

1852-3.

VICTORIA.

RESERVES OF LAND.

RETURN TO ADDRESS — *Dr. Thomson, 31st August, 1852.*

LAID UPON THE COUNCIL TABLE BY THE COLONIAL SECRETARY,

BY COMMAND OF

HIS EXCELLENCY THE LIEUTENANT GOVERNOR,

AND

ORDERED BY THE COUNCIL TO BE PRINTED,

6th January, 1853.

Melbourne :

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1853.

VICTORIA.

RESERVES OF LAND—RETURN TO ADDRESS.

Colonial Secretary's Office,
Sydney, 20th March, 1848.

SIR,

I do myself the honor to enclose for your Honor's information the accompanying Copy of a minute of the proceedings of the Executive Council, with respect to Reserves beyond the Settled Districts.

I have, &c.,
For the Colonial Secretary,
(Signed) WM. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

SUMMARY of Proceedings of the Executive Council, on the 3rd February, 1848, relative to a letter from Mr. John Smith, of Gamboola, near Molong, representing that a certain proposed Reserve there will include his house, as well as the improved portion and water frontage of his run, and requesting information as to how the Reserve will be disposed of.

MINUTE No. 48 | 4 D, confirmed 9th March, 1848.

His Excellency the Governor laid before the Council Mr. John Smith's letter of 15th January, 1848.

The Council advise that this letter should be referred to the Deputy Surveyor General for his report respecting the Reserve which he intends to propose in the locality to which Mr. Smith refers.

The Deputy Surveyor General should, at the same time, receive a specific instruction to except from this, and from all other Reserves, any lands containing valuable improvements, and also such lands as may be necessary in each case to connect the improved portion of the run with the remainder of it, which may be beyond the Reserve.

The Deputy Surveyor General should also endeavour so to arrange the Reserves as to leave to the runs from which they will be taken the access to water necessary for their beneficial occupation, so far as it can be done without unduly prejudicing the public interests.

The Council further advise that Mr. Smith should be informed that no definite answer can at present be given to the enquiry, as the Deputy Surveyor General has not submitted his plan of the Reserve referred to, but that in this, as well as in every other case of a similar nature, the Government will consult the interests of the present occupants, as far as the public interests will allow.

(Signed) F. L. S. MEREWETHER,
Clerk of the Council.

Executive Council Office,
11th March, 1848.

(48 | 220.)

Superintendent's Office,
Melbourne, 5th April, 1848.

SIR,

Acknowledging the receipt of your letter of the 28th ultimo, No. 48 | 186, returning, signed by His Excellency the Governor, five Depasturing Licenses, transmitted to you under blank cover on the 17th ultimo, I beg leave to point out that three of these Licenses, of which I enclose a memorandum, are neither Licenses for depasturing stock, nor the renewal of occupation Licenses already sanctioned and issued under former regulations, but Licenses under the authority of which a footing will be given to the respective applicants upon Crown Lands, which in all probability must be reserved under the present system for public purposes

3d April.
1848. copy
annexed.

From your letter of the 21st February, No. 48 | 115, I learn that His Excellency, taking into consideration the position of occupants of this description, who had, previously to the promulgation of the Orders in Council, held Licenses within the Intermediate or Unsettled Districts, for other than pastoral purposes, and had made improvements thereon, conceded that such persons should be allowed to renew the annual License of occupation as heretofore, until it were decided by Her Majesty's Government whether they may be allowed to secure the value of the improvements which they had effected in their respective holdings; but I have always considered it impolitic and inexpedient that the number of occupants of this description should, under the present circumstances, be added to, and when consulted by the Crown Commissioners, have invariably stated, that it would not be advisable to recommend the further issue of occupation Licenses of the above description.

I conclude also, from the contents of the minute of the proceedings of the Executive Council, of 3rd February last, relative to an application from Mr. W. O. Raymond, for the sanction of the Government to the issue of the Publican's License to the occupant of a house built by him on his run, contained in your letter of 22nd March, No. 48 | 174, that His Excellency the Governor and the Executive Council are also of this opinion.

I have, therefore, directed the Sub-Treasurer to withhold the issue of the three Licenses above adverted to, until I am furnished with His Excellency's instructions.

The Honorable the Colonial Secretary,
&c., &c., &c.

(Signed) I am, &c.,
C. J. LA TROBE.

Colonial Secretary's Office,
Sydney, 1st June, 1848.

SIR,

Adverting to my letter No. 164, of the 30th March last, I have further the honor to annex for your information an extract of a minute of the proceedings of the Executive Council, relative to the laying out of Reserves beyond the Settled Districts.

(Signed) I have, &c.,
For the Colonial Secretary,
WM. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

EXTRACT.

1. It is not expected that the Deputy Surveyor General will propose for the approval of the Government any Reserve until it shall have been inspected and reported upon by an officer of his department.

2. Mere fencing is not to be considered as one of those valuable improvements which the Deputy Surveyor General has been instructed to exclude from the Reserves to be proposed by him, and that it should in no case be allowed to interfere with the laying out of a Reserve in the manner which may be most beneficial to the public interests.

Colonial Secretary's Office,
Sydney, 16th October, 1848.

SIR,

I enclose a few copies of a printed circular to the Crown Commissioners, on the subject of Reserves for the Aborigines, and I am to request that your Honor will have the goodness to procure and transmit to me replies to the enquiries therein contained, from the several Crown Commissioners of the Southern District.

His Excellency the Governor would wish, at the same time, to be in possession of your own views on the points referred to.

(Signed) I have, &c.,
For the Colonial Secretary,
WM. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

(48 | 932.)

Superintendent's Office,
Melbourne, 30th October, 1848.

SIR,

It is my duty to transmit a petition addressed to His Excellency by Mr. Hugh Murray, a licensed holder of Crown Lands, resident at Lake Colac.

In so doing, I am able to state, from acquaintance with the locality which forms the subject of Mr. Murray's petition, as well as of his own position and station, that his case is fairly set forth.

With regard to his petition to be allowed to exercise the pre-emptive right, and to purchase at the minimum price the ground on which his homestead is erected, now included in the Town Reserve at Lake Colac, I have to state, that I have informed Mr. Murray that I was sure His Excellency would be disposed to give his case any consideration which the present Regulations, and a due regard to the maintenance of general principles, would permit.

But Mr. Murray's case is not an isolated one, and I shall be glad to be informed what may be the precise footing upon which occupants of this class of Crown Land in the interior of the District, now included in Reserves, may be held to stand, and what are His Excellency's intentions with regard to the future temporary occupation of such Reserves, whatever may be their extent, or the purpose of their being set apart as such, until such times as the land may be brought into the market.

Considering the variety and extent of the surveys which must be executed before the new system, in all its details, can be held to be fairly in operation, it is probable that, in many instances, years must elapse before Government is in a position to dispose by sale of the lands so reserved.

(Signed) I have the honor to be, &c.,
C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

(48 | 949.)

Superintendent's Office,
Melbourne, 27th November, 1848.

SIR,

I have the honor to acknowledge the receipt of your reply, dated the 16th instant, No. 48 | 702, to my letter of the 30th ultimo, enclosed an application from Mr. Hugh Murray, to be permitted to purchase at the minimum price the ground on which his homestead is erected, now included in the Town Reserve at Lake Colac, and referring me to the decision conveyed to me by your letter of the 20th March last, under which the improvements of Mr. Murray should have been excluded from the Reserve.

It is necessary for me to explain that the rule laid down would appear to be more directly applicable to the care of improvements in localities now first fixed upon as Reserves for public purposes.

In the case now under His Excellency's attention, it is to be observed, that the Town Reserve at Colac was surveyed and defined as far back as the year 1840.

It is true that it then embraced Mr. Murray's original homestead, but I am necessitated to remark that all the principal improvements now on the ground have been effected since that time, and with the full knowledge that they were upon a Reserve, which sooner or later must be brought into the market.

I state this, not because I wish Mr. Murray to be debarred any advantage which he could fairly ask the Governor to grant, but that I may be guided in the course to be pursued in all similar cases by His Excellency's ultimate decision in this matter.

In many instances, I may be allowed to remark, that to except all the land which a settler might claim under the minute of the Executive Council, of 3rd February, confirmed on the 9th March, from a Reserve proposed to be set apart for the public advantage, will, in fact, be tantamount to preventing a Reserve being made at all in some of the most eligible localities in the District, inasmuch as the settlers' improvements will be found to embrace all that really or mainly renders such localities of value or importance to the public.

I am, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
&c., &c., &c.

(48 | 963.)

Superintendent's Office,
Melbourne, 20th December, 1848.

SIR,

In transmitting the enclosed memorial addressed to His Excellency the Governor, by the Inhabitants of the Geelong District, praying that His Excellency will be pleased to set apart the portion of Crown Land, as therein described, for the purposes of a Race Course, I beg to state that I see no objection to the selection made, nor, if such should be His Excellency's pleasure, to the Land being set apart as a Race Course, for a similar term, and under similar conditions and management as in the case of the Race Course near Melbourne, which formed the subject of official correspondence some time since.

I have, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
&c., &c., &c.

(49 | 55.)

Colonial Secretary's Office,
Sydney, 23rd January, 1849.

SIR,

His Excellency the Governor having laid before the Executive Council your Honor's letter, dated the 27th November last, No. 48 | 949, respecting the application of Mr. Hugh Murray, for the exclusion of his homestead from the Town Reserve, at Lake Colac, I am directed by His Excellency to enclose for your Honor's information and guidance, a copy of a minute of proceedings of the Council, on the 19th ultimo, in relation to the subject of your Honor's communication.

I have the honor to be,
Sir,
For the Colonial Secretary,
(Signed) W. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

PROCEEDINGS of the Executive Council, on the 19th December, 1848, relative to a letter from the Superintendent of Port Phillip, respecting the exclusion of Mr. Murray's homestead from the Reserve of Lake Colac.

MINUTE 48 | 49, confirmed 3rd January, 1849.

His Excellency the Governor lays before the Council a letter from the Superintendent of Port Phillip, submitting, for further instructions, an application from Mr. Hugh Murray, for permission to purchase, at the minimum price, the ground on which his homestead is erected, which is now included in the Town Reserve at Lake Colac.

On the 30th October last, Mr. La Trobe forwarded a petition addressed by Mr. Murray to His Excellency the Governor representing that he had expended upwards of £500 in the erection of a homestead on the bank of Lake Colac; that the ground on which he built his homestead has been included in the portion surveyed as a Town Reserve, and that he is thus deprived of the pre-emptive right, which he would otherwise be entitled to exercise under the Orders in Council, and of the compensation for his improvement, which, in the event of his not becoming the purchaser, would be awarded to him, and praying His Excellency to take his case into his favorable consideration, and grant him the privilege of the pre-emptive right to purchase at the minimum price the ground on which his homestead is erected, to such extent as His Excellency may consider his claims entitle him.

In reply to his letter which accompanied the petition, Mr. La Trobe appears to have been referred to the minute of the Council of the 3rd February last, and to have been informed that in accordance with the terms of that minute Mr. Murray's homestead should be excluded from the Reserve.

Mr. La Trobe now points out that the Town Reserve at Lake Colac was surveyed and defined as far back as the year 1840, and that although Mr. Murray's original homestead was then formed, yet, that all the principal improvements now on the ground have been effected since that time, and with the full knowledge that they were upon a Reserve which, sooner or later, must be brought into the market. Mr. La Trobe further remarks, that in many instances, to except all the land which a settler might claim under the minute of the Executive Council, from a Reserve proposed to be set apart for the public advantage, will, in fact, be tantamount to preventing a Reserve being made at all, in some of the most eligible localities in the District, inasmuch as the settlers' improvements will be found to embrace all that really or mainly renders such locality of value or importance to the public.

It appears to the Council, that the apprehension here expressed by Mr. La Trobe, as to the effect of the Rule laid down in their minute of 3rd February, is founded on a misunderstanding of its intention.

In recommending that lands containing valuable improvements should be excluded from Reserves, and left in the occupancy of the present holders, the Council did not contemplate the exception of fenced paddocks, or clearances, or other similar improvements, which would unduly encroach upon the limits of the intended Reserves. What should be treated as valuable improvements must, of course, be matter for special consideration in each particular instance; but in the present case, the land which ought to be left in Mr. Murray's possession, is that for which he asks, viz. :—"the ground upon which he has built his homestead, with a small strip of land connecting it with his run at the back."

FRANCIS L. MEREWETHER,
Clerk of the Council.

Executive Council Office,
Sydney, 17th January, 1849.
49 | 24.

Colonial Secretary's Office,
Sydney, 22nd February, 1849.

SIR,

I duly received and submitted to the Governor your letter of the 20th of December last, No. 48 | 963, reporting on a Petition of the inhabitants of the Geelong District, praying that the portion of ground therein described, may be set apart for the purposes of a Race Course, and I am now directed to inform you that, in compliance with your Honor's suggestion, His Excellency approves of the portion of land near Geelong, described by the petitioners as containing six hundred and forty acres, being set apart for the purpose in question, upon the same condition as the Melbourne Race Course, namely, to be reserved from sale for the space of ten years, and to be appropriated for that term as a public Race Course, under the authority of the Superintendent of the District.

The Surveyor General has accordingly marked the appropriation on the maps as a Reserve for a Race Course.

I have, &c.,
For Colonial Secretary,
(Signed) WM. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

Superintendent's Office,
Melbourne, 27th February, 1849.

(49 | 35.)

SIR,

I have the honor to revert to your letter of 16th October last, No. 48-609, enclosing copies of a printed circular addressed to the Crown Commissioners on the subject of certain proposed Reserves for the Aborigines, requesting that I will procure and transmit you their replies to the several queries contained therein, and desiring at the same time that I would convey to you for His Excellency's information my own views on the several points referred to.

I have the honor to enclose the replies to the circulars in question, which I have received in the interval from the whole of the Crown Commissioners of this District, and I further transmit a report which has been addressed to me upon the same subject by the Chief Protector of Aborigines.

Having in my communications to you of the 18th November, No 48 | 1148, fully stated my opinion of the state of the Aborigines of this District, of the effects of particular efforts made for their amelioration and improvement up to this time, and of the character of the steps which it appears to me may be yet expedient or practicable to adopt for their protection or advantage, and, lastly, pointed out the propriety of setting apart Reserves for their benefit, as well as adverted to the purposes to which they should be devoted, I do not consider that His Excellency will hold it necessary that I should now accompany these documents with many remarks beyond such as may present themselves in considering the number and position of the Reserves which these papers now suggest should be made.

For easy reference, I have arranged the several propositions of the Officers whose opinions have been requested upon the subject in a tabular form. His Excellency will perceive that with one exception, viz., that of the Crown Commissioner of the Portland Bay District, all concur in the propriety of making Reserves, and in the main coincide in opinion as to the object which should be aimed at in adopting such a measure, that is, the formation of depôts for supplies, and establishing schools and institutions for imparting religious instruction and medical attendance.

Upon the subject of cultivation, opinions vary. The Chief Protector, however, classes the Reserves proposed in two divisions, the larger for agriculture and stock, and the smaller for the purposes above enumerated. His opinion as to the extent of the Reserves he specifies, also varies or is left unexpressed.

As to the localities proposed, it is evident to me, that while a certain number are clearly pointed out and recommended upon known and sufficient grounds, others are recommended very much at hazard, without any particular acquaintance with the exact locality specified, or of its aptitude for the purposes in view on the one hand, or the facilities which the habits and prejudices of Aboriginal natives of that particular District may give for the formation of a settlement in that precise spot.

Instances to which this observation applies may, I consider, be easily pointed out among the Reserves proposed, especially in the Unsettled Districts; and it is evident that further information and consideration will be required before such Reserves are formally excluded from the lands to be held under lease in those quarters.

I would not propose to limit the number of Aboriginal Reserves that it may be considered advisable at this time to set apart. At the same time, under the view which I have been necessitated to take of the future position and prospects of the Aboriginal natives of this District, and of the character and purpose of the arrangements which it may be well to make for their benefit, it appears to me that a larger number are proposed in certain Districts, the Murray for instance, than are really called for, and I greatly fear that no effort of the Local Government could secure the services of so large a body of agents of different classes as will be required to conduct so many distinct establishments.

With regard to the purposes with which the Reserves, generally speaking, should be made, and the character of the establishments maintained on them for the advantage of the Aborigines, I have fully stated my views in my communication before referred to. If the natives are to be induced to engage in agricultural pursuits otherwise than as assistants to the settler and other Colonists, and an agricultural experiment specially for the advantage of the Aboriginal natives is to be tried, I should propose that one well situated station should be set apart for this purpose, but I feel convinced that to make it a part of the general system pursued at the Reserves would lead to nothing but disappointment and expense—possibly abuse.

The extent of the Reserves should, in all instances, be determined by the character of the locality and neighbourhood. None should be less than a mile square; and I see no reason, provided the native is secured in the possession of his natural rights throughout the District, to recommend that in any instance a larger area than four, at most six square miles, should be set apart for the purpose.

I have, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

(49 | 127.)

Superintendent's Office,
Melbourne, 28th June, 1849.

SIR,

In transmitting the enclosed memorial addressed to His Excellency the Governor, which has been forwarded to me for that purpose, I beg leave to state that I should gather from the contents of a despatch which I received from you, dated 21st January, 1848, that the petitioners, if falling under the class of occupants of Crown Lands for other than depasturing purposes therein No. 48 | 115. adverted to, would probably, eventually, provided the recommendation of His Excellency submitted to the Home Government meet with approval, be allowed the advantages sought for, viz., allowance for the value of *bona fide* improvements, and if His Excellency see fit I will inform them accordingly.

I have the honor to be, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney

(49 | 520.)

Colonial Secretary's Office,
Sydney, 26th July, 1849.

SIR,

In acknowledging the receipt of your Honor's letter of the 28th ultimo, No. 49 | 127, enclosing a memorial from certain persons occupying Crown Lands on the Colac Township Reserve, at Portland Bay, for other than depasturing purposes, I am directed by the Governor to inform you, that, presuming that the petitioners have been in the authorized occupation of the lands they refer to, His Excellency considers the view you have taken of the subject to be correct, and to request that you will therefore have the kindness to apprise them to the effect you propose, viz.:

That, provided the recommendation submitted to the Home Government by His Excellency meet with the approval, they will be entitled to the advantage sought for of an allowance for the value of *bona fide* improvements.

I have the honor to be, &c.,

(Signed) For the Colonial Secretary,
W. ELYARD, JUNR.His Honor the Superintendent,
Port Phillip.

(No. 49-703.)

Colonial Secretary's Office,
Sydney, 29th September, 1849.

SIR,

Adverting to the principle adopted by the Government with respect to Reserves beyond the Settled Districts, according to which the land on which were effected the improvements of the occupants was to be connected with the remainder of the run by a narrow strip of land, I do myself the honor to inform you, that in consequence of a communication which has been received from the Surveyor General on this subject, His Excellency the Governor, with the advice of the Executive Council, has seen fit so far to modify the rule previously laid down as to direct that it shall not apply to Reserves for *Townships*.

2. I annex, for your Honor's information, a copy of the minute of Council on this subject.

I have the honor to be, &c.,

(Signed) E. DEAS THOMSON.

His Honor the Superintendent,
Port Phillip.

Enclosure in Colonial Secretary's Letter. His Honor the Superintendent of Port Phillip, 29th September, 1849.

SUMMARY of proceedings of the Executive Council on the 25th June, 1849, relative to a Letter from the Surveyor General, submitting application of Mr. Webb to purchase 160 acres of the Tumut Reserve, now in his occupation.

MINUTE 49 | 29.

His Excellency the Governor lays before the Executive Council a letter from the Surveyor General, suggesting, with reference to an application from Mr. Webb to purchase 160 acres, now in his occupation, but which will be included in the Tumut Reserve, that the rule laid down by the Council, of connecting improvements with runs, should not be extended to the Town Reserves, but that such improvements should, in every case, be embraced in the design of the Town, and that the previous occupants, in the event of their not purchasing the lands containing the improvements, should receive compensation, in accordance with the principle sanctioned by Earl Grey's despatch of the 14th July, 1848, No. 114.

2. After an attentive consideration of the suggestion made by the Surveyor General, the Council advise the adoption, and they recommend that instead of the answer proposed to be given to Mr. Scarr's application, which was laid before them on the 2nd June last, that gentleman should be informed that he will be allowed to retain possession of the land containing his improvements until it can be brought to sale by auction, and that then the assessed value of the improvements will be added to the upset price of the land, and be paid to him in the event of his not becoming the purchaser. Should he become the purchaser, he will, of course, receive credit for the value of his improvements.

(Signed)

FRANCIS L. S. MEREWETHER,
Clerk of the Council.Executive Council Office,
Sydney, 21st July, 1849.

(49 | 220.)

Superintendent's Office,
Melbourne, 5th November, 1849.

SIR,

I beg leave to enclose copy of a letter which I have received from the Mayor of Melbourne, applying for the Reserve of ten acres of land in the rear of the cattle yards, being the most eligible site at present available for the erection of a Benevolent Asylum.

Having referred to the Surveyor in charge upon the subject, I find that there is no objection to the land being devoted to the purpose stated.

It lies near the boundary of the town to the north-west, and although the extent is certainly large (viz., ten acres), I consider myself justified in recommending the appropriation of the land for the purpose in question to His Excellency's favorable consideration.

When I am able to distinctly report the manner in which the projected Institution is to be governed, and the persons in whom it may be considered proper to vest the land, I will do myself the honor to make a further communication to you on the subject. I perceive that the Institution will be placed upon a similar footing to the Melbourne Hospital.

I have the honor to be, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

Colonial Secretary's Office,
Sydney, 22nd November, 1849.

SIR,

With reference to your Honor's letter, No. 49 | 220, of the 5th instant, enclosing a copy of one from the Mayor of Melbourne applying for the Reserve of ten acres of land situate in the rear of the cattle yards, near the north-west boundary of the city, as the most eligible site at present available for the erection of a Benevolent Asylum, I do myself the honor, by the direction of the Governor, to convey to your Honor His Excellency's approval of the Reserve for the purpose in question.

I have the honor, &c.,
For the Colonial Secretary,
(Signed) WM. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

Superintendent's Office,
Melbourne, 19th February, 1850.

(50 | 45.)

SIR,

I have the honor to transmit to you a Petition addressed to His Excellency the Governor by certain settlers who profess to have originally taken up certain Crown Lands on the Barwon River, subsequently withdrawn from licensed occupation and set apart as a Reserve for the advantage of the Aborigines, under the management of the Wesleyan Missionary Society, and recently surrendered by that body into the hands of Government, upon the breaking up of the Mission, after ten years' occupation.

The Petitioners, on the ground of this surrender, and of original occupation, pray His Excellency to sanction their re-occupation of the land formerly licensed to them for squatting purposes; and further, that His Excellency will allow them to make use of the pre-emptive right which they could have claimed had they continued in occupation up to the present time.

In forwarding to you this petition, I find it my duty to recall attention to certain previous correspondence upon the subject of the abandonment of the Reserve in question by the Wesleyan Missionary Society, and particularly to your letter of the 31st October, 1848, No. 48 | 651, which contains His Excellency's decision upon the application and claims of certain of these very settlers, shortly before brought under His Excellency's notice.

Supt. to Col. Sec.,
dated 11th Oct.,
1848, No. 48 |
1662.
Col. Sec. to Supt.,
dated 31st Oct.,
1848, No. 48 |
651.

His Excellency's decision then was in this instance, as well as in a similar instance of claim advanced for re-occupation of the Aboriginal Reserve at Mount Rouse, in the case of abandonment, that it was not expedient to admit the claims of the original occupants of such Crown Lands.

Supt. to Col. Sec.,
dated 20th Aug.,
47 | 934.
Col. Sec. to Supt.,
dated 26th Oct.,
47 | 563, with
reference to the
case of Mr. John
Cox.
31st Oct., 1848,
No. 48 | 651.

I confess that I consider it quite impossible to recognize them in any shape or form.

I have further to state, that in compliance with the instructions conveyed in your letter above cited, I have directed the Surveyor in charge to take steps to survey the Reserve on the Barwon, that a certain portion has been sold, other portions have been subsequently applied for, for sale, and that it is judged expedient that the whole of the available portion should be brought into the market as soon as circumstances may permit.

I have the honor to be, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

Colonial Secretary's Office,
Sydney, 7th March, 1850.

(No. 50 | 134.)

SIR,

I do myself the honor to transmit, for your Honor's information, the annexed copy of a letter addressed by me to the Surveyor General relative to the extent of Town Reserves beyond the Settled Districts.

I have the honor to be, &c.,
For the Colonial Secretary,
(Signed) W. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

Enclosure in Colonial Secretary's Letter to Superintendent of Port Phillip, dated 7th March, 1850.

(M. 9008.)

Colonial Secretary's Office,
Sydney, 5th March, 1850.

SIR,

Your letter of the 9th January last, No. 50 | 6, requesting to be informed whether the area of twenty-five square miles, which is fixed as the maximum extent of the Reserves to be made beyond the Settled Districts, can in some cases be increased, and representing that it is proposed to extend the Reserve at Armidale to thirty-six square miles, and that the Reserve at Deniliquin, which has been approved by the Council, embraces thirty-five square miles, having been laid by the Governor before the Executive Council, I am now directed by His Excellency to inform you, that the Council cannot recommend that any Reserve should exceed the area of twenty-five square miles, which has been approved by the Secretary of State as the maximum.

2. As respects Deniliquin, I am to observe, that the approval of the Council was limited to the Town, and that they did not record any opinion respecting the adjoining Reserve for cultivation; as, however, you report that the Reserve laid out by you contains more than twenty-five square miles, the Council advised that it should be reduced to the regulated extent.

I have the honor, &c.,

(Signed)

E. DEAS THOMSON.

(50 | 114.)

Superintendent's Office,
Melbourne, 17th June, 1850.

SIR,

Observing in the New South Wales' *Government Gazette* a notice from your office, dated the 20th May, intituled "Yass Town Extension Reserve," I would request information under what circumstances His Excellency may be pleased to exercise the authority which he is thereby seen to possess, of forming or extending Reserves of that description.

2. I do so in order to be made aware in how far arrangements of a similar character might be made in this District, whether for the advantage of towns, or the occupants of suburban or cultivation allotments situated within the Settled Districts, to the purchasers of which it would appear His Excellency wishes to extend right of commonage to a limited extent over adjacent unsold Crown Lands.

I have the honor to be, &c.,

(Signed)

C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

(50 | 153.)

Superintendent's Office,
Melbourne, 20th August, 1850.

SIR,

I have to return my acknowledgements for your letter of the 15th July, No. 50 | 447, and for the information therein afforded upon the subject of Reserves temporarily set apart for pasturage for the working and milking cattle of certain towns in the Middle District, to which my attention had been drawn by the notice in the New South Wales' *Government Gazette*, dated 20th May, 1850.

2. I consider that a similar course may be adopted with advantage in the case of a number of the smaller townships in this District, portions of which have already been disposed of, and I shall take immediate steps to this end.

3. With regard to the townships of North and South Melbourne, and probably that of Geelong, I think it would be unwise at this date to interfere with existing rules and regulations, which, though imperfect, still make provision for contingencies evidently not contemplated in the arrangements adopted in the case of small townships.

I have the honor to be, &c.,

(Signed)

C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

(51 | 10.)

Superintendent's Office,
Melbourne, 18th January, 1851.

SIR,

I request that you will do me the honor to lay before His Excellency the enclosed chart of an Aboriginal Reserve, which, after due consideration, and in obedience to the suggestions and instructions from His Excellency and the Home Authorities, respecting the Reserve of certain portions of land for the benefit and future, if not present occupation of the Aboriginal inhabitants, I have deemed it expedient to lay out upon the Murray River, in the vicinity of Swan Hill, in the Unsettled District.

2. It has not been determined upon without full consideration of the advantage or disadvantage of the selection.

3. It would not be my wish that the present occupant of this land under licence should be required, prematurely and unnecessarily, to remove any stock now depasturing within its limits, and I have caused an intimation to this effect to be made to him by the Commissioner; but I should wish to see some facility given to the immediate formation, within its limits, of a small

Mission Station under the conduct of certain Moravian Missionaries, who have been recently commissioned by the Church to which they belong to form a settlement in this District, with a view to the Christianization and civilization of the Aboriginal inhabitants, and I presume His Excellency will give his sanction and approval to any steps which I may think it necessary to take for that purpose.

I may add, that at the present time no application has been made for Government aid in carrying out the plan, all that is sought being the general favorable countenance and approval of Government, and liberty of occupation as far as may be absolutely requisite to carry out their design.

I have the honor to be, &c.,
(Signed) C. J. LA TROBE.

The Honorable the Colonial Secretary,
Sydney.

Colonial Secretary's Office,
Sydney, 4th April, 1851.

SIR,

I do myself the honor to acknowledge the receipt of your Honor's letter of the 18th January last, No. 10, submitting a chart of a Reserve for the Aborigines, which you propose to make on the Murray River in the vicinity of Swan Hill, in the Unsettled District.

2. Your Honor states, that for the present you do not require the now occupant to withdraw his stock from the land, but wish some facility to be given to the immediate formation within its limits of a small Mission Station under the conduct of some Moravian Missionaries, who have been commissioned by their Church to form a settlement in the District, with a view to the Christianization and civilization of the Aboriginal inhabitants.

In reply, I am instructed by His Excellency the Governor to inform you that he has been pleased, with the advice of the Executive Council, to approve of the formation of the Reserve in question, and of your Honor's taking such measures as you may consider expedient for the establishment of the Mission to which you refer.

I have, &c.,
For the Colonial Secretary,
(Signed) W. ELYARD, JUNR.

His Honor the Superintendent,
Port Phillip.

(B 51 | 8.)

Colonial Secretary's Office,
Melbourne, 29th July, 1851.

SIR,

Referring to your letter dated the 23rd instant, No. 51 | 568, with reference to the Reserve for agricultural purposes, and the marking off farms for sale on the station of Mr. Goodman, near Benalla, I am directed by His Excellency to request that you will cause the survey in question to be discontinued for the present, as the subject of these Reserves must receive further consideration.

I have the honor to be, &c.,
(Signed) W. LONSDALE.

The Surveyor General,
Melbourne.

(B 51 | 12.)

Colonial Secretary's Office,
Melbourne, 4th August, 1851.

SIR,

Referring to an application made by Mr. Matthieson to be allowed to erect a public house at Forest Creek, and to Mr. Crown Commissioner Powllett's report thereon, I have the honor to convey to you the approval of His Excellency the Lieutenant Governor to the marking off a Reserve at the locality in question, in order that a few allotments may be brought forward for early sale, and to request that you will take the requisite steps in the matter.

I have the honor to be, &c.,
(Signed) W. LONSDALE.

The Surveyor General,
Melbourne.

(B 52 | 21.)

Colonial Secretary's Office,
Melbourne, 20th August, 1851.

SIR,

I have the honor to inform you that His Excellency the Lieutenant Governor has been pleased to appoint a Board consisting of

The Honorable the Colonial Secretary,
The Honorable the Colonial Treasurer,
The Surveyor General,

for the purpose of assisting in framing such further Regulations as may be necessary in carrying out those at present in existence connected with Crown Land, and

Secondly, to report on all applications for the purchase of Crown Land under pre-emptive right, whether in the Settled District or not;

Thirdly, and also to determine upon the number and extent of Reserves which should be made upon the squatting lands prior to the issue of leases. I would therefore request of you to meet at this office on Saturday morning next at ten o'clock, to make the necessary preliminary arrangements.

I have the honor to be, &c.,
(Signed) W. LONSDALE.

The Surveyor General,
Melbourne.

(No. 51 | 118.)

Surveyor General's Office,
Melbourne, 29th November, 1851.

SIR,

I beg leave to forward a tracing, showing the agricultural land within the late Barwon Mission Station, reserved for sale by Mr. Assistant Surveyor Skene, and have the honor to recommend that instructions be given to that officer to subdivide the same, and throw it open to applicants desirous of purchasing at auction.

I have the honor to be, &c.,
(Signed) R. HODDLE.
Surveyor General.

The Honorable the Colonial Secretary, &c.,
Melbourne.

(B 51 | 76.)

Colonial Secretary's Office,
Melbourne, 5th December, 1851.

SIR,

I have the honor, by direction of His Excellency the Lieutenant Governor, to acknowledge the receipt of your letter of the 29th ultimo, enclosing a tracing showing the agricultural land within the late Barwon Mission Station, reserved for sale by Mr. Assistant Surveyor Skene, and recommending that instructions should be given to that officer to subdivide the same in order that it may be brought forward for sale, and in reply to convey to you His Excellency's approval of the course recommended, and to request that it may be immediately carried out.

I have the honor to be, &c.,
(Signed) W. LONSDALE.

The Surveyor General,
Melbourne.

(B 52 | 74.)

Colonial Secretary's Office,
Melbourne, 7th July, 1852.

SIR,

I am directed by His Excellency the Lieutenant Governor to request that no more allotments within the Reserves made in the Unsettled Districts may be brought forward for sale until further notice be given upon the subject.

I have the honor to be, &c.,
(Signed) W. LONSDALE

The Surveyor General,
Melbourne.

RETURN of RESERVES in the INTERMEDIATE and UNSETTLED DISTRICTS of
VICTORIA.

MURRAY DISTRICT.

No.	Name.	No. of Acres.	Remarks.
1	Seymour	9,600	
2	Avenel	5,760	
3	Longwood	2,560	
4	Euroa	5,760	
5	Violet Town	5,760	
6	Benalla	5,760	
7	Fifteen Mile Creek, at Green's Station... ..	3,200	
8	Wangaratta	16,000	
9	Black Dog Creek	3,200	
10	Belvoir, Wodonga Creek	3,200	
11	Mitchell's Town	640	
12	Goulburne River, six miles below Raleigh's... ..	640	
13	Broken River	640	
14	Boyd's Station... ..	640	
15	Heape and Grice	640	
16	Shepherd and Boyd's Station... ..	640	
17	E. Grimes, Broken River	640	
18	McDouell, Murray	640	
19	E. Boyd's, Murray	640	
20	A. Philpot's Station, Murray	640	
21	Ovens Junction with Murray... ..	640	
22	Brown and Clarke, Murray	640	
23	Sydney Road, Wodonga Creek	640	
24	J. Hore, Murray	640	
25	J. Wilson, Murray	640	
26	Cook's Head Station, Murray	640	
27	Tooma River, Murray	1,280	
28	Collins' Station, Limestone River	640	
29	Limestone River, Younga Hill	640	
30	Limestone River, The Pilot Hill	640	
31	E. B. Greene, Ovens River	640	
32	Chisholme's Station, Road crossing King's River... ..	640	
33	Ovens and Buffalo River	640	
34	Devil's River	640	
35	Lock's Station, Devil's River	640	
36	Ford's Creek, near Mount Battery... ..	640	
37	G. Kinchington	640	
38	David Reid's Mill, Yackadanda Creek	640	
39	Gerarde and Perrit's Cattle Station	640	
		80,000	acres, or 125 sq. miles.

WIMMERA DISTRICT.

No.	Name.	No. of Acres.	Remarks.
1	Foster and Stawell	5,760	
2	Ellis, Shore and Elliott, Avoca River	5,760	
3	Crowland... ..	5,760	
4	Between Crowland and Glenorchy... ..	640	
5	Glenorchy	5,760	
6	Clarke's Station, Heifer Station Creek	5,760	
7	Horsham	5,760	
8	Head of Richardson's River, New Adelaide Road	640	
9	Adelaide Road to Mount Alexander	640	
10	Yanambrack Creek... ..	640	
11	Lake Lalbert	640	
12	Lake Hindmarsh, A. R. W. Von Steiglitz's Station	640	

WIMMERA DISTRICT—*continued.*

No.	Name.	No. of Acres.	Remarks.
13	Darlot and McLachlan's, Wimmera River, where New Adelaide Road crosses	640	
14	Bailie and Hamilton's	640	
15	Bailie and Hamilton's, Wimmera River	640	
16	Wimmera River, between Darlot and McLachlan and W. Patterson's Station	640	
17	At A. Scott's, Wimmera	640	
18	At W. Firebrace's, Wimmera River	640	
19	Murray, at Boundary Line	1,280	
20	Baggot's Station, Lindsay River	640	
21	Rutherford and Crossier's, Murray	640	
22	Darling River... ..	3,200	
23	Messrs. Jamieson's, Murray River... ..	640	
24	At McGrath's, Murray River... ..	640	
25	Chalka Creek	640	
26	Grant's Homestead, Murray	640	
27	McCleod's, Murray	640	
28	Coghill's Cattle Station	640	
29	Yaluk Creek, Junction with Murray	640	
30	Swan Hill	2,560	
31	Junction of Glendenning Road with Adelaide Road	640	
		55,680	acres, or 87 sq. miles.

WESTERN PORT DISTRICT.

No.	Name.	No. of Acres.	Remarks.
1	Kilmore	5,760	
2	Sugar Loaf Creek, Bushman's Inn, W. Hamilton's Station... ..	2,560	
3	Ferguson's Inn, Sunday Creek	2,560	
4	Gisborne... ..	3,840	
5	Woodend... ..	1,920	
6	Carlsruhe... ..	5,760	
7	Kyneton Reserve	5,760	
8	Coliban, Malmesbury	5,760	
9	Junction Forest with Barker's Creek	1,280	
10	Saw Pit Gully... ..	640	
11	Porcupine Inn, Mount Alexander	640	
12	Campbell's Camping Ground, Bullock Creek	640	
13	Johnston's Inn, Serpentine Creek... ..	640	
14	Serpentine Creek, Northern Extremity	640	
15	At Crossing Place, Loddon, S. E. of Lake Boga	640	
16	James Cooper, Crossing Place, Loddon... ..	640	
17	Lake Bael Bael, Murray Road	640	
18	Lake Boga	16,000	
19	North Road to Maiden's Punt, Lawler's Inn, late Bertram's	640	
20	North Road to Maiden's Punt, Farrell's Inn	640	
21	Junction of Campaspe with Coliban	640	
22	Mount Ida Creek, two miles above Jennings's Station	640	
23	Junction Mount Pleasant Creek with Campaspe	640	
24	Five miles below Sim's Station	640	
25	Maiden's Punt... ..	5,760	
26	Between Kilmore and Carlsruhe, at Dunsford's	640	
27	Between Campaspe and Sydney Road, at Pyalong, Mollison's Station	640	
28	Protectoral Reserve, Lower Goulburn	19,840	
29	Crossing of King Parrot Creek, Upper Goulburn Road	640	
30	Crossing of Muddy Creek, Upper Goulburn River	640	
31	Muddy River, between Collyer and Rowan's	640	
32	Gunbourryalock Creek	640	

WESTERN PORT DISTRICT—*continued.*

No.	Name.	No. of Acres.	Remarks.
33	Mount Ararat	5,760	
34	Warman's, late Anderson's	640	
35	Pike's Station	5,760	
36	Moor and Martin's	3,200	
37	Corinella	9,600	
38	Bass River and Griffith's Point	7,680	
39	Bacchus Marsh	5,760	
40	Williamson and Blowe, Pentland Hills... ..	5,760	
41	Glenyen Inn, Pyrenees Road... ..	640	
42	Loddon, Aboriginal Reserve	40,960	
43	Captain Hepburn's Station	5,760	
44	Burn Bank	5,760	
45	Carisbrook	5,760	
46	Catta's Station, Crossing Place	3,200	
47	Sunday Morning Hill	3,200	
48	Yowang Hill	2,560	
49	Cay and Kayes	640	
50	Curlewis and Campbell's	640	
51	McCallum's Station, Crossing Place	640	
52	Junction Bendigo Creek with Golden Gully... ..	1,280	
53	Happy Jack's Hut, Bullock Creek, Fenton and Gibson's Station	4,480	
54	Junction of Barker's Creek with the Loddon	5,760	
		215,040	acres, or 336 sq. miles.

PORTLAND DAY DISTRICT.

No.	Name.	No. of Acres.	Remarks.
1	Ballan, Buninyong Road	5,760	
2	Bradshaw... ..	640	
3	Buninyong	5,760	
4	Ballaarat, Yarrowen Creek	5,760	
5	Teesdale	1,280	
6	Rice's Public House, Moorabool	640	
7	Winchelsea Road, from Geelong to Colac	5,760	
8	Carngham	640	
9	Woody Yallock, Aitchieson's... ..	640	
10	Woody Yallock, late Hardy's... ..	640	
11	Ormand's Inn, River Leigh	3,200	
12	Frenchman's Inn, Woody Yallock... ..	2,560	
13	Port Fairy Road, between Frenchman and Lawler's Inn	640	
14	Lawson's Inn, Port Fairy Road	1,280	
15	Birregura Creek Road, from Geelong to Colac	640	
16	Colac	5,760	
17	Old Police Station, Prion Yallock Creek	2,560	
18	Wesleyan Station, Upper Barwon	40,960	
19	Cape Otway	5,760	
20	Lake Poimbert	2,560	
21	Mount Loura	5,760	
22	Head of Lake Karangamite	1,280	
23	Brown's Water Hole	1,280	
24	Fresh Water Springs, Mount Elephant... ..	640	
25	Darlington, crossing Emu Creek, Mount Elephant	1,280	
26	Wright and Montgomerie's, Emu Creek	1,280	
27	Chepstowe Bench	640	
28	Between Goldsmith and Donald and Hamilton's Station, at Cross Roads	640	
29	Lake Burrambeet	5,760	
30	Dowling Forest	5,760	
31	Parish of Tutegong, Road from Geelong to Colac	640	
32	Thompson and Cunningham's, Portland Road from Geelong	640	

PORTLAND BAY DISTRICT—*continued.*

No.	Name.	No. of Acres.	Remarks.
33	Black's Creek, Portland Road	640	
34	Fiery Creek	2,560	
35	Between Emu Creek and Head of Lake Karangamite, New Line Port Fairy Road	640	
36	Mount Shadwell	5,760	
37	Lake Boloke	2,560	
38	Mount William	1,280	
39	Lake Tarang	5,760	
40	Neil Black's, Emu Creek	5,760	
41	Junction of Emu Creek with Hopkins' River ...	640	
42	Woolsthorpe, Spring Creek	1,280	
43	Mount Rouse	40,960	
44	Hunter's Station, Port Fairy Road	640	
45	Cox's Station, Moyne River	640	
46	Carramat... ..	640	
47	Hexham	2,560	
48	Wickliffe, Wyselaskies	2,560	
49	North and South Cavendish	2,560	
50	Mount Sturgeon	2,560	
51	Bryant Creek, Road to Glenelg	3,200	
52	E. Henty's Station... ..	3,200	
53	At Hamilton's... ..	5,760	
54	Junction of Wannon and Glenelg Rivers	12,800	
55	Best's Inn, Grange to Portland	640	
56	Fitzroy River, Grange to Portland Road	640	
57	Crawford's River, crossing Portland Road	640	
58	River Stokes, Road to Glenelg, Digby	640	
59	Junction of Crawford with Glenelg	640	
60	W. Downie, Spring Creek, Adelaide Bay	640	
61	Donaldson's, Adelaide Road	2,560	
62	Stirling and Fairburn, Glenelg River	5,760	
63	Mostyn	2,560	
64	Nelson	640	
65	Ballantyne	2,560	
66	Lindsay Border Inn	2,560	
67	Junction of Barwon River with Leigh	640	
68	P. Curtain, Eating House, Merino Water Holes ...	640	
69	Emu Creek, between D. Craigh and J. Ware's ...	100	Church purposes.
70	Bates's Station, S. A. Boundary Line	640	Timber.
71	P. McArthur's... ..	640	Timber.
72	Craig's Run, Emu Creek	640	Timber.
73	J. and P. Manifold... ..	640	Timber.
74	Black and Brown's Station, "Cardie"	640	Timber.
75	Cowie and Anderson's Station	640	Timber.
76	H. Gibbs's Run	640	Timber.
77	D. Aicheson's Run, "Kurac Kurac"	640	
78	At W. Wilson's, Duneed	640	
79	Mount Gambier, Portland, Mr. Landrigan	640	
80	Alexander Thompson's Inn, Green Hills, Grange to Portland	640	
		252,900	acres, or 395 sq. miles, 100 acres.

GIPPS' LAND DISTRICT.

No.	Name.	No. of Acres.	Remarks.
1	H. Buntine, Bruthern Creek... ..	640	
2	Buntine's Old Station, Head of Gammon Creek ...	640	
3	Greenaway, Public House, late James Davis, Merri- man's Creek... ..	640	
4	James Ker, late Buchanan and Co., La Trobe River	640	
5	Agricultural Reserve, Roundsale	5,760	
6	Stratford-upon-Avon	5,760	

GIPPS' LAND DISTRICT—*continued.*

No.	Name.	No. of Acres.	Remarks.
7	At J. Scott's, Tom's Creek	3,200	
8	At F. Jones's, Nicholson River, Crossing Place ...	640	
9	McAlister and Turnbull's, Tambo River	5,760	
10	Dr. Walkie's, Tambo River	2,560	
11	C. Tilson, Tambo River	640	
12	A. McCloud's, Broken River	1,280	
13	A. McCloud's, Mumblimungie Station, Reedy Creek	2,560	
14	J. Crook's, Mitta Mitta River	2,560	
15	Dr. Hobson's Station, Taralgam River	640	
16	Lake Omeo	5,760	
17	P. C. Buckley, Merriman's Creek	640	
18	James Davis	640	
19	Taylor and Hoddinot's Station	640	
20	Buchanan and Jones, McClelland Straits, late Cunningham and Campbell's	640	
21	At McCloud's, Mitchell River	3,200	
22	E. Bayles, Merriman's Creek	640	
23	J. Reeves, La Trobe Creek	640	
24	J. Goringe, Morewell	640	
25	McAlister's Station, Green Hills	640	
26	King's Stockyard, Tambo River	640	
27	Reeve's Station, Snake Ridge, La Trobe River ...	1,280	
28	Crooke's Station, La Trobe River	640	
29	Farley's Public House, Mooe River	640	
30	Late Hooke and Farley's, Terwin River	640	
31	James Hook's, Bunnip Bunnip River	640	
32	Junction of La Trobe and Thomson's Rivers ...	640	
33	Foster's Station, La Trobe River	2,560	
34	Welshpool	2,560	
35	McMullan's, Avon River	5,760	
36	Smith's Station, Mitchell River	640	
37	Snowy River, Brock's Heifer Station	1,280	
38	Jingalala River	640	
39	Hensley's Station, Bendoc River	1,280	
40	Genoa River, Yungatta Creek	640	
41	Stevenson's Station, Genoa River	3,840	
42	Wallagarraugh and Genoa Rivers	5,760	
		78,080	acres, or 122 sq. miles.

No.	Name of District.	Acres.	Square Miles.
39	In Murray	80,000	125
31	„ Wimmera	55,680	87
54	„ Western Port	215,040	336
80	„ Portland Bay	252,900	395, 100 acres.
42	„ Gipps' Land	78,080	122
246	Total	681,700	1,065, 100 acres.