

BENDIGO
REGIONAL
ARGHIVES
CENTRE

Guide to the Bendigo & District Courts Collection

2025

Guide to the Bendigo & District Courts Collection

WHAT IS THE BENDIGO & DISTRICT COURTS COLLECTION?

The Courts collection encompasses all records created by Victorian Courts which are held at the Bendigo Regional Archive Centre. The collection is not complete – some series have records held at other repositories (Ballarat and North Melbourne).

There are three tiers of Courts that feature in BRAC’s record collection. The lowest level was the Court of Petty Sessions or Magistrate’s Court, followed by the County Court and finally the Supreme Court. The district court was mostly self-administered including the appointment of judicial officers, jury lists and court procedures, with dedicated clerks and registrars. Sometimes resources for administration were used by multiple levels of Bendigo Courts.

The district courts were sometimes abolished but hearings continued to be held in the local area using a circuit court system. For a full timeline of Courts, visit the BRAC website.

HOW CAN I ACCESS THIS COLLECTION?

All open access records can be ordered through the PROV online catalogue for viewing at the Bendigo Reading Room (only on Bendigo Regional Archive Centre open days). The records cannot be viewed at the Victorian Archive Centre (VAC), the Eureka Centre or the Geelong Heritage Centre Reading Rooms, and copies cannot be ordered. Private search agents, as listed on the PROV website, may be engaged to view and record items if you are not able to visit the Bendigo Reading Room or arrange your own proxy.

ABOUT THE RECORDS

Note that where a record is kept in ledger style, the column headings are accurate however there is significant variation in regard to how many are actually used, or to what level of detail. Sometimes information is always recorded in a particular column but for other columns, only occasionally will data be recorded, and sometimes they are never used at all. The recording of information in the various columns may also vary significantly over time. The record samples will give an indication of the general use of the full columns as templated.

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SUPREME COURT (1852 – current)

The Supreme Court has two divisions – Trial and Appeal. The Trial division deals with more serious cases such as murder and treason, and significant civil litigations and claims. Appeals from the trial division of the County Court are heard in the Appeal division. Decisions made by the Supreme Court can be appealed to the High Court of Australia. The Supreme Court was also known as the Court of Assizes and the Circuit Court.

Bendigo Courts	16530	Cause Action Books
Bendigo Courts	17015	Index to Cause & Action Books
Bendigo Courts	17016	Judgement Book
Bendigo Courts	17034	Record of Particulars of Probates & Letters of Administration
Bendigo Courts	17037	Register of Summons Issued Under Imprisonment of Debtors (Amendment Act 1865)

VPRS 16530 Cause Action Books (Bendigo)

Number of records: Five

Date range: 1887-1975

Index: VPRS 17016 Supreme Court Judgement Book (Bendigo) serves as an index to this series

These volumes record the every day civil actions filed in the Supreme Court and include matters like breach of promise, money owing on goods and services, and dissolution of partnerships.

The case numbers were allocated based on the order of lodgement and start over from 1 at the beginning of each year. To find a specific entry, you need to know roughly when the action was filed.

Sample content

No. of action: 10

Plaintiff: George David Hargreaves (an infant suing by his next friend Harold Thomas Hargreaves), and Harold Thomas Hargreaves

Defendant: Lancelot George William Bell

Summons file date: 5 April 1963

Plaintiff solicitor: Arthur Jamieson Rogers of 61 Bull Street Bendigo

Defendant solicitor: Hogan & Hogan, Bendigo

Appearance: 30 May 1963

Nature of action: Damage for negligence

Amount of claim: unspecified

Notice of trial filed: 15 October 1963

By: judge and jury

Place & date of trial: Bendigo on 11-13 March 1964

Verdict: by default of £1,061.18.6

Amount of taxed costs £34.7.0

Final judgement – 2 March 1964 Judgement for infant George David Hargreaves for £8,000 and for Harold Thomas Hargreaves for £181 with costs to be taxed including pleadings, ... and recorded costs. Sum of £200 to be paid to defendant's solicitor within 21 days and a sum of £7,800 to be paid into Court for benefit of child and to be paid out to him with accrued interest on his attaining 21 years. Further ... 21 days.

Writ *Fi Fa* issued for £1,096.5.6 with £7.9.6 costs of execution etc and interest of 8%

Remarks Notice of appeal filed 25 March 1964; notice and file to prothonotary (principal registrar of a Supreme Court or one of its divisions) 2 April 1964, amount to f £7,800 paid into court 7 July 1964; notice of discontinuance filed 11 September 1964

Direct record link: <https://prov.vic.gov.au/archive/VPRS16530>

VPRS 17015 Index to Action & Cause Books (Bendigo)

Number of records: Three

Date range: 1934-1946

Format: Handwritten into alphabetical index book (by defendant)

NOTE: The two earlier volumes in this series are S11 status but an access request can be placed directly through PROV.

This index enabled clerks to find entries for any given case held in that particular court and links to the Supreme Court Action Books (VPRS 16530). The book is an alphabetical index book with a tab for each letter. Within each letter section however, the surnames are not in order. For example, In the 'A' section, Atkinson may be listed before Adams.

Sample content

Defendant: LANSELL, George; Plaintiff: CRAWLEY, John; No of action: 166

Direct record link: <https://prov.vic.gov.au/archive/VPRS17015>

VPRS 17016 Supreme Court Judgement Book (Bendigo)

Number of records: One

Date range: 1888-1945

Navigation: Alphabetical by surname of defendant

Index: Is an index to VPRS 16530 Action Cause Books

This volume serves as an index to those civil actions that resulted in a trial in which a judgement was delivered. The judgement book is arranged alphabetically according to the family name of the defendant. For each case, additional information includes: the name of the plaintiff, the action (that is, the case) number. The result of the action or whether it proceeded to trial is not recorded.

Sample content

Defendant – Fanny WILLSEA

Plaintiff – Thomas Charles SMITH

No. of action – 17/98

Direct record link: <https://prov.vic.gov.au/archive/VPRS17016/>

VPRS 17034 Record of Particulars of Probates & Letters of Administration (Bendigo)

Number of records: One

Date range: 1929-1931

Format: Handwritten with newspaper clippings included

Difficult handwriting

Originally a ledger for Paymaster's Register of Orders and Accounts Paid – crossed out and new title recorded (as per record title).

Sample content

7 October 1930

Newspaper clipping – Notice Is hereby given etc

Archibald Muir, Derrinal, invalid pensioner

Died 12 September 1929, half brother (?) at Derrinal

Admin – James Stewart Muir, Derrinal

Sureties – James Cavagna, 8 Alder Street Bendigo

George Henry Taylor, illegible

Personal - Informant on allotments 95 DEF Parish of Mandurang, county of Bendigo on 19 acres also 39 perches held under Licence 092/86 *Land Act*

Direct record link: <https://prov.vic.gov.au/archive/VPRS17034>

VPRS 17037 Register of Summons Issued Under *Imprisonment of Debtors (Amendment) Act 1865 (Bendigo)*

Number of records: One

Date range: 1888-1892

Note: Very few entries appear in the volume and do not record the result of the hearings

Under the Act, a summons could be issued against someone who had not made a payment despite a civil judgement requiring them to do so. The summons required them to appear before the Court so they could be assessed for their ability to pay, and could be imprisoned if they failed to provide a reasonable excuse for not paying, refused to be sworn in, or refused to answer questions from the Bench. This record is in index format to record these summonses but only contains approximately six line entries in total.

Sample content

No. of action – 29

Against whom issued – John Barry

At whose suit – John Robson

Date of Summons – 29 May 1888

Amount for which issued - £64.13.4

Attorney issuing summons – Brown Ellison

Direct record link: <https://prov.vic.gov.au/archive/VPRS17037/about>

COUNTY COURT (1852 – current)

The several Victorian County Courts historically dealt with small civil claims in both commercial and common law. The aim in their initial establishment was to 'provide cheap and readily available forums for the quick disposal of small civil claims'. From 1969, the County Court took on the now abolished Court of General Sessions and expanded its coverage to criminal cases with the exception of capital and serious cases (dealt with by the Supreme Court). The County Court also hears criminal case appeals from the Petty-Magistrate's Court. From 1869, registers for the Court were recorded separated for Common Law, Equity, and Probate & Administration.

Examples of types of cases heard in the County Court include livery of a horse, rates arrears, medical services, goods, hire of chattels, board and lodgings, calls, money lent, bills of exchange, money paid, dishonoured cheque, detinue (action to recover for wrongful taking of personal property), exemptions from National Service Training, claims on behalf of a third party, negligence, personal injury, property damage, negligence, petitions under the *Commonwealth Employees Compensation Act*, registrations of birth, trover (recovery of damages for wrongful taking of personal property), use and occupation, promissory note, work done and wages, money lent, rent, covenant and slander.

The Registers are ordered chronologically by sitting or lodgement date.

Echuca Courts	17056	Fee Book & Roll of Attorneys
Bendigo Courts	16998	£10 & Less Jurisdiction Book
Bendigo Courts	16999	£10-200 Jurisdiction Book
Bendigo Courts	16995	Common Law Civil Register
Bendigo Courts	16997	Register Part II Equity
Bendigo Courts	16996	Register Part I Common Law
Bendigo Courts	17029	Common Law Civil Verdict Books
Bendigo Courts	17032	Record of Powers of Attorney, Probate & Wills and Letters of Administration
Eaglehawk Courts	16994	Record of Powers of Attorney, Probate & Wills, and Letters of Administration
Heathcote Courts	17033	Administration

VPRS 17056 Fee Book + Roll of Attorneys (Echuca)

Number of records: One

Date range: 1865-1936

Format: Fee book – columns of figures; Roll – original letters from court clerks and attorneys, pasted into the book

The fee book records fees paid in the course of pursuing an action in the County Court.

Under the County Court Act, a list of attorneys permitted to practice were required – just signatures until 1883, afterward the original letters were included which already bore a signature.

Also a listing of names, addresses and signatures in the rear of the book. Many examples of local legal firm letterheads.

Sample content

County Court Fee Book

Date 30 April 1870

No. 6

Revenue & bailiff fees – blank

Remarks – blank

Amount sued for - £84.4.7, Revenue £0.12.0

Government fee - blank

Attorney or Bailiff – JMB (signature from 1871)

Seal, affidavit & receipt – blank

Roll of Attorneys

To WJH Errol Esq, Clerk of Courts Echuca

Greeting

By virtue of the powers conferred upon me as clerk of the peace for the Midland Bailiwick, I do hereby appoint and constitute you my deputy to do and perform all acts necessary by me to be done and performed in connection with the Court of General Sessions of the Peace at Bendigo. Given under my hand and seal of office at Bendigo this 13th day of May AD 1936.

Luke Murphy Barrister & Solicitor (letterhead)
Temperance Hall Chambers View Street, 1 February 1901
The Registrar, the County Court Echuca

Dear sir

Be good enough to place my name on your roll as provided by number 422 of the County Court rules.

Yours truly, Luke Murphy

Direct record link: <https://prov.vic.gov.au/archive/VPRS17056>

VPRS 16998 Ten Pounds & Less Jurisdiction – Books (Bendigo)

Number of records: 2

Date range: February-October 1857

For civil actions heard at Bendigo Courts for amounts of ten pounds or less.

Sample content

Date October 1857

No. 203

Title Neville H Onslow v Henry Oates

Cause of action – Contract

Plaint filed – £0.6.0, 23 September 1857

Amount claimed – £3.3.0

Date of summons – 23 September

Date of defence filed – blank

Search – blank

Copies – blank

Subpoenas – blank

Amount and date of payment into court – blank

Signature of person receiving money out – blank

Date of trial – blank

Verdict and order of judge – Acceptance part paid, computed at 15 October

Costs taxed – £5.0.0

Remarks – Ward T Scanlon served

Direct record link: <https://prov.vic.gov.au/archive/VPRS16998>

VPRS 16999 Ten Pound to Two-Hundred Pound Jurisdiction Book (Bendigo)

Number of records: Two

Date range: 1857-1858

For civil actions heard at Bendigo Courts for amounts of more than ten pounds. It can be difficult to determine results of the actions from this volume due to the lack of detail recorded.

Sample content

No. 3

Title – Lucy Goble v John Hardie

Cause of Action – contract

Plaint filed – 6 August

Amount claimed - £50.12.6

Date of summons – 6 August

Date of defence filed - NA

Search – £0.1.1

Copies – blank

Subpoenas – 1

Amount of payment – blank

Date into court – blank

Signature of person receiving money – blank

Date of trial – 8 October

Verdict and order of judge – For plaintiff £50.12.6, costs taxed 21 October

Costs taxed – £7.16.4

Execution – Nominal of judgement to county court

Attorneys – Ward for defendant

Direct record link: <https://prov.vic.gov.au/archive/VPRS16999>

VPRS 16995 Common Law Civil Register (Bendigo)

Number of records: Thirteen

Date range: 1858-1871

These registers record all cases heard within the Court, including the verdicts, orders and judgements.

Sample content

No. of plaint – 508

Date of plaint – January 30

Plaintiff name & address – Henry Birch, Sandhurst

Defendant name & address – Timothy O'Connor, Bullock Creek

Nature of action – contract

Amount of claim - £3.9.6

Special defence – blank

Payment into court – blank

Judgement – for plaintiff – settled, Henry Birch

Judgement – for defendant – blank

When to be paid – blank

Date of execution against goods or person – blank

Return of warrant against goods or person – blank

Amount levied – blank
Memorandum – blank
Remarks – served

Direct record link: <https://prov.vic.gov.au/archive/VPRS16995>

VPRS 16997 Register Part II Equity (Bendigo)

Number of records: One
Date range: 1870-1887

This volume is the authoritative record of all verdicts, orders and judgements for proceedings by petition in equity.

Sample content

No. of plaint or petition 1

Date of plaint or petition – 31 March 1875

Plaintiff name, address and by whom entered – Nils Erick Backland, Ravenswood (George William Ellis)

Defendant name, address and name of practitioner – John Aylesbury, Ravenswood (service accepted, no fee)

Nature of relief sought and return day – That the defendant may be directed that he shall forthwith give a full and true account of all monies which he has received from the sale of crops, cattle, horses and other effects belonging to the Plaintiff and of those he has appropriated to his own use and of the use he has made for his own benefit of the horses, cattle, implements and effects belonging to the Plaintiff during his absence and all payments he may have made on the account of the Plaintiff.

Admissions, disclaimer and statement – blank

Decretal and other orders – 1 May 1876 Adjourned for particulars of plaintiff demand and defendant account until 8 May 1876; 8 May 1876 Liberty to set down case on account and cross account to be tried at next Court

Accounts and equities – blank

Decree and further directions – 10 July 1876 Plaintiff £26.8.0 and costs, no defence filed or costs taxed

Record for trial on issues of fact and result – blank

Execution and return – blank, Appeal and result – blank, Notice and remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16997>

VPRS 16996 Register Part I Common Law (Bendigo)

Number of records: Eleven
Date range: 1871-1933

This Register is a record of the verdicts, orders and judgements of the County Court. When a lodgement of summons was made with the court by a solicitor acting on behalf of a plaintiff, an entry was made in the Register with additional information added as the case made its way to trial – sometimes years. The case numbers were allocated based on the order of lodgement and start over from 1 at the beginning of each year. To find a specific entry, you need to know roughly when the summons starting the action was first lodged with the court.

The Register is not always complete. This may be due to activity related to the case (i.e. settlement before trial) or poor record keeping practices. The individual files for cases recorded in the Register are not held by PROV.

Sample content

No. of Plaintiff: #345

Remitted from: Supreme Court

Date: June 1878

Plaintiff: James Horne Husband, Sandhurst

Defendant: Frederick Gonnerman Dalgety & Charles Ibbotson trading as Dalgety Ibbotson & Co, Geelong

Name of action: Tort

Amount: £500.0.0

Free of government fee

Judgement: In favour of the plaintiff, £67.17.6 (5 July 1878)

Warrants of execution: Execution to stay for seven days

Amount recovered: £72.7.11 – receipt Brown & Ellison per Brown, £30.17.7 – Henry Wilson per Marquand

Notice of appeal: Lodged 12 July 1878

Practitioner: Wrixon

Direct record link: <https://prov.vic.gov.au/archive/VPRS16996>

VPRS 17029 Common Law Civil Verdict Books (Bendigo)

Number of records: Three

Date range: 1943-1964

Note: Poor handwriting legibility

This Register is a record of the verdicts, orders and judgements of the County Court.

Sample content

Sitting date – March 1954

No. 82

Plaintiff – JW Webster

Defendant – NG Hecker

Amount – £91.0.0

Payment into court – blank

Date of trial – blank

Judgement and costs – adjourned to May sittings

Direct record link: <https://prov.vic.gov.au/archive/VPRS17029>

Record of Powers of Attorney, Probate of Wills & Letters of Administration

These registers include the details and decisions made about the issue of probate or administration in regard to deceased estates, and the granting of power of attorney. Applications for a grant of probate, the issuing of administration papers or granting of power of attorney were made through the County Court (now through the Supreme Court of Victoria).

Following a death, the Court grants permission by a legal document certifying the executor named in a valid will has the right to administer that person's estate (Probate). Where there is no valid will, the Court will appoint an administrator (Letters of Administration) instead. Both of these acts are referred to as a 'grant of representation'. It is the duty of the Executor or Administrator to ensure that the deceased person's assets are managed appropriately including gathering their assets, paying any debts due, and making distributions.

A Power of Attorney is a document confirming the Court has approved one person to manage the personal, legal and financial affairs on behalf of another living person who may not be able to do so for themselves.

VPRS 17032 Record of Powers of Attorney, Probate of Wills & Letters of Administration (Bendigo)

Number of records: One

Date range: 1905-1953

Sample content

Description of document - Probate

From name – Rosina R Kneebone

To name & residence – Mr H Kenworthy, Oak Street Eaglehawk

Particulars (real estate, personal, fees) - £164.18.0

Date – 10 Apr 1913

Signature of Attorney, Executor or Administrator – Hobson Kenworthy

Direct record link: <https://prov.vic.gov.au/archive/VPRS17032>

VPRS 16994 Record of Powers of Attorney, Probate of Wills and Letters of Administration (Eaglehawk)

Number of records: One

Date range: 1927-1986

Note: Envelope in front of volume containing multiple Probate Duties Office memos

Sample content

Description of document – Probate

Name of deceased – James Trehwella

Name and residence – Eileen Nellie Farnell, Parsonage Grove, Eaglehawk

Particulars – Real estate NIL, personal estate £230.18.8

Order no & Check no of first account claimed – 3 February 1930

Signature of attorney, executor, or administrator – EN Farnell

Date – 3 March 1930

Direct record link: <https://prov.vic.gov.au/archive/VPRS16994>

VPRS 17033 Record Power of Attorney, Probate of Wills & Letters of Administration (Heathcote)

Number of records: One

Date range: 1928-1976

Note: Many loose papers, handle with care

Sample content

Description of document – Administration

Name, location and occupation of deceased – Margaret Courtney, Wild Duck

Applicant name and residence – Ellen Courtney, Wild Duck

Particulars & date sent – NIL, £316.0.0

Order No and Cheque No of first account claimed - 9 August 1935

Signature of attorney, executor or administrator – Ellen Courtney

Date – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS17033>

COURT OF PETTY SESSIONS (1854-1971) & MAGISTRATE'S COURT (1971-current)

These courts dealt with a wide range of 'small' issues across three areas – criminal, civil and from 1885, licencing. The civil and criminal hearings were in regard to minor disputes and offences. Petty Sessions Courts will occasionally link to the PROV lunacy ward and asylum collections where a defendant is decided to be unfit and committed to a dedicated facility (i.e. 'committed to Kew', 'recommended to the Sandhurst Hospital Lunacy Ward'). In this Guide, the term 'Court of Petty Sessions' is also used to refer to the Magistrate's Court where collection records span both periods. In newspaper reports, the Petty Sessions Court is often referred to as the Police Court.

Petty Sessions Records

Records from the following Courts within the indicated date ranges are indexed and digitised online through both Find My Past and Ancestry via subscription, or for free within any Goldfields Library Corporation branch: Bendigo (1858-1965), Eaglehawk (1861-1972), Castlemaine (1862-1958), Chewton (1865-1915), Fryerstown (1858-1890), Huntly (1879-1915), Inglewood (1863-1888), Maldon (1862-1890), Newstead (1863-1890), Pyramid Hill (1885-1963), Raywood (1865-1938), Swan Hill (1862-1969), Tarnagulla (1860-1888), Yandoit (1888-1975)

Bendigo Courts	16715	Australian Register of Judgements
Bendigo Courts	17002	Commonwealth (Electoral) Register & Children's Court Register
Eaglehawk Courts	16691	Commonwealth Register
Elmore Courts	16696	Australian Register of Judgements
Elmore Courts	16695	Commonwealth Register
Heathcote Courts	16699	Commonwealth Register
Kyabram Courts	16693	Commonwealth Register
Rochester Courts	16707	Commonwealth Register
Bendigo Courts	16734	Cause List Book
Bendigo Courts	7961	Register
Bendigo Courts	16735	Cause Books – Civil Cases
Bendigo Courts	16736	Cause Books – Criminal Cases
Eaglehawk Courts	16993	Register
Elmore Courts	16697	Cause List Book
Elmore Courts	16737	Register
Heathcote Courts	313	Register
Huntly Courts	317	Cause List Book
Huntly Courts	18313	Register

Kyabram Courts	16704	Cause List Book
Kyabram Courts	16700	Register
Rochester Courts	16702	Cause List Book
Rochester Courts	16531	Register
Tongala Courts	16533	Register
Bendigo Courts	17003	Index to Convictions
Elmore Courts	17006	Index to Convictions
Rochester Courts	16708	Index to Convictions
Bendigo Courts	16712	Special Complaints Register
Eaglehawk Courts	16694	Special Complaints Register
Heathcote Courts	16701	Special Complaints Register
Kyabram Courts	16703	Special Complaints Register
Bendigo Courts	17030	Warrant Book
Elmore Courts	17008	Warrant Book
Bendigo Courts	18842	Bendigo Receiving Ward Register
Bendigo Courts	16721	Gold Buyers' Register
Bendigo Courts	17057	Gold Offence Case Transcripts
Bendigo Courts	17001	Record Book
Bendigo Courts	17035	Register of Second Hand Dealers
Bendigo Courts	17036	Small & Residential Claims Tribunal Register

AUSTRALIAN REGISTER OF JUDGEMENTS & COMMONWEALTH REGISTERS

These registers contain copies of orders relating to judgements in interstate courts for defendants who moved between states. Once registered with a Victorian court, the judgement was enforceable in Victoria. The entries follow chronological order by the date of the interstate order.

VPRS 16715 Australian Register of Judgements (Bendigo)

Number of records: One

Date range: 1905-1984

Sample content

Date of sitting 19 November 1980

Certificate of Judgement from – Local Court of Mount Gambier SA

Title of suit & date of commencement – 1477/80

Form or nature of suit – Monies due for professional services rendered

Name & addition of party to whom payment is to be made or in whose favour Judgement is given or made – Dr IF Rogers, Helen Street, Mt Gambier

Name & addition of party ordered to pay money or to do or not to do any act – Mrs Alan Edwards Anderson, Gunbower VIC 3566

Date of judgement – 21 October 1980

Abstract of judgement, stating amount ordered to be paid & particulars of any act ordered to be done or not to be done – Claim \$110, costs \$30, registration \$7, due \$147

Date of trial & amount of verdict – No trial judgement, by default

Remarks – Costs of registration fixed at \$7, certification 19 November 1980, WD \$177 PS Gunbower, *nulla bona* 31 December 1980

Direct record link: <https://prov.vic.gov.au/archive/VPRS16715>

VPRS 17002 Commonwealth (Electoral) Register & Children's Court Register (Bendigo)

Number of records: Four

Date range: 1900-1934

Petty Sessions

Consists entirely of applications for voter's certificates

Children's Court

Five pages only

Sample content

Petty Sessions

No. 78

Prosecutor, informant, complainant or applicant – Frederick Richard Stapley

Accused or defendant – Kangaroo Flat

How before the Court (arrest on view, warrant or summons) – blank

Fees – blank

Charge, cause of proceedings – Application for voter's certificate

Decision, memo of conviction or order – Refused

Remarks – blank

Children's Court

Informant or applicant – Constable AE Barnden

Accused or defendant with age or apparent age – Walter Butler (14 years), Francis Peter McMahon (15 years)

How before the court – summons

Fees – blank

Information charge or application – A February on or about 18 February 1907 defendants did feloniously steal take and carry away certain copper wire, the property of the Electric Supply Company of Victoria Ltd

Minute of adjudication – Adjourned for seven days; committed to reformatory school

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS17002>

VPRS 16691 Commonwealth Registers (Eaglehawk)

Number of records: Two

Date range: 1950-1978

Sample content

Date 13 August 1959

No. 29

Prosecutor, informant, complainant or applicant – Alan Robert Christie, Wireless Licence Inspector

Accused or defendant – Gloria Dawn Wild

How before the court (arrest on view, warrant or summons) – summons (17 June 1959)

Fees – £0.5.0

Charge, cause or proceeding – Defendant at Eaglehawk on 13 November 1958 did commit a breach of the Broadcasting & Television Act 1942-1956 no wireless licence

Decision, memo of conviction or order – Convicted and fined five pounds with £0.14.30 costs

Remarks – Paid 13 August & 1 September 1959

Direct record link: <https://prov.vic.gov.au/archive/VPRS16691>

VPRS 16696 Australian Register of Judgements (Elmore)

Number of records: One

Date range: 1958-1973

Sample content

Date of sitting 15 December 1972

Certificate of Judgement from – Court of Petty Sessions of Moulamein NSW

Title of suit & date of commencement – 1

Form or nature of suit – blank

Name & addition of party to whom payment is to be made or in whose favour Judgement is given or made – GW Mumsbridge, Audit Inspector, Moulamein Pastures Protection Board

Name & addition of party ordered to pay money or to do or not to do any act – Molman George Kortum

Date of judgement – 31 October 1972

Abstract of judgement, stating amount ordered to be paid & particulars of any act ordered to be done or not to be done – Order for \$92.73 which includes \$10 costs

Date of trial & amount of verdict – By default

Remarks – Notice of judgement 15 December 1972, WD \$98.73 Elmore paid 5 March 1973

Direct record link: <https://prov.vic.gov.au/archive/VPRS16696>

VPRS 16695 Commonwealth Registers (Elmore)

Number of records: Six

Date range: 1917-1982

Sample content

No. 3

Prosecutor, informant, complainant or applicant – J Brennan, first constable of police

Accused or defendant – David Norman Moss

How before the court (arrest on view, warrant or summons) – 16 Dec 1959

Charge, cause or proceeding – Defendant near Elmore on 22 Sep 1959 did commit a breach of Act No 6325 section 33 failure to have ten consecutive hours of rest in 24-hour period

Decision, memo of conviction on order – convicted and fined fifteen pounds in default of distress

Direct record link: <https://prov.vic.gov.au/archive/VPRS16695>

VPRS 16699 Commonwealth Registers (Heathcote)

Number of records: Two

Date range: 1917-1977

Sample of content

Date 16 August 1974

No. 65

Prosecutor, informant, complainant or applicant – Donald J Payne, Country Roads Board

Accused or defendant – Frederick George Piggott

How before the Court – Summons 26 June 1974

Fees – \$3.00

Charge, cause or proceeding – Defendant at Heathcote on 7 June 1974 did commit a breach of Act 6325 Section 33, excess weight on drive axle
Decision or order – Convicted and fined \$44.00 in default distress with costs \$6.00
Remarks – Paid \$51.00 on 15 August 1974

Direct record link: <https://prov.vic.gov.au/archive/VPRS16699>

VPRS 16693 Commonwealth Registers (Kyabram)

Number of records: Two
Date range: 1918-1967

Sample content

No. 2

Prosecutor, informant, complainant or application – John Sullivan, Divisional returning officer

Accused or defendant – Thomas Stanley Joyce

How before the Court (arrest on view, warrant or summons) – summons 13 Jan 1917

Fees – blank

Charge, cause or proceeding – That defendant on the 4th of September 1916 at Kyabram was guilty of an offence against the Commonwealth Electoral Act in that being an elector, failed to vote at a Referendum without a valid and sufficient reason for such failure

Decision, memo of conviction or order – Struck out

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16693>

VPRS 16707 Commonwealth Register (Rochester)

Number of records: One
Date range: 1916-1967

Note: Includes an amount of loose Information For An Offence slips (completed)

Sample content

Date 16 August 1939

No. 6

Prosecutor, informant, complainant or applicant – War Service Houses Commission

Accused or defendant – William John Haisman

How before the Court – Complaint

Fees – blank

Charge, cause or proceeding – To recover possession of a dwelling house situate at Victoria Street Rochester

Decision or order – Withdrawn

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16707>

CAUSE LIST BOOKS & REGISTERS

These records were kept by clerks to document all the decisions and orders made by the Court. In larger Courts, like Bendigo, separate books were kept for civil, criminal and licencing hearings. In the 1888-1890 period, Cause List Books started to be referred to as Registers and while the

format changes slightly, the purpose remained. For the nineteenth century, the case files relating to each entry have been destroyed.

VPRS 16734 Cause List Books (Bendigo)

Number of records: 17

Date range: 1860-1868

Note: Unit 5 – Causes not recorded, Cause column includes only fees

Sample content

No. 3/3 (8 March 1864)

Complainant – William Powey

Defendant – Timothy Ryan

Mileage – blank

Fees – £0.2.6

Cause – £6.18.8 Goods delivered

Decision – verdict by

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16734>

VPRS 7961 Register (Bendigo)

Number of records: 169

Date range: 1888-1930 (gap from February 1904 to March 1930)

Sample content

17 January 1899

No. 118

Prosecutor, informant, complainant or applicant – Frederick Oscar Bosum, constable of police and an officer of the Victorian Railways Commission

Accused or defendant – George E Gullick

How before the Court – Summons 5 January 1899

Fees – £0.2.6

Charge – Defendant between Wedderburn Station and Bendigo Station on 17 November 1898 being a passenger by railway there situate upon the Victorian Railways the property of the said Commissioner, did take a seat in a certain railway carriage without having either a free pass or a ticket entitling him to take such seat with intent to evade payment of his fare

Decision or order, Remarks – Fined £5.0.0 costs of £0.17.6 in default distress

Direct record link: <https://prov.vic.gov.au/archive/VPRS7961>

VPRS 16735 Cause List Books – Civil Cases (Bendigo)

Number of records: 43

Date range: 1869-1889

Sample content

No. 2 (8 November 1875)

Complainant – Police

Defendant – Catherine Taylor

Mileage – blank

Fees – blank

Cause – Neglecting to contribute towards the support of her child Mary Ellen Taylor in the Industrial School (Committed on 28 October 1875)
Decision – The defendant has no ability at present to pay
Date of issue – blank
Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16735>

VPRS 16736 Cause List Books – Criminal Cases (Bendigo)

Number of records: 32
Date range: 1868-1890

Sample content

No. 215 16 March 1888
Complainant – Sergeant Mahoney
Defendant – George Henry Foster
Mileage – blank
Fees – blank
Cause – Being illegally at large in Victoria
Decision – That the prisoner be taken in custody to the nearest post of the colony from whence he came and then let go
Date of Issue – blank
Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16736>

VPRS 16993 Registers (Eaglehawk)

Number of records: Ten
Date range: 1947-1969

Sample content

No. 23
Prosecutor, informant, complainant or applicant – A Wightman, Licencing Inspector
Accused or defendant – Leonard Anthony Laraia, Newbridge Hotel
How before the court (Arrest on view, warrant or summons) – summons 23 Dec 1958
Fees – blank
Charge, cause of proceeding – Defendant at Newbridge on 15 November 1958 did commit a breach of Act No 3717 Section 192 allowing a person under 18 years to be served with liquor (G Blake)
Decision, memo of conviction or order – Convicted and fined three pounds with £0.17.0 costs in default distress
Remarks – blank

No. 275
Prosecutor, informant, complainant or applicant – Stella May Rance
Accused or defendant – Clarence William Rance
How before the court (Arrest on view, warrant or summons) – Summons 11 September 1958
Fees – £0.8.6
Charge, cause of proceeding – Defendant on 11 September 1958 at Eaglehawk did leave his wife and three children, Kaylene Margaret, Wendy Lorraine and Paul Anthony, without means of support. Complainant applied for legal custody of the three above children.

Decision, memo of conviction or order – Fine defendant husband and father without means of support and be able to pay. Defendant ordered to pay at Eaglehawk for maintenance of wife the weekly sum of £2.10.1 and for each of his three children the weekly sum of £1.10.1 (total of £7.0.0), first payment 2 October 1958. Further order that legal custody of all three children be committed to complainant. Costs £0.8.6 in default distress.

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16993>

VPRS 16697 Cause List Books (Elmore)

Number of records: One

Date range: 1887-1888

Note: Units 1 and 2 closed

Sample content

Sitting date – 29 June 1888

No. 131

Complainant – RK Thomas

Defendant – HD O'Reilly

Mileage – blank

Fees – blank

Cause – Application for order to prohibit sale of liquor to the said HD O'Reilly for a period of twelve months

Decision – Granted

Date of issue – blank

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16697>

VPRS 16737 Registers (Elmore)

Number of records: 32

Date range: 1888-1982

Sample content

Date 1 October 1910

No. 89

Prosecutor, informant, complainant or applicant – Terence McCarthy, Summoning Officer

Accused or defendant – Bridget A Devine

How before the Court (arrest on view, warrant or summons) – Summons

Fees – blank

Charge, cause or proceeding – Defendant did neglect to cause her child Frank Devine to attend a State School not less than eight times in the week ended 16 July 1910

Decision, memo of conviction or order – Withdrawn

Remarks – W Bulelm JP

Direct record link: <https://prov.vic.gov.au/archive/VPRS16737>

VPRS 313 Register (Heathcote)

Number of records: 36 (only eight held at Bendigo)

Date range: 1870-1935

Sample content

No. 106

Prosecutor, informant, complainant or applicant – First Constable W Drew

Accused or defendant – Robert Clive Boland

How before the court (arrest on view, warrant or summons) – Summons 18 Feb 1969

Fees – blank

Charge, cause or proceeding – Defendant at Heathcote on 11 Jan 1969 did commit a breach of Act No. 6832 failure to carry approved lifejackets

Decision, memo of conviction or order – Convicted and fined five dollars with in default distress

Remarks – DW \$10 11 Apr 1969

Direct record link: <https://prov.vic.gov.au/archive/VPRS313>

VPRS 317 Cause List Book (Huntly)

Number of records: Four

Date range: 1867-1888

Sample content

6 October 1881

No. 172

Complainant – Elizabeth Cole

Defendant – George Cole

Milage – blank

Fees – £0.2.6

Cause – Unlawful assault

Decision – illegible

Date of Issue – blank

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS317>

VPRS 18313 Register (Huntly)

Number of records: Four

Date range: 1888-1915

Index: Partial (Unit 5)

Sample content

No. 43/05

Prosecutor, informant, complainant or Applicant – Constable Augustine Joseph Lepage

Accused or defendant – William Thomas Dillon

How before the court (Arrest on view, warrant or summons) - Summons

Fees – blank

Charge, cause or proceeding – That defendant on 28 August 1905 at Epsom did neglect to cause his child Anna Adelaide Dillon born in Victoria to be vaccinated within six months of birth

Decision, memo of conviction or order - Withdrawn

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS18313>

VPRS 16704 Cause List Book (Kyabram)

Number of records: One

Date range: 1887-1888

Sample content

Sitting date – 30 January 1888

No. 19

Complainant – Police constable Regan

Defendant – Lawrence Ryan

Mileage – blank

Fees – blank

Cause – Drunk and disorderly in a public place on 28 January 1888

Decision – Fine five shillings or 24 hours imprisonment

Date of Issue – blank

Remarks – Huntly Court to be [illegible]

Direct record link: <https://prov.vic.gov.au/archive/VPRS16704>

VPRS 16700 Register (Kyabram)

Number of records: 42

Date range: 1888-1968

Sample content

Date 11 April 1890

No. 41-43

Prosecutor, informant, complainant or applicant – Lawrence J Keegan, constable of police

Accused or defendant – Thomas, Michael & Patrick Hunt

How before the court (arrest on view, warrant or summons) – Summons

Fees – blank

Charge, cause or proceeding – Committing damage to the property of the trustees of the Wesleyan Church at Tongala on 28 February 1890

Decision, memo of conviction or order – Committed to the reformatory school

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16700>

VPRS 16702 Cause List Books (Rochester)

Number of records: Seven

Date range: 1873-1888

Note: Unit 6 missing

Sample content

Date – 24 October 1887

No. 212

Complainant – Constable Walker

Defendant – Mathew Ingram

Mileage – blank

Fees – blank

Cause – Lunacy

Decision – Committed to the lunacy ward of the Sandhurst Hospital

Date of issue - blank

Remarks – Jos Sternberg

Direct record link: <https://prov.vic.gov.au/archive/VPRS16702>

VPRS 16531 Register (Rochester)

Number of records: 28

Date range: 1888-1970

Sample content

Date 17 August 1892

No. 493

Prosecutor, informant, complainant or applicant – John Rankin

Accused or defendant – John Aitken

How before the Court (arrest on view, warrant or summons) – Summons 10 August 1892

Fees – £0.2.6

Charge, cause or proceeding – That the said James Aitkin on 28 July 1892 at Nanneella did unlawfully assault the said John Rankin

Decision, memo of conviction or order – Dismissed

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16531>

VPRS 16533 Register (Tongala)

Number of records: One

Date range: 1913-1915

Sample content

Date 2 July 1915

No. 77

Prosecutor, informant, complainant or applicant – Elverene Park Kendall

Accused or defendant – Walter Robert Johnson

How before the court – Summons

Fees - £0.2.6

Charge, cause or proceeding – That the defendant did on or about the 7th of April 1915 take or use water from an aqueduct under the control of the State Rivers & Water Supply Commission

Decision, memo of conviction – Adjourned till July 16

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16533>

INDEX TO CONVICTIONS

These indexes enabled clerks to find entries for any given case held in that particular court. After 1918, convictions for truancy, non-vaccination, drunkenness and non-attendance at drill (military), did not have to be indexed. The book is an alphabetical index book with a tab for each letter. Within each letter section however, the surnames are not in order. For example, In the 'A' section, Atkinson may be listed before Adams.

VPRS 17003 Indexes to Convictions (Bendigo)

Number of records: Five

Date range: 1882-1970

Sample content

Date of – 28 April 1913

Names – James Hoskins

Offence – Obscene exposure

When sent to the clerk of the peace – NA

Date of – 28 April 1913

Names – EM Hayes

Offence – Lightweight bread

When sent to the clerk of the peace – NA

Direct record link: <https://prov.vic.gov.au/archive/VPRS17003>

VPRS 17006 Indexes to Convictions (Elmore)

Number of records: Four

Date range: 1889-1964

Sample of content

4 March 1934 – Helman. FW, unregistered dairy farm

8 February – Spears, Nancy, driving motor car without licence

30 May 1934 – Steele, J, bicycle on footpath

21 January 1926 – Turer, James, found on licenced premises

Direct record link: <https://prov.vic.gov.au/archive/VPRS17006>

VPRS 16708 Indexes to Convictions (Rochester)

Number of records: One

Date range: 1890-1925

Sample content

Date of – 28 November 1908

Names – Hundrell, C

Offence – Cruelty to animal

When sent to the clerk of the peace – NA

Direct record link: <https://prov.vic.gov.au/archive/VPRS16708>

SPECIAL COMPLAINTS REGISTER

Special Complaints within the Petty Sessions were heard by a stipendiary magistrate rather than justices of the peace and were able to determine its own amount of redress in certain types of civil cases. An ordinary Petty Session would determine the redress based on an objective scale or a standard, widely understood and accepted amount. This register contains a record of all convictions orders and proceedings of Special Complaints hearings. The process documents

lodged with the court during each case were usually destroyed 15 years after the closure of the case. Chronological order by date of the court case with numbers restarting each year.

VPRS 16712 Special Complaints Register (Bendigo)

Number of records: Twelve

Date range: 1929-1940

Sample content

Date 7 July 1938

No. 511

Complainant – James Andrews

Defendant – Jack Thomson

How before the Court – Special summons 28 May 1938 and counter claim

Fees – £0.5.0

Cause of action or proceeding – Damage caused to the complainant and his motor car at Bendigo by defendant's negligent driving on 16 April 1938, £25.0.0

Decision or order – Order for £25.0.0 with £17.10.6 costs

Remarks – Counter claim dismissed

Direct record link: <https://prov.vic.gov.au/archive/VPRS16712>

VPRS 16694 Special Complaints Registers (Eaglehawk)

Number of records: Two

Date range: 1930-1980

Sample content

Date 5 June 1969

No. 2

Complainant – Pyramid Hill Bush Nursing Hospital

Defendant – Thomas Jones

How before the Court – Special summons 18 April 1969

Fees - \$2.75

Cause of action or proceeding – Work and labour done \$422.70

Decision or order – Order \$422.70 with \$21.75 costs

Remarks – CF 27 November 1969, FS 18 December 1969

Direct record link: <https://prov.vic.gov.au/archive/VPRS16694>

VPRS 16701 Special Complaints Register (Heathcote)

Number of records: One

Date range: 1932-1980

Sample content

Date 29 March 1974

No. 3

Complainant – R Parker

Defendant – C McGillivray

How before the Court – Special default summons 24 January 1974

Fees - \$5.25

Cause of action or proceeding – Money due under a contract for goods sold and delivered

Decision or order – Order \$315.15 with \$24.75 costs

Remarks – Paid \$338.90 on 19 April 1974 Heathcote

Direct record link: <https://prov.vic.gov.au/archive/VPRS16701>

VPRS 16703 Special Complaints Register (Kyabram)

Number of records: Three

Date range: 1929-1968

Sample content

No. 1

Complainant – Ronald McDonald

Defendant – Girgarre Cheese Factory and Trading Company Pty Ltd

How before the court – Special summons 5 Sep 1941

Fees £0.2.6

Cause of action or proceeding – Damages for breach of contract £38.0.2

Decision or order – Adjourned for four weeks

Remarks – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16703>

WARRANT BOOKS

Police officers were made aware of the existence of warrants through each one being recorded in the Warrant Books. The nature of the warrant could be marked as distress, commitment, remand or ejection.

VPRS 17030 Warrant Book (Bendigo)

Number of records: One

Date range: 1945-1949

Sample content

No. of case in register – 565

Date of issue of warrant – 3 July 1947

Complainant – WS Ashman

Defendant – A McGillivray

Where warrant was sent for execution – Heathcote

Nature of warrant – W/D

Date of hearing of case – 23 June 1947

Amount of warrant – £14.11.0

How and when warrant was returned – Paid 1947

Name of police station from which warrant was returned – Heathcote

Direct record link: <https://prov.vic.gov.au/archive/VPRS17030>

VPRS 17008 Warrant Book (Elmore)

Number of records: 1 (only three pages in this volume)

Date range: 1938-1972

Sample content

No. of case in register: 1940/41
Date of issue of warrant: 19 Jan 1941
Complainant: E J Shearer
Defendant: J Ingham
Where warrant was sent for execution: Elmore
Nature of warrant: Distress
Date of hearing of case: 8 Jul 1941
Amount of warrant: £9.17.3
How and when warrant was returned: Unexecuted – 16 Mar 1942
Name of police station from which warrant was returned: Elmore

Direct record link: <https://prov.vic.gov.au/archive/VPRS17008>

OTHER COURT OF PETTY SESSIONS RECORDS

VPRS 18842 Bendigo Receiving Ward Register of Convictions (Bendigo)

Number of records: Two (only one is on open access)
Date range: 1942-1945
Index: YES (online – BRAC website)
Links to the patient registers and records in VA 2862 Bendigo Receiving Ward.

The Bendigo Receiving Ward, also referred to as the Lunacy Ward, was a subsidiary of the Bendigo Hospital. It was a short-stay facility where patients would be assessed to determine if community care or a dedicated institution like Sunbury Asylum was most appropriate. Patients could be recommended by the Hospital, by family, or by the police. These sittings of the Court of Petty Sessions were used to assess the police referrals and are recorded in these records.

Sample content

Date 21 January 1947
No.107
Prosecutor, informant, complainant or applicant – Harold R Nankivell, Constable of Police
Accused or defendant – James Edward Neale
How before the court – Arrest on view
Charge, cause or proceeding – Is deemed insane and not under proper care and control
Decision, memo of conviction or order – Committed to Mental Asylum Sunbury
Remarks – MJ Brown, JP

Direct record link: <https://prov.vic.gov.au/archive/VPRS18842>

VPRS 16721 Gold Buyers Register (Bendigo)

Number of records: Two
Date range: 1902-1935

These volumes record the details of applications for a licence under the Gold Buyers Act. For each application, an entry was made that noted the name, licence type, notification details, location and character witnesses which include the occupation and address of each witness.

Sample content

Date of hearing: 4 May 1908

Applicant name: Charles Joseph Wills

Applicant occupation: Gold assayer

Applicant residence: View Street, Bendigo

Nature: Gold assayer

District and situation in respect of which licence available: Bendigo

Publication date by clerk: 16 April 1908

Publication date post front Courthouse Section 9 of Act: 16 April 1908

New licence notice newspaper: *Bendigo Advertiser*

New licence notice date of issue of paper: 18 + 19 April 1908

Ratepayers certifying to character of applicant: Arthur Long, View St Bendigo, licenced victualer, Bendigo; William Welch, View St Bendigo, gentleman; William Pitt, View St Bendigo, poulterer, Bendigo; Cleophas Alex Harpin, View St Bendigo, butcher, Bendigo; Henry Vickers, View St Bendigo, fishmonger, Bendigo; Ernest Honig, View St Bendigo, tobacconist, Bendigo.

Name of police officer certifying as to requirements: Richard Glenny

Adjudicating justices" E Notley Moore PM, William Wilson JP, W Webb JP

Decision of court: Refused

Direct record link: <https://prov.vic.gov.au/archive/VPRS16721>

VPRS 17057 Gold Offence Case Transcripts (Eaglehawk)

Number of records: Three

Date range: 1910

Navigation: Chronological by sitting date

Format: Three brad-bound files, typed

Full trial transcripts

TRADING IN GOLD

Court of Petty Sessions Eaglehawk adjourned case heard before Mr V Tanner PM and Mr Robert Murdoch JP at 3pm 19 August 1910

Charles Joseph McKenna v Wah Yook & Ming On

THE BOYDELL CASE

Before Mr V Tanner PM and Mr Taylor JP in the City Court

Superintendent Beck prosecuted and Mr Luke Murphy appeared for the defendant who pleaded not guilty

Charles Joseph McKenna v Harry Cyril Boydell

DAYKIN'S CASE

John Louis Daykin was charged in the City Court on March 13 with having on February 16 stolen gold from the Central Red White and Blue Mine Bendigo valued at £80

Messrs Moore PM and Campbell JP were on the Bench

Messrs Dunlop & Jones appeared for the prosecution and Mr Murphy for the defence

Direct record link: <https://prov.vic.gov.au/archive/VPRS17057>

VPRS 17001 Record Book (Bendigo)

Number of records: One

Date range: 1866-1867

Links to: Central Registers of Prisoners (Male VPRS 515 and Female VPRS 516)

The Record Book noted details on the cases heard and decisions made in this Court. The entries are recorded in chronological order by the Court sitting date. The Record Books were eventually replaced by Cause List Books, although occasionally both were kept concurrently for a time.

Sample content

Date: 13 July 1866

Title of cause: Vagrancy and no lawful visible means of support

Depositions and adjudication: Norah Ann Gee alias Li Gee alias Nin Chee; no lawful visible means of support. Plead not guilty.

Sergeant Drought – I am sergeant of police station at Sandhurst. I know the defendant and have done 3.5 years. She is living on Bridge Street. A Chinaman named Nin Chee lives there... Chinaman on about 26 June she was living with a Chinaman. I do not know any means of support she has except first living with Nin Chee for three or four months. Nin Chee has a licensed house I can not say why she is living with Nin Chee. I do not know whether she or other prostitutes are Nin Chee's house keepers, she signs her name "Ann Gee".

L McLachlan PM.

Direct record link: <https://prov.vic.gov.au/archive/VPRS17001>

VPRS 17035 Register of Second Hand Dealers (Bendigo)

Number of records: Two

Date range: 1919-1937, 1972-1977

Navigation: Chronological; then in order of surname (later years only)

Sample content

No. 3/2969

Date of application 17 December 1931

Name in full of dealer (or transferor and proposed transferee) – James C Ripper

Address of dealer (or transferor and proposed transferee) – 118 High Street, Bendigo

Name and rank of objector if any, and date of objection – NA

Decision & remarks – Granted, £63.15.1

Direct record link: <https://prov.vic.gov.au/archive/VPRS17035>

VPRS 17036 Small & Residential Claims Tribunal Register (Bendigo)

Number of records: One

Date range: 1975-1986

Sample content

No 7/84

Claimant – Rosemary Francis Punton (tenant), 93 Lily Street Bendigo

Respondent – Gary Darrington and Kathy Bartley

Date of tribunal order – 12 Jun 1984

Distance of residence over five miles

Tribunal Claim - 844923

Nature of Claim – application pursuant to Section 23 disruption of tenant’s quiet possession of premises by the landlord

Tribunal Order – I find on the evidence that the landlords knowingly and wilfully set about to disrupt the tenants’ quiet possession of the subject premises. I order the landlords to pay to the tenant compensation in the sum of \$700 forthwith

Date Registered – 1 Aug 1984

Remarks – WD \$755.42, Bendigo 1 Aug 1984 WD NB Pd \$292.95 7 Jan 1985

Direct record link: <https://prov.vic.gov.au/archive/VPRS17036>

COURT OF GENERAL SESSIONS (1853-1968)

More serious criminal cases than those heard in the Petty Sessions were attended to in this Court.

VPRS 17012 Criminal Record Book (Bendigo)

Number of records: Two

Date range: 1869-1937

The volumes in this series are a record of the criminal cases heard in the Court.

Sample content

No. 5

Names of accused – William Thomas

Offence – Sacrilege and stealing

Date of trial – 22 May 1917

Plea - Guilty

Verdict – blank

Sentence – Sentenced to be imprisoned for twelve months concurrent with a sentence of six months passed upon him at St Arnaud and with sentences of twelve months passed upon him this day. Declared to be an habitual criminal and ordered to be detained on the expansion of the sentence he is now undergoing in a reformatory prison during the Governor’s pleasure.

Date of sentence – 22 Aug 1917

Jury – blank

Adjudicating magistrates – WE Johnson

Remarks – Commenced 10am, ended 10:30am

Direct record link: <https://prov.vic.gov.au/archive/VPRS17012>

COURT OF INSOLVENCY (1871-1928)

The Court of Insolvency operated under the jurisdiction of the Supreme Court and dealt with both insolvency and bankruptcy. The Court issued orders for the treatment of insolvency cases such as the dispersal of an insolvent estate to the creditors and relief of insolvents from their liabilities. A person was considered insolvent when they could not meet their debts. An order of sequestration could be given by the Court, assigning control of the insolvent person’s assets to a

trustee who would oversee the distribution to creditors. Orders could be voluntary – the insolvent person petitioned the Court to declare them insolvent – or compulsory where the creditors petitioned instead.

Bendigo Courts	16714	Register
Bendigo Courts	16733	Register

VPRS 16733 Register of Insolvencies (Bendigo)

Number of records: Two

Date range: 1871-1933

Index: YES

Only 28 line entries

A summary of all insolvency cases dealt with by the Court of Insolvency.

Sample content

No. 4 1:30pm 7 March 1871

Name of insolvent – William Abernathy

Trade – Cordial manufacturer

Residence – Graytown

Date of order – 7 March 1871, first meeting 20 March 1871

Debts - £742.10.2

Surplus – blank

Assets - £568.1.3

Deficiency - £174.8.11

Assignee – J Moore, John Goodman, notice 10 March 1871

Trustees – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16733>

VPRS 16714 Registers (Bendigo)

Number of records: Six

Date range: 1871-1929

Index: YES (separate index book contained in front of unit three + digital index)

This register records all decisions and details in regard to applications to the Court for an Order of Sequestration.

Sample content

No. 42

Order received - 16 July 1878

Name of debtor or insolvent and attorney – Samuel Rowley Pell, Sandhurst, soda water manufacturer. *Order nisi* 7 June 1878; Order probate 27 June 1878, petitioner's attorney William Motteram. Estate liabilities £789.14.10, assets £95.17.0, deficiency £69.3.17

Debtor's summons, *order nisi* or petition under section 150-1 – blank

Date and name of assignee & how disposed of – blank

Meeting under Section 53

Date & trustee appointed other resolution – 24 July 1878, no debts proved, no creditors present, meeting closed

Transfer or removal – blank

Subsequent meetings & proceedings – blank
Examination & other sittings of the court and results – blank
Certificate sittings – date & judgment of the court – 8 April 1878 certificate suspended for two months; 9 June granted, 22 November issued
Appeal & result – blank
Discharge under Parts IX & X – blank
Remarks, notices & returns – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16714>

COURT OF MINES (1855-1969)

This Court was established exclusively to hear cases related to mining activity including disputes between parties such as shareholders, mining companies, mining partnerships, and mine employees. The County Court became responsible for such cases in 1969. The Court also heard appeals on matters such boundary disputes for claims and leases. The Court was not responsible for issuing Miner's Rights, mining leases or registering claims.

Bendigo Courts	16710	Register
Bendigo Courts	16711	Mining Warden's Register

VPRS 16710 Registers (Bendigo)

Number of records: Two

Date range: 1858-1873

The register of decrees, or orders, was kept at each Court and record the details of each complaint or case brought before the Court.

Sample content

No. of plaint - 21

Whether prosecuted with written pleadings – No

Plaintiffs – Patrick Smith, Kamarooka, miner

Defendants – Hugh McArtney, William Henry Moyle, both of Kamarooka, miner

Date of selling summons – 1 September 1873

Name of relief sought generally – The plaintiff pray that this Honourable court may declare that the Plaintiff has a lien on the said claim for the amount of £20 and that the defendant may be ordered to pay the same to the plaintiff and that in the meantime the defendant their servants and agents may be restored by the order of this court from working or otherwise interfering with the said claim or from ... or store keeper and from extracting by any process whatever the gold from such earth or store and from earth store already named from such claim and that a receiver may be appointed under whose superintendence the said earth and store already ... from the said claim may be dealt with and who may be dealt with and who may hold the gold the ... the said claim until the trial other of this honourable court and for other and further relief as the circumstances in the case may Pecuniary demand £25

Sums claimed – blank

Dates of pleadings – 2 September 1873, 5 November 1873

Orders & decrees – substance generally – application for ..., application granted

Date thereof – blank

Other determinations of suit generally – blank

Issues tried generally – blank
Date of trial – blank
Result of trial – blank
Process to compel execution & date – blank
Result of return – blank
If special case sent to Chief Judge, date and result – blank
If appeal to Chief Judge, date and result – blank

Direct record link: <https://prov.vic.gov.au/archive/VPRS16710>

VPRS 16711 Mining Warden's Register (Bendigo)

Number of records: One

Date range: 1872-1960

Mining Wardens were required to keep a record of all decisions and orders made.

Sample content

No. of complaint 2/01

Name and address of complainants – John Edward and Cornelius Snr Sexton (Toolleen), Charles Blomqvist (Ellesmere) and Hugh McCormick (Knowsley)

Name and address of defendants – Thomas Ashley (Bendigo)

Nature of relief sought – To have determined under the provisions of the *Mines Act* the amount of compensation for surface damage to be paid by the said Complainants, the applicants for a lease of land situated at Toolleen and of which the said Thomas Ashley is the owner

Amount of demand if pecuniary – Adjourned by consent to the 28th instant

Date when and name of pers to whom certificate of decision given – blank

Date of injunction or of other order not in the suit – blank

Memorandum – blank

Date of notice of appeal (if any) received by warden

General remarks and observation by warden – Warden clerk Heathcote 12 July 1901

Direct record link: <https://prov.vic.gov.au/archive/VPRS16711>

LICENCING COURT (1885-1968)

The Licencing Court dealt with breaches of licencing laws but also the approval and transfer of licences. Prior to its establishment in 1885, such permits were granted by the Court of Petty Sessions. Licences were required for many activities undertaken in the community. The majority related to the service of alcohol from both permanent establishments (i.e. a hotel), specific events (i.e. a bar at a horse racing meeting), and changes to standard allowed service (i.e. a Bowls Club luncheon on a Sunday). The licencing court usually sat in December for annual renewals, though other sittings were held for transfers and prosecutions.

A licence was also required to operate as a carrier, auctioneer, slaughterer, real estate agent, hawker, collector, sheep carrier, poster, second-hand dealer, collector and stage coach service, or to offer a billiard table at an establishment.

Bendigo Courts	1437	Register
Eaglehawk Courts	17052	Register
Elmore Courts	17007	Register
St Arnaud Courts	16709	Register

VPRS 1437 Register (Bendigo)

Number of records: Fifty-five

Date range: 1888-1969

NOTE: This series is not yet available in the PROV catalogue but can be ordered via email or direct in the BRAC Reading Room

Sample content

No. 112

Date of application, appeal, information or complaint – 14 December 1912

Name of applicant – Alice Hunter

Name of persons opposing or of respondent or defendant with his address – blank

Nature of application - application for a temporary license Axedale farmer's picnic

Sign and situation of home (if any) and whether previously licensed – Moorabbee Hotel, Knowsley

Assessment fixed by the Court – blank

If application for a transfer, name of transferor – blank

Compensation fee for a licensed victualler's premises as fixed by the Court – blank

Percentage fee on grant or renewal of registration certificate of a Club as fixed by the Court – blank

Judgement, order or decision of the Court - Granted

Remarks – £0.2.6 paid 20 December 1912 (186/116)

Direct record link: <https://prov.vic.gov.au/archive/VPRS1437>

VPRS 17052 Register (Eaglehawk)

Number of records: One

Date range: 1983-1986

NOTE: Only three pages with entries

Sample content

Sheep carriers

125 – William James Grinton, 100 Peg Leg Road Eaglehawk, granted, 28 June 1984, Licence #14294, renewal to 30 June 1985

Second hand dealers

382 – Brian Bennett Hocking, 11 Campbell Street Eaglehawk, granted, 29 December 1983, renewal, Bk276 #13797, business address 11 Campbell Street Eaglehawk, nominee #50464

Direct record link: <https://prov.vic.gov.au/archive/VPRS17052>

VPRS 16709 Register (St Arnaud)

Number of records: Four

Date range: 1943-1954

Note: Includes locations in the Shire of Northern Grampians which is outside the BRAC catchment area. Court sittings included were occasionally for those held in Melbourne as well as St Arnaud.

Sample content

Sitting date 21 November 1948

No. 92

Setting down fee – £0.5.0

Licencing district – Korong

Name of applicant or appellant – Beatrice Agnes McMillan

Name of person opposing or of respondent or transferor – blank

Sign and situation of house or premises – Farmer’s Arms, Mysia

Nature of application, cause or licence applied for – Renewal of a victualler’s licence & billiard table permit

Licence fee or club percentage fee - £26.8.0

Judgement, order, or decision of the court – Granted (in name of Charles John Maher)

Remarks – Paid

Direct record link: <https://prov.vic.gov.au/archive/VPRS16709>

VPRS 17007 Licencing Court Register & Electoral Revisions Court Register (Elmore)

Number of records: Three

Date range: 1878-1983 (Licencing Court Register) and 1892-1902 (Electoral Revision Court)

The Licencing Court Register portion of the book follows the same format of others in this section. The Electoral Revisions Court entries are written across the page without reference to the column headings. After February 1896, no names are mentioned, only the division. The divisions included are Elmore, Mandurang, Rodney and Runnymede.

The Electoral Revision Court was responsible for revising and updating electoral and ratepayer rolls for various local electorates as outlined in the *Electoral Act (Vic) 1865*. This included approving applications and adding names to the roll, and expunging names from the roll as a result of objections from the Public Electoral Registrar or Inspector.

Reasons for expungement included an individual having left the district, having died, or having an objection against their inclusion upheld. This could include young men residing with their parents but who were not land owners or occupiers. It also reviewed duplications and could recommend amendments be made to the roll (such as adding ‘Snr’ and ‘Jnr’ to distinguish between a father and son with the same name and address).

Sample content

Licencing Court Register

Nature of licence – Transfer of license

Date – 6 October 1882

Applicant’s name & address – Laurence Clarke to Michael Doyle

Sign & situation of house – Forest Home Hotel, Burnewang

Sureties & residence – Shire of Waranga

Decision of the bench – struck out

Electoral Revisions Court Register

Electoral division of Mandurang, Elmore Division, revised and certified

Names objected to:

Samuel Ah Dore

Hans Hansen

Axel Henry Holmberg

Matthias Kortim

Alexander Malkin

Paul Rasmussen

William Tellford

George Hugh Wallace

Direct record link: <https://prov.vic.gov.au/archive/VPRS17007>

FAIR RENTS BOARD

The Fair Rents Boards were established under the *Landlord and Tenant Act* 1948 to determine the fair rent on a given property under procedures set out under the *Act*. A Board could be constituted in any place in Victoria deemed appropriate and consisted of one magistrate. Any dwelling house except a house on a farm or a holiday house could be considered by the Board and either the tenant or the landlord could make application for a variation taking into account value, state of repair and hardship.

Elmore Courts	17054	Register of Determination
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VPRS 17054 Register of Determinations Rough Cash Book (Elmore)

Number of records: 1

Date range: 1949

Format: Handwritten on open ledger

Index: No – full transcription provided below

NOTE: Only one line item is recorded in this volume and it does not record any names

Full Transcription of Sole Record

No. 4

Date: 9 March 1949

Lessor or lessee: Lessor

Type of premises: Dwelling house

Rent: £0.15.0

Forward rent: £0.24.6

Direct record link: <https://prov.vic.gov.au/archive/VPRS17054>

ALL COURTS

Bendigo Courts	17013	Inward Correspondence
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INWARD & OUTWARD CORRESPONDENCE REGISTERS

These volumes record a summary of letters that were sent (Outward) and received (Inward) by the Court – the sender, date, subject and what response was made. They are recorded by chronological date of receipt. They are also referred to as Letter Books.

VPRS 17013 Inward Correspondence Register (Bendigo)

Number of records: Two

Date range: 1899-1904

Format: Handwritten on blank rice paper

Sample of content

Sir,

Curnow & Busst Appeal

His Honour, acting judge Johnstone has ordered that a copy of his own notes of evidence and the grounds of his decision be substituted for the case as stated by the appellant and indorsed by the respondent and form the appellant's case herein.

However, either side has reason to wage against this response, or thinks that any alteration ought to be made in such statement of the case the judge will hear any application that the parties may wish to make.

I have the honour to be,
WW Beal, registrar.

Charles Cohen Esc (Cohen, Kirby and Woodward)

Direct Record Link: <https://prov.vic.gov.au/archive/VPRS17013>

OTHER RELEVANT RECORDS

VPRS 24 Inquest Deposition Files

When a death was suspicious or unexpected, an inquest would be held in a Coroner or Magistrate's Court. These files usually include the sitting's conclusion, the jury list, the police report, and the written testimony of all relevant witnesses. These files have been digitised from 1842 to 1937 for viewing and download in the PROV catalogue, and for 1937 to 1985 can be viewed in hard copy at the Victorian Archive Centre (VAC).

VPRS 283 Divorce Case Files Melbourne

Files for divorce proceedings held in Melbourne have been digitised to 1940 and can be viewed on Ancestry (1860-1938) and Find My Past (1861-1938).

VPRS 515 Central Register of Male Prisoners & VPRS 516 Central Register of Female Prisoners

The Criminal registers record the details of persons gaoled in Victoria and sometimes include photographs. Pages of these registers have been digitised to 1942 on PROV's catalogue and can be searched for by name.

VPRS 522 Photographs of Prisoners (1878-1897)

This series contains copies of the photographs included in VPRS 515 & VPRS 516 and are in the process of being digitised for the PROV online catalogue.

Victoria Police Gazettes

Digitised gazettes are available

Find My Past (1855, 1864, 1865, 1868-1876 and 1885-1900)

Ancestry (1855, 1864-1924)

My Heritage (1852, 1895, 1894)

BRAC Catchment Records in Other Locations

BRAC & VAC North Melbourne – VA 3008 Bendigo Courts
BRAC & VAC North Melbourne – VA 3801 Bendigo Mining Court
BRAC & VAC North Melbourne – VA 4324 Eaglehawk Court
BRAC & VAC North Melbourne – VA 438 Echuca Court
BRAC & VAC North Melbourne – VA 4922 Elmore Court
BRAC & VAC North Melbourne – VA 4307 Heathcote Court
BRAC & VAC North Melbourne – VA 4923 Kyabram Court
BRAC & VAC North Melbourne – VA 4916 Rochester Court
VAC North Melbourne – VA 3022 Castlemaine Court
VAC North Melbourne – VA 3802 Castlemaine Mining Court
VAC North Melbourne – VA 593 Charlton Court
VAC North Melbourne – VA 2293 Inglewood Courts
VAC North Melbourne – VA 4198 Maldon Court
VAC North Melbourne – VA 4321 Manangatang Court
VAC North Melbourne – VA 4326 Marong Court
VAC North Melbourne – VA 3042 Rushworth Court
VAC North Melbourne – VA 4327 Raywood Court
VAC North Melbourne – VA 562 Swan Hill Court
VAC North Melbourne – VA 997 Tarnagulla Court
VAC North Melbourne – VA 2287 Wedderburn
VAC North Melbourne – VA 2286 Wycheproof Courts
VAC & Ballarat – VA 2292 Birchip Courts
VAC & Ballarat – VA 1019 Donald Courts
Ballarat – VA 992 Jeparit Courts

COURTS TIMELINE

1836	Police Magistrate appointed for Port Phillip District
1852	Supreme Court and County Court of Victoria established with a Bendigo circuit
1852	First Petty Sessions held at 'the junction of Bendigo Creek and Golden Gully, Mount Alexander in the Loddon district'. Police magistrates appointed for Bendigo, Swan Hill & Castlemaine
1852	Bendigo Court of Petty Sessions named 'Castleton'
1853	Court name amended from Castleton to 'Sandhurst'
1853	Court of General Sessions for Sandhurst and the County Court Sandhurst appointed
1854	Police Magistrate appointed for Echuca (Maiden's Punt)
1855	Goldfields Local Court District of Sandhurst proclaimed
1855	Goldfields Court of Mines established (abolished in 1969)
1856	Sandhurst Town Hall appointed to hold Petty Sessions
1856	Sandhurst added to the Supreme Court circuit
1857	Supreme Court (Camp Hill) constructed by Public Works Department
1857	Police Magistrates appointed for Waranga and Maldon
1858	District amended to Sandhurst Mining District, Sandhurst Court of Mines and Maldon County Court established, purpose-built Supreme Court building constructed in Sandhurst
1859	Police Magistrates appointed for Heathcote, County Courts established at Wedderburn, Fryerstown and Taradale
1861	Supreme Court administers cases under the new Divorce & Matrimonial Causes Act
1865	Bendigo Licencing Bench/Court established (abolished 1968)
1867	Master in Equity and Lunacy appointed; Police Magistrate appointed for Inglewood
1871	Sandhurst Court of Insolvency established (abolished 1928)
1891	Various courts amended to Bendigo Courts with the name change of the city to Bendigo from Sandhurst
1896	Bendigo Law Courts buildings for proceedings and administration constructed (in use until 2023)
1907	Bendigo Children's Court established
1928	Sandhurst Court of Insolvency abolished (function transferred to the Commonwealth)
1968	Victorian Licencing Court abolished (function transferred to the Liquor Control Commission)
1968	Court of General Sessions ceased at Bendigo (abolished, function transferred to County Court with one Melbourne-based Court with seven circuit towns)
1969	Court of Mines ceased at Bendigo (transferred to County Court)
1971	Court of Petty Sessions now known as the Magistrate's Court
1975	Divorce petitions function transferred from Supreme Court to the Family Court (Federal)
2023	Bendigo Law Courts cease operations at Pall Mall premises
2023	Bendigo Law Courts commence operations at new Mundy Street site

GLOSSARY & ABBREVIATIONS

Abatement of action	Where legal proceedings are suspended or ended because of a fault in the writ, and a new action must be brought
As next friend	In civil cases, a guardian appointed to be defendant or complainant on behalf of an infant or child and is liable for litigation costs where applicable
BRAC	Bendigo Regional Archive Centre
Court of Equity	Applies the principals of equity as a supplement to common law with a focus on fairness or justice to resolve cases using discretionary remedies such as specific performance orders or injunctions.
Cwth	Commonwealth; this abbreviation is used mostly in Sessions Index books and indicates a case was entered into the Commonwealth Register; such cases might also be indicated by the use of red ink
Defendant	A person or company who is sued or accused in a court
Decreal	A formal judgement issued by the court, sometime used in place of 'order', 'ruling' or 'edict'
Decree	An order handed down by a judge in a court of equity
Default, distress	If defendant defaulted on a court order a distress warrant was issued which would be followed up by a bailiff or sheriff
Execution	In the context of these records, the taking of action; this does not refer to a death sentence
<i>Fi Fa</i>	Abbreviation for <i>fieri facias</i> , a writ of execution after judgement has been obtained in a legal action for debt or damages for the sheriff to levy on goods
Interlocutory orders	An order that requires a party to comply with a court order, to file documents outside usual time limits, or which extends the timeframe of a complaint
Plaintiff or complainant	A person who brings a case against another person in a court
Practitioner	Usually refers to a solicitor, lawyer or other court representative
PROV	Public Record Office Victoria
Subpoena (County or Supreme Court)	Legal document that orders someone to provide evidence either by appearing in court or producing documents
S9	Section 9 of the <i>Public Records Act 1973</i> which requires some records be closed because they contain personal and private information – under certain circumstances you may be granted permission to access S9 records by application
S11	Section 11 of the <i>Public Records Act 1973</i> which requires some records be closed because are fragile – under certain circumstances you may be granted permission to access S11 records by application
Summons (Magistrate's Court)	A legal document that orders someone to provide evidence either by appearing in court or producing documents
VA	Victorian Agency
VAC	Victorian Archive Centre in North Melbourne
VPRS	Victorian Public Record Series
Writ of execution	A court order granted to put in force a judgement of possession (ordering a sheriff to take possession of property owned by the defendant)

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Reading Room Hours
Wednesday 10AM – 4:00PM
Thursday 10AM – 4:00PM

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