

THE PARISH MAP

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Preface.

This paper is part of an anthology designed specifically to provide a contemporary focus for candidates preparing for the assessment procedures conducted by the Board of Surveying and Spatial Information (BOSSI) leading to the awarding of a Certificate of Competency and accompanying registration as a Land Surveyor under the provisions of the Surveying Act, 2002.

Introduction.

In England a **civil parish** (usually just **parish**), the lowest unit of local government, arose out of the ecclesiastical parish system, which is a type of administrative subdivision used by some Christian churches. The civil division of England into counties, of counties into hundreds, of hundreds into tithings, or towns, as it now stands, seems to owe its origin to King Alfred the Great (871- 901). Having stood the test in Britain for about 1150 years it is not surprising that on the January 1, 1825, the Secretary of State forwarded to Governor Brisbane what became known as "The King's Instructions of 1825". The Royal Instructions required that the Colony be divided into counties, hundreds and **parishes**. Each county was to be 40 miles square, each hundred about 100 square miles, and each **parish** about 25 square miles. On January 10, 1826, three Land Commissioners were appointed to give effect to those instructions.

As far as it has been possible to ascertain, thirteen Hundreds in the County of Cumberland (only) were published in the Government Gazette of May 27, 1835. The Hundred of Sydney contained 9 parishes, Parramatta 6, Liverpool 4, Woronora 4, Southend 3, Campbelltown 4, Bringelly 3, Evan 3, Richmond 4, Windsor 4, Hardinge 3, Dundas 5 and Packerham 5 for a total of fifty seven (57). Notification of the hundreds was revoked in the Government Gazette of January 21, 1888. Hundreds were never adopted in New South Wales.

The Parish Map in New South Wales.

The initial division of the central coastal area into nineteen (19) counties was completed by May 6, 1830, followed by another batch in 1843 and a further number in 1848, which completed the task. By the end of the 19th century, the whole of the colony of New South Wales was divided into counties, the counties into parishes and the parishes more gradually into portions. In all, the colony was divided into one hundred and forty one (141) counties - which exist today, and these counties in turn into a total of 7459 parishes, which have formed one of the principal bases of the Lands Department's administration. Unlike their counterparts in England, counties and parishes in the colony served no other purpose than that of indicating certain tracts of country, as they were not conterminous with any jurisdiction, either civil or ecclesiastical.

The administrative division of New South Wales by the Act of 1846 into three areas named (a) the Settled Districts, (b) the Intermediate Districts and (c) the Unsettled Districts remained in force until the passing of the Crown Lands Act of 1884, when they were revoked in favour of the three new areas which have remained current since, namely, the Eastern, Central and Western Division. These Divisions comprise strips of land running practically parallel with the coast, the Eastern Division being a strip about 240 to 320 kilometres back from the coast, the Central Division from about 160 to 400 kilometres wide from the Eastern Division and the Western Division comprising the remainder to the South Australian border.

Additionally in 1884, the colonial government through legislation established Land Districts, Land Boards and Land Board Offices in order to decentralise the administration of crown land. As a result there was a need and a consequent concerted effort to prepare maps of individual parishes.

These parish maps were produced by lithography using flat bed printing on limestone slabs imported from Bavaria. The process continued in use in the Department of Lands until after 1947, when the Department held about 1100 lithographic stones.

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All maps produced in the colony before Mitchell's time were manuscript; by 1830 about 3.5 million acres of land had been alienated in New South Wales and despite the services of seven draftsmen, it was clearly impossible for the Department to supply the trade with manuscript copies. Two lithographic presses had arrived in the Colony in 1821 and one of these was made available to the Surveyor-General's Office in 1828. In that year the first map lithographed in Colony, the 'Saint John in the Hundred of Parramatta' was released. Only one copy exists; it is held by the Mitchell Library, Sydney.

County and parish maps have been used for over 150 years to record Crown land dealings and are still charted until replaced by the Crown Land Information Database.

Where a parish includes within its boundaries a crown subdivision in the form of a city, town or village, in most cases, a separately published map of it is available. Town and village maps are similar in detail to parish maps; however town maps refer to allotments rather than portions, except in the case of suburban lands, and are at a larger scale.

Parish maps cover nearly all of the Eastern and Central Divisions but only a few of the parishes in the Western Division have been separately mapped. The Department has relied instead on county maps to a much smaller scale, which adequately cover this Division, where a single holding can extend over many parishes.

In 1901, an Act was passed, which took control of the whole of the lands in the Western Division from the Lands Department and placed them in the hands of the Western Lands Commission. An amending Act of 1934 dissolved the Western Land Board, comprising three Commissioners and replaced it with a single Western Lands Commissioner.

Unlike the boundaries of most counties, which cannot be altered without approval of the Executive Council, parish boundaries may be altered by the Department to suit convenience and administration.

The Surveyor General's Regulations of 1864

The Surveyor General's Regulations of 1864 established the model for the design of parish boundaries, which has continued until the present day, with the following instructions to Surveyors,

“30. The size of parishes should be approximately 25 square miles, but may be allowed to vary from 15 to 35 square miles.

31. The boundaries should, wherever practicable, consist of creeks, ranges, or other natural features, but failing the existence of these in suitable positions, arbitrary lines may be adopted as boundaries, and which should, unless a strong reason to the contrary exists, be directed to the cardinal points.

32. It is not, however, essential that the permanent boundaries should, at the time of the early surveys in a parish, be determined; and indeed their determination at that period might involve an amount of survey and labour, with which the advantage gained would be by no means commensurate.

33. These parishes are never proclaimed, neither are their boundaries determined beyond the possibility of alteration, save by the proclamation for sale of lands within them, or the publication of plans showing such boundaries as finally adopted.

34. The boundaries are therefore subject to modification, as surveys and knowledge of the features progress, and in this manner creeks, or permanent lines of road, may be made to replace proposed right line boundaries, even after the latter have existed for years on paper.

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35. *The numbering of portions within a parish, exclusively of course, of town sections and allotments within them, should be one continuous series, and it is of course most convenient that the numbers should follow each other through adjacent portions throughout the parish. Where however, as is usually the case, portions in different parts of the parish may be measured, while the intervening lands are left unmeasured, and not even designed, it is obvious that the series must refer rather to the chronological relation of the measurements, than to the positions of the portions.*

36. *In cases where portions have been measured and sold without numbers, in a locality in which it may be desirable to establish a parish, it will be best to count the number of such portions, and to commence the new numbering with the next higher number; and this practice may also be applied with advantage when two series of numbers have inadvertently been previously adopted in a parish.*

37. *Where euphonious aboriginal names can be ascertained, it is desirable that they should be suggested by the Surveyor for new parishes.*

38. *It has been usual to call parishes within which towns are laid out by the name of the town; but this practice may be departed from in cases where localities are known by names which would be more suitable for parishes, while the towns have been called by some name foreign to the locality.*

39. *This explanation has been given to enable the Surveyor to decide in what cases, in measurements which he may make, it will be desirable to establish parishes and to select boundaries, and carry out complete series of numbers within them; and he will give to the subject his best consideration in all cases where the practice may be applied, and by so doing, prevent the confusion and inconvenience which necessarily result from the inconsiderate numbering of portions.*

40. *In recommending temporary or permanent boundaries for parishes, it will be sufficient for the Surveyor to transmit with his surveys of land (which of course will never fall within two parishes), sketches shewing the proposed boundaries, such sketches being of course alluded to in the letter of transmission."*

The parish map is one of the most useful and valuable records in the New South Wales Department of Lands. Two sets of county, parish, town and village maps were created and maintained by the Department of Lands and its predecessors. The original charting maps, for a particular area, were held in the appropriate District / Land Board Office while a duplicate set for the whole State, up-dated at regular intervals, was housed in the Head Office of the Department located in Bridge St., Sydney. The former Roads Branch had its own set of maps for recording certain particulars of all applications, requests and enquiries concerning roads.

Both sets were annotated to show changes in the status of land. The District Office maps, however, often contain information not recorded on the Head Office version. Once a map could no longer be easily annotated it was "cancelled" and a new edition compiled and printed. When a later edition superseded an existing parish map, the old map was not destroyed but retained for reference purposes. The edition number of any particular map is important to a user to ensure the most up to date information is available.

The parish map records all surveys made under the provisions of the various Acts that the Department is called upon to administer, details of all titles and tenures created by such Acts and of population areas, reserves, dedications, special and classified areas and other notifications made under the provisions thereof.

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Parish maps show all portions with area and original grantee or tenure, reference to Crown Plans and the survey plan references are shown. Other features can include place names, boundaries, roads, reserves, freehold, incomplete purchases and reference notes.

Parish maps are a very useful source when researching a locality or as a starting point for researching a portion of land. In the case of parish portions, the parish map will supply a reference to the catalogue number of the original plan upon which the Crown grant or other disposition by the Crown of the parish portion is based. The maps also supply references to plan catalogue numbers of surveyed public roads, alignment plans and many other miscellaneous plans, which are filed in the Land Department's Plan Room in Bridge Street, Sydney.

It also shows particulars of Reserves, Gold and Mineral Fields and of other areas notified under the Mining Acts, National and State Forests and Reserves proclaimed or notified under the Forestry Acts. Although these Acts are administered by other Departments, it is important to the management of crown land for the Lands Department to have a record of these notifications and proclamations to enable an assessment of their effect to be made.

Although the primary role of a parish map is that of a management tool for the administration of the Crown Lands Act, the latest edition of each map contains information of substantial integrity, which is important to the day-to-day activities of a practising Land Surveyor. Consequently, a thorough working knowledge of these maps is currency to the profession.

Most maps were printed at a scale of 40 chains to an inch, a few were produced at 20 chains to an inch and fewer still were published at metric scales. For convenience in cartographic presentation of areas with a high density of development, many maps were produced in multiple sheets.

The heading gives the names of the Parish, County, Land District Division, Shire or Municipal Council and Pastures Protection District. The names of the Parish and County in which the land is situated are always given in technical descriptions and in documents relating to title. The identity of the Land District is important as applications for land must be lodged with the Crown Land Agent for the District in which the land applied for is situated. Parish names are often duplicated across New South Wales.

Included in the heading is a legend entitled "Distinctive Boundaries Etc.", which is a schedule of symbols and boundaries used in the compiling of that particular map. A new series of distinctive boundaries and symbols was introduced in 1959. Both lists can be found as Appendices "H" and "I" of the 1963 Department of Lands Survey Directions. Most of the items are self-explanatory and their significance readily understood while others have become obsolete in the modern era. One such symbol is that relating to the Police Offences Act, under which the Surveyor General was required to carry out alignment surveys of streets within a certain period.

By way of explanation, the early legislation applying to towns outside the City of Sydney (Acts 2 Vic. No.2 and 19 Vic No.10) was repealed and consolidated by the Police Offences Act 1901. Under Sections 44 and 48 of this Act, the Surveyor-General or the municipal council with respect to the streets in such towns, was required or authorized to set out and mark the carriageway and footway. These provisions were superseded by the Local Government Act 1919.

Standard abbreviations were used on maps and plans, for holdings (Crown tenures) and Reserves until 1961 when it was deemed that abbreviations for the 90 different holdings and 22 reserves should only be used where there was insufficient space for the particulars to be written at length. (*See 1963 Department of Lands Survey Directions*). At that time there was an additional 176 standard abbreviation of words to be used on maps, plans and field notes. These abbreviations can be found in Appendix "L" and "M" of the aforementioned 1963 Directions.

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All holdings are surveyed as portions of the parish. On the face of the map is shown the portion number, crown plan number, name of original selector, holding (tenure) number and area. There is a schedule, "Parish Numbers Used" showing particulars of portion numbers used together with plan catalogue number, and in cases of alienated lands, particulars of Crown /Land Grant (Vol. and Fol. Number) issued from January 1, 1863 to October 1, 1981 or the date of the Grant if alienated prior to the introduction of Torrens Title in 1863, and the location on the map i.e. NE, SE, SW and NW, to coincide with the "Section Lines" identified on the map.

The Parish map can assist in determining whether presumptive title to the middle thread applies. It shows initially whether the stream is tidal – if so, there is no such presumption. If not, the title may extend to the middle thread if it commenced prior to May 3, 1918, in the case of the Eastern and Central Divisions or prior to May 31, 1935, in the case of the Western Division. It is necessary to refer to the original crown grant and the chain of title for conclusive evidence. The schedule of particulars of title relating to alienated lands provides the Land Surveyor, with the details of the original crown grant. Evidence as to whether land was originally granted under common law is also helpful in determining whether further investigation is necessary in relation to title of lands adjoining a subject survey.

It is also usual to find on maps an additional schedule, "Reference to Small Portions", in circumstances of irregular designs around old mining centres or such like, which because of the map scale, provides detail which cannot be clearly shown otherwise.

The parish or town map is the authority for determining the status of roads and any investigation of road status must start with one of these maps. The types of roads shown on are dedicated crown roads, dedicated public roads and roads resumed by Councils, statutory authorities and individuals. How these roads were created or established is not always obvious from perusal of the maps and further investigation is sometimes warranted. Roads created by private subdivision are rarely shown on Lands Department maps although some new editions of large scale town maps do show private subdivision roads but this information is rarely kept up to date. Some roads are shown as Highways, Main Roads, etc., according to their classifications under the Main Roads Act. Dedicated public roads i.e. those roads of which the fee simple is vested in the local Council, are clearly identified by a unique symbol, as shown in the "Distinctive Boundaries" schedule forming part of the plan heading.

Direction of the flow of watercourses is indicated by an arrow and also shown is the limit of tidal influence. The parish map is again the authority for this latter information, which is important to the question of re-determination of natural feature boundaries and in particular, the need for determination of mean high water mark.

The availability of aerial photography was also noted in the plan heading, and in the body of the plan the run details were shown together with photo centres. Such information permits an immediate identification of historical photographic coverage of a particular parcel of land or a particular area. This is valuable and helpful information in a case where a Land Surveyor may wish to investigate an identified change in the position of a natural feature boundary as a result of accretion and/or erosion, and access to historical photography will provide cogent and irrefutable evidence as to its previous location.

Lands Department's "Parish Map Preservation" project.

The State's historical parish, town, county and municipal maps have now been digitally photographed in District Office sets as part of the Lands Department's "Parish Map Preservation" project. The Lands Department has more than 35,000 parish and historic maps recording land administration in New South Wales since 1792, available online.

CDs of the copied maps are available at:

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- District Offices of the Lands Department; and
- State Records' reading rooms

Full colour digital images can be viewed on the Department of Lands website.

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