VPRS 14448** Contract Books (1921 – ?1928)
- **VPRS 15613** Architect Files, Closer Settlement and Discharged Soldier Settlement (by 1919 – ?1944)
- **VPRS 14449** Register of Applications, Advances, Section 4 Closer Settlement Act 1912 (1914 – ?1929)
- **VPRS 11920** Register of Hire Purchase Agreements, Closer and Discharged Soldiers Settlement Acts (1920 – 1934)
- **VPRS 11923** Register of Securities under the Closer Settlement Acts (1911–1938)
- **VPRS 14540** Advances to Lessees, Closer Settlement Act 1904 (by 1910 – ?1913)
- **VPRS 14432** Register of Mortgage and Lien Payments, Koo-Wee-Rup (by 1901 – ?1909)

Examples of the mortgage and lien documents issued in these circumstances are available in:

- **VPRS 15615** Mortgages and Agreements to Let and Hire (by 1921 – ?1936).
Finding files relating to closer settlement

Settlers under the closer settlement scheme could have two files. The first, a category 49, 86 or 113 land file, related to the leasing process, and the second, an advances file, related to any advances the settler received from the government. These are covered in the two sections that follow.

**Category 49, 86 or 113 Land File**

The category 49 (section 49 of the *Closer Settlement Act 1904*), 86 (section 86 of the *Closer Settlement Act 1915*) or 113 (section 113 of the *Closer Settlement Act 1928*) land file documented all matters relating to the conditional purchase lease, including reports from the inspectors of land settlement and any eventual Crown grant.

Files may be accessed by searching on:

- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*
- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).*

In general, except for a small number of files in other series, files relating to closer settlement are held in:

- **VPRS 5714** *Closer [and Soldier] Settlement Files (?1898 – ?1960).*

**Note:**

1. Be careful not to confuse file numbers and references referring to section 49 *Closer Settlement Act 1904* with those relating to section 49 *Land Act 1869*. The start date as well as the location should indicate the correct file.

2. When leased land was transferred from one settler to a subsequent settler, the file number was changed, often with a new category number as well as a new sequential number. It is vital in tracking these changes to know the parish name, and the allotment and section details. Land could be transferred between a settler under the *Closer Settlement Act* and a settler under the *Discharged Soldier Settlement Act*. Parish, section and/or allotment details and new file numbers appear on advances files.

File numbers for accessing these records may be obtained from:

- the relevant parish plans;
- registers of applications and file management cards;
- schedules published in the *Victoria Government Gazette*;
- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)* if the parish, section and allotment details are known, and if not known, these details can be found in records such as:
**Advances Files**

This file would exist if the settler received an advance from the government. It documents the payment and repayment of advances. The file number is a single sequential number which may also be noted on the land file. The form and origin of the file number varied over time. Originally the number was the same as the land file (for example, 246/49). It then became the serial number from the land file (for example, 246). Later, it was an unrelated sequential number. This number could also be noted on the land file.

Advances files are primarily held in the following series that generally have alphabetical range listings using family names:

- **VPRS 745** Advances Files – Northern Division (1905 – 1982)
- **VPRS 746** Advances Files – Geelong Division (1905 – 1982)
- **VPRS 747** Advances Files – Eastern Division (1905 – 1982)
- **VPRS 748** Advances Files – Western Division (1905 – 1982)
- **VPRS 749** Advances Files – Mallee Division (1905 – 1982)
- **VPRS 15763** Advances Files – Melbourne Division (by 1910 – ?1938).

Other advances files have file categories of either 'advances' or '101' (indicating section 101 Closer Settlement Act 1915). A small number of files are also available for sections 55, 57 and 60 of the Closer Settlement Act 1904. These files may be accessed by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Other details for the period 1929 to 1958 are available in:


**Indebtedness**

For many settlers, closer settlement involved a high level of indebtedness, with most having to take advantage of the legislative provisions for advances. A number of royal commissions and other inquiries before World War I, and in the 1920s and 1930s, resulted in schemes for easing terms, adjusting instalments, reducing debts and revaluing holdings. However, in 1932 the majority of settlers were insolvent due largely to the economic conditions of the time. Despite adjustments made to their liabilities, the position could not be rectified until
section 32 of the Closer Settlement Act 1932 came into operation in 1937. This allowed the Closer Settlement Commission to value the land and improvements (except for those made at the settler's own expense) and then to write off the deficiency between the valuation and the settler's liabilities to the commission. The power to review the settler's ability to repay advances for other than improvements and to write off any amount deemed appropriate was also given to the commission. Nevertheless, despite all these concessions, there were many settlers who had no prospects of paying their installments. In such cases leases could be cancelled and assets realised.

Some records of the realisation of settlers' assets are available in:

- **VPRS 10016** Realisation Accounts, Mallee Division (by 1928 – 1939)

Comprehensive summary records of debt adjustments are available in:

- **VPRS 14485** Schedules of the Revaluation and Adjustment of Settlers Liabilities, Section 32 Closer Settlement Act 1932 (1937 – 1939).

Detailed records for individuals are available in:

- **VPRS 755** Settlers Accounts, Melbourne Division (1932 – ?1939)
- **VPRS 756** Settlers' Accounts, Mallee Division (1932 – ?1939)
- **VPRS 14452** Settlers Accounts, Eastern Division (1932 – 1939).

Some files relating to this adjustment process can be found by searching on the microfiche catalogues under the categories of 'assessment' and 'adjustment':

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

**Administration of closer settlement**

Initially, closer settlement was administered by the Department of Crown Lands and Survey (VA 538). After the passing of the Closer Settlement Act 1904 the program was administered by the Lands Purchase and Management Board, which in 1918 was re-constituted as the Closer Settlement Board (both boards are VA 2266). In 1933 the board was replaced by the Closer Settlement Commission (VA 2268) which continued to operate until 1938. After that date the Department of Crown Lands and Survey resumed administration. Closer and discharged soldier settlement in irrigable areas was managed by the State Rivers and Water Supply Commission (VA 723).
Regular meetings of the board (and commission) were held, ruling on such matters as applications, purchases of land and all aspects relating to the administration of the scheme. Minutes of these meetings are recorded in:

- **VPRS 10240 Minute Books** (1905 – 1938 with some gaps).

From 1946 until 1975, records are available in:

- **VPRS 15735 Schedules of Land Grants, Leases, Licences and Sales Submitted for Approval, Closer Settlement** (by 1946 – 1974). These records contain schedules forwarded under statutory requirements to the Board of Land and Works until the abolition of the board in 1964. After that date, schedules were approved by the Minister of Lands.

For the year 1975 only, records are available in the **P2** consignment of:


Each year the board (later commission) tabled an annual report in parliament detailing the administration of the closer and soldier settlement Acts over the course of the preceding year. These are available in published volumes of *Papers Presented to Parliament* (often referred to as *Victorian Parliamentary Papers*).

As noted above, major inquiries were also held into closer settlement and the administration of the scheme. The first major inquiry was the royal commission of 1914–1916 (*VA 4703 Royal Commission on Closer Settlement*) with the only records held being:

- **VPRS 14542 Register of Inward Correspondence** (1914 – 1915)
- **VPRS 15795 Outward Correspondence** (1914 – 1915)

and reports of the royal commission which can be read in the publication *Papers Presented to Parliament* for the years 1915 and 1916.

The second inquiry with a report was the 1930 report of the Public Accounts Committee published in *Papers Presented to Parliament* as 'Report (Accounts of Closer Settlement Board at 30 June 1929)'.

Some details of Closer Settlement Board employees from 1922 to 1926 are available in:

- **VPRS 15183 Register of Salaries** (1922 – 1926).

Some financial records are available in:


Administrative instructions are available in:

- **VPRS 10645 Memos, Circulars and Correspondence** (by 1914 – ?1927).
31. Types of Closer Settlement Schemes

Introduction

This chapter covers three types of closer settlement scheme besides those covered in Chapter 30 – Closer Settlement and Chapter 32 – Soldier Settlement. These are:

- workmen's homes,
- agricultural labourers' allotments, and
- small improved holdings.

Workmen's homes

A component of the introduction of closer settlement in part III of the Land Act 1898 was the development of the workmen's homes scheme. The government purchased freehold land in Melbourne and some country towns for 2,000 workmen's homes sites.

Land for the first estate was purchased at Brunswick in 1899,

where workmen might devote their spare time and labour to create for themselves comfortable homes under healthy and cheerful conditions. ... Some of the dwellings erected by the workmen themselves [would] bear comparison with the majority of suburban residences.41

In addition to Brunswick, estates were used for workmen's homes at:

- Cadman's (1903) and Dal Campbell (1905) – extensions of the original Brunswick estate
- Dowling Forest – Ballarat district (1906)
- Footscray (1905)
- Geelong (1907)
- Glen Huntly (1904)
- Leongatha (1903)
- Maddingley – near Bacchus Marsh (1903)
- Mortlake (1905)
- Pender's Grove – in the Fairfield area (1902)

Phoenix (1900)
Tooronga (1911)
Warrnambool (1903)
Werribee (1907).

Applications from workmen over 21 years-of-age and engaged in work for hire or reward, and not possessed of real or personal property worth more than 100 pounds, were registered in:

- **VPRS 13926** Register of Applications, Workmen's Homes (1899 – 1912) for all estates,
- **VPRS 14388** Register of Applications, Warrnambool, Workmen's Homes (1903 – 1903) for the Warrnambool estate.

Originally, prior to the passing of the Closer Settlement Act 1904, applicants applied for a perpetual lease. This became a conditional purchase lease. Rents were to be paid in half-yearly installments, including interest on the unpaid portion of the purchase money and were to continue for at least 6 years before the lease could be assigned to another person. After 12 years, if the board was satisfied, application could be made for a Crown grant of the land. Conditions for continuance of the lease were set and observance of them determined by inspectors under the authority of the Lands Purchase and Management Board from 1905 to 1918 and the Closer Settlement Board (VA 2266) thereafter.

Payments of rent for a number of estates are recorded in:

- **VPRS 13927** Rent Roll, Workmen's Homes (1899 – 1917) – consignment details show which estates are included.

Files are available relating to the workmen's homes scheme. File numbers may be obtained from the register of applications and from the rent rolls. Files can be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), if you know the file number, or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche), if you know the parish, section and allotment.

Most files are available in:


A small number relating mainly to the Glen Huntly estate are available in:

- **VPRS 10380** Workman's Homes and Farm Allotments Files (1898 – ?1940).

### Agricultural labourers' allotments

Agricultural labourers' allotments of up to 20 acres were made available to enable farm labourers and their families to make part of their living from their own land. Conditions of
occupation and purchase were the same as for other conditional purchase leases for farm allotments and workmen's homes. Section 51 of the Closer Settlement Act 1904 imposed the additional condition that within a year from the date of the lease a substantial dwelling worth at least 30 pounds should be erected, and within two years of the same date the allotment be enclosed by a substantial fence.

Only 400 such allotments appear to have been settled in Victoria. Some section 51 files may be available, and these will have commencement dates beginning from 1900. File numbers can be found on advances files. If a file number is found or if the parish, section and/or allotment details are known, a search may be made on the microfiche catalogues:

- VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or

Small improved holdings

Another expression of the closer settlement ideal was found in the Small Improved Holdings Act 1906, which in its preamble stated that:

\[\text{it is desirable to assist deserving persons to acquire small improved holdings in rural districts ... close ... to centres of population ... to add to the wage-earning portion of the community ... and quicken the development of our natural resources.}\]

Like closer settlement and workmen's homes estates, most of the land was purchased from freeholders, although some allotments were on Crown land.

Crown land especially acquired for closer settlement or small improved holdings was subdivided into allotments which were improved and cultivated under the supervision of an appointed foreman. Advances were provided to improve the holdings, including the building of houses, and for the materials and equipment necessary to begin cultivation. While settlers were becoming established, a living allowance was paid from which rent was deducted, and the settler was able to seek work in adjacent areas. The land held by a settler was not to be worth more than 200 pounds. Members of the same family could have adjoining holdings.

Allotments were established at:

- Mordialloc (Parish of Mordialloc)
- Thomastown (Parish of Keelbundora)

43 Preamble to the Small Improved Holdings Act 1906 Edw. VII No 2053.
• Geelong (Parish of Barrarbool)
• Wangaratta (Parish of Wangaratta South)
• Warragul (Parish of Drouin East)
• Bellarine (Parish of Bellarine)
• Daylesford (Parish of Wombat).

Further land was obtained at:
• Shepparton
• Werribee (Parish of Deutgam).

The *Small Improved Holdings Act 1906*, apart from some specified sections, was repealed in 1909 by the *Closer Settlement Act 1909*. Settlers who were eligible for conditional purchase leases under the *Small Improved Holdings Act 1906* could then apply under the *Closer Settlement Act 1909*.

**General Records**

For the years 1907 to 1910 a comprehensive report and financial statement were presented to parliament. These are available and can be found in the publication *Papers Presented to Parliament* in the volume containing the relevant year.

**Estates Files**

Some 249 of the original 260 allotments were on land purchased from private individuals rather than Crown land. A number of the estates files are available. To identify these consult:

- **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)** – look for ‘estate’ under the ‘file cat.:’ heading, or
- **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)** – for the parishes of the locations listed above.

Files will have a start date between 1907 and 1910 and may contain details of:

- purchase of the land by the state,
- map with the allotments marked,
- provision of capital works,
- other facilities.

The estate file for Highton at Geelong (*Highton and Other Small Holdings: New Policy*) contains lists of the allocation of holdings for that estate and for those at Mordialloc and Wangaratta.
Other Files

Two files, one relating to the Bellarine estate and the change of settler on one of the allotments, and the other relating to the provision of materials for the Wangaratta estates, are contained in the following series:

- **VPRS 15792 Files, Small Improved Holdings Act 1906 (1906 – 1909).**

A small number of files relating to suppliers, offers of land and other matters to do with the scheme are available in:

- **VPRS 1016 Miscellaneous Correspondence Files (1843 – 1934).**

Some settlers were able to obtain conditional purchase leases (and possibly Crown grants) under the provisions of the Closer Settlement Act 1909.

Some of these files are available and can be identified by searching the microfiche catalogues:

- **VPRS 7311 Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or**

- **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche) – for the parishes listed on page 298 opposite.**

Files will have:

- a category of 49, 86 or 12 (these are the sections for the granting of conditional purchase leases under the Closer Settlement Acts of 1904, 1915 and 1938)

- a start date between 1907 and 1910:
  - if the original settlement of the piece of land had been under the Small Improved Holdings Act 1906, these papers will be at the back of the file
  - if you were able to obtain the allotment and section numbers from estates files, you need to check that the files do have start dates between 1907 and 1910.
32. Soldier Settlement

Introduction

Soldier settlement represented the efforts of the government to deal with thousands of returned World War I soldiers in a manner that expressed the nation's gratitude for their sacrifices, while satisfying the aim of closer settlement. The *Discharged Soldier Settlement Act 1917* provided for settlement of returned soldiers under the same general conditions as closer settlement, but with some more generous concessions, and sought to ensure that,

> lack of capital was to be no bar to a soldier's chance of getting land, should he prove himself otherwise suitable.  

The Closer Settlement Board was to administer the scheme in the dry (or non-irrigable) areas with the wet (irrigable) areas to be dealt with by the State Rivers and Water Commission (VA 723). By 1938 almost 2.5 million acres of land had been taken up by soldier settlers (compared with 1.4 million acres for civilian closer settlement), and almost one quarter of it was Crown land.

Due to a number of factors, including the lack of capital and inexperience on the part of many settlers, and the quality and size of the land allocated, soldier settlement was generally regarded as a failure, with huge financial losses borne by the government and untold hardships borne by settlers. By 1938 more than half of all soldier settlers had left their holdings. The provisions of the *Discharged Soldier Settlement Act 1917* were absorbed into the *Closer Settlement Act 1928*.  

Soldier settlement schemes were also developed for World War II veterans, however PROV holds only comprehensive records for soldier settlement schemes established following World War I. Very limited holdings of post–World War II records (as noted at the end of this chapter) will be augmented by a transfer due to be completed shortly after publication of this guide.

Qualification certificate

To be eligible to receive a block of land the applicant had to obtain a qualification certificate from the Soldiers Qualification Committee established by the Minister of Lands. To obtain this, extensive proof of previous farming experience had to be provided together with a reference from the applicant's local repatriation committee and others, and the applicant had to submit to an oral examination by the committee. The qualification certificate and papers

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First page of the Discharged Soldier Settlement Act 1917.

VPRS 14558/P1, unit 75, Act no. 2916 Discharged Soldier Settlement Act 1917
relating to it were often attached to the advances files and sometimes the land file. The only series in custody directly relating to them and their administration is:

- **VPRS 15726** *Register, Discharged Soldiers’ Qualification Committee* (?1917 – 1935) – this is simply a list of names and dates.

**Land**

In some districts land was acquired or opened specifically for soldier settlement. In others, returned soldiers and civilians mingled on closer settlement estates. In some cases a returned soldier with a qualification certificate could obtain a farm in the district of his choice, which was then purchased on his behalf by the Closer Settlement Board. These more liberal provisions for discharged soldier settlers relating to land purchase were designed to ensure that,

> ... a soldier desirous of settling on the land should be given the opportunity to establish his home among his relations and old associates and not have to seek a selection in perhaps some remote part of the State. This entailed the purchase of lands in all parts of the country where no Crown lands were available.\(^{46}\)

The following records are held relating to such land purchases throughout the state:

- **VPRS 14436** *Register of Land Purchased, Discharged Soldiers Settlement Acts* (1918 – 1929)
- **VPRS 15573** *Register of Purchases of Land for Soldier Settlement* (1920 – ?1921)
- **VPRS 15706** *Purchases of Land, Closer and Discharged Soldier Settlement Acts* (by 1912 – ?1918)
- **VPRS 752** *Purchase of Land Files* (by 1917 – ?1920).

Records relevant to soldier settlement lands may possibly be found in some of the series listed under the subheading ‘Estates’ in **Chapter 30 – Closer Settlement**.

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**Note:** Estates or blocks purchased for settlers were often given a locality name or referred to by the name of the previous occupant or owner. See **Chapter 30 – Closer Settlement** for further details on this subject.

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\(^{46}\) *Victorian Year Book*, 1973, p. 102.
Settlement

Soldier settlers applied for conditional purchase leases that had the same terms as leases for closer settlement blocks, with a few concessions.

Provisions in the closer settlement Act also applied to soldier settlers (see details below). In addition to these, specific terms and conditions relating to soldier settlers were contained in the soldier settlement Acts.

The difference between a lease held by a soldier settler and a lease held by a closer settler is shown in the file number. The category includes the suffix '.6' – for example, 86.6 – indicating a discharged soldier of World War I, or '.206' indicating a discharged soldier settler.

No person was to hold more than one conditional purchase lease. A lengthy list of conditions set out in section 49 of the Closer Settlement Act 1904 (section 86 Closer Settlement Act 1915) was part of the lease for farm allotments. These included compulsory residence requirements, fencing requirements, the destruction of vermin and noxious weeds, the making of substantial improvements to a specified value (subject to inspection and certification by the board), and prohibited the transfer or mortgage of the land during the first six years or its alienation (or purchase) from the Crown.

Installments of the purchase price were to be paid half-yearly with fines for late payments. The first installment accompanying the application was refundable if the application was unsuccessful. Interest was to be paid on the purchase price with payments in 63 equal installments or otherwise as negotiated with the board. After 12 years, if all conditions had been met and the full purchase price paid, application could be made for a Crown grant.

Records of applicants and holders are limited. The following records may give some information in this respect and also information about the supervision of settlers meeting the requirements:

- **VPRS 14538** Allotments Granted under the Closer and Discharged Soldiers Settlement Acts (by 1917 – ?1926)
- **VPRS 14582** File Cards, Melbourne Division, Closer and Discharged Soldiers Settlement Acts (1932 – ?1934)
- **VPRS 14584** File Cards, Northern Division, Closer and Soldier Settlement Acts (1932 – ?1934)
- **VPRS 14539** Cancellation Cards, Closer and Discharged Soldier Settlement (1939 – 1948)
- **VPRS 14450** Register of Files, Soldier Settlement (by 1921 – ?1923).
Advances and assistance

The discharged soldiers settlement Acts and the closer settlement Acts allowed for the granting of advances to settlers, in money or in kind, to allow for the erection of buildings and fencing, the purchase of implements and stock, and for other defined purposes. The amount that could be obtained and the terms of repayment were set out in the Acts with the board (or commission) able to take a lien or mortgage, or other security, to ensure repayment of the advance. Where repayment did not occur, the board could foreclose or take some other action as a penalty.

Summary and other records relating to applications for these advances or the assistance given and their administration are available in:

- **VPRS 11920** Register of Hire Purchase Agreements, Closer and Discharged Soldiers Settlement Acts (1920 – 1934)
- **VPRS 11921** Register of Agreements to Let and Hire, Closer and Soldier Settlement Acts: Securities Taken by the Board of Land and Works Bushfire Advances 1926 and Cultivation Advances Act 1927 (1924 – 1938)
- **VPRS 11922** Register of Securities, Discharged Soldiers Settlement Acts (1920 – 1931)
- **VPRS 11923** Register of Securities under the Closer Settlement Acts (1911 – 1938) – details of discharged soldier settlers were recorded in this series
- **VPRS 15572** Register of Applications for Assistance, Discharged Soldiers Settlement Act (by 1923 – ?1925)
- **VPRS 14448** Contract Books (1921 – ?1928)

A soldier settler’s appeals board was established in 1923, allowing settlers to appeal against the valuation of their blocks, the amount of installments to be paid or the area of the block allocated to them. This led to a subsequent inquiry board. For files relating to these see:

- **VPRS 15796** Appeals Board Files, Discharged Soldier Settlement (1923 – 1925).

Other later assistance could be gained through the Soldiers Concession Committee. Part II, section 15 of the Closer Settlement Act 1925 allowed lessees under the Discharged Soldiers Settlement Act 1917 to apply to have certain debts written off, if owing to adverse circumstances and other stated reasons they could not meet all their obligations. Records relating to the activities and decisions of this committee are available in:

- **VPRS 15568** Soldier Settlers’ Concession Committee, Section 15 Closer Settlement Act 1925 (1926 – ?1927)
Section 14 of the closer settlement Act allowed soldier settlers to apply for a revaluation of their land. Examples of these applications for the Beechworth district are available in VPRS 15933 Applications, Section 14 Closer Settlement Act 1925, Beechworth District (1925 – ?1929).

Finding files relating to soldier settlement

Settlers under the discharged soldier settlement scheme could have two files. The first, a category 86, 113 or 12 land file, related to the leasing process, and the second, an advances file, related to any advances the settler received from the government. These are covered in the two sections that follow.

**Category 86, 113 or 12 Land File**

The category 86 (section 86 of the Closer Settlement Act 1915), 113 (section 113 of the Closer Settlement Act 1928) or 12 (section 12 Closer Settlement Act 1938) land file documented all matters relating to the conditional purchase lease including:

- application form,
- reports from the inspectors of land settlement,
- Crown grant, if made,
- possibly the qualification certificate and associated documents.

The category for these files was 86, 113 or 12 with the addition of '.6' or '.206' to indicate a discharged soldier.

Files may be accessed by searching the Department of Crown Lands and Survey microfiche catalogue:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

In general, except for a small number of files in other series, files relating to discharged soldier settlement are held in:


File numbers may be obtained from:

- parish plans;
- registers of applications and file management cards mentioned previously;
• schedules published in the *Victoria Government Gazette*;

• the microfiche catalogue **VPRS 7312 Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche)** if the parish, section and allotment details are known – these details are obtainable from records such as:
  
  
  o **VPRS 11865 Register of Crown Grants** (1859 – 1988);

• **VPRS 14450 Register of Files, Soldier Settlement** (by 1921 – ?1923);

• from the advances file.

**Note:** When leased land was transferred from one settler to another, the file number was changed, often with a new category number as well as a new sequential number. In tracking these changes you need to know the parish name, and the allotment and section details. These may be obtained from the advances file. Land could be transferred between a settler under the *Closer Settlement Act 1915* and a settler under the *Discharged Soldier Settlement Act 1917*.

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**Advances Files**

This file would exist if the settler received an advance from the government. It documents the payment and repayment of advances. The file number, which is usually a single sequential number including the letters 'D.S.L.' (standing for Discharged Soldier Lease), may also be noted on the land file. Conversely, a land file number might be listed on the advances file. Advances files are primarily held in:

• **VPRS 10381 Soldier Settlement Advances Files** (1917 – 1947)

• **VPRS 745 Advances Files – Northern Division** (1905 – 1982)

• **VPRS 746 Advances Files – Geelong Division** (1905 – 1982)

• **VPRS 747 Advances Files – Eastern Division** (1905 – 1982)

• **VPRS 748 Advances Files – Western Division** (1905 – 1982)

• **VPRS 749 Advances Files – Mallee Division** (1905 – 1982)

• **VPRS 15763 Advances Files – Melbourne Division** (by 1910 – ?1938).

You may also need to consult the following series:

• **VPRS 10383 Advances Files, Unemployed Relief and Soldier Settlement** (by 1919 – ?1939)

• **VPRS 10384 Advances Files, Approved Overseas Immigrants, Closer and Soldier Settlement, Melbourne Division** (by 1914 – ?1939).
These series may be searched by file number, name or parish and in some cases land file number using the PROV online catalogue by using the search within a series facility.

Other advances files with file category of 'advances' can be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Other details for the period 1929 to 1958 are available in:


**Indebtedness**

For many discharged soldiers, settlement involved a high level of indebtedness, with most having to take advantage of the legislative provisions for advances. A royal commission and other inquiries in the 1920s and 1930s resulted in schemes for easing terms, adjusting installments, reducing debts and revaluing holdings. However, by 1932 the majority of settlers under soldier settler and closer settlement were insolvent, due largely to the economic conditions of the time. Despite adjustments made to their liabilities, the position could not be rectified until section 32 of the **Close Settlement Act 1932** came into operation in 1937. This allowed the Closer Settlement Commission to value the land and improvements (except for those made at the settler's own expense) and then to write off the deficiency between the valuation and the settler's liabilities to the commission. The power to review the settler's ability to repay advances for other than improvements and to write off any amount deemed appropriate was also given to the commission.

Nevertheless, despite all these concessions, there were many settlers who had no prospects of paying their installments. In such cases, leases could be cancelled and assets realised. Land could then be assigned to another settler, but it could also be made available for sale by auction, tender or private negotiation.

Some records of the realisation of assets are available in:

- **VPRS 10016** Realisation Accounts, Mallee Division (by 1928 – 1939)

Comprehensive summary records of debt adjustments can be found in:

- **VPRS 14485** Schedules of the Revaluation and Adjustment of Settlers' Liabilities, Section 32 Closer Settlement Act 1932 (1937 – 1939).

Detailed records for individuals are available in:
**VPRS 755** Settlers' Accounts, Melbourne Division (1932 – ?1939)

**VPRS 756** Settlers' Accounts, Mallee Division (1932 – ?1939)

**VPRS 14452** Settlers’ Accounts, Eastern Division (1932 – 1939).

Details of sales of land following cancellation of leases can be found in:


Also check the Department of Crown Lands and Survey microfiche catalogue, scan the 'file cat.' heading for the words 'assessment' and 'adjustment' for files relating to the adjustment process, or the words 'auctions' and 'land sales' for files about sales of land:

**VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or

**VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

**Note**: Parts of these sale files may relate to earlier cancelled leases that have subsequently been top-numbered with a new category. You can use the section and allotment details to find these files in the microfiche catalogues.

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**Administration of soldier settlement**

From the passing of the *Discharged Soldier Settlement Act 1917* until 1938 the program was administered firstly by Closer Settlement Board (**VA 2266**) until 1933, and then by Closer Settlement Commission (**VA 2268**) from 1933 to 1938. After that date the Department of Crown Lands and Survey resumed administration. Settlements in irrigation areas were administered by the State Rivers and Water Supply Commission (**VA 723**), particularly in the Goulburn Valley region.

Regular meetings of the board (and commission) were held, ruling on such matters as applications, purchases of land and all aspects relating to the administration of the scheme. Minutes of these meetings are recorded in:

**VPRS 10240** Minute Books (from 1905 to 1938 with some gaps).

Each year the Closer Settlement Board (later Commission) tabled an annual report in parliament detailing the administration of closer and soldier settlement in the previous year. These are available in published volumes of *Papers Presented to Parliament*.

A major inquiry was also held into soldier settlement and the administration of the scheme with the royal commission of 1925 – Royal Commission on Soldier Settlement (**VA 2966**).
You can read the report in the publication Papers Presented to Parliament. Two series of minor records relating to this royal commission are held:

- **VPRS 7921 Report and Working Papers of the Royal Commission on Soldier Settlement (1925 – 1925)**
- **VPRS 15736 Data Required by the Royal Commission (1925 – 1925).**

Some details of administrative arrangements and employees from 1922 to 1926 can be found in:

- **VPRS 15183 Register of Salaries. Administrative Instructions (1922 – 1926)**
- **VPRS 10645 Memos, Circulars and Correspondence (by 1914 – ?1927).**

**Soldier settlement after World War II**

Following World War II, a similar program of settling returned soldiers on the land was put in place under the Soldier Settlement Act 1945. This was administered by the Soldier Settlement Commission, and for various reasons, proved to be more successful than the schemes provided for World War I veterans.

PROV does not have holdings regarding these later schemes, however records that may give some indications of later soldier settlers are available in:


For a general overview of the administration of soldier settlement schemes read the description for **VF 113 Settlement schemes (soldier settlement)** available by using the find by number facility on the PROV online catalogue and by selecting the function option.

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47 At the time of publication, records relating to post–World War II soldier settlement were in the process of being transferred into PROV custody.
Case study: a soldier and closer settlement block in the Parish of Undera

Keith Conacher was born in 1896 at Leith (Tasmania). He enlisted in the 1st AIF in March 1916 at Tatura Victoria and served in France with the 40th Battalion. He was discharged from the Army at Hobart in July 1919 after being returned to Australia as medically unfit.

In September 1919, Conacher applied for a qualification certificate for soldier settlement stating that he had assisted on his father's farm all his life and wished to settle near Shepparton. References from Tasmania supported his application. The certificate was granted almost immediately. Conacher had already started negotiating for a suitable property, approximately 219 acres owned by Robert Stewart of Byrnside Road, Undera. It was described as being best suited for 'irrigation dairying and mixed farming', with 190 acres of red loam soils being cultivable at the time.

Hold-ups occurred. Conacher did not have an irrigation qualification certificate from the Tatura repatriation committee and the property had no water right in the Rodney irrigation district. Valuers noted that the fences were 'in a condition' which made them 'practically useless' and that 'buildings are falling down and being left as they fall'. It was also stated that it was 'a very good block of land' and 'easily irrigable'.

The State Rivers and Water Supply Commission decided that the land would be purchased on Conacher's behalf, but at a price 11 shillings per acre less than originally asked. By December 1919 Robert Stewart had died and negotiations continued with his widow and administratrix of his estate with ownership passing to the Crown in April 1921.

Meanwhile, Conacher had been able to take up possession from 15 December 1919. As he was a returned soldier, it had been agreed that water would be sold to Conacher for the 1919–1920 season.

By February 1922, an application for a conditional purchase lease had been approved with the lease signed and sealed.

Immediately in December 1919 and January 1920, Conacher applied for advances of money to purchase stock and farm machinery. Further application was made for an advance in March 1920 to purchase seed wheat.

The house on the allotment had fallen down. Conacher's father, a former building contractor, was prepared to build on the allotment using existing bricks if advances could be made for materials. In June 1921 a hire purchase agreement was entered into for further equipment and tools.
Illustration 36

This form records details about the parcel of land from the estate of Robert Stewart in the Parish of Undera that was being made available to Keith Conacher.

VPRS 5714/P0, unit 2326, file no. 5164/27, acquisition of land for the purpose of settlement of discharged soldiers form, Stewart to Conacher
Keith Conacher’s application for a qualification certificate was one of the steps that he needed to take in order to receive a soldier settlement block. His preference for land suitable for mixed farming was not fulfilled, instead the qualification committee decided to offer him land for irrigation.

VPRS 5714/P0, unit 2326, file no. 5164/27, Keith Conacher’s application for qualification certificate to apply for Crown land
By early 1922, it was apparent Conacher had financial difficulties with reminder letters being sent about repayments of advances due. By October of that year the amount owing was some £212, with interest. In November, it was reported that some £575 of permanent improvements had been made, and that '[l]essees prospects [were] good [but] intends making payment to Comm'n after harvest.'

By August 1923 Conacher had declared his intention to 'abandon his farm'. His house had burnt down and he had also 'previously experienced some bad luck'. It was recommended that the lease be cancelled. This occurred in November 1924 and the farm was made available under closer settlement conditions. Conacher owed £1,180 for advances. The possibility of subdividing was explored, however, it was decided this was impracticable.

The block was taken over in November 1924 by Robert F Forbes with his wife, and 8 children all under 13 years-of-age. Forbes was an approved overseas settler. He had arrived on the SS Beltana in late September 1924, spent much of October inspecting land, and decided upon Conacher's vacant block.

In his formal application Forbes stated he had lifelong experience of farming and assets of £3,750. Forbes was granted an advance and it was agreed that a house to the value of £450 would be erected, utilising materials and the insurance money from the former house. The family was informed they needed to purchase 3 tents with flies for use in the meantime.

A value was placed on the improvements on the block and, almost immediately, Forbes dissented. The block was inspected and it was judged that he was 'a man with experience and capital' and recommended that he 'be allowed to obtain some return from [the] property before being pressed for payment'.

In 1927 he was again dissenting regarding the value placed on the land and refused to sign the permit to occupy that had been issued, pending the preparation of the lease. Despite numerous requests for payments to defray the cost of the land and a refusal of the commission to revalue, Forbes (now with nine children) remained firm believing that all he was asking for was 'a fair deal'.

By March 1930 the outstanding amount was £900. Forbes was informed that unless a large proportion of this was forthcoming with a completed duplicate of the permit to occupy, the necessary actions for 'the recovery of the amount due and the resumption of the holding' would be taken.

Negotiations were entered into for the revaluation of the block by an inquiry board. Forbes had also contacted the royal commission on migrant land settlement in July 1930 and was listed as a complainant in the appointment of a Royal Commission to Inquire into Migrant Land Settlement. A copy of the summary of the information supplied to the Crown Solicitor regarding dealings with Forbes was placed on the advances file.
In 1932, under section 32 of the *Closer Settlement Act 1932*, a reassessment and readjustment of settlers' liabilities was made to take final effect in 1937. It appears that Forbes also contested the terms of this arrangement. He did not want to appear before an adjustment board, was seeking compensation greater than that offered under the *British Migrants (Agreement) Act 1933* and refused to finalise his position as a continuing migrant under the same Act. In April 1935 he finally agreed to the conditions laid down, including taking additional land, and forwarded a signed copy of the permit to occupy to the Closer Settlement Commission.

Although assessed as 'not using the farm for the purpose it was intended', and having 'unnecessary machinery' and elaborate outbuildings, and being deemed 'doubtful of success under present methods', the installment payments due were reduced.

He also spent much of his time share-cropping on other properties. Forbes continued to refuse to pay and in October 1935 the whole of the dealings with Forbes were summarised, and the decision made to have the case presented to the commission with a view to cancelling the lease, with Forbes having the right to state his case at later time.

At the start of November 1935, Robert Forbes was informed that the commission was making demand for the installments due and intending to declare his permits to occupy land as being void. The matter was, according to Forbes, placed in the hands of his solicitor. However, the commission commenced proceedings through the Kyabram Court of Petty Sessions 'to have the matter of the unauthorised possession or occupation of the said Crown lands ... heard and determined in a summary way.' Actions were taken in pursuit of this in February 1936.

In closer settlement file number 5164/27, indicates that it was apparently already known in the district that Forbes was vacating the block as the commission began receiving inquiries about the possibility of purchasing the land from both private individuals and estate agents.

The commission allowed Forbes until 1 April 1936 to vacate before an ejectment order was obtained. On inspection at that date it was found that Forbes had vacated and 'everything was left in good order'.

He did not, however, leave without complaints from the neighbours regarding the state of fences and the cutting and removal of wood from the block.

Consideration was being given to the future of the block, not only by those desiring to lease or purchase it, but by the commission. It was realised that some action had to be taken with respect to drainage of the block and its effects on neighbouring blocks.

The Shire of Rodney and the State Rivers and Waters Commission were contacted. The Closer Settlement Commission continued to state that the block was 'reserved for the transfer of a settler from an unsuitable area'. Finally tenders were called for the leasing of the property for one year. The first successful tenderer was T Schemedjie.
Documents contained in closer settlement file number 1957/13, provide details of the second successful tenderer, William Peterson of Violet Town. He offered 12/10 per acre per annum for a term of two years from 2 April 1938. Due to drought, by February 1939 Peterson sought a reduction of the rental to 7/- per acre. The department agreed that the 'season has been the worst on record' and that the rent be thus reduced, but that if rent was not paid the lease be cancelled immediately. Peterson, married with 5 children aged 4–11, vacated the property on 15 March; the family was reported to be 'virtually destitute'.

Arrears were written off as a bad debt. A valuation of the block in January 1939 stated that it was a 'Living Area. Suitable Mixed Farming Irrigation' although 'Over Capitalised by Extensive Buildings', and that it should be made available for a closer settlement lease at the capital value of £2,195, the valuation that Forbes had protested in vain.

After a local land board hearing at Shepparton in May 1939, a closer settlement lease was granted to Eric Baker who had previously leased a property in the Parish of Mooroopna West for 6 years. That property had been sold at auction for a price beyond Baker's means. Although he had few assets, having been forced to sell his stock, Baker had lifelong farming experience and his father was willing to provide the £200 for the deposit. Baker took possession of the block at Undera on 1 June 1939 under section 27 of the Closer Settlement Act 1938 referring to conditional purchase leases.

The World War II Nominal Roll at <http://www.ww2roll.gov.au/> shows Eric Baker was enlisted in the 2nd AIF between August 1940 and January 1946. Despite this, Baker paid his installments and reports from the local inspector continued to be positive. With the appropriation of an easement of some 16 acres for the Rodney main drain in 1947, problems arose relating to the appropriate amount of compensation to be paid by the State Rivers and Water Supply Commission. Agreement was finally reached in December 1951 with appropriate amendments being made to the closer settlement lease.

Baker made the final payment for his farm in 1964, with the Crown grant being forwarded to the Titles Office on 11 February 1965. He died at Mooroopna in 1978 having lived all his life in the Shepparton district.

Postscript

Keith Conacher re-enlisted in World War II serving in Dhurringile near his home in Tatura. He died aged 75 in 1971. William Peterson served in the 18th Battalion and 2nd AIF from 1942 and died at Princes Hill in 1990. It is not know what became of Robert Ferrier Forbes.48

33. Immigration and Lands

Introduction

From 1906 to 1918 and then from 1923 to 1927 the Department of Crown Lands and Survey had primary responsibility for the administration of assisted immigration to Victoria, mostly from the United Kingdom. The settlement of assisted immigrants on the land was associated with closer settlement. For this reason, information about assisted immigrants can also be found by consulting the records listed for closer settlement. See Chapter 30 – Closer Settlement.

A general overview of the administration of immigration after 1900 can be found in VF 138 Immigration (twentieth century) available through the PROV online catalogue by using the find by number facility and by selecting the function option.

Before World War I

The 1907 report on the administration of the closer settlement Acts indicated that land had been made available for British immigrants on the following estates:

- Exford (near Melton, Parish of Djerriwarrh)
- Colbinabbin (northern Victoria, Parish of Colbinabbin).

Records relating to the acquisition of those estates and the recruitment of migrants can be found in the estates files held in:


These files, with information regarding the actual sections and allotments allocated, can be used to find individual files relating to specific properties held under this scheme.

Further information regarding settlers on the Colbinabbin estate can be found in:

- VPRS 14417/P1 Estates Registers, Closer Settlement, units 3 and 4 (1911 – 1920)
- VPRS 13951/P1 Rent Roll, Estates, Section 49 Closer Settlement Act 1904, unit 3 (1905 – 1914).

British Empire Settlement Act 1922

Under the provisions of the British Empire Settlement Act 1922, agreements were made between the imperial, Commonwealth and state governments to encourage migration from Britain and the settlement of these immigrants on the land. Once again, this was the responsibility of the Closer Settlement Board. The progress and costs of the scheme were
detailed in annual reports of the board available in the publication Papers Presented to Parliament.

The Elcho Training Farm and Depot was established close to Melbourne for settlers and their families. A description of the farm and its regulations are given in the 1926 annual report of the Closer Settlement Board. Details of the board's finances and management are also available in the annual reports.

A summary of British settlers, giving details of their arrival and the locations of the farms on which they were first settled, many in the Mallee, are found in:

- **VPRS 14438 Register of Approved Overseas Settlers, British Empire Settlement Act 1922 (1922 – 1928).**

Expectations were over-optimistic and most of these settlers failed to prosper. The result was the Royal Commission Established to Investigate Complaints Made by Settlers and Ex-Settlers on the Land under Migration Agreements of 1922–23 between British, Commonwealth, and Victorian governments ([VA 4697](#)). Many settlers were given compensation. The following records from the royal commission are available:

- **VPRS 2568 Transcripts of Proceedings, Correspondence, Report and Other Papers (1931 – 1933).**

**Land settlement schemes after the 1925 agreement**

New land settlement schemes were reported by the Closer Settlement Board from 1925 to 1929. These were located at:

- Childers (Parish of Moe)
- Katandra (Parish of Katandra)
- in the Maffra–Sale area.

Records relating to the acquisition of those estates can be found in the estates files held in:

- **VPRS 5714 Closer [and Soldier] Settlement Files (?1898 – ?1960).**

You can find information in these files regarding the actual sections and allotments allocated, which can then be used to find individual files relating to specific properties.

In general, files relating to the settlement of immigrants under the auspices of the Closer Settlement Board ([VA 2266](#)) are also held in this series, however, there are a small number of files in other series.

For more comprehensive information about individual settlers and estates, consult records for closer settlement (see **Chapter 30 – Closer Settlement** and):

- **VPRS 10240 Minute Books (1905 – 1938).**
Files may be accessed by searching on:

- **VPRS 7311** *Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche)*, or
- **VPRS 7312** *Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).*
34. Rural Assistance and Indebtedness

Introduction

Settlement and success as farmers did not always come easily. The problems created by climate and environment, and those due to economic difficulties, meant that assistance schemes were often needed.

Bushfire, flood and drought

After disasters such as bushfires and flood, Crown lessees could apply for assistance in the form of grass seed (for the regeneration of pastures), wire (for the replacement of fencing) or building materials. Repayment was guaranteed by a lien or mortgage.

Records relating to these are available in:

- **VPRS 13957** Register of Applications, Bushfire Relief (1898 – 1901)
- **VPRS 13985** Register of Bush Fire and Flood Relief Loans Repayments (1898 – ?1906)
- **VPRS 11921** Register of Agreements to Let and Hire, Closer and Soldier Settlement Acts; Securities Taken by the Board of Land and Works Bushfire Advances 1926 and Cultivation Advances Act 1927 (1924 – 1938)
- **VPRS 15617** Applications for Seed and Manure Flood Relief Advances, West Gippsland (1911 – 1911)
- **VPRS 15021** Progress Payments, Drought Relief Act 1944 (1945 – 1945).

Details of fire insurance claims by closer and soldier settlers (including after Black Friday 1939) can be found in **VPRS 15930** Fire Claim Registers, Closer and Soldier Settlement.

Seed and cultivation advances

A series of Acts of parliament allowed for the payment of advances to farmers for seed, and later cultivation, to enable them to sow a crop. These advances had to be repaid, and liens on crops or the granting of mortgages ensured that they were.

Records of these arrangements are available in:

- **VPRS 14451** Register of Applications, Seed and Fodder, Seed Advances Act 1903 (1903 – 1907)
- **VPRS 1826** Seed Advances Act No. 2568 Repayments To The Victorian Loans Redemption Fund Account Cash Book (1918 – 1929)
- **VPRS 10643** Minutes, Cultivation Advances Board (1932 – 1933)
Illustration 38

Photograph documenting sand drift on an abandoned farm, Parish of Burra, Mallee region.
VPRS 14740/P0, unit 7, photograph of deserted farm [detail]
- **VPRS 11921** *Register of Agreements to Let and Hire, Closer and Soldier Settlement Acts; Securities Taken by the Board of Land and Works Bushfire Advances 1926 and Cultivation Advances Act 1927* (1924 – 1938)


Some lists and correspondence relating to these advances are also available in:


### Dealing with rural debt

From 1929, general agricultural conditions, exacerbated by the economic effects of the Great Depression, created high levels of rural indebtedness. The Farmers Relief Board (VA 2267) (1931 – 1935) was established under the provisions of part II of the *Unemployed Occupiers and Farmers Relief Act 1931* as part of a scheme to assist debt-ridden farmers during the Great Depression. From 1935 it was succeeded by Farmers' Debts Adjustment Board (VA 2269) (1936 – 1950).

Proceedings of both these boards are available in:

- **VPRS 10194** *Minute Book* (1931 – 1936) (for VA 2267)
- **VPRS 10195** *Minute Book* (1936 – 1950) (for VA 2269)
- **VPRS 619** *Secretary’s Correspondence Files, Alphabetical System [1876-1896]; Correspondence Files, ‘A’ Series [1901-1929]; Unregistered Inward Correspondence, Minister of Lands [1881] (1876 – 1929), units 1 and 2.

Records relating to the activities of the Farmers' Debts Adjustment Board in dealing with rural debt are available in:

- **VPRS 10014** *Register Of Auctions And Farmers Advances Agreements, Mallee Division* (1936 – 1939)
- **VPRS 15022** *Schedules of Cases, Farmers Debts Adjustment Act 1935* (1936 – 1947)
- **VPRS 10192** *Case Files* (1936 – ?1950)
- **VPRS 10198** *Register of Creditors' Notices Of Intention* (1940 – 1942)
- **VPRS 10197** *Case Files* (1940 – 1948).

The Crown Leases Adjustment Committee (VA 4699) was formed in 1936 to consider applications made for the adjustment of rents or the interest payable by a lessee, and to make recommendations to the Minister of Lands and the Treasurer in relation to those applications.
Closer and soldier settlement

The Closer Settlement Act 1904 and Discharged Soldier Settlement Act 1917 allowed for the granting of advances to settlers in money or in kind to allow for the erection of buildings and fencing, the purchase of implements and stock, and other defined purposes. The amount that could be obtained and the terms of repayment were set out in the Acts with the board (or commission) being able to take a lien or mortgage, or other security, to ensure repayment of the advance. For further details see Chapter 30 – Closer Settlement, and Chapter 32 – Soldier Settlement.

In 1932, at the depth of the Great Depression, the majority of farmers who had settled the land under closer or soldier settlement schemes were insolvent. Despite adjustments made to their liabilities, the situation could not be rectified until section 32 of the Closer Settlement Act 1932 came into operation in 1937. This allowed the Closer Settlement Commission to value the land and improvements (except for those made at the settler's own expense) and then to write off the deficiency between the valuation and the settler's liabilities to the commission. The power to review the settler's ability to repay advances for other than improvements and to write off any amount deemed appropriate was also given to the commission.

Comprehensive summary records of this can be found in:

- **VPRS 14485 Schedules of the Revaluation and Adjustment of Settlers Liabilities, Section 32 Closer Settlement Act 1932 (1937 – 1939).**

Unemployment relief

In 1930, 160 blocks of land were made available for settlement as part of the relief works necessitated by the Great Depression. This land was available because the Closer Settlement Board had already purchased or reserved land for the purposes of closer or soldier settlement. Some blocks were those where leases had been cancelled or the land had been abandoned. Some 3,000 people applied for these blocks. The only records held are in:

- **VPRS 15606 Files of Applicants for the Unemployment Land Settlement Scheme (1930 – 1932).**

Under section 6 of the Unemployment Relief Amendment Act 1930, sums of money were provided for settlers to travel to the land and for the acquisition of hand tools and stock for domestic use under the initial supervision of the Unemployment Relief Works Board.
A small number of files relating to recipients of this relief in the area close to Melbourne are available in:

- **VPRS 10383** *Advances Files, Unemployed Relief and Soldier Settlement* (by 1919 – ?1939).
PART 6: ENVIRONMENT, INDUSTRIES AND INFRASTRUCTURE
35. Special Provisions for Special Industries

Introduction

Land Acts dealt not only with the selection or sale of Crown land, or the regulation of its occupation, but also with special schemes relating to the economic development of Victoria or the encouragement of specific industries.

Novel industries

Section 47 of the *Land Act 1862* was passed to encourage the development of 'novel industrial enterprises'. The section specifically mentions vineyards, olive yards, mulberry or hop plantations, or any 'useful plant or industrial enterprise or process which was previously unknown or not generally known'. No more than 100 of these leases were to be granted in any year and the term of the lease was not to exceed 30 years. The lessee had a pre-emptive right of purchase when the lease expired, or after 5 years, at the price of one pound per acre.

Records of leases for novel industries are held in:

- **VPRS 1286** *Register of Applications, Section 47, Land Act 1862* (1862 – 1865)
- **VPRS 13017** *Particulars of Gazetted Applications, Section 47, Land Act 1862* (1862 – 1865)
- **VPRS 13018** *Register of Leases, Section 47, Land Act 1862* (1862 – 1865)
- **VPRS 13026** *Rent Roll for Lessees, Section 47, Land Act 1862* (1863 – 1890)
- **VPRS 6165** *Record of Correspondence Sent (1864–1871); Register of Correspondence Received and Dispatched (1894–1898)* (1864 – 1898) held at the Ballarat Archives Centre contains entries recording the Ballarat district surveyor’s evaluation of applications for these leases.

This scheme ran from 1862 to 1865 although leases could run for 30 years after being taken. Some records of applications for leases, reports on applications, and correspondence regarding the scheme are also held in:

- **VPRS 44** *Inward Registered and Unregistered Correspondence* (?1839 – ?1896).
  Browse the consignment details for items of interest. The consignment list for **VPRS 44** can be found at <http://www.prov.vic.gov.au/landsguide/>.

Wattles

The *Wattles Act 1890* was passed to encourage the cultivation of various species of acacia with a commercial value. The provisions were incorporated into the *Land Act 1901*. Section 5
of the Wattles Act 1890 provided for the lease of Crown land for cultivation. Conditions stated that rent was to be regularly paid, the lease was not to be assigned to others, fences were to be raised and vermin destroyed, wattles were to be sown and planted, and that the plants were to be maintained.

A small number of records, all containing limited entries, are available for some districts:

- **VPRS 13506** Register of Applications, Ballarat, Section 5 Wattles Act 1890 and Sections 114 and 192 Land Act 1901 (Ballarat District Survey Office) (1891 – 1905)
- **VPRS 13860** Register of Applications, Bairnsdale, Section 5, Wattles Act 1890 (Bairnsdale District Survey Office) (1891 – 1899)
- **VPRS 13986** Register of Applications, Bairnsdale, Section 5, Wattles Act 1890 (Occupation Branch) (1890 – 1899)
- **VPRS 15025** Rent Roll, Bairnsdale, Section 5 Wattles Act 1890 (1892 – 1914)
- **VPRS 13987** Register of Applications, Ararat, Section 5 Wattles Act 1890 (Ararat District Survey Office) (1890 – 1892)
- **VPRS 14398** Register of Applications, Ararat, Section 5 Wattles Act 1890 (Occupation Branch) (1890 – 1891)

There may only be a very small number of files, but they can be accessed by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

File numbers can be obtained from:

- registers of applications;
- rent rolls;
- schedules printed in the Victoria Government Gazette.

**Bee-keeping**

Section 147 of the Land Act 1901 allowed the licensing of bee-keeping establishments of not more than one acre on any Crown land including that held under an agricultural licence or lease, or a grazing lease. Bee-range area licences could be granted for any Crown land under section 14 of the Land Act 1905. Licences were issued for one year but could be renewed annually. No individual or company was permitted to hold more than three bee-range licences. These provisions for beekeeping continued in subsequent land Acts.
A poster advertisement from Victorian Railways seeking to encourage train travel to flowering wattle plantations in the Warburton and Dandenong ranges, by Daryl Lindsay Cyril Dillon, lithographic printer Wilke.

VPRS 12903/P1, BOX P500/07
Illustration 40

Carriage advertisement for Tythegston Apiaries and Bee Removers.

VPRS 12800/P3, ADV 1650
Records are available in:

- **VPRS 13491** Register of Applications, Horsham, Section 147 Land Act 1901 (Occupation Branch) (1906 – 1911)

- **VPRS 14545** Register of Applications, Stawell and Hamilton, Section 147 Land Act 1901 and Section 14 Land Act 1905 (Occupation Branch) (1911 – 1914)

- **VPRS 14118** Register of Approved Applications, Hamilton, Bee Farms and Ranges (Hamilton District Office) (?1907 – 1948).

Files relating to bee-keeping may be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or

- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

Notes on the microfiche catalogue in the columns for 'allotment' and 'section' indicate specific files relating to bee farms and bee ranges. File numbers may be obtained from:

- registers of applications.
36. Life Event Registers, Rabbits, a Coalmine and Roads

Introduction

This chapter covers a small group of specialised records relating to lands administration on very specific matters.

Life events registers

Legislation relating to land allowed such things as leases of Crown land to be assigned or transferred to another person, often by a will or under letters of administration. Women leaseholders were to notify the Department of Crown Lands and Survey upon marriage as this commonly involved a change of name. Records summarising these notifications can be found in:

- VPRS 15642 Register of Probates and Marriages (1876 – 1879)
- VPRS 14488 Register of Probates (1879 – 1983 with gaps)

Vermin and noxious weeds

With the passing of the Rabbit Suppression Act 1880, the Commissioner of Crown Lands and Survey together with municipal councils became responsible for the extermination of rabbits. Subsequently the commissioner and the minister became responsible for the control and destruction of proclaimed vermin, the payment of subsidies to municipalities and the conduct of scientific research work to assist the control of vermin.

Prior to 1958, the Vermin and Noxious Weeds Branch was part of the Department of Crown Lands and Survey (VA 538). From 1958 to 1983 vermin and noxious weeds were the responsibility of the Vermin and Noxious Weeds Destruction Board (VA 1376). From 1977 the Vermin and Noxious Weeds Destruction Board operated as the Division of Inspection and Vermin and Noxious Weeds Destruction, in the Department of Crown Lands and Survey.

Limited records are available for this function. Specific records are available in:

- VPRS 15603 Register of Inward Correspondence, Inspector of Rabbit Extermination (by 1884 – ?1885)
- VPRS 15566 Register of Inwards Correspondence, Inspector's Branch (by 1956 – 1967)
A number of general correspondence series contain files relating to both general policy matters and to specific issues relating to vermin and noxious weeds, and can be found by using the PROV online catalogue search within a series facility. Use this search option on the following series:

- **VPRS 11563** General Correspondence Files, Annual Single Number System I (1919 – 1984)
- **VPRS 11796** General Correspondence Files, 'X' Series (1960 – 1984)

Other files can be found by browsing the 'X' category in:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche).

**State Coal Mine at Wonthaggi**

The *Wonthaggi Land Act 1912* made provision for variations to the *Land Act 1901* to apply specifically to the town of Wonthaggi (where the State Coal Mine was established in 1908). Leases granted under section 142 of the *Land Act 1901* prior to the passing of the Wonthaggi Act were to be extended to 33 years. All leases for business sites under that section of the Act, whether granted prior to 1912 or after 1912, were to be for 50 years. Lessees were to have the option of purchasing the leased land with a percentage paid as a deposit and with the option of paying the remainder in 20 half-yearly installments. Coal mine employees licensed to occupy land for a dwelling under section 145 of the *Land Act 1901* were granted the same rights as tenants of state-owned cottages.

Records relating to these arrangements are available in:

- **VPRS 14137** Rent Roll Cards, Parish of Wonthaggi, All Sections and the Wonthaggi Land Act 1912 (1907 – ?1924).

For other records relating to the State Coal Mine, consult the list of related series for State Coal Mine (**VA 720**) (1909 – 1968).
Illustration 41

Wonthaggi Coal Mine view from Dudley brace looking down slipway toward 20 shaft.

VPRS 12800/P1, H 5286
Unused roads and water frontages

From 1903 to 1928 two types of Crown land – unused roads and water frontages – were occupied under licences issued by the Public Works Department (VA 669) rather than the Department of Crown Lands and Survey.

Unused roads were strips of land that had previously been reserved and gazetted as roads, but were no longer in use.

Water frontages were the strips of land along the banks of all of Victoria's rivers, streams and lakes, which had been permanently reserved for public purposes by Order-in-Council of 23 May 1881. The reserves were usually one, one and a half or two chains wide (one chain = roughly 20 metres) on both banks of the stream, except for the Murray River, where the reserve was three chains wide on the south bank. Refer to the list of these in Township and Parish Guide, available in PROV reading rooms.

Licensees of these reserves were owners or occupiers of adjoining land, and used the extra strip for various purposes, usually grazing, or in the case of water frontages, for pipelines or pumps to bring water to their properties. These reserves could only be occupied under licence and there were no rights to purchase.

Initially the revenue was paid to the municipalities and then into a trust for the Country Roads Board, after its establishment in 1913. After 1928, administration changed to the Department of Crown Lands and Survey.

No general records of applications are held. However, a register of applications for the Ballarat district is held in:

- **VPRS 15026 Register of Applications, Ballarat, Unused Roads and Water Frontages (1905 – 1929).**

There is a register of applications for the Geelong district which is held at the Geelong Heritage Centre:

- **GRS 972 Geelong District Crown Lands Department: Applications Registers, unit 11.**

Rent rolls (12 volumes) giving details of payments made by licensees all over Victoria are available in:

- **VPRS 10542 Rent Rolls Unused Roads and Water Frontages (1905 – 1932)**

  If you know the licence number you can search on:

  - **VPRS 10543 Index to Rent Rolls Unused Roads and Water Frontages (1905 – ?1922)** – this index gives references to **VPRS 10542**.

  The index to name, licence number and payment record is not held by PROV.
Other records of payments of rents are available in:


Often rents were paid to a local receiver of revenue. The records of these payments for a number of locations between 1905 and 1913 are available in:

- **VPRS 4683** Regional Rent Rolls, Unused Roads and Water Frontages (1905 – 1913) – payment records for Nhill and Dimboola are held at the Ballarat Archives Centre as VPRS 4683/P3.

Records of revenue raised by these licences and transferred to municipalities can be found in:

- **VPRS 4681** Ledger, Unused Roads and Water Frontages (by 1905 – 1928)
- **VPRS 10352** Municipal Ledger, Unused Roads and Water Frontages (?1905 – 1928).

The records of correspondence received in relation to licences for unused roads and water frontages can be found in:

- **VPRS 10544** Register of Inward Correspondence, Unused Roads and River Frontages (1905 – ?1935).

Department of Crown Lands and Survey locality plans show the locations and the numbers for these licences. Look for the letters 'UR' or 'WF' as indicators.

A number of files are available with the category 'UR' (unused roads) or 'WF' (water frontage). These may be found by searching on:

- **VPRS 7311** Catalogue of Crown Lands and Survey Files: File Number Order (Microfiche), or
- **VPRS 7312** Catalogue of Crown Lands and Survey Files: Parish/Town Order (Microfiche).

**The Great Ocean Road**

The Great Ocean Road was originally conceived as a memorial to the fallen of World War I, with financing actively sought from the public as well as from government. The agency primarily responsible for the construction and management of the road was the Great Ocean Road Trust (and subsequently Great Ocean Road Trust Pty Ltd) (VA 4716) from 1918 to 1956. The Secretary for Lands was responsible for winding up the company and was thus handed the documents of the trust and company.

The most significant of these records are:

- **VPRS 14671** Minutes, Great Ocean Road Trust (1918 – 1933)
- **VPRS 14672** Minutes, Great Ocean Road Trust Pty Ltd (1921 – 1955)
• **VPRS 14681** *General Ledger* (1919 – 1947)

• **VPRS 14674** *Donations Register* (1918 – 1923).

Other series can be found by consulting the related series listings for the Great Ocean Road Trust (VA 4716) and for the Country Roads Board (VA 722).

Some of the records available are:

• **VPRS 10200** *Newspaper Cuttings Book* (1913 – 1961)

• **VPRS 10203** *Correspondence Files* (circa 1913 – circa 1970)

• **VPRS 10344** *Minute Book – Tourists' Resort Committee* (1922 – 1958).

The contribution of unemployed workers to the construction of the road is detailed in the summary record of unemployment relief works in Victoria during the Great Depression in:

• **VPRS 12457** *Unemployment Relief Register* (by 1936 – 1942).

A small number of files relating to the Great Ocean Road from the Department of Crown Lands and Survey can be found by using the PROV online catalogue search within a series facility for the following series:

• **VPRS 11563** *General Correspondence Files, Annual Single Number System I* (1919 – 1984).
View of sharp bends along the Great Ocean Road.

VPRS 12903/P1, BOX 455/09
37. National Parks and the Port Phillip Authority

Introduction

This final chapter deals with the records held by PROV which are associated with the management of certain public lands during the second half of the twentieth century.

National and state parks

Victoria's first land legislation, the *Sale of Crown Lands Act 1860*, recognised the need for the setting aside of land for public recreation. Provisions for the care, protection and management of such reserved lands were introduced in the *Land Act 1869*. In 1866, Tower Hill was reserved although it was not designated a category ‘.92’. Several other national parks had been declared by the end of the nineteenth century. Park maintenance and administration was the responsibility of local committees of management, under the general oversight of the lands department, until the passing of the *National Parks Act 1956*. Since then, the responsible agencies have been:

- **VA 549** *National Parks Service [known as National Parks Authority 1957–1971]* (1957 – 1983)
- **VA 3004** *Department of Conservation and Environment* (1990 – 1992)
- **VA 3097** *Department of Conservation and Natural Resources* (1992 – 1996)

A number of general correspondence series contain files relating to both general policy matters and to specific state or national parks. These can be found by using the PROV online catalogue search within a series facility. Searches can be made using general terms or specific locality names. For some series you may need to refer to control records in order to find files of interest. This will be indicated in the specific series documentation.

The following correspondence series are available:

- **VPRS 11552** *National Parks General Correspondence Files, Multiple Number System* (circa 1956 – 1976)
- **VPRS 11553** *National Parks General Correspondence Files, Annual Single Number System* (1976 – 1984)
- **VPRS 11563** *General Correspondence Files, Annual Single Number System I* (1919 – 1984) – includes correspondence from the Forests Commission
In 1976 local committees of management were abolished and replaced by advisory committees. Records of some of these committees and of their activities and stewardship are available. These records may include minutes of meetings and correspondence files as well as financial records. Such records are held for:

- Fraser National Park Committee of Management (VA 4706) (1959 – 1976)
- Kinglake National Park (VA 546) (1928 – continuing)
- Mallacoota Inlet National Park Committee of Management (VA 4708) (1958 – 1975)
- Mallacoota Inlet National Park Advisory Committee (VA 4709) (1975 – 1979)
- Mount Buffalo National Park (VA 543) (1898 – continuing)
- Mount Richmond National Park Committee of Management (VA 4705) (1960 – 1975)

The most comprehensive records are held for Wilson's Promontory National Park (VA 542) including minutes, correspondence files, letter books and financial records. Researchers interested in the agistment of stock on the Yanakie Run prior to it being proclaimed as part of the Wilson's Promontory National Park should consult:

- VPRS 15013 File Management Cards, Miscellaneous Metropolitan Division (?1911 – ?1980) – which will give file numbers.

Files relating to the above matters may be available in:

- VPRS 242 Crown Reserves Correspondence (?1850 – 1980).

**Port Phillip Authority**

Between 1966 and 1984 the Port Phillip Authority (VA 1102) was responsible for the management of the Port Phillip Bay area. Records available include:


Summary details of applications for works to be done around the bay and the authority's rulings on these applications are provided in:


A number of general correspondence series contain files relating to both general policy matters and to the Port Phillip Authority. They can be found by using the PROV online catalogue **search within a series** facility.

Series which include files that may be of interest are:

- **VPRS 11794** *General Correspondence Files, 'M' Series* (1960 – 1984)
- **VPRS 11796** *General Correspondence Files, 'X' Series* (1960 – 1984)
- **VPRS 11797** *General Correspondence Files, Crown Land Management Division ('MA' Series)* (1978 – 1985).
PART 7: OTHER RESOURCES
Appendices

Year ranges for records held by PROV are sometimes preceded by qualifiers such as ‘?’, 'circa' and 'by'. The use of ‘?’ indicates a degree of uncertainty as to the year specified; 'circa' and the abbreviation 'c' are used when a series is known to have commenced or ceased around a particular date; and 'by' is used when it is known that a series ceased or commenced by a particular date and it is known that the series existed after or before that date, but the precise date is not known.

1. Registers of Crown grants

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<td>1857</td>
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<td>Register of Grants for Special Purposes (Grants Without Purchase) [1842 - 1990]; Register of Pre-Emptive Right Descriptions [1852 - 1893]</td>
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2. Registers of correspondence and correspondence files

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<td>VPRS 11</td>
<td>Unregistered Inward Correspondence to the Chief Protector of Aborigines - Reports and Returns (refer to digitised images of P0 consignment, available online)</td>
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Crown Lands, Hamilton)

VPRS 70 Registers of Inward Correspondence (Refer to Microfilm Copy, VPRS 227) 1856 1876

VPRS 94 Inward Correspondence 1839 1865

VPRS 166 Alphabetical Registers of Inwards Correspondence (Refer to Microfilm Copy, VPRS 228) 1876 1896

VPRS 226 Index to Inward Registered Correspondence [Microfilm Copy of VPRS 5522] 1985 1985

VPRS 227 Registers of Inwards Correspondence [Microfilm Copy of VPRS 70] 1985 1985

VPRS 228 Alphabetical Registers of Inward Correspondence [Microfilm Copy of VPRS 166] 1985 1985

VPRS 242 Crown Reserves Correspondence ? 1850 1980

VPRS 441 Crown Land Occupation Files, Correspondence Series 1896 ? 1978

VPRS 442 Outward Letter Books [1862 - 1907]; Register of Inward Correspondence [1877 - 1880] 1862 1907

VPRS 619 Secretary's Correspondence Files, Alphabetical System [1876-1896]; Correspondence Files, 'A' Series [1901-1929]; Unregistered Inward Correspondence, Minister of Lands [1881] 1876 1929

VPRS 621 Register of Inward Correspondence, Occupation Branch 1874 1876

VPRS 865 Secretary's Correspondence Files, Numerical System 1896 1960

VPRS 989 General Correspondence Files by 1870 1925

VPRS 1003 Correspondence Files, Land Sales Branch by 1885 ? 1939

VPRS 1016 Miscellaneous Correspondence Files 1843 ? 1934

VPRS 1258 Inwards Correspondence, Surveyor-General 1840 1915

VPRS 1325 Registers of Outwards Correspondence [1873-1874 & 1893-1894]; Register of Applications & Rent Roll (Homestead and Village Settlement), Bairnsdale District Office; 1873 1898

VPRS 2894 Registered Inward Correspondence To The Surveyor General from the Guardian Of Aborigines (Refer to Microfilm Copy, VPRS 4467) 1856 1856

VPRS 2896 Registered Inward Correspondence to the Surveyor-General, Board of Land and Works and Board Of Land and Survey relating To Aboriginal Affairs (Refer to Microfilm Copy, VPRS 4467) 1856 1873
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<td>Copies Of Registered Correspondence Relating To The Moravian Mission Lake Boga Aboriginal Reserve</td>
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<td>VPRS 5357</td>
<td>Land Selection And Correspondence Files</td>
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<td>Chief Commissioner of Crown Lands- Inward Correspondence</td>
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<td>Correspondence Relating to the Administration and Development of Roads</td>
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<td>Register of Inwards Correspondence, Settlement on Lands Act 1893 and Land Act 1898, Numerical System</td>
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<td>Register of Inward Correspondence, Crown Lands Office</td>
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<td>Register of Inward Correspondence, Secretary</td>
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<td>Register of Inward Correspondence, Land Sales Branch</td>
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<td>Register of Inward Correspondence, Castlemaine, Dunolly and St Arnaud Land Districts</td>
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### 3. Local land board schedules

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10. Registers of applications Section 80 *Land Act 1898*

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Land Act 1898 and Section 63 Land Act 1901
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11. Registers of licensees Section 42 Land Act 1865

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VPRS 13057 Register of Licensees, Kyneton, Section 42 Amending Land Act 1865 1865 1870

VPRS 13051 Register of Licensees, Melbourne, Section 42 Amending Land Act 1865 1866 1871

VPRS 13071 Register of Licensees, Melbourne, Section 42 Amending Land Act 1865 and Section 19 Land Act 1869 1868 1877

VPRS 13044 Register of Licensees, Sale and Bairnsdale, Section 42 Amending Land Act 1865 1866 1871

VPRS 13067 Register of Licensees, Sale, Section 42 Amending Land Act 1865 and Section 19 Land Act 1869 1869 1877

VPRS 13066 Register of Licensees, Seymour, Section 42 Amending Land Act 1865 and Section 19 Land Act 1869 1869 1877

VPRS 13049 Register of Licensees, Smythesdale, Section 42 Amending Land Act 1865 1865 1871

VPRS 13064 Register of Licensees, St Arnaud, Ballarat and Kerang, Section 42 Amending Land Act 1865 and Section 19 Land Act 1869 1869 1874

VPRS 13062 Register of Licensees, Stawell, Section 42 Amending Land Act 1865 and Section 19 Land Act 1869 1869 1873

VPRS 13050 Register of Licensees, Talbot, Maryborough, Avoca, Section 42 Amending Land Act 1865 1865 1871

12. Registers of application Section 49 Land Act 1869

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VPRS 13754  Rent Rolls, Ararat, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1870 ? 1912

VPRS 13775  Rent Rolls, Bairnsdale, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1872 ? 1911

VPRS 13582  Rent Rolls, Beechworth, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1870 ? 1909

VPRS 13617  Rent Rolls, Bendigo, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1870 ? 1909

VPRS 13710  Rent Rolls, Echuca, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1875 ? 1911

VPRS 13764  Rent Rolls, Geelong, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1872 ? 1910

VPRS 13780  Rent Rolls, Hamilton, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1873 ? 1910

VPRS 13811  Rent Rolls, Horsham, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1877 ? 1909

VPRS 13739  Rent Rolls, Omeo, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1876 ? 1911

VPRS 13825  Rent Rolls, Sale, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1872 ? 1911

VPRS 13747  Rent Rolls, Stawell, Sections 47 and 49 Land Act 1869 and Other Sections Land Acts from 1884 to 1901 1870 ? 1910
## 14. Registers of application Section 65 Land Acts 1884, 1890 and 1898; Section 103 Land Act 1901

<table>
<thead>
<tr>
<th>Series number</th>
<th>Series title</th>
<th>Qualifier</th>
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<tr>
<td>VPRS 13479</td>
<td>Register of Applications, Alexandra, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
<td>1886</td>
<td>VPRS 13481</td>
<td>Register of Applications, Ararat, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Ararat District Survey Office)</td>
<td>1886</td>
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<td>VPRS 13480</td>
<td>Register of Applications, Ararat, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
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<td>VPRS 13454</td>
<td>Register of Applications, Bairnsdale Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Bairnsdale District Survey Office)</td>
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<tr>
<td>VPRS 13453</td>
<td>Register of Applications, Bairnsdale Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
<td>1891</td>
<td>VPRS 13504</td>
<td>Register of Applications, Ballarat, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
<td>1885</td>
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<td>VPRS 13399</td>
<td>Register of Applications, Beechworth, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
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<td>VPRS 13393</td>
<td>Register of Applications, Bendigo, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Bendigo District Survey Office)</td>
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<td>Register of Applications, Bendigo, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
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<td>Register of Applications, Castlemaine, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Castlemaine District Survey Office)</td>
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<td>VPRS</td>
<td>13445</td>
<td>Register of Applications, Sale, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
<td>1888</td>
<td>1907</td>
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<td>VPRS</td>
<td>13446</td>
<td>Register of Applications, Sale, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Sale District Survey Office)</td>
<td>1888</td>
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<td>VPRS</td>
<td>13475</td>
<td>Register of Applications, Seymour, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Seymour District Survey Office)</td>
<td>1885</td>
<td>1907</td>
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<td>VPRS</td>
<td>13363</td>
<td>Register of Applications, St Arnaud, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
<td>1896</td>
<td>1908</td>
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<tr>
<td>VPRS</td>
<td>13366</td>
<td>Register of Applications, St Arnaud, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (St Arnaud District Survey Office)</td>
<td>1886</td>
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<td>VPRS 13468</td>
<td>Register of Applications, Stawell, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Occupation Branch)</td>
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<td>VPRS 13469</td>
<td>Register of Applications, Stawell, Section 65 Land Acts 1884, 1890 and 1898 and Section 103 Land Act 1901 (Stawell District Survey Office)</td>
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<td>1886</td>
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<td>1908</td>
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</table>

15. Registers of application, other sections Land Acts 1884, 1890, 1891, 1898 and 1901

<table>
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<tr>
<th>Series number</th>
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<tr>
<td>VPRS 13380</td>
<td>Register of Applications, Benalla, Other Sections Land Acts 1884, 1890, 1891, 1898 and 1901 (Occupation Branch)</td>
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<td>1908</td>
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<td>VPRS 13381</td>
<td>Register of Applications, Benalla, Other Sections: Land Acts 1884, 1890, 1891, 1898 and 1901 (Benalla District Survey Office)</td>
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<td>1900</td>
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<tr>
<td>VPRS 13387</td>
<td>Register of Applications, Echuca, Other Sections Land Acts 1884, 1890, 1891, 1898 and 1901 (Echuca District Survey Office)</td>
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<tr>
<td>VPRS 13432</td>
<td>Register of Applications, Hamilton, Other Sections Land Acts 1884, 1890, 1891, 1898 and 1901 (Hamilton District Survey Office)</td>
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<td>VPRS 13487</td>
<td>Register of Applications, Horsham, Other Sections Land Acts 1884, 1890, 1891, 1898 and 1901 (Horsham District Survey Office)</td>
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<td>Register of Applications, Warracknabeal Other Sections Land Act 1884 and 1890 (Warracknabeal District Survey Office)</td>
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<td><strong>16. Crown lands records located at Ballarat Archives Centre</strong></td>
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<td>VPRS</td>
<td>15680</td>
<td>Register of Approved Applications, Ballarat and Western Victoria, Other Sections Land Acts 1901 to 1958 (Ballarat District Land Office)</td>
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<td>VPRS</td>
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<td>Register of Approved Applications, Ballarat, Section 103 Land Act 1901 and Section 86 Land Act 1915 and Section 49 Land Act 1958 (Ballarat District Land Office)</td>
<td>1908</td>
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<td>VPRS</td>
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<td>Register of Approved Applications, Ballarat, Sections 47 and 98 Land Act 1901 (Ballarat District Survey Office)</td>
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<td>VPRS</td>
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<td>Register of Lessees, Mallee Lands, Horsham Land District</td>
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<td>VPRS</td>
<td>1655</td>
<td>Register of Inward and Outward Correspondence, Crown Lands Bailiff Ballarat</td>
<td>by 1883</td>
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<td>VPRS</td>
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<td>Orders for Surveys, Ballarat</td>
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<td>VPRS</td>
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<td>Register Of Land Sales (Ballarat District Land Office)</td>
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<td>Register Of Land Sales (Creswick District Land Office)</td>
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<td>Register Of Public Land Auctioned (Nhill District Land Office)</td>
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<td>Register of Deposits on Lands Selected, Section 42 Land Act 1862, Daylesford District</td>
<td>1864</td>
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<td>Register of Residence and Cultivation Licenses, Ballarat</td>
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<td>Register of Applications, Ballarat, St Arnaud and Kerang, Part II Land Act 1869</td>
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<td>1013</td>
<td>Licenses Issued under Section 42, Amending Land Act 1865</td>
<td>1865-1870</td>
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<td>15683</td>
<td>Register of Approved Applications, Ararat, Section 103 Land Act 1901 and Section 86 Land Act 1915 (Ararat District Land Office)</td>
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<td>5448</td>
<td>Registers of Residence Areas, Ballarat District, Central Division</td>
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<td>15678</td>
<td>Index to Residence Area Rights, Ballarat District, Central Division</td>
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<td>15685</td>
<td>Index to Transferees of Residence Area Rights, Ballarat District Central Division</td>
<td>1882-1936</td>
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<td>6432</td>
<td>Notice of Application for Registration of Residence Areas and Business Sites, Ballarat Division, Central District</td>
<td>by 1935-1936</td>
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<td>5416</td>
<td>Notices of Application for Registration of Residence Areas and Business Sites, Stawell District, Raglan Division</td>
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<td>1382</td>
<td>Applications For Residence and Business Areas and Claims, Ballarat District, Central Division</td>
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<td>Register of Applications, Ballarat, Section 12 Land Act (Amendment) Act 1936 and Section 171 Land Act 1958 (Ballarat District Land Office)</td>
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<td>6169</td>
<td>Applications and File Management Cards, Ballarat and Ararat</td>
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<td>6165</td>
<td>Record of Correspondence Sent (1864–1871); Register of Correspondence Received and Dispatched (1894–1898)</td>
<td>1864-1898</td>
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<td>4683</td>
<td>Regional Rent Rolls, Unused Roads and Water Frontages</td>
<td>1905-1913</td>
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# Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Aboriginal reserve</td>
<td>A reserve of Crown land set aside for use by Aboriginal people as a place of residence and work.</td>
</tr>
<tr>
<td>Accession</td>
<td>A group of records from the same source taken into archival custody at the same time.</td>
</tr>
<tr>
<td>Alienation</td>
<td>The transfer of title or property to another person. In this case, the change of ownership from the Crown to another party.</td>
</tr>
<tr>
<td>Allotment</td>
<td>A subdivision of a land section. Sizes varied, but each was identified by a number.</td>
</tr>
<tr>
<td>Annotations</td>
<td>Notes or other marks, often written in the margins or on the reverse of a record.</td>
</tr>
<tr>
<td>Assignment</td>
<td>Allowing someone else to act on behalf of or in place of the original owner. This may occur because the person has transferred or sold their rights or appointed someone to act on their behalf.</td>
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<tr>
<td>Auriferous areas</td>
<td>Areas of land deemed to be gold-bearing.</td>
</tr>
<tr>
<td>Bailiffs</td>
<td>A sheriff's officer who executes writs and processes and carries out distraints and arrests.</td>
</tr>
<tr>
<td>Cadastral</td>
<td>A legalised boundary survey of a parcel or allotment of land.</td>
</tr>
<tr>
<td>Chains</td>
<td>A jointed measuring-line consisting of linked metal rods which in the imperial system was equivalent to 66 feet or 20.1168 metres.</td>
</tr>
<tr>
<td>Chronological order</td>
<td>Arrangement in order of time, usually from earliest to latest.</td>
</tr>
<tr>
<td>Common</td>
<td>Land set aside for the use of everyone to provide 'free' temporary forage and grazing space for stock.</td>
</tr>
<tr>
<td>Conditional purchase</td>
<td>A buyer was able to eventually become the owner of land as long as certain conditions, usually to do with payments and use and improvement of the land, were fulfilled.</td>
</tr>
<tr>
<td>Consignment</td>
<td>Records in a series added to the series at the same time. Identified by a letter and a number (for example, P0 or P3).</td>
</tr>
<tr>
<td>Crown</td>
<td>The power or authority residing in the monarchy.</td>
</tr>
<tr>
<td>Crown grant</td>
<td>Transfer of title from the government (or Crown) to the first other owner of a piece of property.</td>
</tr>
<tr>
<td>Crown grantees</td>
<td>Persons who received Crown grants.</td>
</tr>
</tbody>
</table>
Crown land Land that has not yet been alienated (or transferred) from the Crown.

In custody The physical possession of records by PROV (or an archive). PROV does not have ownership of the records.

Deeds of grant The document showing that title had been transferred from the Crown to the first other owner.

Depasturing licence A licence granted to a pastoralist allowing the grazing of animals on Crown land for a specific time and after the payment of a fee.

Disposal In the current context, this refers to the arrangement, disposition, or placing of land.

Estrays Estrays are records owned by a Victorian government or public sector organisation which are not under that organisation's control.

Executive council A body consisting of the Governor and other councillors who are members of the Ministry or Cabinet. The councillors give advice to the Governor in regard to his actions. Also known as the Governor-in-Council. See VA 2903.

Free selection The opportunity to select waste land anywhere in the state regardless of whether or not it had been surveyed.

Guano A mineral rich deposit created from bird droppings.

Governor The representative of the Crown in each state, acting on behalf of the monarch. See text for VA 666.

Governor-in-Council Also known as the Executive Council. The Governor acting after consulting with members of Cabinet. Laws may require the Governor-in-Council to approve certain government actions such as appointments to positions, the granting of leases or the sale of Crown assets.

Improvements Actions taken to make land more valuable by such means as clearing, fencing or cultivation.

Land district An area of Victoria consisting of several parishes and based on a large provincial centre. It was used for the local administration of policy and laws relating to lands.

Lease A formal contract between parties allowing the use of land for a period of years for the payment of rent or other compensation.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licence to occupy</td>
<td>Permission to occupy and use land for a limited period of time after the payment of a fee. Note that the noun was spelt as license for most of the nineteenth century including in the legislation.</td>
</tr>
<tr>
<td>Lien</td>
<td>A charge or claim on someone's property as security for a debt.</td>
</tr>
<tr>
<td>Minimum upset price</td>
<td>The minimum price that would be accepted by the Crown for the purchase of land. The actual price paid, especially at auction could be more, but was not allowed to be less.</td>
</tr>
<tr>
<td>Mission</td>
<td>See Station (Aboriginal) below.</td>
</tr>
<tr>
<td>Negotiable instrument</td>
<td>A formal document such as a title which was able to be assigned to others or used as collateral for obtaining finance.</td>
</tr>
<tr>
<td>Novel industries</td>
<td>This refers to a category of 'new' industries that land laws attempted to encourage, particularly vineyards, olive yards, mulberry or hop plantations, or any 'useful plant or industrial enterprise or process which was previously unknown or not generally known'.</td>
</tr>
<tr>
<td>Parcel (of land)</td>
<td>A piece of land.</td>
</tr>
<tr>
<td>Parish</td>
<td>Each county in Victoria was divided into parishes which were smaller more local areas than the county.</td>
</tr>
<tr>
<td>Pastoral run</td>
<td>The area of land licensed to be occupied and used by a pastoralist for the grazing of animals</td>
</tr>
<tr>
<td>Pastoralist</td>
<td>A person who grazed animals on a pastoral run. Also popularly known as a squatter.</td>
</tr>
<tr>
<td>Payable gold</td>
<td>In mining, gold found in commercial quantities.</td>
</tr>
<tr>
<td>Perches</td>
<td>An area of measurement equal to 25.29 square metres or 30 ½ square yards.</td>
</tr>
<tr>
<td>Permissive occupancy</td>
<td>A form of land tenure held over Crown land authorising its occupation or use.</td>
</tr>
<tr>
<td>Perpetual lease</td>
<td>A lease giving tenants full security of tenure with no time limitations. The land had to be improved and the lessee paid rent, but this rent did not become part of the payments for outright purchase of the land.</td>
</tr>
<tr>
<td>Pre-emptive right</td>
<td>The right to be the first purchaser of land from the Crown. Usually refers to the rights of pastoralists to buy portions of pastoral runs.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td><strong>Proclamation</strong></td>
<td>The official giving of public notice of a proposed action by the Crown.</td>
</tr>
<tr>
<td><strong>Proclamation gazettal</strong></td>
<td>The act of proclaiming in a gazette, from which time something becomes effective.</td>
</tr>
<tr>
<td><strong>Provenance</strong></td>
<td>The origin or source from which something comes.</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td>An artificial water channel.</td>
</tr>
<tr>
<td><strong>Records</strong></td>
<td>Documents in any form containing data or information. These are created or received and accumulated by an organisation in conducting its business.</td>
</tr>
<tr>
<td><strong>Reservations or Crown reserves</strong></td>
<td>Areas reserved (or put aside) by the Crown for special or public purposes.</td>
</tr>
<tr>
<td><strong>Residence</strong></td>
<td>Requirement to reside on the property.</td>
</tr>
<tr>
<td><strong>Residence area</strong></td>
<td>An area granted for residence to the holder of a miner's right in an auriferous or mining area.</td>
</tr>
<tr>
<td><strong>Rood</strong></td>
<td>A quarter of an acre.</td>
</tr>
<tr>
<td><strong>Section</strong></td>
<td>Each parish was originally divided into sections. The first sections were 640 acres (or one square mile). Identified by a letter or a number. A group of allotments.</td>
</tr>
<tr>
<td><strong>Selection</strong></td>
<td>The process where an individual (the selector) could peg out a block of land and then seek a licence to occupy the land and eventually lease and buy the land after survey. See also free selection.</td>
</tr>
<tr>
<td><strong>Series</strong></td>
<td>Records from the same organisation that are part of the same filing system or kept together because they are the result of the same activity.</td>
</tr>
<tr>
<td><strong>Station (Aboriginal)</strong></td>
<td>An area of land occupied by Aboriginal people or a reserve for Aboriginal people, especially one established by a religious mission or government agency.</td>
</tr>
<tr>
<td><strong>Swamp</strong></td>
<td>A piece of waterlogged ground.</td>
</tr>
<tr>
<td><strong>Title</strong></td>
<td>Legal ownership of land as shown by a document or deed.</td>
</tr>
<tr>
<td><strong>Top numbering</strong></td>
<td>The practice of giving a file a new number when it was placed in a new filing system. This also occurred with closer and soldier settlement when land was leased under a new agreement.</td>
</tr>
<tr>
<td><strong>Township</strong></td>
<td>A small town or a town-site.</td>
</tr>
<tr>
<td><strong>Undisturbed possession</strong></td>
<td>The right to enjoy property without interference or claims on it from others.</td>
</tr>
<tr>
<td><strong>Unit</strong></td>
<td>Part of a series usually consisting of one archives box or one volume.</td>
</tr>
<tr>
<td>----------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Waste lands</strong></td>
<td>Land neither alienated nor reserved by the Crown for any purpose.</td>
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LANDS GUIDE

The *Lands Guide* is a comprehensive reference resource for accessing records relating to Crown land in the State of Victoria, and will be an indispensable finding aid for anyone doing research into Victoria’s land records. This publication caters to a wide range of research interests, whether you are wanting to find out about the lives of your ancestors or information about the history of land in a particular location in the State of Victoria.