

## CHAPTER IV.

*The City of Melbourne Corporation—Its First Minutes Upon St. Kilda—The City's Southern Boundary—The Village of St. Kilda—Dr. Thomas Black's Petition—Perambulations of Metes and Bounds—Mayor and Councillors Dine at Royal Hotel—Esplanade, i.e., Promenade Land Frontages Sold at 7/- per foot—St. Kilda and Melbourne Corporations, 1845—St. Kilda Separate Ward Proposal—St. Kilda Residents Hold Meeting in Royal Hotel, 1853—A Petition Prepared—Female Bathing Place to be Policed—Tenders Called to Remove Stumps and Trees from St. Kilda Streets—Streets Proclaimed—Residents' Complaints—Municipal Institutions Proclaimed—Boundaries of the Municipal District of St. Kilda—The Residents' Petition—The Boundaries Redefined.*

**M**ELBOURNE was constituted a corporation by an Imperial Act of Parliament on December 1st, 1842. The town was divided into four wards, and the election of councillors took place. We have perused the first minute books of the corporation of Melbourne. They bear on their pages the impress of their age and their times, since some of the minutes have been written with the aid of a quill pen. On February 3, 1845, a letter was read at the Melbourne Town Council meeting from His Honor the Superintendent of the District of Port Phillip, Charles Joseph Latrobe, relative to defining the enlarged boundary of the Town. The Council gave instructions to the Town Surveyor to co-operate with the Government Surveyor in laying out the boundaries, and it was also decided "to communicate with the member for Melbourne respecting the desire of the Council that the petition, from the inhabitants of St. Kilda, to have the hamlet excluded from the Town boundaries, be not attended to, without the Council having an opportunity of indicating the reasonableness of including it therein."

This petition aroused the anger of the Editor of the "Port Phillip Patriot and Melbourne Advertiser," and the object of his wrath was Dr. Thomas Black, who was one of the moving spirits of the petition. The newspapers' presumption was that Dr. Black wanted to throw off the jurisdiction of the Corporation of the City of Melbourne to avoid being rated for land he

owned in St. Kilda. The paragraph in the paper July 3, 1845 is headed "St. Kilda" and reads "The St. Kilda-ites have like the Melbourne Hospital suffered from being doctored. The black dose is administered under the form of a petition to the legislative Council to disfranchise the St. Kilda-ites of the right they have of voting for a member of the Imperial Parliament of the Colonies. The Melbourne Town Council conferred a benefit upon the St. Kilda folk by allowing them a vote for their trifling rating. But this did not suit the doctor—he was anxious to be thought a politician, and the humbug he has attempted upon Mr. Robinson, the member for Melbourne has recoiled on his own head. This pigmy political partisan petition sets forth with we believe an untruth. The distance of St. Kilda from the ferry was only usually called three miles, but the doctors' black dose calls it four miles..."

The paragraph proceeds for quite a space, but its substance is made up of evidence of personal spleen on the part of the writer, and it thereby loses interest. The petition from "certain proprietors and occupiers of property in St. Kilda" was presented on July 31, 1845 by Dr. Nicholson to the Legislative Council of New South Wales, and its prayer was granted, but no further steps were taken. A paragraph appeared on November 3, 1848, headed "St. Kilda" and it reads, "Monday was the last day on which the Royal Assent to the St. Kilda Bill, which passed the Legislative Council two years ago, could be promulgated in the Colony so as to bring the Act into law, and if not done then (which is not very likely) St. Kilda remains part and parcel of the Incorporated City of Melbourne, and our friend Dr. Black has had all his trouble in vain. The same Act, it will be recollected, contained Mr. Fosters' Treacherous proposition for giving all the magistrates of the territory jurisdiction in Melbourne, which will also be rendered nugatory."

This Dr. Thomas Black, who was so much a bete noir to the Editor of the "Port Phillip Patriot" purchased at the Crown Land Sales of St. Kilda allotments 7 and 9. Where Dr. Black's land was situated was known as St. Kilda. It was in law "St. Kilda within the City of Melbourne Boundary." Its area was covered by allotments 1 to 46, the first lands sold in St. Kilda, and the allotments were purchased in the rude triangle formed by the Esplanade, Fitzroy Street and Punt Road, (now Barkly

Street). Beyond those boundary lines were the "Outers" who paid no rates. The first purchasers of land in the St. Kilda Village were the pioneers of the Village and later many of them became closely associated with life in St. Kilda. They have a fair claim to be called the founders of St. Kilda. They held the distinction of being the first ratepayers of St. Kilda, though their tribute was paid to a Caesar on the other side of the Yarra, the City of Melbourne Council. Their names were J. R. Lawrence, J. & F. C. Aviey, Charles Hutton, J. P. Maine, J. F. Palmer, Chas. Ogilvy, Thos. Black, J. Howard, Spencer, R. H. Bumbery, Robert Donaldson, T. H. Bardwell, F. G. Dalgety, (5 lots) H. F. Gunner, (3 lots) Chas. Josh Mills, M. Cantlon, Andrew Russell, J. P. Fawkner, (2 lots), J. C. Riddle, N. Guthridge, C. B. Reed, George Annand, Heape & Grice, W. F. Mollison, T. F. Hamilton, Josh Anderson, and John Nivins. Quite a number of these pioneer buyers of St. Kilda land bought two allotments, allowing for that the total of 46 allotments, that comprised the Village of St. Kilda is completed.

At the Melbourne Town Council meeting held on Thursday, January 23, 1845, His Worship the Mayor, Alderman Condell, in the chair, Alderman Kerr, moved, in pursuance of notice of motions, "That His Worship the Mayor be instructed to communicate with His Honor the Superintendent, relative to the boundaries of the Incorporation, as enlarged by the Act, 8th Victoria, No 12, and to request that His Honor will be pleased to direct the officers in charge of the Survey Department to cooperate with the Town Surveyor in defining the new boundaries". There was, said Alderman Kerr, an urgent necessity for prompt measures for the defining of the boundaries. The preparing and fixing the boundary marks would be works of time, and it should not be forgotten that, if the work was not done in sufficient time to permit of the perambulation of the boundaries, during the present year, His Worship the Mayor would be exposed to a heavy penalty.

The Mayor said he would take good care no penalty should devolve upon him. Councillor Johnston seconded the motion, which was carried.

The Melbourne Municipal Council had, under the City's Letters Patent of June 25, 1848, to "perambulate the metes and

bounds, every three years, and to note any changes of the boundary names in the Boundary Book."

In the Melbourne Morning Herald of January 31, 1855, a report appeared under the heading of "The Beaters of Bounds." "We are informed," writes the "Herald" editor, 'that at half past two on Monday the Melbourne Corporation specially fed itself at Mooney's Hotel, St. Kilda, by way of refreshment after the arduous duties of "beating the bounds" of the corporate jurisdiction. Previous to this, it has been stated that the Corporation—appreciating that fine old maxim that cleanliness is next to godliness took collectively a bath at Picnic Point and felt all the better for it .... We believe indeed that a little confusion was caused by the Major (John Thomas Smith) having been seen riding to bath, or dinner, with a pair of orderlies behind him. Some of the innocent St. Kildaites at first thought the Mayor was in custody ... but we believe the orderlies were a Government loan that the Right Worshipful might proceed to the gregarious feed in state."

The Herald hints that the dinner at Mooney's Royal Hotel on the Esplanade was of such a nature that the members of Council party were "elevated" and that they went "beyond the bounds." It was the first time that an official dinner was held in St. Kilda. If Little Peterkin asks "what good came of it" we shall answer him, and say, that some good did come out of this aldemanic feast of the Melbourne Corporation at St. Kilda by the sea. About a week afterwards, at a meeting of the City Council, Alderman Clowes moved "the adoption of the report of the Public Works Committee No. 16 recommending that authority be given to the committee to call for tenders for the removal of stumps from the streets of St. Kilda, situate within the city boundary." The motion was carried, and some time afterwards we find in the Melbourne City Council records a payment of £110 to H. Inchbold for clearing trees and stumps from the streets of St. Kilda.

Let us return to the year 1845, and look at what *was* happening at that time in St. Kilda. The Port Phillip Patriot and Melbourne Advertiser, on Friday morning, February 14, 1845, states in the paper's news' columns that "on Saturday Messrs. Bear & Son held a sale of land at St. Kilda consisting

of sundry allotments on the Promenade, facing the beach, and other allotments in the rear. The choice allotments, facing the ocean, having a frontage of 60 feet, by a depth of 187 feet, were knocked down at 7/- per foot; frontages of 100 feet to Ackland Street, by a depth of 200 feet, were disposed of at 5/- per foot; two angular pieces, without any right of way, were knocked down at 3/6 per foot. These prices, considering the times, and the quality, and locality, of the land are first rate."

"Considering the times." The times were the days of a slow recovery. "The appearance of Melbourne in the year 1843 was scattered, the thoroughfares were unformed and studded with stumps of trees and traversed by ravines even in Collins Street, from which a bullock dray had to be dug, and in one instance two children were drowned in the waters at the end of Elizabeth Street.... Wool was so low that it would hardly pay the expenses of shearing, Land and houses did not realise a tenth of their former value." Two years afterwards 7/- to 5/- per foot for land on the St. Kilda Esplanade was regarded as a first rate price, the land being land, in a tree covered paddock, on the hill side, with the indications of an unnamed Government Road, called by the residents, the Promenade, as a boundary line along the western base of the paddock. It is plain that if the streets of Melbourne were in such a condition that bullock drays were bogged in them, and children drowned in the storm waters flooding Elizabeth Street, that two years after that time the condition of St. Kilda must have been only saved from being virgin bush and sea lands, by a few houses and huts scattered along the hill side. It will be seen too that the members of the Melbourne Corporation were afflicted with the land hunger that had a few years before attacked the settlers, and progressed so apace that it had landed the community into bankruptcy. The Town Council had more than enough to do to construct the streets of Melbourne, and to deal with its great drainage problem in Elizabeth Street, other than having the bush lands of St. Kilda to fashion into a creditable outpost of the inner city. The earth hunger sp assailed the corporate body through the like infirmity that possessed its units, that the Melbourne Council clutched hard, and held to the Hill of St. Kilda.

At the meeting of the Town Council of the Corporation of the City of Melbourne, held on August 30, 1845, it was moved by Councillor Stephen, seconded by Alderman Kerr, that His Worship the Mayor be authorised, on behalf of the Town Council, to communicate with the Member for Melbourne, with reference to a petition, stated to have been laid before the Legislative Council, from certain inhabitants of St. Kilda, requesting him to oppose any measure that may be proposed to reduce the boundaries of the town, as fixed by the Amended Municipal Corporation Act. An amendment added the words, "or at least to apportion an area to the East, and West of the town, equal to any quantity that may be taken from the North and South, in order that the total area may not in any degree be abridged. Alderman Kerr then gave notice of motion, that the Legislative Committee be instructed to frame a petition to the Legislative Council, praying, in reference to the appointment of a select committee of that Honorable House to consider a petition from certain inhabitants of St. Kilda, that no step may be taken in the matter involving the rights, privileges, and immunities of the Corporation of Melbourne, without the consent of the Council."

It was moved by Councillor Greeves, seconded by Councillor Fawkner, and carried "That the original motion be adopted omitting all the words after "consent," and substituting the words "giving this council an opportunity of indicating the same," in lieu thereof.

Alderman Kerr gave notice of his intention to protest against the resolution arrived at by the Council. Greeves was an owner of land at St. Kilda as was also John Pascoe Fawkner.

The lands of St. Kilda, hillside, seashore, and swamps, were fair in the corporate eyes of the Town Council of Melbourne. The hill, the Green Knoll, a beautiful place, and worth fighting for; a handful of settlers by the sea shore was not to be regarded as seriously, still a title was desirable; an absorption of the hill and its lands duly made under Crown manual. To accomplish this the Council caused a memorial to be confided to His Honor the Superintendent regarding the southern boundaries wherein lay St. Kilda. On June 24, 1847, the Superintendent informed the Melbourne Town Council that the

memorial addressed to Her Majesty the Queen on the subject of the alteration of the boundaries of South Melbourne had been forwarded to the Right Honorable Her Majesty's Secretary of State, and in due course the Corporation of the City of Melbourne incorporated the lands of St. Kilda within its boundaries. A resolution was passed on July 17, 1851 on the motion of Alderman Greeves, seconded by Councillor Chambers, that the several streets of St. Kilda within the Corporate Bounds be duly proclaimed and that the Public Works Committee be instructed to take the steps necessary to carry this order into effect.

A report was received by the Melbourne City Council, and read, at the council meeting held on October 24, 1853. Alderman Hodgson brought up the report, which was from a special committee of the Council, appointed to consider, and to recommend upon an application from the inhabitants of St. Kilda, and South Melbourne, praying that that district be constituted a separate Ward of the city. The Town Clerk read the report which was as follows:—

"REPORT OF THE ST. KILDA COMMITTEE.

24th October, 1853.

"The Special Committee appointed to consider the petition of inhabitants of St. Kilda, and South Melbourne, praying the establishment of a separate Ward of the City, of St. Kilda, and South Melbourne (exclusive of Sandridge, and Emerald Hill) have the honor to report, that, having maturely considered the question referred to them, they are unable to recommend compliance with the prayer of the petition to its full extent, for though the time is, no doubt, rapidly approaching when St. Kilda, and the portion of South Melbourne proposed to be included in the projected Ward, will be fairly entitled to have their request complied with the Committee do not consider there is sufficient stationary population to warrant the City Council in giving them the same extent of representation, as the older, and infinitely more populous wards of the city. The Committee have, however, in the course of their enquiries, had their attention drawn to the fact, that South Melbourne, including St. Kilda, Sandridge, and Emerald Hill, already possess a constituency of 479 citizens, which will, in all probability,

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be trebled by the next annual registration, and they are disposed to think that, taking into consideration the population, the number possessed of the franchise, and the completely isolated character of that portion of the city, the time has arrived when South Melbourne may be cut off from Lonsdale, and Latrobe Wards, and created into a separate ward of the city. The Committee have therefore to recommend that application be made to the Lieutenant Governor, by petition from the City Council, praying His Excellency, in conformity with the provisions of the Act of the Governor, and Legislative Council of New South Wales, and Victoria, No. 12 Sec. 3, to increase the number of the wards of this city to six, and to appoint South Melbourne, with the boundaries described in the schedule hereto marked "A", to be an additional ward of the city. And the Committee would respectfully suggest that as some acknowledgement of the gratitude of the citizens of Melbourne to the present noble Secretary of State for the Colonies, the Duke of Newcastle, for his prompt compliance with the prayers, and entreaties of the Colonists to be relieved from the fearful evils of proximity to a penal settlement, and for the liberality manifested by His Grace, in leaving the local legislatures of the Australian Colonies to frame the details of their respective constitutions, his Excellency be requested to proclaim the new ward, proposed to be erected, by the name, and style, of Newcastle Ward.

Signed @John Hodgson  
"Chairman.

"Schedule 'A' referred to in annexed report:—

"South Melbourne. Bounded on the East by the continuation of the Eastern boundary of North Melbourne leaving south 299 chains to the South by Hobson's Bay in the north by the River Yarra Yarra, and on the West by the continuation of the western boundary of North Melbourne to Hobson's Bay."

The report was referred for consideration to the 5th order of the day. The petition of the residents prayed, that the separate ward in South Melbourne should be called the St. Kilda Ward. It was proposed to divide it from Emerald Hill, and Sandridge, by a line drawn from Princes Bridge to St. Kilda. This line was the St. Kilda Road. Councillor Davis preferred

the name of South Melbourne for the ward. Councillor Guthridge favored the name of the Yarra Ward. Finally, it was decided, to call it, the Smith Ward, after the then sitting Right Worshipful Mayor, John Thomas Smith.

John Thomas Smith was one of the outstanding figures of the early civic life of Melbourne. When Melbourne was incorporated, in 1842, he was one of those elected to the first city council, and remained a councillor, and alderman, for over thirty five years. He was seven times the Mayor of Melbourne. In business, he was a successful man; he built the Queen's theatre, the first theatre of moment in Melbourne. In other ways he lived the life of a citizen, who desired to promote the welfare of his fellows; of a man who was not averse to having the fullest credit given to him for deeds, he did not allow to blush unseen. Such was the man whose name the councillors of the city of Melbourne desired to attach to St. Kilda as the name of a city ward. The residents of St. Kilda were not flattered. They preferred the name of St. Kilda. On November 3, 1853 a newspaper report states:—

"St. Kilda Ward.—At a meeting of those interested in forming St. Kilda into a separate ward of the city held at the Royal Hotel St. Kilda on the evening of the 1st inst. it was moved, seconded and carried nem. con. that the following address be signed by the chairman on behalf of the meeting.

"To the Worshipful the Mayor, Alderman, and Councillors of the City of Melbourne.

"We, the inhabitants of St. Kilda, and the adjacent country, in public meeting assembled have respectfully to thank your Worshipful Council for your prompt attention in considering our petition, praying to be separately represented in the municipality of the city of Melbourne, but we also have respectfully to state that the conjunction of Sandridge, and Emerald Hill, with this place would almost defeat the object which your petitioners have in view for those portions of the city are quite remote from St. Kilda, and divided by natural boundaries of swamps, and lagoons.

"It appears to your petitioners, that the main objection to forming St. Kilda into a separate ward is the compara-

tively small number of its inhabitants, but it will be obvious to your Worshipful Council that such objection will soon cease, for the present, however, a less number of representatives than those of the more populous wards might be recommended to the Legislature.

"We may also most respectfully observe, that, with every regard for the Chief Magistrate of the city, it does not occur to us that he is in any peculiar manner connected with St. Kilda, that it would be no compliment to a gentleman bearing so common an appellation as that of Smith, to designate any place by his name, and we therefore respectfully repeat our request, that the new ward of St. Kilda should be named the St. Kilda Ward.

"We finally desire that your Worshipful Council would be pleased to reconsider the petition of the inhabitants of St. Kilda, with a view of erecting it into a separate Ward.

"Signed, on behalf of the meeting,

"A. CAMPBELL BROWN,

"Chairman. "

Royal Hotel, St. Kilda, November 1, 1853.

At the meeting of the Melbourne City Council held on December 11, 1854, Present the Mayor, Aldermen Reilly, Hayward, Clewes, Hodgson, Cosgrave, Councillors Bell, Groom, McGrath, Gallagher, Davis, Fulton, Bennett, Lane and Smith, Councillor McGrath moved

"That the Right Worshipful the Mayor be requested to request the Commissioner of Police to cause a constable to be placed at that portion of St. Kilda known as the Female Bathing Place, during bathing hours in the summer season."

Councillor McGrath complained that men traversed the locality while women were bathing. Councillor J. M. Smith, seconded the motion. He also hoped that the magistrates would not license any house in the locality. There was at that time an application for a license in the vicinity which he hoped would be refused as it had been before.

Councillor Fulton suggested the erection of a stockade in that locality under the shelter of which ladies might bathe with impunity.

Councillors Bennett and Lane confirmed all that had been said The motion was carried.

A report, No. 70, of the Public Works Committee to the Town Council recommended on July 3, 1855, that application be made to the Executive Government requesting that the foot-path on the South side of Fitzroy Street, St. Kilda, from the Junction Hotel to the Beach and thence southward to the Royal Hotel be proclaimed of a uniform breadth of fifteen feet. The recommendation was adopted. A petition was presented December 17, 1855, to the Town Council from the Revd. Richard Fletcher, a minister of the Congregational Church asking the Council's permission to erect a tent on the Marine Terrace at St. Kilda for divine services on Sunday afternoon, which petition was received and the prayer of the clergyman granted. The Council ordered on March 3, 1856, that the formation and metalling of Robe and Grey Street, St. Kilda be proceeded with for the sum of £17/17/6, the contractor to be Joseph Holmes, and he was to be paid also the sum of 17/- per cubic yard of the work. On August 22, 1856 the Council approved of the recommendations contained in the report of the Public Works Committee that the sum of £30 be appropriated to cutting drains in the streets of St. Kilda. In the same month a petition was received by the Town Council from Purchas, Smith and others with reference to the St. Kilda Sea Bathing Company. The Company sought for permission to erect within the city boundary such portions of its bathing platform as may be necessary. The Council granted permission to the Company to do so with the proviso that in the event of the platform becoming a nuisance it was subject to removal.

In the month of September, 1856, "E. Opie, A. E. Wheatley and others," living in St. Kilda, proprietors, and tenants of land and houses, complained that the work of road making was carried out in such a way that the approaches to their properties and houses were interfered with. In the same month Charles Willoughby, Barnes and other citizens of St. Kilda, Lonsdale Ward, sent a petition to the Town Council, probably by their representative, Dr. Councillor Palmer, praying that the Council would "cause Clyde Street to be formed and metalled from Grey Street to Ackland Street at an early period." Thomas Gibson,

and others, complained that the access to their houses, in Robe Street, was made difficult to them owing to the work of the road makers.

Complaints having been made to the Melbourne Town Council that men were in the habit of bathing along the St. Kilda Beach after seven o'clock in the morning the Council wrote to the Chief Constable of Melbourne to prevent the practice. In reply the Chief Constable asked the Council to supply him with a copy of the City's by-law that forbade the bathing by males from the St. Kilda seashore after the hour mentioned. Whether such a by-law was in force at the time of the correspondence, January 12, 1857, was not stated.

A proclamation, issued by His Excellency Sir Charles Hotham, under Captain Clark's act, which had just come into force, intitled "An Act for the Establishment of Municipal Institutions in Victoria," was published in the Government Gazette of Victoria on Tuesday April 24, 1855, and in that proclamation a description was given of 'The Municipal District of St. Kilda,' which was created at the same time by the provisions of that Act. Before that description was published the district in part, belonged to the territory of the Melbourne Corporation. The West line of boundary of the newly created municipality was Punt Road, sometimes called Hoddle Street, because it was a continuation of Hoddle Street, Richmond, when the river Yarra was crossed by a punt. The road's association with the punt, on the South Yarra side of the river evolved the road name, Punt Road. The Punt Road ran to the Junction, and having crossed the Junction, it continued over the hill, with Brighton Road, or High Street, on its eastern side, and so on to Glen Huntly Road. The old St. Kilda section of the Punt Road is now Barkly Street. It will be seen therefore that the village of St. Kilda, which sat on the hill of St. Kilda, commencing at the hill's base along Fitzroy Street to the shore line, within which angle, extending as far as Carlisle Street lay the houses, huts, tents, and wattledab humpies that comprised the Village of St. Kilda, was not, by the proclamation, included in the new municipality of St. Kilda. The reason was that the Melbourne Corporation had almost all the Hill of St. Kilda within its boundaries. Its responsibilities had been felt financially only so far as the Village of St. Kilda was

concerned. The Corporation of Melbourne had spent sufficient money in constructing some of the streets of the Village of St. Kilda as to make its representatives opposed to any suggestion that the Village of St. Kilda should pass out of their control. The city councillors of Melbourne saw that the Government authorities did not make the mistake when they plotted the municipality of St. Kilda, of including the Village of St. Kilda within the boundaries of the new municipality. Apart from the money the Corporation had spent in the Village, there was the question of Melbourne's dismemberment from its outer jurisdictions, not of much moment then, but those outer lands contained the seed of future cities. And the expectations of such cities to arise have been since realised. The boundary line along Punt road was drawn in a bold black line. There was to be no mistake made. The Village of St. Kilda belonged to the Corporation of the City of Melbourne. Here is the official description of the new municipality, the play Hamlet without the Prince of Denmark :

"Commencing at the junction of Wellington Street with "Punt Road at the north-west angle of allotment 68A thence "by the southern sides of Wellington Street and the Great "Dandenong Road to the north-east angle of allotment 201B "then south by the western side of a Government Road to "the south-east angle of allotment 277 thence west by the "northern side of a road known as the Glen Huntly Road "to its intersection by the Punt Road at the north west angle "of allotment 20B North Elwood thence north by the eastern "side of the Punt Road to the commencing point. And the "said municipal district shall be called by the name of St. "Kilda.

"Given under my hand and seal of the Colony at Melbourne this twenty third day of April in the year of our "Lord 1855 and in the eighteenth year of her Majesty's "Reign.

"CHAS. HOTHAM

"By His Excellency's Command.

"WILLIAM HAINES

"God Save the Queen."

The only part of the proclamation that did not leave a section of the residents of St. Kilda unresponsive, was "God Save the Queen !" Viewed in the light of to-day the Government, swayed by the Corporation of Melbourne promulgated an absurd boundary line, a line that decapitated the head of the Village of St. Kilda from its body, and then the Government asked the body to exercise some protean power, and thereby grow a new head. It was not to be done even by an act of Parliament, and though the boundaries of the municipality of St. Kilda were gazetted and the place was expected to start into corporate life, it did not do anything of the sort, but lay a dead thing. No council was elected under the absurd proclamation. The arresting sentence of the proclamation is the place naming of the municipal district in the words, "the district shall be called by the name of St. Kilda." A passive indifferent deadlock ensued wherein the residents showed no interest whatsoever regarding the gift of a municipality, held out to men by the Government. This attitude changed when the residents saw that other districts were taking advantage of the act to form their lands into a municipality; a communion of interests that was foreseen would work for the common good. It was necessary, in the opinion of many residents of St. Kilda, that there must be a fresh proclamation made, which must include the Village of St. Kilda as a part, the principal part indeed, of the municipality of St. Kilda. The opposing interests of the Corporation of Melbourne must be fought, a blow, or several blows, must be struck for the seaside village's emancipation from Melbourne, and for the ending of its lordship over the fairest lands of St. Kilda. Thus it was that on October 29, 1856, the Governor, Sir Henry Barkly, received a petition from the residents of St. Kilda.

The petitioners, who numbered 301 residents, the first names to the petition being those of John Hood, A. Purchas, Richard Edwards, and H. Cooper, stated "That it has been found that the limits, and boundaries, of the said municipal district, as defined in the said proclamation, are not suited for the successful establishment of a municipality therein, and it is desired that they may be altered so as to render them more suitable, and, at the same time, to include the portion of St. Kilda at present comprised within the city of Melbourne the majority of the householders resident in that locality desiring such inclusion,

The petitioners prayed to have the limits and boundaries of the said municipality altered, and then followed a description of the amended boundaries.

The Town Council of Melbourne anticipated that the new municipality, through its promotors, would endeavour to have the Hill of St. Kilda included within the boundaries to be finally defined. The Aldermen and Councillors were fully apprised of the positions, a little later, when a letter was read at the Town Council's meeting from J. Westley, a secretary of the sub-committee of the petitioners, for the inclusion of a portion of the City of Melbourne in the municipality of St. Kilda. He requested the Town Council to furnish him with particulars relating to the interest due on the Gabrielli loan.

The Gabrielli loan loomed very large in Victoria in the years of the fifties, and it was a financial debt that had always in Municipal Corporations to be considered. The Gabrielli loan was lent by a syndicate of English capitalists, headed by one Gabrielli—William Westgarth a Victorian pioneer of 1840, and afterwards in 1857 when he left Victoria, head of the financial firm of William Westgarth and Co., of Finch Lane, London, thus, in one of his books on Victoria, explains the Gabrielli loans : "The loans we have alluded to formed an aid to the respective corporations from the public revenue, and the arrangement was that the Colonial Government should discharge the principal of the loans by equal yearly instalments spread over twenty years, while the Corporations paid the yearly interest. This financial operation was for a time familiar in Melbourne under the name of the Gabrielli Loan, so called from the contracting party, who, in those early days, when neither colony nor corporation had introduced itself within the great monetary circles, obtained the loan with its six per cent. interest, at £95 per £100 bond. Latterly the stock of both loans has been mostly transferred to London, where, notwithstanding a rather complex kind of security, "Melbourne Corporations," as they are termed in technical brevity, hold a good position as a Colonial Government security on the Stock Exchange."

The Town Council referred the letter of the secretary of the sub-committee of petitioners to its own Finance Committee. The Town Council's members foresaw, at that stage, that they

would be unable to retain the St. Kilda lands within the Melbourne City boundaries. They had spent money in St. Kilda, and they feared that the seceding residents of St. Kilda would break away without paying compensation to the Town Council for the works that had been done in St. Kilda with moneys obtained from the Gabrielli Loan. The Town Council must have already officially voiced its fears of a monetary loss for on December 11, 1856, the Council received a reassuring letter from the Under-Secretary, stating that the Chief Secretary "had taken measures for having the requirements of the municipalities' Act, as respects liability for the Gabrielli Loan complied with, prior to the portion of St. Kilda within the city being severed from it, and joined to any other municipality."

The Corporation of Melbourne could not stay the victorious march of the St. Kilda severance petitioners, but the Melbourne Councillors could, and did play the role of a noisy creditor, insisting that the Council had spent money, and time upon St. Kilda, and now the advance section of St. Kilda residents desired to avoid paying Melbourne its just debt. The attempt to form the municipality did not meet with the approval of some of the residents of the southern part of St. Kilda, nor were the citizens, any more than the Council of Melbourne satisfied with the proposals of the advance severance section of St. Kilda residents. There was a wide divergence of views. One contention was that the country annually endowed the Corporation of Melbourne with the sum of £25,000, and also encouraged that corporation to borrow £500,000 on the security of the annual grants. Of that sum some critics alleged that £15,000 had been expended at St. Kilda, and that St. Kilda having "got away" with £15,000 of the Melbourne Corporation money "starts a new municipality and goes in for another endowment."

Opposition to the municipality was made manifest in the southern end of the district. The residents there constituted the body of discontents who were called the "Withouts"; their opponents were known as the "Withins." The "Withouts" were active in their opposition. On January 16, 1857, the moving spirits of the "Withouts" advertised—

"A public meeting of the inhabitants of St. Kilda without the city, residing between the Greyhound Hotel and

Elsternwick, will be held at the Greyhound Hotel this evening, Friday 16th inst., at 8 o'clock, to consider matters of importance connected with the St. Kilda Municipality."

D. P. Keogh was in the chair, and he explained to those present that the object of the meeting was "to express the dissatisfaction of the inhabitants at being included in the Municipality recently petitioned for in connection with that portion of the township of St. Kilda which is known as St. Kilda proper, or within the city boundary, upon the ground that, not having participated in an expenditure to the extent of some £15,000, which had been made exclusively upon St. Kilda proper, and which still remains as a debt due to the Corporation of the City of Melbourne, they were indisposed to share the burden ; but they were quite agreeable to join provided that legal arrangements were effected for the exemption from any rate levied on property in the district going towards payment of that debt or any interest thereof." All present pledged themselves to oppose to the utmost of their power the incorporation of the district in any municipality of which St. Kilda within the city should form a part. Speakers in favor of the municipality as proposed, and on the terms suggested, were the Hon. John Hood, M.L.C. and Thomas Loader, afterwards a Minister of the Crown 1860-61, both of whom pointed out the advantages of good roads and jetties. The meeting was against the views of the speakers. In the words of a dissident "it was war to the knife with St. Kilda proper."

Events moved quickly. That meeting was held on January 16. On January 26, the Melbourne Town Council Minute Book records that, at the Council meeting, held on the same date, "a letter was read from Mr. J. Westley, signing himself Secretary to the Committee for the establishment of the proposed municipality of St. Kilda, intimating that the Committee had submitted the question of the liability of the district for the Gabrielli Loan to the decision of His Excellency the Governor."

Councillor Kerr on February 9, 1857, brought up the report to the Melbourne Town Council of the Finance Committee, No. 13, informing the Council of the particulars of the arbitration by His Excellency the Governor and the Executive Council, between the petitioners for the separation of St. Kilda from the

city, and the City Council as to liability of the Gabrielli Loan. The report was received. The Governors' decision had been made known on February 7. It was to the effect that one equal fortieth part, or share of the Gabrielli loan should be borne by the said municipal district of St. Kilda when, and so soon as the limits, and boundaries thereof should be varied and altered."

The opposition section of St. Kilda residents was unable to effect the question of boundaries, for a proclamation referring to that of April 1855 was published in the Government Gazette in February 1857, defining the boundaries and limits of the St. Kilda District, thus :—"Commencing at a point on the shores of Port Phillip Bay, being the south east angle of the municipal district of Emerald Hill, thence by a line bearing north 26 degrees 25 minutes east 16 chains and 90 links to a marked post, thence by a line bearing north 57 degrees east 58 chains to a marked post on the west side of the main Brighton Road, thence by a line easterly, and by a line passing through the centre of High Street, Parish of Prahran, to the Punt Road, thence by a line passing through the centre of Punt Road to Wellington Street, thence by a line passing through the centre of Wellington Street, and through the centre of the Main Dandenong Road to the centre of a Government Road forming the eastern boundary of portion 154B, Parish of Prahran, thence by a line passing through the centre of the said Government Road to the Glen Huntly Road, thence by a line passing through the centre of the Glen Huntly Road to the Punt Road, thence by a line passing through the centre of the Punt Road to the shores of Port Phillip Bay, and thence by the shores of Port Phillip Bay to the commencing point aforesaid."

At this time the insanitary state of the suburban dwelling places was shocking. The Health Authorities were powerless to cause a change as the provisions of the Health Act did not extend beyond the boundaries of municipal Melbourne. In an article published in the Melbourne Morning Herald, in support of municipal institutions, the writer commented on the advantages to be derived from local laws to deal with local necessities. He wrote "What is everybody's business is nobody's business," but there is no spot on the face of this colony where you have stronger evidence of its truth than in any of our suburbs of St.

Kilda, Collingwood, Prahran or Windsor. Old shoes, decomposing coats, dead dogs, broken champagne bottles, and green puddles everywhere dot the foreground of almost every landscape in the above localities . Accordingly every place such as we have named, finding its eyes, nose, health and safety insufficiently cared for by mere individual action, is per force driven to make itself as comfortable as it can by law"