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Index

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the journal of Public Record Office Victoria

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Provenance journal publishes peer-reviewed articles, as well as other written contributions, that contain research drawing on records in PROV's collection.

The records held by PROV contain a wealth of information regarding Victorian people, places, communities, events, policies, institutions, infrastructure, governance and law. *Provenance* provides a forum for scholarly publication drawing on the full diversity of these records.

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Editorial

Welcome to the 2024 issue of *Provenance*, the free online journal of Public Record Office Victoria (PROV). *Provenance* is a forum through which both professional and non-professional researchers who make use of the extensive collection of records held by PROV and other archival and historical collections can publish their research and writing. Authors have the option to have their work anonymously peer reviewed according to scholarly conventions, or to publish a more informal or general interest article based on their research findings or research journey.

This issue includes eight original articles based on research of Victorian archival collections. These articles draw on a wide range of government records relating to urban planning, land surveying and management, child welfare and the court system, weights and measures administration, and the administration of local government rates. Each article demonstrates how records that were originally created by government agencies to administer their activities can be leveraged to yield evidence and information on a range of contemporary research topics.

Public records contain official evidence that can provide answers to many questions; however, as several of the authors in this issue find, they can also throw up more questions and gaps to be filled. Often, published or online sources can lead to a valuable record in the PROV collection, and, at other times, the collection can show its limitations, providing only glimpses along a road of discovery. The articles in this issue show the multiple ways in which records from many sources work together to enable a researcher to bring information together to form an understanding of past lives and events.

Andrew May's peer reviewed article, 'City views: modelling Melbourne at the Royal Exhibition Building', presents the story of the creation of a significant model of early Melbourne as it was in 1838, built by French immigrant and Victorian Railways draftsman JJ Drouhet 50 years later in 1888 for display at the Centennial International Exhibition held at the new Exhibition Building. The exhibition was attended by tens of thousands of visitors, many of whom were able to ascend a lift to the Exhibition Building's dome promenade and witness real life views of the city for comparison. Although the model itself has not survived, its image has endured through its use and re-use in popular lithographs to present both a nostalgic and progressive view of the city and its first 50 years of development. May examines the model's relevance for contemporary interpretations of the Exhibition Building in the context of the city and its views, including its status as a World Heritage Site and the 2022 reopening of its dome viewing platform, which had been closed to the public since the conclusion of the International Exhibition in 1889.

In her peer reviewed article, 'The value of rate books and multi-scale analysis: a Hotham/North Melbourne case study', Fiona Gatt seeks to highlight how local council rate records, originally used to administer the collection of levies on dwellings within a particular municipality, are a relatively under-utilised archival collection that can supplement and enhance other record sources to reveal levels of demographic data over time and enrich place-based histories. Focusing on Hotham/North Melbourne during the nineteenth century, Gatt demonstrates the value for historians of rate records for understanding area-specific patterns of housing ownership and the people who lived there over both short and longer periods of time.

Co-authors Peter Davies and Susan Lawrence, in their peer reviewed article 'Land, water and property: surveying the Boort pre-emptive right', explore the complexity of imported British laws and land survey practices related to water involved in the process of alienation of land from the Crown into private ownership in Victoria after 1847. Government surveyor Frederick Byerley lost his job in 1858 amid a dispute over the inclusion of an ephemeral water course in his survey of Boort station in the dry plains of northern Victoria, prompting a parliamentary select committee inquiry into his dismissal. Davies and Lawrence use Byerley's case to show the role and importance of water access for settler colonists in delineating the boundaries of individual ownership over land and securing their own private interests while simultaneously alienating Aboriginal people from their Country.

Erica Cervini, in '"Wayward", "immoral" and "evil": dispelling myths about Brookside Reformatory girls', examines the lives of two inmates—Jessie Nairn and Selina Wilson—of Brookside, an institution she first researched decades ago. Newly digitised collections and online tools enabled Cervini to find and follow new lines of enquiry and sources of information, bringing the cruel treatment of girls to light. Through wardship and correspondence records as well as newspaper reports, Cervini explores the workings of a harsh system that, through the regulation of sexuality and work, judged the girls and their actions, and often stripped them of their human dignity and reduced them to moral stereotypes. Cervini's narrative shows how the more recent failings in institutional care have a long history and highlights the importance of prioritising the voices of young people in institutions.

Kendrea Rhodes, in 'Tracing ancestral voices', likewise uses former ward records for her research, but as part of a quest to shed light on her family's history and to clear up some longstanding family mysteries. In the process, she discovers that her great-grandparents, James and Ethel, had to hide the truth about their personal circumstances to evade societal judgement and moral condemnation. Rhodes's article traces her research journey through the kinds of official records used by many family historians, and provides some lessons about how to deal with the limitations of official records, working with inaccuracies and gaps in the record when confronting contradictory information, and altering expectations along the way.

Charlie Farrugia's research into the life of Antonio Azzopardi explores the biographical details of a well-known Maltese immigrant to colonial Victoria through public records, specifically shipping and rate records as well as other government sources. Farrugia demonstrates how these records can be used to confirm or disprove information in life narratives or throw up even more questions. Records from various sources can be analysed together to build a picture of the events of a life that has been the subject of speculation and myth over time.

Malcolm Campbell's article, 'Victoria's system of weights and measures administration', explores a personal interest that sparked questions and a search for answers spanning decades, morphing from a hobby to a research focus after retirement. Accurate measurements of time, distance, size and weight required an agreed and reliable set of standards that could be used to calibrate measuring instruments. As the colony of Victoria grew rapidly during the goldrushes, the reliability and accuracy of measurements became crucial to the growing commercial activity. Campbell traces the administration of the standard sets of weights and measures that entered the colony and were tracked as they were issued to local authorities and then returned.

Sebastian Gurciullo's article, 'Reshaping the Yarra: unrealised plans and visions for the Port of Melbourne', draws on maps and plans from a variety of infrastructure agencies in the PROV collection to trace the changes made to the lower Yarra as the Port of Melbourne developed, but also to explore some of the proposed changes that were considered but never eventuated.

We hope you enjoy reading the articles in this issue.

Tsari Anderson and Sebastian Gurciullo
Provenance editors

Refereed articles

City views

modelling Melbourne at the Royal Exhibition Building

This is a peer reviewed article.

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Abstract

This article examines the history of the construction of a scale model of Melbourne in 1838 that was made in 1888 for the Centennial International Exhibition, (Royal) Exhibition Building, Melbourne, and its reinterpretation in Clarence Woodhouse's lithograph *Melbourne in 1888, from the Yarra Yarra*, often erroneously cited as having been created in 1838. Reception of the model reveals that it held, at times, contradictory meanings for a variety of audiences and was a touchstone for nostalgic reflections about Melbourne's past, the progressive achievements observable in its present and uncertainties about urban development in its future. With the opening to the public of the Royal Exhibition Building's dome promenade in 2022, Melburnians can again reflect on a novel city view, note the pace of urban change, and debate the balance between future development and maintaining, through view protection, the Outstanding Universal Value of the World Heritage listed building.

Melbourne in its infancy was, more or less, an act of imagination as much as a real place. When Hoddle's 1837 grid was pegged out, it was merely the skeleton of a future city, oriented towards the future but only suggestive of what it might become. Weevel, a character in George Henry Haydon's 1854 novel, *The Australian emigrant*, having a plan of Melbourne in his pocket, was most curious about the location of its key institutions—the gaol and government house, the barracks and churches, the wharf and the police office—but could not discern them on the ground: 'in short, where is the town?' (Figure 1). The skipper, in reply, suggested that the plan was not what Melbourne was, but what it was to become: 'The shade of the largest trees left standing are our churches for the present ... That little crib, a short way up from the Yarra, is the custom-house.'[1]

Half a century on from European invasion of the Kulin lands, visitors stared at another miniature simulacrum, a scale model of Melbourne in 1838, comparing it with the city they saw with their own eyes in 1888, reconciling it either with a memory or an impression of what it had once been. In mid-1888, the secretary of the Victorian Railways offered the services of Monsieur JJ Drouhet, a draftsman

in their employ, for preparing a model of early Melbourne that was to be displayed at the Centennial International Exhibition. Drouhet spent a month building the 12-foot square model, and it took a number of days to assemble it in situ. The model was to stand on a table high enough for it to be seen by visitors, who would first read it in contrast to the exhibition around it, as an artefact of colonial skill

and enterprise as well as an advertisement for the city; and who could then compare the city of the past with the city of its future, observed from high in the dome of the Exhibition Building.[2] The extraordinary model was a hit, Drouhet's skill and aptitude celebrated in the press of the day as a work of 'incessant labor and patient care ... by which he will always be remembered'.[3] Sometime after the close of the exhibition, however, the model vanished without a trace, its creator soon forgotten. This article tracks the origins of the model's construction, reckons
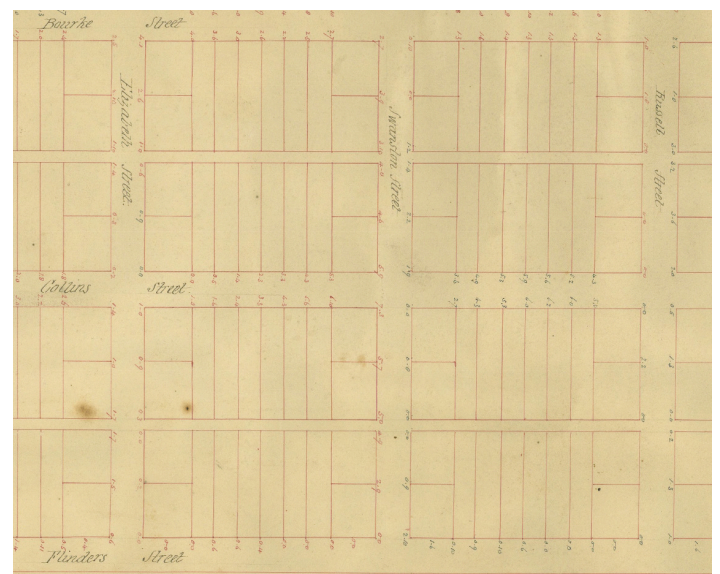

Figure 1: Detail, Wade & Darke, 'SYDNEYM45; MELBOURNE CITY – SURFACE CONFIGRTN; STREETS', PROV, VPRS 8168/P0002.

with the distance between its present in the 1880s and the past it represented, notes its afterlife in a popular lithographic representation of old Melbourne, and further reflects on new meanings ascribed to the view from the dome promenade—and views of the dome itself—in the context of the Exhibition Building's World Heritage inscription and the dome promenade's reopening to the public in October 2022.

A Frenchman in Victoria

Justin Joseph Drouhet was born in 1830 at Rochefort, a coastal town in south-western France, into a wealthy and well-connected family. His wife Marie Berthe, whom he married in Paris in 1858, was the daughter of a merchant and shipbroker with links to the Mauritius trade. Justin had a bachelor of arts from the University of Paris and studied engineering at the École Polytechnique.[4] In 1863, he was listed as an employee of the Chemin de fer de l'Est (a French railway company) in the Champagne region of north-central France.[5] On 16 September that year he arrived in Melbourne with his wife and three children on the *Moravian*.[6] The ensuing five years saw Drouhet embark on a range of ultimately unsuccessful commercial ventures importing a range of French goods to Melbourne, including wines and spirits, clocks, preserves and pianos.[7] In and out of the insolvency court,[8] Drouhet took his growing family to Ballarat and tried his hand as a clerk, miner and teacher of French and painting, but financial woes forced the family back to Melbourne. On 11 October 1873, Drouhet applied in writing to the engineer in chief, Victorian Railways, for a position as a draughtsman.[9] A few days later he was on the books as employee no. 1926, with the caveat that, because his appointment was not to an office under the *Civil Service Act*, he was not to make any claim on Victorian Railways whenever his employment might be terminated.[10]

By the start of 1888, Justin Drouhet, then approaching 60 years of age, had been in Victoria for 25 years, had lost two wives and five children along the way, much of his own and a little of other people's money through speculative business ventures, and something of his own reputation. The colony of Victoria was poised to mount an appraisal of its achievement and celebration of its assets in the shape of the Centennial International Exhibition, measuring its progress against a national baseline of 1788, and inviting the world—if not the other Australasian colonies—to take note. With their ground zero in the Great Exhibition of the Works of Industry of All Nations at London's Crystal Palace in 1851, international exhibitions and world's fairs proliferated in the second half of the nineteenth century as complex events combining place marketing, technological diffusion and commercial expansion, with intercultural knowledge, assertions of regional and national identity, and the consolidation of imperial ideologies and networks, including at Paris (1855, 1867, 1878), London (1862), Vienna (1873), Philadelphia (1876) and Barcelona (1888).[11] Prior to 1880, Melbourne had hosted five intercolonial exhibitions since mounting its first in 1854 in a building in William Street, 'typically, edifying "national" displays of manufactures, assets and achievements; and preliminaries to participation in events overseas'.[12]

At a meeting of the Melbourne exhibition's executive commissioners on 6 March 1888, prosperous merchant and politician Frederick Thomas Sargood suggested the idea of commissioning the Melbourne City Council to make a model of Melbourne in its early days. His Honour Mr Justice Higinbotham, president of the committee, suggested that the 1837 Crown Lands Department plan of Melbourne in its infancy might provide an uncomplicated basis for the model's design, pointing to a model of Manchester that had been exhibited at that city's exhibition the previous year. The executive committee concurred, and further moved that the Tramway Company be asked for a model of the city's tramway system, and that the Melbourne Harbor Trust be asked to provide models of the Yarra River showing improvements: 'Mr J. Munro, in seconding the motion asked if it were possible also to introduce the smell of the Yarra into the models. (Laughter).'[13] A week later, a letter was dispatched to the City of Melbourne requesting that the 'City Council will contribute to the Exhibition a model of Old Melbourne taken from one of the earliest plans'. The council referred the query to the town clerk, EG FitzGibbon, to ascertain costings. FitzGibbon soon received a positive reply to a letter to the secretary for railways dated 29 June requesting permission for Monsieur Drouhet to be seconded for the purpose, expecting that the task would take around a month to complete.[14] By 9 July, FitzGibbon reported that preparation of the model by Mr Drouhet of the Railway Department had been formally arranged at a cost of £70.[15] The commission, perhaps, came as something as a fillip for Justin Drouhet, who had lost another daughter Alice, aged 19, to pneumonia on 22 May, the sixth of his children to predecease him.[16]

Drouhet's skills as engineer and draftsman had been well honed in the employ of the railways, and, prior to this commission, he had made models of the old and new Spencer Street railway stations.[17] While scale modelling was the stock in trade of the toy industry, it had a deeper history in military and architectural survey and

reconnaissance. Maquettes and scaled relief maps of French fortifications were crafted from the seventeenth to the nineteenth centuries, some of which survive in the collection of the Musée des Plans-Reliefs in Paris.[18] In Victoria, National Museum director Frederick McCoy commissioned Swedish-born miner Carl Nordström to construct scale models showing a range of gold mining techniques. A large model of the Port Phillip and Colonial Gold Mining Company's works was displayed at the 1861 Victorian Exhibition in Melbourne, and later shipped to London for the 1862 International Exhibition.[19] Constructed between 1856 and 1859, nine of Nordström's models survive.[20] In the museum context, the diorama was to become the most popular and ubiquitous presentation medium.

The genre of the miniature was age-old, familiar and explicit in the grammar of the exhibition itself. Seeking to represent the world at large, many exhibits reduced the scale of landscapes and material culture by artifice and imagination. Drouhet set about gathering material on which to base his model; the secretary for lands at the Department of Lands and Survey offered him 'all possible assistance', while Thomas Bride, chief librarian of the Melbourne Public Library, on behalf of the trustees, granted access to any plans, documents or books in the library's collections that would assist in the model's conception.[21] With the model shaping up, Drouhet was concerned that sufficient space had not been provided at the exhibition for its accommodation. It would, he noted, require a number of days to assemble the model inside the Exhibition Building.[22] On 27 July FitzGibbon informed Drouhet that a space had been allocated, and that Drouhet should get in touch with commissioner Lambton L Mount who would point out the exact position.[23] The exhibition opened its doors on 1 August 1888, but installation of the model was delayed due to space issues; correspondence on the subject of the showcase for the model in early October suggests that it was likely in situ in the latter part of that month (see Figure 2).[24]

Models, along with plans and drawings, were the stock in trade of the salesman. A perusal of the exhibition catalogue reveals the extent of shrinkage—how else would a world of goods fit into a building, however, magnificent and expansive the pavilions and courts of the Exhibition Building proved to be? J Perry exhibited a model of Niagara Falls; S McDonald exhibited a model of the Yarra River showing the Harbour Trust improvements; E Rossner produced a model of the mineral baths of Salzerbad-Kleinzell; and L Coen got up a model of Sandringham, or Marlborough House, made of cigarettes.
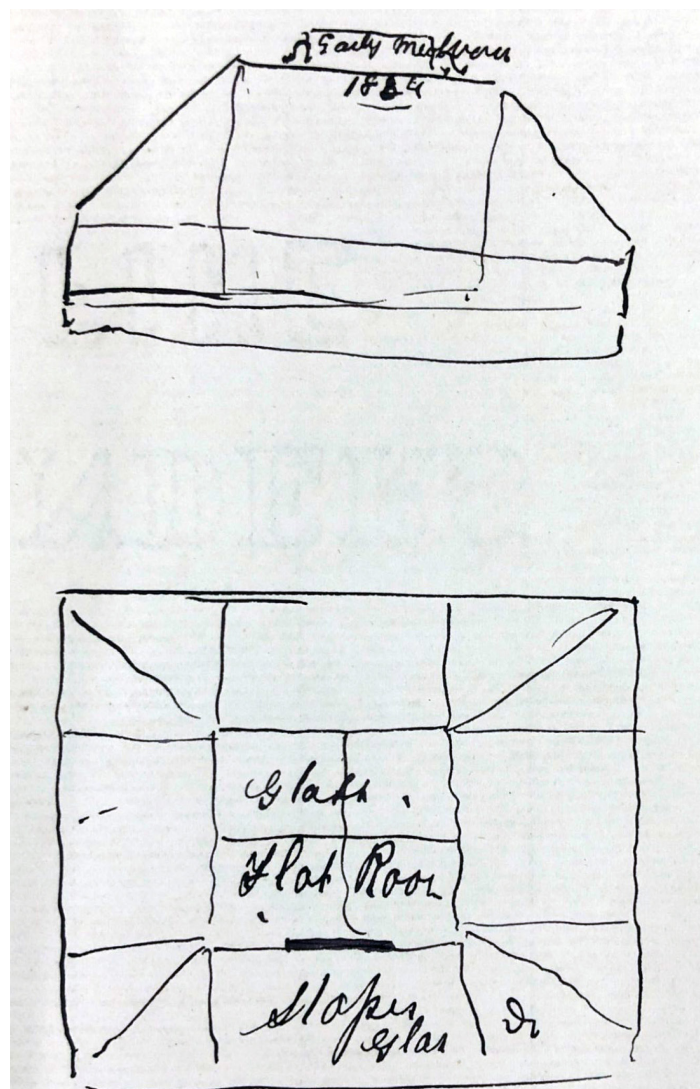

Figure 2: G Downing to EG FitzGibbon, 5 October 1888, 1888/1946, PROV, VPRS 3181/316.

Visitors could marvel at models of the Jenolan Fish River Caves, the Eiffel Tower built out of champagne bottles (though the French court was a disappointment),[25] St Louis brewery, the Adelaide water supply, and fortifications at home and aboard—from the Langwarrin military camp to the Krischen redoubt and infantry trenches of the Turkish defence of Plevna. Despite fears that it might disclose the city's strategic defences to the Russians, a 13 x 7 feet model of Sydney Harbour and environs in the New South Wales Court 'accurately delineated the natural features of 135 square miles of country, together with towns, roads, shipping, etc'.[26] There were models of balloons and bridges, fountains and fences, guns and gold mines, houses and haystacks,

school and ships, pipe cleaners and ploughs, stables and staircases, all to be peered at as simulacra of invention, efficiency and progress (see Figure 3).[27]

Justin Drouhet's model was nestled in the Victorian Court, listed but unattributed on p. 599 of the catalogue:

> Victorian Exhibits II: Education and instruction—apparatus and processes of the liberal arts.
> Class 11: General application of the arts of drawing and modelling, No. 280: Melbourne City Council, Model of old city of Melbourne.

Descriptions of the model in the press appeared in *Table Talk* on 5 October and the *West Australian* on 27 October. The latter described it as 'one of the most interesting exhibits in the Exhibition':[28]

> It is about twelve feet square and the surface of the ground is almost entirely covered with scrub. John Fawkner's house, and Batman's house and garden are amongst the few habitations shown in the model. Pictures of Melbourne in 1838 and in 1839 hang in the Victorian Loan collections. In these where Queen's Wharf is now, the Yarra appears as a rural stream, running between tree-covered banks. The sight of these pictures and of the ten-story buildings that are beginning to appear in the streets of this city furnishes food for much reflection.

The distance between past and present revealed slippages in memory as well as original errors of representation. Analysing a contemporary view of Melbourne in 1839 in preparation for construction, Drouhet had consulted with 'several old colonists who have recognised their early residences' and determined that 'the view is far from being correct and that the person who sketched it used a good deal of imagination'.[30] Peering through the glass cover that protected it, observers were astonished at its Lilliputian world. Here were the residences of early settlers John Pascoe Fawkner, Captain Lonsdale and John Batman ('faithfully set forth in the model, even to the cabbages'); there was Mrs Cook's school for ladies, shops and a little church, hotel and hospital, prison, the soldiers' barracks and the government offices.

However tangible and intriguing an artefact, the model held contradictory meanings, resonating differently for a variety of audiences. Mayor of Melbourne Benjamin Benjamin was one of two compulsory members of the corporation on the 16-member Exhibition Commission selected by the governor-in-council to orchestrate the exhibition. Dominated as it was by city property owners, businessmen and traders, it was clearly in their best interests to present the Melbourne of 1888 in a favourable light. The incumbent city fathers sought to create a

Figure 3: Detail of exhibit, Centennial International Exhibition, Melbourne, 1888. Glass plate negative, NRS-4481-4-214-[AF00197928], NSW State Archives and Records.

physical and visual means of comparing and contrasting the character of the living city they were soon to present to the critical gaze of intercolonial and overseas visitors with a static representation of that city as it was prior to the goldrush and subsequent boom decades. The potential audience could not be underestimated; as it transpired, the exhibition, model included, was seen by more people than any other event in nineteenth-century Australian history.[31] There was, perhaps, a tension for the commissioners and the corporation between their overt pride in what these self-important civic leaders wished to present as their now progressive, mature, sophisticated and civilised 'Marvellous Melbourne' and their well-concealed discomfort and perhaps even guilt at the extremes of its physical reality. However, for some of its citizenry at least, the crowded, smoky, noisome and unsanitary metropolis produced a more anxious and less covert nostalgia for a city lost. General ambivalence about the price of progress and, perhaps, the moral foundations of the land boom in particular was reflected more broadly in history and popular culture.[32] Seen through the selective haze of 50 years of significant social and economic upheaval, and of its rapid physical transformation, 'early' or youthful Melbourne could be viewed as idyllic in its rustic simplicity—the model of Melbourne as it was in 1838 experienced as a manifestation of an idealised Golden Age, as 'natural', untouched by knowing materialism and urban squalor. It could also be viewed as a primitive backwater awaiting

the magical metamorphosis that only prosperity, industry and population increase could bring. It may be reading too much into the scant documentation to interpret the commissioners' choice of the word 'old' as negative and a journalist's choice of 'early' as positive in their respective descriptions of the subject and object of Drouhet's model.

A model was something constrained and contained, not living and changing; it was the known as opposed to the unknown and difficult-to-control future. The rapidly growing and changing city, which was, in many quarters, also decaying, was both exciting and frightening. Drouhet's model inspired in the *Australasian*'s reporter a self-aggrandising assertion of the gains that had been made by those who had made their fortunes from land: where once were clay pits and drying sheds on the south side of Flinders Lane between Swanston and Elizabeth streets, now were 'palatial warehouses … worth many millions'. Reflecting on the changes in the topography and functional geography of the town, the article reminisced that Elizabeth Street had once effectively been a small stream, and that 'the nucleus of an incipient township' had been around the intersection of Collins and Queen streets. Drouhet's construction included over 3,000 individual miniature trees and around 200 houses. Made of glass, the Yarra River had four vessels floating on its crystal waters and ran like a silk border between the town and the marshland to its immediate south. Popular tropes of progress—the city as a civilised bulwark against the threat of the bush—were romanticised in the *Australasian*'s observation of Drouhet's version of the nascent township:

> Such of the streets as had been aligned were only bush tracks with the hacked or charred stumps of venerable gum-trees still embossing their dusty surface; and to the northward these tracks gradually became more indefinite, and finally lost themselves in the green sward of the bush.[33]

This idea of progress acknowledged that Melbourne's long boom had stripped its immediate environs of accessible resources for firewood and construction: the splitters and wood-carters of 1838, 'looking around them, and seeing the woodlands stretching away for miles in every direction … must have regarded the supply as practically inexhaustible'.

The *Table Talk* correspondent had clearly spoken with Drouhet himself, and was more personalised in the praise it heaped on his technical skill:

> the exact reproduction on a miniature scale of the appearance Melbourne had 50 years ago … a work of art, both on account of the skill displayed in keeping the respective heights of the

buildings in proportion to the scale of measurement, and the verisimilitude which the substances employed bear to real houses, ground, water and trees. When it is considered that the roof of the Shakespeare Hotel is an inch and a half from the ground, one can get a fairly good notion of the incessant labor and patient care which M. Drouhet has bestowed upon the whole plan.

The *Argus* saw the express purpose of the model as being to 'effectively illustrate to visitors the rapid progress which the colony had made during the fifty years of its existence'.[34] *The Centennial Magazine* expressly invited real-world comparison of the old and the new (see Figure 4):

> A model of old Melbourne is interesting, because the visitor, after seeing it, may go to the parapet of the dome and obtain a very good bird's-eye view of the Melbourne of to-day; a great deal of the newer suburbs to the south-east being lost, however, in the rolling contour of the land.[35]

Access to the dome's viewing platform was to be had by a specially installed lift.[36] A Leader columnist took a more explicit opportunity not just to remark on Melbourne's extraordinary metropolitan growth—'The Melbourne of that day differs almost as much from the Melbourne of our time as does the London of Queen Elizabeth from the London of to-day'—but also to link its uninterrupted suburbia overflowing to the north and south 'with scarcely a break' with 'the coast fringed with rapidly-growing municipalities', to land costs and urban infrastructure. Here was an opportunity to couple the relative land valuations across the metropolis in terms of 'advance, rising land costs and the land boom' to the 'princely revenues' of the municipalities: 'it may reasonably be asked', the correspondent chided, 'is all being done that can be done for the comfort of ratepayers who so liberally

Figure 4: 'Melbourne, Australia, looking towards the southeast from the exhibition dome', Keystone View Company, c. 1908, Library of Congress, available at https://www.loc.gov/pictures/item/2019630108, accessed 13 January 2024.

subscribe?' The city's progress was therefore explicitly measured against the 'great blot' (the want of a sewerage system), poor drainage, pollution of the Yarra and sea beaches, and the need for beautification of streets and recreation grounds.[37]

Drouhet's model was an overt prompt for the 1888 visitor to reflect on the changing meanings of Melbourne and its development, but a few months prior to the opening of the previous exhibition in 1880, members of the public had also, for a short time, been allowed to access the elevated portions of the building to view the city below. In 1888, a Waygood Patent Safety Lift enabled public access to the viewing platform; in 1880, this was achieved with a fair measure of bravado by climbing a staircase to the first level balcony fronting Spring Street, a further flight of stairs to a second landing, an exposed 56-foot perpendicular iron ladder to the dome, and finally by means of an inner stairway to a small octagonal apartment (Figure 5).

Around 1 in 20 visitors ascended to the highest point, but whether viewed from the balcony, the gallery, the base of the dome or the eagle's nest, 'everything has a new and bewildering look, well-known localities having lost for a time all their points of identity'. Here the city appeared in a glance as 'one connected whole'. The novel perspective gave the viewer a sense of a homogenised city when compared to their everyday knowledge of ground-level demarcations of suburb or precinct. Church spires and factory chimneys were specific reference points, but the fact that Fitzroy, Carlton and Hotham (North Melbourne) were in most respects indistinguishable from Melbourne proper—'no more built over, and no more populous'— was a little confusing in an age before the density of skyscraper development gave aerial definition to the

Hoddle Grid (see Figures 6 and 7).

This same *Argus* article that revelled in the view from the Exhibition Building in 1880 ('City and suburbs seen from two towers') made an excursion to the Beaconsfield Tower, a 200-foot-high wooden structure built on Doncaster Road by Alfred Hummel in 1878 (demolished in 1914). Here, Melbourne itself became an object of view: 'That distant city can be seen away down below towards the edge of the bay, and a clear view can be had over the tops of its tallest spires and around on all its suburbs.' Where nostalgia for England elicited rustic equivalents ('A lake or two or the view of a river is all that is needed in the scene here at Doncaster to complete the illusion that what is seen is British and not Australian scenery'), the broad scale of the urban as viewed from the Exhibition Building encouraged comparison of Melbourne as a 'growing Babylon' to American exemplars:

> So seeing it and thus judging of it, the supposed stranger would have, as he needs must have, an enlarged idea of the claims of Melbourne as a hugely-grown and rapidly growing city. It is, so seen, as large as any city of five hundred thousand that can be named, and in so saying one thinks of American cities of that size that have been seen from similarly elevated positions.[38]

Figure 6: Composite panoramic sequence of view looking west from the roof of the Exhibition Building, Carlton Gardens, with Rathdowne Street running across the middle distance and St Andrew's Presbyterian Church and Manse observable to the right of the dome, c. 1880 – c. 1889, State Library of Victoria, H141261 and H4570, attributed to Charles Nettleton.

Figure 5: 'A view from the balcony', *Illustrated Australian News*, 6 November 1880, p. 200.
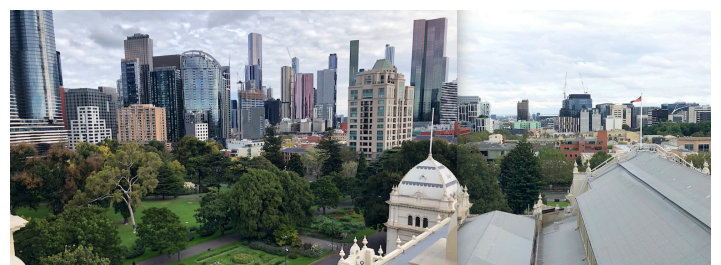

Figure 7: Composite panoramic sequence of previous view, compiled by author, March 2022.

No sooner did the distant city become observable as a material artefact, at whatever scale, than real estate advertisements promoted the virtues of a view. A grand building allotment commanded 'a splendid bay and city view' (1866);[39] sites in the Doutta Galla Estate between Ascotvale and Moonee Ponds had 'Splendid Views of the Bay, City, Racecourse, and Surrounding Country' (1882);[40] the aspect from Clifton Hill was 'Commanding, Elevated, Invigorating … Views Phenomenal of City, Town, and Country' (1885);[41] an orchard in Mitcham boasted 'splendid mountain and city view' (1887);[42] while a superior brick villa in Hawthorn offered 'landscape and city views' (1888).[43]

Seen from either of its western (Batman's) or eastern hills, the view of Melbourne from mid-century could be contained within sight, and enhanced when the vision was nocturnal; during celebrations for the Queen's birthday in 1863, 'when the breeze had fallen away, the city, viewed from the crest of either the Western or Eastern hill, presented a noble spectacle. The light which burst from almost every house, and which glared up from almost every street, rendered the plan of the city luminous.'[44] Despite Melbourne's relatively low scale by 1889, the view from a distance drew another observer's attention to unsightly irregularities in height along the city's streetscapes, with a prescient observation that 'Babylonian towers' would be the logical product of exorbitant ground rents. While the fear of being trapped by fire, storm or earthquake made the prospect of living 'at such a perilous elevation' singularly unattractive, the sole boon of these 'sky-parlors' was 'that the higher the citizen climbs to his nocturnal perch, the better chance he has of escaping the noxious effluvia of the world beneath … in one of the foulest smelling cities of the world'.[45] By the latter decade of the nineteenth century, there were fewer than a dozen buildings in the central city reaching 10 storeys, the Australian Building at the corner of Elizabeth Street and Flinders Lane (1889), at 12 storeys, being Australia's tallest. Building height limits introduced in 1916 limited office blocks to 132 feet, though turrets, towers and masts extended their vertical range. The sight of church spires may have drawn the nineteenth-century eye to the city centre, but the view of the city as a silhouette against the skyline was the quintessential product of the skyscraper age that accelerated in Melbourne from the late 1950s.[46] Melbourne, viewed at distance from a novel height in the 1880s, was at once perplexing and revelatory, disrupting ground-level common sense about the city's social geography while at the same time expanding its potential as much as extending its physical dimensions.

Afterlives: Melbourne '1838'

The Centennial Exhibition concluded at the end of January 1889. Over coming months, products were packed away, the bunting came down, but the fate of the model remains a mystery. Minutes of the meetings of the exhibition trustees (some of which are missing or fire-damaged) give few specific clues, though, after they requested it for their 'permanent collections', the model was formally presented to the exhibition trustees by the City of Melbourne in March 1889.[47] Drouhet had received permission from the City of Melbourne to photograph the model, add a key, and sell reproductions to help make up his financial losses, having forgone his railway salary to work on the model.[48] It is unclear if he did so; other correspondence suggests that the City of Melbourne paid Drouhet's salary while he was on leave from the Railway Department.[49] A photograph of the model was taken on 25 March 1889 by Baker and Farquhar of Austral Works in Abbotsford, photographic printers to the Victorian Government, with the intention that it be sent as part of a consignment including other views of Melbourne to Paris (Universal Exhibition 1889) and Dunedin (New Zealand and South Seas Exhibition, November 1889 – April 1890),[50] but it is not listed as one of four views exhibited by the firm in Paris and its current whereabouts is unknown.[51]

If the model itself did not survive, in an odd reversal of representation, it had an afterlife in an image that is commonly reproduced as if it had been drawn in 1838, rather than being a nostalgic artefact of the 1880s (see Figure 8).[52]

By the 1870s, settlers like hotel-keeper and water-colourist WFE Liardet, who came to Melbourne in 1839, were returning to nostalgic views of the town's early years.[53] Whether topographical, bird's-eye, panoramic or isometric, broader nineteenth-century views of Melbourne drew on a range of picturesque conventions and popular (or indeed imaginary) vantage points to encode the city's progress, pride and prospects.[54] These in turn harked back to a long-established pictorial tradition of townscape depiction that proliferated from the fifteenth century in Europe. City portraits, in woodcuts and engravings, were indeed 'one of the most popular categories of Renaissance print culture', tapping into a public interest in knowing about foreign places, contextualising global news or intelligence, visualising mercantile and cultural networks, and, above all, 'publicly [proclaiming] the splendors of one's own city'.[55] Their rhetorical purpose in idealising urban power and prestige was bullish, their geographies symbolic as much as accurate, as 'squares become larger, streets wider, and
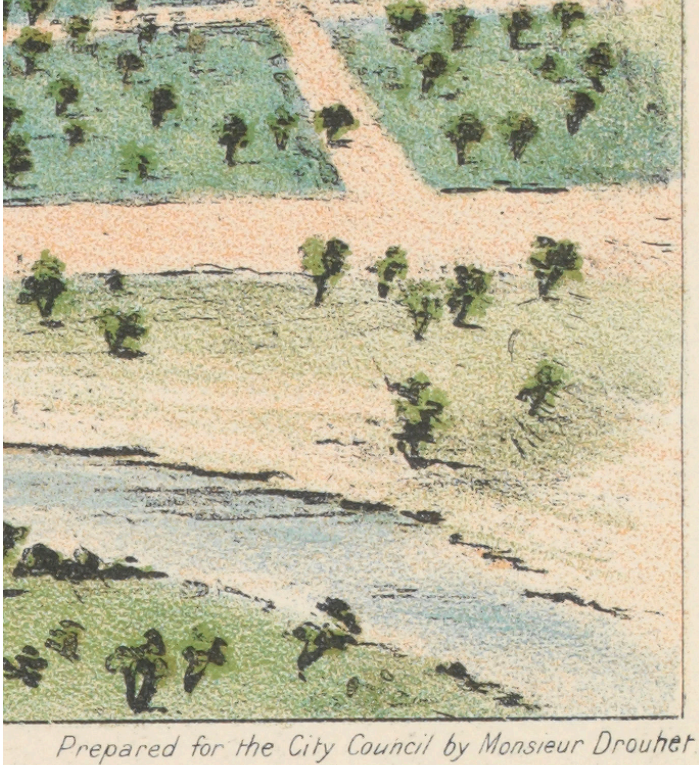
Figure 8: Detail, Clarence Woodhouse, *Melbourne in 1838, from the Yarra Yarra*, State Library of Victoria.

Figure 9: *1838–1888 Melbourne then and now together with the first land sale and present value*, State Library of Victoria.

public buildings taller'.[56] The overreach of Nathaniel Whittock's 1855 etching of Melbourne was a case in point in a century in which the burgeoning mass circulation of newspapers and journals reproduced urban imagery from cities across the British world competing for labour and capital and seeking markets for their agricultural productions and manufactured wares. It exalted to a British audience the progress of a frontier town yet two decades old in its depiction of key buildings, transport infrastructure, a bustling river port and the original Exhibition Building. *Melbourne Punch* was sanguine in its appraisal: 'we have never met with a more thoroughly entertaining work of fiction than this verdant view of the Utopian city of Melbourne'.[57]

Drouhet's model became the basis for Clarence Woodhouse's lithograph *Melbourne in 1838, from the Yarra Yarra*, published by ML Hutchinson as *1838—Melbourne then and now—1888* (Figure 9).[58] A large double-sheet promotional 'booklet', printed on both sides and originally folded like a modern map, reproduced Woodhouse's coloured lithograph at the top, with acknowledgement immediately beneath in fine print: 'From a Model in the Centennial Exhibition 1888', 'Prepared for the City Council by Monsieur Drouhet'. Underneath is a depiction of
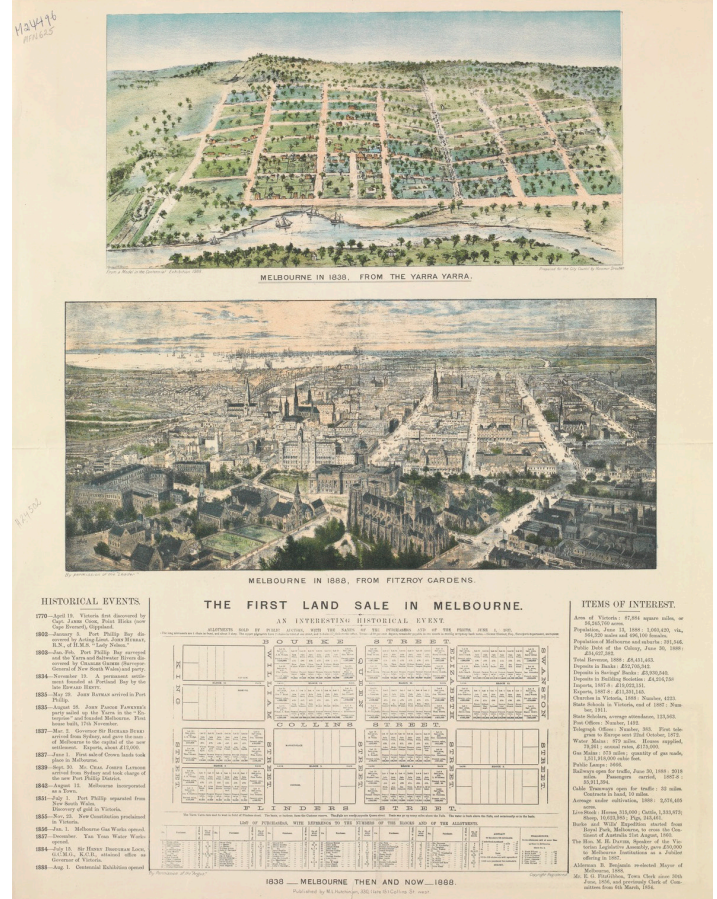
'Melbourne in 1888, from Fitzroy Gardens' ('By permission of the "Leader"'), along with a short chronology of 'historical events' from 1770 to 1888 and other historical 'items of interest', and a map of the first land sale in Melbourne with a table of purchasers. On the second side, is a street map of the central Melbourne grid, superimposed on an early topographical map, along with some contemporary advertisements.

Edward Noyce's 1840 lithograph of Collins Street depicts a small group of Aboriginal people looking down at the burgeoning scene below from the town's eastern rise. Positioned next to a stand of trees and a tree stump in the foreground margin, their sidelining from the grid is a deliberate exercise in exclusion and was a common visual tactic in cityscape views of the period.[59] In Drouhet's model and its lithographic echo, the depiction of individual people was more or less inhibited by their scale, but it is the grid itself that is a key instrument of dispossession, a net thrown over stolen land that at once proclaimed authority and masked its violent impositions. In its

plentiful displays of Indigenous weaponry, the exhibition itself rendered Indigenous peoples a defeated race. A historical essay in the official record rehearsed the foundation myth of Batman's treaty that served to turn the violent actualities of invasion into a simple 'purchase' from friendly and willing natives.[60] In the South Australian Court, a display from the governors of the Public Library, Museum and Art Gallery put it more baldly, juxtaposing *Primitive life* (1837) and *Civilised life* (1888) to illustrated colonial development 'in which the native, with his canoe and living surroundings, forms a perfect contrast to the present, with its cultivated fields and domesticated animals'.[61]

Drouhet's model, seen by tens of thousands of visitors, played a significant role at a particular historical moment prior to the crash of the 1890s that ended the long boom in fashioning and disrupting what 'Marvellous Melbourne' meant to its denizens. Its bird's-eye view optic, itself reimagined and reinterpreted in Woodhouse's lithograph, further juxtaposed with a lithograph of Melbourne in 1888, was part of the new genre of metropolitan representation that emphasised urban progress with an 'illusionist thrill'.[62] John Hennings's 1892 *Cyclorama of Melbourne*, commissioned by the government and inspired by Samuel Jackson's panoramic sketch of Port Phillip in 1841 (itself viewed from the elevation of Scots Church at the corner of Collins and Russell streets, then in course of erection), was perhaps its nineteenth-century apotheosis.[63] Both Hennings's cyclorama (though water damaged) and Jackson's sketch survive today. But Drouhet's model vanished, and his bit role in fashioning Melbourne's historical consciousness was largely forgotten.

Afterlives: Melbourne 2020s

The Woodhouse lithograph was a kind of nostalgic prequel to the urban imaginary of 1888, simplifying Melbourne's progress in the past rather than exaggerating it in the present. Traces of Drouhet's city vision can still be seen in the lithograph, though its afterlife in the twenty-first century sees it regularly misconstrued as being an image made *in* 1838. The Royal Exhibition Building (REB) and Carlton Gardens were added to the World Heritage List in 2004, and visitors can now again access city views from its upper deck. How might Melburnians read the view from the dome in the present day?

In October 2022, the REB's dome promenade was reopened to the public after renovations, including installation of a new lift, the Waygood Lift having been removed in 1889 when the exhibition closed. Access to the dome promenade can now be booked as part of a tour group, including museum entry, for the price of $29 for adults and $15 for children (in 1888, the charge to use the lift was sixpence for adults and threepence for children).[64] In an age before aeroplanes, skyscrapers and drones, the thrill and novelty of views at altitude for the nineteenth-century observer cannot be underestimated. That said, contemporary responses to the reopening of the dome promenade and the panoramic views thus obtained also respond to the novelty of a perspective that has been denied the public for over a century. Current-day visitors are taken past a ground floor exhibition on the history of the site and building before visiting the viewing platform. The views from the deck are variously described as extraordinary, spectacular and breathtaking. The deck is also promoted as a venue for weddings or cocktail parties (current rate $5,000 for two hours) as much as a place from which to ponder Melbourne's fortunes, with the city a quirky backdrop for champagne and selfies:[65]

> With an unmatched outdoor view of the picturesque Carlton Gardens and Melbourne's whimsical city skyline, the Dome Promenade is a special and spectacular location that will make you feel on top of the world. If you're looking for a special location for filming and photography, a unique venue to celebrate your wedding or corporate event, the Dome Promenade is the perfect space for you.[66]

Contemporary ways of viewing Melbourne continue to be enhanced—as they were in the nineteenth century—by new construction technology. Opened in 2007, the observation deck on the eighty-eighth floor of Southbank's Eureka Tower (for a time the world's tallest residential tower and tallest building in Melbourne) is promoted as the southern hemisphere's highest observation deck. The giant Melbourne Star Observation Wheel opened briefly in Docklands in 2008, operating from 2013 until closing during the COVID-19 pandemic in 2021. In real estate terms, city views, now as much as in the nineteenth century, attract a premium.[67] From the city edge to Sunbury—where one modern-day street is simply named 'City Views'—whether in full picture window framing or glimpsed obliquely through a telephoto lens, city skyline views in twenty-first century Melbourne are variously described as 'mesmerising' in Greenvale,[68] 'spectacular' in Glen Iris,[69] 'sparkling' in Seddon, 'stunning' in West Melbourne,[70] 'inspiring' in Surrey Hills,[71] and 'dazzling' or 'knock out' in Prahran.[72] Even 'Partial city views!' in Footscray attract an exclamation.[73] While some property advertisements hitch city views

to a desirable cosmopolitan or exotic lifestyle ('Hollywood glamour with breathtaking city views' in Moonee Ponds),[74] the cachet of a city view has perhaps been shaped by evolutionary psychology in terms of prospect (a clear view of our surroundings) and refuge (a safer place to go) and a consequent symbolic equivalence of height with power and authority.[75]

The view from the recently restored dome promenade performs a similar role to the one experienced by visitors who had first viewed Drouhet's model and then took the lift to the platform above. Melbourne laid out below in all its horizontal and vertical mass and scale now tempts one modern observer to marvel at development as progress, another perhaps to reflect on stolen land, or environmental impacts, or corporate power, or the inequities of a housing crisis in which many cannot afford rents but some live in million-dollar penthouses. The view south over central Melbourne, moreover, might inspire quite different responses to views to the west, north or east. While particular urban issues ebb and flow over time, what endures is the power of the vista to engender a charged relationship between the viewer and the view that invites a critical or emotional response.

A key difference between then and now, of course, is the symbolic meaning of the REB itself: in the 1880s, a contemporary, modern, monolithic palace of industry that dominated its environs; in 2023, a World Heritage site dwarfed by its neighbours. Where the REB of 1888 dominated the city, it is now, in many respects, diminished by it, the challenge of its buffer zone or World Heritage Environs Area (WHEA) being to protect the Outstanding Universal Value for which it was inscribed on the World Heritage List in 2004. Both the views *to* or *of* and the views *from* have shifting cultural meanings, precisely because the site is challenged by the encroachment of the city that surrounds it. The most recent Draft World Heritage Strategy Plan for the Royal Exhibition Building & Carlton Gardens WHEA,[76] and a 2023 Heritage Council hearing into its recommendations, explored the management of height limits of future development in the buffer zone and the identification and protection of key views and vistas, whether aspect (inward looking) or prospect (outward looking). 'Setting parameters for the extent and location of views (within the public realm at street and elevated levels within and outside the WHEA)', according to the draft, 'are increasingly relevant and necessary to meet contemporary practice'.[77]

The new Melbourne Museum opened on a site in the Carlton Gardens to the north of the REB in 2000, despite wide criticism of its likely impact on the view lines and heritage values of REB.[78] By the time of its 2002 nomination for World Heritage listing, the presence of the museum was rationalised as illustrating 'continuity of function at the site, as a building also designed for exhibitions'.[79] With the museum building subsequently naturalised as an indispensable feature of the site, the 2021 draft urged the introduction of view controls to ensure that the silhouette of the REB was set against a clear sky backdrop when viewed from the Melbourne Museum forecourt.[80] The 2009 World Heritage Environs Strategy Plan had included division of the buffer zone into areas of 'greater' and 'lesser' sensitivity, effectively weakening planning controls in the latter zones, the most notable effect being approval of the twin towers of the Shangri-La and Sapphire-by-the-Gardens development at 308 Exhibition Street. Commenced in 2018, this skyscraper now rears up behind the otherwise relatively clear sky silhouette of the REB when looking towards the city from the museum: a 'sky-parlor' par excellence (Figure 10). In one sense, it might be argued, when viewed from the dome platform, it is simply the most recent in a long history of new built form in Melbourne—a continuum of examples that move the viewer in any historical period to exclaim that Melbourne is 'coming on'. From a heritage sense, however, it is more problematic. Promoted by its vendor as 'the crown jewel of the Melbourne skyline', Sapphire-by-the-Gardens draws some of its prestige from 'the grandeur of park front living, with unparalleled views across the UNESCO World Heritage-Listed Carlton Gardens' (with no mention of the REB itself),[81] at the very same time as threatening those very values that underpin the site's heritage listing (such as visual dominance in a low-scale and fine-grained setting).

Height limits are the result of 'the interplay between the market, policy, and culture',[82] while the notion of 'protected vistas' is further 'loaded with shifting historical and political narratives'.[83] Some urban views are deemed too important to lose in the sense that they are taken to represent the culture or define the essence of a place.[84] The London View Management Framework, first introduced in 2007, encodes protections of a significant number of panoramas, linear views, river prospects and townscape views that define the historical character of that city. Most private property owners across Melbourne have no legal right to the protection of their city skyline views. The Shrine of Remembrance currently has better view protection than the World Heritage listed REB; vista regulations, first gazetted in 1962 and updated a number of times since, protect the view of the silhouette of the Shrine of Remembrance under the Shrine of Remembrance Vista Controls, which are incorporated into

Figure 10: View from Melbourne Museum forecourt looking south over REB towards Sapphire-by-the-Gardens / Shangri-La development. Photograph by author, March 2022.

the Melbourne, Port Phillip and Stonnington Planning Schemes pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.

Conclusion

Melbourne itself was to be one of the most spectacular extramural exhibits at the 1888 Centennial Exhibition, the handmade product of an aspirational and materialist society. Monsieur Drouhet's model of the incipient township, to which it was to be explicitly compared, confirmed this to be so. In an age when the bird's-eye view of the city was partly inspired by the new vantage point of balloon flight, the juxtaposition of model (old Melbourne in miniature) and view (modern Melbourne in action) placed narratives of urban progress and pathology in the same urban conversation, at a moment when new technologies such as electricity and an underground

sewerage system were poised to transform the frontier town into a modern metropolis. 'Towns and cities', observed pioneer British aeronaut James Glaisher in his *Travels in the air* (1871), 'when viewed from the balloon, are like models in motion'.[85] In 2023, visitors to the REB's upper promenade can marvel at the spectacular vertical growth of Marvellous Melbourne at a time when the skyscraper is still one of the most visible articulations of capitalist modernity. The REB's status as a World Heritage site, however, has crucially shifted the optic of views to and from the dome. A buffer zone, after all, where intended to protect Outstanding Universal Value, 'must', ICOMOS (International Council on Monuments and Sites) states, 'not be a comfortable and reassuring fiction—it needs to be linked to practical and well rooted measures of protection'.[86] City views across Melbourne's history have been much more than simply an index of urban growth; rather, they are a key to civic self-perception. In the process of balancing the opportunities of development with the need for preservation, the measure of any civilised society will always be its capacity to value its past in the headlong rush for the future.

Endnotes

[1] George Henry Haydon, *The Australian emigrant, London*, 1854, in John Arnold (ed.), *The imagined city: Melbourne in the mind of its writers*, George Allen & Unwin, Sydney, 1983, pp. 13, 15.

[2] The Exhibition Building became the Royal Exhibition Building at its centenary in 1980.

[3] *Table Talk*, 5 October 1888, p. 2.

[4] See, for example, his advertisement in the *Ballarat Star*, 11 January 1870, p. 4; letter to the editor, *Argus*, 25 January 1892, p. 6.

[5] Aube, France, Births, Marriages and Deaths, 1792–1912, Ancestry.com.

[6] Rendered Mr and Mrs 'Draeigh' in the PROV index to the unassisted passenger lists, along with their three daughters under 12, PROV, VPRS 947/P0000, Sep–Dec 1863.

[7] *Argus*, 17 November 1864, p. 3; 20 December 1864, p. 7; 5 July 1865, p. 8; 1 December 1864, p. 7; 13 October 1864, p. 7; 20 December 1864, p. 7; 18 October 1864, p. 8; 7 October 1864, p. 8; 6 January 1865, p. 3; 28 October 1864, p. 8; 1 October 1864, p. 8; 10 March 1865, p. 3; 4 November 1864, p. 8; 28 February 1865, p. 8; 4 March 1865, p. 7; 18 November 1864, p. 3; 21 November 1864, p. 8.

[8] See, for example, Proceedings in Insolvent Estate, Justin Drouhet, Melbourne, merchant, PROV, VPRS 759/P0000, 10927; Certificates of Discharge, Supreme Court of Victoria, Bradley Drouhet and Toche, PROV, VPRS 75/P0000; Proceedings in Insolvent Estates, Justin Drouhet Joseph Edgar Bradley Paul Toche; Melbourne; Merchants Co. partnership, PROV, VPRS 759/P0000, 10926.

[9] PROV, VPRS 422, Railways and Roads: Register of Correspondence (Inwards) 1873, No. 5791.

[10] WH Odgers, Circular No. 3410, 13 December 1870, PROV, VPRS 431, Unit 21: Engineer in Chief Letter Book 19 (May to Dec 1873), p. 192. Drouhet was listed in the triennial list of railways employees in the *Victorian Government Gazette* as a draftsman in the Chief Engineer's Branch (1884, 1887, 1890).

[11] See, for example, Marieke Bloembergen, *Colonial spectacles: the Netherlands and the Dutch East Indies at the world exhibitions, 1880–1931*, NUS Press, 2006; Marta Filipová (ed.), *Cultures of international exhibitions 1840–1940: great exhibitions in the margins*, Ashgate Publishing, Farnham, 2015; Alexander CT Geppert, *Fleeting cities: imperial expositions in fin-de-siècle* Europe, Palgrave Macmillan, New York, 2010; Paul Greenhalgh, *Ephemeral vistas: the expositions universelles, great exhibitions and world's fairs, 1851–1939*, Manchester University Press, Manchester, 1988; Peter H Hoffenberg, *An empire on display: English, Indian and Australian exhibitions from the Crystal Palace to the Great War,* University of California Press, Berkeley, 2001; John McAleer & John M MacKenzie (eds.), *Exhibiting the empire: cultures of display and the British Empire*, Manchester University Press, 2017; Sadiah Qureshi, *Peoples on parade: exhibitions, empire and anthropology in nineteenth-century Britain*, Chicago University Press, 2011; Robert Rydell, *All the world's a fair: visions of empire at American international expositions, 1876–1916*, Chicago University Press, 1984; Eric Storm & Joep Leersen (eds), *World fairs and the global moulding of national identities: international exhibitions as cultural platforms, 1851–1958*, Brill, Boston, 2022.

[12] David Dunstan, 'Exhibitions', in A. May (ed.), *eMelbourne: the city past and present*, School of Historical & Philosophical Studies, University of Melbourne, 2008, https://www.emelbourne.net.au/biogs/EM00542b.htm, accessed 24 July 2023. Other literature on Australia's role in exhibitions includes Kate Darian-Smith, Richard Gillespie, Caroline Jordan & Elizabeth Willis (eds), *Seize the day: exhibitions, Australia and the world*, Monash University ePress, Clayton, 2008; Louise Douglas, 'Representing colonial Australia at British, American and European international exhibitions', *Journal of the National Museum of Australia*, vol. 3, no. 1, 2008, pp. 13–32; Anne Neale, 'International exhibitions and urban aspirations: Launceston, Tasmania, in the 19th century', in Marta Filipová (ed.), *Cultures of international exhibitions 1840–1940: great exhibitions in the margins*, Ashgate Publishing, Farnham, 2015, p. 251; Kirsten Orr, 'A force for federation: international exhibitions and the formation of Australian ethos, 1851–1901', PhD thesis, UNSW, 2006; Peter Proudfoot, Roslyn Maguire & Robert Freestone (eds), *Colonial city, global city: Sydney's international exhibition 1879*, Crossing Press, Sydney, 2000; Jonathan Sweet, 'Beyond local significance: Victorian gold at the London international exhibition, 1862', in Keir Reeves and D Nichols (eds), *Deeper leads: new approaches to Victorian goldfields*

history, Ballarat Heritage Services, 2007, pp. 185–202.

[13] 'Melbourne Centennial Exhibition', *Age*, 7 March 1888, p. 6.

[14] EG FitzGibbon, town clerk, to secretary for railways, 29 June 1888, PROV, VPRS 4025/P0000, Vol. 37, Nos. 732 and 773 [cannot be accessed due to conservation issue — last consulted in 1994]; secretary, International Exhibition 1888, to town clerk, Melbourne, 12 March 1888, 1888/555, PROV, VPRS 3181/316; secretary, Victorian Railways, to town clerk, 5 July 1888, 1888/1392, PROV, VPRS 3181/316. The files relevant to Drouhet's model, dated 1888–89, were originally in VPRS 3181, Unit 317: 'Festivities 1888–1889', but at some point since I originally consulted them in the late 1980s they have been erroneously re-boxed in Unit 316: 'Festivities 1887'.

[15] PROV, VPRS 3181/316. See also 'Brief mention', *Herald*, 20 July 1888, p. 2.

[16] 'Deaths', *Argus*, 23 June 1888, p. 1.

[17] *Table Talk*, 5 October 1888, p. 2.

[18] Musée des Plans-Reliefs, homepage, available at http://www.museedesplansreliefs.culture.fr/, accessed 13 January 2024. See also George A Rothrock, 'The Musée des Plans-reliefs', *French Historical Studies*, vol. 6, no. 2, 1969, pp. 253–256. Mayson's physical relief model of the Lake District was created in 1875 based on ordnance survey maps. See Gary Priestnall, 'Rediscovering the power of physical relief models: Mayson's ordnance model of the Lake District', *Cartographica*, vol. 54, no. 4, 2019, pp. 261–277. See also reference to a scale model of Melbourne's water supply made by the Department of the Water Supply: 'Irrigation and filtration', *Otago Daily Times*, 9 April 1880, p. 2 (supplement); M Mikula, 'Miniature town models and memory: an example from the European borderlands', *Journal of Material Culture*, vol. 22, no. 2, 2017, pp. 151–172.

[19] Richard Aitken, 'Celebrating gold', *Historic Environment*, vol. 8, nos. 3&4, 1991, pp. 32–33.

[20] Museums Victoria Collections, available at https://collections.museumsvictoria.com.au/search?collection=Nordstr%c3%b6m+Mining+Models+Collection, accessed 13 January 2024; Victorian Collections, available at https://victoriancollections.net.au/items/5d9181e721ea671b24d46aff,

accessed 8 January 2024.

[21] Secretary for lands and survey to town clerk, 9 July 1888, 1888/1441, PROV, VPRS 3181/316; Bride to town clerk, 10 July 1888, 1888/1440, PROV, VPRS 3181/316.

[22] J Drouhet to town clerk, 23 July 1888, 1888/1525, PROV, VPRS 3181/316; J Drouhet to town clerk, n.d. (received 30 July 1888), 1888/1708, PROV, VPRS 3181/316.

[23] FitzGibbon to Drouhet, 27 July 1888, PROV, VPRS 4025, vol. 37, no. 903.

[24] George Downing, foreman carpenter, to EG FitzGibbon, 5 October 1888, 1888/1946, PROV, VPRS 3181/316.

[25] David Dunstan, 'Doing it all over again', in David Dunstan (ed.), *Victorian icon: the Royal Exhibition Building Melbourne*, Exhibition Trustees in association with Australian Scholarly Publishing, Kew, 1996, p. 201.

[26] *Official record of the Centennial International Exhibition, Melbourne, 1888–1889*, Sands & McDougall Limited, Melbourne, 1890, p. 239; 'Our Adelaide letter', *Daily News* (Perth), 17 July 1888, p. 3.

[27] *Official record*, passim.

[28] 'Melbourne gossip', *West Australian*, 19 November 1888, p. 3.

[29] The pictures from the Victorian Loan Collection were by artist CG Robertson, see Official record, p. 651.

[30] J Drouhet, 12 September 1888, 1888/1767, PROV, VPRS 3181/316.

[31] Graeme Davison, 'The culture of the international exhibition', in Dunstan (ed.), *Victorian icon*, p. 18.

[32] See, for example, Graeme Davison, *The rise and fall of Marvellous Melbourne*, Melbourne University Press, Carlton, 2004 (first published 1978), especially ch. 10.

[33] JS, 'Gleanings from the exhibition', *Australasian*, 15 December 1888, p. 48.

[34] 'Exhibition notes', *Argus*, 30 June 1888.

[35] A Melbourne Journalist, 'The Centennial Exhibition', *Centennial Magazine*, vol. 1, no. 1, 1 August 1888, p. 62.

[36] Dunstan, 'Doing it all over again', p. 201.

[37] 'Growth of the city and suburbs', *Leader*, 15 December 1888, p. 42.

[38] JH, 'City and suburbs seen from two towers', *Argus*, 8 May 1880, p. 4. See also David Dunstan, 'The best view yet', in Dunstan (ed.), *Victorian Icon*, pp. 87–90.

[39] 'Advertising', *Argus*, 24 May 1866, p. 1.

[40] 'Advertising', *Herald*, 3 May 1882, p. 4.

[41] 'Advertising', *Argus*, 6 June 1885, p. 3.

[42] 'Advertising', *Age*, 17 February 1887, p. 7.

[43] 'Advertising', *Age*, 17 November 1888, p. 15.

[44] 'The birthday rejoicings in Melbourne', *Star (Ballarat)*, 28 May 1863, p. 4.

[45] Billy Nutts, 'After many years', no. II, *Ovens and Murray Advertiser*, 22 June 1889, p. 11.

[46] Rohan Storey, 'Skyscrapers', *eMelbourne: the city past and present*, available at https://www.emelbourne.net.au/biogs/EM01383b.htm, accessed 26 July 2023.

[47] Chairman, exhibition trustees, to B Benjamin, mayor, 28 February 1889, 1889/411, PROV, VPRS 3181/316; secretary, exhibition trustees, to City of Melbourne, 30 March 1889, 1889/581, PROV, VPRS 3181/316. Other models were presented to the exhibition, for example, those of the Jenolan Caves and Port Jackson. See 'Melbourne exhibition. Presentation of exhibits', *Evening News*, 8 March 1889, p. 8. On 24 December 1889, the exhibition trustees wrote to the railway commissioners asking for the models of Spencer and Flinders Street stations for the exhibition. Some remaining exhibits had been lent out, other more 'useless exhibitions' removed or auctioned off by the 1910s, while the 'Picture of Early Melbourne' was handed over to the premier. See PROV, VPRS 837.

[48] J Drouhet to mayor and councillors, 28 August 1888, 1888/1758, PROV, VPRS 3181/316.

[49] Engineer in chief, Railway Department, to EG FitzGibbon, 6 July 1888, 1888/1442, PROV, VPRS 3181/316.

[50] George Downing to town clerk, 25 March 1889, 1889/540, PROV, VPRS 3181/316; 'Memoranda re purchase of photographs for Paris and Dunedin Exhibitions', 25 November 1889, 1889/2364, PROV, VPRS 3181/316. See also Jock Phillips, 'Exhibitions and world's fairs—New Zealand exhibitions, 1865 to 1900', *Te Ara—the Encyclopedia of New Zealand*, available at http://www.TeAra.govt.nz/en/photograph/45430/exhibition-buildings-dunedin-1889-90, accessed 1 June 2022.

[51] *Paris Universal Exhibition 1889: catalogue of exhibits in the Victorian Court*, Government Printer, Melbourne, 1889, p. 1.

[52] Examples of authors or websites that have reproduced the image as if it were from 1838, if not with ambiguity, include Michael Cannon (ed.), *Historical records of Victoria. Foundation series. Volume Three. The early development of Melbourne*, Victorian Government Printing Office, Melbourne, 1984, front endpapers: 'Melbourne in 1838, from the Yarra Yarra', lithograph in the National Library of Australia'; Miles Lewis, Philip Goad and Alan Mayne, *Melbourne: the city's history and development*, City of Melbourne, Melbourne, 1994, p. 12: 'Melbourne in 1838: From the Yarra Yarra: La Trobe Collection: State Library of Victoria'; Gary Presland, *The place for a village: how nature has shaped the City of Melbourne*, Museum Victoria, Melbourne, 2008, pp. 70–71: while the original attribution to the Drouhet model is just legible in the bottom left of the reproduction, the caption reads, 'This coloured lithograph by Clarence Woodhouse shows Melbourne in 1838, from an imaginary highpoint on the other side of the Yarra River'; Jeff Sparrow, 'Melbourne from the falls', 9 July 2012, Overland, https://overland.org.au/2012/07/melbourne-from-the-falls/, accessed 2 June 2022: 'This map from 1838 gives you a sense of how the city grew around the river'; 'The oldest pictures of Melbourne', *Beside the Yarra: stories from Melbourne's history*, Blog, 25 January 2015, http://marvmelb.blogspot.com/2015/01/, accessed 2 June 2022; 'Walking tours of Melbourne', 2015, https://melbournewalks.com.au/ask-an-historian-online-class-activity/, accessed 2 June 2022; 'Map of Melbourne 1838', slide 16 of 45, Dr Susie Maloney (RMIT University), 'Can Melbourne remain the (second!) world's most liveable city?', presented by 2018 ProSPER.Net Leadership Programme 12–16 November, 2018, https://www.slideshare.net/HannaatUNU/can-melbourne-remain-the-second-worlds-most-liveable-city, accessed 2 June 2022. Compare with more accurate contextualisation in Davison, *The rise and fall*, pp. 286, 287; Liz Rushen, 'Nichola Cooke: Port Phillip District's first headmistress', *Provenance: the Journal of Public Record Office Victoria*, issue no. 8, 2009, https://prov.vic.gov.au/explore-

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[59] Edward Noyce (lithographer), *Collins Street—town of Melbourne. Port Philip, New South Wales, 1840,* SLV, accession no. H18111.

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[61] *Official record*, p. 239; 'Our Adelaide letter', p. 706.

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The value of rate books and multi-scale analysis:

Hotham/North Melbourne case study

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Abstract

Imagine there was a document from nineteenth-century Victoria that could tell you where a person lived and what their house was like, whether they owned it or rented, how big it was, what it was made of and what their occupation was? And what if that document could also tell you all that information about all of their neighbours? And the whole local government area? What if that same archive could tell you what percentage of people in an area rented their properties in one year, and how that changed over the course of a decade, and several decades, including a breakdown of ownership by occupational status? Such an archive does exist: the rate books held by Public Record Office Victoria. This paper explains what rate books are and how they offer multi-scale analysis—the ability to zoom in and out at micro and macro levels. The use of rate books by professional historians to quantify data as evidence of the material development of a local area has received little attention for several decades. This method of analysis can and should be revived. Using samples of evidence from a study of the nineteenth-century rate books for Hotham/North Melbourne, this paper reveals the remarkable details about the development of housing ownership patterns these archives can provide.

Introduction

During the morning tea break at a recent history conference, I met a retired, yet very active, academic historian with a long track record of publications in Australian local/labour history. When I explained my PhD research project—a local/urban history of Hotham/North Melbourne in the nineteenth century, adding that rate books were one of my main archives—his response was: 'How old fashioned!' His comment was not meant as a criticism; he was delighted, as was I.

The popularity of quantifying rate books in academic work has waned over recent decades and yet there is so much they have to reveal about nineteenth-century Melbourne (and, indeed, colonial Victoria). They remain a familiar repository for family historians, answering questions such as where did my ancestor live and when, and what does the size, value and location of their dwelling, and their occupation, tell me about their lifestyle? Professional historians use rate books to ask similar questions about their subjects. However, when it comes to the collection and analysis of large amounts of data from the rate books, a surprisingly short list of academic studies has accumulated.

In this article I provide a sample analysis focusing on the nineteenth-century development of Hotham/North Melbourne. In doing so, I draw attention to how rate books can provide both a micro and macro lens for analysis, providing insight into the street and household level, the unique characteristics of a locality set within a case study, and the particularities of a decade exposed within the frame of long-term trends. Using the quantitative data from rate books in concert with qualitative sources provides a more complete picture of habitation patterns over time.

What are rate books?

The rate books held by Public Record Office Victoria (PROV) are a wonderfully rich source of socio-economic demography, especially expressed in housing patterns. PROV's collection of 8,702 rate books starts in the early 1840s and includes records from boroughs, towns, shires,

municipal districts, road districts and cities across the colony (later state) of Victoria. I am most familiar with the nineteenth-century archives (though PROV holds records up to 1994) and this paper aims to draw attention to their methodological value for that era.

Rate books were (and continue to be, though now in a digitised format) composed by a council employee—the rate collector. In the nineteenth century, the first step in the process was the production of the valuation book. PROV holds 1,331 valuation field books in its vault. Valuation field books often contain more information than rate books, but the paucity of surviving records means that a researcher will often find that years are missing or that no records are available for their chosen locality. In compiling the valuation fields books, the rate collector would literally walk up and down every street, noting the details of properties and determining a rateable value based on improvements to the land and building type and size (though, given the weight of the ledgers, I assume the work was done on a notepad and then transferred). Some valuation books include information about the residence of landlords and the number of people who resided in a dwelling (which are not, generally, included in rate books). While many valuation books have not survived, much of the information they contained was transferred to rate books—great heavy ledgers, often leather bound (see Figure 1).

Figure 1: This 1855 rate book, the first available for Hotham/North Melbourne, does not provide occupation and ownership information or street numbers (which had not yet been assigned); however, improvements are included, such as outbuildings and whether the dwelling had a kitchen. PROV, Melbourne (Town 1842–1847; City 1847-ct) (VA511), VPRS 5707/P0000, Rate Books (Hotham/North Melbourne), 1855.

The purpose of a rate book was to keep track of the annual rate due (a tax based on a percentage of the value of a property) and when it was paid, the latter being recorded in the right-hand column. The more interesting information concerned the property and the people who lived there. The quality of this information varied from year to year and decade to decade. At the very least, notations usually included the street name, name of the resident/owner, type of building (i.e., house, shop, factory, stable, etc.), building material (i.e., brick, wood, lime etc.), number of rooms and annual rate due. Yet, more often than not, rate books also included the street number, the name of a resident (if different from the owner, or the notation of 'self' for owner-occupiers), occupation of the resident/owner and address of the landlord/owner. All of this information can be quantified and analysed.

Literature review

There are some examples of academic studies that privilege rate books: for example, Weston Bate, in his *A history of Brighton* (1962), used statistical data from government records, newspapers, church records and extensive rate book analysis.[1] Nevertheless, there are few sets of data on nineteenth-century Melbourne housing, possibly due to the time-consuming process of data collection such research requires. Exceptions include Graeme Davison's PhD thesis (1969), the precursor to his well-known monograph, *The rise and fall of marvellous Melbourne* (1978), which provides some Melbourne data for 1888–95;[2] John Lack's *A history of Footscray* (1991), which enhanced our knowledge of tenants, landlords and homeowners;[3] and Terry Grigg's 1994 PhD thesis, which analysed tenant and landlord relations from 1889 to 1891 for one ward of Collingwood.[4] Each of these studies used rate book analysis alongside qualitative research. Dingle and Merrett's work in the 1970s on homeowners, tenants and landlords took a quantitative, demographic focus and is limited to six case study areas of Melbourne in the period 1891–1911.[5] Several notable contributions use rate book data to analyse housing patterns outside of Melbourne.[6]

Bate's mixed-methods approach is renowned for having inspired local and urban historians in Victoria for decades; however, only those studies mentioned here have made significant contributions to rate book data for Melbourne.[7] The relative decline of urban history as a discipline and the move to 'transcend urban and national boundaries', as James Lesh put it, has drawn attention away from local studies in which rate books are most useful.[8] They have been at the forefront of heritage

reviews, including for North Melbourne; however, such studies tend not to offer long-term analysis.[9] In general, studies that include long-term big data have been limited to unpublished theses.[10] In relation to Melbourne, what these show are the peculiarities of localised patterns of development, ownership and occupation across the metropolis. With so many areas not yet analysed, let alone subject to any comparative long-term analysis, there is so much more that rate books can reveal.

Multi-scale analysis

To explore and explain the great wealth of information that rate books provide, I will take you on an archival research journey, starting with the individual, then moving to the street, to the broader place, and, finally, to the findings of my long-term analysis, which reveals material and class development over time. I draw my examples from my research, which has made me intimately familiar with the rate books for the municipality of a particular inner area of Melbourne: Hotham/North Melbourne.[11] Having

discouraged First Nations people from residing in the Melbourne area, the Crown sold land dubbed as 'North Melbourne' in the frenzy of the gold rush in 1852. The Municipality of Hotham was established in 1859, changed its name to North Melbourne in 1887 and then rejoined the City of Melbourne in 1905 (in the process dissolving North Melbourne Council). We know the area today as the suburb of North Melbourne (see Figure 2).

We start in terrain that is familiar to family historians, who use rate books to track the residence and occupation of individuals and families. The information provides a strong indication of an individual or family's place in the socio-economic fabric of society. This work can be rather onerous. The process of finding someone listed in the directory (Sands & McDougall for nineteenth-century Victoria) is often more user-friendly. Once you have found them there (or know from another source where they may have lived), establish what municipal area that location was part of at the time, choose a relevant year and locate them in a rate book. The rate books are organised at PROV by local government area.

In this example, we find Thomas Avis, who moved from Carlton to Hotham to set up a cabinet-making business on Errol Street in the 1860s, which is easily located in the Sands & McDougall Directory.[13] To search for his residence in Hotham, I began with the rate book for 1871, which is available to view online.[14] PROV provides digitised, scanned images of every page of rate books for

Figure 2: The area developed by the time the Municipality of Hotham was created in 1859 is highlighted. The border of the entire municipality then runs from Flemington Road to the north and next to the swamp. Map drawn by author.[12]

Figure 3: A zoomed-in portion of part of the information for Chapman Street in 1871, PROV, North Melbourne (Borough of Hotham 1859–1874; Town of Hotham 1874–1887; Town of North Melbourne 1887-1905) (VA3153), VPRS 5707/P0000, Rate Books (Hotham/North Melbourne), 1871–1872.

Hotham/North Melbourne (and many other localities). Handwritten documents are not searchable, and you will be lucky if you find an index at the beginning listing the page numbers for each street. If you know the street where an individual lived, you can scroll through the pages until you find the information for that street, and then find their name. Thomas Avis is listed in the 1871 rate book as landlord to six, three-roomed brick dwellings in Chapman Street, Hotham (see Figure 3).

How the information is organised varies somewhat in rate books. It is wonderful when you find the whole side of one street listed in order; this is how side streets are presented. On long main roads and streets, the list of properties is often broken into sections, as the compiler of the information would take a detour into a side street and re-emerge onto the main road or street. If you don't know the street but the municipality only, you must visually scan down the list of names until you find them. The alternative is to order the hard copy original of the rate book for viewing in the PROV reading room.

Using the hard copy in the reading room can be particularly useful for the second stage: once you have found the household you are looking for in one rate book you can then track them backwards and forwards in time. If they owned their own home and stayed there for many years this can be relatively easy. However, renter households and shopkeepers often moved every few years. Relocating them can be a time-consuming but profitable exercise, as their relocation often coalesced with other life circumstances such as a growing family, the death of a breadwinner, children coming of age to contribute to the family income, an increase or decrease in business success, and other factors.

After locating an individual (or family), you can begin to understand their position within the socio-economic fabric of society by paying attention to the context of the street in which they lived. This is also the beginning of our journey into the terrain of urban, local and social history. This stage requires complimenting the rate book information with other archives to help identify other residents and explain and contextualise the residential development. In this example, I have used Crown land sales, newspapers and council records.

The north side of Chapman Street, where Avis's properties were located, was sold in January and September 1864 (and the southern side a year later in September 1865).[15] Almost all the allotments on Chapman Street were sold to Hotham residents and most of them were not subdivided but instead retained their original frontage of 66 feet (20 metres). The 1871 rate book shows that

the north side of Chapman Street had 15 households interspersed between undeveloped land. Six of these properties were rented and nine were owner-occupied. Alexander McDonald, a carpenter, lived in his four-roomed brick house, and the property also featured a private schoolhouse run by Ann McDonald. The McDonalds were landlord to their neighbour, the future head teacher at Hotham State School No. 459, Daniel Gilchrest.[16] Robert Bellis, a carrier, lived next to Gilchrest. Three large empty allotments followed before reaching the substantial brick house owned and rented out by Mr Yeomans, who also owned one of the undeveloped blocks passed earlier. It stood next door to another two, five-roomed brick houses occupied by their owners, John Cayzer, draper, and Mrs Moir. The artist David Drape and gentleman Henry Southy followed. Next door were two even larger houses, each featuring six rooms, one owned and occupied by John Barwise, already thrice the mayor of Hotham, and John Young, a successful cooper.[17] At the end of the street, Thomas Johnson, who ran a carting business, lived in a large wooden house, the only wooden house on the street, surrounded by his undeveloped land.

By looking at the level of the street we begin to get a sense that Thomas Avis's ownership of six, tenanted, three-roomed dwellings was unique in the overall context of this street, where larger, owner-occupied properties surrounded by substantial blocks of undeveloped land was the norm. Yet, at the same time, Avis was not unique as a local business owner investing in property. Drawing
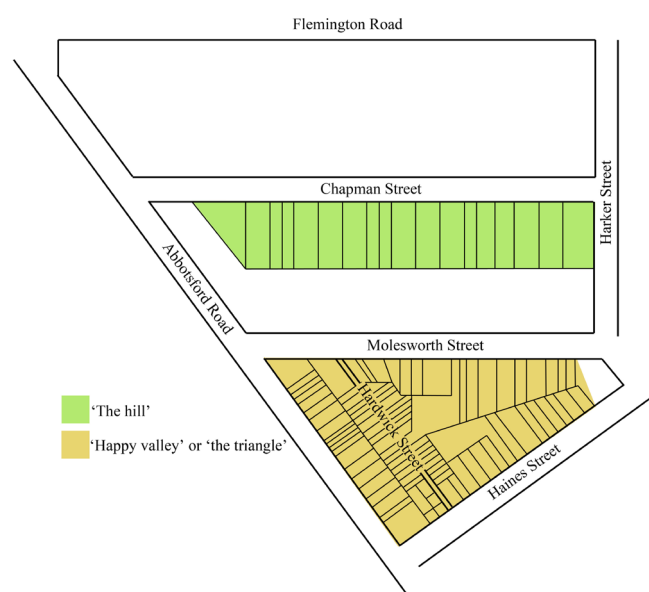

Figure 4: The 'triangle' and the 'hill' case study areas. The size of the blocks pictured are to be considered a visual guide to the pattern of development, not an accurate plan to scale. Map drawn by author.[18]

our lens out further to develop a small case study reveals further complexity to the locality. In this case study, I compare the north side of Chapman Street just described—the 'hill'—with a nearby area of similar size I will refer to as the 'triangle' (Figure 4). By drawing on other qualitative archives, such as newspapers, memoirs and charity organisation records, we start to understand that the realities of living in Hotham were informed by class distinctions sentimentally ascribed to, and materialised in, the urban environment.

The hill, the north side of Chapman Street (where Avis lived), was part of an area dubbed 'Hotham Hill'. Hotham Hill was not an official name; rather, it was a moniker used by residents for a specific section of the borough, and, more obviously still, in advertising to describe areas of Hotham associated with genteel, larger blocks and detached homes.[19] For this reason, Hotham Hill did not denote a subsection or even a series of adjoining streets. Chapman Street—with its hillside land, large blocks and views of the bay—was considered part of Hotham Hill and referred to as such in newspapers.[20] Erskine and Brougham streets, which were also in a more elevated position than surrounding streets, similarly earned the name. Yet properties in Dryburgh Street, in the older area of town, were also considered part of Hotham Hill.[21] This was, in part, a direct consequence of the topography of the land and the advantages of a view from an elevated position. Hotham Hill was clearly associated with privileged benefits, suitable 'for a person who wishes to be in the country and yet within an easy distance of town', explained one advertisement.[22] This social or unofficial division of the suburb provided a mental map that spoke to the class distinctions within Hotham. Other areas of Hotham that featured a predominance of semidetached cottages, terraces, rows of homes with party walls, shops and factories, were excluded from the privileged label.

Representing a similar size in land area to the north side of Chapman Street (the 'hill'), the triangular block down the hill (the 'triangle') was bounded by Molesworth Street, Haines Street and Abbotsford Road, with its narrow intersection of Hardwick Street. This was typical of a part of Hotham that, in the 1870s, according to a journal entry by a Melbourne City missionary, was known as 'Hill Side Alley'. A memoir reveals that by the early twentieth century it was known as 'Happy Valley'.[23] This area, too, was influenced by the natural geography of the land; Haines Street had been a natural creek and the area could be subject to drainage issues.

The triangle was mainly populated by working-class residents and had a similar pattern of ownership to the hill. However, there was a marked difference in terms of physical urban development. In 1871, 58 per cent of the dwellings in the triangle were occupied by their owners.[24] This was marginally higher than the ownership rate (of the occupied properties) on the hill, which was 55 per cent. Here was an aspirational working class, whose hopes were facilitated by living in Hotham. The owners in the valley included labourers, masons, smiths, drapers, dealers, butchers, carters and carpenters; a builder, a cabinet maker, a cabman, a drayman, an engine driver, an engineer, a joiner, a miller, a saddler, a sawyer, a storeman, a toll collector and a watchman also lived there—all having chosen to take advantage of the subdivision of this newly released land to build their own homes.

What we see is a mapping of middle-class sensibilities onto the land on the hill and the working-class response to the opportunity for home ownership in the triangle. The rate books are again instrumental in what they reveal. In the triangle, more than half of the houses were made of wood—a more affordable building material than brick—and the average size was 2.6 rooms, compared to the average on the hill of 4.1 rooms. The value of these smaller properties was, of course, lower than the villas on the hill. The lowest annual rate was £5 while the highest-rated property was £30. The average annual rate of an occupied property on the hill was £35 while in the triangle it was £14. With almost five buildings in the triangle for each one on the hill, the density of development in the triangle was far greater. The yard size in the triangle was considerably less than on the hill. The properties with a higher value in the triangle were on the outer streets, while the smallest was found in Hardwick Street (see Figure 3). The more densely packed triangle also featured more than just residential housing. Although Ann McDonald ran a private school on the hill, this was the only business in the street, creating an atmosphere of private residential living. In the triangle, by contrast, the public sphere conveniently intruded into the residential space. Molesworth and Abbotsford streets both had a bakehouse and a few shops (a drapery, joinery and millinery store on Molesworth Street, and a general dealer and store on Abbotsford Street).[25] The triangle also had a hotel, the Abbotsford Hotel, licensed to Anthony Rohan.[26] This case study gives us a snapshot of the distinct zones of use, ownership and material development that had occurred in Hotham by 1871.

Zooming out further, the next level of analysis of the rate books provides us with a decade-level, long-term view. In my larger project, these quantitative data were paired with qualitative sources. While this paper focuses on extolling

the virtues of rate books, both are crucial. Qualitative research in records such as newspapers, memoirs, correspondence, and local government and charity organisation archives (among others) provides insight into the felt connections and aspirations for the local area that developed over time. In Hotham/North Melbourne there was a persistent aspirational desire that home ownership should be achievable for all hard-working households. The rate books reveal the outcomes of the nineteenth-century property market.

In my research project, a sample of 1 in 10 properties, in rate books spaced 10 years apart from 1861 to 1901, was taken. The sampling of 1 in 10 properties provides a statistically significant data set and is the sampling rate used in the academic studies mentioned earlier. The spacing of the rate books 10 years apart to cover a long period ensures that changes captured over time are more evident and meaningful.

Occupations were categorised according to wage and skill levels and also according to how the type of work resulted in patterns of behaviour, status within the community and expectations of living standards: unskilled (manual labour or low paid), semiskilled (occupations requiring a specific set of skills though not advanced and usually manual), skilled (occupations that required advanced skills in making goods or performing services), traders and lesser professionals (commercial and retail traders), white-collar workers (no manual labour, requiring formal training and/or under the control of the regulatory body) and managerial/professional (large business owners, independently wealthy or professionals).

To facilitate the research in practical terms, I downloaded the digital files of the rate books from PROV and had them printed on A3 paper so that I could make notes directly on the page. I used a multicoloured highlighting system as I counted. The information was then collated into Excel. The data collected revealed patterns of tenancy rates, the occupational make-up of the heads of households and how this changed over time, and the patterns of value, building size and building material of the locality over time.

Taking the 1871 rate book as a snapshot indicative of the development of the area in the 1860s, working-class families with consistent employment had agency in choosing to invest in an affordable home to own, on par with middle-class residents, who also had agency to achieve their goal of a detached villa on a larger title.

There was, however, a sharp divide concerning home ownership within the working-class strata. It was far more likely for unskilled and semiskilled workers to rent than other occupational groups (Figure 5). The average value (of the annual rate) of both rented and owner-occupied properties in 1871 increased with the corresponding income of the occupational category of the resident (Figure 6). Yet there was a great diversity in value between the lowest and the highest valued properties lived in by each occupational group (Figure 6).[27] Family composition—the number of income earners, of children and/or elderly dependants—must have had a great impact on housing decisions and opportunities. Some labourers, and many skilled artisans, were able to achieve
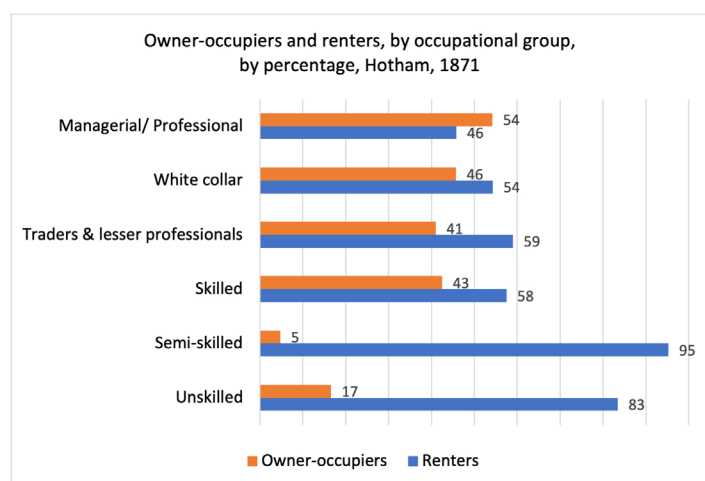

Figure 5: Owner-occupiers and renters, by occupational group, by percentage, Hotham, 1871. Calculated from a 1 in 10 sample of PROV, VPRS 5707/P000, 1871–1872.
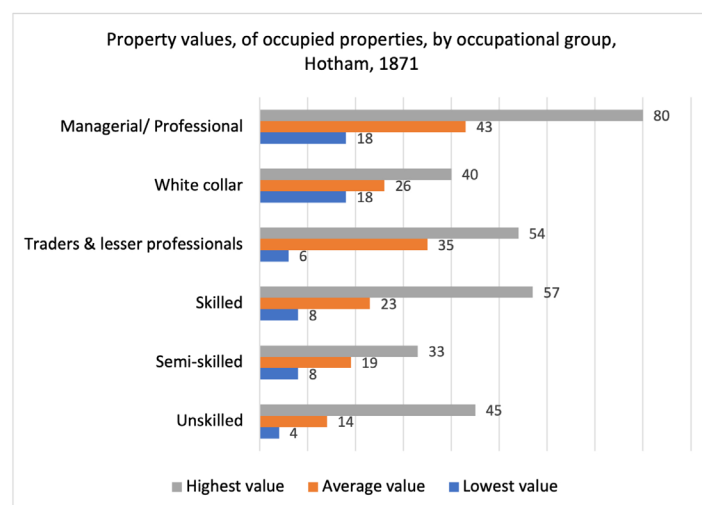

Figure 6: Property values by occupational group, Hotham, 1871. There is a clear pattern linking occupational groups to the average value of homes, yet a considerable variance between the highest and lowest value of homes occupied by each group. Calculated from a 1 in 10 sample of PROV, VPRS 5707/P000, 1871–1872.

not only home ownership but also ownership of one, or even multiple, rental investments next door to their residence. Skilled artisans were also more likely than merchants and traders to own their own homes. This is not necessarily a reflection that shopkeepers and publicans were not as economically stable as skilled workers; it is more likely a reflection that shopkeepers and publicans chose to lease their business premises in which they also lived, because of the flexibility this afforded.

In the long-term context of the development of North Melbourne, drawn from comparing rate book data over decennial intervals from 1861 to 1901, the 1860s is revealed as the period in which equity of home ownership was at its highest level. This is partially explained by there being more skilled workers living in North Melbourne in 1871 than in any other decade in the nineteenth century (Figure 7). Over 40 per cent of skilled workers, traders and lesser professionals, white-collar workers and managerial/professionals owned their own homes (Figure 5). As a whole, however, 65 per cent of residents were renters in 1871.[28]

The gaps in our understanding of Melbourne's property market are shown by comparing this study of North Melbourne with other areas of Melbourne where quantitative rate book data have been collected. Drawing on the academic studies mentioned earlier, in 1891, 48 per cent of residents rented in Williamstown, 61 per cent in Brunswick and 66 per cent in Collingwood. In 1893, 50 per cent of residents rented in Footscray.[29] In North Melbourne 74 per cent of residents were renters in

1891.[30] It is remarkable how high the percentage was, even compared to Collingwood, which was also an inner suburb of (mainly) working-class residents. Dingle and Merrett suggest the average tenancy rate in Melbourne in 1891 was 55.8 per cent, which then increased further in the final decade of the nineteenth century.[31] Tenancy levels in North Melbourne were considerably higher than this level even in the 1880s.

Conclusion

Any deep dive into an archive is time-consuming and this is certainly true of long-term big data collection from rate books. Yet the effort is rewarding. The 'triangle' and the 'hill' case study exemplifies how urbanisation could occur so differently in two areas, side by side in one municipal area, as economic realities led to a diversity of lived experiences. The ability to track trends over an extended period reveals the economic realities of residents, expressed in housing patterns, as they developed. The quantitative data from the rate books concerning occupations, tenants and property owners reveal the outcomes of capitalist forces shaping North Melbourne. North Melbourne's history of housing reveals the development of an underclass of renters, something we should be particularly concerned with given the contemporary rental crisis in Australia today. Comparing these new data with the sparse amount of data available from previous studies suggests the normative trend we thought we knew about tenancy rates in Melbourne can be challenged by collecting and analysing local data. This method can be applied not only to other areas of Melbourne but also across Victoria, in other Australian cities and outside Australia.
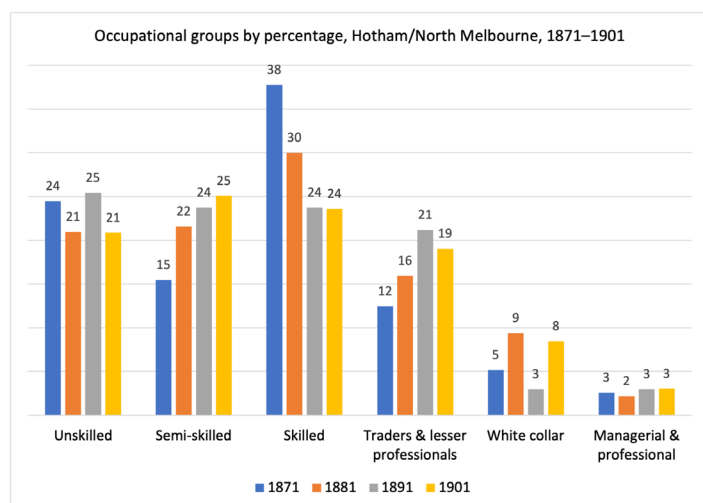

Figure 7: In this graph we can see the occupational profile of Hotham/North Melbourne solidify over the late nineteenth century into the working-class profile it became well-known for by the early twentieth century. Calculated from a 1 in 10 sample of PROV, VPRS 5707/P000, 1871–1872, 1881–1882, 1891–1892, and 1901–1902.

Endnotes

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[9] Lovell Chen, *North Melbourne heritage review*, City of Melbourne, July 2022.

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[12] The following sources were used to create Figure 2: *Jika Jika and Melbourne no. 18* [cartographic material], 1851, Vale collection, State Library Victoria (SLV); Thomas Ham & Co. & Victoria, Department of Crown Lands Survey, *Map of the suburban lands of the City of Melbourne* [cartographic material], 1852, Ham Bros., Litho, Melbourne, SLV; J Brown, J Kearney & D Tulloch, *Melbourne and its suburbs* [cartographic material], 1855, Andrew Clarke, Surveyor General, Melbourne, SLV; Victoria, Public Lands Office, *Town allotments, North Melbourne and Parkside* [cartographic material], 14 October 1858, Public Lands Office, Melbourne, SLV.

[13] Sands & McDougall's Directory, various between 1861 and 1900, SLV.

[14] PROV, VPRS 5707/P0000, Rate Books (Hotham/North Melbourne), 1859–1905.

[15] The north side of Chapman Street (Crown land section 82, allotments 21–39) was sold in January (allotments 19–20) and September (allotments 21–31) 1864. The south side (Crown land section 82, allotments 1–30) was sold in September 1865: PROV, VPRS 11862/P/0001, Reports of Land Sales by Public Auction.

[16] The 1871–72 rate book lists Gilchrest as 'teacher' and it is reasonable to assume that this is the same Gilchrest who became head of No. 459, see *Leader*, 16 June 1883, p. 40.

[17] On Barwise, see Heather McKay, *Men of Hotham: municipal government in North Melbourne, 1859–1905*, Hotham History Project, North Melbourne, 2006, pp. 16–17.

[18] The following sources were used to create Figure 4: *Melbourne and Metropolitan Board of Works, Melbourne and Metropolitan Board of Works detail plan, 754 & 755, Town of North Melbourne* [map], 1897, ID 1162166, filename bw0432 and 753 [map], 1897, ID 1162165, filename bw0431, SLV; PROV, VPRS 5707/P000, 1871–1872.

[19] For example, 'Hotham Hill', *Argus*, 27 August 1868, p. 8; *Argus*, 29 May 1869, p. 1.

[20]   Winsome Roberts, *Molesworth Street: a North Melbourne neighbourhood, 1840–1905*, Hotham History Project, North Melbourne, 2002, pp. 16, 20.

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[23]   Robert West, 'Friday Sep the 1st 1876', journal entry, Records of Melbourne City Mission, 1989.0090, volume/box 13, University of Melbourne Archives; Leslie R. Cassidy, *A life in Happy Valley. Doris May's eight decades of memories*, Leslie R. Cassidy, North Melbourne, 1991.

[24]   PROV, VPRS 5707/P000, 1871–1872.

[25]   PROV, VPRS 5707/P000, 1871–1872; Sands & McDougall's Directory, 1871.

[26]   PROV, VPRS 5707/P000, 1871–1872; *Herald*, 14 December 1871, p. 3.

[27]   This link between occupational status and annual rate value of residences was also noted by Davison, *The rise and fall of marvellous Melbourne*, p. 174.

[28]   Calculated from a 1 in 10 sample of PROV, VPRS 5707/P000, 1871–1872.

[29]   Hotham/North Melbourne figures from a 1 in 10 sample of PROV, VPRS 5707/P000; data for other suburbs from Davison, *The rise and fall of marvellous Melbourne*, p. 239 (collated from studies done by Davison, Dingle & Merrett, and Lack).

[30]   Calculated from a 1 in 10 sample of PROV, VPRS 5707/P000, 1891–1892.

[31]   Dingle & Merrett, 'Home owners and tenants in Melbourne 1891–1901', p. 26.

Land, water and property

surveying the Boort pre-emptive right

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Abstract

Surveyors in colonial Victoria were responsible for turning land into property. The maps and plans they created imposed geometric patterns on landscapes that represented white ownership and control and the appropriation of Indigenous land. Under the 1847 Orders in Council, squatters could apply for survey and purchase of a pre-emptive freehold of at least 160 acres, giving them security over their homesteads, yards and other pastoral 'improvements'. Control of water was a vital part of this process, especially on the dry plains of northern Victoria. Pre-emptive rights typically secured access to reliable water in creeks or rivers, but the law forbade control of dual water frontages to prevent undue monopoly of water supplies. The 'Frederick Byerley Case' provides important insight into the determination of land, water and property boundaries in colonial Australia, and how surveyors negotiated the conflict between private rights and the public interest. In 1857, Frederick Byerley surveyed a pre-emptive freehold at Boort Station on the lower Loddon floodplain. His plan included both sides of the highly ephemeral Kinypanial Creek to incorporate a small weir the station-owners had constructed to capture and hold more water in the creek channel. This inclusion was later deemed unlawful and led to Byerley losing his job in the Survey Department. He protested his dismissal, and a parliamentary select committee was commissioned in 1858 to decide on the case. The case hinged on whether the terminus of the creek was still in its natural state and thus subject to the regulations that prohibited monopolies of double frontages, or if the weir had created an artificial water storage or pond, in which case the regulations would not apply and Byerley's dismissal was in error. The case highlights the complexities of applying imported English laws to topographic features that confounded colonists' implicit assumptions about the permanence of water.

Surveying and mapping are vital first steps in abstracting land and water into private property. The process, which has a long history, accelerated rapidly in the early modern era with the creation of 'neo-Europes' in settler-colonial societies and the dispossession of Indigenous peoples.[1] The lines and angles measured by surveyors created geometric shapes that asserted European ownership of appropriated lands, a process that historian Andro Linklater has described as 'the most potent idea in economic history'.[2] Plans, maps and titles became the legal instruments that regulated and rationalised the process of converting Aboriginal Country into settler leaseholds and freeholds.[3] Western maps and plans were political documents that both described territory and asserted ownership of it. Property created by the control of land and water became not only the private possession of the colonisers but also a commodity to buy, sell, lease and bequeath. Often the new shapes inscribed were at odds with the features of the lands they enclosed because the new arrivals lacked knowledge and understanding of what they sought to control. Here we present one small incident in the settler mapping of Victoria to analyse the tensions between European expectations implied in surveys and the distinctive characteristics of Australian environments.

The process of surveying and selling land in colonial Victoria was complicated by its squatting history. By the time pastoral land was alienated in the 1850s, pastoralists had already been in occupation for nearly 20 years. They had built homes and sheds, stockyards and fences. These were considered 'improvements' and squatters converting parts of their leases into private land had the opportunity to retain their facilities in pre-emptive freeholds. Among the structures that squatters sought to retain were dams and tanks that provided reliable water for horses, sheep and cattle. This was to prove problematic for government officials. It was government policy to maintain equitable access to water to support closer settlement, but where pastoralists had excavated or enlarged existing waterholes or redirected streams, these modifications to the natural flow of water were considered 'improvements' that squatters were determined to retain.

Provision of access to water was an essential part of the colonising process on the dry plains of northern Victoria. Reliable supplies were a crucial element of successful pastoralism in the nineteenth century, but water was often in short supply. Landholders responded to water scarcity by creating earthworks, such as channels, dams, weirs and levees, to capture and divert creek and river flows and retain water for longer periods. Modifications to ephemeral creeks, swamps and lagoons meant that these natural floodplain features became partly cultural places as well, honed to fit human projects and aspirations.[4] Small earthworks created by squatters in the 1840s and 1850s caused subtle but significant changes to local hydrological patterns, turning wetlands into lakes and ephemeral waterholes into semi-permanent ponds. These changes had important consequences for defining water bodies and for delineating land and property boundaries.[5]

The importance and scarcity of water was acknowledged in the strict rules and regulations that governed how access to water was allocated during the survey and sale of pastoral land. The 1847 Order in Council created new laws that regulated the sale and occupation of Crown lands in the Australian colonies. Squatters in 'unsettled districts' could now apply to obtain 14-year leases over their pastoral runs and purchase a pre-emptive freehold of at least 160 acres at a minimum of £1 per acre, giving them much greater security over their runs.[6] Access to secure water was usually included in the pre-emptive allotments in addition to the homestead, yards and other improvements. The order also set out regulations about water frontages on pre-emptive rights that prohibited both sides of any stream from being included within the freehold. The intention was to prevent individual

pastoralists from monopolising water supplies and to promote the 'beneficial occupation and cultivation' of adjoining lands by other settlers.[7] The rules permitted a maximum of 1,760 yards (1 mile) of water frontage in a pre-emptive right of 1 square mile. It gradually became common practice, however, to include both sides of minor creeks, giving half a mile of water frontage, where surveyors believed this would not be detrimental to the public interest (see the case of the Glenalbyn run, below).

The surveying of pre-emptive rights and allocating of water access was closely monitored by all concerned—lease holders, government officials, neighbours and politicians. It could be a contested and public process. Much was at stake, from the livelihood and prosperity of individuals and families, to the careers of politicians conscious of the public cries to make land available for closer settlement. The case of Surveyor Frederick Byerley and the pre-emptive right for Boort Station provides an example of what could go wrong and how an apparently straightforward decision by a local surveyor, one of hundreds made every day, could become the subject of intensive inquiry and scrutiny. This case also provides a glimpse into learning processes in the new colony, as those claiming the land struggled to make sense of the rhythms of the country they were taking. The controversy that engulfed Byerley draws attention to disjunctures and gaps between what the colonists expected based on their experiences of wetter countries elsewhere and what they encountered in Australia. It reveals colonists coming to terms with the new world they found and how they tried to wrestle both the physical environment and their own cultural and legal systems into something they could control.

Boort Station was a squatting run located on Yung Balug/Dja Dja Wurrung and Barapa Barapa Country on the lower Loddon floodplain in northern Victoria. In 1854, leaseholder Henry Godfrey requested a survey to establish a 640-acre pre-emptive right. The following year, Hugh Frazer surveyed the pre-emptive section but, in the process, excluded both the Boort woolshed and a dam at the terminus of Kinypanial Creek. These were 'improvements' that Godfrey wanted to retain as part of his pre-emptive freehold. Godfrey requested changes to the allotment boundary and, in September 1857, Frederick Byerley resurveyed the land, adjusting the pre-emptive right to include the woolshed and two huts, a paddock fence and a section of Kinypanial Creek with the dam. The inclusion of water frontage on both sides of the creek was later deemed unlawful and led to Byerley's downfall. When he lost his job in the Survey Department because of the Boort resurvey, Byerley protested his dismissal on the

grounds of precedent, practicality and his personal integrity. The case led to a parliamentary select committee to inquire into the circumstances of his dismissal and to the creation of a series of detailed maps of the area, now in Public Record Office Victoria.[8]

Byerley's survey at Boort and its aftermath provides important insight into the redrawing of land, water and property boundaries in colonial Australia and how this process created rural landscapes. Surveyors were charged with turning regulations into reality. They set out the lines of roads, fences and farms and defined water bodies. In so doing, they made Country into property and established the shapes of settler occupation.[9] Surveyors navigated the often-conflicting demands of squatters and Crown lands bureaucrats, interpreted laws and regulations often drafted in ignorance of local conditions, and tried to fit these expectations onto remote rural landscapes.[10] The 'Frederick Byerley Case' reveals the contest between private rights and public interest in the colonial era, how ambiguities and tensions in the process of survey, lease and purchase of Crown lands were navigated and negotiated, and the role played by cultural perceptions of waterways.

Boort Station

Henry Godfrey (b. 1824) came to Victoria in 1843 and took up the Boort Station in 1846 in partnership with John Bear. Frederic Godfrey (b. 1828) arrived in Victoria the following year and joined his brother at Boort, until leaving the partnership in 1864. The Boort pastoral run consisted of 64,000 acres (100 square miles) of Loddon River floodplains and large patches of mallee scrub, with the homestead and yards built close to the eastern edge of Lake Boort.[11] The run was bounded by the Loddon River on the east, while boundaries with neighbouring runs were defined by fences, blazed trees and ploughed furrows.[12] The property had an estimated carrying capacity of 12,500 sheep in 1855.[13] By 1863, Boort Station had expanded to 113,400 acres, most of which remained leasehold.[14] Henry Godfrey held the Boort run until around 1871, when Dr Robert Farie purchased the pre-emptive freehold and leased the remainder of the station. By 1874, the run was held by the Armstrong brothers, although land selection had reduced its extent to about 10,000 acres.[15] The final leaseholder of the station was George Holloway, in 1884.[16]

The Godfreys arrived during a wet period when there was abundant water in creeks and swamps. During the dry years that followed in the late 1840s, however, these sources dried up and the Godfreys were keen to improve their water supply. They focused their efforts on Kinypanial Creek, a small, ephemeral channel that originally rose on the northern slopes of granite ranges near Wedderburn and flowed north towards Fernihurst before diverging north-west and terminating in Lake Boort. At one location, the Kinypanial passes close to the Loddon River and, in August 1850, Frederick Godfrey and John Hunter Kerr of the neighbouring Fernihurst Station measured height levels between the two watercourses with the intention of establishing a connecting channel. High flows in the Loddon would enter the cut and flow down Kinypanial Creek towards Boort, scouring the channel more deeply and providing more water for the station. Local Aboriginal people were employed initially, and the excavation of the channel was completed by shearers in September 1850.[17] During the following winter, water flowed through the 700-metre long cutting into Kinypanial Creek and down to Boort.

The white settlers regarded Kinypanial Creek as a peculiar feature of the floodplain. It was both a 'blind' (highly ephemeral) creek and a 'waster', a distributary that diverted high flows in the Loddon away from the river channel and 'wasted' them on the plain.[18] The creek flows for approximately 20 kilometres north-west across the floodplain from the Loddon River to Boort station, with the channel extending several hundred metres into the shallow bed of Lake Boort. 'Lake' Boort is another characteristic feature of the plains. It is one of more than a hundred wetlands in the lower Loddon region that, in its unmodified condition, alternates between high water and being completely dry. Its water levels are now artificially managed; however, previously it had filled every decade or so during flood years, holding water for a few years before entering a dry phase until the next flood. The lake was full when the Godfreys arrived at Boort but slowly dried out and, by 1848, the Godfreys had already taken steps to improve their water supply. They constructed a low weir across the creek channel where a natural waterhole extended into the lake bed not far from the station homestead. The weir captured flood flows and stored more water for longer within the waterhole. Local historian Paul Haw describes how the weir was built from two rows of timber pegs or stakes with rails between and the space packed with soil. Low embankments were constructed back to the edge of the lake from both sides of the weir, enabling the creek to hold more water. Haw suggests that the Yung Balug probably constructed the original weir as a fish trap, similar to examples described in the area by explorer Thomas Mitchell [19] and pastoralist Peter Beveridge near Swan Hill.[20]
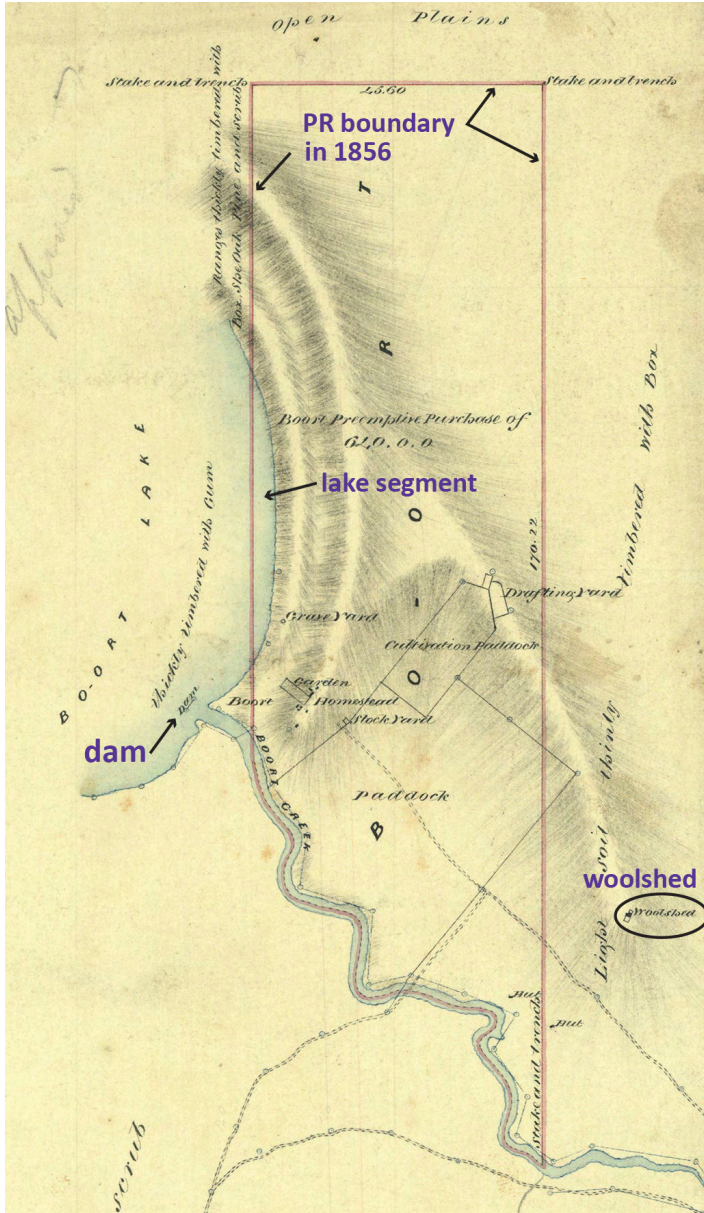
Figure 1: The pre-emptive freehold of Boort Station surveyed by Hugh Frazer in 1856 that includes a segment of Lake Boort but excludes the Godfreys' woolshed. PROV, VPRS 8168 Historic Plan Collection, P0002, GF14, Line of Old Road from Torpichen Korong Goldfields to Boort, Hugh Frazer, 10 May 1856.

Henry Godfrey applied to the colonial secretary for his 640-acre pre-emptive right at Boort Station on 6 January 1854, only a few weeks before he and his wife Mary departed for a two-year trip to England. Frederic Godfrey wrote to the colonial secretary in March 1854 'anxious to know' if the application would be approved, before paying £672 at 21 shillings per acre to the Treasury in December 1854 as purchase money for the pre-emptive

right freehold. Godfrey submitted a livestock return the following year showing the station ran 10 horses, 520 cattle and 12,500 sheep.[21] Hugh Frazer surveyed the pre-emptive right in 1856 and submitted his plan as part of a map that included the pre-emptive right of the Torpichen run to the south and the old road from the Korong (Wedderburn) goldfield to Boort.[22] Frazer's 1856 survey showed the southern edge of the Boort pre-emptive right extending to the centreline of Kinypanial Creek, not the bank (Figure 1). This reflected the riparian tradition of the time, in which property owners adjacent to rivers or lakes held their land 'to the middle of the stream', and prevailing Victorian regulations that prevented landowners from owning both sides of a permanent watercourse.[23]

When Henry Godfrey returned from England in July 1857 he complained about Frazer's survey to the Board of Land and Works. He noted that it excluded his woolshed but included a section of Lake Boort that should have formed the boundary, and thereby he lost 'about fifty acres of land'. He claimed his overseer had remonstrated with Frazer but to no effect. Godfrey requested a resurvey of the section so that he would gain the full 640 acres of land that he had paid for, including his improvements.[24] Accordingly, in September 1857, Frederick Byerley surveyed an alteration of the pre-emptive right. He corrected the western boundary to exclude the arc of Lake Boort and extended the eastern boundary to include the Godfreys' woolshed. He reduced the northern extent of the section and extended the southern boundary to enclose both sides of Kinypanial Creek so that paddock fences and the modified waterhole were included (Figure 2). He submitted his plan to the Survey Office in Melbourne in early December 1857 along with a letter highlighting his departure from the regulations to include the Godfreys' improvements and went on with his work in the district.

Frederick Byerley's dismissal

In April 1858, Byerley received a letter of suspension on the grounds that he had departed from the regulations in giving the Godfreys both sides of Kinypanial Creek. Byerley wrote to the president of the Board of Land and Works, Charles Gavan Duffy, requesting advice about what to do with his field crew, and then came to Melbourne seeking an explanation for his suspension. He called on Charles Ligar, the newly appointed surveyor-general, who denied any suggestion of collusion or favouritism, as imputed by Byerley, and seemed determined to terminate his employment on the grounds of professional misconduct. Ligar's recommendation of dismissal was officially

Figure 2: Frederick Byerley's survey of the Boort pre-emptive right in 1857 marked in pink, which includes both sides of Kinypanial Creek. The yellow line shows the new pre-emptive allotment surveyed by Frederick Harding in 1862, with the right bank of the creek forming the boundary. PROV, VPRS 8168, Historic Plan Collection, P0007, PR: L41, Boort: Lake Boort.

accepted by George Horne, vice president of the Board of Land and Works, on 21 June 1858, on the grounds that Byerley had acted 'at variance with strict honor'.[25]

Byerley responded in several ways to explain his actions, defend his character and clear his name. He formally requested a hearing before the Board of Land and Works, which resulted later in the year in the appointment of a parliamentary select committee. Byerley also wrote to landholders, including Henry Godfrey and John Hunter Kerr, seeking letters of support for his interpretation of the pre-emptive regulations at Boort. He met with friends who would later speak in his defence. In September 1858, he published an eight-page pamphlet, *Statement of Mr. Byerley's case*, to publicly explain the circumstances of his dismissal and pursue his reinstatement. Pamphlets had long been a quick and easy way for individuals to promote their views publicly on myriad subjects, including land and resource management, migration, political rights, trade, education, etc.[26] Newspaper commentary on the matter, however, was modest.[27] Support for a parliamentary inquiry into Byerley's dismissal came from Peter Snodgrass, a politician and pastoralist who had overlanded to Port Phillip in 1838 and had long advocated for the squatters' interests. Snodgrass was convinced that the affair was a mistake and that Byerley's character was not in doubt.[28]

Byerley's dismissal and the subsequent investigation came at a time of great turmoil in Victoria, with the gold rushes igniting massive changes to the social, environmental, economic and political fabric of the new colony. There were rapid changes to the administration and management of Crown lands during this period, with the expansion of non-Aboriginal settlement and growing demand for agricultural land posing a range of complex legal, bureaucratic and practical problems. There was also a shift in responsibility for land matters during the 1850s from the governor and parliament to the colonial bureaucracy. The Board of Land and Works oversaw the Department of Crown Lands and Survey. The main task of the department was the transfer of public land into private hands by sale, lease or grant, and raising government revenue in the process. However, the need for accurate land surveys ahead of white settlement created delays in the process, which was exacerbated by the high demand for skilled surveyors on the goldfields. By late 1858, when Frederick Byerley's case was examined by a select committee, the minister in charge of lands was Charles Gavan Duffy, sitting as president of the Board of Land and Works. The minister met with Surveyor-General Charles Whybrow Ligar and Deputy Surveyor-General Clement Hodgkinson. These two bureaucrats in turn oversaw the large organisation that the lands department had become. Office staff in 1857 included more than 40 clerks, accountants, draftsmen and lithographers, while the field branch included more than 80 surveyors.[29]

Select committee

Parliament voted on 29 October 1858 to appoint a select committee to examine the circumstances of Byerley's dismissal. The committee included a range of senior political figures, including wealthy pastoralists and businessmen. Charles Ebden was the colonial treasurer, Charles Gavan Duffy was president of the Board of Land and Works and later served as premier, and John O'Shannassy was chief secretary (or premier). The committee sat on 18 separate occasions between 2 November 1858 and 10 February 1859, with Peter Snodgrass chairing most meetings. Fifteen witnesses were called to testify, including Crown lands bureaucrats, Henry and Frederick Godfrey, and Byerley himself on three occasions. The key question the committee grappled with was whether the terminus of Kinypanial Creek at Lake Boort was in its natural state and, thus, subject to the regulations of the 1847 Order in Council that prohibited monopolies ('undue command') of double frontages, or whether Frederick Godfrey's cutting and dam had created

an artificial water storage at the point at which the creek entered the lake. In the latter case, the regulations would not apply, the Godfreys would be entitled to have their 'improvements' included in the pre-emptive freehold, and Byerley's dismissal would be in error.

Underlying the committee's questions and the evidence provided were implicit assumptions about the permanence of watercourses. White settlers expected that streams, rivers and lakes always held water, no matter the season. The problem faced by colonists was that rivers and lakes in northern Victoria are often ephemeral and can be dry for years at a time. Regulations based on permanent watercourses required considerable interpretation to fit the circumstances on the ground. Determining the status of Kinypanial Creek as a watercourse was, thus, of paramount importance.

Frederick John Byerley was born in London in 1826. He arrived in Port Phillip in 1841 and spent much of the next decade as a station manager on William and George Coghill's properties north of Ballarat, before entering the Survey Department in October 1852 at the height of the early gold rush. He worked first in the Geelong region and then at Ballarat, before taking charge of the Dunolly district in 1857 as assistant surveyor.[30] In that year alone he prepared plans of 10 townships and three cemeteries, and conducted topographic surveys of the Creswick, Clunes and Dunolly goldfields.[31] For a brief period, he also supervised the survey work of William John Wills, later of Burke and Wills fame.[32]

Byerley was the first witness called before the select committee on 2 November 1858. He began his evidence by noting that, when conducting surveys in remote districts, strict adherence to the regulations was unworkable and of little consequence. Kinypanial Creek, in his view, was 'extremely indistinct' and only traceable in parts by a 'dotted line of timber', and thus did not constitute a watercourse under the regulations (Figure 3). Inclusion of both sides of the creek in the pre-emptive freehold was his suggestion, not Henry Godfrey's. Byerley had submitted his plan of Boort in December 1857 and heard nothing more for five months, assuming the matter had been approved. He pointed out that the Godfreys' dam in the swamp meant that water was stored in the creek for only a short distance upstream, which did not preclude future landholders from making their own dams higher up the creek as well. He stressed that the partial permanency of water in the creek was due to the cutting and the dam, which were 'material improvements', meaning the creek was no longer in its natural condition and no longer a watercourse within the meaning of the regulations. Even

Figure 3: The faint channel of Kinypanial Creek at the end of summer. Photograph by P. Davies.

if his plan was in error, he submitted that the maximum penalty should have been resurvey at his own expense, rather than dismissal.[33]

Byerley was also aggrieved at his treatment because there were numerous precedents for departing from the regulations for laying out pre-emptive rights that had been approved by the minister, including examples involving enclosure of both sides of a creek. After his Boort survey in 1857, for example, Byerley had marked off a pre-emptive section for Rev. William Hall on his Glenalbyn run, located further south of Boort near Inglewood. This 480-acre section enclosed both sides of the ephemeral Kingower Creek to include Hall's improvements, and the survey was approved.[34] The situation prompted Acting Surveyor-General Clement Hodgkinson to issue a departmental circular in November 1857 demanding strict adherence to the rules, with infringements to be corrected at the surveyor's expense.[35] The circular, however, made no mention of preventing occupation of both sides of a watercourse, while the 1847 Order in Council clearly forbade it. This put surveyors like Byerley in an awkward position, uncertain if they should follow the strict letter of the law or continue with the informal practice of including both sides of highly ephemeral, indistinct creeks in pre-emptive freeholds.

The committee then called Surveyor-General Charles Whybrow Ligar as a witness. Ligar was born in Ceylon in 1811 and worked on the British Ordnance Survey in Ireland as a young man before his appointment as surveyor-general of New Zealand in 1841. Later, he went to Otago, hoping to acquire land and gain the post of provincial surveyor, but he made numerous enemies in the process. [36] In his *History of Otago*, AH McLintock described

Ligar as 'a pompous and ... shallow' man.[37] Ligar subsequently came to Victoria and was appointed surveyor-general in March 1858.[38] He had an unsavoury reputation as an opportunist who exploited his position to engage in dubious business practices. He invested heavily in livestock and land, including a lease of 3 million acres in the Riverina, and, in 1862, he reserved land along the Goulburn River adjacent to property he owned, hoping to benefit from an increase in river traffic.[39] Ligar's heavy-handed suspension of Frederick Byerley on 16 April 1858 occurred after only two weeks in the job as surveyor-general, and may have been an early attempt to assert his authority in the new position.

Ligar based his views and actions on the opinions of others, admitting that the closest he had been to Boort was Bendigo, more than 100 kilometres away. He acknowledged that surveyors of pre-emptive rights carried only general letters of instruction rather than detailed directives to allow them discretion and judgement in individual circumstances. Ligar insisted that, even though Kinypanial Creek was very faint, covered with vegetation and almost indistinguishable from the surrounding land, it was nevertheless 'a natural watercourse' that provided the only permanent water for a wide distance around Boort. He denied that the Godfreys' dam had modified the creek terminus into a pond and claimed that such improvements gave no right to exclusive use or access. Frederick Byerley was, he maintained, wrong to include both sides of the creek in the Godfreys' freehold.[40]

Charles Ligar relied heavily upon the views of departmental surveyors William Swan Urquhart and Clement Hodgkinson. Urquhart had worked in central Victoria for many years and was familiar with its landscapes, although his only visit to Boort had been a few weeks earlier when water levels were high. He believed the Godfreys' dam, which was actually underwater within the flooded lake at the time of his visit, was 'perfectly useless' for water storage and that Kinypanial Creek remained in its natural state. Byerley, in his view, was in error.[41] Clement Hodgkinson was a career public servant who worked for many years administering Victoria's land laws. He was appointed acting surveyor-general in October 1857 and deputy to the surveyor-general, Charles Ligar, in March 1858.[42] Hodgkinson had paid a brief visit to Boort a week or two before the committee sat when water levels were still high. He concluded that the terminal reach of Kinypanial Creek at the lake was simply 'an elongated lagoon' and thus a natural feature that should have formed a property boundary. He also conceded, however, that numerous pre-emptive plans had been resurveyed in previous years to deal with water frontage issues, where

the surveyor had not been dismissed. Nevertheless, he insisted that Byerley had shown 'a very great want of judgment' and, as a district surveyor, he deserved severe censure including dismissal.[43]

Despite this opposition to his actions and character, Byerley had numerous supporters. John Hunter Kerr wrote to him in April 1858, advising that Kinypanial Creek was highly unreliable, even with the channel linking it to the Loddon River.[44] Henry Godfrey stressed that he was entitled to 'the dam, woolshed, and huts' in his pre-emptive right at Boort and that negative views of Mr Byerley's character were entirely unjustified.[45] Four witnesses also testified before the select committee on Byerley's integrity and honour, including physician and scientist Dr Godfrey Howitt and naval officer Captain John Greenlaw Foxton.[46] Alexander Skene was the district surveyor at Geelong and had supervised Byerley's work in the district for several years previously. Skene came to be one of the most respected and influential public servants in Victoria, eventually succeeding Charles Ligar as surveyor-general in 1869.[47] He reported on Byerley's survey and found that the dam was a 'material improvement' that the Godfreys were entitled to have included in their pre-emptive freehold. The dam turned the lower part of the creek into 'an artificial pond', meaning it was no longer a watercourse within the meaning of the regulations, and thus Byerley's actions were correct.[48]

The select committee reported on 10 February 1859 and found in Byerley's favour by a 4:3 majority. The report concluded that Byerley:

1. had produced an accurate survey of the Boort pre-emptive right

2. had received excessive punishment

3. had been dismissed without justification

4. was a gentleman of strict integrity and honour

5. should be reappointed and compensated.

However, there is no evidence that Byerley regained his position in the department. Instead, he became a contract surveyor in Victoria and New South Wales, before moving to Rockhampton in Queensland in 1861 where he worked as a land surveyor and agent, and later as a road engineer. In 1867 he edited the journal of Frank and Alexander Jardine on their 1864 overland expedition from Rockhampton to Cape York. He also published a slim volume on the principles of water supply and construction.[49] He married Constantia Paterson in Victoria in 1877 and died in Queensland on 15 March 1897.

Contesting land and water

The Byerley case occurred during a time of 'wrangling and disorder' in Victoria, as the surging gold rush population demanded access to land, water, minerals and other natural resources.[50] By the early 1850s most of the productive land in the Port Phillip region was still controlled by around 800 squatters.[51] The result was widespread political agitation and popular demand for land reform, especially among gold diggers seeking their own rural property. The Eureka rebellion in 1854 was driven in part by the 'land grievance' of miners denied the opportunity to purchase and farm their own land.[52] In 1857, the Land Convention sought to abolish existing pastoral occupation and establish selection before survey to 'unlock the lands'.[53] Yet, it was the squatters and surveyors who understood most clearly the environmental possibilities and limits that the northern plains held for white settlers.

Most disputes over pastoral runs related to overlapping, indistinct and contested boundaries, with commissioners appointed in the early 1850s to resolve disputes between squatters.[54] However, as we have seen, the case of Frederick Byerley was a dispute between a government surveyor and the department for which he worked. It was a study in ambiguities and uncertainties, reflecting colonisers' imperfect knowledge of northern Victoria's physical landscapes at the time. The 1847 Order in Council on squatting runs specified that only one side of a watercourse could be included in pre-emptive freeholds, thus forming a property boundary. The departmental circular issued by Clement Hodgkinson in November 1857, however, made no mention of this condition. Surveyors in turn were provided with general guidelines on pre-emptive rights but no detailed instructions. Their task was to interpret land laws and frontage rules and create property boundaries, despite the uncertainty of how these should apply in the physical conditions of Victoria's northern plains. As Byerley observed to the select committee, 'circumstances alter cases'.[55]

The crux of Byerley's case was whether Kinypanial Creek was still in its original condition or if alterations had made it an artificial water body. If the lower part of the creek was simply an 'elongated lagoon', and thus natural, it was subject to the frontage regulations and could not be enclosed on both sides in a pre-emptive freehold. If this was the case, then Byerley had been mistaken in his survey. Alternatively, if the creek had become an artificial pond created by the Godfreys' interventions, it was no longer a natural watercourse but rather an 'improvement' they could include in their pre-emptive right, which would mean that Byerley was correct.

Protagonists and antagonists in the Byerley case wanted clarity but the landscape would not provide it. An 'elongated lagoon' along a stream was clearly natural, but in this case the stream itself was elusive. It was fed by floodwaters, not springs, and was frequently dry. Its ephemeral character was evident to anyone who knew the country because its course was 'full of flooded gums which perfectly proves that it has been dry for many seasons'.[56] It was 'easily ridden over without being traceable', and 'any person … would ride over it, and take no notice of it'.[57] Just as importantly for pastoralists, it was a poor boundary, 'the stream being no fence for cattle or horses, being fordable in all places'.[58] Charles Ligar, resident less than a year in this dry country, saw firm lines on Byerley's map and looked for a familiar water-filled creek. Long-term colonists were more wary and asked: 'Is water that disappears to be considered permanent?'[59] How could something with no water be considered a watercourse, and thus a boundary?

There was also uncertainty about the status of Lake Boort, with those involved in the case calling it variously a lake, a swamp or a marsh. The natural filling and drying of ephemeral wetlands like Boort rendered them ambiguous features of the landscape, neither entirely land nor fully water. The ebb and flow of swamp margins made them, like ephemeral creeks, uncertain land boundaries. It was difficult to impose a Western property and farming system on such a fluctuating waterbody.[60] The Crown often ignored the natural function of wetlands and expected them to be either drained for agriculture or filled with water as lakes.[61] Smaller wetlands were retained for water supply in dry regions or where the cost of improvement appeared unjustified. These areas remained unreserved Crown land.

Witnesses at the Byerley select committee were at pains to explain the country to distant authorities in Melbourne, some of them newcomers to the colony who had never visited Boort or had seen it only in wet years. The 'lake' itself was not really a lake but a 'gum swamp heavily timbered with large trees' where sheep grazed in dry years.[62] The creek was only a line marked on the map. On the ground at Boort it was a line of red gums that was no barrier to livestock and no reliable source of water. When there was water in the creek there was water everywhere and fencing off the lagoon would not prevent others from gaining access.

The riparian tradition of frontages and water access derived from the 'wet country' landscapes of the United Kingdom,[63] but this did not always translate well to the much drier conditions of inland Australia. Waterbodies

were often highly ephemeral, with flowing creeks and winter swamps drying out in summer. In places where a stream flowed clear and strong, the waterway provided an obvious boundary marker, but when a creek rarely flowed and was only a faint depression in a floodplain, it was much less certain how to apply the rules of land, water and property. Pastoralists built a range of channels, levees and weirs on creeks, rivers, swamps and billabongs, trying to modify water flows to their advantage. Deliberate alterations to natural flows did not necessarily make these watercourses permanent, however, only less ephemeral. Their status as waterbodies remained ambivalent, simultaneously both natural and artificial, temporary and permanent, improved and unimproved. Frederick Byerley was one of those caught in the marginal space between fixed, old-world expectations and the unknown rhythms of an unfamiliar land.

Endnotes

[1]   Alfred W Crosby, *Ecological imperialism: the biological expansion of Europe, 900–1900*, Cambridge University Press, Cambridge, 1986. See also James Belich, *Replenishing the earth: the settler revolution and the rise of the Anglo-world, 1783–1939*, Oxford University Press, Oxford, 2009; Andro Linklater, *Measuring America*, HarperCollins, London, 2002; Andro Linklater, *Owning the earth: the transforming history of land ownership*, Bloomsbury, London, 2013; Joseph M Powell, *The public lands of Australia Felix: settlement and land appraisal in Victoria 1834–1891*, Oxford University Press, Melbourne, 1970; Simon Winchester, *Land: how the hunger for ownership shaped the modern world*, William Collins, London, 2021

[2]   Linklater, *Measuring America*, p. xix.

[3]   The corollary to settler possession is the dispossession of Aboriginal people. For early discussions of this see Paul Carter, *The road to Botany Bay*, Faber and Faber, London, 1987; Denis Byrne & Maria Nugent, *Mapping attachment: a spatial approach to Aboriginal post-contact heritage*, Department of Conservation and Environment NSW, Sydney, 1989.

[4]   Matt Edgeworth, *Fluid pasts: archaeology of flow*, Bloomsbury, London, 2011.

[5]   Defining rivers and river channels for legal purposes remains contested between lawyers, geomorphologists and land developers (see e.g. Mark Patrick Taylor & Robert Stokes, 'When is a river not a river? Consideration of the legal definition of a river for geomorphologists practising in New South Wales, Australia', *Australian Geographer*, vol. 36, no. 2, 2005, pp. 183–200; Elizabeth Lamaro, Robert Stokes & Mark Patrick Taylor, 'Riverbanks and the law: the arbitrary nature of river boundaries in New South Wales', *Environmentalist*, vol. 27, 2007, pp. 131–142.

[6]   Phillippa Nelson & Lesley Alves, *Lands guide. A guide to finding records of Crown land at Public Record Office Victoria*, Public Record Office Victoria, Melbourne, p. 143; Order in Council, 9 March 1847, Chapter II, Section 6. Powell notes, however, that La Trobe refused to issue the 14-year leases, opposing the interests of powerful pastoralists. See Powell, *The public lands of Australia Felix*, p. 27.

[7]   Order in Council, 9 March 1847, Chapter II, Section 7.

[8]   PROV, VA 2878, Crown Lands Department, VPRS 5359, Pastoral Run Files 1840–1878, Boort Run, 9 January 1854; PROV, VA 2878, VPRS 8168, Historic Plan Collection, P0002, GF14, Line of Old Road from Torpichen Korong Goldfields to Boort, Hugh Frazer, 10 May 1856; PROV, VA 2878, VPRS 8168, Historic Plan Collection, P0007, PR: L41: Boort: Lake Boort, Frederick Byerley, 12 October 1857; PROV, VA 538, Department of Crown Lands and Survey, VPRS 8168, Historic Plan Collection, P0002, Run 11; Boort, RH Shakespear, September 1863.

[9]   Yung Balug and their kin continued to live alongside Lake Boort and Kinypanial Creek for many years after the Godfreys' surveys enclosed their Country. Boort Station served as an Honorary Correspondent Supply Depot in the 1860s and 1870s and Yung Balug also lived at John Hunter Kerr's Fernihurst Station into the 1860s. See Andrew Long & Ian D Clark, *Victorian Honorary Correspondent Supply Depots: a preliminary historical and archaeological investigation*, Andew Long and Associates Heritage Matters Pty for Aboriginal Affairs Victoria, Melbourne, 1999; Elizabeth Willis, 'People undergoing great change: John Hunter Kerr's photographs of Indigenous people at Fernyhurst [sic], Victoria', *La Trobe Journal*, vol. 76, 2005, pp. 49–73. Yung Balug people today maintain an ongoing connection to Country at Boort. Their responsibility to care for and heal Country has been acknowledged in a Recognition and Settlement Agreement and they are working to restore natural flows of water to Kinypanial Creek and Lake Boort. A more detailed discussion of water on Yung Balug Country is the subject of a separate paper being co-authored with Yung Balug people.

[10] Iain M Stuart, 'The surveyor's lot: making landscapes in New South Wales', *Australasian Historical Archaeology*, vol. 25, 2007, pp. 43–55; Raymond Wright, *The bureaucrats' domain: space and the public interest in Victoria, 1836–84*, Oxford University Press, Melbourne, 1989.

[11] The Boort region is a borderland between the granite ranges of the Great Dividing Range to the south, the riverine plains of northern Victoria to the east, the shallow lakes and floodplains of the Murray River corridor to the north, and the sandy soils and rolling dunes of the Mallee to west. For a discussion of the history of white settlement in the Mallee proper, see Richard Broome, Charles Fahey, Andrea Gaynor & Katie Holmes, *Mallee country: land, people, history*, Monash University Press, Melbourne, 2019.

[12] PROV, VA 2878, Crown Lands Department, VPRS 5359, Pastoral Run Files 1840–1878, Boort Run, 9 January 1854.

[13] 'Return to address: Mr. Fawkner—8th June 1855', *Crown land licenses*, Parliament of Victoria, Melbourne, 1856, p. 54.

[14] PROV, VA 538, Department of Crown Lands and Survey, VPRS 8168, Historic Plan Collection, P0002, Run 11; Boort, RH Shakespear, September 1863.

[15] 'Mount Hope', *Leader*, 3 October 1874, p. 7d-e.

[16] RV Billis & AS Kenyon, *Pastoral pioneers of Port Phillip*, Macmillan and Company, Melbourne, 1974, p. 157; Paul Haw & Margaret Munro, *Footprints across the Loddon Plains. A shared history*, Boort Development Incorporated, Boort, Vic, 2010, pp. 279–304.

[17] Haw & Munro, *Footprints*, p. 298.

[18] *Report from the Select Committee upon Mr Frederick Byerley's Case, Together with the Proceedings of the Committee, Minutes of Evidence and Appendices*, Parliament of Victoria, Melbourne, 1858–59, p. 30.

[19] Thomas L Mitchell, *Three expeditions into the interior of eastern Australia; with descriptions of the recently explored region of Australia Felix, and of the present colony of New South Wales*, Volume II, facsimile of second edition (1839), Libraries Board of South Australia, Adelaide, 1965, p. 153.

[20] Peter Beveridge, *The Aborigines of Victoria & Riverina*, Lowden Publishing Co., Melbourne, 2008, pp. 89–91.

[21] PROV, VPRS 5359, Pastoral Run Files, Boort Run, 11 January 1855.

[22] PROV, VA 2878, VPRS 8168, Historic Plan Collection, P0002, GF14, Line of Old Road from Torpichen Korong Goldfields to Boort, 10 May 1856; Haw & Munro, *Footprints*, p. 285.

[23] 'ad medium filum aquae', see Sandford D Clark, 'Australian water law—an historical and analytical background', PhD thesis, University of Melbourne, 1971, pp. 60–63.

[24] Select Committee on Frederick Byerley's Case, Appendix A, p. i.

[25] Select Committee on Frederick Byerley's Case, p.9.

[26] Frederick J Byerley, *Statement of Mr. Byerley's case*, W Fairfax & Co., Melbourne, 1858; Eileen Chanin,

Book life: the life and times of David Scott Mitchell, Australian Scholarly, Melbourne, 2011, p. 218.

[27] 'The Survey Department', *Age*, 24 September 1858, p. 6d; 'Parliamentary intelligence', *Argus*, 30 October 1858, p. 7a-b.

[28] A Gross, 'Snodgrass, Peter (1817–1867)', in *Australian dictionary of biography*, vol. 2, Melbourne University Press, Melbourne, 1967, p. 455; 'The dismissal of Mr. Byerley', *Proceedings of the Legislative Council and Assembly of Victoria*, Session III, 1858–1859, 14 October 1858, p. 41.

[29] Registrar-General's Office, *Statistics of the colony of Victoria for the year 1857*, Parliament of Victoria, Melbourne, 1858–59, pp. 60–62; Wright, The bureaucrats' domain, p. 80.

[30] Registrar-General's Office, *Statistics of the colony of Victoria for the year 1858*, Parliament of Victoria, Melbourne, 1859, p. 49.

[31] *Return of surveyors' field work in 1857*, Parliament of Victoria, Melbourne, 1857–58, p. 4.

[32] 'Mr William John Wills', *Age*, 13 November 1861, p. 5e.

[33] Select Committee on Frederick Byerley's Case, pp. 1–4.

[34] Ibid., p. 4; PROV, VPRS 8168, Historic Plan Collection, P0002, Run 1343; Glenalbyn; Byerley.

[35] Select Committee on Frederick Byerley's Case, Appendix A, p. ii.

[36] Joseph M Powell, 'Ligar, Charles Whybrow (1811–1881)', in *Australian dictionary of biography*, vol. 5, Melbourne University Press, Melbourne, 1974, pp. 85–86.

[37] AH McLintock, *The history of Otago*, Whitcombe and Tombs, Dunedin, 1949, p. 400.

[38] Victoria government gazette, vol. 43, 30 March 1858, p. 605.

[39] Wright, The bureaucrats' domain, p. 130.

[40] Select Committee on Frederick Byerley's Case, pp. 8–16.

[41] Ken James, 'The surveying career of William Swan Urquhart, 1845–1864', Provenance: The Journal of Public Record Office Victoria, vol. 8, 2009; Select Committee on Frederick Byerley's Case, p. 40.

[42] HW Nunn, 'Hodgkinson, Clement (1818–1893)', in Australian dictionary of biography, vol. 4, Melbourne University Press, Melbourne, 1972, pp. 403–404; Wright, The bureaucrats' domain, pp. 99-211.

[43] Select Committee on Frederick Byerley's Case, p. 20.

[44] Ibid., Appendix A, p. iii.

[45] Ibid., p. 34.

[46] Mary H Walker, 'Howitt, Godfrey (1800–1873)', in *Australian dictionary of biography*, vol. 4, Melbourne University Press, Melbourne, 1972, pp. 435–436; DB Waterson, 'Foxton, Justin Fox Greenlaw (1849–1916)', in *Australian dictionary of biography*, vol. 8, Melbourne University Press, Melbourne, 1972, pp. 569–570.

[47] Joseph M Powell, 'Skene, Alexander John (1820–1894)', in *Australian dictionary of biography*, vol. 6, Melbourne University Press, Melbourne, 1976, pp. 131–132.

[48] Select Committee on Frederick Byerley's Case, p. 29.

[49] Frederick J Byerley, *Narrative of the overland expedition of the messrs. Jardine, from Rockhampton to Cape York, Northern Queensland*, JW Buxton, Brisbane, 1867; Frederick J Byerley, *Notes on water supply, and the principles of construction of water works*, Gordon and Gotch, Brisbane, n.d.

[50] Powell, *The public lands of Australia Felix*, p. 51.

[51] *The squatters' directory, containing a list of all the occupants of Crown lands, in the intermediate and unsettled districts of Port Phillip*, Edward Wilson, Melbourne, 1849; 'Return to address: Mr. Fawkner—8th June 1855'.

[52] Gold Fields' Commission of Enquiry, *Report of the Commission Appointed to Enquire into the Condition of the Gold Fields of Victoria*, Parliament of Victoria, Melbourne, pp. xiv–xix.

[53] Powell, *The public lands of Australia Felix*, pp. 66–67.

[54] RV Billis & AS Kenyon, *Pastoral pioneers of Port Phillip*, Stockland Press, Melbourne, 1974, p. vii

[55] Select Committee on Frederick Byerley's Case, p. 6.

[56] Ibid., p. 7.

[57] Ibid., pp. 2, 17.

[58] Ibid., p. 2.

[59] Ibid., p. 43.

[60] Kylie Carman-Brown, *Following the water: environmental history and the hydrological cycle in colonial Gippsland, Australia, 1838–1900*, ANU Press, Canberra, 2019, p. 193; Rod Giblett, *Postmodern wetlands: culture, history, ecology*, Edinburgh University Press, Edinburgh, 1996, p. 4.

[61] Peter Cabena, *Victoria's water frontage reserves: an historical review and resource appreciation*, Department of Crown Lands and Survey, Melbourne, 1983, p. 47.

[62] Select Committee on Frederick Byerley's Case, pp. 3, 5, 32.

[63] Michael Cathcart, *The water dreamers: the remarkable history of our dry continent*, Text, Melbourne, p. 259.

Forum articles

Tracing ancestral voices

Kendrea Rhodes grew up in Victoria and has researched her family history for over a decade. She now lives in South Australia where she works as a researcher, artist and writer. In 2019 she enrolled at Flinders University, Adelaide, to improve her skills, knowledge and research methods. 'Tracing ancestral voices' is an edited composition from Kendrea's unpublished honours thesis. Continuing with her studies at Flinders University, Kendrea is currently undertaking doctoral research into the history and narratives of the Ballarat Asylum.

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Abstract

'Tracing ancestral voices' outlines a genealogical research journey involving memory, emotion, history and archival research. It demonstrates the reclamation of lost ancestors and their stories, covering the inevitable highs and lows of archival research. Resources employed during this research include the archives, databases and websites of Public Record Office Victoria, Birth Deaths and Marriages Victoria, the Department of Health and Human Services, and other government resources.

At the centre of this research are the author's grandfather, Charles William Stott/Hicks, and great-grandmother, Ethel Blanche Hicks. Just days before passing away in 2008, Charles had whispered into the ear of his great-grandson: 'You can't choose your family.' Those curious words were the inspiration for the author's family history inquiries. The research started with birth and death certificates, eventually leading to state ward records. These revealed that, in 1924, Charles, aged five, and his siblings, had been made wards of the state of Victoria. To understand possible causes for this, numerous public document collections and institutional records were analysed and cross-referenced to show how details and discrepancies can be used to support hypotheses and speculation.

Reader warning: the terms 'mentally deficient' and 'illegitimate', which some may find offensive, are used in some of the records. They are used here to offer insight into the historical context of the era.

My family history research journey started with a whisper from my grandfather, just days before he passed away. His words seeded emotion, interest and purpose, eventually growing into solid questions like: What happened to his birth family? Why did he become a ward of the state?

Family history research has the potential to grow rapidly from a seed of an idea into a forest of information, generating many avenues for exploration. My foray began online with genealogy databases, like Ancestry.com, that provided instant overviews of information and resources. I saw myself as an archival archaeologist hunting for the material remains of my ancestors to ask them why they did what they did, unaware that I teetered on the slippery rim of my own contextual biases, expectations and emotions. Although Ancestry.com produced fast results, I required specific and detailed archival research and support. For that I turned to Public Record Office Victoria (PROV), Births Deaths and Marriages Victoria (BDMV), the National Archives of Australia, TROVE, the Department of Health and Human Services (DHHS), and government websites such as Find & Connect. After headbutting

several archival boundaries along the way, I learned that archival records can only tell you so much. The rest is up to you.

Charles William, my grandfather

In 1924, at the age of five, Charles William Hicks became a ward of the state of Victoria and rapidly lost touch with his birth family. For the remainder of his childhood, his homelife cycled through places like the Royal Park Depot and various care homes throughout Melbourne.[1] As an adult, he went by the surname of his last foster family and did not personally seek out his birth family.

In 2008, my 89-year-old grandfather, Charles William Stott, lay in his hospital bed chatting intently to my five-year-old son. Charles had had an extraordinary life, and he was enjoying himself, surrounded by his children, grandchildren and great-grandchildren.

At one point, Charles whispered into my son's ear: 'You can't choose your family.' This poignant moment, just days before my grandfather's passing, proved to be the catalyst of many years of research. My grandfather's comment propelled me through copious archives and family memories and, eventually, to tertiary education. Back then, though, I knew none of that. I just appreciated a beautiful moment of genealogical embodiment between a great-grandfather and his great-grandson.

'You can't choose your family'

The question arose as to which family my grandfather was alluding to—his birth family, boarding-out families, foster family or us? It took a while to decide, but in 2015 I began historical research into Charles's birth family. I started with his parents, Ethel and James Hicks, because, after all, their actions affected *all* of Charles's subsequent families. I had in my possession something that I thought was a pretty good lead—a copy of Charles's birth certificate that he obtained in 1990.[2] In 2015, it felt like a golden beacon of light glowing with significance. I devoured the details ravenously: Charles's birthdate, address in Mildura, the names and ages of his three older siblings, and details about his parents—their names, marriage date, occupations, ages and birthplaces.

I had not thought about my grandfather's past until that poignant moment in 2008, but his daughter, my aunt, had often thought about his birth family. In the 1980s, my aunt made numerous unsuccessful attempts to find them and had almost given up when she came across a missing person advertisement in Melbourne's *Sun* newspaper. The person who placed the advertisement was Mary Hicks, Charles's older sister. After a few phone calls, a Hicks family reunion was organised to gather the few remaining siblings and their families together.

The reunion had been fun for us kids, belting about a lush green park in Daylesford, eating ice-cream, and cheese and vegemite sandwiches. But it was not enjoyed by all. From that modest gathering my grandfather had discovered his surname, birthdate, birthplace, his parents' names (James and Ethel Hicks), that his father had disappeared, and that his mother had retrieved his sisters from state care, but not him or his brother. An upsetting revelation. After the reunion, Charles's siblings still felt like strangers to him and he lost contact with them, deliberately this time. Sometimes you *can* choose your family.

Traces: birth and death certificates

A decade after the Hicks siblings' reunion, my grandfather applied for his birth certificate with help from my aunt. Curiously, the certificate listed his parents as James William Hicks and Blanche Rosina Hicks.[3] While I favoured the authority of the birth certificate, something niggled regarding the name Ethel, mentioned at the Hicks family reunion. Charles's sisters knew their mother in later life, so they would not get her name wrong. I began wondering whether Blanche and Ethel were two different people.

To discover Charles's mother's identity, I used other information from his birth certificate as search parameters on the website of BDMV. For example, his mother's maiden name (Rodier), birthplace (Yarragon), and age (34 years in 1918, therefore born around 1885). These details produced both birth and death certificates that supported the name of Ethel Blanche[4] and, in combination, they helped to confirm that Ethel Blanche was also Blanche Rosina (shown later in this essay). In addition, Ethel's death certificate contained important biographical information about her life and death, such as the names of her children with James Hicks, and the fact that she had had three husbands.

While the birth and death certificates were useful for plotting milestone events, the relative futility of searching for motivations and emotions within the storage systems of institutional archives and public recordkeeping soon became apparent. It dawned on me that the certificates I had did not contain Charles's or Ethel's words. They contained commonly recorded information about them in the words of others. I had revelled in the elation of hitting some kind of jackpot with Ethel's death certificate— ironically, it was as if I had found a living, breathing person who was about to reveal her motivations and feelings. But these records were never going to do that.

Stephen B Hatton says that 'documents are traces that need to be understood as such and only then used to interpret the past'.[5] I mulled on that in conjunction with Judith Butler's thoughts on traces—that they might be 'at once lost and found'[6]—and, eventually, understanding crystalised. I had not found my great-grandmother. Nor had I found her words or thoughts. What I had discovered were traces. And gaps between the details of each trace would require interpretation and speculation. With this realisation, I felt I had lost her again.

Public Record Office Victoria

My research needed to go deeper. More ancestral traces, more documents, more ways to interpret their actions. So, I turned to PROV. It started as a digital relationship, perusing collections and information on the website. I familiarised myself with privacy laws and PROV processes and record categorisations, such as agencies and record series. As I altered my expectations from looking for answers to slowing down and following traces and clues, the value of the PROV collections increased exponentially: there is a distinct advantage to waiting, as, in time, more and more public records become open, digitised and accessible to the patient researcher.

My first online enquiry with PROV drew a succinct, informative and non-judgemental response (no mention of my overzealous inclusion of absolutely everything I knew).[7] In a nutshell I asked for information regarding the whereabouts of Charles's biological family between 1923 and 1925. PROV staff informed me that Charles's care-leaver documents were non-government institutional records and not necessarily held at PROV; they suggested that I visit the Find & Connect website. They also confirmed that records about Charles's parents, Ethel and James Hicks, were held at PROV.

Court, gaol and Find & Connect

PROV reading room, North Melbourne

The records of the Fitzroy Court revealed that James had been gaoled for 14 days for abusing Ethel in October 1923 (Figure 1).[8] These records provided names, dates and places that I used to search TROVE, an online database containing 'collections from Australian libraries, universities, museums, galleries and archives'.[9] TROVE returned fruitful results on the incident, which was reported in two Melbourne newspapers, the *Argus* and the *Age*. Besides providing details of court proceedings and James's sentencing, Ethel was also reported to have said that James 'was a good man when sober'.[11]

From the court records and newspaper reports I began speculating that James's relationship with alcohol was problematic and might have caused issues for the family, possibly leading to the commitment of the children to the state. This kind of information was exactly what I was looking for, so why did my speculation feel empty?

I decided on a new direction and contacted Find & Connect in search of Charles's state ward records. Find & Connect, as its website states, provides 'history & information about Australian orphanages, children's Homes and
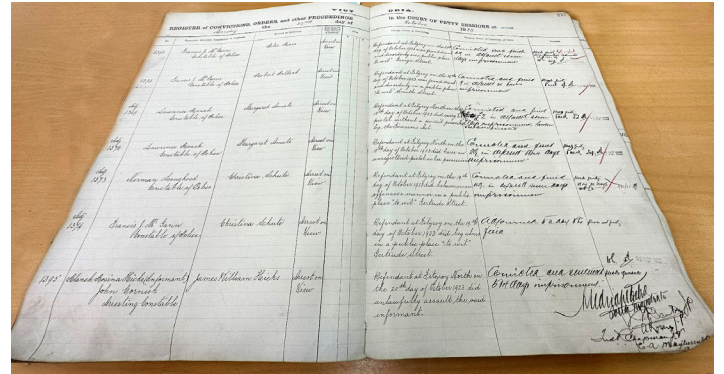

Figure 1: Fitzroy Court records pertaining to James William Hicks's sentencing, 20 October 1923, PROV, VPRS 6059/P0001/1395. The bottom line, number 1395, is Hicks's record.

other institutions'.[12] The website was a boon to my family history research, offering many new resources, quality articles, photographs and historic details. After investigations, the Find & Connect staff informed me that Charles's state ward records still existed; however, to read them, I would have to apply to the government department that created them—DHHS.[13]

Department of Health and Human Services

As might be expected, applying to a government department for family records requires accuracy, diligence and patience. After thorough identity checks and information exchanges with DHHS over a few months, I received photocopies of all the Hicks children's state ward records in the post (Figure 2). Redacted versions of Charles's siblings' records were included because their contents revealed general family details that were not on Charles's record.

Upon opening the long-awaited package, I took the time to appreciate the glorious green pages, flowing cursive script, meticulous columns and index markings on the 90-year-old records. The physical copies I held in my hands represented a pinnacle moment, but it was not an end-goal achievement—not with my newly adjusted expectations. The state ward records enabled the piecing together of fragments, traces and the shrinking of silences. For example, I discovered that, for a period of eight years from the age of five, Charles had moved frequently in and out of homes and institutions across Melbourne in suburbs like Collingwood, Preston, Clifton Hill, Ringwood and Royal Park. He eventually settled into a more permanent foster home at the age of 13, where he stayed until adulthood. In light of this information, it seems reasonable for Charles to have taken this foster
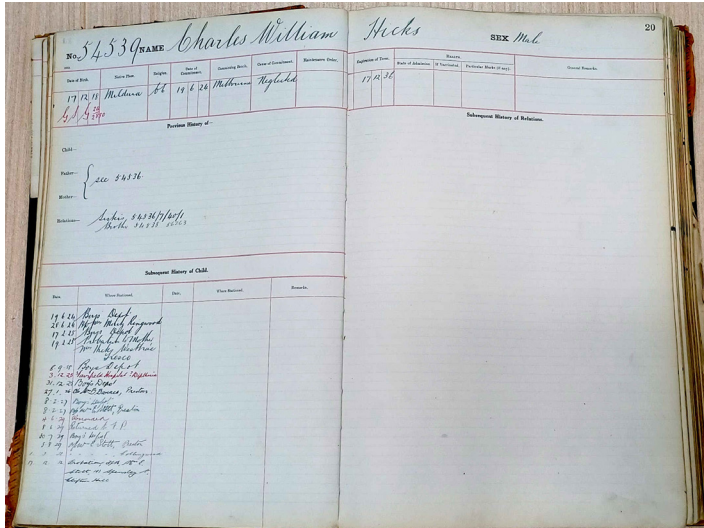
Figure 2: 1924 state ward registry entry for my grandfather, Charles William Hicks, PROV, VPRS 4527, 54539.

Figure 3: 1924 state ward registry entry for Mary Florence Hicks, PROV, VPRS 4527, 54536.

family's surname, as they represented the only stable home he had known in his youth.

Mary Florence and state ward records

Figure 3 is an excerpt from the state ward registry entry of my grandfather's sister, Mary Florence Hicks. Mary's record contains information about their parents that did not appear on the other Hicks children's records, which is why it is included in this analysis. There are three points of interest on Mary's record:

1. 'Father: James William Hicks, labourer, has been sentenced to imprisonment for assaulting his wife.'

2. 'Mother: Blanche Rosina Christensen, now Hicks, is mentally deficient, came from Mildura with children.'

3. 'Child: is apparently illegitimate but the other five children born after parents' marriage'.

The first point is corroborated by the Fitzroy Court documents (see Figure 1). Coupled with a further comment on Mary's record that James had 'cleared out from his wife and children',[14] this point adds weight to speculation of poverty and housing issues for the family. The second point contains several pertinent details. First, it provides a link to Ethel's death certificate through the name Christensen. Second, the mention of Mildura provides a link to Charles's birth certificate, as his place of birth. Third, it describes Ethel as mentally deficient, a recurring description in other sections of the Hicks children's state
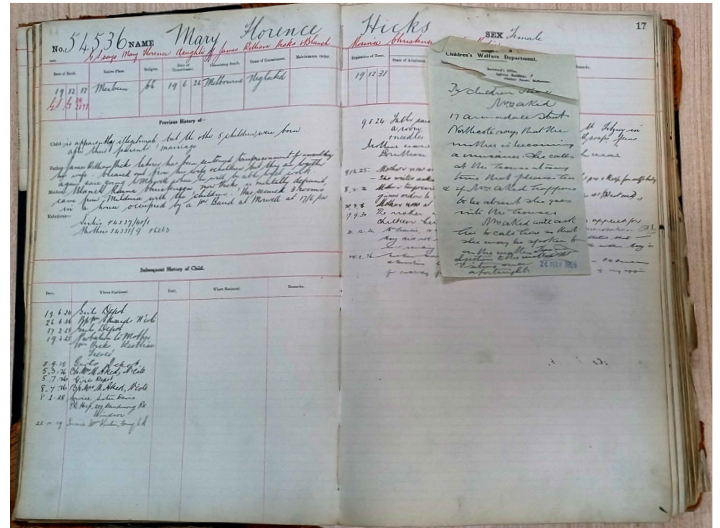
ward registry entries. Historian Naomi Parry raises an important point for consideration in relation to the term 'mental deficiency' and its use in the first half of the twentieth century in Australia:

> mental deficiency was used … [to describe people with an] intellectual disability, social problems, criminality and even unconventional sexual behaviour, such as sex before marriage. It should not be assumed that people labelled 'mentally deficient' were intellectually or otherwise disabled—some 'mental defectives' were noted to be 'high grade', or of normal intelligence, but behaved in ways authorities could not accept.[15]

The third point highlights Mary's illegitimacy, which, obviously, was relevant to the state record keepers despite her parents' subsequent marriage. Why? Was Mary's 'illegitimacy' a sign of Ethel's flawed character and unacceptable behaviour? Did it signal Ethel's and James's flawed values? Considering the likely values of the time, in which, as Colin James puts it, 'legitimacy [was promoted] as the proper and "natural" status',[16] illegitimacy could reasonably be considered *improper* and *unnatural*. Thus, having an illegitimate child could have resulted in Ethel being labelled as mentally deficient.

Handwritten voices

When I first read my ancestors' handwritten state ward records,[17] I made instant judgements from my own historical context. I assumed that statements like 'illegitimacy' and 'mental deficiency' were subjective opinions because they were handwritten. In the same way, I presumed that Charles's birth certificate was accurate

because it was typed, having been reproduced in 1990.
[18] I had applied a subconscious bias that equated
officialdom and accuracy to the familiar format of a typed
document. Nevertheless, value teemed within these faulty
assumptions because they stimulated questions, further
research and new knowledge.

It became clear that the veracity of the documents in my
possession required crosschecking to test Mary's recorded
status as illegitimate. I retrieved Mary's birth certificate
and compared her birthdate—19 December 1913[19]—to
the date of Ethel and James's marriage as recorded on
Charles's birth certificate—11 April 1912.[20] According
to this easy comparison, Mary was born after her parent's
marriage, so why would the state record keepers describe
her, aged 10, as illegitimate? I almost dismissed the
comment as a mistake, but eventually took the path of
due diligence and pursued other source documents. It
was the handwritten records that inspired my directional
pivot—there's something sublime about handwriting,
hinting at a flow of temporal human connections, of words
captured the moment they are spoken. I realised that
those handwritten records may be the closest I will ever
get to hearing my ancestors' voices.

Identity, legitimacy and divorce

Further research was required to determine Ethel's
identity and Mary's legitimacy, so I sourced and compared
13 documents: 1906, Christensen marriage (BDMV); 1913,
Christensen divorce (PROV); 1914, Hicks marriage (BDMV);
1913 and 1918, Mary's and Charles's birth certificates
(BDMV) (see Figure 4); seven Hicks children's state ward
registry records from 1924 and 1926 (DHHS, now PROV);
and Ethel's 1960 death certificate (BDMV).[21]

Ethel's death certificate indicated she had been married
prior to her marriage to Hicks, so I searched for her
previous marriage, attempting to align dates. What I found
answered other questions about her identity. Ethel Blanch
Rodier of Yarragon married Andrew Martin Christensen in
Melbourne on 25 September 1906.[22] Seven years later,
in July 1913, divorce documents were filed in the Supreme
Court of Victoria by Andrew Christensen, accusing Ethel of
cohabiting with James Hicks (see Figures 5 and 6).[23] The
divorce documents referred to Ethel Blanche Christensen
and Blanche Christensen as the same person. Together
with the information from Ethel's death certificate about
her children and marriages, and Charles's birth certificate
listing his mother as 34-year-old Blanche Rosina Hicks,
née Rodier,[24] it is clear that Ethel and Blanche were the
same person.

Figure 4: Birth certificate for Mary Florence Hicks, BDMV, 5962/1913.
Second line, numbered 393 on the left, note the blank space under
'When and where married'.

The Christensen divorce papers provided enough detail to
source Ethel and James's official marriage certificate from
BDMV, enabling confirmation of their marriage date. The
decree nisi of the Christensen divorce became absolute
in March 1914 and Ethel and James's marriage certificate
was dated one month later, in April 1914.[25] However,
Mary's official birth certificate was dated 19 December
1913, four months prior to her parents' marriage.[26] In
addition, a column on Mary's birth certificate concerning
parentage, titled 'where and when married', was left
blank (see Figure 4). If I had *only* looked at Mary's birth
certificate, I may well have dismissed the omission of
her parent's marriage as human error and settled on
the marriage date of 11 April 1912, listed erroneously on
Charles's birth certificate. But, in the company of other
documents, the omission on Mary's birth certificate
became a clue hinting at misdirection.

From my analysis of these documents, I concluded that
Mary was born before her parents' marriage and would,
therefore, have been considered 'illegitimate' in that era.
In my naivety, I assumed the status of illegitimacy would
have diminished after her parent's marriage; however, the
stigma of illegitimacy punched right through that first
decade of Mary's life with all its weight, to be recorded
in perpetuity on her state ward registry record in 1924.
Mary's illegitimacy suggests a certain permanence to the
title, maybe even a punishment bestowed upon birth and
a warning for future 'unwed parents'.[27] In the context
of the times, these are plausible grounds for Ethel and
James to inform the record keepers of a false marriage
date of 1912 instead of 1914 when registering Charles's
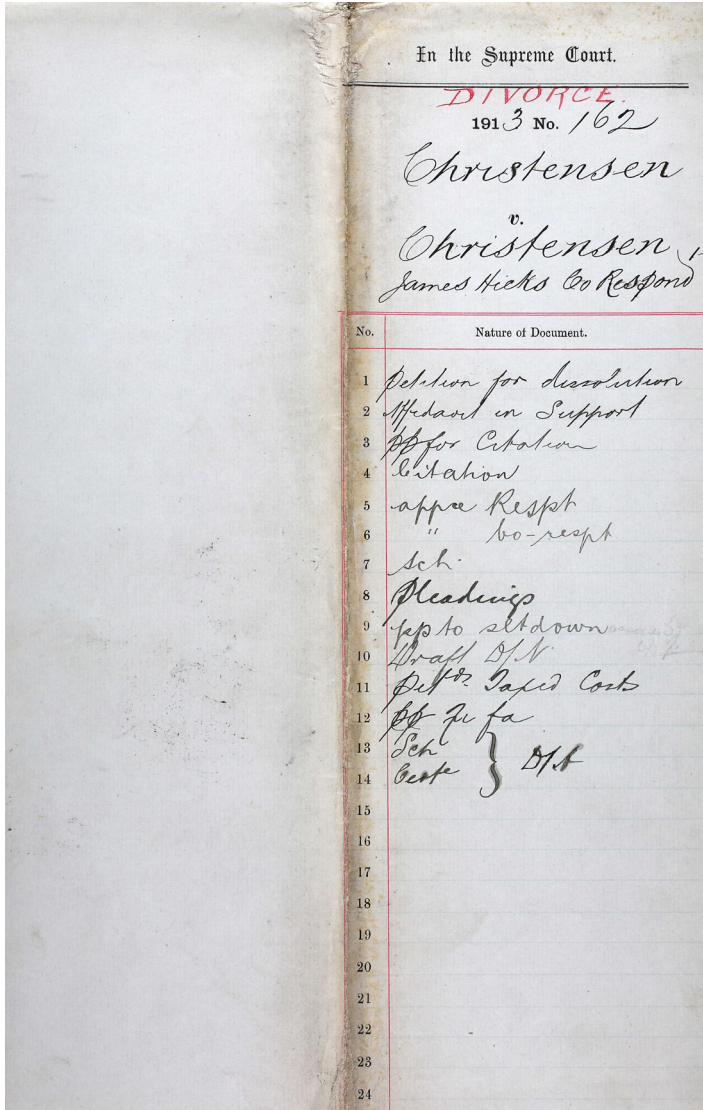birth. This action may have eased the stigma of

Figure 5: Divorce, Christensen v. Christensen & James Hicks, co-respond., PROV, VPRS 283, 162/1913.

Figure 6: Divorce decree absolute, Christensen v. Christensen & James Hicks, co-respond., PROV, VPRS 283, 162/1913.

illegitimacy that not only labelled Mary and Ethel but washed over them all.

Informants

My incredulity grew over concerns about inaccuracies on archived documents: how could a false marriage date be recorded on official records? Then I remembered Kath Ensor's cautions in her *Provenance* article entitled 'Family and social history in archives and beyond'.[28] In essence, once documents are compared, cross-referencing can flush out frequent errors like omissions, misspelled names, wrong dates and incorrect statements.[29] Ensor
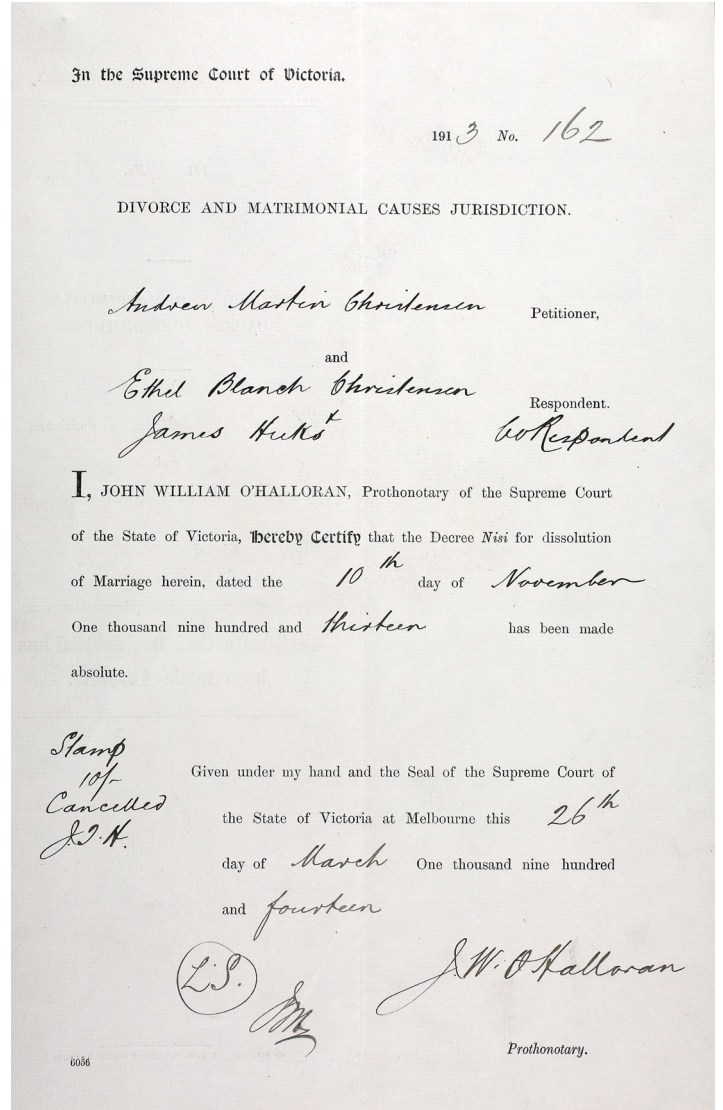
says that, although Victoria has had a 'system of civil registration' since 1853, 'the information recorded is only what the informant knew and in some cases is very scant or incorrect'.[30] Therefore, it makes sense that the knowledge, motivations and literacy levels of informants, and the record keepers of the time, could have influenced the accuracy of the records that I was relying upon. The informants in my case were my great-grandparents, James and Ethel, and, given the social norms of the era concerning adultery and illegitimacy, it seems reasonable that they might have wanted to hide those details.
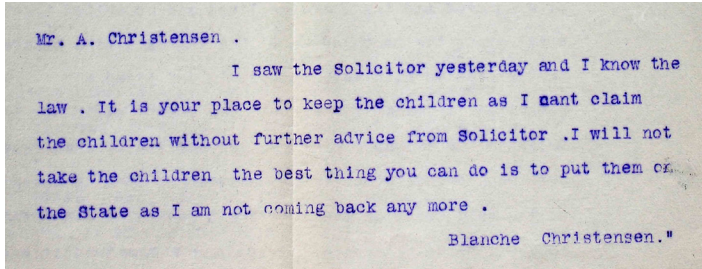
Figure 7: Ethel's note (signed Blanche Christensen) to Andrew regarding their children, PROV, VPRS 283, 162/1913.

Put them on the state

The divorce documents for Ethel and her first husband, Andrew Christensen, contained interesting details, highlighting far more of Ethel's character than I expected.[31] While much of the discussion is beyond the scope of this essay, I would like to touch on one statement concerning the three children that Ethel and Andrew had together.

Figure 7 is a copy of a note by Ethel that was used as evidence in Andrew's claim of irreconcilable differences. Ethel states: 'I will not take the children the best thing you can do is to put them on the State as I am not coming back any more [sic].'[32] A number of scenarios present themselves as possible explanations for this line: for example, it could have been written on the advice of Ethel's solicitor; putting children 'on the State' may have been common for people in Ethel's situation; it may have been what Ethel wanted—to be separated from her children as well as Andrew. In any case, it suggests that putting children 'on the State' was not an unfamiliar route for Ethel and James to take.

What did I learn?

My initial reason for approaching PROV, BDMV, DHHS, Find & Connect and other sources was to discover why my great-grandparents had abandoned my grandfather. The unravelling results of my research added layers of complexity to this initial question and showed me that there were no straightforward answers. So I began to speculate, using public and institutional records as guides. As the number of documents in my possession increased, I was able to refine my speculative thinking and produce evidence to support possibilities and timelines. I found out that:

1. My great-grandmother's name was Ethel Blanche Hicks and she was married three times; my great-grandfather was her second husband.

2. My great-grandfather, James William Hicks, was jailed for violence under the influence of alcohol and was an unreliable provider and caregiver, likely contributing to the family's separation.

3. Six of Ethel and James's children were committed as wards of the state of Victoria on 16 June 1924, and one of those children was my grandfather, Charles William Hicks.

4. Charles's sister Mary Florence Hicks was born before her parents were married and while Ethel was still married to Andrew Christensen.

5. Before her children with Hicks came along, Ethel had suggested putting the children of her previous marriage 'on the State',[33] presumably making them wards of the state of Victoria.

6. Ethel likely ran afoul of social norms in the era regarding sex before marriage and adultery, which may have led to her 'mental deficiency' label.

Using these details, I have imagined, speculated and fictionalised the events and emotions[34] that led to the abandonment of my grandfather. At face value, resorting to speculation may seem like admitting to failure; however, it is exactly the opposite. It was not that long ago that my grandfather seemed lost to me—and my great-grandparents were neither lost nor found. Now, by contrast, Charles, Ethel and James are ethereal traces on my cognitive pathways, blossoming from public documents: birth certificates, ward records, marriage certificates, divorce papers, death certificates. Each milestone is a red-topped pin on a life cycle roadmap, connected by strings of speculation. My grandfather lives on in my memory, larger than ever before, while my great-grandparents' newly birthed presence blooms in the dreamy thickets of my imagination.

Conclusion: good gaps and boundaries

Charles William Stott (Hicks) died on Anzac Day in 2008, surrounded by the family he chose. While his life and death have been catalysts for my work, my family history research is not about origins anymore. It is about processes, emotions, mystery and the research journey. I've joined a few dots, located people and places, and generated extra gaps: smaller gaps between many more records; acceptable gaps that sit naturally within the boundaries of archival research; natural silences that we all take with us when we go; emotions, thoughts, reasoning, dreams and memories. I was never going to find definitive answers to my questions, but now the nuanced gaps teem with possibility rather than impossibility.

Endnotes

[1] PROV, VA 1467 Children's Welfare Department, VPRS 4527, Ward Register (known as Children's Registers 1864–1887), 54539, Hicks, Charles William, 1924, https://prov.vic.gov.au/archive/VPRS4527#.

[2] Victoria, birth certificate, Charles William Stott, 80549/1990, copy in possession of author.

[3] Ibid.

[4] Victoria, birth certificate, Ethel Blanche Rodier, 29931/1885; Victoria, death certificate, Ethel Blanche Harris, 11193/1960.

[5] Stephen B Hatton, 'Genealogy's assumptions about written records and originality', *Genealogy*, vol. 5, no., 1, 2021, p 3, doi:10.3390/genealogy5010021.

[6] JP Butler, 'Introduction', in J Derrida & G Spivak (trans.), *Of grammatology*, The Johns Hopkins University Press, Baltimore, 2016, p. x.

[7] PROV Access Services Team, personal communication, 10 April 2015.

[8] PROV, VA 2303 Court of Petty Sessions/Magistrates' Court, VPRS 6059/P0001/1395, Police/Arrest Registers (Melbourne), 28 January 1923 to 19 November 1923, https://prov.vic.gov.au/archive/86B19B7A-F4E7-11E9-AE98-793A85D45000#.

[9] TROVE, 'About', available at https://trove.nla.gov.au/about, accessed 20 August 2023.

[10] 'Afraid of drunken husband', *Argus* (Melbourne), 23 October 1923, p. 13; 'An affrighted family', *Age* (Melbourne), 23 October 1923, p. 11.

[11] 'An affrighted family'.

[12] Find & Connect, homepage, available at https://www.findandconnect.gov.au/, accessed 22 January 2024.

[13] The records have since moved to PROV: VPRS 4527, State Ward Register.

[14] PROV, VPRS 4527, 54536.

[15] Naomi Parry, 'Mental deficiency (1905–1960)', available at https://www.findandconnect.gov.au/ref/nsw/biogs/NE00992b.htm, accessed 13 April 2023.

[16] Colin James, 'Winners and losers: the father factor in Australian child custody law in the 20th century', *Legal History*, vol. 10, nos 1–2, 2006, pp. 207–238, doi:10.3316/ielapa.335597852544605.

[17] PROV, VPRS 4527, 54536–541, 1924.

[18] Victoria, birth certificate, Charles William Stott.

[19] Victoria, birth certificate, Mary Florence Hicks, 5962/1913.

[20] Victoria, birth certificate, Charles William Stott.

[21] PROV, VA 2549 Supreme Court of Victoria, VPRS 283, Divorce Case Files 1860–1940, (Christensen v. Christensen) 162/1913; PROV, VPRS 4527, 54536–541, 1924; PROV, VPRS 4527 56263 (Kenneth John Hicks), 1926; Victoria, birth certificate, Charles William Stott; Victoria, birth certificate, Mary Florence Hicks; Victoria, death certificate, Ethel Blanche Harris; Victoria, marriage certificate, Blanche Rosina Christensen and James William Hicks, 214/4795 1914; Victoria, marriage certificate, Ethel Blanche Rodier and Andrew Martin Christensen, 984/6216 1906.

[22] Victoria, marriage certificate, Ethel Blanche Rodier and Andrew Martin Christensen.

[23] PROV, VPRS 283, (Christensen) 162/1913.

[24] Victoria, death certificate, Ethel Blanche Harris; Victoria, birth certificate, Charles William Stott.

[25] Victoria, marriage certificate, Blanche Rosina Christensen and James William Hicks.

[26] Victoria, birth certificate, Mary Florence Hicks.

[27] James, 'Winners and losers, p. 212.

[28] Kath Ensor, 'Family and social history in archives and beyond', *Provenance: The Journal of Public Record Office Victoria*, no. 9, 2010, pp. 16–26, https://prov.vic.gov.au/explore-collection/provenance-journal/provenance-2010/family-and-social-history-archives-and-beyond, accessed 13 April 2023.

[29] Ibid., p. 17.

[30] Ibid.

[31] PROV, VPRS 283 (Christensen) 162/1913.

[32] Ibid.

[33] Ibid.

[34] KL Rhodes, '"You can't choose your family": a fictocritical palimpsest of family stories', honours thesis, Flinders University, 2022.

Reshaping the Yarra

unrealised plans and visions for the Port of Melbourne

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Abstract

Government archives, like those held at Public Record Office Victoria (PROV), provide documentary sources that allow us to visualise changes to natural and built environments over time. Using maps and plans from PROV's collection, this article explores plans and decisions associated with the Yarra River and the developing Port of Melbourne from the 1850s to 1973. The article explores changes to the course of the river and the surrounding area, as well as proposals for changes that were never implemented.

Government archives, like those held at Public Record Office Victoria (PROV), provide us with documentary sources that allow us to visualise changes to natural and built environments over time. Through PROV's vast holdings of survey maps, plans for development and associated documents, it is possible to visualise these changes as they were discussed and approved, or not, by government authorities. As well as tracing the history of actual changes, it is also possible to examine some of the ideas for changes that never eventuated, either because they were too fanciful or because circumstances changed, rendering them unfeasible, undesirable or otherwise invalid.

While the documentary evidence of the changes that actually took place can allow us to understand the choices and decisions that have led to the natural and built environment we have today, and what may have been lost forever as a consequence, looking at those that never eventuated can tell us a great deal more. First, it can show us an alternative urban landscape (both natural and built) that might have been. Second, it can tell us about the concerns and ideas of those who envisaged a future urban environment, about what they saw as desirable or possible at the time, and the reasons for why these were not transformed into reality.

One of the sites that we can use to explore this approach is the lower Yarra River, which became the site for the developing Port of Melbourne. A natural feature shaped by centuries and millennia of natural forces

and the First Nations people who interacted with it, the river and its surrounds was suddenly disposed to the ambitions of civil engineers deploying the technological capacity to literally plan the course of major waterways and transform the natural environment for purposes such as more convenient shipping, trade, industry and commerce. This landscape, because it is so central to the city, also attracted visions and plans for broader urban and infrastructural development that was dependent on reclaiming land and altering the waterways that would serve this development. Most of these plans or proposals originated from within the colonial and state government, but others originated from enthusiastic individuals with interests or skills in urban planning, transportation or shipping who submitted their ideas to government officials for consideration.

Various histories have been written on how the Yarra has seen relatively rapid transformations all along its course in the past 200 hundred years that have been, in one way or other, brought on by colonists and immigrants seeking to impose a new order on this natural landscape. Kristin Otto has covered much of this in her 2005 book, *Yarra: a diverting history of Melbourne's murky river*.[1] Other historians and writers have focused on changes to the lower Yarra, including the development of the port and the draining of the swamplands to the city's east. David Sornig has mapped the psychogeography of Dudley Flats and the swamplands west of the city in *Blue lake*, Judith Buckrich and Olaf Ruhen have written extensive histories of the

Figure 1: Early plan of Melbourne and South Melbourne by Robert Hoddle (left), dating from 1839, with detail of area showing waterfall (right), PROV, VPRS 8168/P2, SYDNEY M7; MELBOURNE SOUTH; HODDLE.

development and operations of the port, and historians such as Seamus O'Hanlon have explored the area within broader contexts of demographic and social change.[2] The lower reaches of the Yarra—roughly from the banks closest to the central business district and the heart of the city's commerce, shipping and industry, through to the mouth of the river at Hobsons Bay, roughly coinciding with what has been referred to as the Port of Melbourne— is the area where the most dramatic of changes have generally taken place.[3] It is in this landscape, too, that many unfulfilled proposals were also conjured up at intervals. This article examines some of the major transformations to this landscape and some of the ones that languished.

Birrarung and early Melbourne

Before Melbourne was established as a city and the earliest maps were drawn of its street layout, the Yarra River had a shallow waterfall that separated the freshwater river from the tidal river, roughly where Queens Bridge crosses the river today (see Figures 1 and 2).[4] Port Phillip Bay was known by the local Aboriginal people as Nairm,[5] and was surrounded by Boon Wurrung, Wurundjeri and Wathaurung Country. The Yarra River, which was called Birrarung, was a significant place for the traditional owners of the lands surrounding it and the bay, particularly for hunting and fishing.[6]

Commencing in 1883, the waterfall was blasted away with explosives to make way for Queens Bridge, which opened in 1890. With the memory of the 1863 flood still fresh in people's minds, the main benefit that was sought by the removal of the falls was to obviate the likelihood of future flooding in Melbourne and its suburbs.[7] One of the environmental effects of removing the falls was that it destroyed the natural habitat for freshwater fish above the falls and made the water undrinkable at this location. The presence of drinking water was arguably one that became Melbourne. The basalt ledge that formed the

Figure 2: Early plan of the Yarra River, dating from 1841, showing the waterfall where Queens Bridge now crosses the river, PROV, VPRS 8168/P2, SYDNEY Y9; YARRA YARRA RIVER; TOWNSEND.

falls had also been a natural rock bridge, both for the Aboriginal people who had inhabited and interacted with this environment over centuries and millennia and the newly arrived Europeans who followed the path from Hobsons Bay to reach the settlement on the other side. Interestingly, John Batman's surveyor, John Wedge, had mistakenly attributed the Aboriginal name for the falls, 'Yarrow Yarrow', to the river itself, only realising this 20 years later, by which time the name Yarra had become generally accepted.[8]

Canal visions

The removal of the waterfall was not the only change that was made to the river in this phase of burgeoning growth in Melbourne. To begin with, the course of the river was indirect and narrow, making it a difficult and lengthy passage to reach the docks near the city. In addition, there were concerns about silting of the river and Hobsons Bay, which had posed a persistent threat to commerce and shipping for decades. After much discussion and investigation, which had been ongoing since the late 1850s, a channel was cut to the west of the city to deepen, straighten and widen the course of the river to make it much easier for ships to reach the heart of the city from the bay.[9] This cutting ran in a graceful curve from the point where the Moonee Ponds Creek flowed into the Yarra to its confluence with the Maribyrnong River. Later, new docks were dug out of the swamplands of the inner west (Victoria Dock completed in 1893, Appleton Dock in 1956 and Swanson Dock in 1972), forever changing the wetlands and swamps that had been a feature of this area.[10] These large civil engineering projects began in the 1880s with the digging of the Coode Canal, named after engineer John Coode who devised the plan. It was completed in 1886 and opened to shipping in the following year (see Figures 3 and 4).

Before Coode's plan was given the go ahead, other ideas were proposed. For several decades, various royal commissions and investigations were carried out and many reports written. These generally fell into one of three categories: modest improvements to the existing river course, cutting a new canal west of the city and cutting a new canal south of the city direct to Sandridge (now called Port Melbourne). One such Sandridge canal was envisaged by Nathaniel Munro in 1875 (see Figure 5).[11] It featured new docks on either side of the river connected by new canals, one of which would connect directly to Hobsons Bay near Sandridge. It also featured an extensive expansion of the city road system to the south and west.[12]
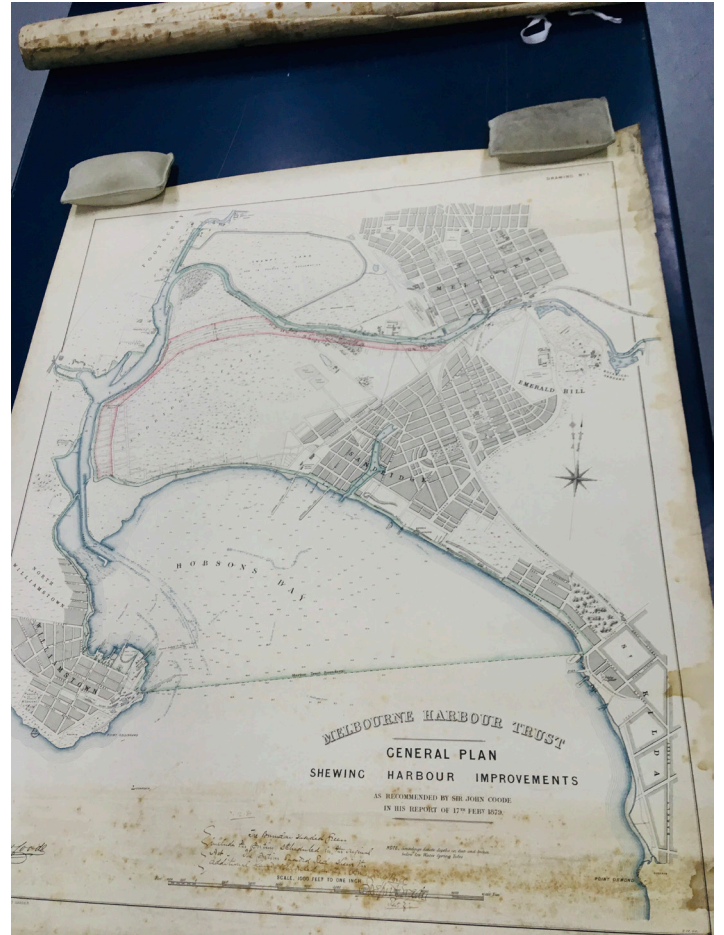

Figure 3: This plan shows the course of the Coode Canal relative to the natural course of the river and the swamp west of the Melbourne city grid as proposed by John Coode in 1879, PROV, VPRS 7664/P1, Melbourne Harbour Showing Harbour Improvements (1879).
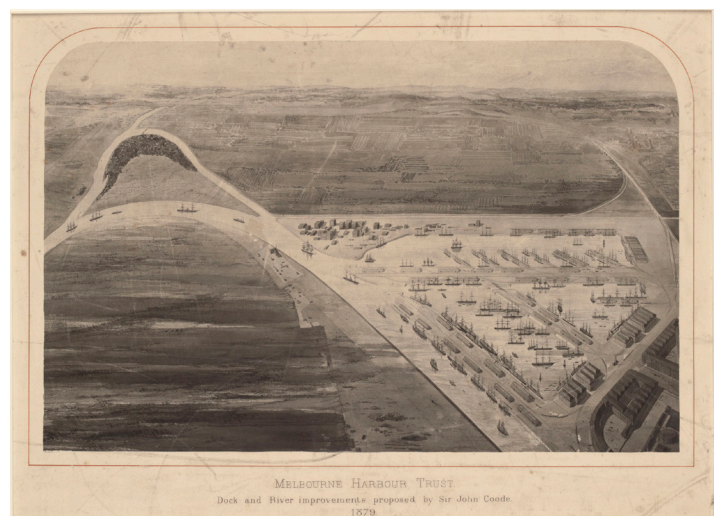

Figure 4: Melbourne Harbour Trust: dock and river improvements proposed by Sir John Coode, c. 1879, State Library Victoria.

An even earlier proposal by John Millar in 1860 featured a similar westward expansion of the city streets and a canal and dock system connecting to Hobsons Bay at Sandridge. This was in addition to an ornamental lake in the swamplands west of the city that would feature the British Isles in miniature and 'botanical gardens for the preservation and cultivation of plants indigenous to England, Scotland, [and] Ireland'.[13] Millar explained that the choice of a canal leading directly to Hobsons Bay was because this area had the deepest water in the northern part of Port Phillip Bay, making it easier to maintain a shipping canal compared to the actual river mouth, and was the shortest distance from the bay to the city centre. The practicalities of an efficient shipping canal juxtaposed with a fanciful tribute to the 'homeland' in the form of landscaped islands and botanical gardens make this particular plan an emblem of nostalgia linking the new city back to a distant point of origin, to be recreated in miniature in reclaimed swampland.

Millar's proposal was presented to the Royal Commission on Harbor Improvements and a River and Harbor Trust, which issued its report in late 1860. In a written submission to the commissioners dated 21 September 1860, we learn that Millar had been the engineer-in-chief of the Geelong Water and Sewerage Commission. Millar believed that:

> an open tidal cut, of about 2 miles long by 400 feet wide, and average depth of water of 25½ feet, is the best mode of improvement to be resorted to. And these dimensions would render such ship canal or cut of a size suited not only to the present but to the future requirements of the city and port.[14]

In Millar's view, the best location to start the canal was near Sandridge, where, as mentioned, the water in Hobsons Bay was the deepest. The 'New Tidal Dock', as he preferred to call the canal, would reduce the distance from seven and a half miles to two. The extension of the city layout west of the existing Hoddle grid was to make provision for future 'building sites' in neighbourhoods on either side of the canal for 'such mercantile and maritime purposes as may hereafter arise'.[15]

Though the existing course and depth of the Yarra River was widely seen by this time to be inconvenient and an impediment to commerce, the commissioners had to consider a number of different possible solutions. One of these was the excavation of a shipping canal to create a more direct, wider and deeper water course from the city's wharves to Hobsons Bay, but the other was to propose a governance organisation that would oversee harbour

Figure 5: This plan shows Nathaniel Munro's 1875 proposal for an extensive system of docks west of the city, tentative street and railway layouts in West Melbourne and Fisherman's Bend, a canal leading straight to Hobsons Bay and the retention of the natural course of the Yarra to the Salt (Maribyrnong) River, PROV, VPRS 8168/P2, MCS51; PORT OF MELBOURNE; MUNRO.

operations in general. The tenor of the commissioners' recommendations in the report was mainly frugal, reflecting a view that the city did not yet warrant the construction of any kind of canal, let alone elaborate plans for westward city expansion and botanic gardens on reclaimed swampland; instead, the commissioners advocated a deepening of the existing river for the time being.[16] That view held sway, being reconfirmed in the recommendations of the Royal Commission into Low-Lying Lands in 1872.[17] Further reports were commissioned throughout the 1870s, and various proposals for canals continued to be debated and advocated, either with a direct shorter route to Port Melbourne, or a more direct route to the Maribyrnong. There was even one proposal that involved closing the existing mouth of the river altogether and digging a canal around the perimeter of Williamstown, such that the Maribyrnong and the Yarra would both empty into Port Phillip Bay at a location west of Point Gellibrand, which was referred to as the 'Back Bay Scheme'.[18]

Dock expansions

After the Coode Canal was completed, construction of Victoria Dock took place between 1887 and 1892. Grand plans for adding more docks to the port persisted well into the twentieth century as can be seen in the 'Plan of general development: Melbourne', a 1929 report of the Metropolitan Town Planning Commission (see Figure 7).[19] By this time, the consequences of Melbourne's
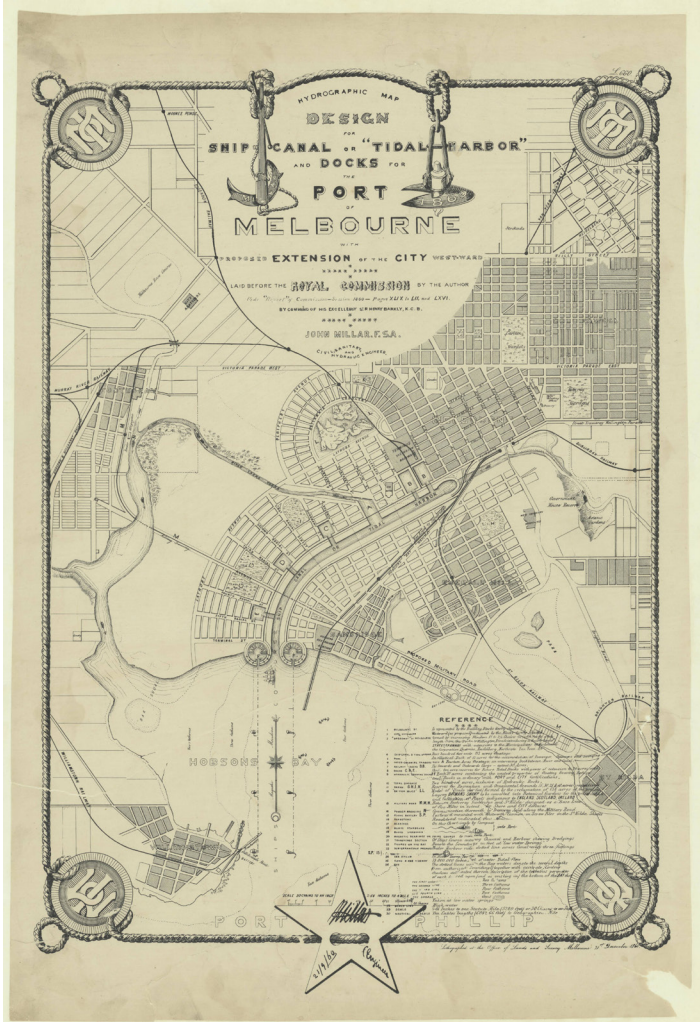
Figure 6: John Millar's elaborate and highly ornate proposal for a westward expansion of the city, including botanical gardens and lake, also featuring a direct channel to Hobsons Bay, PROV, VPRS 8168/P2, MCS62; PORT OF MELBOURNE.
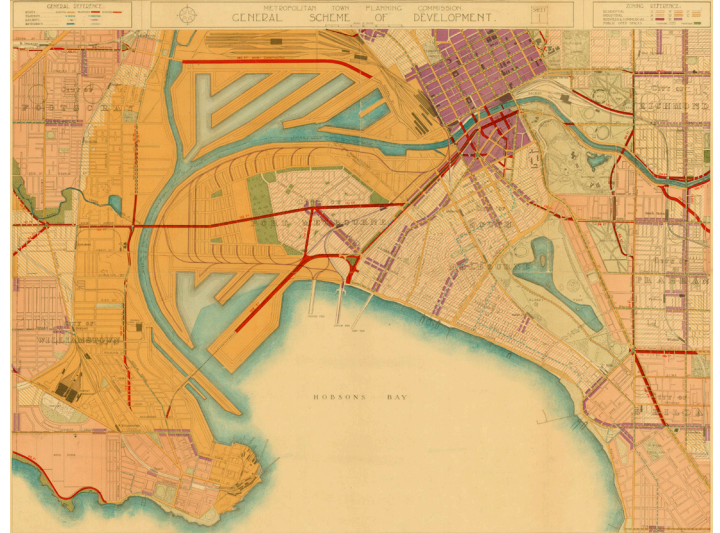

Figure 7: Plan for the port area and surrounds from the 1929 'Plan of general development', PROV, VPRS 10284/P0 Reports, Report 1929 Volume (unit 3A).

unregulated urban growth were being felt and this report constituted the first attempt at a coordinated metropolitan planning strategy. It highlighted traffic congestion, haphazard land use and the provision of recreational open space.

The legislation to implement this planning strategy, introduced into the Victorian Legislative Assembly in December 1930, made provision for local planning schemes and a town planning board. The Bill lapsed thereafter, with the onset of the Great Depression and political reluctance to impinge on the powers of local councils; consequently, much of the strategy was never implemented or had to await later planning initiatives.[20]

Among the features of the plan was a recommendation for a massive expansion of docks westward towards the Maribyrnong River, but also a new geometric street layout for a suburb in Fishermans Bend, and a new highway system through the port area. This was the dawn of the era of coordinated urban planning in Melbourne, with the 1929 report covering the entire metropolitan area. The proposals were all long-term and featured road upgrades and multiple regional proposals for improving the urban form throughout the city.

These port proposals had already been presented in the Metropolitan Town Planning Commission's first report in 1925, as improvements of existing capacity were seen to require urgent action and planning for future growth. The plan published in the 1925 report was largely based on existing plans supplied by the Melbourne Harbour Trust. It made provision for at least 50 years of expansion, such that capacity could be 'gradually increased as demand warrants'.[21] The general idea was that new docks would be added to the north bank of the Yarra, gradually extending westward of Victoria Dock all the way to the Maribyrnong River, and also at the mouth of the Yarra River through land reclamation and river widening at the entrance to Hobsons Bay. Dredging to deepen channels and widening of the river at various points had been part of the ongoing improvement works for some time, and further provision was made for these in the plan. The low-lying lands and swamps north and south of the Yarra would be reclaimed with the material acquired from dredging operations. Provision was made for the construction of dock facilities along all navigable river
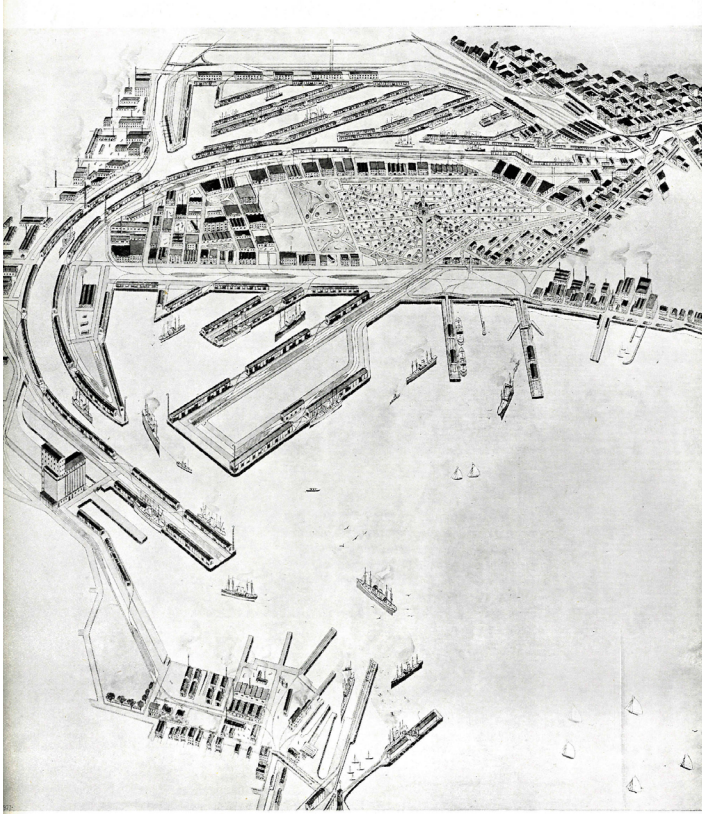
Figure 8: Artist rendering of the dock expansion proposal from 1914, Benjamin Hoare, *The Melbourne Harbour Trust Commissioners jubilee report 1877–1927*, Melbourne, Peacock Bros, 1927, plate between pp. 304 and 305.

frontage, which would otherwise be reserved for public use.[22]

Most of these plans first surfaced in 1914 (see Figure 8); however, due to wartime conditions, the Harbour Trust was unable to progress or implement them in any significant way. The plans made provision for expansion for up to 30–35 years into the future and were costed at over £6 million.[23]

By the time the 1925 report was published, Appleton Dock was already under construction, but it never reached the full extent of the design shown in the plan. Only one other dock in this plan was built (out of the four depicted)—Swanson Dock, which was completed in 1969. Changes in ship sizes and technology (particularly containerisation) meant that the proposed extra docks were no longer feasible, as modern shipping logistics required more land adjoining the docks than these plans provided. Likewise, and for the same reasons, the docks foreshadowed at the mouth of the river were also largely unrealised, even though proposals for the port's development
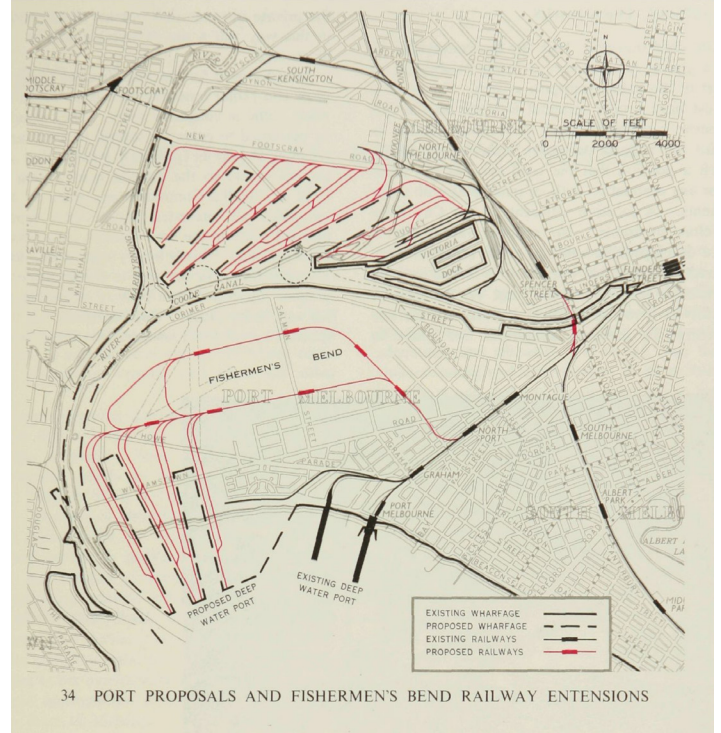

Figure 9: Map 34 from the 1954 Melbourne planning scheme report, showing the slightly revised port plan (proposed wharfage overlaid in bold dashed markings) and associated railways, Melbourne and Metropolitan Board of Works, *Melbourne metropolitan planning scheme 1954: report*, Melbourne, Melbourne and Metropolitan Board of Works, 1954, p. 113.

shifted to that location in the plans put forward in the early 1970s (see discussion below). While Webb Dock emerged in this area from reclaimed land, and has been gradually expanded since the 1960s, the road and railway configuration of the 'industrial suburb' in Fishermans Bend on the 1925 plan was also never implemented.

Draining Birrarung

The thinking behind the 1925 port plan continued to be mostly unrevised by the time of the 1954 Melbourne metropolitan planning scheme, despite some slight changes to the dock layouts (see Figure 9). In the intervening years, a more radical proposal was brought to the attention of the Victorian Government in the months before Australia became involved in World War II. This enthusiastic proposal, seeking to address a number of perceived deficiencies in the existing port plan, was put forward by town planner Frances Edward Dixon (see Figure 10). He presented his proposal as a way to not only expand the port around Hobsons Bay but also to reclaim under-utilised Crown land, draining the lower Yarra

completely, and constructing an underground centralised railway where the Yarra had once flowed. The waters of the Yarra would have been rechannelled from Richmond to St Kilda via Albert Park Lake.

In his accompanying letter to Minister for Transport HJT Hyland, Dixon introduced his proposal as a potential solution for alleviating increasing annual deficits in railway finances by freeing up Crown land held by the railways for commercial purposes. Dixon also claimed that his proposal would rectify the 'fundamental defects' of the Metropolitan Town Planning Commission's 1929 report.[24] A proponent of modern motor transport, Dixon envisaged that only 'long haul and heavy bulks' would continue to be carried by rail transport. His remedies to the 1929 plan included:

- a diversion of the Yarra River through the Botanic Gardens and Albert Park Lake to St Kilda beach

- reclaiming the Yarra River bed, from the Botanic Gardens to its confluence with the Maribyrnong River, for various purposes such as the creation of a central railway station below street level

- another railway station below street level parallel to Spencer Street and to its west

- relocating the parliament, and a new stadium with ample parking space, to reclaimed land from the Yarra canal and existing port facilities

- reducing heavy, slow-moving traffic through the city centre by placing goods sheds in Cremorne (through the removal of a 'decadent housing district' there) in the area bounded by Punt Road, Swan Street, the railway and the river

- all shipping to be restricted to Hobsons Bay, presumably with berths on the reclaimed land that would replace beaches from Elwood around to Point Gellibrand

- restricting shipping on the lower Maribyrnong River to the bay to barge traffic only allowing for the construction of fixed bridges across the river

- an airport in Williamstown.

With this revised layout, all city streets could be through-routed, whether north–south or east–west. Among the many virtues of the plan extolled by Dixon were the possibilities of increasing land values in the west of the city and making a better environment to live in by reducing densities through the creation of garden suburbs to the west and south of the CBD. These would feature the new civic centre and parliament, and offices and industry
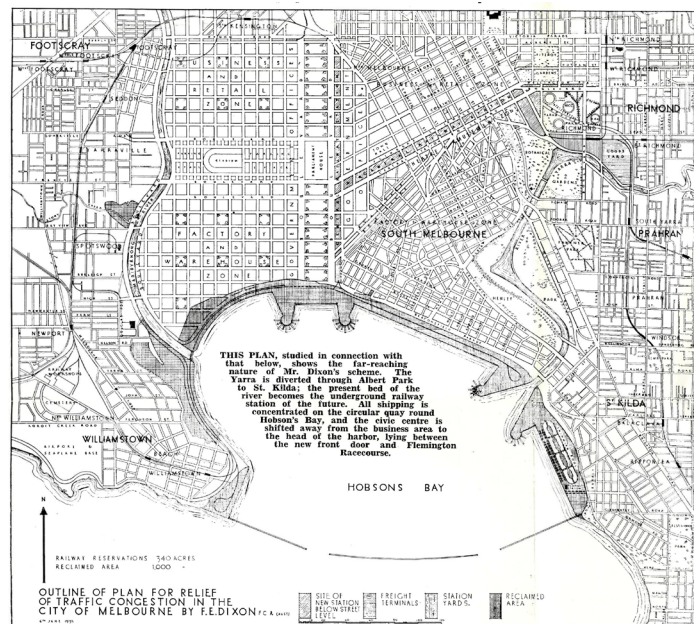

Figure 10: Outline of plan for relief of traffic congestion in the City of Melbourne by FE Dixon, 1939, PROV, VPRS 10217/P0 Minister's General Correspondence Files, 26–728 (Unit 27), 41/161, excerpt from 'Planning Melbourne for prosperity'. The caption within the centre of the plan makes reference to the 1929 'Plan of general development' (see Figure 7) which was included for comparison.

closer to the bay, where new docks would be created around its rim. Healthier citizens enjoying life in a less congested city would be the result. Dixon decried the construction of underground railways due to the awful working conditions that are required to build them and what he considered to be a detrimental effect on those who would use them. The benefit of permanent green wedges (which would later become a reality) were also put forward as an idea.

Dixon's analysis was that, in its present form, Melbourne was 'hemmed in on two sides by parks and gardens, and on the other two, by river and railway terminals for the want of something better'. This layout, Dixon contended, was:

> like a box with two small holes each side for the street traffic to get in and out, when there should be no sides at all, and the flow of traffic is so unevenly distributed, as to be the chief cause of a few city blocks of land acquiring a value out of all proportion to the remainder.[25]

The minister eventually noted in reply that, though interesting, there was little money available to fund such an ambitious scheme in the midst of the war effort, and, in any case, he was still awaiting the outcome of the Ashworth report, which was looking at the future of

Melbourne's transport system. Dixon contended that his scheme would eventually yield a profit through the uplift of value in existing zoned land and through the sale of under-utilised Crown land for commercial purposes.

Island city

The final port expansion proposal that I would like to look at comes from 1973. With the ongoing rapid expansion of containerised freight and the increasing size of ships carrying them, forward planning for the Port of Melbourne had to make room for much more space. The Yarra was no longer considered the place for this expansion because it was too narrow and there was insufficient space alongside for the scale of staging and back-up facilities that containerised shipping now required for efficient operations. As a consequence, future expansion plans concentrated on the mouth of the river and Hobsons Bay and involved land reclamation. There was concern that the neighbouring suburb of Garden City would become unviable once the full expansion of the port was completed, and that residents might want to leave once their suburb was completely surrounded by port and industrial facilities. Consequently, a proposal was put forward by consultants Grahame Shaw and Partners, and Alan J Brown and Steven Pty Ltd that envisioned a chain of four islands enclosing a lagoon to be built in Hobsons Bay, offshore from Middle Park beach, that would become residential suburbs (see Figure 11). These island suburbs, connected by road and rail, would house the 3,410 people displaced from Garden City and have room for a further 50,000 residents.[26]
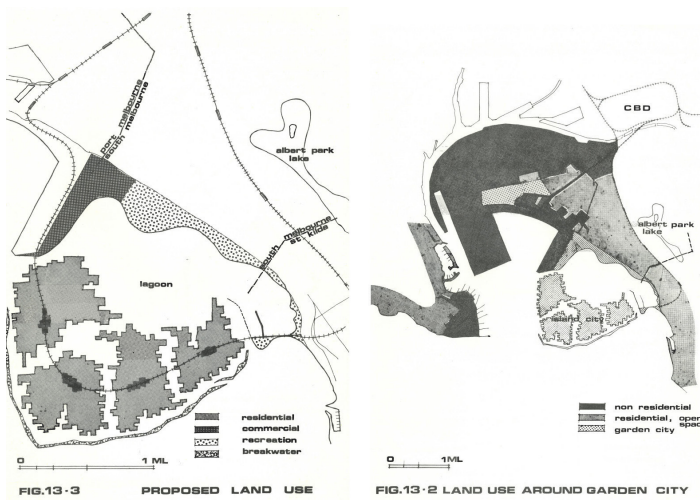

Figure 11: Figures 13.3 and 13.2 from the 'Island city' proposal by Shaw, Denton and Corker, c. 1973 [unpublished]. The figure on the left shows the proposed land uses, including a railway connecting the four islands; the figure on the right shows the land use around Garden City.

The consultants presented the idea when the Harbour Trust Commissioners discussed their 'Forward development plan' for the port with the Cabinet of the Victorian Government. The plan and the island proposal were presented separately to the media, possibly because there was some anticipation that the proposal to relocate residents from Garden City onto artificial islands in the bay would attract controversy. Media reporting conflated the long-term plan and the 'Island city' proposal, with most of the attention going to the artificial islands, rather than the plan for the port's long-term development and expansion. To be fair to the media, the island proposal did seem to be a logical extension of the 'Year 2000 plan "B"' in the 'Forward development plan', which indeed showed the Garden City waterfront transformed from a beach into shipping berths, which would have made the suburb a less attractive place to live.

Within a few days of the announcement, AS Mayne, chairperson of the Melbourne Harbor Trust Commissioners, distanced the trust from the proposal, which he maintained was not their idea but was instead put forward as a 'supplementary proposal' by a firm of independent architects and town planners, which the trust had commissioned. Minister for Public Works Robert Dunstan responded by stating: 'I'm not the author or promoter [of the island proposal]. The Government's record is that where the public is adamant against some scheme, it is discarded.'[27] Within a week, the community response had killed the 'Island city' proposal, and it disappeared forever.[28]

The full extent of 'Year 2000 plan "B"' never eventuated. Indeed, as Kristin Otto has observed, the future of the port turned out quite differently, effectively undergoing a contraction that saw the majority of the old docks situated upriver either in ruin or having been already removed and replaced by high-rise apartment towers in residential redevelopments during the first two decades of the twenty-first century.[29]

Conclusion

The Yarra River and the developing Port of Melbourne provide a site for exploring the vicissitudes of planning and urban development. Visionary, if sometimes fanciful, schemes have been proposed for this locale ever since the 1860s. While the governing authorities in early Melbourne tended to err on the side of caution and conservative expenditure, a shift in thinking occurred in the early years of the twentieth century. By this time, the Melbourne Harbor Trust was entertaining a phase of long-term planning for major and costly expansions, as the pace of anticipated growth, in their view, seemed to warrant it. However, the ambitious proposals advanced by John Millar (1860), Nathaniel Munro (1875) and Frances Dixon (1939) do not seem to have been given serious consideration. Their visions for the river and the port were embedded within broader city-shaping schemes that would have seen the developing port better integrated into a master plan for urban development in the surrounding areas. The 'Island city' proposal of 1973 is the exception here, for even though it was carefully presented as a 'supplementary proposal', it seemed to be the logical corollary for the ambitious planning scenario that the Harbor Trust envisioned and put forward at that time. As with a number of other statutory Victorian Government agencies that advanced ambitious plans during the 1970s, it was, possibly, a moment of overreach, presaging the impending economic and social changes that swept most of them away in the decade that followed.

Endnotes

[1] For a discussion of the many transformations of the Yarra further upstream, see Kristin Otto, *Yarra: a diverting history of Melbourne's murky river*, Text Publishing, Melbourne, 2005.

[2] David Sornig, *Blue lake: finding Dudley Flats and the West Melbourne swamp*, Brunswick, Victoria, Scribe Publications, 2018; Judith Raphael Buckrich, *The long and perilous journey: a history of the Port of Melbourne*, Melbourne Books, Melbourne, 2002; Olaf Ruhen, *The Port of Melbourne, 1835– 1976*, Cassell Australia, Sydney, 1976, pp. 304– 309; Grahame Shaw and Partners, 'Island city', c. 1973 [unpublished]; Seamus O'Hanlon with Tony Dingle, *Melbourne remade: the inner city since the 70s*, Arcade, Melbourne, 2010; Seamus O'Hanlon, *City life: the new urban Australia*, NewSouth, Sydney, 2018.

[3] The boundaries of what might be considered the Port of Melbourne have shifted over the years, gradually moving further westward as port functions progressively shifted downstream.

[4] PROV, VPRS 8168/P2, SYDNEY Y9; YARRA YARRA RIVER; TOWNSEND.

[5] There are a number of phonetic variations for the name of the bay. Recently, Dr Guy Holdgate from the Geological Society of Australia and the University of Melbourne and two colleagues published an article detailing the findings made by a team of researchers trying to explain river channels meandering across the bay floor, leading them to conclude that most of the bay may have been a dry plain as recently as 1,000 years ago. GR Holdgate, B Wagstaff & SJ Gallagher, 'Did Port Phillip Bay nearly dry up between −2800 and 1000 cal. yr BP? Bay floor channelling evidence, seismic and core dating', *Australian Journal of Earth Sciences*, vol. 58, no. 2, 2011, pp. 157–175.

[6] For a brief description of the Yarra prior to the arrival of Europeans, see 'Indigenous perspective: the Birrarung, "a river of mists and shadows"', blog post 25 January 2018, Environment Victoria website, available at https://environmentvictoria.org. au/2018/01/25/indigenous-perspective-birrarung- river-mists-shadows/, accessed 8 June 2023.

[7] 'Removal of Yarra falls', *Age*, 25 December 1883, p. 6; 'Removal of the Yarra falls', *Argus*, 24 May 1883, p. 7.

[8] See Chapter 5 of Anthony Webster, *The foundation of Australia's capital cities: geology, landscape, and urban character*, Lexington Books, Lanham, Maryland, 2022, esp. p. 164.

[9] WW Wardell (Chairman), T Higinbotham & RW Larritt, *Report of the board appointed to advise as to the best means of preventing the flooding and improving the navigation of the river Yarra*, 31 August 1864, in PROV, VPRS 1226/P0 Supplementary Inward Registered Correspondence, D8821 Royal Commission on Low Lying Lands; South & West of Melbourne – papers.

[10] For a recent social history and psychogeographic study of this area, detailing the natural environment and the various incursions that progressively transformed it, as well as the people who inhabited its liminal spaces, see Sornig, *Blue lake*.

[11] PROV, VPRS 8168/P2, MCS51; PORT OF MELBOURNE; MUNRO.

[12] Robert Bowden also submitted a plan to the Royal Commission on Harbour Improvements in 1860 that featured the addition of a canal from the CBD directly to Hobsons Bay (but retention of the original river) and street grids in the inner west and south- west, land that would be sold to raise capital for the operation of a Harbour Trust, effectively seeking to create a number of new waterfront suburbs. See PROV, VPRS 3253/P0, 1, Plans; Plan of Ship Canal and Harbour Improvements Hobsons Bay and River Yarra (Unit 477).

[13] PROV, VPRS 8168/P2, MCS62; PORT OF MELBOURNE.

[14] Report from John Millar, 21 September 1860, in the appendices of the *Report of the Royal Commission on Harbor Improvements and a River and Harbor Trust*, p. xlix, PROV, VPRS 1183/P0 Reports of Royal Commissions, Select Committees and Boards of Inquiry, Volume 3.

[15] Report from John Millar, p. li, PROV, VPRS 1183/P0, vol. 3.

[16] *Report of the Royal Commission on Harbor Improvements and a River and Harbor Trust*, pp. v–ix; PROV, VPRS 1183/P0, vol. 3.

[17] PROV, VPRS 3253/P0 Original Papers Tabled in the Legislative Assembly, 85, Report; Low Lying Lands South and West of the City.

[18] *Age* and *Argus*, various reports 1870–1880. A discussion of the various options raised up until 1875 can be found in the *Age* and the *Record and Emerald Hill and Sandridge Advertiser*, 20 May 1875, p. 2, and the Argus, 17 April 1875, p. 6.

[19] PROV, VPRS 10284/P0 Reports, Report 1929 Volume (Unit 3A).

[20] Cael James Leskovee, 'The historical development of the provision of certainty in Melbourne metropolitan planning', PhD Thesis, RMIT University, 2019, p. 94, available at https://core.ac.uk/download/pdf/187735071.pdf, accessed 23 June 2023; Infrastructure Victoria, *Learning from the past: a history of infrastructure planning in Victoria*, Infrastructure Victoria, Melbourne, February 2016, available at https://www.infrastructurevictoria.com.au/wp-content/uploads/2019/04/Learning-from-the-past.pdf, accessed 23 June 2023.

[21] PROV, VPRS 10284/P0 Reports, First Report 1925, pp. 24, 46. See also 'Port of Melbourne', *Argus*, 14 March 1925, p. 10.

[22] Buckrich, *The long and perilous journey*, p. 133.

[23] 'Port Improvement', *Argus*, 16 July 1914, p. 10; Buckrich, *The long and perilous journey*, p. 115.

[24] FE Dixon, 'Planning Melbourne for prosperity', in PROV, VPRS 10217/P0 Minister's General Correspondence Files, 26–728 (Unit 27), 41/161, FE Dixon to Minister for Transport HJT Hyland, 9 June 1939. The pamphlet indicates that it was a reprint of an article published in the *Truth*, 6 July 1935. Despite politely acknowledging the receipt of his proposals and assurances that it would be brought to the attention of the minister, the file contains no indication that Dixon's persistent approaches were ever given serious consideration, perhaps partly due to the fact that Australia was about to become involved in World War II and there were other pressing priorities.

[25] Dixon, 'Planning Melbourne for prosperity'.

[26] Ruhen, *The Port of Melbourne*, pp. 304–309; Shaw and Partners, 'Island city'.

[27] 'Island suburb not our idea: Harbor Trust', *Age*, 1 February 1974, p. 3.

[28] Ruhen, *The Port of Melbourne*, p. 306; Melbourne Harbor Trust Commissioners, *Port of Melbourne Quarterly*, vol. 25, no. 2, April–June 1974, pp. 10–16; various reports, letters to the editor, and editorial, *Age*, 30 January – 2 February 1974.

[29] Otto, *Yarra*, p. 128. Similar observations about the fate of the Port of Melbourne within the context of inner Melbourne's deindustrialisation have been made in O'Hanlon with Dingle, *Melbourne remade;* O'Hanlon, *City life*.

Antonio Azzopardi, Australia's first Maltese immigrant

an exploration of his life and sources of information

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Abstract

During 2023, I collaborated with the National Archives of Australia (NAA) to find records within Public Record Office Victoria (PROV) for an NAA function and display celebrating the seventy-fifth anniversary of the signing of the immigration agreement between Australia and Malta. The function took place at the Victorian Archives Centre on 6 May 2023 and the exhibition, titled 'From restricted to assisted. Minn Ristrett ghal Assistit. Maltese migration to Australia', included records I located relating to Antonio Azzopardi, an early European settler at Port Phillip. Starting with a variety of publicly available resources, I then located a range of public records within the PROV collection that assisted in telling part of Azzopardi's story, most of which could not be included within the exhibition. This paper combines the public records I located with non-government records and secondary sources to produce a sketch of Azzopardi's life in Victoria and outline his achievements. Although not the main focus, the article also reveals in passing some of the difficulties that occurred in using some of the publicly available resources, as starting points for this research, and some of the public records, and the extent to which various claims made about Antonio's life could (and could not) be substantiated.

Introduction

According to the Australian census, in 2021 there were 35,413 people born in Malta and 198,989 people of Maltese descent, including myself, resident in Australia. [1] Although Antonio Azzopardi (1805–1881) was almost certainly not the first to arrive, he was the first Maltese person who *willingly* migrated to the Australian colonies. [2] During 2023, I undertook to find records about him held by Public Record Office Victoria (PROV) for a National Archives of Australia (NAA) exhibition celebrating Maltese immigration. Initially, I found a number of potential sources scattered across the web: academic articles, online reference tools dedicated to particular areas of interest and fragments of information (including images of uncited or partially cited records at PROV) left on social media by Azzopardi's descendants.[3] From there I constructed a timeline by locating public records held by PROV, augmented with additional public records and other sources. Time constraints meant that aspects of his story requiring intensive research, or involving leads that subsequently proved fruitless, were excluded. Despite this limitation, sufficient information emerged to tell part of the story of a man whose life and career intertwined with numerous activities related to the early years of colonisation in Victoria.

As will become apparent, there are many potential challenges a researcher can encounter when trying to piece together the details of someone's life and career through primary sources, such as encountering public records that have been destroyed or not yet transferred to the custody of the archives; trying to track activities that are not documented by government records; interpreting information that has not been consistently recorded within records; the deliberate or accidental misspelling of names; and assessing the accuracy of published biographical portraits or death notices written after someone has passed away.

Arrival and work in Port Phillip

The earliest reference to Antonio Azzopardi I could find in public records held at PROV dates from 1845 and so it is not altogether surprising that many details about his life until then appear to have been drawn from a portrait of him in HM Humphreys's 1882 book, *Men of the time in Australia*.[4] Published the year after Antonio's death, it contains written portraits of approximately 500 'leading statesmen and colonists … identified with the early history of Australia'.[5] Humphreys did not disclose how these portraits were written; however, if he compiled Antonio's solely from information provided by family

members, it is effectively a written version of oral history potentially containing factual errors stemming from imperfectly understood or remembered details.

According to Humphreys, Antonio Azzopardi was born in 1802, yet every other source consulted states that he was born in the village of Zetjun on 25 January 1805.[6] Humphreys records that, as a young man, Azzopardi served on a French man-of-war and in the British mercantile marine. The story continues that he arrived at Port Phillip in 1838, possibly as the mate to a Captain Nicholson on the *Clonmell*, and, 'struck by the prospects on offer', decided to make it his home.[7] If Azzopardi arrived in 1838, it would have to have been during the last few months of that year, as he is not listed in the general census of Port Phillip completed on 12 September 1838 by Police Magistrate William Lonsdale.[8] It put Port Phillip's colonist population at 2,278, 1,066 of whom lived in Melbourne or Williamstown. By 31 December that year, this component of the Port Phillip population had grown to 3,511; a year later, it was 4,950.[9]

Conflicting accounts exist about when Azzopardi arrived in the Port Phillip District, all of which, including Humphreys's, are not supported by records held at PROV. One uncited account dates his arrival as 1839.[10] His Wikipedia[11] page uses this date, stating that he arrived on the *Mary Hay* in 1839 and other accounts have repeated this claim,[12] probably sourced from death notices published in at least the *Argus* and the *Age*.[13] However, another uncited account claims that he arrived in 1837,[14] and this date has been used by Museums Victoria[15] and an article published in *Provenance*.[16]

Confirmation of Azzopardi's arrival from records held at PROV is difficult because all of these possible years of arrival predate the systematic creation of government records for unassisted immigrant arrivals at Port Phillip. The registers of assisted immigrants in the PROV collection commenced during 1839 and he is not listed in these volumes.[17]

If Azzopardi arrived in Melbourne on the *Mary Hay* in 1839 it could only have been on 15 July 1839, the ship's first ever visit.[18] The *Mary Hay* made five more visits; however, these occurred during 1840–41.[19] Two newspaper accounts of the vessel's 1839 arrival identified five passengers by name, none of whom were Azzopardi, and 19 unnamed steerage passengers.[20] Thus, he may have been a steerage passenger or a crew member. It is difficult to confirm Azzopardi's arrival as a crew member because the systematic creation of government records about crew in the PROV collection dates from 1852.[21]

The arrival of the *Mary Hay* in 1839 has been confirmed, but Humphreys's claim that the *Clonmell* arrived in 1838 under the command of Captain Nicholson has not. A paddle steamer named Clonmel was supposed to ply the Sydney–Melbourne route;[22] however, it visited Melbourne only once, in December 1840, and was wrecked during its second voyage from Sydney on 2 January 1841, all while under the command of Captain Tollevrey.[23]

Azzopardi's initial career at Port Phillip also cannot be confirmed from public records. According to Humphreys, Azzopardi, for an undefined 'short time' after his arrival, 'continued his connection with the sea, and occupied the position of Chief Officer on several ships trading between Port Phillip, Sydney and New Zealand'.[24] Humphreys claimed that Azzopardi 'had many opportunities of making money'; however, the only specific opportunity he noted was as an engineer from 1840 on the steamer *Aphrasia*, the 'only boat operating between Melbourne and Geelong at the time'.[25] After another 'short time', Azzopardi 'gave up the sea, and joined the service of Mr. Edward Barnett [sic] Green, at that time the chief mail contractor in the colony'.[26] Humphreys did not define the length of this 'short time' either, or specify when the association with Green commenced, stating only that Azzopardi obtained a subcontract from Green for the Geelong mail route in 1846.[27] According to a secondary source, in 1846 Green worked in partnership with the original sole contract holder, William Rutledge, for the delivery of the overland mail between Sydney and Melbourne. This partnership had commenced by 1843 and was dissolved in 1847.[28]

Despite this, it is plausible that Azzopardi's move into mail delivery stemmed from, and continued because of, his association with the *Aphrasia*. This vessel commenced delivering mail to Geelong in November 1840.[29] It was one of two steamers that transported mail between Melbourne and Geelong, the other being the *Vesta*, which operated on the route from October 1843 to February 1844 and again from 1846.[30] Edward Green, without Rutledge, began operating the overland mail route between Melbourne and Portland via Ballan, Buninyong and other points from 25 May 1844, commencing a branch route to Port Fairy from 29 July 1844 (the latter was apparently subcontracted to Rutledge[31]). By the start of 1847, Green began operating a second mail route to Portland, this time via Geelong, in which the leg between Melbourne and Geelong was via the daily steamer service,[32] meaning the *Aphrasia* and *Vesta*. This suggests that Azzopardi's subcontract for the Geelong mail, as claimed by Humphreys, was effectively for its transport across Port Phillip Bay.[33] A notice in the *Victorian Government Gazette* by Chief Postmaster Henry D Kemp dated 28

November 1846 established that, by the time Azzopardi received his subcontract, the departures of both vessels from Melbourne were synchronised with the arrival of the Green/Rutledge contracted overland mail from Sydney.[34] If Azzopardi maintained his connection to the *Aphrasia*, it can be argued that this activity contradicts Humphreys's account, but not if Humphreys's statement that Azzopardi gave up the *sea* did not include travel across the bay.

To date, Azzopardi's whereabouts have not been confirmed from public records until at least 1845. He is not listed in any of the returns completed during the 1841 census of New South Wales, for which photocopies of households recorded in the Port Phillip District are held at PROV.[35] He also does not appear in the 1843–44 valuation book for the Town of Melbourne as either an owner or occupier.[36]

Properties and business interests

Antiono Azzopardi's public record trail begins with two, probably interrelated, developments that occurred roughly within the same year. One was his marriage to a Scottish woman, Margaret Sandeman, on 23 October 1845 at the Collins Street Independent Congregational Church. [37] Five children followed: three sons, Angelo (1846–1896), Valetta (1851–1943) and Galileo (1856–1930), and two daughters, Claudina (1848–1942) and Theresa (1852–1853).[38]

The second development was that Antonio leased, then purchased, a property with strong ties to the receipt and dispatch of mail. He appears for the first time in the 1845 Town of Melbourne rate book for Gipps Ward as the owner of two properties located in Court No. 1 off Bourke Lane. [39] The first is described as a wooden house of two rooms and the other a brick house of four rooms with a 'stable yard, &c'. Azzopardi seems to have purchased the latter house as a result of his connection to Edward Green, probably when the Green was establishing a business presence in Melbourne.[40] According to Alfred S Kenyon, Azzopardi was renting a cottage on a half-acre site behind the post office and he:

> gave Mr Green a room which served as an office, and a shed in the yard was converted into a four-stall stable. Mr Green occupied these premises for a few months after which, in evidence of his regards for Mr Azzopardi, he bought the property for 90 pounds for him, the amount to be repaid at his convenience.[41]

It is clear from both Kenyon's account and the 1845 and subsequent rate books that the cottage (Kenyon) or cottages (rate books) were situated on a lane that ran behind an allotment that was the site of the Melbourne General Post Office (GPO). According to Humphreys, Azzopardi:

> acquired the property in Post Office-place, with which his name was associated for many years, and a cottage which in the early days, before any post office was built, the mail bags used to be kept until the settlers for many miles around Melbourne came in to sort their own letters.[42]

Humphreys's identification of the lane as 'Post Office-place' is not supported by the rate books, which did not refer to this street name at the time Azzopardi bought it.[43] It is also clear that the cottage was no longer used for mail sorting when Azzopardi purchased it because the first post office on the GPO site was constructed in 1841.[44]

The first of these rate book entries introduced two quirks that create challenges for researchers. One of these, also apparent in many other records consulted, is the apparent misspelling of Azzopardi's surname as Azzopard (or Azzoppard), which may or may not have been deliberate.[45] If deliberate, it is possible that dropping the 'i' from Azzopardi may have been done in an attempt to avoid identification or characterisation as a foreigner. Later, in 1849, town officials thought Azzopardi was an alien and ineligible to vote.[46] Azzopardi successfully appealed this decision in the Revision Court by swearing that he was born in Malta (see Figure 1).[47]
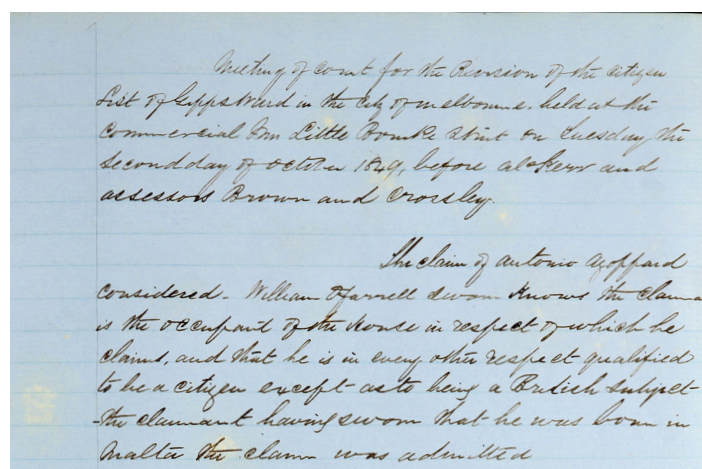

Figure 1: Excerpt from the minutes of the Revision Court hearing of 8 October 1849, PROV, VPRS 4039/P0, Minutes of Special Committee, Minutes Revision Court, 1848–1886.

The other challenge in using rate books is the lack of consistency in the descriptions and locations of the Azzopard[i][48] property or properties. In the 1847–48 rate book, a single property is attributed to Azzopard[i], described as a seven-room house and stable located in Court No. 23 on the south side of Little Bourke Street, implying that the two entries in the previous rate book were now regarded as a single residence.[49] The 1849–50 rate book offered a description of a six-room house and shed at Court No. 31.[50] The 1851 book retained this description but listed it at Court No. 36.[51] A review of Azzopardi's neighbours in these rate books indicates that the property did not, in fact move; it remained in the same physical location. Instead, the description of rateable properties and numbering of areas off Little Bourke Street as 'courts' were seemingly made at the discretion of the rate valuer or collector.

'Garryowen', in his famed 1888 publication *The chronicles of early Melbourne 1835 to 1852*, described the lane as 'a thoroughfare which, although half-flagged, is certainly not the wholesomest in the *inter*-street communications of Melbourne'.[52] While attempting to dig a cesspool at his property there on 20 November 1848, Azzopardi was assaulted by Patrick and Bridget Keogh who wanted to prevent it. On 18 December, they were tried on five charges in the Supreme Court and found guilty of common assault. [53] Azzopardi signed two depositions about the matter that can be found on the criminal trial brief for the case. [54]

According to Humphreys, Azzopardi's mail career continued until 1851, when 'he brought the first gold from Ballarat to Melbourne through Geelong', after which he 'started as carrier to the goldfields, at which business he was very successful'.[55] Attempts to find evidence at PROV of Azzopardi's activities as a carrier of gold have been unsuccessful. Nevertheless, he continued to live in the lane behind the post office and the rate books bear out Humphreys's statement about his success. All reference to the courts off Little Bourke Street were removed from the 1853 rate book. The location of Azzopard[i]'s property was given as 'Little Bourke St. South Side', most likely the back of a property at 8 or 10 Little Bourke Street.[56] There are broadly similar entries in the next three rate books, with the address given as 'off Little Bourke Street'.[57] He was listed as the owner of a second property in the 1854 rate book—a brick house with two rooms and an attic, also located off Little Bourke Street but on its north side.[58] However, it appears that he sold this property within the year because he is not listed as its owner in the succeeding rate book.
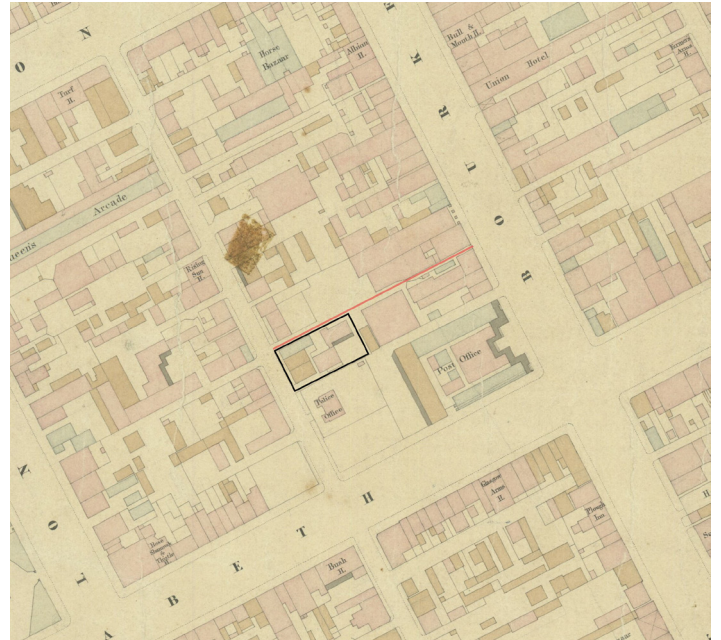

Figure 2: Redacted excerpt from the 'Bibbs map', c. 1856, PROV, VPRS 8168/P3 Historic Plan Collection, item MELBRL12. Azzopardi owned the two pink coloured structures behind the police office (located within black rectangle). The white colouring alongside one of these might be the stables. He would eventually own all three of the structures to the left of these buildings fronting Little Bourke Street. The lane running between Bourke and Little Bourke streets (shaded in light red), from which the houses could be accessed, can also be made out.

A visual representation of where Azzopardi lived up to this point is documented in a plan held at PROV (Figure 2). The plan was most likely prepared in late 1856. It is one of two plans commonly referred to as the 'Bibbs map'.[59] It appears to show the two houses in the area behind three properties fronting onto Little Bourke Street.

The 1857 rate book does not identify any properties owned by Azzopardi in the inner-city area because he moved to bayside St Kilda.[60] He is listed in the 1857–58 St Kilda rate book as the owner and occupier of a plot of land with a 41-foot frontage on the corner of Princess and Burnett streets and a wooden six-room house plus stable next door in Burnett Street,[61] a short distance from Edward Green's mansion, 'Barham', in Grey Street.[62] He presumably sold both properties as he is not listed at these locations in the next rate book for the years 1859–61.[63]

While in St Kilda, Azzopardi's name was brought up during police enquiries into the whereabouts of another Maltese man, Giuseppe (or Joseph) Azzopardi (no relation).[64] These enquiries led authorities to Castlemaine. In a letter dated 21 December 1857, Superintendent CH Nicolson reported to the chief commissioner of police that, while

it could not be ascertained whether Giuseppe ever lived in or near Castlemaine, a person identified as Antonio Azzopardi was 'maybe identical with him'. The report stated that Antonio worked as a wine merchant in Melbourne, had arrived in the colony about 14 years previously and had been at Forest Creek in 1852.[65] The report also included a physical description: 'Antonio Azzopardi about 45 years old, middle height, square muscular frame, large head and face, grey cushy hair, heavy eyebrows, sallow complexion, foreign accent, says he is a Maltese.'[66]

While Antonio's presence in Castlemaine could possibly be explained by his carrier work to the goldfields, some of the details in the report were definitely inaccurate and others might be inaccurate. As it turned out, Giuseppe Azzopardi was in Castlemaine at this time, which suggests that the physical description was of him and not Antonio.[67]

Pinning down Antonio Azzopardi's home address for the years 1859 to at least 1862 is difficult and requires more detailed research. He is recorded in the Gipps Ward rate book for 1860 as the owner of a brick building in Little Bourke Street—in the same 'off' Little Bourke Street area he had seemingly vacated.[68] In the next rate book held by PROV, 1862, he is recorded as the owner of the adjoining property, another brick building, owned by the firm Abbott & Co.[69] This proved to be the tip of the iceberg. The 1863 rate book revealed 'Antoneo Ezzopard' to be the owner of no less than seven adjoining properties, being:

- several wooden buildings used as a carpenter's workshop occupied by George Barber in Angelo Lane off Little Bourke Street
- two wooden houses of three rooms each occupied by 'Antoneo Ezzopard' in Angelo Lane
- a 'wooden shop occupied for coffee roasting' occupied by Benjamin Blomfield at 14 Little Bourke Street
- a brick shop and tin warehouse occupied by RJ Harworth at 12 Little Bourke Street
- a wood and brick printing office occupied by Abbott & Co at 10 Little Bourke Street.[70]

In all probability, the three properties on Little Bourke Street (i.e., the properties occupied by Blomfield, Harworth and Abbott & Co) are those shown on the 1856 'Bibbs map'.

These entries are notable for providing a name to the 'off–Little Bourke Street' area. Angelo Lane was first applied to this passage in the 1860 rate book.[71] It formed the eastern boundary of a strip of land marked on its western boundary by a right of way that ran behind the Melbourne GPO. At times, the lane was also known as Angel Lane.[72] Any traces of the lane, including the buildings on it, were demolished during 2009 when the area was absorbed into the redeveloped Myer building.[73]

Azzopardi's presence in the area expanded to seven properties in the 1864 rate book, with a property occupied by Robert Stewart marking another connection to the printing industry. But it was another addition to the Angelo Lane entries in this rate book—one not owned by Azzopardi—that was arguably more significant. This was a property seemingly next door to, or possibly in the same building as, the Stewart printing office (the rate book entries are difficult to interpret), owned by George Levey and occupied by 'Levey & Robson'. It was described as 'brick stores 2 floors including the "Herald" Publishing Office and counting house etc'. The Herald's presence in this building on the corner of Bourke Street/Angelo Lane meant, for a time, that the lane was known as Herald Passage, although this was never incorporated into the rate books.[74] George Levey had probably established the Herald office in the Bourke Street/Angelo Lane building after becoming its editor and proprietor in 1863, positions he held until 1868.[75] Figure 3 shows Antonio Azzoppard[i]'s property portfolio, with buildings in Angelo Lane and around the corner in Little Bourke Street.

There is little doubt that the Levey family became a major influence on the Azzopardi family. George's brother Oliver Levey, who was a co-owner of the *Herald* along with George and their brother William,[76] was to eventually work in partnership with Antonio's son Angelo for a short time,[77] ultimately becoming the executor of Antonio's estate. More importantly, it has been claimed Antonio started to work for the *Herald* as a canvasser.[78]

Figure 3: Excerpt from the 1864 rate book, PROV, VPRS 5705/P0, Rate Books (Gipps Ward).

The 1864 rate book marked the start of a 15-year period in which a number of printing offices were located in Angelo Lane or around the corner in Little Bourke Street, some of which were seemingly owned by Antonio Azzopardi.[79]

The Angelo Lane printing office occupied by Robert Stewart in 1864 was taken over by AL Henriques, who maintained occupancy from 1866 to 1870, and then RP Hurren from 1871 to 1873. RM Abbott occupied the store and stable identified in the 1864 rate book until 1870. The remaining two properties were the houses occupied in 1864 by John Slater and Antonio himself. Henriques occupied the Slater house next door to his printing office between 1866 and 1867. Antonio occupied the other house during this period, and both houses between 1868 and 1870. He had vacated the Slater/Henriques house by 1871, which was then occupied by the printing firm Markby & Co. until 1874. 'A Azzopardi' occupied the other house until 1873, when the occupier was given as 'Azzopardi & Co.', replaced the following year by Markby & Co. In 1875, both houses were occupied by the 'Govt Post Office', after which all references to these houses ceased.[80]

The rate books show that Antonio Azzopardi owned two further properties occupied by printing offices on, and around the corner from, Angelo Lane in Little Bourke Street. One of these was the Abbott & Co. printing office, which was given the physical address of 10 or 12 Little Bourke Street or simply 'Little Bourke Street' up to 1872.[81] The other printing office was next door; it was recorded as being at 12 or 14 Little Bourke Street or just 'Little Bourke Street'. Between 1864 and 1872, this property was described as a forge and store occupied by Harworth (1864), Azzopard & Co. (1866) and George Robertson (1867–72). Between 1873 and 1879, the occupier of both printing offices was listed as 'Azzopardi & Co.', with the exception of 1874, when both were occupied by 'Azzopardi, Hildreth and Coy.'[82]

These developments during 1864–79 point to changes in Azzopardi's career despite a lack of clarity in the rate book entries regarding the occupants in the properties he owned. The rate books make it clear that, for most of this period, Azzopard[i] occupied only one of these properties. However, the names of businesses recorded as occupying the properties in which Antonio didn't reside do not always correlate with the names of businesses recorded in other sources. Specifically, 'Azzopardi and Co.' was used on a number of occasions in rate books, yet I was unable to find any evidence of a business with that name.

This is significant because several of the sources I consulted stated or implied that Antonio Azzopardi bought a printing press; however, it was not clear whether he purchased an entire business or merely the property such a business occupied. For example, an online biography for Angelo Azzopardi states that he purchased RM Abbott's printing works;[83] however, the rate book entries show that Abbott & Co. occupied the site for a number of years until 1873, when the occupier was identified as Azzopardi and Co. Another online resource identifies a business by the name of Markby & Azzopardi located in Herald Passage in 1872, when the rate book entry identifies the occupier as Markby & Co.[84] Further, as already noted, the 1873 rate book refers to the printing offices of Azzopardi, Hildreth and Co. printing offices.

The Sands & McDougall directories provide a degree of evidence regarding business names and addresses; however, the exact nature of Antonio's involvement in these businesses is better established with reference to government records. The registration of printing presses in Port Phillip/Victoria was governed by New South Wales legislation until the passage of the Victorian *Printers and Newspaper Registration Statute 1864* and subsequent legislation known as the *Printers and Newspapers Act*. The statute required 'every person who has any printing press or types for printing' to be registered by the registrar-general.[85] A witnessed notice in writing had to be lodged with the registrar-general, who, in turn, was required to file the notices and provide the applicant with a certificate. The Act was repealed in 1998.[86] To date, no series relating to this function of the Office of the Registrar-General has been transferred to PROV.

Fortunately, in 1997, Thomas Darragh published a book entitled *Printer and newspaper registration in Victoria, 1838–1924* that contains transcriptions of key details, including registration numbers, for the documents lodged during those years and held by the registrar-general at the time of publication.[87] These transcriptions, in conjunction with the rate books and Sands & McDougall directories, clarify matters.

It appears that Antonio Azzopardi only owned the building occupied by the printer RM Abbott—he did not own or operate the printing office himself. According to Darragh, the letterhead to a printing notice submitted by John Lewis on 2 August 1872 states that he was the 'Successor to R.M. Abbott & Co.'[88] The address of Lewis's steam printing works was given as the 'Late Advocate Office' at 7 Post Office Place[89]—that is, across the street from the Azzopard[i]–owned properties on the south side of Little Bourke Street East/Post Office Place. This indicates that Lewis had relocated the business.[90]

Darragh's transcriptions further reveal that Antonio Azzopardi owned the buildings occupied by a printing business operated by others. On 18 February 1876, a notice was filed by John Markby and Angelo James Azzopardi stating they held a printing press in Elizabeth Street.[91] This marked the culmination of an association that seems to have begun in Angelo Lane. The 1871 rate book indicates that 'Markby & Co.' and 'A. Azzopardi' each occupied one of the two houses owned by Antonio in Angelo Lane/Herald Passage. The 1871 Sands & McDougall Directory reveals that Markby & Co. was a label printing business, and the house next door was occupied by Angelo J Azzopardi, an 'engraver and draughtsmen on wood'.[92] The 1872 directory refers to a business called 'Markby & Azzopardi' in Herald Passage, and, although it was not identified in either the 1874 or 1875 directories, it appears that the business remained in Angelo Lane/ Herald Passage until at least 1874, according to the rate books, albeit identified as 'Markby & Coy'.[93]

It is clear that the 'A Azzopardi' identified in the rate books as occupying one of the houses in Angelo Lane/Herald Passage between 1871 and 1874 was Antonio's son Angelo. Unlike his father, Angelo, it seems, had no qualms about placing the 'i' at the end of his surname. Nor did his brother Valetta, one of three principals in the printing firm of Azzopardi, Hildreth and Co. Formed by Antonio and Valetta Azzopardi and Joseph Hildreth, the company filed a joint printing notice on 17 March 1873 stating that they had a press or presses located at 10, 12 and 14 Post Office Place. The business was located at the same address in the Sands & McDougall Directory for the years 1873–79, identified as 'Azzopardi VS and Hildreth printers' in the final of these.[94] No reference to this business appears in the 1880 directory or rate book.

Indeed, by 1880, Antonio owned only one property in the area, marking the completion of either the sale or consolidation of his City of Melbourne properties into a single rateable property. On the surface, the sole property remaining in 1880 was the only one not associated with printing. Previously the shop/coffee roaster business occupied by Blomfield, the address of this property was given in some of the rate books between 1864 and 1878 as 16 Little Bourke Street, an address backed up

by the directories. Blomfield's occupancy ceased prior to the compilation of the 1879 rate book, the entry for which contained the description 'brick building in course or erection' alongside the two properties occupied by 'Azzopardi and Co.' (in reality, Azzopardi, Hildreth and Co.) at 10–14 Little Bourke Street.

The notice of intention to build, submitted to the City of Melbourne building surveyor by the builders Martin and Peacock on 28 November 1878, stated that the building was to be a printing office.[95] However, the 1880 rate book entry for this property, owned by Antonio, described it as a brick store located at 14 Post Office Place. Significantly, the occupier was identified as the 'G[eneral] Post Office'.

This was probably inevitable. After the construction of the main GPO building during the 1860s, the post office had begun to encroach on the strip of land on which Angelo Lane and the Azzopardi properties were located. The land fronting Little Bourke Street from Elizabeth Street that extended to the Azzopardi-owned properties at 10–16 Little Bourke Street/Post Office Place was part of the original allotment reserved for government buildings. The 'Bibbs map' shows that a police office had been erected on that site and that the post office intended to build the north-wing of the GPO building there.[96] In 1872, it constructed a wood and iron 'temporary' telegraph office that was replaced in 1907 by another 'temporary' telegraph office that came to be known as the 'Old Tin Shed'.[97] The post office was identified as the occupier of Antonio Azzopardi's two Angelo Lane houses in the 1875 rate book; the government probably purchased the properties from him after that. In late 1879, it was reported that the government had secured a 'splendid site' extending from the footway 'right up to Mr Azzopardi's new building in Little Bourke Street', which was to be the site for a new electric telegraph office.[98]

Retirement and legacy

By the time the post office acquired Antonio Azzopardi's city properties, he had retired. The rate books indicate that he had moved from Angelo Lane by 1871. He next appears in the East Collingwood/Collingwood rate books created between 1872 and 1875 as the occupier of a brick house situated in Victoria Street/Parade, near Mason Street.[99] In 1876 he moved again, being recorded as the owner and occupier of a two-storey brick house located at 5 Erin Street, Richmond.[100] It seems this was his final move, as the rate book entry for 1877 recorded his occupation as 'Gent[leman]', replacing the previous year's designation as printer.[101]

By then Azzopardi was recognised as one of the earliest European settlers of Victoria. Humphreys claimed that he was one of the first members of the Old Colonists Association.[102] Although he was not reported as being in attendance at the preliminary gathering that established the association in May 1869,[103] he was
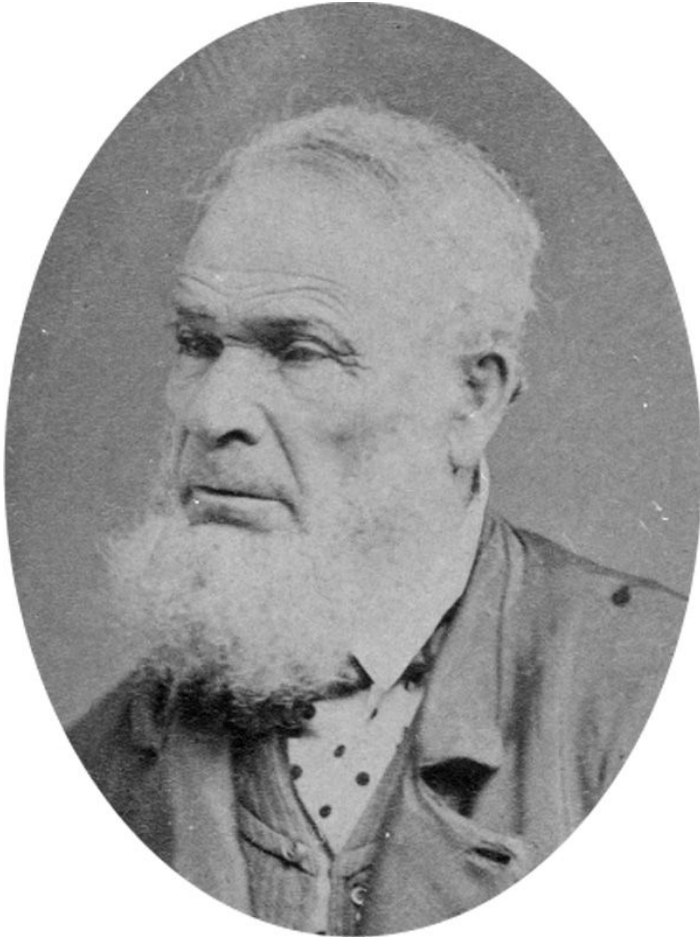
Figure 4: Image of Antonio Azzopardi published by Thomas Foster Chuck in *The explorers and early colonists of Victoria*, 1872.

admitted as a member at one of its first official meetings two months later.[104] In 1872 his image was included in a photographic montage published by Charles Foster Chuck entitled *The explorers and early colonists of Victoria* (see Figure 4).[105] The montage incorporated images of 713 individuals, each numbered seemingly in rough chronological order by arrival: Antonio was number 84. A key (i.e., index) to the montage was also published that identified each individual and their year of arrival. Antonio's surname was accurately rendered as 'Azzopardi' and his year of arrival was recorded as 1839.[106] Since Chuck created the montage by photographing some of the surviving colonists himself, it is possible that he obtained the year of arrival directly from Azzopardi.[107]

Antonio Azzopardi died at his home in Richmond on 23 January 1881 and was buried at the Melbourne General Cemetery.[108] In his will, in which he identified himself as Antonio Azzopard, he left most of his estate to his immediate family. He did not nominate an executor but provided for his real estate interests to be managed in accordance with detailed conditions outlined in the will by three individuals nominated as trustees.[109] Two of these individuals renounced probate, leaving Oliver Levey as the sole trustee. Azzopardi's widow Margaret subsequently lodged a caveat against Levey's advertised notice to apply for probate as its executor. An order was issued, recorded in the *Victorian Law Reports*, that ruled Levey was both trustee and executor.[110]

The probate file reveals that, in his final years, Azzopardi had made an arrangement with the Postmaster General's Department regarding his city property that was far more ambitious than a mere rental agreement. A statement and affidavit prepared by Levey of 'all and singular real and personal estate' owned by Azzopardi in his probate file revealed the scale of both the property and his agreement:

ASSETS – Real Estate

Land having a frontage of sixty four feet two inches to Little Bourke Street by a depth of one hundred and thirty four feet seven inches along Angel Lane. Eighteen feet of which frontage is occupied by a substantial three storey brick store, the other building being of a temporary character.

In the occupation of the Post Office Department under lease having about five and a half years to run at the annual rental of one thousand five hundred and fifty pounds with option on the part of the Department to renew the tenancy for a further term of seven years the lessee to have the option during the term of purchasing the property for the sum of twenty thousand pounds also the option of removing the buildings put up by them.[111]

It appears that Azzopardi entered into a substantial mortgage in order to build the store and still had £3,000 to repay at the time of his death.[112] Tellingly, his will was dated 22 December 1879, which would have been around the time of the completion of construction, commencement of the lease and the reported sale of the land between the post office and the store.

An article in the *Argus* on 16 October 1882 appears to confirm the arrangement. It noted that behind the GPO:

is a block of buildings which extends to another right of way, known as the Herald or Angel Lane. These buildings are used for business purposes, and are owned by private individuals. At the rear, however, and extending between the two lanes to Little Bourke Street, is a strip of land in part owned and in part rented by the Government. On this strip, which is now used for stables and other out offices in connexion with the Posts and Telegraph department it is proposed to erect the new telegraph offices.[113]

Azzopardi's property was eventually purchased, supposedly for extensions to the post office, at the start of 1889 for the £20,000 specified in his will; however, by that time, it was reportedly valued at £70,000.[114]

The administration of Azzopardi's estate before this sale was contentious. In 1885, his sons took Oliver Levey, as the sole trustee and executor of the estate, to the Equity Court of the Supreme Court. They claimed that Levey had made decisions regarding the administration of the estate without consulting them and accused him of acting contrary to their interests. They also contended that he had not adopted a satisfactory or definite system or scheme for managing the estate and had charged inappropriate commissions. They sought to have the administration of the estate vested with the Supreme Court. The court ruled that it did not manage estates and that two new trustees be appointed to work with Levey.[115] The large Supreme Court file for this case contains documents lodged by both sides, the judgement, notes of evidence and subsequent action relating to the appointment of additional trustees. The final documents, relating to costs, were added to the file in 1916.[116]

Conclusion

This is probably a far from complete rendering of the life of a significant contributor to the development of a number of activities in the Port Phillip District and colonial Victoria. The research I conducted into Antonio Azzopardi's life and career brought with it a number of challenges, particularly in regard to finding reliable primary sources that could confirm the time of his arrival in Port Phillip and his activities during the first few years in the colony. While there is an abundance of primary sources available in relation to his later property holdings and business activities, particularly in regard to the properties in the vicinity of the GPO building, some of the details remain unclear and open to interpretation. These and other aspects of Azzopardi's life will require further exploration and discovery. In the meantime, this paper brings together the information I have been able to locate in the short time frame available to me.

Areas I would like to have researched from records held by PROV or the NAA and considered in greater depth are Humphreys's claim regarding Azzopardi's goldfields' business and transport of gold, the chain of ownership of his properties in the files documenting the conversion of general law to Torrens titles (VPRS 460), other general law property records such as memorial books (VPRS 18873), the contents of the Town/City of Melbourne town clerk's correspondence files (VPRS 3181), records held by the NAA relating to Azzopardi's dealings with the Postmaster General's Department and items sent to other Victorian agencies that might be incorporated in their filing systems. I would also like to investigate the subsequent careers of his children. As is the case for any form of archival research, a great deal of patience, digging, interpreting and assessing will be required. It is possible that some of these additional research areas may yield results, potentially altering some of my conclusions—or they may be dead ends, yielding nothing at all. Hopefully this paper will contribute to our understanding of the life of Antonio Azzopardi—an early colonist in Victoria and pioneer of Maltese immigration to Australia.

Endnotes

[1]   Wikipedia, 'Maltese Australians', available at https://en.wikipedia.org/wiki/Maltese_Australians, accessed 21 January 2024.

[2]   Wikipedia, 'Maltese Australians', claims that the first Maltese arrival was possibly a convict named John Pace in 1790, but he may not have been Maltese. The first certain Maltese arrived as convicts around 1810. The entry for Maltese immigration in James Jupp (ed.), *The Australian people*, Cambridge University Press, Cambridge, 2001, p. 580, notes the arrival of convicts Felice Pace in 1810, and Angelo Farrugia (no relation) and Giuseppe Spiteri in 1811. Additionally, Wikipedia, 'Talk: Antonio Azzopardi', available at https://en.wikipedia.org/wiki/Talk:Antonio_Azzopardi, accessed 21 January 2024, claims that the first Maltese settler was Charles Jacob, who was described as a 'Maltese servant' (probably a bonded servant), employed by Charlotte Duffield, who arrived at Fremantle onboard the barque *Egyptian* on 28 December 1831.

[3]   Most notably, I came across images from PROV and other sources from a Pinterest account credited to Henry Morgan that appears to track the genealogy stemming from Antonio Azzopardi to which I am greatly indebted.

[4]   HM Humphreys, Men of the time in *Australia: Victorian series*, 2nd ed., M'Carron, Melbourne, 1882, available at https://nla.gov.au/nla.obj-13818998/view?partId=nla.obj-14089958#page/n193/mode/1up, accessed 6 March 2023.

[5]   Ibid., introductory page.

[6]   Ibid., p. clxxix. The only account I could locate that puts Azzopardi's birth in 1802 is Barry York, '"A splendid country?" The Maltese in Melbourne 1838–1938', *Victorian Historical Journal*, vol. 60, nos. 2–4, September 1989, p. 3. Even then, York clearly inferred an 1802 birth based on Humphreys portrait.

[7]   Humphreys, *Men of the time in Australia*. That Azzopardi was the mate on the *Clonmel* has been inferred from Humphreys's portrait.

[8]   PPROV, VPRS 4/P0, Box 5, Item 1838/211. This census can be viewed online at PROV, https://prov.vic.gov.au/archive/540ADE4D-F7F4-11E9-AE98-9BF746893740?image=1, accessed 21 January 2024. A transcription including all names can be found in Michael Cannon (ed.), *Historical records of Victoria. Volume three: the early development of Melbourne*, Victorian Government Printing Office, Melbourne, 1984, pp. 432–448.

[9]   Cannon (ed.), *Historical records of Victoria*, p. 432.

[10] Design and Art Australian Online, 'Angelo Azzopardi', available at https://www.daao.org.au/bio/angelo-azzopardi/biography/, accessed 6 March 2023. This page was created on 1 January 1992.

[11] Wikipedia, 'Antonio Azzopardi', available at https://en.wikipedia.org/wiki/Antonio_Azzopardi, accessed 6 March 2023. This page was created on 9 June 2011.

[12] For example, Tony De Bolfo, 'Angelo Azzopardi Carlton's knight of Malta Australian Football League', *Maltese Newsletter: Journal of Maltese Living Abroad*, November 2020, p. 16.

[13] 'Family notices', *Argus*, 24 January 1881, p. 1, http://nla.gov.au/nla.news-article5968297; 'Family notices', *Age*, 24 January 1881, p. 1, http://nla.gov.au/nla.news-article204053037.

[14] MSP: Maltese Media Memory Preservation, 'The Maltese diaspora', available at http://www.m3p.com.mt/wiki/The_Maltese_Diaspora, accessed 6 March 2023.

[15] Origins, 'Immigration history from Malta to Australia', available at https://origins.museumsvictoria.com.au/countries/malta, accessed 6 March 2023.

[16] Yosanne Vella, 'The search for Maltese troublemakers and criminals in Australia', *Provenance: The Journal of Public Record Office Victoria*, no. 15, 2016–17.

[17] In hard copy, this series is PROV, VPRS 14. These lists, which have been digitised and indexed, can be searched online at https://prov.vic.gov.au/explore-collection/explore-topic/passenger-records-and-immigration/assisted-passenger-lists, accessed 21 January 2024.

[18] Refer to Marten A Syme, *Shipping arrivals and departures. Victoria ports, Volume 1*, Roebuck Society, 1984–87, p. 246; 'Port Phillip District', available at https://www.portphillipdistrict.info/in, accessed 21 January 2024.

[19] The *Mary Hay* arrived at Melbourne three times between April and July 1840 from Hobart, on 18 December 1841 from London and the following month from Launceston. Syme, *Shipping arrivals*, p. 246.

[20] 'Ship news', *Port Phillip Patriot and Melbourne Advertiser*, 15 July 1839, p. 3, supplement, http://nla.gov.au/nla.news-article228129475; 'Shipping intelligence', *Port Phillip Gazette*, 17 July 1839, p. 2, http://nla.gov.au/nla.news-article225007233.

[21] Refer to the topic page on the PROV website, 'Ships' crew (1852-1922)', available at https://prov.vic.gov.au/explore-collection/explore-topic/transport/ships-crew-1852-1922, accessed 21 January 2024.

[22] It first arrived in Sydney on 2 October 1840, misspelt as the *Clonmell*. See 'Arrival of the "Clonmell"', *Sydney Monitor and Commercial Advertiser*, 6 October 1840, p. 3, http://nla.gov.au/nla.news-article32185649.

[23] Wikipedia, 'PS *Clonmel*', available at https://en.wikipedia.org/wiki/PS_Clonmel, accessed 10 March 2023.

[24] Humphreys, *Men of the time in Australia*, p. clxxx; York, 'A splendid country?', p. 3.

[25] Humphreys, *Men of the time in Australia*.

[26] According to another source, Green was 'one of the original contractors for the carriage of mails from Sydney to Melbourne'. See 'The Greens of "Braham" Station N.S.W', in Alfred S Kenyon, *The story of Australia: its discoverers and founders*, Corio Press, Geelong, [1937], pp. 20–21. Note: this book has two sequences, each with its own pagination. The reference is in the second sequence subtitled *Founders of Australia and their descendants*. Every source I've located about Green, apart from Humphreys, states that his name was Edward Bernard Green—not Edward Barnett Green.

[27] Humphreys, *Men of the time in Australia*.

[28] Richard Breckon, 'Inland mail routes of the Port Phillip District: an article relating to inland postal routes in the Port Phillip Era, 1838–1851', *Philately In Australia*, March 1998, pp. 23–24, https://www.latrobesociety.org.au/documents/InlandMailRoutes.pdf. Breckon's first reference to Green is through a partnership with William Rutledge for the overland mail from Sydney to Melbourne from 1843, although an alternate reading of his claim could date the partnership from 1840. (Rutledge first obtained the contract by himself in 1839.) In 1843, Rutledge moved to Port Fairy and might have left Green to run their operation from Melbourne, thus explaining Humphreys's claim of receiving the subcontract just from Green. See Martha Rutledge, 'Rutledge, William (Billy) (1806–1876)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, available online at https://adb.anu.edu.au/biography/rutledge-william-billy-2622/text3625, accessed 21 January 2024.

[29] *Report of the Post Office Department, Victoria, to 30th September 1862*, p. 6, in Papers Presented to Parliament Session 1862–63, vol. 4.

[30] Ibid.; Breckon, 'Inland mail routes', p. 24

[31] Kenyon, *The story of Australia*, p. 21

[32] Breckon, 'Inland mail routes', p. 24.

[33] Breckon, 'Inland mail routes', states that an overland parcel, then mail, delivery service, contracted to William Wright, operated between Melbourne and Geelong between June 1839 and September 1841, but authorities didn't renew the contract because it was too expensive and delivery by sea was thought to be cheaper.

[34] *Victorian Government Gazette*, no. 47, 6 November 1846, p. 301, https://gazette.slv.vic.gov.au/view.cgi?year=1846&class=general&page_num=301&state=P&classNum=G48&searchCode=6699044.

[35] Refer to PROV, VPRS 85.

[36] PROV, VPRS 3102/P0, Unit 1. A rate book for the Town of Melbourne is not known to exist for this period.

[37] Wikipedia, 'Antonio Azzopardi'.

[38] Years of birth established at Ancestory.com, family tree available at https://www.ancestry.com.au/genealogy/records/antonio-cajetanus-matthias-azzopardi-24-5bcgfl, viewed 27 March 2023. Using the Births, Deaths and Marriages Victoria online searching tool, I could only find birth index entries for Claudina (birth registration 1853/11966), Valetta (1853/11967) and Theresa (1853/11968), all of which are indexed as Azzopard instead of Azzopardi.

[39] See Gipps Ward rate book, PROV, VPRS 5708/P1, Box 1. It appears that Bourke Lane was the previous name for Little Bourke Street, at least according to the rate books.

[40] Kenyon, *The story of Australia*, pp. 18–19. By the time he met Azzopardi, Green had already purchased a number of allotments within Melbourne, adding to his major holdings of stations in southern New South Wales. He probably required a Melbourne business base, having purchased 640 acres of land in Keelbundoora, which he renamed Greensborough,

in 1841. See Wikipedia, 'Greensborough, Victoria', https://en.wikipedia.org/wiki/Greensborough,_Victoria, accessed 17 April 2023.

[41] Kenyon, *The story of Australia*, pp. 19–20.

[42] Humphreys, *Men of the time in Australia*.

[43] Understandably, Humphreys used the street names in place at the time he wrote up his portrait in 1882. This address was not used in the rate books until 1879.

[44] *Report of the Post Office Department, Victoria, to 30th September 1862*, p. 6. The 1841 post office was replaced by the present-day GPO building during the 1860s. See Wikipedia, 'General Post Office, Melbourne', available at https://en.wikipedia.org/wiki/General_Post_Office,_Melbourne, accessed 15 March 2023.

[45] The rate books were not the only records in which his name was spelled this way, which is the basis for my contention that this form of spelling was deliberate. However, the rate books, as will be demonstrated throughout this paper, were unique due to many variations of his surname and even, on one occasion, his Christian name.

[46] 'Report Revision Court – Gipps Ward', *Argus*, 4 October 1849, p. 2.

[47] Minutes Revision Court, PROV, VPRS 4039/P0, Unit 6.

[48] Note: 'Azzopard[i]' explicitly refers to entries in the rate books when Antonio's surname is spelt as either 'Azzopard' or 'Azzoppard'.

[49] PROV, VPRS 5705/P0, Unit 1, Folio 31, no. on rate 361.

[50] PROV, VPRS 5705/P0, Unit 2, Folio 49, no. on rate 481.

[51] PROV, VPRS 5705/P0, Unit 3, Folio 46, no. on rate 544.

[52] 'Garryowen' (Edmund Finn), *The chronicles of early Melbourne 1835 to 1852: historical, anecdotal and personal*, vol. 2, facs. ed., Fergusson and Mitchell, Melbourne, 1888, p. 833. Garryowen refers to the lane as 'The Herald Passage'—a popular (rather than official) name used to describe it at the time.

[53] 'Supreme Court (criminal side)', *Port Phillip Gazette and Settler's Journal*, 23 December 1848, p. 3, http://nla.gov.au/nla.news-article223157766.

[54] The Crown case against the Keoghs can be found in criminal trial brief 1-57-3, PROV, VPRS 30/P29, Box 6.

An account of the trial is given in 'Supreme Court (criminal side)'.

[55] Humphreys, *Men of the time in Australia*.

[56] The entries either side of Azzopard[i]'s in this rate book are for 10 and 8 Little Bourke Street. Combined with the (back) reference, this presumably places the property behind one of these two buildings.

[57] PROV, VPRS 5705/P0, Unit 5, (1854), Folio 17, no. on rate 350; Unit 6 (1855), Folio 20, no. on rate 410; Unit 7 (1856), Folio 21, no. on rate 426. The citizen rolls for the years 1854–55 and 1855–56 both identify the location as a house off Little Bourke Street. See PROV, VPRS 4029/P0, Unit 2 (1854–1855); Unit 3 (1855–1856).

[58] PROV, VPRS 5705/P0, Unit 5, Folio 7, no. on rate 345. The previous entry in the rate book (i.e., for no. on rate 344) is for 15 Little Bourke Street, which is the reason for my placement of this property on the north side.

[59] For a detailed examination of the two plans referred to as the 'Bibbs map', refer to Barbara Minchinton, 'The Bibbs map. Who made it, when and why?', *Provenance: The Journal of Public Record Office Victoria*, no. 18, 2020, available at https://prov.vic.gov.au/explore-collection/provenance-journal/provenance-2020/bibbs-map, accessed 21 January 2024.

[60] Azzopard[i] is not listed in the town's citizen rolls for 1856 or 1857.

[61] PROV, VPRS 8816/P1, Unit 1, Folio 6, nos on rate 137 and 138.

[62] Green built 'Barham' in 1850. It was eventually renamed 'Eildon' and is listed on the Victorian Heritage Register. See St Kilda Historical Society, 'Barnham Eildon (extant) 51 Grey Street', available at https://stkildahistory.org.au/our-collection/houses/grey-street/item/90-barham-51-grey-street, accessed 17 April 2023.

[63] PROV, VPRS 8816/P1, Unit 2, Folio 8.

[64] For more detail about Giuseppe Azzopardi and the police search for him in 1857, see Richard Pennell, 'Looking for Azzopardi: a historic and a modern search', *Provenance: The Journal of Public Record Office Victoria*, no. 10, 2011, available at https://prov.vic.gov.au/explore-collection/provenance-journal/provenance-2011/looking-azzopardi, accessed 21 January 2021. Forest Creek was the site of the

Mount Alexander gold rush of 1852 and, as Antonio was involved in the transport of gold, it is possible he was in the area. Refer to https://www.goldfieldsguide.com.au/explore-location/114/forest-creek-historic-gold-diggings/.

[65] PROV, VPRS 1189/P0 Inward Registered Correspondence I, VA 475 Chief Secretary's Department, Box 813, File 1857/B8234.

[66] Ibid.

[67] Pennell, 'Looking for Azzopardi'. Based on the details in Pennell's article, Giuseppe was around 37 years old in 1857. Antonio was 52 years old that year, meaning that the police estimate of Antonio's age of 45 falls, more or less, at the midpoint between the two men!

[68] PROV, VPRS 5705/P0, Unit 11, no. on rate 451. Unfortunately, at this point, the folio numbering of these rate books ceased. One of the more fascinating aspects about the research that I've conducted is the seeming disappearance of the two cottages/houses from the rate books from 1857 only for them to reappear, owned by Azzopard[i], by 1862. I cannot come up with any possible explanation for this.

[69] PROV, VPRS 5705/P0, Unit 12, no. on rate 455.

[70] PROV, VPRS 5705/P0, Unit 13, nos on rate 366 (Barber), 367 and 368 (Antoneo Ezzopard), 369 (Bloomfield), 370 (Harworth) and 371 (Abbott & Co.)

[71] PROV, VPRS 5705/P0, Unit 11.

[72] Edwina Byrne, 'Angelo Lane', eMelbourne, available at https://www.emelbourne.net.au/biogs/EM01688b.htm, accessed 14 April 2023.

[73] Elizabeth Curtain (a descendent of Antonio Azzopardi), '2 thoughts on "Myer Emporium' and "Lonsdale House"', Melbourne Heritage Action, available at https://melbourneheritageaction.wordpress.com/photo-galleries/myer-emporium-and-lonsdale-house/, accessed 21 January 2024.

[74] For example, 'Herald's Passage' appears in many addresses given in the Sands & McDougall directories of the era, starting from 1867. As noted above, 'Garryowen' also used this name.

[75] Wikipedia, 'George Levey', available at https://en.wikipedia.org/wiki/George_Levey, accessed 20 March 2023. It appears that the bulk of the text on this page was derived from a portrait of Levey published in Phillip Mennell, *The dictionary of Australasian biography* (1892). See Wikisource, 'The Dictionary of Australasian Biography/Levey, George Collins', available at https://en.wikisource.org/wiki/The_Dictionary_of_Australasian_Biography/Levey,_George_Collins, accessed 20 March 2023. Levey was also the member for Normanby in the Legislative Assembly between 1861 and 1867. In 1851, shortly after arriving in Victoria, George Levey, for a short time, worked as a clerk to the gold receiver. It is conceivable that these duties might have brought him into contact with Antonio Azzopardi at the start of his gold activities.

[76] David Dunstan, 'Twists and turns: the origins and transformations of Melbourne's metropolitan press in the nineteenth century', *Victorian Historical Journal*, vol. 89, no. 1, June 2018, p. 21.

[77] Design and Art Australian Online, 'Angelo Azzopardi'. The exact nature of Angelo's partnership with Oliver Levey is not outlined. York, 'A splendid country?', p. 3, states that Angelo established a lithography service in Queen Street in 1871.

[78] Wikipedia, 'Antonio Azzopardi', and elsewhere. I've yet to locate a source for this claim. Humphreys does not refer to it, as his portrait does not refer to any aspect of Antonio's career after 1851.

[79] To keep the research manageable during the short time available, I limited my investigations to just the Antonio Azzopardi–owned printing offices in Angelo Lane and around the corner in Little Bourke Street.

[80] City of Melbourne rate books, PROV, VPRS 5708/P0, units 13 (1875) and following.

[81] Identified as 'Abbott and Co.' (1864–67) and 'RM Abbott' (1868–72). City of Melbourne rate books, PROV, VPRS 5708/P0, various units.

[82] City of Melbourne rate books, PROV, VPRS 5708/P0, Units 18 (1878) and 19 (1879).

[83] Design and Art Australian Online, 'Angelo Azzopardi'.

[84] Centre for Australian Art, 'Markby & Azzopardi', available at https://www.printsandprintmaking.gov.au/artists/5887/, accessed 27 March 2023.

[85] *Printers and Newspapers Registration Statute 1864*, no. 212, section 4, available at https://classic.austlii.edu.au/au/legis/vic/hist_act/panrs1864495.pdf, accessed 27 March 2023. All of the NSW Acts repealed by this Act are identified in its first schedule.

[86] *Printers and Newspapers (Repeal) Act 1998*, available at https://www.legislation.vic.gov.au/as-made/acts/printers-and-newspapers-repeal-act-1998, accessed 27 March 2023.

[87] It is possible that a register was created that no longer exists; however, the Acts governing this activity did not contain provisions mandating the creation or publication of such a register.

[88] From transcription of printing registration no. 366, 'Lewis, John', in Thomas Darragh, *Printer and newspaper registration in Victoria, 1838–1924*, Elibank Press, Wellington, 1997, p. 10. Robert Main [i.e., RM] Abbott had previously submitted a notice dated 29 December 1866 for RM Abbott & Co., claiming to have 12 printing presses and three machines at 10 and 12 Little Bourke Street. See transcription of printing registration no. 179, in Darragh, *Printer and newspaper*, p. 7.

[89] Darragh, *Printer and newspaper*, p. 10.

[90] The term 'Late Advocate Office' refers to the former office of the Catholic newspaper, which moved its office from 7 Post-Office Place (two doors down from Elizabeth Street) to 23 Lonsdale Street at some point during 1872.

[91] From transcription of printing registration no. 366, 'Markby John and Azzopardi Angelo James', in Darragh, *Printer and newspaper*, p.12.

[92] Melbourne History Resources, 'Sands & McDougall's Melbourne and suburban directory for 1871', p. 2, available at https://omeka.cloud.unimelb.edu.au/melbourne-history/items/show/13, accessed 13 April 2023.

[93] Melbourne History Resources, 'Sands & McDougall's Melbourne and suburban directory for 1872' p. 2, available at https://omeka.cloud.unimelb.edu.au/melbourne-history/items/show/14, accessed 13 April 2023.

[94] Melbourne History Resources, 'Sands & McDougall's Melbourne and suburban directory for 1879', p. 7, available at https://omeka.cloud.unimelb.edu.au/melbourne-history/items/show/22, accessed 14 April 2023.

[95] PROV, VPRS 9288/P1 Notices of Intention to Build, Box 13, notice no. 7841.

[96] 'The new telegraph office', *Argus*, 15 July 1872, p. 7, http://nla.gov.au/nla.news-article5864494.

[97] Facebook, 'Past2Present', available at https://www.facebook.com/Past2Present1/posts/1100493249979910:0, accessed 14 April 2023. The Old Tin Shed functioned as the temporary telegraph office until 1920, after which it was leased to an automobile parts business before being demolished in 1964.

[98] 'Melbourne', *Geelong Advertiser*, 27 November 1879, p. 3, http://nla.gov.au/nla.news-article150169750. It is assumed that the 'footway' mentioned in this article refers to the lane behind the post office (probably the present day Postal Place) rather than Elizabeth Street.

[99] Town of East Collingwood special rate book, 1872–1873, PROV, VPRS 377/P0, Unit 17, Folio 242, no. on rate 242; 1873, Unit 18, Folio 7; Town of Collingwood rate books 1874, Unit 19, Folio 7, no. on rate 251; 1875, Unit 20, Folio 7, no. on rate 255. The house was not allocated an address number in any of these books.

[100] Town of Richmond rate books, PROV, VPRS 9990/P1, 1876, Unit 25, Folio 10, no. on rate 324; 1877, Unit 26, Folio 10, no. on rate 326; 1878, Unit 27, Folio 10, no. on rate 323; 1879, Unit 28, Folio 11, no. on rate 328; 1880, Unit 29, Folio 11, no. on rate 338; 1881, Unit 30, Folio 11, no. on rate 343. The description of the property as a two-storey brick house comes from an affidavit of Antonio's personal and real assets within his probate file. See PROV, VPRS 28/P2, Probate and Administration Files, Box 115, Item 21/877.

[101] Town of Richmond rate book 1877, PROV, VPRS 9990/P1, Unit 26, Folio 10, no. on rate 326.

[102] Humphreys, *Men of the time in Australia*, p. clxxx.

[103] 'Old Colonists' Association', *Argus*, 12 May 1869, p. 7.

[104] 'Old colonists' meeting', *Age*, 30 June 1869, p. 3.

[105] Before Felton, 'Chuck explorers and early colonists of Victoria 1872 {1880} SLV [PH]', available at https://www.beforefelton.com/chuck-explorers-and-early-colonists-of-victoria-1872-1880-slv-ph/, accessed 13 April 2023. This site also contains a reproduction of the montage. Chuck originally intended to present it to the public library of Victoria. It was bought instead by the Old Colonists' Association of Victoria, which donated it in 1880.

[106] State Library of Victoria, 'Key to the historical picture of the explorers and early colonists of Victoria', available at https://viewer.slv.vic.gov.au/?entity=IE15096177&mode=browse, accessed 13 April 2023.

[107] Information about the montage comes from Wikipedia, *The explorers and early colonists of Victoria*, available at https://en.wikipedia.org/wiki/The_Explorers_and_Early_Colonists_of_Victoria, accessed 13 April 2023.

[108] Plot no. MGC-IND-Comp-A-No-36S. See, Find A Grave, 'Melbourne General Cemetery', available at https://www.findagrave.com/cemetery/639484, accessed 13 April 2023.

[109] Will 21/877 Antonio Azzopard, PROV, VPRS 7591/P2, Box 62.

[110] Victorian Law Reports, 'Azzopard, Antonio, in the will of [1881] VicLawRp 35; (1881) 7 VLR (I) 30 (7 April 1881)', available at https://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VicLawRp/1881/35.html, accessed 21 April 2023.

[111] Probate file 21/877 Antonio Azzopard, PROV, VPRS 28/P2, Box 115.

[112] Ibid.

[113] *Argus*, 16 October 1882, cited in Victoria: Chief Telegraph Office, Melbourne, available at https://telegramsaustralia.com/Forms/Telegraph%20Offices/Victoria/CTO%20Melbourne.html, accessed 21 January 2024.

[114] 'The town', *Argus*, 5 January 1889, p. 29, http://nla.gov.au/nla.news-article198062658. Online conversion on 19 December 2023 showed that £20,000 in the 1880s is worth A$3.45 million today; £70,000 is worth just over A$12 million.

[115] 'Law Report', *Argus*, 25 August 1885, p. 10; 'Law Report', Argus, 26 August 1885, p. 6.

[116] PROV, VPRS 267/P0007 Civil Case Files [VA 2549 Supreme Court of Victoria], Box 657, File 1885/1990 [i.e., case number 1990 for the year 1885], Angelo Azzopardi Galileo Azzopardi Valetta Azzopardi v. Oliver Levey.

[117] Surviving records created by Victoria's Postmaster General's Department were accessioned into the archives of the Commonwealth Government resulting from the function transfer of postal services from the colonies upon the creation of the Commonwealth of Australia in 1901.

'Wayward', 'immoral' and 'evil'

dispelling myths about Brookside Reformatory girls

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Abstract

Between 1887 and 1903, 257 girls were sent to the Brookside Reformatory, Victoria's first privately run Protestant reformatory for girls. However, apart from newspaper articles and parliamentary reports that mostly shamed the girls and called them 'wayward' and 'evil', little is known about their lives. Using documents from Public Record Office Victoria and material from the State Library of Victoria and Trove, this article seeks to challenge assumptions about the Brookside girls by examining the lives of two inmates, Jessie Nairn and, to a lesser extent, Selina Wilson. After spending four years at Brookside, Jessie Nairn got married and had children and, by all accounts, was a loving mother. Other girls are mentioned to show their socio-economic circumstances and the cruel societal assumptions about them. This work is ongoing as I attempt to locate more records about the girls to challenge stereotypes and reinstate their dignity.

Introduction

Over 20 years ago, I wrote a thesis about Brookside Reformatory, the first private reformatory for Protestant girls in the colony of Victoria, as part of a master of education at the University of Melbourne. My interest lay in the history of the institution; as such, my thesis examined the Victorian Government's motivation for setting up the reformatory and also that of Elizabeth Rowe, the reformatory's head. It explained how the *Neglected and Criminal Children's Act* (1864) was revised to allow Brookside to exist, and investigated how the institution regulated the girls' sexuality and work. The inmates themselves were anonymous: they were just numbers. For example, I noted that *10* girls had been transferred to Brookside, Cape Clear, near Ballarat, from the government-run girls' reformatory at Coburg when it opened four days after Christmas in 1887; that *seven* girls had escaped in July 1889; and that, by the time it closed in 1903, over *250* girls had been sent there. The thesis barely mentioned the girls' stories, yet I have always wondered about the exact reasons they were sent to Brookside, what their lives were like before the courts sent them there and what may have happened to them after they left the institution.

The Australian Government's Royal Commission into Institutional Responses to Child Abuse (2013–17) exposed details about children being ill-treated and sexually abused in places like Brookside Reformatory. That inquiry was partially responsible for prompting my renewed interest in the lives of the Brookside girls.[1] The stories that emerged during the royal commission, some of which were published in newspapers, were a powerful way of understanding what some children had endured in institutions and how authorities had tried to cover up their ill-treatment. The girls at Brookside also suffered mental and physical abuse. Knowing their stories shines a light on assumptions made about children from lower socio-economic backgrounds, especially those being raised by one parent, usually a mother, who were sent to such institutions. Piecing together their lives before, during and after Brookside unlocks and challenges the widespread belief that the girls who were sent there were morally bankrupt and promiscuous.

When I began researching the history of Brookside Reformatory, there was no Trove, the National Library of Australia's repository of digital sources, including newspaper, which would have allowed me to identify copious articles. It was also difficult to locate neglected and criminal children's records held at Public Record Office Victoria (PROV) because I only had a few of the girls' names. This current work has been made possible because Trove enables me to search for articles containing

the words 'Brookside Reformatory' and other word combinations. To date I have located 93 articles. These provided some of the Brookside girls' names, which, in turn, set me on a path to locating further newspaper articles, PROV records, police reports, death certificates and other documents. PROV has a wealth of records that can be searched online, including 'neglected and criminal' children's records, many of which are now digitised. In addition, PROV holds parliamentary papers, letters and digitised shipping records that I have used for this current research, supplementing these with parliamentary reports held at the State Library of Victoria. The advent of digital research and online search tools have made this research possible, enabling me not only to name some of the girls who were sent to Brookside, but also to tell their stories, thereby showing as false the idea that they were 'wayward', 'immoral' and 'evil'.

Elizabeth, Selina, Maud and Mabel

Brookside Private Reformatory for Protestant Girls, also known as Brookside Reformatory, was set up at a time when the Victorian Department of Industrial and Reformatory Schools (later the Department for Neglected Children) believed that children would be better served living in 'family-like' cottages in the country run by private individuals, rather than spending time in large, state-run institutions. George Guillaume, who was made head of the department in 1883, oversaw the opening of 11 private reformatories, including Brookside.[2] According to David McCallum, the idea of middle-class women running small reformatories 'was seen as a solution to the failure of institutional care to solve the problem of wayward children'.[3] Patricia Grimshaw has argued that the cult of the middle-class family, which placed renewed emphasis on the family and home, was becoming dominant at this time.[4] Women, Grimshaw observed, were assigned a special place in the home as caretakers of morals and religion.[5] During this time, additional places were needed for so-called 'neglected' children because of the effects of the *Neglected and Criminal Children's Act*. An increasing number of children were now labelled neglected, resulting in overcrowded institutions, and authorities began worrying that overcrowding would 'compromise whatever moral and educational roles these institutions could serve'.[6] The cottage system would, Guillaume hoped, counter the prison-like atmosphere of large, government-run institutions while at the same time teaching inmates neat and orderly habits in a homely, country atmosphere.[7]

'Saving children' was the aim of government authorities, including Elizabeth Rowe, head of Brookside; however, this desire was underpinned by assumptions and stereotypes about the type of children that needed 'saving'. Such children were viewed as intractable; in the case of girls, it was assumed that they were involved in prostitution if out after dark. After visiting Brookside just once, T Rhodes, president of the State Children's Fund in the 1890s, described the inmates as 'ruddy buxom maidens' and recommended that they remain in the country for as long as possible to rid them of their 'moral typhoid'.[8] Newspaper articles often described Brookside girls as 'wayward', 'immoral' and 'evil'. An 1899 report in the *Argus*, titled 'Girls are vicious and morally corrupt' detailed the escape and capture of seven girls from Brookside.[9]

The girls' records do not mention any involvement in prostitution; however, a harrowing case of sexual assault is recorded. In 1903, Elizabeth Branfield, aged 14, was charged with being a neglected child after being found wandering around Warngar. She was initially taken to Ararat County Gaol, where a male doctor examined her and reported that she was not a virgin and had been leading an 'immoral life'.[10] In fact, Elizabeth had been abducted by Edward Jones Landsborough, a middle-aged man who had worked for her father. Her father was also accused of beating her, yet she was sent to Brookside (Figure 1).[11]

ALLEGED ABDUCTION.

Middle-Aged Man Charged.

Accused Committed for Tr..l.

A Dissolute Girl.

Sent to the Reformatory.

An unsavory case was ventilated at the Police Court on Friday before Mr. R. E. Johns, P.M., and Mr. Cust, J.P., when a middle-aged man named Edward Jones was charged by Jos. Branfield with abducting his 14-year-old daughter, Elizabeth. It will be seen that the accused was committed for trial, whilst the girl, against whom immorality was urged, was sent to the Brookside Reformatory.

Inspector Charles said the man had

Figure 1: An article detailing Elizabeth Branfield's case, which shows that, although she was a victim of sexual assault, there was no empathy for her. 'Alleged Abduction', *Ararat Advertiser and Chronicle*, 12 May 1903, p. 2, http://nla.gov.au/nla.news-article267777333.

YOUTHFUL DEPRAVITY.

At the local court on Wednesday, two little girls named Maud Bryant and Selina Wilson, were charged with being neglected children found behaving in an insulting manner in a public street, on the 25th inst.

Constable Halpin stated at a little after 8 o'clock on Tuesday evening, in consequence of complaints made to him he arrested the girls in Victoria-avenue. He spoke to them and gathered from the conversation that they were neglected children.

Mr. Campbell said that about 7 o'clock on Tuesday evening, he saw the accused in the avenue. They were using the most disgusting language to passers by.

Another witness stated that on a previous occasion he had seen them turning somersaults in Bridport-street, for halfpennies.

The little ones, who during the hearing of the case were giggling, were committed to the Department for Neglected Children.

Figure 2: Newspaper report about Maud Bryant and Selina Wilson. 'Youthful depravity', *Record* (Emerald Hill), 29 June 1895, p. 3, http://nla.gov.au/nla.news-article108476145.

Figure 3: Selina Wilson's second record, PROV, VPRS 4527/P0, 9323-22538; Girls convicted – Coburg Book, p. 184.

The case of Selina Wilson shows that girls were often assumed to be the instigators of 'immoral' acts. On a dark winter's evening in June 1895, Constable Halpin spotted Selina and her friend Maud Bryant,[12] both aged eight, 'behaving in an insulting manner on a public street' in Albert Park, a beachside suburb in inner Melbourne. The children, according to the constable, were swearing and begging for money. The constable decided to march the girls to the watchhouse and lock them up 'for their own safety' (Figure 2).[13] The following day, Maud and Selina fronted the South Melbourne Court and were 'charged with being neglected children'. Constable Halpin told the court that a witness had seen the girls doing somersaults for halfpennies while men watched on. Youths had taken the girls down a laneway and had 'tampered' with them, but I can find no evidence that the youths were apprehended for 'tampering' with eight-year-old girls.[14] Selina Wilson was sent to Brookside. She had previously been living with her brother, a wharf labourer, and his wife in Port Melbourne. A blank space appears in her record, held at PROV, after the 'yes/no' statement 'parents living' (see Figure 3).[15]

The Brookside girls' records consistently show that inmates came from poor, inner-city or country families struggling to make ends meet during the 1890s depression, in which a third of breadwinners lost work. The girls lived in crumbling, overcrowded and, often, vermin-infested housing. Some had attended their local government school while others had worked as domestics or in factories. Many only had one parent; an absent father was common due to desertion, imprisonment or admission to a hospital or mental institution.

A WAYWARD GIRL.

SENT TO THE SCHOOLS.

To-day, at the Fitzroy Court, Mabel Alice Masterton, was charged with being a neglected child.

Evidence was given proving that defendant left her home on the 4th of February, and called upon Mrs Stewart, wife of a West Melbourne publican, who had had a casual acquaintance with her in Collingwood, when in business there. She said that her parents were dead, and she was in search of employment. Mrs Stewart kindly allowed her to remain with her until she obtained a situation. She left on the 22nd of February, and soon after her departure a sum of L5, in gold, was missed from a chest of drawers.

Defendant was also proved to have bought clothing, and stopped at a Smith street restaurant, where she stated that she was an orphan, just from Sydney, looking for employment.

The mother of the defendant stated that she could not control her. Her father was in Queensland. Witness had been warned by a medical man that the girl should not be spoken to sharply, or beaten, because she had heart disease.

The girl was committed to the Industrial Schools.

Figure 4: Description of Mabel Masterton. 'A wayward girl', *Herald* (Melbourne), 8 March 1899, p. 1, http://nla.gov.au/nla.news-article 241873057.

Given the lack of supporting parents' pensions, single mothers had an almost impossible task keeping their children housed, clothed and fed. Mabel Masterton was sent to Brookside because she was deemed a neglected child. Fourteen years old, she had stolen a small amount of money from a hotel in West Melbourne to purchase clothes. She and her mother were living in poverty in Fitzroy; her father was in Queensland. Yet, rather than a victim of circumstance or poverty, newspapers described her as 'wayward' and 'deceitful' (Figure 4).[16]

Not 'evil' and immoral: Jessie Nairn

Jessie Nairn's early life reflects that of many Brookside girls. She was two years old when she and her parents, Margaret and Robert, sailed on the steamship *Chimborazo* from Glasgow, Scotland, to Melbourne, Australia, in February 1885. They settled at 196 Queensberry Street, North Melbourne, where Jessie would remain an only child. Life in Melbourne was probably very different to what the family had dreamed of.[17] By 1895, family relationships were strained, and Jessie had run away. Jessie's mother appealed in the *Police Gazette* for her 12-year-old daughter to return home. She was described as having a 'stout build, fair complexion and hair and large blue eyes, and looking older than her twelve years'. She wore a spotted pinafore covering her dress and a straw hat trimmed with brown ribbon.[18] Upon being found, she was brought before the Melbourne bench where she was charged with being neglected. It is difficult to know exactly what was going on in the Nairn household, but Jessie told the Department for Neglected Children that her parents had 'intemperate habits' that made her homelife 'miserable' (Figure 5).[19] Her father, a printer, was often absent; he died in 1903 in Sydney Hospital.

Figure 5: Jessie Nairn's second record, PROV, VPRS 4527/P0, 9164-18333; Girls convicted – Book 11, p. 214.

Jessie was initially sent to the girls' reformatory at Coburg, an annex to Pentridge Prison, but was subsequently sent to Brookside, arriving there in early 1896. Brookside prepared inmates for service on farms and stations and to be the wives of selectors or farmhands. Jessie would have learned bread and candle-making and laundry work; she also would have done her own laundry and that of locals, earning Brookside 10 shillings a week. A new iron washhouse had been installed at Brookside, but

Elizabeth Rowe ignored all labour-saving devices, such as wringers, because she believed that the girls had to get used to leading a simple farm life.[20]

Mrs Rowe employed a farm overseer and his wife to direct the girls in their farm work, which included feeding pigs, milking cows, clearing bush, cutting chaff for working horses and killing lambs. In addition, Jessie and the other inmates tended 1,000 sheep and 50 head of cattle grazing on 15,000 acres. Vegetables were grown on 15 acres. There was little time for formal education in reading and writing, and these skills were not considered important for farm girls anyway. Dr Dowling, who visited Brookside, commented: 'These poor girls can never expect to attain any but a very humble sphere of life or duty and it is wise to and right to train them accordingly for country homes and farms where this kind of work will fall upon this lot.'[21]

After a period of learning farm work, cooking and sewing, Jessie was sent out to service; she was sent out four times to isolated farms across Victoria, returning to Brookside between each placement. It is unclear how Jessie and the other girls were treated on the farms, because it appears that no reports were written, except for the odd comment in annual reports that a girl's service had been terminated because she was 'not following directions'. I cannot find any mention in the archives of authority figures visiting the girls to ensure they were being properly treated. This is unsurprising given that the reformatory itself only had casual inspections.[22]

The work on isolated farms was interminably tough and it was the same soulless and brutal work at Brookside. It is hardly surprising, therefore, that Jessie and six other girls, including Selina Wilson and Mabel Masterton, aged 12–17, escaped Brookside in July 1899. This was not the first time that girls had tried to escape, and some teenagers, like Annie Duce, had escaped multiple times.[23] The *Victorian Police Gazette* noted that Annie had 'close cut hair', a punishment for girls who tried to escape the reformatory (Figure 6).[24]

MAUD SIMEON, Annie Duce, and Sarah Campfield absconded from the Brookside Reformatory, near Ballarat, on the 1st inst. Description :—1st. 15 years of age, 4 feet 10 inches high, dark complexion ; wore dark wincey dress. 2nd. 18 years of age, 5 feet high, fair complexion ; wore blue check dress. 3rd. Over 5 feet high, pink blouse, check skirt, wearing or carrying a blue serge dress and brown check tweed dress and short loose jacket. All with close cut hair.—O.9459. 4th November, 1892.

Figure 6: The description of Annie Duce in the *Victoria Police Gazette* mentions her 'close cut hair'.

Jessie and the other girls were eventually found, frost-bitten and starving, by Mounted Constable Steven, who accompanied them on a 24-kilometre coach ride to Ballarat police station. There they told Constable John Clifford that flogging with a heavy strap was meted out to girls who showed signs of insubordination. In his report, the constable described the strap as a 'portion of discarded belly-brand'.[25] Clifford observed that two of the girls had marks on their arms consistent with a recent severe flogging.[26] Despite the constable noting other punishments and seeming to believe the girls' stories, Jessie and the others were returned to Brookside and denounced in the press for their 'evil ways'.

A letter held at PROV confirms some of the disturbing disciplinary techniques used on the girls. Dr Raymond Fox, a medical practitioner who visited Brookside fortnightly and also cared for Mrs Rowe, defended the practice of tying the girls' hands behind their backs as a form of punishment. In 1899, in a letter to Thomas Millar, then head of the Department for Neglected Children, Dr Fox explained why he routinely ordered this punishment: 'One of the great troubles we have to deal with is the extremely hurtful habit of masturbation. We have constantly been on the outlook for it for the individual's sake as well as for the danger of her teaching it to younger members.'[27] How Dr Fox knew if the girls had masturbated or not is puzzling and disturbing. He even suggests in the letter that Jessie, Selina, Mabel and the others had escaped Brookside to masturbate. Given the mythology surrounding masturbation at the time, girls who broke rules were accused of 'moral insanity' and branded sexually wicked.

In 1900, Jessie turned 18 and left Brookside. It is unclear what she did immediately after she left but she may have worked as a domestic, as that was her training at the reformatory. In 1904, at the age of 21, she married Australian-born Archibald Kidd, a 27-year-old labourer, in the inner-northern suburb of Fitzroy. They settled in North Melbourne, the suburb of her childhood. Later that year, Jessie gave birth to her first child, Margaret, who would die 15 years later of pneumonic influenza.[28] Another daughter, Jessie Elizabeth, arrived in 1905.[29] A third daughter, Mary Ellen, born in February 1907, died less than 12 months later in January 1908, the same year that Jessie's mother died.[30] Louisa Isabel, Jessie and Archibald's last child, was born in 1911.[31] Jessie lived in North Melbourne the rest of her life, dying at her home, 64 Abbotsford Street, in 1943.[32] She is buried in the Coburg Cemetery.[33] Archibald would be buried with her after he died in 1954.[34] Jessie had five grandchildren at the time of her death. From what I can glean about her life, she was none of the pernicious labels attached to her in her

neglected children's record and in newspaper reports. There is no record of Jessie being in trouble with the law after leaving Brookside. Her death notices suggest that she was well loved.

Conclusion

Jessie, Selina, Mabel, Elizabeth and most of the other girls sent to Brookside were victims of circumstance—of poverty. Some committed crimes such as stealing, which reflected the seriousness of their low socio-economic status. For most, their 'crime' was that they came from impoverished families, many headed by a single mother. They were readily described as 'wayward' and 'evil' because they did not conform to standards of middle-class ideas of female propriety and were incarcerated. These girls, some as young as eight, deserve to have their dignity reinstated. An empathic appraisal of their circumstances, such as conducted here, is one way to achieve this.

Endnotes

[1] Royal Commission into Institutional Responses to Child Sexual Abuse, homepage, available at https://www.childabuseroyalcommission.gov.au, accessed 18 January 2024. Stories of abused children are included on the website.

[2] 'The death of George Guillaume', *Age* (Melbourne), 25 April 1892, p. 5.

[3] D McCallum, *Criminalizing children: welfare and the state in Australia*, Cambridge University Press, Cambridge, 2017, p. 68.

[4] P Grimshaw, 'Women and the family in Australian history', in E Windschuttle, (ed), *Women class and history: feminist perspectives in Australia 1788–1978*, Fontana/Collins, Sydney, 1980, p. 4.

[5] Ibid.

[6] McCallum, *Criminalizing children*, p. 68.

[7] See, for example, Victoria, Department of Industrial and Reformatory Schools, *Report of the Secretary for the Year 1885*, Government Printer, Melbourne, 1886, p. 8, https://webresource.parliament.vic.gov.au/VPARL1886No77.pdf, accessed 3 February 2024. Also see George Guillaume's letter, *Herald* (Melbourne), 3 June 1884, p. 4.

[8] PROV, VPRS 1189/P0, K8075, Rhodes, T, 'How to treat the children: interesting notes on Victorian children', 1 June 1894.

[9] 'Girls are vicious and morally corrupt', *Argus* (Melbourne), 14 August 1899, p. 6.

[10] 'Accused committed for trial, a dissolute girl, sent to reformatory', *Ararat Advertiser and Chronicle for the Stawell and Wimmera District*, 12 May 1903, p. 2.

[11] Ibid.

[12] The court heard that Maud's mother had frequently been before the courts for drunkenness. She lost custody of her child. There is no mention of a father in Maud's records. As she was Catholic, she was sent to the Convent of the Good Shephard, Abbotsford, established in 1863. There is no further trace of Maud in the archives.

[13] 'Youthful depravity', *Record* (Emerald Hill), 29 June 1895, p. 3.

[14] 'Neglected children: a dark picture', *Herald* (Melbourne), 26 June 1895, p. 1.

[15] PROV, VPRS 4527/P0, 9323-22538, Girls convicted – Coburg book, p. 184, Selina Wilson's ward record. So far, I have identified the records of 41 girls who were sent to Brookside.

[16] 'A deceitful girl', *Age* (Melbourne), 10 March 1899, p. 7; *Victoria Police Gazette*, 1899, Mabel Masterton, image 79 (missing child), available at ancestry.com.au.

[17] PROV, VPRS 4527/P0, 9323-25538, Girls convicted – Coburg book, p. 209, Jessie Nairn's second ward record. See also, Registry of Births, Deaths, Marriages (NSW), Robert Nairn's death, record 5740/1904.

[18] *Victoria Police Gazette*, 1895, Jessie Nairn, image 5 (missing child), available at ancestry.com.au.

[19] PROV, VPRS 4527/P0, 9164-18333, Girls convicted – book 11, p. 214, Jessie Nairn's first ward record. There are two entries on Jessie.

[20] Victoria, Department for Neglected Children and Reformatory Schools, *Report of the Secretary*, Government Printer, Melbourne, 1800. See also *Farm Life for Reformatory Girls, Being an Account of a Visit to 'Brookside' Private Reformatory with Editorial Comments*, Melville, Mullen & Slade and ML Hutchinson, Melbourne, 1890 (reprinted from *Age*, 1 January 1890).

[21] PROV, VPRS 1189/P0, K8075, 1899, report on the health of Brookside and St Ann's inmates by Dr Dowling.

[22] PROV, VPRS 1189/P0, K7266, Inspector Evans, report on Brookside, 26 July 1888. Evans sent a letter to the Department of Education requesting that Brookside be occasionally inspected by him while he did rounds at local primary schools. Also see Alice Henry's critical report on Brookside, *Argus*, 2 August 1899, p. 4.

[23] Two records exist for Annie Duce. See Ward Registers, PROV, VPRS 4527/P0, Girls convicted – Coburg, 9164-18333, pp. 97, 146.

[24] *Victoria Police Gazette*, 1864–924, 22 March 1894, Annie Duce, image 198, available at ancestry.com.au.

[25] PROV, VPRS 1189/P0, K8075, Constable John Clifford, Ballarat Police, report on escapes from Brookside, 14 July 1899.

[26] Ibid.

[27]   PROV, VPRS 1189/P0, K8075, letter from Dr Raymond Fox to Thomas M Miller, head of the Department of Neglected and Criminal Children, July 1889.

[28]   Information about this family is available at ancestry.com.au, which is free to access at many local libraries and at state libraries. See 'Margaret Kidd, 1904–1919', https://www.ancestry.com.au/family-tree/person/tree/12958664/person/12777377593/story, accessed 3 February 2024.

[29]   See 'Jessie Elizabeth Kidd, 1905–1967', https://www.ancestry.com.au/family-tree/person/tree/12958664/person/12203206150/story, accessed 3 February 2024.

[30]   See 'Margaret Burns, 1855–1908', https://www.ancestry.com.au/family-tree/person/tree/12958664/person/12806050174/story, accessed 3 February 2024.

[31]   See 'Louise Isabel Kidd, 1911–1988', https://www.ancestry.com.au/family-tree/person/tree/12958664/person/-149970343/story, accessed 3 February 2024.

[32]   BDM 477/1943, death certificate for Jessie (Nairn) Kidd. Her certificate lists her children, as does a death notice in the *Age*, 14 January 1943.

[33]   Cemetery records and headstones transcriptions, 1844–1997, Victoria, Australia (Jessie Kidd), available at ancestry.com.au.

[34]   Cemetery records and headstones transcriptions, 1844–1997, Victoria, Australia (Archibald Kidd), available at ancestry.com.au.

Victoria's system of weights and measures administration

Malcolm Campbell is a retired construction industry commercial manager whose interest in scales, weights and measures was sparked by the find of a half pennyweight weight in the Amherst goldfields while metal detecting. From this find ensued a hobby of collecting gold scales and weights. He soon noticed stamps that were not verification stamps of the UK. These small stamps, 3–5 millimetres across, were of a Crown above a letter and a number and 'VIC'. Eventually, finding out that they were from Victoria, the search began for the system of numbering and its meaning. Thank goodness for Public Record Office Victoria!

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Abstract

Victoria became a separate colony of the United Kingdom on 1 July 1851; however, it took until 1864 for a workable system of weights and measures administration to be introduced. Standard of weights and measures were obtained and issued to local authorities to administer in their local areas. These standards were numbered, as were the Crown stamps used by inspectors to indicate that trade weights and measures had been checked and found to be legal to use in the day-to-day businesses of local traders. The registers of issued weights and measures, as well as general weights and measures records for different periods, held by Public Record Office Victoria are highlighted in this article. Examples of how the numbers can assist in identifying where the weights and measures were used in Victoria between 1864 and the 1990 are provided. As far as the author is aware, the history and use of this numbering system has gone unnoticed or ignored by other researchers, but he would be delighted to be shown to be incorrect.

Introduction

As a keen prospector looking for gold with a metal detector in the central Victorian goldfields, I had a great time in the outdoors, researching the history of various areas and detecting with like-minded people I met along the way. I was not (and am still not) the most successful user of metal detectors, but I had a great time enjoying the flora and fauna I encountered, the fellow prospectors I met, the history that surrounded and inspired me, as well as the occasional small finds of gold.

One day before 2010, while detecting in Amherst in central Victoria, I found a small non-ferrous item that I later identified as a half pennyweight weight that was made by W & T Avery Ltd. of England. This, coupled with my interest in gold in Victoria, started another interest: collecting small gold scales in boxes with Avery labels that dated from the time of the gold rushes in Victoria and elsewhere. With some of these came small weights—some with brass pennyweights, others with troy weights, both of which were used from the 1850s onwards to weigh gold. On some of the brass weights were other markings or stamps. Some were English markings that I was able to identify by further internet searches. Others had no solution to their meaning on the internet, so what were they? These stamps were only 3–5 millimetres in size, with a Crown above a letter and a number and 'VIC' beneath. I knew that 'VIC' did not represent Queen Victoria, as I had gleaned from my internet searches that either 'V' or 'VR' would indicate Queen Victoria. Was it something to do with the colony of Victoria? I reached out to the Australian Measurement Institute for information and, after repeated emails, I eventually received a phone call from one of their representatives in Victoria who was familiar with the Bendigo region. He confirmed that the stamps were indicative of the Victorian weights and measures system and that the numbers were related to the area of use. He knew the number for Bendigo but no others. So, where to go for more information?

I started to look online and tried the website of Public Record Office Victoria (PROV). Here I found some registers that I thought might assist in learning more. As I was still working, I could only attend PROV periodically on Saturdays when they opened and when family commitments allowed. I slowly began my research and the solution to the puzzle gradually became clearer. After I retired in July 2019, I was able to attend the reading room at PROV in North Melbourne more frequently. I completed my review of the registers and sought more information via the individual files for the various local authorities. Thank goodness for PROV, but more particularly for the reading room staff who assisted me to understand the system of files and content of the various boxes. They offered further assistance when PROV updated its website. I am grateful for their interest, understanding and patience.

I subsequently started to enquire at local historical societies and museums to find examples of the local standards of weights and measure as well as the balances and stamps that were used by inspectors. I have shared with local historical societies and museums any knowledge I have acquired in my research at PROV as it applies to their collections and will continue to do so as I find more examples of the local standards held in their care. I have also regularly sought to acquire weights and measures and balances online and at auctions whenever I have found such items and could afford them. In some cases, my research has allowed me to more accurately date when and where certain items were used within Victoria.

Why do accurate weights and measures matter?

It seems that humans are rather opportunistic creatures and some are even downright dishonest. Through the ages, people have been known to shave the edges or surface of gold coins to gain a bit of gold or even to replace them with counterfeit coins. Both sellers and buyers have tried to take advantage of each other, in turn complaining to authorities about the injustice of their experiences. The need for known and accepted standards of weights and measures prompted the development of suitable equipment. Victoria was a colony of England and subject to English law. On becoming a state, Victoria made its own laws but such laws were still based on the English system. Modern English standards were re-established in the mid-1820s after the previous standards were destroyed by fire, and it is from these that Victoria's standards were obtained.

A search of Trove's digitised newspapers using the filter 'Victoria', a date range of 1850–59 and the search term 'weights and measures' reveals numerous warnings to traders to have their scales and weights checked by inspectors, and reports of traders charged with selling underweight bread, meat and vegetables. Open letters to newspapers from local officials expressing concern as to the lack of standard weights and measures suggests that requests to the colonial government were falling on deaf ears. Some businesses advertised services to check and adjust traders' scales. Business was clearly booming in the gold rush climate, but I have yet to find any reference to what measures the inspectors or the police were using as their standard in checking the scales of traders, and against what reference points magistrates dispensed justice. The content of such a search would occupy another story on its own.

Victoria's system of weights and measures administration

As we know, the wheels of government turn slowly, even today. Although Victoria became a separate colony on 1 July 1851, it continued to use the weights and measures legislation extant in New South Wales until 1862, when the first Victorian *Weights and Measures Act* was passed. In 1862 and 1863, the Victorian *Government Gazette* noted the appointment of inspectors of weights and measures and advised where authorised copies of standard weights and measures should be stored; however, the standards themselves were not available at this time. There were still many decisions to be made as to the administration of weights and measures in Victoria, including:

- How many sets of standards were required to allow the proposed system to be successfully implemented?

- On what basis would standards be issued to local authorities?

- How were adequate records of issue, return for reverification and reissue to be kept?

- What would the cost to government be, and what could it recoup from local authorities?

- How often should the standards be checked?

- Which government authority should oversea the requirements of the system?

- Against what superior standards should local standards be tested and how should the testing be carried out?

It was an amending *Weights and Measures Act 1864* that set out the requirements for local authorities or groups of local authorities, known as unions, to be held responsible for the administration of weights and measures in their respective districts. The year 1864 was really the starting point for Victoria to have an organised and well-managed system of weights and measures that lasted until the 1990s. As with most legislation, even today, the detail of the implementation is rarely included in the Act. It is left to subordinate regulations to detail procedural requirements of the implementation and ongoing workings of an Act.

Local standards of weights and measures

A question was raised in Victoria's parliament on 18 February 1862[1] regarding weights and measures previously forwarded to the colony by the colonial agent-general in 1857 (Figure1).

Figure 1: Reply to a question put by Mr Millison, 18 February 1862, *Standard weights and measures*, Government Printer, Melbourne, 1862.

Twenty-four sets of weights, measures and balances were received from the colonial agent-general during 1857 and were deposited in the Government Stores. One of these sets was stamped at the Exchequer in London, which means it would have had a specific indenture number stamped on it. I believe this indenture number would have been 1191, as *Marks and markings of weights and measures of the British Isles* (p. 13)[2] shows that weights and measures with this indenture number were verified on 8 April 1857 and issued to 'Victoria, South Australia'. I believe the reference to South Australia was a typographical error and it should have been Victoria, Australia.

Were 24 sets sufficient for the needs of Victoria's municipalities? Clearly not. In the Victorian *Government Gazette* of 11 September 1863,[3] a contract was awarded to James McEwan & Co. for the supply of 27 sets of weights, measures and balances. James McEwan would have had the sets made in England, later inscribing his own company name on them. The first set of weights and measures was formally issued on 28 July 1864 to the Borough of Prahran.

None of the above 51 sets of weights and measures included sets of troy weights, which would be required to weigh gold and precious metals. Given the gold rush of the 1850s and 1860s, this needed to be addressed. The Victorian *Government Gazette* of 4 November 1864[4] shows that a contract was awarded to SW Magnay for the supply of 51 sets of troy weights. SW Magnay was, in reality, SW Maquay, a manufacturing jeweller in Melbourne at the time. This typographical error in the *Gazette* was subsequently corrected. SW Maquay would also have had these sets of weights made in England. Troy weights were not available for issue to the local authorities until 1866.

What weights, measures and other equipment might a local inspector require to carry out their duties? The list is impressively long:

- Avoidupois weights (used for trade weight measurement) in three boxes of 56, 28, 14, 7, 4, 2, 1 pounds; 8, 4, 2, 1 ounces; 8, 4, 2, 1 dram. In the 1950s, a ½ dram weight was added to the sets.

- Measures of capacity in three boxes of 1 bushel, ½ bushel, 1 peck, 1 gallon, ½ gallon, 1 quart, 1 pint, 1 gill, ½ gill each with glass strike discs. After World War II, the use of bushel, ½ bushel and peck, which were measures of capacity of dry produce, was phased out.

- Measure of length in a box of 1 yard with subdivisions of the yard marked.

- Troy weights (used for gold and precious stone) in two boxes of 100, 50, 30, 20, 16, 8, 4, 2, 1 ½, ¼ troy ounce; 4, 3, 2, 1½ pennyweights; 6, 3, 2, 1 grains. Note that a troy ounce and an avoirdupois ounce are different weights. Also note that a ½ troy ounce is 10 pennyweight and ¼ is 5 pennyweight. Troy weights were only issued to local authorities that had a need to use them.

- Portable balances one of 7 pound capacity and one of 56 pound capacity with a tripod and lifting gear for mounting the 56 pound balance.

- A set of steel punches and brands that were accommodated in a box with 59 compartments. Punches included three Crown steel stamps with a Crown E and the distinguishing number with 'VIC' further beneath; these could range in size from 1/8 inch to 3/8 inch. Obliteration punches were a six-pointed star to obliterate markings on weights determined to be illegal. Numerical stamps from 1 to 9 and 0 of a couple of different sizes. Stamps with 56 LB, 28 LB, 14 LB, 7 LB, 4 LB, 2 LB, 1 LB, 8 OZ, 4 OZ, 2 OZ, 1 OZ, 8 DR, 4 DR, 2 DR, 1 DR, GALLON, ½ GALLON, QUART, PINT, ½ PINT, GILL, ½ GILL. Brands with BUSHEL, ½ BUSHEL and PECK.

Distinguishing numbers of local authorities or groups of local authorities (unions)

From a review of the 1864 legislation,[5] I gleaned that each local authority or group of local authorities (unions) was issued with a distinguishing number that was applied to their local standards and recorded by the authorities. The weights and measures inspectors of each local authority had a set of stamps that included a Crown seal stamp so that, on verification of trade weights and measures, the inspector could stamp the weight or measure with their specific distinguishing number.

An online search of PROV seemed to be the answer and it pointed me to a number of old registers held in the reading room at North Melbourne. As I was still working, I could only get to a few of the Saturday openings. Such were the beginnings of my research at PROV.

It was exciting just to be able to handle and read the 'Register of authorised copies of the weights and measures issued' (Figure 2).[6] The first set of standards was issued on 26 July 1864 and the last entries were added in 1952. All weights and measures issued, returned for periodic reverification or returned for reuse by the authorities were recorded in the register. The record covers avoirdupois, troy weights and measures of capacity and length.

Additional registers were introduced in 1902 to record more details, such as which denominations of weights or measures and balances (scales) were issued or returned for reverification together with details of any maintenance or repairs carried out and the costs incurred by local authorities. If weights and measures from a municipality or union were returned and reissued to another municipality or union, the details were also recorded. These registers are held at PROV, VPRS 9528/P1, 1, 2, 3,

Figure 2: 'Register of authorised copies of the weights and measures issued', PROV, VPRS 9527/P1.

VPRS 9530/P1, 1, a list of standards certified for use by the Central Administration is included. A new body introduced in the early 1950s, the Central Administration was designed to take some of the load and expense from local authorities in situations in which specialised equipment might be needed, as such equipment, if purchased by a local authority, would not be required very often and would, therefore, be an unreasonable expense.

VPRS 9530/P2, 1 includes a record of additional local standards procured by the Central Administration to be distributed to local authorities as needed. It documents the first requirement for additional supplies of standards to be procured. When the Victorian *Weights and Measures Act 1864* was introduced, the authorities obtained 51 sets of standards of weights and measures for distribution to local authorities. It is interesting to note that additional standard weights of 56 pounds and less were manufactured at an explosives factory at Maribyrnong. Other requirements were also met by local suppliers, as overseas suppliers seemed stretched in their capabilities and had difficulty accessing raw materials.

Following the revelation of the distinguishing numbers obtained by reference to the above documents, I started to seek further information about many of the local authorities during the periods covered by these additional registers. I also sought further information about local authorities that had been dissolved or formed after the registers were discontinued in 1965. Obviously there would be more distinguishing numbers to find. In retirement, I have been able to spend more time visiting the reading room and have made use of VPRS 9523/P1, 1–214 (for the period 1950–75) and VPRS 9524/P1, 1–86 (for the period 1975–92) to locate further information about various local authorities and to locate other newer distinguishing numbers. Some of the additional distinguishing numbers were easy to find; others I

stumbled on when reading about another local authority or in general notes or correspondence by the Central Administration. So far, I have recorded 98 distinguishing numbers and the periods in which they existed, as well as a couple of unknowns that may not have been issued with numbers or may have been reissued with a previous number.

I have located several local historical societies and museums that have imperial weights and measures and local standards within their collections. For those I have been able to visit, I have provided a report of any information I have been able to glean from the markings on their items. I am aware of a few collections that I have not yet had the opportunity to visit, and I am sure there are still more imperial local standards to be found across Victoria. Some may even be in private collections. I was informed by a former local inspector of weights and measures that metric local standards were required to be returned to the Victorian Government when the system of weights and measures administration by local authorities was scrapped in the 1990s. However, I have seen sets for sale on eBay and have, in fact, purchased one set of weights formerly belonging to a local authority.

An example of distinguishing numbers and tracing the history of a measure of capacity

Distinguishing number 13 can be seen about three-quarters of the way to the right of Figure 4, immediately above a Crown and STANDARD, even though it has been obliterated (over-stamped to strike it out). The number 13 was allocated to the Weights and Measures Union of the Borough of Kilmore and the Road Boards of the Districts of Willowmavin, Pyalong and Bylands and Glenburnie, which was issued with its weights and measures standards on 30 September 1864. This date can also be seen to have been obliterated at the bottom right of the picture. This union was dissolved on 29 December 1865.

This measure was part of the weights and measures standards then issued under distinguishing number 30 on 22 March 1867 to the newly formed Weights and Measures Union of the Boroughs of Dunolly, Tarnagulla and Shire of Bet Bet. The number 30 can be seen in the top left of Figure 4 above a Crown and STANDARD. Immediately below is the date of issue, 22 March 1867. This union operated until 12 August 1903, when it was dissolved. The weights and measures would have been returned to the authorities in Melbourne. The distinguishing number 30 along with the weights and measures were reissued on 1 August 1908 to the Shire of Hampden Camperdown, which operated until 22

Figure 3: Item ST 42808 from Museums Victoria Collections, standard volume, imperial half gallon, primary standard, brass, potter, England, 1863.[7]

Figure 4: Enlargement of the stamps on the measure shown in Figure 3.

September 1953 when it was dissolved, the shire joining the Corangamite Weights and Measures Union. The Corangamite Weights and Measures Union was issued with distinguishing number 44. I believe the measures from the Shire of Hampden Camperdown were returned to the authorities in Melbourne, but that the weights were added to Corangamite's other set of weights numbered 44, becoming set 44A with the 30 obliterated.[8]

By following the distinguishing numbers and the dates, it has been possible to trace the history of where this measure was used between 1864 and the 1950s. Although I have, on occasion, been unable to read an obliterated distinguishing number, I have been able to read early issue dates that have been obliterated, thus enabling me to confirm the initial use of a weight or measure. Understanding this numbering system and the dates of existence of weights and measures local authorities can be a useful tool for researchers.

Figure 5: Three stamps on a set of banker's scales. Photographs by author.

For example, I purchased a set of scales made by W & T Avery and sold as 'circa 1880s'—a vague timeframe often used by auction houses wishing to place an article in the nineteenth century but not really sure when. I had determined that this was a banker's type scale mounted on a box with a drawer. On cleaning it, I found three different number stamps on the pans and brass mounting tee nut on the box (see Figure 5).

With small stamps such as these, it was common for a slight mis-stamping or over-stamping to occur. Figure 5 shows Crown E 18, E 51 and E 8 with VIC beneath. In the middle image, what looks like an F is a mis-stamped E. The right-hand image has an over-stamped 8; presumably, before the second blow on the punch, it moved a bit. The meaning of the E is unknown to me and the only other alpha I have seen is G, but I have not found any documentation for this change.

The above numbers can give us an understanding of where the scales were used:

- The number 18 was allocated to the Union of the Borough of Maryborough and Road District of Tullaroop, which existed between 14 December 1864 and 8 October 1867. Therefore, we know that the scale was used in this area between those dates, most likely in a bank in Maryborough. The number 18 was never reissued.

- The number 51 was allocated to the Gippsland Weights and Measures Union, which existed between 8 February 1885 and 9 July 1888. Therefore, we know that the scale was used in Gippsland in this period, most likely in a bank

in Bairnsdale, Maffra, Rosedale, Avon, Traralgon or Sale. The number 51 was never reissued.

- The number 8 was allocated to the City of Melbourne, which, from a weights and measures perspective, existed between 27 August 1864 and the 1990s. Therefore, the scale was use in Melbourne during this period.

Obviously, not all numbers assist in dating a scale or weight; however, in this case, we know the scale was used in Victoria as early as the mid-1860s in the Maryborough district. The source of details for the above numbers is the 'Register of authorised copies of the weights and measures issued'.[9]

Conclusion

The information that I have so far uncovered relating to the weights and measures administration by local authorities in Victoria between 1864 and the 1990s can provide a wealth of knowledge for local historical societies and museums, Museums Victoria, antiques dealers, auction houses and private collectors.

I am progressively collating the information I have gathered with the intention of compiling it into a book for ease of reference by others interested in this subject. The 98 distinguishing numbers found to date should make it possible to check any standards held by historical society and museum collections and confirm when and where they were used. As mentioned, I have already shared this information with historical societies that have allowed me access to standards in their collections. This has been well received and has expanded their knowledge about those items in their collections. It has also enabled me to continue to add to my knowledge of local standards and where they were used. Often questions raised by local historical societies cause me to return to PROV to seek further information. As some of the records relating to weights and measures held at North Melbourne are infrequently referenced, they have understandably been relocated to storage at Ballarat, but are still available upon request for ongoing reference.

I am continuing my search for, and collection of, examples of inspectors' stamps on trade weights and measures. The stamps are small and often covered by dirt or have become worn over time, hence they can be difficult to spot. I have not yet found anyone else who shares my interest in this subject but would be glad to know if anyone is following the same or similar lines of research.

Endnotes

[1]   *Victorian Hansard,* 18 February 1862, p. 624
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[3]   *Victorian Government Gazette*, no. 94, 11 September
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[4]   *Victorian Government Gazette*, no 113, 4 November
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        de=6697538, accessed 14 January 2024.

[5]   *Weights and Measures Statute 1864*, available at
        https://www.austlii.edu.au/cgi-bin/viewdb//au/
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[6]   PROV, VPRS 9527/P1, 1, https://prov.vic.gov.au/
        archive/VPRS9527.

[7]   'Standard volume—imperial half gallon, primary
        standard, brass, potter, England, 1863', Item ST
        42808, Museums Victoria Collections, https://
        collections.museumsvictoria.com.au/items/405184.

[8]   From my observations when I was permitted to view
        the weights and measures held by the Colac and
        District Historical Society.

[9]   PROV, VPRS 9527/P1, 1.