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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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- Notice of relevant copyright ownership is attached to each copy; and
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One of the pleasures of editing a journal like Provenance is encountering new approaches to researching archives. By surveying the correspondence records of the City of Melbourne, Andrew J May, Stephen Banham and Christine Eid have sought to draw attention to the often overlooked features of these letters from far and wide. Their article, ‘Paper ambassadors: letterheads and the iconography of urban modernity’ opens our eyes to the graphic design of the humble genre of customised stationery, as a conduit for some of the earliest examples of what we now call ‘branding’. The dazzling array of letterheads that the authors discuss provide insights into the urban history of Melbourne, the concerns of its citizens and business people, and the miniature ideologies that they capture and transmit in visual form.

In ‘Playing the Ghost: Ghost Hoaxing and Supernaturalism in late Nineteenth-Century Victoria’, David Waldron has used public records to help understand the motivations of people who engaged in the bizarre practice of dressing up as ghosts to scare people. This curious phenomenon on the Victorian goldfields coincided with the popularity of spiritualism and followed similar trends in Britain. Strange individuals and happenings are explored through newspaper reports and public records to exhume one of the true behavioural oddities that emerged at a time when reason and progress were supposedly on the march across the world.

Through the records of the Melbourne and Metropolitan Board of Works (MMBW) Lee Andrews tells the story of the development of one of Victoria’s most enduring and inspirational tourist attractions in her article ‘Maroondah Reservoir Park: the creation of a monumental landscape’. Constructed as part of the MMBW’s experimental closed catchment policy, the park sought to compensate the Victorian public which lost access to water catchments with provision of adjacent landscaped public parkland. Through records of MMBW activities, it is possible to understand how Hugh Linaker, one of Victoria’s foremost landscape designers and tree planters, succeeded in creating a truly ‘monumental landscape’ – one of the best parks ever designed for public purposes in Victoria.

In their article ‘The Scots at Springdallah’, Jan Croggon and Joan Hunt use public records and other sources to reconstruct an understanding of the now-dispersed community of Springdallah and the Scottish immigrants that thrived there prior to the great upheavals of the goldrush period. From pastoralists to mining families, intermarrying and sometimes sharing similar cultural backgrounds, the Scots made an significant contribution to community life in this little-examined period of Australian history.

In the Forum section this year, Lee Hooper tells a sad and disturbing story from 80 years ago about a man suffering from mental illness who killed his first wife but was then released from an asylum with devastating consequences. ‘Preparation for Death: the story of Francis O’Brien, Mildura High School Headmaster and family annihilator’ tells the story of Francis O’Brien who on 28 May 1934, slit the throats of his second wife, their three children and then himself. Upon investigation into the circumstances surrounding the familicide, police discovered that this was the same Francis O’Brien who killed his first wife with a hammer 10 years previous while he was Headmaster at Mildura High School. Only a few years after the disastrous events that rocked his first family, the mental health system, as documented by inquest records, had set him free, and left him largely without support or supervision.

‘Battle to Farm: Excavating land files of the World War I Discharged Soldier Settler Scheme from within Closer Settlement files at Public Record Office Victoria’, details the investigative work that was undertaken as part of PROV’s commemoration of the centenary of World War I, an epic project to make the records of Victorian soldier settlers more accessible to researchers. Senior Collections Advisor Charlie Farrugia takes us through this archival detective work that has not only given us a better understand of the records of soldier settlement in the PROV collection, but will also enable the creation of an online finding aid that researchers will be able to use to identify records about ancestors who received soldier settlement blocks and to enable the orderly copying of these records as digitised images accessible online.
The development of the legal profession in Victoria can be traced through the records of individuals admitted to practice the law prior to 1901. Richard Harrison's article 'The Legal Profession in Colonial Victoria: Information in Records of Admission Held by Public Record Office Victoria' describes the structure of the legal profession in the nineteenth century, provides details of the relevant record series that document the profession's development and the kind of biographical data that they can yield to interested researchers. The author aims to create a suite of free online resources that allow easy access to historical data about Australia's influential elites.

Sebastian Gurciullo
Editor
Refereed articles
The Scots at Springdallah

Dr Janice Croggon and Joan Hunt

Abstract

Little physical evidence remains at Springdallah to show for the once-thriving communities that lived and worked there for several decades from the late 1850s. The land that stretches across waterways, cliffs and valleys between Linton and Cape Clear, thirty kilometres south-west of Ballarat, has now reverted to the pastoral landscape that had developed before gold was discovered. Scottish pastoralists created sheep and cattle runs that, after twenty years of idyllic living, were overrun by gold-diggers and their dogs. This paper reveals the nature of the Scots who lived in the Springdallah communities. From pastoralists to mining families, intermarrying and sometimes sharing similar cultural backgrounds, the Scots made an important contribution to the shared community network in this unique and inadequately examined period of Australia's history.
This paper contends that the Scots, from landholding pastoralists to wage-earning miners, made their contribution to, and reaped benefits from, the Springdallah goldfield on the Woady Yaloak Creek southwest of Ballarat in the nineteenth century.


As a case study, it demonstrates the strong presence of Scots in Victoria from pastoral settlement until the establishment of mixed communities in which the Scots often played a leading role. One of the main sources of detailed information enabling recognition of Scottish individuals and families is a database built largely from a comprehensive collection of birth and death certificates (1863–1941) held by a local family, which relate specifically to Springdallah and Piggoreet. They are supplemented by the burial registers and headstone transcriptions from four local cemeteries, and other public records such as vaccination and school registrations, and shareholders' details from the Victoria Government Gazette. The database provides the statistical analysis quoted in the paper. By combining nominal record linkage with detailed biographical research, a local community study such as this provides strong evidence on which the reconstruction of patterns of the past can be built.[3]

The frenzied gold rush period of shallow alluvial gold discovery had diminished by the later 1850s. From about 1859 the gold industry at Springdallah took on a different and more permanent aspect. Companies were formed to mine the gold embedded deep underground in buried watercourses. Miners and their families were attracted to settle and build townships in the area around the Springdallah Creek. Socially and economically the countryside and its riches impacted on the new and growing population. Conversely, the settlers influenced the network of communities that was made up of native-born Australians, settlers of English, Scottish, Welsh and Irish origin, Europeans mainly from Germany and Italy, Americans, and Chinese. These diverse ethnic groups were obliged by circumstances to socialise co-operatively in often challenging situations. Of the total population on the goldfield, many individuals were Scots who brought with them a range of work experience and skill.

However, prior to the settlement of Scottish miners in the early 1860s there were families from Scotland who had settled along the creeks, valleys and cliff-tops of the Springdallah district twenty years earlier, grazing sheep and cattle on tens of thousands of acres for a mere £10 license per annum.[5] Settler pastoralists, popularly called squatters, with their wives and children, were disproportionately represented by the Scots, as 'at least two-thirds of the pioneer settlers of the Western District were Scottish'.[6] The Scottish diaspora, in a similar pattern to that of other British countries, included Australia among its several places of settlement throughout the world, particularly during the early to mid-nineteenth century.[7] On the one hand there was an element of 'push' due to factors such as crop failure and the Highland and Lowland clearances that led to land tenants' dispossession and eviction to clear land for sheep-grazing, as well as two 'pull' factors. One of these was the realisation that the Port Phillip District consisted of vast grasslands, apparently just waiting to be occupied by pastoralists, and the other was created by the later rich discovery of gold to be found across that same area.[8] The breeders of cattle and sheep availed themselves of tens of thousands of acres of land on which to graze their stocks; 'the young men were set on making their fortunes'.[9]
In the country to the north-west of the coastal port of Geelong the Springdallah Creek and its tributaries, eventually flowing into the Woady Yaloak Creek, meandered across parts of three pastoral runs known as Emu Hill, Piggoreet West, and Moppiananum. Kiddle describes the Scottish pastoralists of the Western District as predominantly Lowland farmers.[10] Many were young bachelors, like the brothers Thomas and Somerville Learmonth, cousins William and Archibald Yuille, Henry Anderson, and Francis Ormond junior, who were still in their late teens when they became involved in pastoral pursuits. However, the settlers who occupied the three pastoral stations on which the Springdallah goldfield developed in the early 1850s were atypical. Each of them was over thirty years of age when they took up their runs, two were married with children, and only one was from the Lowlands. Indeed, one of them was a woman, Mary Linton, who applied for the official lease of Emu Hill no. 169 in her own name on 23 February 1848.[11] None of them was a retired army or naval officer as was so often the case during the pastoral pioneering era.[12]


Emu Hill

Joseph Linton was born at Paisley on the Isle of Bute in 1794, and his wife Mary Dunlop was born in the West Indies in 1809, of Scottish parentage.[13] They married in Ayr in June 1827, and departed from Greenock for Hobart on 3 October 1838 on the barque Potentate together with their first three children.[14] After a brief stay, they arrived in Geelong on a coastal steamer in February 1839. They held the Emu Hill pastoral run from towards the end of that year until about 1860, during which time Joseph died (in 1853) and Mary remarried (in 1857).[15] The gold-mining settlements of Dreamers Hill, Old Lucky Womans and Happy Valley came to be established on the 15,000 acre Emu Hill leasehold.

One of the Linton daughters married John Browne of the adjoining run (Moppiananum), and another daughter Jane Allan Linton married Ashton Gartside, a storekeeper at Piggoreet. Yet another daughter Mary Dunlop Linton married Stewart Matthews who took up the Piggoreet East run for some years, and Williamina Dunlop Linton, known as Mina, married an American, Benjamin Hichborne Fernald, the hotelkeeper of the Emu Inn at Pitfield in the 1850s. Three of the daughters married out of the district, but Josephine became the wife of Dryden Phillipson, a mine manager of a mine on Linton station, and it was at Josephine’s home that Mary Linton died aged 78 years.[16] The local marriage networks were strong.

The Reverend John Gow, a Presbyterian minister, had travelled out from Scotland with the Linton family and continued a partnership in the pastoral business while establishing churches throughout his extensive parish, that was known as ‘The Colac’.[17] Born in 1803, Gow was a confirmed bachelor, and committed his time to parish work. He lived in Smythesdale at the time of his death and was buried locally on 22 June 1866, where a fine monument marks his grave in the Smythesdale cemetery. His generous bequest to the Ballarat Hospital signals him as a Scot connected with Springdallah whose contribution was notable.
Moppiananum

John Browne was born on 24 May 1818 at Carleton, Borgue, in the Scottish Lowlands near Dumfries. He was the son of a farming family, his father reporting at the 1851 census that he employed five labourers to work his 328 acres.[18] Browne arrived at Port Phillip in 1840. The 30,000 acre pastoral run of Moppiananum was originally licensed to Captain Charles Henry Ross in 1841, and included present-day Ross Creek. After Ross returned ‘home’ in 1843 it passed into the hands of George Forbes.[19] In early 1850 Forbes transferred the station to John Browne and Thomas Sproat, who was also a Dumfries man.[20] The pastoral run was then estimated to be capable of grazing 1200 head of cattle and 9000 sheep. Browne purchased 960 acres as his pre-emptive right on both the Moppiananum and Piggoreet West runs.[21]

![John Browne](image1)


John Browne and Eliza Tennant Linton, who was born in 1829 at Greenock in Renfrewshire and was the daughter of the holders of the adjoining run, were married at Emu Hill on 17 July 1852, and it was they who built the homestead that stood for many years and is today a ruin, viewable from Nimon’s bridge over the Woady Yaloak Creek. After gold was found on his leased and freehold land in 1854 Browne suffered stock losses due to the depredations of diggers’ dogs. This forced him to sell and remove to the Anakies near Geelong. The first three of the seven children of John and Eliza were born at Moppiananum, and the rest at Narada West, Anakie. John Browne is remembered in the Scarsdale area names of Browns and Scarsdale Borough, Brown’s Diggings, Brownsvale and Browns Road.

Piggoreet West

Piggoreet pastoral run, comprising 19,000 acres on the Woady Yallock Creek, adjoined both Emu Hill and Moppiananum. By 1852 when gold was officially discovered at Springdallah the original pastoral run had been divided into two, Piggoreet East and Piggoreet West.[22] On 2 December 1851 Francis Ormond applied for approval for the transfer of ‘Piggereet’ [sic] to John Browne, having held it since 30 March 1850.[23] Ormond and his family had emigrated from Aberdeen to the Port Phillip District in 1842, where his father ran the Settler’s Arms Inn at Shelford before taking up Borriyallock station.[24] Browne then held the lease for about fourteen months, when its pre-emptive sale of one square mile was valued at twenty shillings per acre.

![Piggoreet West homestead](image2)

Piggoreet West homestead. Source: H98.250/1721, JT Collins Collection, La Trobe Picture Collection, State Library Victoria.

[25] The Commissioner for Crown Lands in the Portland Bay District, Henry Hamilton Smythe reported in October 1853 that the existing buildings consisted of a cottage and woolshed, and that there was no indication of auriferous deposit.[26]

David Clarke arrived in Port Phillip from Aberdeenshire in 1840 as a farm servant with his wife Jean, a dairymaid, and their children Helen aged 5 and John aged 3 years.[27] Their ship was the John Bull, the master of which was Captain Francis Ormond. David Clarke managed the Langi Kal Kal station near Beaufort before forming a partnership in Buangor station with Alexander Campbell. By 1855 he had purchased Piggoreet West station, arriving at approximately the same time that the shallow alluvial gold was giving out and men with capital were considering moving in to explore the deep leads.

David Clarke is remembered through his name being incorporated in the parish of Clarkesdale. He provided employment for many part-time gold miners who laboured on his property, allowed his land to be used for picnics for all denominations to fund-raise for their churches, and took a leading role as a committee-man for Piggoreet school and the Presbyterian Church. His son John took over Emu Hill station, and daughter Helen married a local Scottish farming family.
Scottish miners

Rapid industrialisation in Scotland towards the end of the eighteenth century led to the establishment of ironworks, the fuel for which was provided by the associated coal-mining industry. From about 1830 Scotland’s economy increasingly relied on the coal, iron, engineering and shipbuilding industries. Both collieries and ironworks in the Lowlands of Lanarkshire and Ayrshire caused a massive increase in population in the first half of the nineteenth century.

Working the raw materials required a great workforce to mine and manufacture, encouraging waves of migration from Highlands, Lowlands and islands into the new and developing cities of Britain.[28] This movement in turn led to overcrowding and squalor that, especially during times of downturn in the economy, must have made stories of the gold discoveries in Australia, the land of new economic opportunities, seem very attractive. One result was emigration schemes that offered finance, especially after the Emigration Act 1851 (UK) provided even the poorest crofter with financial support to make the life-changing journey for just £1. The process (1852–1857) was overseen by the Highlands and Islands Emigration Society that assisted many poor, mainly single young men, especially from the islands, to emigrate. For many, although circumstances made their migration compulsory, there was an element of choice, especially as the news of greater opportunity in countries like Canada, the United States of America, Australia and New Zealand became widespread.[29] The men from these places brought lead and coal mining skills. The Mining District Reports of 1844–1859 deal with Lanarkshire, the Lothians, Stirlingshire and Fifeshire. Many of the Scottish fathers of children born at Springdallah came from those same counties.


Of the 1108 births registered at Springdallah between 1863 and 1883 there were 177 children born to a total of 76 Scottish fathers, rather neatly balanced by 78 Scottish mothers, but not necessarily married to each other. Sixteen marriages were of Scots who had married in Scotland, arriving with children, and continuing to grow their families at Springdallah, making up about 21% of the total Scottish fathers. A further 33 couples where both partners were Scottish married after arriving in Victoria, a total of 38%. The rest of the total 76 Scottish men who fathered children at Springdallah married in Victoria to Irish, English or Australian-born women, and one Welsh woman. British networks and connections predominated. Where the men had given their occupation as miner on documents prior to being employed by gold mining companies at Springdallah, they were referring to their work experience usually within coal mines and sometimes lead mines, in Scotland. About 65% of all Scottish family men, taking evidence from the birth registrations, worked at Springdallah as miners, rising to 72% when skilled mining positions are included, such as mine manager, engineer, engine driver, blacksmith and carpenter. Some Scots worked in service industries necessary to the maintenance of the goldfield community, such as storekeeper, cobbler, and grocer. Included were the occupations of pastoralist, station overseer, surgeon, and farmer. Some were poor, leaving conditions in Scotland of high unemployment, illiteracy and slum housing. However, ‘… impoverished highland Scots, some of whom spoke only Gaelic … often judged … as jabbering heathens, slow in both body and mind’ were as truly Scottish as were the well-educated, often bi-lingual Presbyterians of high culture and polite society.[31]

A notable Scot upon whom the Springdallah communities relied heavily was Thomas Foster, the local doctor and surgeon who lived at Piggoreet. Thomas was born in Canonbie, not far from Gretna Green in the Scottish borders. He married Mary Ann Brown in 1863 in Melbourne, and they raised their family in a home overlooking the township of Piggoreet, high on the cliff-side road leading to Happy Valley.

Hundreds of Springdallah infants were delivered into the world by Dr Foster, and many residents were attended by him on their deathbeds, including two of his own young daughters.

Another Scot who was prominent at Springdallah was Glaud Storrie Pender, who was born on 27 August 1827 at Whitburn in the Lowlands of West Lothian, where iron and coal mining began in the eighteenth century. He arrived with his wife Grace Muir and young family on the Marco Polo from Liverpool on 28 June 1852, their son William having died from measles on the voyage, during which a total of 52 children died. When living at Scarsdale, Glaud was elected to the first Council of the Municipality of Browns and Scarsdale in August 1862.[32] From early 1862 the family was settled at Springdallah, where the two youngest children were born. Glaud was a director of a number of mining companies, became manager of the Golden Lake Gold Mining Company Pty Ltd, and was President of the Shire of Grenville from 1875 until 1877, around which time he was also a justice of the peace presiding in the Piggoreet court house. His reported presence at many meetings throughout the district over many years is a clear indication of his influence and expertise in the mining industry.

Mining interests increasingly impinged on the local pastoral industry. A local company, formed by its shareholders, reached agreement with David Clarke of Piggoreet West in November 1862 to mine on his private property for the sum of £5,000 and 3% of the gross yield.[33] In May 1860 the Brownsvale Gold Mining Company offered 48 acres of alluvial ground on Brown’s pre-emptive right with £5000 to be invested. [34] By February 1866 the 960 acres that had been John Browne’s run, Moppianimum at Brownsvale, was the freehold of the Scarsdale Great Extended Company, in which year the fenced paddocks were offered for rental for cultivation and grazing purposes.[35]
There was constant interaction between the Piggoreet West pastoralist David Clarke and the miners, as when the Golden Horn Gold Mining Company held a 'baptism of the engines' ceremony on 7 July 1865, attended by a large crowd including Mr and Mrs Clarke, the proprietors of the property, who were toasted and thanked. In December of the same year, despite his being a Presbyterian, David Clarke made available his 'picnic paddock' for a Church of England tea meeting that was largely attended.

The network of Scottish families who depended upon and assisted one another is illustrated by the Ballantines and Mortons. William Ballantine, born at Auchinleck in Ayrshire in 1831, arrived in Victoria with his brother James in January 1854. On 5 August 1859 William and Euphemia Moore Morton, also born in Auchinleck in 1842, were married at her father's house at Smythesdale by the Scottish Presbyterian minister, Reverend John Gow. James and his wife Isabella moved back and forth between Springdallah, Smythesdale and Bendigo between 1856 and the mid 1870s. The extended Morton family settled in the district where in 1870 Euphemia's father had taken up land under section 42 of the Land Act 1869 near Brownsvale. Of the eleven children born to William and Euphemia, the first four died within three months in 1868 from diphtheria. Eight children were born at Golden Lake before the family moved to Waterloo near Beaufort. William Ballantine was at various periods a miner, engine-driver, and storekeeper at Golden Lake on a purchased allotment. His brother James Ballantine is also described as an engine-driver, when living and working in Bendigo.

Their birthplace of Auchinleck near Cumnock had been involved in quarrying and deep pit mining from the 1830s, and iron companies had provided employment for the people of the area, so the engine-driver training received by William and James Ballantine may have been associated with that local employment. Their experience would have made a valuable contribution at Springdallah. The network of extended family connections was strengthened through the marriage of Euphemia's sister Mary Morton, who in 1859 married George Peace Sinclair from Kirkwall in the Orkney Islands, and lived in the Springdallah area on and off for more than two decades. Sinclair was the mining manager of the Golden Belt Gold Mining Company.

William Clarkson was a miner from the rich coal and ironstone mining area of Wilsontown, Carnwar in Lanarkshire where a huge iron foundry started in 1795. By 1842 both the foundry and coal mine had ceased, so when Australia's gold-mining opportunities arose Clarkson, his parents, and his brothers and sisters all emigrated. He married Janet Gow from Coupar Angus in Forfarshire in 1852 at Bothwell in Lanarkshire, and by the mid 1850s the extended family established themselves on the Woady Yaloak goldfields.

Henry Dobbie was born in Perth, Perthshire in 1839 and married Mary McLaurin from Monkland, Lanarkshire in about 1842. They married on 30 September 1862 at Scarsdale and had several children, before Henry died in 1875 after being injured in a fall of earth in the Golden Lake mine. These Scottish families would have been either members of the Presbyterian Church or, less commonly, the Catholic Church. The early establishment of the Presbyterian Church at Piggoreet signifies the influence of the Scottish population, as there were no Catholic, Wesleyan or Lutheran churches there despite members of those religions being well represented in the community. David Clarke of Piggoreet West gave strong support to the local Presbyterian church.

The Cameron family exemplify very well the experiences and background of the Scots who mined the deep-lead mines at Springdallah. Born about 1802 near Glengarry in Invernesshire, Ewen Cameron married Ann McDonnell in 1833. They started their married life in the Kilmonivaig parish near Fort Augustus, Invernesshire, where Ewen was a stonemason. The Campions embarked with seven children aged from seventeen years to seventeen months, on board the Chance that departed from Liverpool on her maiden voyage on 24 July 1852. The family were Catholic, and it seems likely that they spoke both Gaelic and English, and the parents could neither read nor write. By December 1861 at least, they were living at Lucky Womans Diggings, where Ewen was a juryman at an inquest into the drowning death of a young boy who had been swimming in a dam.[37] The family was well settled, and possibly financially secure, by December 1864, when Ewen purchased twelve shares valued at five pounds each in the Young Australia Gold Mining Company at Bulldog (later known as Illabarook). [38] Their 24-year-old daughter Ann had married a local man James Honan in 1862, then the eldest daughter, Mary, married Owen Sullivan who also lived locally. Their son Ewen married the daughter of a local Scottish family, Mary McGruer after he had applied for 20 acres of land in the bordering parish of Mannibadar in July 1866, under license in accordance with section 42 of the Land Act 1869. Ewen and Mary then had a family of seven children born locally, but took up land near Charlton after 1877, after the Victorian Government had the Wimmera surveyed and thrown open for selection.
In the meantime, Ewen senior was appointed the herdsman to the Argyle and Linton Farmer’s Common in September 1865, when he would have been about 63 years old, and possibly no longer wanting to do heavy work mining underground.[39] In September 1867 Ewen senior, giving his occupation as farmer, applied for a license to hold 14 acres at Lucky Womans on the site of the now worked-out Try Again gold mine, having gained written permission of the remaining shareholders, who indicated that the mine was finished.[40]

Ewen purchased that allotment in December 1871, and held a further 12 acres by May 1872. However, he died on New Year’s Day of 1876. His death was registered at Happy Valley, and his body was interred in the Linton cemetery. He bequeathed his real and personal property, amounting to £375/-/-, to his wife Annie and son Lewis, being more than 32 acres in the parish of Argyle, with 26 head of cattle, 40 acres in the parish of Mortchup, and 246 acres in the parish of Wyche proof, with cattle, the estate to be administered by his sons Lewis and Duncan Cameron of Linton.[41] Ewen and Ann Cameron appear to have raised their socio-economic status by coming to Australia, their earlier years in Scotland having borne the hallmarks of poverty and disadvantage, exemplified by their lack of education, a state overcome by their children. The correspondence in their land files clearly show that their children had attended school, most likely at Lucky Womans School no. 376, and all of them in adulthood became very well established on large properties in the Wimmera.

This paper provides clear evidence of the success with which Scots adapted well to the Springdallah district, settling as pastoralists in the pre-gold period, and working in the thriving gold-mining industry throughout the nineteenth century.[42] Broome comments that Scottish consciousness in the colony generally seemed to be weak, yet at Springdallah, at least, a Scottish narrative is apparent.[43] The Scots did make their presence felt at Springdallah when that goldfield was at its zenith, although the Scots at Ballarat endowed a more tangible and lasting legacy there, through statuary and establishment of institutions in the goldfield that became a city.[44] The Springdallah Scots made a grass-roots contribution, because they appear strongly at all levels of the community. The communities of Springdallah, with Scots well represented on the local school committees, supported and encouraged the movement towards universal education that resulted in four schools being built on the goldfields there, at Piggoreet, Happy Valley, Golden Lake, and Grand Trunk. Ample evidence survives of interactions and mutual support being shared by farmers and miners alike, through commercial, shareholding, educational and religious endeavours. The strength of the Presbyterian Church in the Springdallah community was no doubt a source of comfort and strength to the Scots there, and assisted in their apparently easy adaptation to a new life.[45] Their numbers were not great compared with the Irish and English, but their presence was certainly felt. The opportunities for mutual benefit on the goldfields of Springdallah were not missed by the Scottish families enjoying relatively full employment and social improvement. They made a new life for themselves and their families in their adopted home, and in the process both Springdallah and they prospered.
Endnotes


[18] Census of Scotland, 30 March 1851, CSSCT1851-211, ED4.


[23] PROV, VPRS 5920/P1, no. 51/832, 2 December 1851.


[26] PROV, VPRS 5920/P1, document dated 13 October 1853.


[30] Scottish Mining Website, available at <http://www.scottishmining.co.uk/64.html>, accessed 25 March 2014. The Mining District Reports were annual reports produced by Hugh Seymour Tremenheere, who was appointed a commissioner to inquire into the operation of the *Mines and Collieries Act 1842* and into the state of the population in the mining districts. He produced fifteen reports between 1844 and 1858. The website cited above provides a précis of each report.


[33] Star, 21 November 1862, p. 4.

[34] Star, 11 May 1860, p. 2.


[36] PROV, VPRS 439/P0 Applications for Gold Mining Leases [Inglewood Division Mining Registrar] , unit 86, file 2452/49, 10 July 1871.

[37] PROV, VPRS 24/P0 Inquest Deposition Files, unit 103, file 1050, 15 December 1881.


[40] PROV, VPRS 627/P0 Land Selection Files, Section 31 Land Act 1869, unit 57, file 5562/31.

[41] PROV, VPRS 7591/P2 Wills, unit 24, file 14/253; VPRS 28/P2 Probate and Administration Files, unit 46, file 14/253.

[42] PROV, VPRS 640/P0 Central Inward Primary Schools Correspondence, unit 629, file 1065; VPRS 795/P0 Building Files: Primary Schools, unit 2039, file 726.


Maroondah Reservoir Park

The creation of a monumental landscape

Lee Andrews


This is a peer reviewed article.

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Lee held the position of Chair of the Gardens Committee of the National Trust of Australia (Victoria) for six years between 2003 and 2009. In 2010 Lee was commissioned by Context Pty Ltd to prepare a conservation analysis of Maroondah Reservoir Park for inclusion in a conservation management plan for the Maroondah water supply system, within which the park is situated. Her findings form the basis of the following article.

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Abstract

This article reveals the previously little-known early history of the Maroondah Reservoir Park, which was developed after completion of the Maroondah Reservoir in 1927. Located approximately seventy kilometres east of Melbourne, Maroondah Reservoir was an experiment. Not only was it the first reservoir constructed by the Melbourne and Metropolitan Board of Works (MMBW), established in 1891, but it was the first built under its somewhat contentious closed catchment policy. This policy offset prohibition of public access to water catchments with provision of adjacent landscaped public parkland. The development of attractive and publicly accessible parkland as an adjunct to the reservoir was thus central to the success of the venture. What was achieved at Maroondah Reservoir was the creation of one of the most impressive landscapes – indeed a ‘monumental landscape’ – ever designed for public purposes in Victoria. Maroondah Reservoir Park became the MMBW’s showpiece public garden, and its success made it the model for all of the MMBW’s subsequent reservoir parks.

Documentary records held by Public Record Office Victoria provided detailed accounts of formative landscaping works in the park and yielded new insights into many aspects of the park’s development over the past almost 90 years. Significantly, they revealed the previously unknown fact that Hugh Linaker, one of Victoria’s foremost landscape designers and tree planters in the 1920s and 30s, was responsible for the impressive tree collection still enjoyed by visitors today. These records played an important part in assessing Maroondah Reservoir Park as being of historic, aesthetic, social and scientific importance to the State of Victoria.
Introduction

After a century of service, the Melbourne and Metropolitan Board of Works (MMBW) was dismantled in 1991 and replaced with a new public body, Melbourne Water Corporation. Management of public assets which had been built up over more than a century, including Melbourne's water supply, catchments and waterways thus became its responsibility. Appropriate management of these assets requires a detailed understanding of their history and the extent and nature of the heritage values they may embody. To this end, in 2010 Melbourne Water commissioned Context Pty Ltd to prepare a conservation management plan for the Maroondah Water Supply Scheme, including Maroondah Reservoir and Maroondah Reservoir Park.[1] This article draws on research, undertaken by the author for Context, into the history of Maroondah Reservoir Park and assessment of its heritage values.[2]

Beginnings of the Maroondah Scheme

Maroondah Reservoir is located in the upper reaches of the Yarra Valley, approximately seventy kilometres east of Melbourne. It was completed in 1927, but planning for the reservoir stretched back half a century. Melbourne’s reticulated water supply began in 1857, with the completion of the Yan Yean Reservoir, which drew water from the Plenty Ranges to Melbourne’s north. With minimal augmentation the Yan Yean system served the growing city for many years. As Melbourne’s population rapidly increased, additional water sources were explored, and in the early 1870s the Watts River and other tributaries of the Upper Yarra were identified as being the best additional sources of water.[3] In 1872, the Watts River watershed was permanently reserved in readiness for future works.[4]

Following a detailed survey of the Watts River in 1880 a diversion weir and later a dam on the river were planned. This would become known as the Watts River Scheme. In February 1891 the Governor of Victoria, the Earl of Hopetoun officially opened the first stage of the scheme – the weir on the Watts River. At the ceremony the governor re-named the scheme, proclaiming ‘I christen the new stream by the native name of Maroondah.’[5] Thus the ‘Maroondah Scheme’ was born.

In the same year (1891) the Melbourne and Metropolitan Board of Works (MMBW) was formed to build and maintain the city’s sewers and water supply. It would be responsible for this for the next century.

‘The public health is my reward’ – the Closed Catchment Policy

When the MMBW was formed it adopted the motto ‘The public health is my reward’. In order to protect the health of the public, the purity of the water supply was paramount. To achieve this the MMBW’s predecessor, the Water Supply Board, adopted what became known as the closed catchment policy in the latter part of the nineteenth century.[6] This somewhat contentious policy prohibited logging, farming, settlement or indeed any human activity within catchment areas.[7]

To implement the policy, drastic action was sometimes required. In the Watts River catchment, for example, the government compulsorily acquired all private land between 1885 and 1891. This included the entire township of Fernshaw, which had all its buildings moved elsewhere or demolished.[8] At this time Melbourne was one of only five cities in the world with protected water catchments.[9]

A decision is made to build a massive structure

In the early twentieth century, population increase and episodes of drought put further pressure on Melbourne’s water supply, and the MMBW eventually decided to proceed with construction of the dam, postponed since the 1880s, downstream of the Watts River weir. This was the beginning of the most significant expansion of the water supply system since the construction of the Yan Yean system.[10]

Delayed by World War I, tenders were finally called for the construction of the ‘Maroondah Cyclopean Rubble and Concrete Dam and Outlet Tower’ in 1920. The lowest of five tenders, submitted by E Carroll, was accepted by the MMBW on 5 October 1920.[11] Construction commenced shortly thereafter. The Argus had proclaimed some months earlier that Maroondah Dam would be a massive structure and the largest dam built in the history of the MMBW.[12] It would also be the first reservoir to be built under the closed catchment policy.[13]
Maroondah Reservoir – a closed catchment experiment

In constructing Maroondah Reservoir under the closed catchment policy, the MMBW was embarking upon an experiment. Here for the first time the MMBW planned to construct a reservoir whose vast catchment would be closed to the public from the very outset. The catchment area had been popular for outdoor recreation since the nineteenth century, and the nearby town of Healesville was an established tourist centre. Given the contentious nature of the closed catchment policy and the possibility of a public backlash against the MMBW, careful planning was necessary.

The MMBW undertook to compensate the public for their loss of access to the catchment by creating for them a splendid, landscaped replacement. The development of attractive and publicly accessible parkland as an adjunct to the new reservoir would thus be central to the success or otherwise of the venture.

The MMBW had previously carried out retrospective planting in older reservoir reserves at Yan Yean and Touroorong, and at the Wallaby Creek weir, not only to make them more attractive to visitors but to prevent erosion of the banks.[14] At Maroondah however, the MMBW planned the development of a landscaped public park as an integral part of the overall project. Maroondah Reservoir, as the Board’s first reservoir constructed under its closed catchment policy, was to set the example for all that would follow.

A fine tourist attraction

The long-awaited commencement of the dam’s construction in 1920–21 aroused considerable public interest and became an added ‘engineering’ attraction in an area long valued for its scenic and natural qualities. The surrounding mountainous country and the township of Healesville had been initially developed for timber-cutting and milling. The subsequent reservation of these forests as protected catchments for the Yarra River and its tributaries closed many timber mills, to the detriment of the local economy. However, the perceived association between clean mountain air and physical and moral health during the latter nineteenth century led to the gradual re-development of the area as a popular tourist resort. Its proximity to Melbourne made it ideal for day trippers, with travel considerably facilitated by the arrival of the railway in the late nineteenth century.[15]

The dam construction and the aerial ropeway, which transported construction supplies from Healesville Railway Station to the dam site, were both popular drawcards. Many visitors to Healesville made a point of following the dam’s progress, and visits to view the dam and ropeway were popular outings. It was not only tourists who enjoyed these engineering spectacles.

In 1922, the Governor-General and Lady Forster visited the construction works and the aerial ropeway,[16] as did Lord Stradbroke and the Countess of Stradbroke in 1925.[17]
Throughout the 1920s the *Argus* followed the dam’s progress, and on 26 August 1926 it reported that water had begun flowing into the dam, and the reservoir was filling rapidly.[18] The attractions of the area, including the dam’s construction, were also energetically promoted by the Healesville Tourist and Progress Association (established 1904), and in 1926 it suggested to the MMBW that the Maroondah Dam should be renamed ‘Maroondah Reservoir’ or ‘Maroondah Weir’.[19] The MMBW Water Supply Committee supported this suggestion.[20]

A month later, the *Argus* reported on the remarkable public interest in the reservoir:

> Healesville: Ideal holiday weather prevailed during the Christmas holidays. Nearly 3000 persons arrived by train from Friday until Monday, and the road traffic was exceptionally heavy. The new Maroondah reservoir has been visited by hundreds of tourists, who have expressed their wonder at the magnitude of the work and the expanse of water amid charming scenery.[21]

Unfortunately, despite the MMBW’s policy of carefully retaining indigenous vegetation where possible, the site was dealt a bitter blow when, in February 1926, bushfires burnt out much of the valley floor behind the dam wall and the hillside to its east. The ‘Maroondah Dam flat’ was described at this time as a ‘true picture of Dante’s inferno’. [24] Large-scale replanting was urgently needed, both for reasons of aesthetics and water-quality.

Photograph entitled ‘Maroondah Valley looking upstream before removal of timber 6.12.16’, in photograph album of construction of Maroondah and Silvan Reservoirs. Source: PROV, VA 1007, VPRS 8609/P32 Historical Records Collection, unit 4, photograph album PA 13 (ii), photograph F 144.


‘A true picture of Dante’s inferno’

Prior to the construction of the Maroondah Reservoir the entire catchment area was densely forested with eucalypts, native pines, wattles and tree ferns.

While construction of the dam required timber to be cleared from the valley prior to flooding,[22] the area downstream of the dam wall was largely untouched, with the intention of creating a parkland for the visiting public.[23]
Designing an enclosure for the public

From the outset, a park had been planned for Maroondah Reservoir to allow tightly-controlled public access while protecting the pristine nature of the catchment area. The language used by the MMBW Water Supply Committee in its meetings, and recorded in its minutes, is very revealing. The park being created at Maroondah Reservoir was repeatedly referred to as 'the public enclosure', especially while initial landscaping, fencing and other improvements were being carried out. Clearly, the MMBW saw its task as providing beautiful surroundings for the public, who would be kept firmly behind fences and locked gates and excluded from the catchment area. Indeed, this was spelt out quite clearly by the Water Supply Committee's engineer Edgar Ritchie, in a memo of 2 June 1926. In describing two alternative exclusion fencelines around Maroondah Reservoir, he noted:

In so far as the public are deprived of ... sight seeing, which they had on the old track to Maroondah Weir and Mathinna Falls (which would be excluded with either fence) they will have a very much finer sight seeing provision in the reservoir itself. If the area ... be suitably planted out and provided with a few water taps and fireplaces, it can be made a very attractive place for sight seeing and picnics, and the Board should commence the work of planting in this area, which has been well burnt out, during this winter, choosing trees which will be suitable for the purposes above mentioned. [25]

This approach was also explicitly stated by the MMBW in a retrospective article on the construction of the Maroondah Reservoir written in 1957:

It would be so convenient, after completing a starkly utilitarian project such as this, to leave the scars of man's operation on the earth to heal themselves. But when the Board of Works embarks on such works its policy is to leave the land more beautiful, if possible, than it was before. While it is necessary, in the interest of the city's health, to exclude the public from the catchment area, the vicinity of the dam itself can be easily supervised. And since this great engineering work belongs to the people, the Board makes it available to the people as a place for recreation. It has created here a parkland that any city in the world might envy. [26]

Planting Maroondah Reservoir Park

In beautifying the new reservoir park, the first task was to develop a planting plan. For this task, in March 1927, the Water Supply Committee called on Ritchie,[27] and in July he submitted a 'scheme with regard to the planting of trees outside the exclusion fence at the Maroondah Reservoir' (that is, in the park) and a plan showing the distribution and general layout. The planting, as detailed in his plan, and costing £250, was approved by the Committee.[28] Unfortunately, these plans were not found in the PROV records that were consulted.

While this suggests that Ritchie was responsible for the tree-planting which resulted in much of the spectacular treescape seen in the park today, a further reading of the minutes tells a different story. They reveal a previously unknown fact – that Hugh Linaker, expert tree planter and the leading landscape designer of his generation, was closely involved in this initial phase of tree-planting within the public park.[29]
The first mention of Linaker’s involvement appears in the minutes of 10 August 1927, shortly after Ritchie submitted his planting scheme to the committee. Here Ritchie recommended that letters of thanks be sent to ‘Messrs Linaker and Railton’ for assistance rendered by them in regard to the question of tree planting on the MMBW’s reservations, outside the exclusion fence (that is, inside the public park) at the Maroondah Reservoir. While Railton was not mentioned again in subsequent minutes, Linaker’s close involvement with planting in the park was noted over the course of the next fifteen months.

The minutes record that initial planting of the public area was carried out from August to November 1927. This plantation was then inspected by Linaker in April the following year, leading him to recommend certain replacement trees and even offering to prune the trees ‘this season’. In June 1928, further ‘ornamental planting’ was proposed and Linaker was thanked for procuring the trees. In October 1928 Linaker provided a report to the Water Supply Committee stating that he had inspected ‘both plantations’ and they were generally doing well. The minutes also reveal a cost of £198.16.0 for trees supplied, presumably by Linaker, who had an impressive nursery from which to distribute plants.

It is therefore clear that Hugh Linaker was integrally involved with the formative development of the tree plantations in Maroondah Reservoir Park. Between August (and possibly earlier in March) 1927 and November 1928 Linaker advised Ritchie on tree selection, procurement and planting. Linaker inspected the plantations and personally pruned trees in the downstream (publicly accessible) section of the park and probably supplied the tree stock.

No mention is made in the Water Supply Committee minutes of the specific trees planted, and the MMBW annual report for 1928–1929 indicates only that a considerable amount of planning has been devoted to making the surroundings of the Maroondah Reservoir attractive, so that the public could have access to visit certain parts of the works. A very large number of deciduous and other trees have been planted and most of these are growing well.

The Water Supply Committee minutes also fail to reveal how Linaker came to be involved in the planting program. They do however indicate a very close relationship between the committee and the Victorian Tree Planters’ Association (VTPA), of which Linaker was a founding member. The minutes suggest that, as a consequence of sending a representative to the VTPA annual conference in March 1927, the MMBW instructed Ritchie to prepare a report for large-scale replanting in the MMBW’s watershed areas. At the same time, he was also instructed to submit a planting scheme for the Maroondah Reservoir Park. One of the conference’s keynote speakers was Hugh Linaker, and his presentation at the conference regarding tree planting was directly relevant to these matters and apparently highly influential.

Hugh Linaker – the leading landscape designer of his generation

In its quest for developing ‘a scheme … for planting trees with good foliage of various kinds’, the Water Supply Committee could have found no better practitioner than Linaker.

Hugh Linaker (1872–1938) was a landscape gardener, horticulturist and ‘tree planter’. His horticultural career began as an apprentice at Ballarat Botanic Gardens around 1886, after which he was appointed Curator of Parks and Gardens for the municipality of Ararat in 1901. Following his widely praised transformation of Alexandra Park (originally Ararat Botanic Gardens), he was appointed Landscape Gardener, Hospital for the Insane at Mont Park in 1912. Here he was responsible for landscaping the grounds of the new hospital (opened in 1911). During his tenure there he undertook new or improved landscaping works at all the other Hospitals for the Insane in Victoria, including Yarra Bend, Kew, Ararat, Beechworth, Sunbury, Ballarat, Royal Park and the Kew Idiot Asylum. He also supplied many thousands of plants to other institutions from the impressive nursery he had established at the Mont Park Hospital from 1913.

Linaker was a frequent lecturer and as an inaugural member of the VTPA, which was formed around 1924, sought to address (in part) the need for increased tree planting and provision of public parks in urban areas. The VTPA became a centralised source of practical tree-planting knowledge, which it then disseminated to its members and the community. The association became an influential advisory body, and its annual conference was a pivotal event for members. As a member of the VTPA Linaker was involved in the creation of the Mount Dandenong Arboretum in 1928.
Linaker was keenly interested in tree-planting projects on main highways, and his advice was sought by many municipalities for the planning of public parks and gardens. According to the *Argus*, by the time he was appointed State Superintendent of Parks and Gardens in 1933, Linaker had laid out 'school grounds throughout the State, plantations at the Buchan caves [1930] and Mount Buffalo National Park [1920s], gardens at the police depot in St Kilda road, and at Pentridge and at nearly every other penal settlement in Victoria, the gardens at Stonnington and the Government cottage at Mount Macedon'.[48]

Linaker was engaged by Sir John Monash, a former chairman of the State Electricity Commission, to advise on the planning of the model township at Yallourn (1925–1931), and was involved in the Yarra Boulevard beautification and the planting of the Yarra Bend National Park [1930].[49] In a private capacity Linaker also provided input into both the city and country gardens of Alfred Nicholas – Carn Brea, in Hawthorn (1928), and *Burnham Beeches*, in the Dandenongs (1930–1934).[50]

Between 1933 and his death in 1938 Linaker prepared plans for the improvement of the Kings Domain and planting at the Shrine of Remembrance.[51] The *Argus* also observed that the Pioneer Women's Memorial Gardens (1934), 'with their novel departures from orthodox landscape work, were entirely [Linaker's] conception'.[52]

When he died in 1938 at his home in Hawthorn, Linaker was regarded by many as the leading landscape gardener of his generation in Victoria.

Linaker’s grand forest landscape

While no plan showing the extent of Linaker’s planting works has been found to date, early photographs of the dam surrounds of Maroondah Reservoir show the devastated area with which he had to work (see photograph earlier in this article taken circa 1927). Bushfire and construction activity had destroyed much of the native vegetation, except for some surviving eucalypts along the river bank and scattered on the hillsides. Thus Linaker had an opportunity to improve on what had been before.

Despite the devastation, the broad valley floor behind the dam, the rising monolithic structure of the dam wall, the tumbling waterfall of the cascading spillway running into the Watts River, all ringed by the distant hills of the catchment, provided a splendid backdrop for new planting. Perhaps these features brought to Linaker’s mind the broad glacial valley of Yosemite in California, with its monolithic rock formations, cascading waterfalls, and meandering Merced River. Indeed, Yosemite Valley had been evoked by the nearby area, which had once housed the tiny township of Fernshaw. [53] A retrospective piece written in the *Argus* described it thus:

The little hollow of the hills in which every possible natural beauty (except the ocean) seemed focused, Mountains; the most wonderful trees, recalling those of the Yosemite Valley; inexhaustible gullies of choicest ferns; the most beautiful and varied foliage; purest air, and the constant soothing murmur of streams and runnels.[54]

Many of Linaker’s favoured trees derived from the majestic landscapes of North America, and thus admirably suited the spectacular surrounds. In this splendid natural setting, Linaker set about replanting ‘idealised nature’ for the visiting public.

At Maroondah Reservoir, Linaker’s tree planting dominated the parkland. The hallmark of Linaker’s landscape designs was his use of a favoured palette of tree species, chosen for their individual qualities, and combined in unusual ways. Where allowed full expression, as occurred at Maroondah, the result was a spectacular forest landscape.

Interestingly, Linaker’s affection for certain tree species was not based solely on their landscape qualities. Unusually for the time, many of his favoured ornamental species were also valued for their timber, and Linaker argued that in any planting program this commercial consideration was important, regardless of whether the trees were to be planted for shade, shelter or ornamental effect.[55] Thus a number of Linaker’s favoured species, such as Coast Redwood (*Sequoia sempervirens*) and Douglas Fir (*Pseudotsuga menziesii*) were also fine timber trees.

In Linaker’s designs, contrast was paramount. By using contrasting tree forms (upright and spreading), foliage (colour, texture and shape), bark (texture and colour), tree origin (exotic and native) and seasonal character (evergreen and deciduous), Linaker produced visually stunning results.

At this time, Maroondah Reservoir Park was approximately half its present size, and Linaker’s planting scheme was carried out in what is referred to in the plan below as zones 1 and 2.
At the base of the dam wall (in zone 1), for example, trees such as Coast Redwood (*Sequoia sempervirens*), Lombardy Poplar (*Populus nigra* var. *italica*) and Italian Cypress (*Cupressus sempervirens*) today dominate this awe-inspiring space and reinforce the visual dominance of the monumental concrete dam wall. Cottonwood (*Populus deltoides*) and Liquidamber or Sweet Gum (*Liquidambar styraciflua*) provided further contrast through their impressive autumnal foliage.

Further downstream of the dam wall, Linaker planted spreading shade trees, contrasting evergreens such as Cedar (*Cedrus* spp.) with deciduous species of Ash (*Fraxinus* spp.), Elm (*Ulmus* spp.) and Oak (*Quercus* spp.). Linaker created further visual interest by adding the vertical forms of Cypress (*Cupressus* spp.), Canary Island Date Palm (*Phoenix canariensis*) and Chinese Windmill Palm (*Trachycarpus fortunei*), as well incorporating tall, slender specimens of indigenous Mountain Ash (*Eucalyptus regnans*) growing along the Watts River. Retention of indigenous trees, often carefully interplanted with exotic species, was part of Linaker’s trademark style, and thus at Maroondah he was able to incorporate into his design those indigenous trees which managed to survive the 1926 bushfires.

On the surrounding barren hillsides and rocky banks (zone 2) Linaker planted conifers – a device popular amongst the landscape designers working in the National Parks Service in the USA at the time. Early photographs give some idea of the extent of the planting (compare the photograph taken circa 1927 earlier in this article with the next two images below) and Linaker’s cypresses and pines continue to dominate these particular locations even today. A large number of Monterey Cypress (*Cupressus macrocarpa*) were planted throughout the park as shelter belts, individual specimens, and as a partial avenue along the entry road.
Linaker also planted fine specimen conifers, including one of his signature trees – the Upright Monterey Cypress (*Cupressus macrocarpa* ‘Fastigiata’); Smooth Arizona Cypress (*Cupressus glabra*) – another Linaker favourite chosen for its bluish foliage and red peeling bark; and the rarely planted Blue or Himalayan Pine (*Pinus wallichiana*) featuring obvious bluish needles which form a striking contrast to a nearby copse of Sitka Spruce (*Picea sitchensis*). Other favourites planted include Upright Lawson's Cypress (*Chamaecyparis lawsoniana* ‘Fastigiata’) and the fine timber tree Douglas Fir, also known as Oregon (*Pseudotsuga menziesii*).

In addition to Linaker's tree collection, the park contains a number of individual trees particularly notable for their rarity, unusual form, or as especially fine examples of their species. These are

1. Upright Monterey Cypress (*Cupressus macrocarpa* ‘Fastigiata’)
2. Smooth-barked Apple (*Angophora costata*)
3. Smooth Arizona Cypress (*Cupressus glabra*)
4. Blue or Himalayan Pine (*Pinus wallichiana*)
5. Cork Oak (*Quercus suber*)
6. Fried or Poached Egg Tree (*Polyopora axillaris* (Synonym: *Gordonia axillaris*))
7. Cottonwood (*Populus deltoides*)
8. Coast Redwood (*Sequoia sempervirens*)
9. Lombardy Poplar (*Populus nigra* var. *italica*)
10. Liquidamber or Sweet Gum (*Liquidambar styraciflua*). [56]

Linaker repeatedly employed these stylistic devices throughout his many designed landscapes, including Mont Park Psychiatric Hospital where, as its inaugural landscape designer and curator from 1912, he laid out its expansive grounds. They were also repeated two years after his involvement in Maroondah Reservoir Park, when he drew up a planting plan for the valley at Buchan Caves. The resultant landscape seen along the valley floor and hillsides of the Buchan Caves reserve today bears a remarkable resemblance to that of Maroondah Reservoir Park. The existence of Linaker's annotated design for the Buchan Caves site, and the survival of associated documents, provide considerable insight into Linaker's landscape philosophy.[57]

Some years later, Linaker again made effective use of his trademark fastigiate tree species in his designed landscape for the Shrine of Remembrance. In this location, favourites such as Lombardy Poplar (*Populus nigra* var. *italica*), Bhutan Cypress (*Cupressus torulosa*), and the Australian native Kauri (*Agathis robusta*), provided a strong vertical dominance.

**Planting in the catchment**

Linaker was also involved with remedial planting which was undertaken outside Maroondah Reservoir Park, upstream of the dam wall and within the catchment zone. As a result of the 1926 bushfires which had devastated the MMBW's water catchments, including Maroondah, the organisation adopted a new forestry plan in early 1928. A comprehensive reforestation program, to which Linaker undoubtedly contributed, formed part of the plan and included some tree species Linaker had also planted in the public park, such as Coast Redwood (*Sequoia sempervirens*), Douglas Fir (*Pseudotsuga menziesii*) and Eastern or Plains Cottonwood (*Populus monilifera* — now *Populus deltoides* subsp. *monilifera*).[58]

Records show that by June 1932 almost 6000 trees and 79 shrubs had been planted throughout the reserve (presumably both upstream in the closed catchment and downstream in the public park).[59] As the only planting referred to in the relevant MMBW minutes was that undertaken in 1927 and 1928 under Linaker, these tree statistics undoubtedly reflect his work.
Tourism flourishes

With the ornamental tree planting complete, further landscaping works were undertaken. Initially these were modest and utilitarian in nature and comprised fencing, paths, roadway, car park, and brick ‘sanitary conveniences’. Two caretakers’ dwellings were also constructed. With the almost meteoric rise in the popularity of the reserve it became clear that more facilities would be required. The ‘few water taps and fireplaces’ suggested by Ritchie in mid-1926 would not be sufficient for the hordes of tourists. In 1928, a year after the completion of Maroondah Reservoir, Healesville was the most popular tourist destination in Victoria, with 10,000 people visiting the town in the holiday period. Healesville’s popularity ensured a constant flow of visitors to Maroondah Reservoir, and the spillway provided an exciting natural spectacle in the winter and spring, when the water flow was at its greatest.

By 1932 two shelters and a ‘kiosk’ with hot water for visitors had been constructed, and Maroondah Reservoir Park quickly became an established tourist attraction. From the 1930s Maroondah Reservoir featured in countless postcard views, the earliest of these being sold at the newly-built kiosk within the park from 1931.

The MMBW took great pride in the appearance of its water supply landscapes. The MMBW’s annual report for 1960–61 included a full page image of the outlet tower at Maroondah Reservoir under the caption ‘Functional Beauty’ with the following comment:

The Board has long held the view that its structures – reservoirs, treatment plants, and even small suburban pumping stations – should be aesthetically attractive as well as functional. That the public shares in this view is shown by the ever-increasing number of visitors to the Board’s works.

At Maroondah Reservoir this philosophy is clearly evident. The outlet tower, completed around 1925, was designed in an elegant Classical style, probably by Ritchie, with designing draftsman HA Wood. It was the subject of countless photographs, being also used by the MMBW to promote the park.

The concrete balustrade flanking both sides of the pedestrian path across the top of the dam wall was finished with decorative pyramidal capping. On the floor of the park behind the dam wall, two valve houses were also designed in an aesthetically pleasing way (see the first photograph in this article).
A successful experiment

Ritchie retired in 1936, having been with the MMBW since its inception – a span of almost forty-five years. [65] In less than a decade, the experiment which was Maroondah Reservoir and its park had become a stellar success. Maroondah had become the MMBW’s ‘model’ reservoir, and its carefully designed public park a tourist destination not to be missed.

Because of the closed catchment policy, the Vice Chairman of the MMBW's Water Supply Committee GS Walter could boast in 1936 that Melbourne's water was among the 'best and purest in the world' and needed no filtering due to the great care taken to prevent pollution.

[66] With Maroondah Reservoir and its park, the MMBW had demonstrated that, by following the model trialled at Maroondah, such a restrictive policy need pose no impediment to tourism or the enjoyment of the general public. Indeed, Maroondah Reservoir Park provided the visitor with a highly unusual experience – one which was unavailable in the public parks and gardens in and around Melbourne at the time. Most of these had been developed in the nineteenth century, and comprised botanic gardens, municipal reserves or small inner-city garden 'squares'. Maroondah Reservoir Park, in contrast, was a large public garden set in a forested mountain location, with qualities akin to a national park. The rare (and free) experience which it offered visitors undoubtedly contributed to its great popularity.

Over the next seven decades the landscape, so carefully laid out and planted by Linaker, would undergo many changes, and its popularity would continue to grow.

Consolidation of the landscape: World War II and beyond

During World War II (1939–1945) Maroondah Reservoir was closed to the public, but throughout this period and shortly thereafter landscaping continued. Comprehensive replanting of the Maroondah watershed, which was devastated by the catastrophic 1939 bushfires, was undertaken.[67] Fortunately the ornamental section of the park escaped the fires. Paths and extensive areas of stone paving, edging and guttering were constructed[68] and rotundas built using timber from nearby indigenous eucalypts which were cut into poles and split shingles.[69] The use of local stone and timber was not only cost-effective but was an expression of the prevailing ‘naturalistic’ landscape ideals of the time.

After World War II, the rise of car ownership and the popularity of the Sunday drive to Healesville helped cement Maroondah Reservoir Park as a tourist hub for the remainder of the twentieth century. During this time, the park would experience flights of landscaping fancy, where decorative ornamentation was taken to new heights. In contrast to the ideals of naturalism which guided the landscaping of the 1930s and 40s, now in the park the ‘hand of man’ could be seen everywhere.
The purchase of adjoining land around 1972[70] extended the area of the park, and in the 1980s changing landscape fashions and financial constraints resulted in simplification of the landscape. Much of the floral exuberance of the past was dismantled. With these changes, the landscape was effectively returned to its early form. Throughout this time, Linaker’s tree collection, and the early stonework and structures were respected and given due care. As an example, roses which flanked a flight of stone steps (known as the ‘Rose Steps’) constructed in the 1940s were replaced around 1980 with Golden Pencil Pines (*Cupressus sempervirens* ‘Swane’s Golden’).[71] Although not planted by Linaker, the strong vertical accent they provide reinforces the ‘monumental’ character of the landscape, and they are therefore consistent with Linaker’s original design intent.

During the Ash Wednesday bushfires in 1983, and again on Black Saturday in February 2009, large areas of forest in the Maroondah catchments were lost. Indeed on Black Saturday, one-third of Melbourne’s forest catchment was destroyed by bushfire. Remarkably, yet again, Linaker’s ornamental plantations were unaffected.

The valley floor behind the dam wall circa 1940s – 50s, showing the rotunda, broad paths and closely clipped lawn areas beneath the trees. Source: State Library of Victoria, accession no. H32492/8327; image no. rg008218.

Postcard thought to be circa 1950s showing the newly built rotunda on the valley floor. Source: State Library of Victoria, accession no. H32492/4728; image no. 004699.

Photograph taken 1 December 1948 showing the dam wall and valley floor of the park. Note the plantings on the valley floor and hillside beyond. Source: State Library of Victoria, accession no. H91.330/1948; image no. a27225.

Postcard of Maroondah Reservoir Park, post 1952. Source: State Library of Victoria, image no. sj001171.

Postcard showing the two valve houses as viewed from the top of the dam wall, circa 1940s. Note the intricate path between them, and decorative edging to adjacent garden beds. Source: State Library of Victoria, accession no. H32492/1897; image no. rg001901.
Conclusion

Today, Maroondah Reservoir Park stands as testament to the MMBW's closed catchment policy for which it fought so hard and stalwartly defended for more than a century. By creating a splendid recreation area for the public as an integral part of its first closed catchment reservoir in 1927, the MMBW was in effect promoting its work throughout the State of Victoria. Maroondah Reservoir Park became a powerful advertisement, in living colour, for the MMBW's experimental project. The immediate and spectacular success of the Maroondah Reservoir Park was a public relations triumph, and made it the model upon which all of the MMBW's subsequent reservoir parks have been based.

At Maroondah Reservoir a monumental landscape was created in the closing years of the 1920s, with the magnificent forest landscape by Hugh Linaker as a central feature. This landscape was further augmented throughout much of the twentieth century by embellishments and ornamentation typical of their time, but always respectful of the spectacular landscape created between 1927 and the late 1940s. Today, Maroondah Reservoir Park remains a magnificent designed landscape which is surprisingly intact despite the inevitable changes which have occurred over more than 80 years of use. It remains today one of the most popular public parks in Victoria.[72]

The MMBW records held by PROV proved invaluable in providing new insight into many aspects of the park's early development. Through the information held in these records, Maroondah Reservoir Park was assessed in 2010 as being of historic, social, aesthetic and scientific heritage significance to the State of Victoria.[73] With this new understanding, Melbourne Water is able to make informed decisions regarding the protection of significant elements within the Maroondah Scheme and to mitigate possible threats to those elements.
Changes to the integrity of the 1920s Linaker tree collection pose the greatest threat to the heritage of the park. Fire presents the most obvious and catastrophic danger, especially in the wake of the 2009 bushfires. Climate change poses a longer-term challenge to the continued health of the existing mature trees and will affect the species selection of future plantings. Similarly, failure to adequately plan for the appropriate and timely replacement of extant mature and senescent trees has the potential to threaten the tree collection as a whole. This is particularly important as much of the tree collection is of the same age. Decisions can now be made which will protect the monumental landscape of Maroondah Reservoir Park for future generations.

Endnotes

[1] With the dismantling of the MMBW in 1991, the management of the park was transferred to Parks Victoria in 1994, however it remains part of the overall Maroondah Water Supply Scheme and so was included in the conservation management plan.


[5] Both the Age (19 February 1891, quoting the Argus) and the Lilydale Express (21 February 1891) reported the events. The original sectional plans and contracts for the construction of the Maroondah weir and aqueduct are held at Public Record Office Victoria.


[12] In fact Maroondah Dam was the only dam the MMBW, formed in 1891, had constructed.

[13] Several smaller weirs had already been built by the MMBW in a closed catchment environment, such as the O’Shannassy Weir and various weirs of the Watts River (Maroondah) system, but the MMBW had constructed no large-scale storage reservoir until Maroondah.


[22] In September 1917 a contract for clearing the site for the Maroondah Reservoir was drawn up by the MMBW Water Supply Committee, specifying: ‘Total of contract areas to be cleared 485 acres of which 3/5 is clearing flush with surface and the balance the stumps may be left in’. See PROV, VPRS 8609/P28, unit 12, Seeger Collection (1841–1970), contract document for the clearing of Maroondah Reservoir drawn up by the Water Supply Committee.

[23] Susan Priestley, in her book Making Their Mark, Fairfax Syme & Weldon, Sydney, 1984, p. 221 states that ‘Forest trees were first cleared from the valley floor, some going into telegraph poles and firewood; some being retained to construct picnic tables, benches and shelters in the recreation reserve planned for a section of the dam shore.’ In Context Pty Ltd, ‘Maroondah Water Supply System Conservation Management Plan, Volume 2: History’, prepared for Melbourne Water, November 2010, p. 17.

[24] ibid., p. 62. Reports regarding bushfires in the Maroondah, O’Shannassy and northern watersheds were noted in the meeting of the Water Supply Committee on 10 March 1926, in PROV, VPRS 8609/P6, unit 34, Minute Books: Water Supply Committee (1891–1978), book no. 34, p. 3621.


[29] ibid., p. 4610.

[30] This undoubtedly refers to James Railton, a second-generation nurseryman, president and committee member of the Nurserymen and Seedsmen’s Association of Victoria, who was a founding member (with Linaker and others) of the Victorian Tree Planters’ Association, and was actively involved in the Mount Dandenong Arboretum and Geelong Road plantation scheme, as detailed in the entry by D Watson, ‘Railton, David Balderston (c. 1834–1892)’, in R Aitken and M Looker (eds), Oxford Companion to Australian Gardens, Oxford University Press in association with Australian Garden History Society, South Melbourne, 2002.


[34] ibid., p. 5540.

[35] On 21 November 1928 Engineer Ritchie reported on the completion of the planting of the upstream side of the Maroondah Dam and the satisfactory manner in which the work had been carried out. As a result, Ritchie recommended that a letter of thanks for his assistance be forwarded to Linaker, and that he be paid a bonus of 20 guineas, as had been done in the case of the planting on the downstream side of the dam. This was approved by the Water Supply Committee, as recorded in PROV, VPRS 8609/P6, unit 40, Minute Books: Water Supply Committee (1891–1978), book no. 40, p. 5614.


[38] For example, PROV, VPRS 8598/P1, unit 34, book no. 34, meeting 919, 15 February 1927, p. 10566, PROV, VPRS 8609/P6, unit 36, Minute Books: Water Supply Committee (1891–1978), book no. 36, 23 March 1927, p. 4333. By early 1930 the MMBW's Superintendent of Forests, D Middlin, who answered directly to Ritchie, was an office bearer of the VTPA, however this occurred after Linaker’s recorded involvement with the tree-planting at Maroondah.

[39] Linaker delivered a comprehensive paper titled ‘Utility trees in Victoria’ and this was reported at length in The Australasian, 2 April 1927, p. 17.


[41] The Australasian, 2 April 1927, p. 17.


[43] ibid.


[45] ibid.


[53] The site of the village remains today as the Fernshaw Picnic Ground.


[55] ‘Utility trees of Victoria’ presented by Hugh Linaker at the third annual conference of the VTPA in Ballarat in March 1927, and reported in The Australasian, 2 April 1927, p. 17.

[56] An explanation of the importance of these individual specimens can be found in Context Pty Ltd, ‘Maroondah Water Supply System Conservation Management Plan: Vol. 3B: Maroondah Reservoir Park Conservation Analysis’, prepared for Melbourne Water, November 2010.

The other tree species listed as suitable species for reservoir catchments were *Pinus insignis* (later *Pinus radiata* or Monterey Pine), *Pinus ponderosa* (Ponderosa, Western Yellow, or Yellow Pitch, Pine), *Pinus larica* (probably *Pinus nigra* subsp. *laricio* or Corsican Pine), ‘plus other hardy natives’, in the *Argus*, 29 February 1928, clipping in PROV, VPRS 8609/P21, unit 111, book of various newspaper cuttings, letters and memos 1927–1935, including details of the 1926 bushfires, suitable tree species for reservoir catchments, issues of forest protection, and so on.


ibid., p. 20.

PROV, VPRS 8609/P23, unit 28, MMBW Annual Report 1936.

Argus, 28 March 1936, p. 10.


Reported in J McCann, ‘Melbourne Water Historic Places Report’, p. 79, Peter Revell, National Parks ranger employed at Maroondah Reservoir since 1980, indicated that the stone construction in the stairway known as the ‘Rose Steps’ and elsewhere in the park was the work of two rockwork experts – ‘Chopper Chaplin’ and another whose name Peter could not remember, Peter Revell, personal communication with the author, 23 July 2010.


Information Board at Maroondah Reservoir Main Car Park, 2010.


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Information Board at Maroondah Reservoir Main Car Park, 2010.

Playing the Ghost

Ghost Hoaxing and Supernaturalism in late Nineteenth-Century Victoria

Dr David Waldron

Abstract

On the night of Wednesday 29 May 1895, two young ladies were approached by a spectral figure clad in black robes, with arms and face covered in phosphorescent paint. This individual frequently patrolled the area around Sturt Street and Dana Street in Ballarat attempting to harass young women. A search of newspaper articles from this period indicates a widespread proliferation of ghost hoaxing, referred to as ‘playing the ghost’, between the 1870s and World War I, with a particular focus on the Ballarat region in central Victoria. This extraordinary behaviour occurred in the context of the rising popularity of spiritualism, which challenged traditional notions of the role of the dead, as well as a similar proliferation of ghost and monster hoaxing in Britain, perhaps best exemplified by the character of Spring Heeled Jack.

This paper examines the phenomenon of ghost hoaxing in late nineteenth- and early twentieth-century Victoria through its reportage in the print media of the era, with a focus on the causes and legacies of the phenomenon in the broader cultural context of central Victoria and the Goldfields region.

Ghosts have long been a popular subject in central Victoria. Even in the late goldrush era, belief in ghosts, ghost stories and hauntings were popular subjects for entertainment and attracted significant attention in the printed press, and at public gatherings and lectures. In a sense, Ballarat in particular was a ‘haunted’ city from very early in its colonial history. With such a demand and popular interest in ghosts, Ballarat also became a hotbed of spiritualism and ghost hoaxing. This paper examines the history and context of ghost hoaxing in nineteenth-century colonial Victoria with a focus on Ballarat and the central Victorian region. In particular, this paper will examine the social and intellectual context of ghost hoaxing.

One indication of the level of early interest in the subject of ghosts and hoaxing was a lecture given on the subject held at the Mechanics Institute in Melbourne on 9 June 1860. The venue was packed to capacity to hear Archibald Michie, later the Agent-General for the Colony of Victoria, lecture on the subject of ghosts and hauntings. Amid cheering from the crowd, he argued that while a man ‘may be wiser’, having ‘read physiology, … studied insanity and the various forms of delusion springing from morbid action of the brain’, such a man, has lost forever the supernatural shudder, the terrifically delicious creeping of the hair, and the heart coming up into the mouth, attendant on his listening to, or reading of, for the first time, a good authentic, and by justices of peace attested, ghost story.[1]

He later went on to argue that ‘ghost seeing’ and ‘ghost feeling’ are ‘uniquely the preserve of humanity’ and that the decline in the respectability of the belief in ghosts had led to a loss of the sense of the sublime, wonder and connection with heritage and the magic of life.[2]
This lecture, which denied the physical existence of ghosts but made a case for their value in heritage, storytelling and their aesthetic role in the arts and literature, initiated a flurry of letters in local papers and began a series of regular seminars and public discussion on the subject.

The following year, a similarly well-attended and favourably-received lecture was given by David Blair of Melbourne under the title ‘A Plea for Ghosts’. This speech was also the source of a great deal of interest in Victorian newspapers and throughout the local community. It was discussed extensively through letters to the editor; referred to routinely in newspaper articles and often linked to broader concerns about the colony’s spiritual health and the proliferation of ghost sightings, exorcisms and hoaxes. Underlying these public lectures and the discussion of ghosts in the print media were very fundamental questions about the nature of human existence, the spirit world and the soul. These were issues of immense emotional and cultural significance, but the traditional views offered on these subjects by clerical and church authorities were under threat from the rise of science and the intellectual culture of the Enlightenment. As David Blair commented in his lecture,

[w]ithout a study of the laws of man’s spiritual being it was impossible to explain and understand man’s physical nature. How then could we say that we would deny all possibility of the existence of a spirit land?[4]

For Blair this was an issue that was fundamental to an understanding of human experience and one which needed to be followed through the process of ‘philosophy, the facts and the light thrown by revelation.’[5] Conversely, for Michie the question of the ‘facts’ had been resolved in the negative but belief in ghosts and their role in generating emotional connection to heritage and the sublime were a fundamental part of human experience.

However, despite their differences, both speakers agreed that ghosts and ghost stories were a phenomenon which should be approached through the vehicle of secular philosophy and science, as opposed to the traditional route offered by the church or local superstitions and folklore. Nonetheless debate was polarised between scepticism, which saw ghosts as an intriguing cultural phenomenon belonging to the superstitious past, and that which saw a critical investigation of ghosts and hauntings as a means to understand the nature of human experience and the soul. In a sense, it was a search for a new eschatology in which those questions of life after death and the nature of the soul and the spirit realm could be resolved through knowledge, science and intellectual enlightenment set against the superstitions of the past. Indeed, in yet another extremely popular lecture, in this case given by Dr Hickson at the Mechanics Institute on 2 September 1864, it was claimed that,

[1] he entity or spirit was altogether independent of the body, which was only functional, not intelligent. The soul appeared as an objective ghost, and made itself visible by drawing ‘electrical power’ from beings who were present. [6]

The high public profile of these lectures and public debates was underlined by the popularity of ghost sightings and exorcisms in Ballarat (and indeed throughout central Victoria).[7] Part of this was undoubtedly the proliferation of beliefs and customs of immigrants who flooded to the goldfields in the 1850s, bringing their culture and folklore with them. In studies of nineteenth-century and early twentieth-century British folklore, a prominent theme in the literature was the use of local folklore and superstition as a vehicle to reaffirm community identity in the face of substantial social change and threats to community cohesion.[8]

In this sense, culturally specific beliefs in the spirit world form a profound link to homeland, community identity and connection to heritage.[9] Similarly, as O’Giollain argues, ‘folklore’ as an object of scientific study is predicated on the notion of the death of tradition and becomes a focal point of concern precisely when extant traditions come under threat through social, cultural and economic transformation.[10] At the same time, these beliefs are profoundly shaped through the anxieties and framework of the present as a romantic and nostalgic reconstruction of the past. Michie’s nostalgic longing for the folklore of haunting and ghost stories as part of the sublime experience of life and heritage, while rejecting their existence through the framework of scientific progress, particularly reflected these romantic themes. As a result, this approach to supernatural folklore both appropriated the heritage of ghostly hauntings yet also relegated them to the realm of safe and controlled nostalgic space.
It is in this context that we see a central Victoria which is saturated by ghost stories, exorcisms and hauntings and, by the 1870s, Ballarat, Bendigo and Melbourne had become a flourishing centre for spiritualism. Indeed, so prolific was the rise of ghost stories and the demand for exorcisms that an editorial in the *Argus* commented that,

[i]t is a noticeable symptom of the reactionary movement against the materialistic philosophy so much in vogue at the present day that ghosts, after having been objects of contempt to the educated and intelligent classes for some generations, are beginning to grow again into favour. We are not now alluding to the phenomena of spiritualism, which some years ago threatened to make the spirits of the dead quite as common as, and a great deal more commonplace than, the persons of the living. But outside the obscure regions tenanted by this creed, there are distinct signs that ghosts, which we thought were laughed out of existence by the robust common sense of the eighteenth century, are creeping back into the world, revisiting again the glimpses of the moon, in these rather sickly times of the moribund nineteenth century. [11]

Tensions were running high on the topics of spirits and ghosts throughout the nineteenth century and provoked strong public sentiment on the issue. This is perhaps best exemplified by an 1881 public gathering before the Galloway monument in Ballarat attended by 400 people on the topic of ghosts and spiritualism. The meeting led to a considerable public disturbance when a local preacher spoke out against spiritualism and ghosts as agents of the devil and was chased up the street by an angry mob.[12]

In such a climate, ghost stories flourished in fiction, literature and reportage through the print media, local journals and public gatherings. Stories abounded of headless horsemen, women in white, headless animals, and ghosts of murdered victims, all of which proliferated alongside an increased popularity of such tales published as fiction. By the 1890s the proliferation of these stories came to be referred to as the ‘ghost nuisance’, particularly with regards to the concern that these panics could tie up scarce police resources and waste public time and money.[13] Indeed, some editorials went so far as to advocate armed constables and vigilantes patrolling ruined buildings and cemeteries with orders to shoot any ghosts on sight; claiming that if they were really ghosts no harm would be done and if not, buckshot would teach hoaxers and pranksters a lesson.[14]

Most commonly these stories were reported within the discourse of scepticism; showing both an enjoyment of storytelling, yet also relegating the experience of ghost hunting to the realm of ridicule and bemusement. One such example was the story of a headless ghost animal revealed to be a cat with its head trapped in a lobster tin.[15] Another similar story was that of a Castlemaine stockman terrified of a female headless horsewoman ‘with a fine body’ that was later revealed to be a misidentification of an abandoned drapers dummy lying next to an old log.[16] Other stories were treated with more credulity such as the ghost of a young man believed to have been seen in Castlemaine,[17] or the often reported tale of ‘Fisher’s ghost’.[18] Some prominent examples in Ballarat were the ‘Burnt Bridge Ghost’, [19] which followed the iconic pattern of a haunted house, and the Warrenheip brewery ghost which was followed with ridicule in the *Ballarat Star* but with some dramatic flourish in other newspapers.[20] In many cases however, ghost stories and experiences were placed in the framework of hoaxing or ‘playing the ghost’. Here ghostly reports were attributed to individuals engaging in hoaxing, robbery, assault and even sexual assault while dressed in the paraphernalia of a ghost.

Illustration of a ghost hoaxer beaten by a mob in Devon 1894, Illustrated Police News, 21 September 1894, p. 1.
Ghost hoaxing or ‘playing the ghost’ was rife through newspaper reportage between the 1860s and early twentieth century. People in costumes would leap out, assail, scare and throw things at people late at night, often with quite dramatic hollers, calls and mysterious displays of lights. Many of these ghost figures would wear quite elaborate costumes with theatrical flourish and, as a result, gained nicknames through the local press as they played cat and mouse games with police and local vigilantes. One such young man wearing a white sheet and a tall sugarloaf hat was given a beating by two local residents in lieu of being handed over to police; afterward he made entreaties to protect his reputation and employment in a local state school.[21] Another man was arrested and charged £200 for damages after assaulting a police officer’s daughter while dressed as a ghost.[22] One figure, who haunted the region between Ballarat and Kilmore, gained the title of ‘Wizard Bombardier’ for dressing in white robes with a sugarloaf hat. He would scare workers and passers-by with eerie screams and calls, then throw rocks and other materials at them before agilely making his escape across the countryside.[23]

A common component of these scares was the use of phosphorescent paint, made readily available after its patenting by William Balmain in 1881.[24] One man in Essendon emblazoned a skull and cross-bones around town with phosphorescent paint before scaring people. Most commonly individuals would simply soak a sheet in phosphorescent paint to create the image of a glowing green ghost.[25] Others however went to more elaborate lengths, such as a ‘ghost’ dressed in a knight costume with a glowing breastplate featuring the words ‘Prepare to meet thy doom’, who reportedly threatened to behead a young boy of twelve in the late evening.[26] Another common theme was the use of coffin lids as a prop along with other ghostly paraphernalia and phosphorescent paint.[27]

In many of these cases the reportage indicates that the camouflage of a ghostly costume served as a vehicle to cover sexual assault and robbery, particularly directed at young women. One individual patrolled the area between Sturt and Dana streets of Ballarat dressed in black robes, with his face and forearms smeared with phosphorescent paint, to create the illusion of a corpse in the late evening. The hoaxer routinely accosted and terrified women in the area, leading to some groups of men engaging in vigilantism, before being arrested by police.[28] Similarly, another ‘apparition’, this one bearing a skull and cross-bones emblazoned on his bare chest above the word ‘Death’, reportedly exposed himself to a young man in Ballarat.[29] Yet another man near Bendigo was found to be accosting young women dressed in a white overcoat with a suit dyed with phosphorescent paint underneath.[30] In some cases these events could lead to violence, as occurred in a case in Ballarat where a retired miner by the name of Frederick Parks was stabbed and assaulted by a man dressed as a ghost. The remarkable ghost costume of the assailant featured white clothes, face and arms soaked in phosphorescent paint and a coffin lid strapped to his back. Newspaper reports indicated the ghostly figure was assaulting a young woman when the miner went to intervene and grappled with the assailant. The ‘ghost’ then drew a dagger and stabbed Mr Parks before making his escape over a nearby fence.[31]
Perhaps the most famous of these ‘ghosts’ was the case of Herbert Patrick McLennan who was charged with indecent exposure and assaulting women after dark in Ballarat in 1904.[32] The ghost, described as wearing a long overcoat, with Indian rubber boots and wielding a cat o’ nine tails accosted young women and, it was alleged, sexually assaulted and exposed himself to them between Mair Street and Lydiard Street in Ballarat.[33] A reward of £5 was issued for information leading to his arrest and police patrolled the region dressed as women in hopes of catching the man in the act.[34] A letter had also been addressed to the Mayor of Ballarat by this particular ‘ghost’:

Dear Sir,

I see that you and your bally councillor’s have fixed a reward of £5 on my head, but you didn’t say whether dead or alive; and, furthermore, you said you would have me plugged with a lead on sight.

Mr. Mayor, I give you warning that the first man I see with his hand in his pocket, or otherwise looking suspicious, I will plug a bullet through him. I hope you will caution the ‘Rakebite’ portion of your council of my intentions.

Yours truly,

The Ghost.

McLennan, who worked as a clerk on Lydiard Street was also a well-noted elocutionist. He was described as a well-connected and respected individual and his arrest was regarded with considerable shock by the Ballarat community. Police had, in fact, suspected him for some time but had waited until they had collated sufficient evidence before making formal charges and, upon his arrest, seized several garments and props from his Drummond Street home. Court records indicated he was charged with assaulting young women and was guilty of ‘wilfully and obscenely exposing his person and is therefore deemed to be a rogue and a vagabond’.[35] McLennan was found guilty and sentenced to a year’s hard labour in Ballarat Goal but was released soon after on appeal, having been able to produce an alibi for one of the attacks. However, the judge noted that based on the original evidence before the court there should be no question that the original conviction was appropriate with the evidence before the court at that time.[36]
While less common, there were a number of women who also engaged in ghost hoaxing during this period. A number of articles from Ballarat, for example, referred to a woman who dressed as a ghost at night to steal chickens from neighbouring homes.[37] One lady, who had previously been found to be impersonating a male, had taken to hiding under bridges wearing phosphorescent robes and a hideous mask before frightening passers-by ‘into fits’.[38] Another story featured a woman dressed as a ghost who played the guitar in the vicinity of the Junction Hotel, Sandhurst.[39]

While many of these stories were treated with a great deal of sensationalism, many were also treated with a great deal of scepticism and ridicule. Individuals were also engaged in ‘laying the ghost’ by exposing hoaxes and examples of misidentification. One man, by the name of Charles Horman, went so far as to fire his shotgun at a suspected ghost and beat another with a walking stick to assist a young woman who had been accosted moments earlier.[40] A woman by the name of Mrs Date took a similar approach, having found a haunt after her daughter had been assaulted earlier that week. She went to the location with her bull terrier and sicked the animal on the unsuspecting hoaxer. Another case from 1913 involved a man in white phosphorescent robes being severely beaten in retaliation for his nearly scaring an elderly gentleman to death in Buninyong.[41] Such acts of vigilantism while ‘laying the ghost’ seemed common and were presented quite favourably by local papers as an antidote to the ghost nuisance.

A search of archival court records pertaining to petty crime held at the Ballarat Archives Centre of Public Record Office Victoria indicated that these activities were, by and large, tried as petty misdemeanours and examples of lunacy. Most were cases in which the perpetrators had wilfully exposed themselves, used foul language, made public nuisances or were described with the simple phrase ‘Lunatic found wandering at large’.[42] Rarely were the features of ghostly accoutrements mentioned in police or court records. That being said the reports seemed to indicate that these cases were reasonably prolific and a regular public nuisance, however most of these individuals were simply discharged, fined or given to the care of Ararat Lunatic Asylum.[43]

These examples of ghost hoaxing, while quite prolific in Australia, were mirrored by similar examples in Britain. Historian Mike Dash, in his history of the British legend of ‘Spring Heeled Jack’, discusses the enormous proliferation of ghost and monster hoaxing in Victorian England.[44] He cites, for example, the story of the Peckham ghost where a young lady was assaulted by a man pretending to be a ghost. He was dressed in a long overcoat with white lining, a white waistcoat and a dark hat with a plume of spectacular feathers to hide his features. Another story featured a man engaged in monster-related pranks at a police barracks in Newport dressed in a sheep-skin costume with a tail.[45] These stories proliferated and essentially revolved around the use of elaborate costuming and theatrical tricks to appropriate local ghost and monster folklore in pranks played on, predominantly, young women.
In the case of his alleged assault of Jane Alsop in 1838, arguably the most famous Spring Heeled Jack story, we already see the patterns of ghost hoaxing and the response that was to become the staple of the Victorian era. As the *Times* recorded,

[a] 't about a quarter to nine o'clock ... she heard a violent ringing at the gate at the front of the house, and on going to the door to see what was the matter, she saw a man standing outside, of whom she enquired what was the matter, and requested he would not ring so loud. The person instantly replied that he was a policeman, and said 'For God's sake, bring me a light, for we have caught Spring-heeled Jack here in the lane.' She returned into the house and brought a candle, and handed it to the person, who appeared enveloped in a long cloak, and whom she at first really believed to be a policeman. The instant she had done so, however, he threw off his outer garment, and applying the lighted candle to his breast, presented a most hideous and frightful appearance, and vomited forth a quantity of blue and white flames from his mouth, and his eyes resembled red balls of fire. From the hasty glance, which her fright enabled her to get of his person, she observed that he wore a large helmet, and his dress, which appeared to fit him very tight, seemed to her to resemble white oil skin. She screamed out as loud as she could for assistance, and by considerable exertion got away from him, and ran towards the house to get in. Her assailant, however, followed her, and caught her on the steps leading to the half-door, when he again used considerable violence, tore her neck and arms with his claws, as well as a quantity of hair from her head; but she was at length rescued from his grasp by one of her sisters. Miss Alsop added, that she had suffered considerably all night from the shock she had sustained, and was then in extreme pain, both from the injury done to her arm, and the wounds and scratches inflicted by the miscreant about her shoulders and neck with his claws or hands.[46]


A later investigation by police found a person had been seen in the vicinity by several eye-witnesses wearing a large cloak and carrying a small lantern with him. This pattern was to be repeated by many imitators throughout the nineteenth century, impersonating not only Spring Heeled Jack (whose exploits were also extensively covered in the Australian press), but many other local ghosts and monsters deriving from English folklore. It is in this context that the phenomenon needs to be understood: a tradition of ghost hoaxing or 'playing the ghost' that integrated established ghost folklore with theatrical performance and elaborate costuming. These attacks drew attention to the margins of moral respectability and the boundaries of Enlightenment reason.

Much of the literature of ghost stories and hauntings has focused on the notion of trauma. This is to say that ghost stories essentially function as a means to memorialise trauma and bind communities together through the act of storytelling. The story may not have occurred in a literal sense at the site in question but it would refer to the kinds of issues faced by the community in their shared past. In this way stories of traumatic experiences, and the lessons drawn from them, are brought into the present as part of a shared identity and heritage. They are given emotional poignancy through the act of storytelling and the emotional impact of the haunting experience, real or imagined. Ghost stories and hauntings are thus a multi-layered experience, pregnant with meaning, which use the traumas of the past to shape the present.[47] Furthermore, as Gordan argues, the ghost is a figure that speaks of loss, trauma and injustice that, through story-telling, engenders a 'haunting effect'. They are unsettling figures, frightening and uncanny and thus challenge fundamental taboos of life and death, belief and faith, and reason and emotion. In a sense the 'haunting effect' and terror of a ghost undermines reason and the conscious mind through the overwhelming and unsettling nature of the uncanny.[48] It is this kind of approach to ghosts and ghost stories that Michie was alluding to in his lecture at the Ballarat Mechanics Institute in 1860. Ghosts were a vestige of the past which connected us to heritage, trauma and identity through folklore and story-telling. They are a form of mythmaking which transcends the boundaries of the real and emotionally, perhaps spiritually, connects us to place, community and identity through the shared connection to traumas of the past.
In this case, while the ghost hoaxes certainly drew upon the established imagery of hauntings with links to colonial Australia’s British forebears, there are unique differences to the classic notion of the ghost story. They represented a new approach, better illustrated by the lectures of Blair and Hickson, that disconnected ghosts from heritage and brought them into the realm of the present. They were reinterpreted into the realm of paranormal phenomena which needed to be literally true phenomena to be understood through the rhetoric of science (or pseudo-science). At the same time, they were vehicles to understand the human eschatological condition, in which the traditional answers put forward by the church had been challenged by science and Enlightenment reason. It was a thoroughly modern approach which took the age old issues of life, death and the nature of the soul and spirit world; one which required folklore and belief to be validated through the symbols and rhetoric of modern science (even though many of these scientific studies ended up being themselves a kind of ‘pseudo-science’). This is also tied to a broader history of differing religious attitudes to ghost stories as they intertwined with Protestant and Catholic rivalry derived from England. On the one hand ghosts were constructed as a legacy of Papist superstition and idolatry, and thus a symbol of Catholic and Irish rebellion, and on the other hand linked to a Protestant notion of the realm of the spirits that could commune with the living. This ambiguity underlay the folk beliefs of ghosts and hauntings, as well as the more educated and refined popularity of spiritualism and the enormous popularity of ghost stories and the gothic in Victorian popular literature.[49]

So while some hoaxers were apparently driven by more base and criminally-inspired motives, the act of ‘playing the ghost’, and the evident joy of a successful hoax, challenged the surety of intellectual certainty of the non-existence of the spirit world and the folklore of the past. It meant cloaking oneself with the paraphernalia of the supposedly buried superstitious past. The act of hoaxing also acted as a liminal space outside the borders of Victorian morality and respectability as a site of rebellion. It also gave a sense of anonymity and danger which permitted the breaking of taboos and the carnivalesque inversion of morals, beliefs and behaviours of acceptable society. In this context it is unsurprising that many of these hoaxing accounts involved the inversion of traditional gender roles and the perpetrating of sexual taboos, such as exposure, sexual assault and even foul language. The elaborate nature of the costuming and the care taken by the hoaxers to create a sense of theatre around their exploits gives us an insight into how important this sense of transgression was to hoaxers who routinely risked arrest, disgrace and vigilantism to ‘become’ ghosts.
What better way to challenge class, Enlightenment values and the social order than to become a symbol of death (in some cases literally, given the high toxicity of phosphorescent paint) to terrify people beyond reason.

Endnotes

[7] A cursory search through newspapers reveals many articles on the subjects of ghosts, hauntings and exorcisms as well as many lectures and discussions pertaining to spiritualism, séances and attempts to contact the dead. In Ballarat’s case much of this is chronicled in James Curtis, Rustrlings of a Golden City: being a record of spiritualistic experiences in Ballarat and Melbourne, Office of ‘Light’, London, 1902; see also R Lorimer, Report of the Ballarat Psychological Association; referring to a series of séances held with Mr Jesse Shepard, the celebrated musical and physical medium, James Curtis, Ballarat, Victoria, 1879, p. 2; Argus, 23 July 1872, p. 6.  
[13] This becomes a staple of how the subject is treated in the late nineteenth-century press and instances can be easily found via a search of Trove Newspapers. An example can be seen in the Sydney Evening News, 2 August 1898, p. 5.  
[14] Telegraph and St Kilda, Prahran and South Yarra Guardian, 3 August 1878, p. 3; Mercury, 9 July 1904, p. 6; Telegraph and St Kilda, Prahran and South Yarra Guardian, 1 July 1871, p. 3; Bendigo Advertiser, 4 August 1891, p. 2.  
[16] Ballarat Star, 27 September 1861, p. 3.  
[19] Bendigo Advertiser, 8 July 1871, p. 3.  
[25] Barrier Miner, 12 July 1895, p. 1; Adelaide Advertiser, 10 June 1889, p. 7; Bendigo Advertiser, 12 September 1903, p. 4.  
[26] Horsham Times, 26 July 1895, p. 3.  
[27] Register, 28 June 1904, p. 4; Adelaide Advertiser, 3 October 1895, p. 5; Australian Town and Country Journal, 4 March 1899, p. 22.  
[28] Bendigo Advertiser, 27 May 1895, p. 3; Bendigo Advertiser, 29 May 1895 p. 2; Public Record Office Victoria, VPRS 289/P0 Court Records (includes Petty Sessions Registers 1854–1962), unit 46, pp. 190 and 244.  
[29] Bendigo Advertiser, 14 July 1904, p. 5.  
[31] Barrier Miner, 10 June 1895, p. 3.  
[33] Bendigo Advertiser, 24 May 1904, p. 4.  
[34] North Western Advocate and the Emu Bay Times, 30 May 1904, p. 4.  
[35] PROV, VPRS 289/P0, unit 67, pp. 13, 32 and 53.  
[37] Examiner, 3 January 1903, p. 6.  
[38] Sydney Morning Herald, 14 June 1877, p. 7.  
[39] Queenscliffe Sentinel, Drysdale, Portarlington & Sorrento Advertiser, 30 November 1889, p. 2; Northern Argus, 26 March 1880, p. 3.  
[40] Delegate Argus and Border Post, 18 June 1896, p. 4.  
[42] PROV, VPRS 290/P0 Court of Petty Sessions Cause List Books (1858–1888); Court of Petty Sessions Registers (1888–1921).  
[43] PROV, VPRS 289/P0, unit 46, p. 190, and unit 67, pp. 13, 32, 53.
[44] It is worth noting goldrush Victoria also had its many Spring Heeled Jack imitators and panics in the local press which are easily found by searching local newspapers between 1830 and 1914.


[47] This theme of ghost stories pertaining to memorialised trauma is a common theme in the literature, perhaps one of the more concise examples is Steve Pile, Real Cities: Modernity, Space and the Phantasmagoria of City Life, Sage Publishing, New York, 2005, pp. 131–64; see also D Goldstein, S Grider and J Thomas, Haunting Experiences: Ghosts in Contemporary Folklore, Utah State University Press, Logan, 2007.


Paper ambassadors

Letterheads and the iconography of urban modernity

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Abstract

The decorative letterhead as an ephemeral visual source is part of the minutiae of daily institutional correspondence from which the historian can draw a clear sense of the interchanges of information and the vectors of knowledge crisscrossing city, continent and globe. This article will focus on a sample of letterheads contained within City of Melbourne records held at Public Record Office Victoria and consider the ways in which letterhead design and symbolism reveal the concerns of its citizens, display the material culture of the city, and legitimate certain ideologies.

Introduction

In February 1912 a small article appeared simultaneously in two regional Victorian newspapers extolling the virtues of ‘The Printed Letterhead’ for the go-ahead rural entrepreneur. The author was Professor WC Palmer, Agricultural Editor from the North Dakota Agricultural College, and his syndicated advocating of letterheads as ‘travelling advertisers’ to promote the sale of farm produce in the communities of southeast and southwest Victoria reflected a broader international trend in corporate advertising. ‘It looks like business’, trumpeted Palmer, ‘and it is business of the best kind’. Cheap and efficient, the letterhead as an instrument of public relations could be persuasive for a potential customer base as well as a source of pride for the farmer himself. Seeing his goods represented in idealised visual form on his stationery ensured he would take care in ensuring the consistent quality of the articles he advertised for sale.[1]

Denizens of the archive usually seek more substantial text-based content, and those illustrative sources commonly utilised by researchers most often come in the familiar forms of the photograph, map, painting, poster or engraving. But the paper empire of the archive contains much more elusive visual jewels. They are unindexed and cannot be easily discovered using finding aids or databases,[2] but most record series that include letter-based files will include examples.
Printed historical ephemera gives the present-day viewer a transient but palpable sense of the past, and the preservation of formal ephemera collections has become since the latter decades of last century a signal attempt to represent popular as well as high culture artefacts.[3] The methodological implications of utilising visual materials as historical evidence have received growing attention from historians for over a decade,[4] and collection managers and information scientists have identified the potential of visual ephemera as throwing ‘new light on the time in which they were created’. [5] The humble letterhead as an ephemeral visual form, however, is rarely cited as a significant source of historical evidence.[6] This survey article draws attention to the usefulness of the letterhead as a source for the city historian while at the same time suggesting that future and more detailed case-study analysis will extend our understanding of this creative genre as a form of public relations, as one aspect of the broader armoury of brand identity, and as the product of transformations in commercial art and design history.

Like any other evidence, the decorative letterhead needs to be read with a critical eye – for the ways in which its creators idealise the world they depict; reflect their personal identities and ideologies as well as the mentalities and preoccupations of their age; or distort reality in pursuit of their own goals. The task of this article is to suggest some of the ways in which the letterhead as an everyday and seemingly mundane historical source is a ‘paper ambassador’[7] that can provide rich visual cues about culture. As a medium with its genesis in the roots of print culture itself, its transformation and impact is in many ways synchronous with the development of Australian printing from the early colonial period. As an artistic form, it might also indicate changing trends in visual language and graphic design that can only be revealed over a longitudinal sample. Furthermore, this article argues that letterheads become more complex visual and ideological markers of the transformations in urban culture that occur through the period of the second Industrial Revolution from the 1860s to World War I.[8] These changes are broadly manifest in the expansion of the railway and urban networked technologies such as sewerage, gas and water supply, as well as the invention and development of the telephone, electric power, elevators, trams, mass circulation newspapers, and the internal combustion engine. The growing iconographical sophistication of the letterhead correlates with the period of intensive and dispersed invention and innovation across the fields of transportation, chemicals, production engineering, communications technology, manufacturing, food processing and household technologies. As such they represent the products of urban modernity as well as in themselves being formative in the proliferation of knowledge, markets and desires around new types of products and services. [9]

There is perhaps no better place to demonstrate the utility of the letterhead as a historical source than in the voluminous correspondence files of the City of Melbourne (VA 511), retained across a number of Public Record Office Victoria (PROV) series including the bound registers of VPRS 3622 Correspondence Inward, Miscellaneous Letters (1842–1858), as well as VPRS 3181 Town Clerk’s Files, Series I (1842–1910) and VPRS 3183 Town Clerk’s Correspondence Files II (1910–1985). Melbourne Town Council was incorporated in 1842 (the same year as the first Sydney council), and Melbourne was officially created a City in 1849. The municipal corporation was given authority over civic affairs including markets, roads, sewerage, building regulations and street nuisances. All correspondence to the council crossed the desk of the town clerk who, depending on its subject matter, would refer each letter to one or other of the council’s officers or committees: the city surveyor, engineer or architect, or perhaps to the finance, market, hackney carriage or public works committee. A sampling of the riches of this municipal collection – as exemplary of a coherent and sustained historical holding of PROV – can provide the historian with an eclectic array of novel source material that might illuminate themes in Melbourne’s history including civic and corporate identity, business and industry, transport, entertainment and leisure, and other aspects of society and culture.

Civic and corporate identity

The first extant letterhead in the collection – and one of the simplest – is on a letter from the ‘Bank of Australasia, Melbourne, Port Phillip. N. S. Wales’ in early 1843, and must be one of Melbourne’s earliest. (Prior to Separation in 1851, Melbourne had of course been situated in the Port Phillip District of New South Wales.) A simple printed text-based letterhead such as this stands on the threshold of the coming age of corporate branding which would see visual advertising play a critical role in building brand equity and reputation. Names, symbols and slogans would be increasingly recognised as essential assets in product differentiation, and as the ‘signifying data’ of ‘internal brand building’ would draw the viewer/consumer into a particular relationship with the producer in increasingly sophisticated ways.[10]
Letter from the manager of the Bank of Australasia advising the Mayor of Melbourne that his request for a cash credit of 2000 pounds cannot be granted, because the practice of granting cash credits has been discontinued for some time now. PROV, VPRS 3622/P1 City of Melbourne Correspondence Inward, Miscellaneous Letters, unit 1.

If brand equity incurred a relationship of value between the producer and consumer,[11] the authority of government and legal authorities over their constituencies was further cemented through visual languages that rendered a traditionally understood rhetoric of power (for example, the wax seal) into new material and paper-based forms. Employing the conventional and conservative visual language of heraldry, many municipal council letterheads that were designed following expansion of Victoria’s civic frontier from the 1850s were intended to communicate an air of respectable authority. A symmetrical composition combined with shields, crowns, national emblems (including flora and fauna) together with mercantile symbols of industry are all consistent design features across this distinctly bureaucratic genre. Such letterheads might therefore be read as part of the official paraphernalia of local place marketing and sub-colonial boosterism, but also as symbols that reify the authority of government at its various levels. ‘Official records’ as Aradhana Sharma reminds us, ‘are not just annals of state facts but are also political artifacts that do not compile truths as much as conjure them’. [12]

But as Professor Palmer evangelised in 1912, the letterhead was, above all things, ‘a good business proposition’. Conversely, as the decorated letterhead reached its apotheosis in the interwar period, it was through the letterhead that ‘a business [was] often largely judged’. [13] With the rise of mass production in the latter decades of the nineteenth century and rapid modernisation in the early decades of the twentieth, letterheads heralded the goods and services of a burgeoning consumer class, and along with other types of trade and popular advertising played an important role in the circulation of consumerist ideas, the creation of taste, and the take-up of technological change and innovation. As more recent studies have shown, letterheads play a decisive role in the mechanisms by which brand identification becomes a proxy for quality. [14]

Prior to the age of complex multi-market corporations with their necessarily abstracted corporate identity systems, businesses would very often use a literal depiction (a picture) of an aspect of their trade. Optometrists would show a pair of spectacles, a fashion cutting office would feature scissors, a boot-maker would show a pair of shoes, and an artificial limb maker would depict a prosthetic leg. [15] The letterheads that featured the simple symbols of trade mirrored the familiar practice of the shop sign as the urban icon of the city street, from the pawnbroker’s balls, barber’s pole or chemist’s pestle and mortar, to large imitation objects hung outside shops and including a range of trades or wares such as boots, bells, hats, keys and anchors. Once competition began to develop, other design approaches were taken to differentiate brands in the marketplace. This saw the emergence of heavily stylised scripts in order to elevate marketplace status and infer a more personal interaction, such as the identity of Paul Duval cosmetics.

Letter from St Kilda’s Town Clerk informing Melbourne Town Council that the MMBW’s new by-law regarding sewerage fittings has been placed in the hands of the two Board Representatives from St Kilda. PROV, VPRS 3183/P2 City of Melbourne Town Clerk’s Correspondence Files II, unit 12.

Letter from David Ewen, cutter, inquiring of the Town Clerk whether a certain room to hold 20 employees would be likely to pass the board. PROV, VPRS 3183/P1, unit 109, item 1912/5649.
Letter requesting Council permission for an electric ‘magic lantern’ advertisement to be erected on the roof of the Reed Shoe Company’s building for display 3 hours each night. PROV, VPRS 3183/P1, unit 146, item 1913/3770.

Letter complaining of all-day wireless programmes being ‘screeched out’ from 241 Swanston Street, and asking what can be done about it. PROV, VPRS 3183/P3, unit 107, item 1929/2187.

Letter from Cr Peter Andrews to Lord Mayor Maurice Nathan thanking him for the previous evening’s Lord Mayor’s Ball. MCC Collection: Letters of thanks / Lord Mayor Ball 1962, Art and Heritage Collection; City of Melbourne.

The industrial maturation of Marvellous Melbourne spurred on the growth of engineering and communications technologies including the passenger lift and the telephone. Firms such as Robison Brothers, John Danks & Son and the Australian Waygood Elevator Company prospered, as building the city meant heavy government investment in infrastructure and a demand for new products. For many of these companies the letterhead represented an ideal promotional opportunity – lavishly presented, often printed on both sides, incorporating decorative typographic titling and detailed illustrations of their machinery. Proudly displaying their patent suspended lift on their 1890 letterhead, the Australian Waygood Elevator Company greatly benefited from the land boom. Featuring an illustrative montage of a locomotive spring, a motorist and other symbols of technological modernity, Henderson’s Federal Spring Works’ 1947 letterhead was another showcase of industrial confidence.

Letter from Waygood Elevator Company, Melbourne, dated 3 March 1890. PROV, VPRS 3181/P0 Town Clerk’s Files, Series I, unit 855, item 1890/155.


There has been very little sustained attention from urban historians into the usefulness of using letterheads as sources. Over twenty years ago, Dominic Alessio drew attention to the ways in which the urban industrial landscape of Hamilton, Ontario was represented in various art forms, including photography and letterheads.[16] Alessio concluded that when the depictions of factories in letterheads were compared to those in photographs, there was a great deal of exaggeration in order to promote manufactured products and the scale of industrial plants. Industrial boosterism is also discernible in a range of visual tropes: smoking factory chimneys as indicators of progress; contiguous transport links that would enable the freight of raw materials as well as the speedy distribution of products; and highly organised and sanitised surroundings (as opposed to the disorderly environments that were often revealed in photographs).
The depiction of the business premises, either as a lithograph or from the latter decades of the nineteenth century as a photograph, is perhaps the most popular image on Melbourne’s letterheads. Such depictions could skew reality, often making the buildings out to be more impressive than they may have been in reality, or editing out unsightly neighbours or street life. But in some cases they remain the only visual representation of a former shop or factory.

From the middle of the nineteenth century, businesses were slowly realising the advertising potential of more graphic letterheads in promoting their goods and services, though the heyday of the art form was perhaps in the post-Federation era. Melbourne’s letterheads display a vast array of consumer objects that reveal changes in fashions, superseded technologies, tastes in food and drink, and even household appliances. The most elaborate letterheads include not only basic information such as the name and address of a business or institution, the date and perhaps a cable or telephone number, but a variety of typefaces, highly elaborate ornamentation, and windows and breakouts that contain additional information from other products or services to lists of office bearers or even song lyrics.

The symbolic meanings behind letterheads therefore not only reflect the values of business or industry in particular but also of the city and society itself. Looking across a large historical corpus, certain patterns and shifts can be witnessed, perhaps one of the most evident of these being the perception of ‘progress’. The early expressions of industriousness and progress represented by belching factory smokestacks would doubtlessly be interpreted by twenty-first century values as environmentally reckless pollution.[17] In other cases the emergence of new technologies such as telephones, cables, passenger lifts, electric lights and bells were specifically featured on letterheads to boast the progress, modernity and visionary aspirations of the city. Smoke billowing from chimneys at CUB’s Carlton, Yorkshire and Victoria breweries was a visual reminder in this letterhead of productive industry. The Glasgow factory of Alex Turnbull is depicted in 1907 with all the confidence of the Empire’s industrial heartland. Smoke billows productively from chimneys, while the yard is a showcase of merchandise. In an era when steam was still king, the firm solicited orders for its patent products from across the globe.

Dramatic symbolism reflecting power, strength and reliability was used on the letterheads of Melbourne’s energy companies. To truly appreciate the arrival of electric-powered illumination one has to recall that its introduction was nothing short of a technological revolution. In the early twentieth century, Melbourne’s shopkeepers were no longer satisfied with the traditional form of shop signs, and they sought out flashing electric roof signs to promote their businesses. To the dismay of the electric sign industry Melbourne City Council did not permit sky signs under their 1916 building regulations. By the time of A Ramacciotti’s 1916 letterhead, light was being used for purposes other than just the lighting of streets and other public places; it was being used for advertising to create a sense of public spectacle around a product or service by using a medium that people still held as a symbol of modernity and progress. At first glance, the visual language of this letterhead may be reminiscent of a magician or circus show (aided by the ‘exotic’ sounding name), but considering the almost ‘magic’ properties and potential of light in the minds of the public, it seems a perfectly appropriate and dramatic way to visually communicate the wonder of electrical signage.
Transport and communication

A French automobile firm anticipates the substitution of animal traction by motor traction in 1908; a London glass company spruiks its light globes in 1912; an Ohio tree surgeon notes his novel methods in 1920; and in 1966 the Governor of Tokyo recommends a visiting official researching welfare administration. Letters to the City of Melbourne came from all corners of the country as well as from overseas.

The development of aviation conquered Australia’s great ‘tyranny of distance’. Air races, long distance flights and ‘flying machine’ demonstrations contributed to the enthusiasm, progress and public spectacle of bird-like machines in the skies high above Melbourne. The depiction of an aeroplane was a symbol of the future. Aviation brought people together from across the globe, and with it a new sense of internationalism. Seeking to promote flying machines in Australia, Mills Aviators of Chicago wrote to the mayors of Melbourne and Sydney in 1912 for information and contacts in their respective cities. In this letter the aviation firm refers to the letterhead as testament to their business.

Since the 1830s horse-drawn vehicles were a popular mode of transport in Melbourne and took the form of omnibuses, cabs and coaches. Over time the diversity of carriages reflected changing social and fashion trends as well as technological advancements. The style and quality of carriages, as well as the number of horses, were markers of social status, as only Melbourne’s elite could afford to own them. Carriage and buggy builders, such as Thomas Craine, flourished during the 1880s. The letterheads for such businesses included detailed illustrations of the range of carriages for sale – King Jinker, Speeding Buggy, Speeding Sulky – or the horse and buggy service for hire, expanding its use as a promotional device. With the motor car came aspirations of prestige, power, freedom and modernity – all of which were aptly depicted in the motoring company letterheads through the use of official crests, detailed illustrations and the use of the relatively new printing process – photography. Howitzer Battery Company was the Victorian agent for the American car Chandler Six. Letterheads at this time used the language of endorsement. Earlier that year Howitzer advertised their car in the Argus, employing an official letter endorsed by aviation expert Sir Keith Smith.
Entertainment and leisure

As Cabarga notes, the ‘art of the letterhead is most spectacular in its application to the entertainment industry. Here color and spectacle are not just gratuitous hyperbole but a reflection of the shows they illustrate’. The letterheads of various local and visiting circus companies were as joyful and colourful as their big-top performances. Visits from such troupes as Hayes’ European Circus (1887), Fillis’s Great Circus and Menagerie (1893), FitzGerald Brothers (1902), and Ashton’s Circus and Zoo (1955) ensured that Melburnians were regularly treated to the latest national and international amusements, from clowns and daring trapeze acts to bareback riders, elephants and lion tamers. A feature of their visits would also be the spectacular processions down Swanston Street that often advertised the arrival of the circus in town.

Entertainment also meant musical and other leisure pursuits. Musical culture was regarded as a cornerstone of middle-class moral values. George Leavis Allen – a founder of the Melbourne Philharmonic Society – came to Melbourne in 1852, and later formed the firm of music retailers and publishers Allan & Co. in 1881. Other firms like Dinsdale’s published and sold sheet music, from pantomime waltzes to a ‘White Australia’ song printed in 1910 and performed at the Australian Natives’ Association National Fete. Dinsdale’s also sold Edison records and machines. The Mercantile Marine Band marched under the colours of the Australian Red Ensign, a flag that was designed for the 1901 Federal Flag Design Competition. The band often played as entertainment on bay excursion steamers like the Hygeia that took pleasure seekers on day trips to Queenscliff, Portsea or Sorrento. The letterhead was clearly the perfect medium for performers to spruik their wares.

The Moomba Festival was inaugurated on 12 March 1955 as a joint initiative of the City of Melbourne and the City Development Association. Moomba took place on the old Labour Day weekend, and was a venture designed to reinvigorate a declining inner city and to attract Melburnians back to the centre. The name Moomba had its origins in the 1951 Aboriginal theatre production *An Aboriginal Moomba: Out of the Dark*, and while translated as ‘let’s get together and have fun’, has long had an alternative reading as an Aboriginal word for ‘bum’. The black-faced figure in the 1973 letterhead had subtly changed by the 1980s to a white-faced logo.
Society and identity

Colonial philanthropy was mostly organised on a voluntarist basis, with a profusion of hospitals, rescue homes, orphanages and other services run on church-based lines which all embedded their ideologies in the visual form of their letterheads. ‘Ragged schools’ had their origins in the English Ragged School Union, and were established in Melbourne from the late 1850s to educate working-class children through religious and practical lessons. The Lord Mayor’s Fund was instigated in 1921 as a centralised appeal that distributed money to a range of hospitals and other beneficiaries. The Lost Dogs Home was established in North Melbourne in 1913, and animal welfare organisations lobbied for the protection of animal rights. Religious and moral campaigns continue to reflect contemporary debates over social and ethical issues. The Band of Hope had been formed in Britain in the 1840s as a temperance organisation to warn children about the evils of drink.

What better way to communicate the importance of a charity than by putting a human face to it? By showing the faces of those whose plight is the focus of the charity, the viewers are more likely to respond with empathy and support. An Austcare letterhead is perhaps the most graphic of these. Produced just after the end of the Vietnam War, it is an alarming and direct piece of graphic design. Accompanied by lines of pragmatic Helvetica, the message of the letterhead is made very clear indeed. Also striking, but perhaps less confronting, are the graphic uses of silhouette in the Right to Life Association Victoria and the Unicef Auxiliary letterheads.

The tensions of a dual identity as both British and Australian have long obsessed Melburnians and Australians more generally, and many letterheads are replete with the icons and symbols of ethnic identity. In the nineteenth century the Scots became the third largest immigrant group after the English and the Irish, and became prominent in city affairs including politics, business and the media. A range of associations were established as a way of maintaining a sense of cultural heritage and identity, including the St Andrews Society (1846) and the Caledonian Society of Victoria (1858). Despite the city’s predominantly Anglo–Celtic roots, nineteenth-century Melbourne was also a popular destination for Germans, the largest non-British group of settlers. The Melbourne Deutscher Turn Verein (German Association) was founded in 1860. Greek immigration to Melbourne exploded between 1947 and 1987 when a quarter of a million Greek-born migrants made Australia home.
Letter from the Honorary Superintendent of the Ragged School Mission requesting permission to suspend flags across La Trobe Street on 9 December 1895 on the occasion of the official opening of the school by Lady Brassey. PROV, VPRS 3181/P0, unit 862, item 1895/4057.

Letter from the Director/Secretary of the Lord Mayor's Fund, R Rhoades, thanking the Lord Mayor Maurice Nathan and his wife Lady Nathan for their support. MCC Collection: Retirement from Lord Mayor 1 / Letters of congratulations, Art and Heritage Collection; City of Melbourne.

Letter requesting a grant of money for the Lost Dogs' Home on Langford Street, North Melbourne, dated 7 April 1916. PROV, VPRS 3183/P1, unit 269, item 1916/2000.

Letter from the Victorian Band of Hope & Juvenile Total Abstinence Societies Union, dated 12 January 1914. PROV, VPRS 3183/P1, unit 175, item 1914/1199.

Letter from Wystan Widdows, Victorian State Director of Austcare, requesting permission to collect money on the city's streets for the Romanian earthquake relief fund, on 1 April 1977. PROV, VPRS 3183/P9, unit 18, item 1017.

Letter from K Hudson, Right to Life Association Victoria, requesting permission to assemble in City Square on Right to Life Day, 27 March 1977. PROV, VPRS 3183/P9, unit 7, item 352.

Letter from Estelle Collman, President of the UNICEF Auxiliary, detailing some issues with holding the annual UNICEF fundraising fair in the Lower Town Hall, dated 4 January 1977. PROV, VPRS 3183/P9, unit 2, item 77/69.

Letter from William J Martin requesting permission for the Irish Pipe Band to march from Flinders Street Station to the Town Hall on the night of 11 July 1911. PROV, VPRS 3183/P1, unit 55, item 1911/3534.

Letter from Gustav Beer, Jr, Honorary Secretary of the Letter from Gustav Beer, Jr, Honorary Secretary of the Melbourner Deutscher Turn Verein, thanking the Lord Mayor for permission for the gymnasts of the club to march, but regretting to say that the march has been called off due to insufficient support from other gymnastic clubs. PROV, VPRS 3183/P1, unit 9, item 2393.
Letter to Councillor John Stansfield-Smith thanking him for his support of the Greek Festival Week, and outlining a plan of action for the Festival, which is to begin on 13 May 1977. PROV, VPRS 3183/P9, unit 7, item 77/368.

The letterhead as design

The advantage of analysing the depiction of material products over time is nowhere better revealed than in a comparison of two illustrations of women’s corsetry. The hourglass figure shown in an 1861 letterhead of the French Stay Warehouse in Russell Street, and its coding of nineteenth-century stereotypes of women’s beauty, contrasts markedly with the idealised female form 80 years later, represented in a Phillips Knitting Mills letterhead from Fitzroy in 1940. Other letterheads can also be read with particular gender stereotyping in mind, including the idealised figures of the woman as both weaker sex and moral guardian.

Running in tandem with the social, industrial and political expressions of Melbourne’s evolution from the 1840s into the twentieth century, letterheads also tell us a great deal about the creative spirit of the city. The history of the letterhead embodies the history of technologies from the Industrial to the Digital Revolutions, from the origins of the printing press and papermaking machines to lithography, photoengraving, typesetting machines and photography. But letterheads are more than just ink on paper. They reflect the changing world of design. The heavily embellished correspondence of the Victorian era can be easily matched to its fussy contemporaries in architecture and industrial design. Through its design, the letterhead connects to a larger cultural expression, be it the striking visual expression of national confidence at the time of Federation, or the arrival of modernism, signalling social and industrial progress emphasising design functionality.

Transformations in letterhead design over the nineteenth and twentieth centuries reveal a broad shift from a literal visual language to one of minimalism or abstraction.[19] Printing, lettering and design styles and techniques (such as embossing or multicolour printing) come in and out of fashion, mimicking broader cultural aesthetics and movements (such as Art Nouveau from the 1890s) and drawing on a much larger range of typefaces from the 1870s and ‘an expanded vocabulary of picto-symbols’. [20] Letterheads are deployed ‘to create a wide range of atmospheres: the dignity proper to a professional firm such as architects or lawyers, the substance of a steel company, the smartness of a dress shop, the exclusiveness of a dance studio.’[21]

Letter from the Melbourne Little Theatre Limited, South Yarra, Victoria, dated 20 January 1956. PROV, VPRS 3183/P5, unit 18, item 55/5105.

Letter from Pepe Garcia of Maxim’s Restaurant congratulating Lord Mayor Maurice Nathan on his recent knighthood, dated 2 January 1963. MCC Collection: Congratulations re: knighthood New Year 1963 G-O, Art and Heritage Collection; City of Melbourne.

Letter from Brooks, Robinson & Co. Ltd, Melbourne, dated 14 October 1909. MCC Archive Town Hall Admin Buildings (Blue Cover), Art and Heritage Collection; City of Melbourne.

An early Victorian example of the visual language of the letterhead can be seen in the densely decorated 1855 billhead of cabinetmaker, upholsterer and undertaker S Crook which is embellished with symbols including native fauna, freemasonry and a funeral procession. As a related graphic form, the decorated billhead often replicated the visual grammar of the letterhead and is a distinctive primary source for commercial history. [22] Classically Victorian in its copious embellishment, Crook’s billhead presents an orderly symmetry to the viewer. The typographic composition suggests a professional hierarchy – that his main profession was that of an undertaker while other endeavours, cabinet-making and upholstery, are presented quite literally as ‘side-lines’, flagging the main illustration. Beyond the lush framing of this salon vignette, almost every inch of this letterhead is occupied by a rich combination of flowery flourishes, formal copperplate titling and the neo-medieval lettering favoured during this period of historic pillage. Crook was also a manufacturer of coffins, and this elaborate billhead addressed to William Reynolds lists expenses incurred for the funeral of Frederick Eiles in 1851. The image was drawn by lithographer Thomas Ham, who in 1843 had engraved Melbourne’s corporation seal and who also lithographed some of Victoria’s first stamps and banknotes. The room is like a stage that frames the city, for which the letterhead acts as a prime example of boosterism and parochialism. It is decorated with images including native fauna, the freemason’s square and compass, an Aboriginal figure, and a view of Hobson’s Bay. Through the window a funeral procession can be seen making its way to the cemetery, then located on the site of the present-day Queen Victoria Market. The flagstaff that signalled ships in the bay is visible through the right-hand window.

The embellished nature of the typography in a 1921 Robison Brothers letterhead (the use of illustrated scrolls, flourishes, dense shadowing and ornamental capitals) harks back to the firm’s establishment in the mid 1800s during the Victorian design era despite still being used in this example, some seventy years later. Their decorative letterhead featuring typographic flourishes, and highly detailed and precise illustrations of machinery, not only promoted their products but also displayed their creativity, precision and technical proficiency. Like many businesses during this period, a strong graphic emphasis was given to two key features of the Rocke, Tompsitt & Co. letterhead – the artful crafting of the main titling and the obligatory representation of ‘bricks and mortar’ as an indicator of strength, reliability and trust. The former is a rich flowing cascade of scripts, in-lined patterning, drop-shadowed letters and layers of fussy detail while the latter shows a striking corner property of a multi-levelled stature – an important symbol of modern building technologies at the time.
In a final example, one of the most symbolic and public arrivals of graphic design modernity to Australia surrounded the splitting of the office of PMG (Post Master General) in 1975 into two distinct entities. One of these involved the postal service and was re-titled Australia Post while the other related to telecommunications, which became Telecom. The pioneering work of Dutch-born graphic designer Pieter Huveneers in applying what he termed ‘total design’ to these two institutions ensured that they were both given strong and definitive visual identities.

A letterhead from 1961, however, shows the more formal origins of the PMG, here represented by the Commonwealth of Australia coat of arms sitting over a long line of sturdy bold sans serif titling. What this letterhead shows the viewer is how much of a fundamental change was about to occur in the visual representation of Australian organisations during the later half of the twentieth century, namely the shift away from the heavy, official and symmetrical traditions.

Letter from Robison Brothers and Company, Normanby Road, South Melbourne, dated 24 June 1921. PROV, VPRS 3183/P2, unit 20, item 3113.

Letter from Rocke, Tompsett & Company, Wholesale Druggists and Manufacturing Chemists, to the Town Clerk urging the establishment of public toilets on the corner of Flinders and Elizabeth Streets. PROV, VPRS 3183/P1, unit 307, item 1918/5164.

Postmaster-General’s Department, Commonwealth of Australia, dated 25 September 1961. PROV, VPRS 3183/P6, unit 27, item 3786.

S Crook, cabinet-maker and undertaker, to William Reynolds for the funeral of Mr Frederick Gyles, dated 22 May 1851. City of Melbourne Art and Heritage Collection.
Conclusion

A more comprehensive historical analysis of letterheads can only benefit the historian of the city in any attempt to develop a clearer understanding of the material culture, social relations and cultural aspirations of its inhabitants. As a small sampler of the riches of the collection of Public Record Office Victoria, this article has sought firstly to affirm the general usefulness of the letterhead as a historical source, and secondly to demonstrate that the increasing complexity of the iconography of letterheads in the half century or so from 1870 can illuminate the material foundations for new modes of thinking about urban space and time in this formative era of Western modernity. It is an irony that it is only in the twilight of a medium that its significance is seen with greater clarity. Such may be the case with the letterhead. In its printed form, the medium of the letterhead is certainly in decline. While its communicative role has been taken over by the efficiency of the email and with its promotional virtues now served by the ubiquitous website, the letterhead leaves a distinct shadow in the history of graphic design and visual communication. Its archival presence is also arguably more durable than its successors.

In an age when forgotten aspects of urban memory are popularly being reclaimed through an interest in visual iconography, historical brands and locally-based institutions,[23] the letterhead provides endless interest for the city historian.

Endnotes


Forum articles
The Legal Profession in Colonial Victoria

Information in Records of Admission Held by Public Record Office Victoria

Richard Harrison


Richard Harrison is an independent historical researcher living in the Melbourne suburb of Blackburn. After a career in the stockbroking industry, in 2004 he accepted a research role with the Australian Securities and Investments Commission (ASIC), where he eventually rose to the position of Senior Manager, Strategic Intelligence. While at ASIC he became increasingly interested in historical research, and in 2014 he resigned to spend more time with his data. He describes his research project on Australian elites in ‘Database of Australian elites’, Biography Footnotes, issue 10, 2011. Richard is also a member of the Royal Historical Society of Victoria and the Selden Society.

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Abstract

The research described in the article has as its primary purpose the production of a complete and accurate list of lawyers admitted to practise in Victoria prior to 1901 from records held by Public Record Office Victoria (PROV). The secondary purpose is to gather any basic biographical data about those lawyers available in the admission records. The article describes the structure of the legal profession in the nineteenth century and provides an account of the changing names and structures of the superior courts with jurisdiction over Port Phillip and then Victoria. Discussion of PROV’s records of admission provides details of the relevant record series, their scale and format. Particular attention is given to the content of the records, and also to their completeness and some practical difficulties in using them. The article also looks briefly at some demographic characteristics of the barristers as a group: sex, age and ancestry

Background

The research presented in this article is part of a much larger project that aims to gather and structure basic biographical data on members of Australia’s professional, official, business and social elites in the colonial period.

The product of the research (and the larger project of which it is a part) will be structured data in multiple formats – databases, spreadsheets and e-books are planned at present – hosted on a dedicated website. The aim is to enable easy access to the data for anyone who wishes to use it, free of charge.

Institutional context

‘Admission to practise’ is the ceremony in which a layman becomes a lawyer. In colonial Australia, the Supreme Court in each colony was the body into which a person was admitted. For those who had not already been admitted to a court in the United Kingdom, it was the culmination of a years-long period of study and training. In the twenty-first century the Supreme Court in each state continues to be the body to admit lawyers to practise.
Prior to 1892, the Victorian legal profession, following the practice in England, was divided into two branches: (1) barristers and (2) ‘attorneys, solicitors, and proctors’ (informally called just ‘attorneys’).[1] Barristers (also called ‘counsel’; the ‘upper branch’ of the profession) tended to specialise in more complex legal work, had exclusive right of audience in the higher courts, accepted work only through attorneys and were not permitted to practise in partnership. Attorneys (later called ‘solicitors’; the ‘lower branch’) generally undertook more routine work, sometimes appeared in lower courts, worked directly with clients, and acted as intermediary between client and counsel where the latter had been engaged. They often practised in partnership. As will be detailed below, to gain admission barristers required more education than attorneys, including more extensive legal knowledge but also a broad, liberal education. To add to barristers’ professional precedence, they were officially treated as being the socially superior branch of the legal profession.[2]

From 1 January 1892 the two branches in Victoria were formally fused, so that all practitioners already admitted in one branch were permitted to practise in the other, and all future admissions were as ‘barristers and solicitors’.[3] However, the formal fusion did not carry over into the actual structure of the profession. The functional division that was in place before 1892 largely persisted afterwards, with lawyers describing themselves either as ‘barristers’ or ‘solicitors’ and practising in the areas traditional to those (former) branches.

Although a small number of lawyers practised in the District of Port Phillip in its earliest years of settlement, having been admitted in Sydney to practise in the Supreme Court of New South Wales, they lacked an institutional arrangement to set them apart from their brethren north of the Murray. The arrival in Melbourne in 1841 of Mr Justice Willis as Resident Judge of the Supreme Court of New South Wales marks the beginning of a distinctly local profession. On 12 April 1841 five barristers were admitted to practise in ‘The Supreme Court of New South Wales for the District of Port Phillip’ and on 8 May of that year fourteen men were admitted as attorneys.[4]

The court into which these practitioners and their successors were admitted changed its structure and designation several times. At Separation from New South Wales on 1 July 1851 it was re-designated ‘The Supreme Court of New South Wales for the District of Port Phillip now called as and being the Colony of Victoria’;[5] on 6 January 1852 it was succeeded by ‘The Supreme Court of the Colony of Victoria’;[6] and on 1 October 1915 that court was given its current name, ‘The Supreme Court of the State of Victoria’.[7] Despite all these changes of name and jurisdiction, the court’s admission records form continuous series from 1841 to 1891 and from 1892 into the twentieth century.

**Key PROV records**

As discussed above, there were three types of lawyer in practice in Victoria prior to 1901: attorneys (1841 to 1891); barristers (1841 to 1891) and barristers and solicitors (from 1892). Each type has its own series of records in PROV.
Attorneys (1841–91)

The basic listing of attorneys is PROV, VPRS 16237/P1 Roll of Attorneys, unit 1. This is a ledger of 93 pages, each normally with 16 entries, and hence with approximately 1,500 entries in total, commencing on 8 May 1841 and with its final entry dated 1 December 1891. Each page has three columns: ‘When admitted’ (day, month and year); ‘Name’; and ‘Remarks’ (noting any striking-off or readmission, and also in many cases the attorney’s death, the latter sometimes with the date). In about one-third of the entries the ‘Name’ is the attorney’s full name written in a clear, large hand. The other two-thirds have instead signatures of varying legibility in a range of inks, some of which have faded badly. While almost all signatures can be deciphered with some effort, around five per cent are illegible.

Some assistance in deciphering the signatures can be gained from PROV, VPRS 83/P0 Index to Admission Files of Attorneys to the Supreme Court, unit 1. This is a set of 38 file covers (paper glued onto a wooden backing) with attorneys’ names written in roughly chronological order within each letter of the alphabet. Detailed records for each attorney are contained in PROV, VPRS 82/P0 Admission Files of Attorneys to Supreme Court, units 1 to 20. This series comprises 26 boxes each with around 40 bundles of documents, one for each attorney admitted.[8] The content of each bundle varies, depending on how much of the documentation has survived. Many bundles contain the full documentation for admission, which normally comprises:

- A certificate of the examiners that the candidate has fulfilled the requirements for admission.
- A handwritten affidavit of the candidate for admission, which includes the candidate’s full name and address and a summary of (as relevant) migration to Victoria, pre-law career, education and articles of clerkship. From 1866 these affidavits (‘Schedule A’) also included a table of key data on the candidate including date of birth and birthplace; and father’s name, address and occupation.
- A handwritten certificate signed by two practising attorneys testifying to the candidate’s good character. Certificates of completion of required university studies.

- A large parchment document, the ‘articles of clerkship’ between the ‘clerk’ (the future attorney) and a practising attorney. Where the clerk was under 21 years old, as was often the case, the clerk’s father was also a party to the articles; thus the articles often provide valuable genealogical information.
- Attorneys already admitted to practise in the United Kingdom will have a handwritten certificate of such admission instead of the documentation of university studies and clerkship.

As noted above, most documents are handwritten. However, for the most part the writing is clear and easily read, and in any case most of the contents of the documents are similar for each candidate for admission, so that when one is familiar with the format the documents can be read quickly.

Much of the content of the candidate’s affidavit, with its details of the candidate’s education, training and legal experience, is also contained in documents in PROV, VPRS 105/P0 Reports of Examiners for Admission of Attorneys, unit 1. Usually, all the reports for a single term (there were four legal terms in a year) were collected into a multi-page document. This series is limited to attorneys admitted in Victoria between 1841 and 1871 who had already been admitted in the United Kingdom, but can be a useful alternative source to VPRS 82.

Two further sources are useful in cases where VPRS 82 files are deficient or missing: PROV, VPRS 5504/P0 Register of Articles of Clerkship, unit 1, a ledger for the period 1843 to 1906; and VPRS 16315/P1 Roll of Attorneys, County Court, Melbourne, unit 1, a ledger for 1847 to 1931; but note that only attorneys already admitted to the Supreme Court could be admitted to practise in the County Court.
The basic listing of barristers is PROV, VPRS 16236/P1 Roll of Barristers, unit 1. As with VPRS 16237 this is also a ledger. The barristers’ roll differs in having an additional column for ‘When called to the bar’, which for barristers already admitted in the United Kingdom is the date of the original admission. The Inn of Court of such barristers is also indicated by a letter adjacent to the name.[9] All 424 entries in the Roll of Barristers are legible.

The ledger containing the Roll of Barristers also contains (effectively as a continuation of the barristers’ admissions) the admissions for barristers and solicitors from 1892 to 1933. There are 397 entries for admissions from 1892 to 1900, all of which are legible.

An example of a ‘Schedule A’ affidavit from the admission records of a barrister, Isaac Alfred Isaacs (1855–1948). Isaacs would go on to become (as Sir Isaac) Chief Justice of the High Court of Australia and then the first Australian-born Governor-General. Source: PROV, VPRS 1356/P0 Admission of Barristers Files, unit 2.

Detailed records for each barrister are contained in PROV, VPRS 1356/P0 Admission of Barristers Files, units 1 and 2. This series comprises two boxes, each with around 150 bundles of documents, or just over 300 in all (there is no documentation in this series for about 100 barristers). At best a bundle consists of documentation very similar to that described above for attorneys, less the articles of clerkship. Unfortunately, full documentation survives for only about 100 barristers, with most of the bundles comprising only a certificate of admittance.
Barristers and solicitors (from 1892)

As noted above, the basic listing of admissions of barristers and solicitors from 1892 to 1933 is in VPRS 16236. Detailed records of each practitioner admitted are in PROV, VPRS 468/P0 Barristers and Solicitors Admission Files, units 1 to 56. The content of these records is similar to that of VPRS 82, described above.

Legal education

Colonials and others

Lawyers who had been admitted to practise in the courts of the United Kingdom were entitled to admission in Victoria without further qualification.[10] The remarks here about legal education, therefore, are limited to lawyers who were first admitted in Victoria (barristers first admitted in Victoria are described as ‘colonial barristers’ in VPRS 16236).

Prior to 1860, colonials were rare in the Victorian profession. However, their ranks swelled quickly in the early 1860s and they comprised a majority of admissions in each period thereafter.[11]

Chart of admissions of barristers in Victoria by place of first admission to practise, 1841–91. Based on the author’s data obtained from PROV, VPRS 16236/P1 Roll of Barristers, unit 1. The author will be undertaking a similar analysis of admissions of attorneys, and barristers and solicitors in the near future.

The education requirements for local admission were not limited to knowledge of the law. The ‘Rules and regulations for admission’ of 1853 required candidates for admission as barristers to pass a written examination of each of the following: Greek and Latin; mathematics and algebra; ancient history; English history; universal history; real property and conveyancing; common law, pleading and practice; equity and insolvency; criminal law; and evidence and the law of contracts.[12] Would-be attorneys had a less demanding range of examinations: real property and conveyancing; practice of the Court in its various branches; and criminal law.[13]

In 1865 the admission requirements were modified, so that certain university qualifications allowed a candidate for admission as a barrister to escape the examinations. The qualifications were a Bachelor of Arts degree, a Bachelor of Laws degree or passes of four examinations in law, all at the University of Melbourne ‘or in some University recognised by such University’. [14] At the same time the requirements for attorneys seem to have been raised. Now, candidates for admission as attorneys were required to pass the matriculation examination at the University of Melbourne, with passes in Greek or Latin, as well as law and history.[15] These requirements were in addition to the completion of five years of articles of clerkship.

The new rules of 1872 further revised the requirements for admission.[16] For admission as a barrister, a Bachelor of Laws degree from the University of Melbourne, or another recognised university, was compulsory (with some exceptions for overseas barristers). For attorneys, the usual requirements were matriculation at the University, five years’ clerkship and passing six examinations in law. However, candidates who had a degree in Arts or Law were excused the examinations and were required to serve only three years’ clerkship.

It is difficult to overstate the importance of the University of Melbourne in providing education for Victoria’s lawyers – both barristers and attorneys – from 1865 if not before. The University conferred 367 law degrees between 1857 and 1900 (although very few before 1865), and barristers (or future barristers) earned around 150 arts degrees from the University in that period.[17] In addition, many hundreds of articled clerks matriculated in the University before becoming attorneys. This reliance on the University is evident in the many hundreds of certificates it conferred that are contained in the admission files.
Demographics of the profession

At this stage I have completed basic demographic analysis of barristers only. I will be undertaking a similar analysis of attorneys, and barristers and solicitors in the near future.

Sex and age

All lawyers admitted to practise in Victoria between 1841 and 1900 were men; women were not permitted to practise until 1903.[18]

Candidates for admission had to be at least 21 years old.[19] Admission documentation discloses dates of birth (and hence the basis to calculate age at admission) for only 63 barristers (other than those first admitted in the UK). The mean age at admission for those 63 barristers was 26 years and the median 25, with a range from 21 to 47 years.

Ancestry

Candidates for admission had to be British subjects (natural-born or naturalised).[20] While that requirement did not preclude men of any ancestry being admitted, in fact all lawyers admitted to practise in the nineteenth century were of European ancestry.[21]

I have attempted to determine the specific ancestry of each barrister using information on birthplace and surname.[22] Although complete accuracy is not realistic without much further research, the data thereby obtained should suffice to provide useful estimates. (To keep the volume of research within reasonable bounds, only the barrister’s male lineage was considered in determining ancestry.) Of the 402 barristers for whom ancestry could be determined with reasonable certainty, the breakdown is as shown in the table below (percentages are rounded and so may not add to 100).

The ‘Irish’ category intends to exclude the Anglo-Irish (who are counted as ‘English’ in this analysis), but where the ancestry is uncertain and there is a clear Irish connection, the individual has been counted as ‘Irish’. This has likely resulted in a slight overstatement of the numbers of ‘Irish’ in these figures. The category ‘British Isles (ambiguous)’ comprises individuals with a surname native to more than one of the countries of the British Isles, and for whom no birthplace information was available.

<table>
<thead>
<tr>
<th>Ancestry</th>
<th>Number of barristers</th>
<th>Percentage of barristers</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>227</td>
<td>56</td>
</tr>
<tr>
<td>Irish</td>
<td>67</td>
<td>17</td>
</tr>
<tr>
<td>Scottish</td>
<td>49</td>
<td>12</td>
</tr>
<tr>
<td>Welsh</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>Other British Isles</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>British Isles (ambiguous)</td>
<td>34</td>
<td>8</td>
</tr>
<tr>
<td>Subtotal – British Isles</td>
<td>387</td>
<td>96</td>
</tr>
<tr>
<td>Jewish</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>German</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Other European</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>402</td>
<td>100</td>
</tr>
</tbody>
</table>

Possibilities for further research

I will soon complete collection of data on attorneys, and barristers and solicitors, and then undertake the additional analysis of admissions and demographics noted above. This will provide much richer data on the profession overall and enable comparisons to be made between barristers and attorneys for the period prior to 1892.

Anyone who is researching an individual who practised law in Victoria can benefit by looking at the relevant admission documents. In the large majority of cases, the documents will provide at least a little illumination on the lawyer’s background. In many cases there is much more, with crucial data on birth, parentage, education, pre-law career and migration to Victoria. The character reference and the records of clerkship provide information on the lawyer’s circle of professional acquaintances prior to admission. The records discussed here do not provide information on the areas of law practised by the lawyers, so such information would need to be sought elsewhere.

Obviously the records would be valuable for anyone researching the legal profession in Victoria in the nineteenth century. However, in the absence of data summarising the records’ contents, the task of working through the many individual files is very substantial. It is my hope that the data obtained from the records and made available as described at the beginning of this article will assist in that regard.
Endnotes

[1] Each practitioner in this branch was admitted as an ‘attorney, solicitor, and proctor’. This threefold denomination is a reflection of English practice in the early nineteenth century: attorneys, practised in courts of common law; solicitors, in courts of equity; and proctors, in ecclesiastical courts. While these differing jurisdictions were exercised by different courts in England, the Supreme Court of Victoria had been invested at its creation with all three jurisdictions (legal, equitable and ecclesiastical), and until 1892 the titles of its practitioners reflected this combination.

[2] In official documents of the nineteenth century, barristers are called ‘esquires’ while attorneys are granted the lesser designation of ‘gentleman’. In some English-speaking countries with a fused profession, including the contemporary United States, all lawyers enjoy the formal designation of ‘esquire’.


[4] PROV, VA 914 Supreme Court of NSW for the District of Port Phillip (1841–1852) and VA 2549 Supreme Court of Victoria (1852–), VPRS 16236/P1 Roll of Barristers, unit 1; VPRS 16237/P1 Roll of Attorneys, unit 1.

[5] To avoid a power vacuum, it was provided that the Supreme Court of New South Wales continued to have jurisdiction in Victoria after Separation until the establishment of the new Colony’s own Supreme Court: Australian Colonies Government Act 1850 (Imp.), section 28. Similarly, some public officers (including justices of the peace) of the Government of New South Wales continued to exercise power in Victoria until they were superseded or dismissed: Victorian Public Officers and Magistrates Act 1851 (NSW).

[6] An Act to make better provision for the administration of justice in the Colony of Victoria (Vic., 1852), section 2. The right of practitioners admitted to the preceding court to practise in the new court without further formality is established by section 8 of the Act.


[8] Although the PROV series VPRS 82 has only 20 units, there are a number of sub-boxes numbered 1A to 1F in unit 1.

[9] The letters used are G for Gray’s Inn (London), I for the Inner Temple (London), K for the King’s Inns (Dublin), L for Lincoln’s Inn (London), M for the Middle Temple (London) and S for the now-defunct Serjeants’ Inn (London).

[10] This does not seem to have been stated explicitly until 1865, when new admission rules were made: ‘Rules of the Supreme Court of Victoria’, chapter II, part I, rule 8, Victoria Government Gazette, 19 January 1866, p. 137. However, this applied only to barristers; no equivalent explicit rule was in place for attorneys, although it is clearly implied by other rules.

[11] The data used in the chart for ‘colonial barristers’ include a very small number of barristers admitted in other Australian colonies, one in New Zealand and one in Canada. There was also a single barrister admitted who had previously been admitted in Scotland as an advocate; he is not included in the data used for the chart.

[12] ‘Rules and regulations for admission to practise as barristers, and as attorneys, solicitors, and proctors, in the Supreme Court of the Colony of Victoria, of persons not previously admitted as barristers or advocates, or as attorneys, solicitors, or Writers to the Signet, in the superior courts of Westminster, Dublin, and Edinburgh’ (hereinafter ‘Rules and regulations for admission’), rule IX – Subjects on which candidates are to be examined, Victoria Government Gazette, 27 April 1853, p. 597. The admission requirements were essentially unchanged in the codification of court rules of 1854.

[13] ‘Rules and regulations for admission’, rule XIII – Examination of such candidates [that is, for attorneys], p. 597.


[17] Figures are from the author’s personal data sets of Australian university graduates from 1856 to 1900.


[19] ‘Rules and regulations for admission’, rule VI – Qualification of candidates not previously admitted, p. 597. This requirement was repeated in the new admission rules made through to 1900.

[20] ibid. This requirement also was repeated in the new admission rules made through to 1900.


[22] The reference used to identify origins of surnames was P Hanks and P Hodges, A dictionary of surnames, Oxford University Press, Oxford, 1988. Birthplace was obtained when possible from admission documents, and otherwise from the Australian dictionary of biography where it had an entry for the individual. I was unable to determine ancestry for 20 of the 422 barristers.
Battle to farm

Excavating land files of the World War I Discharged Soldier Settler Scheme from within Closer Settlement files at Public Record Office Victoria

Charlie Farrugia

“Battle to farm: excavating land files of the World War I Discharged Soldier Settler Scheme from within Closer Settlement files at Public Record Office Victoria, Provenance: The Journal of Public Record Office Victoria, issue no. 13, 2014. ISSN 1832-2522. Copyright © Public Record Office Victoria

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Abstract

Accessing land files which document leases held by participants in Victoria’s World War I Soldier Settlement Scheme has required researchers to take an indirect and challenging pathway of discovery. For the most part, these records could not be easily discovered within our online catalogue because most of the records were located within files otherwise identified as Closer Settlement records. This paper focuses on the preparatory work that was completed to facilitate PROV’s major contribution for the 100th anniversary of World War I, an online tool that identifies both the discharged soldiers and the files in question. The paper outlines why the tool is needed, how the preparatory research was undertaken and the new insights gained into the record series containing the majority of the files. Further information about the Battle to Farm project is available on the PROV website.

Battle to Farm is a magnificent title for this project because it works on so many different levels.[1] At its most literal it should function as a clearly understood entry point for anyone interested in researching how Victoria’s Great War soldiers transitioned from the battlefields of Europe and the Middle East to agricultural allotments throughout the State of Victoria upon their return to Australia. Alternatively, the title can be understood to refer to the struggles faced by many of the ‘digger’ farmers on their farm allotments that are documented on these Soldier Settlement Scheme files. Moreover, the envisaged final product will hide to all but those involved in its creation the preparatory work required before any indexing or digitising commenced. Indeed, our archival battle was deciding how to farm data, that is, how to identify the discharged soldiers for inclusion.

As such, the project deals with some of the most important factors that often impede large-scale digitisation projects, and provides a partial answer to one of the more frequently asked questions about our collection, ‘Why haven’t you digitised your entire collection yet?’ Many factors contribute in framing a response which, for the purposes of this article, I will only mention in passing. These include the size of the entire archival collection, the proportion of the collection closed to public inspection, whether the transferring agency had already digitised the records prior to their transfer to archives and, of course, the resources available to the archival institution in terms of budget, staff, physical space and digitising equipment.
I am ignoring these factors in this article because, even if these did not exist, the indexing and digitisation of many archival series can still be a long, laborious and time-intensive process. The size of the specific project, the degree of conservation work required, the care that needs to be exercised during the digitisation process, and the necessity for stringent quality control, are all factors that can impact quite considerably on the amount of time required to complete a project of this kind. These factors demand that potential digitisation projects are scoped well in advance of the actual imaging process. Scoping establishes a project’s feasibility, identifies potential road blocks and formulates solutions, and addresses resourcing and funding issues.[2] In some instances, work on preparing the records is so complex and time-consuming that it must be programmed as a separate project to the actual digitising work.[3]

There are also, in my view, two broad and largely ‘historical’ factors that can seriously hinder progress or even completely derail a project if it is not properly and thoroughly scoped. One pertains to the degree of knowledge already documented about the records and the other to the adequacy of the existing finding aids, in this case the original paper lists and a microfiche catalogue. Both of these factors presented major issues in developing the Battle to Farm proposal and I will address them in turn.

Category numbers for World War I discharged soldier settlement files were originally easy to recognise owing to the addition of a .6 or a .206 extension to what were otherwise Closer Settlement Scheme category numbers. These were:

- Category 86.6 (for section 86 of the Closer Settlement Act 1914 as varied by section 6 of the Discharged Soldier Settlement Act 1917)
- Category 113.206 (for section 113 of the Closer Settlement Act 1928 with the .206 applying uniquely to discharged soldier settlers)

But a major problem presented itself when a third category was applied to the overall recordkeeping system, which somewhat complicated the identification process. This was:

- Category 12 (for section 12 of the Closer Settlement Act 1938)

This category applied to anyone who held a discharged soldier or closer settlement lease on the day the Closer Settlement Act 1938 commenced operation. On that date, such leases (including discharged soldier settlement category 86.6. and 113.206 leases) were replaced by section 12 closer settlement leases completely removing any distinction (and category identifier) between the previous closer settlement and discharged soldier settlers’ files.[6]

The advances file, if created, was the other file documenting a discharged soldier settlement lease. It was created to record the settler’s approaches to the government for advances, in money or in kind, to allow for the erection of buildings and fencing, the purchase of implements and stock and for other defined purposes. These files were allocated a sequential ‘advances’ number prefaced with the letters DSL (which stood for discharged soldier lease). The Lands Guide advised that these files were held in file number order alongside closer settlement advances files[7] which were located within seven series, one for each of the six land divisions defined by the Department of Crown Lands and Survey, and another series. With two exceptions all of these series shared the same end date of 1982.[8]

The Lands Guide advised researchers that the section 86.6, 113.206 and 12 categories are to be found mostly in VPRS 5714. At the time my scoping research commenced, this series was titled Closer (and Solider) Settlement Files, reflecting the belief that it contained files from both schemes. The series description in our online catalogue recorded that the original order of the series had been lost long ago and certainly, on first viewing, there appears to be no logical order.

What was known about the World War I Discharged Soldier Settlement Scheme files?

When the scoping of this project commenced in mid-2013, PROV’s collective knowledge about the Soldier Settlement records was documented in chapter 32 of our Lands Guide, which was published in 2009.

The chapter advised prospective researchers that two types of files, a land file and an advances file, could have been created under the scheme for each lease obtained by a discharged soldier settler.[4] The land file related to the leasing process. This file included documents such as papers relating to the qualification process,[5] reports from land inspectors, application forms, lease documentation and, if relevant, papers about the cancellation or subsequent transfer of the lease to another settler.

Land files were allocated a file number in the form of a fraction. The top number is a serial number and the bottom number is a category number that identifies the section of the act under which the land was chosen by the discharged soldier.

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The description did note that VPRS 5714 included a number of different types of files although only estate files[9] and selection files (that is, what the Lands Guide subsequently referred to as lands files) were described in any detail. The description made no connection between lands files and advances files.

However, the single most important piece of information in the Lands Guide is a note about land files which can be found on page 307:

**Note:** When leased land was transferred from one settler to another, the file number was changed, often with a new category number as well as a new sequential number. In tracking these changes you need to know the parish name and the allotment and section details. These may be obtained from the advances file. Land could be transferred between a settler under the Closer Settlement Act 1915 and a settler under the Discharged Soldier Settlement Act 1917.[10]

What this note means, in effect, is that discharged soldier settler land files could be ‘top numbered’. This is a largely nineteenth and early twentieth century recordkeeping term for a practice whereby a more recent file with its own file number (in this case, a land file) is physically placed on top of another file on the same topic (in this case, another land file for the same allotment) effectively replacing whatever number had been allocated to the older item. The note states that leases could be transferred between closer settlement and discharged soldier settlers meaning that a land file may have commenced its active life as a discharged soldier settler file but ended up as a closer settlement file or vice versa. Clearly when the 1938 Act came into effect, any discharged soldier settlement lease (and, thus, land file) would have automatically been converted into a section 12 closer settlement lease (and, thus land file). Unfortunately, the note does not disclose how many of the discharged soldier settlement files were affected. The note’s use of the word ‘often’ also suggests this might not have always been the case.

The information contained in the Lands Guide was seemingly adequate at the time of its publication and, for the most part, this remains the case.[11] However, as it became increasingly apparent during 2013 that PROV’s contribution to the World War I commemoration was to focus on the Discharged Soldier Settlement Scheme, a basic question emerged that no one could answer; did VPRS 5714 contain all or a significant number of the World War I Discharged Soldier Settlement Scheme land files? This led me to initially review the adequacy of our existing lists for this series.

The file cover from PROV, VPRS 5714/P0, unit 2326, file no. 5164/27 illustrates the difficulties in identifying soldier settlement land files and the necessity of the Battle to Farm project. During this file’s active life, the allotment in question passed through four lessees, the last of whom, Eric Arthur Baker obtained freehold during the 1960s. Only Baker is identified on the cover which provides no indication whatsover that the second of the lessees was Keith Conacher who had selected the allotment under the WWI Discharged Soldier Settlement Scheme. Conacher held the allotment only for the period 1919–1924 during which time this file was numbered 4757/86.6. For a more detailed explanation of how this file evolved over time through the four different lease holders, and thus file numbers, refer to the case study on pages 311–316 in chapter 32 of the PROV Lands Guide. The second file visible in shot is Baker’s ‘financial’ file.

**The current imperative to make records in archival collections more accessible**

The Internet provides the opportunity for increasing numbers of users to explore the collections of archival institutions around the world. The depiction of digitised records in programs such as Who Do You Think You Are or in television advertisements by commercial genealogical enterprises contribute to a general expectation in people with potential interest in researching family history that searching for information about your ancestry should be easy. Anecdotal evidence suggests that researchers are increasingly eschewing online archival catalogues, in favour of Google or other browsers. As a consequence, many cultural institutions have now absorbed the implications of this: that there may be a generation of researchers that has now formed the view that if a resource in a collection is not easily discoverable using a simply keyword search, it may as well not exist at all.

What this has meant for many archival institutions the world over is that many lists created in the pre-Internet era may need to be revised to ensure their online discovery. This means the creation of more detailed lists.
For PROV, this amounts to a 180 degree turn in relation to list compilation and is further magnified by the size of our collection. Until as recently as 15 to 20 years ago, it was our practice to request agencies transferring file-based records to our custody to list just the file number of each file in every box provided the control record series (that is, the index or register) was also transferred. This was based on what, at the time, was a perfectly legitimate assumption; lists did not need to be overly detailed because all researchers needed to visit the reading room at our repository to view the record of interest. The lists thus reflected and consolidated an access regime. Researchers were required to order indexes or registers identifying potential records of interest, view them, and determine the file number required so they could consult the lists to order and view the desired record in the space of a single visit.[12]

However, the initial paper listing for VPRS 5714 did not assist researchers to easily find files owing to what was thought to be the random order of the series. Accordingly during 1985 a project overseen jointly by PROV and the then Department of Conservation, Forests and Land resulted in the development of a detailed catalogue for VPRS 5714 and many other land selection file series. Staff employed through a Commonwealth Employment Project filled in data input sheets that, in addition to the file number for each file, also recorded the allotment and section number of the property, its size (in acres, roods and perches), the name of the relevant parish or township and the date range of the papers on file. The information gathered by these data input sheets were imported into a computer at the papers on file. The information gathered by these data input sheets were imported into a computer at the department and two microfiche catalogues produced.

At some point after the completion of the 1985 project, PROV received a copy of the database itself. At this point, it is important to note that the 1985 catalogue by reference to the final allotment number, size dimensions and lease details was, in archival terms, the most appropriate way of describing a land file which, after all, is the government’s record of the leasing of a particular piece of Crown Land rather than a record about the individual holding the lease.[15] The data was certainly useful for anyone who knew that someone held a lease and knew where it was located. But, in today’s world, such data no longer meets general researcher expectations, particularly for the increasing number of researchers wanting to know if a given individual might have held a lease or did not know where the allotment was located.

Accordingly, after the introduction of the PROV online catalogue in 2002, thoughts turned to using the database as a means to improve the quality of the listings for the series it covered. Since then, data has been extracted from this database and used to improve the lists for some of the series covered by it augmented with the name of the last person to hold the lease.[16] At the start of 2013 the program moved to VPRS 5714.

However, these changes to the listing for VPRS 5714 still were not sufficient to answer the basic question about the number of discharged soldier settlement files PROV held. Some detailed research and number crunching was required.

Developing an understanding of the records

No record exists that identifies every individual who obtained a lease under Victoria’s World War I Discharged Soldier Settlement Scheme, however Wikipedia states a total of 11,639 discharged soldier settlers were allocated allotments under the scheme.[17] Using the computerised data from the 1985 listing project, I identified a total of only 1,349 files with discharged soldier settlement category numbers, the great majority of which (1,029) were located in VPRS 5714.[18] A further 14,400 files were identified with a section 12 category number which obviously contained a mixture of former closer settlement land files in addition to former discharged soldier settlement files.

At this point simple mathematics came into play; 1,349 category 86.6 and 113.206 and other files added to 14,400 category 12 files within VPRS 5714 resulted in 15,749 individual files, a figure greater than the 11,639 soldiers who had obtained allotments. If the Wikipedia figure is correct, this means that 10,290 discharged soldier settlement files were unaccounted for,[19] almost all probably held within VPRS 5714. What also needed to be kept in mind was that the 14,400 section 12 files in VPRS 5714 included a considerable and equally unknown number of former closer settlement files that had been occupied by individuals who were not discharged soldiers.[20] The sheer number of advances files in the various advances series additionally indicated that the number of discharged soldier land files had to have been much greater than 1,349.
It was initially tempting to conclude that all of the unaccounted 10,290 discharged solder land files had been directly top-numbered to become section 12 files as a result of the 1938 Act. But this would also be inaccurate because it was common knowledge that a significant number of the discharged soldier settlers had, by then, given up their leases. The same Wikipedia entry, for example, stated that by 1939 over 60% had left their blocks.[21] This equates to 6,983 files that would not have been directly converted into a section 12 lease. Subtracting the 1,349 category 86.6 and 113.206 and other known discharged soldier files that I had already identified (which clearly had not been converted to a section 12 lease) left me with a total of 5,634 files that likewise could not have been top-numbered directly into a section 12 lease. Rather, they would have been top-numbered into either another discharged solder or closer settlement file which, in turn, was converted into a section 12 lease. A detailed analysis of the files in VPRS 5714 was in order.

Given the seemingly greater number of advances files compared to land files, I first looked at the various advances file series to see whether these contained any clues. I found that individual advances series had been listed in one of two ways. Some of these series were range listed, basically identifying the first and last file in each box. The files in the remaining series had been individually listed, identifying a settler, parish name, file number, an indication of whether this was a discharged soldier settlement case and a date range. What immediately became apparent was that a considerable number of files in these series ended in either 1938 or 1939 reflecting the advent of the 1938 Act.[22] All the remaining advances files ended at various points beforehand and none ended after 1939. Clearly it would appear that the advances series contained the closer settlement and discharged soldier settlement advances files that were closed prior to the mass conversion of current leases to section 12 under the 1938 Act.[23]

Indeed, by 1938 a lot of the information contained in the advances file had become irrelevant to the government as explained in the Lands Guide:

... by 1932 the majority of settlers under soldier settler and closer settlement were insolvent, due largely to the economic conditions of the time. Despite adjustments made to their liabilities, the position could not be rectified until section 32 of the Closer Settlement Act 1932 came into operation in 1937. This allowed the Closer Settlement Commission to value the land and improvements ... and then to write off the deficiency between the valuation and the settler's liabilities to the commission.[24]

Moreover, the 1938 Act specified that the outstanding monetary liability (that is, whatever remained of the advances debt) was to be set at the amount still outstanding on the day before the Act was to take effect.[25] This led to the creation of a new file to deal with the repayment of the remaining liability. The new file, now apparently referred to as a 'financial' (as in ‘financial liability’) file,[26] had the same file number as the section 12 (land file number and was physically attached (usually by ribbon) to it.[27]

It was while I came to an understanding of what happened to the advances files that I began to also understand the arrangement of the land files, and so I next analysed the 1,029 category 86.6 and 113.206 files in VPRS 5714. Recordkeeping logic dictated that if the advances files series included advances files for leases that had become inactive before the commencement of the 1938 Act, it stood to reason that the discharged soldier settlement (and closer settlement for that manner) land files in VPRS 5714 that still held their original file numbers must also relate to cases where the lease became inactive before the 1938 Act. A sort of the date range fields on my spreadsheet compiled from the electronic data for this series confirmed this.

By now VPRS 5714 had started to reveal itself as an accumulation of documents organised in some way around the introduction of section 12 of the Closer Settlement Act 1938. It became reasonably clear that the series contained the following records:

• a mixture of closer settlement and discharged soldier settlement files that had been converted into the section 12 category;
• obsolete discharged soldier settlement and closer settlement land files that had not been converted to a section 12 lease because the leases were no longer active when the 1938 Act commenced operation; and,
• additional files, such as the estate files, that were related in some way or other to the land or leases covered by the section 12 files.

While this was good news from a collection management perspective (that is, there was now scope to review our documentation to describe VPRS 5714 as just outlined), it was potentially bad news for the feasibility of the digitisation project. If former discharged soldier settlement files were converted into section 12 files, how would anyone identify them without having to actually go through each and every file? I then attempted to determine whether any records existed of the conversion process of soldier settlement scheme file numbers to a section 12 closer settlement file number; surely a register or something similar would have been created to record old and new file numbers?
The *Lands Guide* was not useful on this point. A number of sources were cited which could provide discharged soldier settlement land file numbers. These include the microfiche catalogues that were produced as the major output of the 1985 project, the advances files, parish plans and schedules published in the *Victoria Government Gazette*. A series titled Register of Files, Soldier Settlement [28] was also cited but was limited to only a few years,[29] leaving just the broad descriptor ‘register of applications and file management cards’ in the guide as a possible research option.[30] Using the PROV online catalogue, I started to investigate every register or card-based series related to either closer settlement or soldier settlement and it was only with the last series consulted that this approach bore fruit.

VPRS 13982 was titled Applications and File Management Cards, Closer Settlement and no connection had been made between this series and VPRS 5714.[31] Although the online catalogue series description made no reference to discharged soldier settlers, the series date range of ‘by 1912 – ?1940’ at least spanned both the start of the Discharged Soldier Settlement Scheme and the introduction of the 1938 Act. It was not long after opening the first box of cards in this series that I realised this was a major find.

VPRS 13982 contains cards of different shapes and colours that had been originally created to control the file movements for a number of different Department of Crown Lands and Survey filing sequences including obsolete closer settlement and discharged soldier settlement categories and cards relating to leases under section 12 of the 1938 Act. Significantly, these cards had been sorted into a single alphabetical sequence, a sure indication that the files these cards controlled had been brought together into a common filing sequence.

The content of a number of the cards was of even greater importance. Many of the section 12 cards, recorded both the previous closer settlement or discharged soldier settlement land file and advances file numbers. In some cases, VPRS 13982 not only included the section 12 card but also the card for the same allotment under its previous category number. In turn, many of these cards were annotated to indicate whether the allotment had a previous or subsequent lessee (and the relevant file numbers) thus enabling the researcher to find the card for that individual. But not everything was so straightforward. It was also clear that some cards in VPRS 13982 acted as the primary record for more than one lease holder. In these cases, land department bureaucrats simply added the name of the new lessee and crossed out the name of the previous lessee rather than create a new card.

VPRS 13982 provided the missing link in my effort to determine the number of discharged soldier settlement files that PROV held. It allowed me to conclude that PROV held the majority of the World War I discharged soldier settlement files, almost certainly top-numbered within what were otherwise closer settlement files. This was achieved via an experiment on a randomly chosen 100 box sample of VPRS 5714 to which volunteers had already added the name of the last occupant.[32] I then attempted to locate a card in VPRS 13982 for each of the listed individuals within this sample against all of the obsolete discharged soldier settlement and section 12 files. If that card identified a previous lessee, I annotated that name and file number and then returned to VPRS 13982 to see whether there was a card for that person, effectively building up an occupation history of each selection.
A card from PROV, VPRS 13982/P1, unit 2, (Co-Do), showing the conversion of soldier settlement file 5111/86.6 (for Harry Lane Cordery) to closer settlement file number 209/12. Only the former Land file number (that is, 5111/86.6) and the DS (for discharged soldier) annotation in the top right-hand corner identify the lessee as a discharged soldier. Note also the pre-1939 advances file number (DS 1467) in the bottom left-hand column.

Ultimately, I found cards in VPRS 13982 for 317 of the 386 section 12 files in the sample.[33] According to the cards, 214 of the 317 files (or 67.5%) were related in some way to a discharged soldier settler.[34] If this percentage is constant throughout the 14,400 section 12 files in the series, VPRS 5714 is likely to hold files related to 9720 discharged soldier settlers. That figure rises to 11,069 when the 1349, previously identified files are added, leaving only around 500 files unaccounted. More importantly, a follow-up inspection of the actual hardcopy files indicated that I had correctly interpreted the information of the cards and, thus the construction of individual files.

In undertaking this exercise, I came across numerous instances of discharged soldier settlers transferring their leases in a manner which clarified the meaning of the note quoted earlier from page 307 of the Lands Guide. Predictably, in instances where the discharged soldier transferred the lease to another discharged soldier, the file category remained the same although the top number might have altered to take into account the new selector. Just as predictably, both elements of the file number were changed if a discharged soldier lease was transferred to a closer settler or vice versa. And, as had already been proven, both elements were also changed for all discharged soldier settlement files still active when the 1938 Act was proclaimed and converted into section 12 closer settlement files.[35]

The experiment also revealed something else which consolidated my understanding of VPRS 5714. In many of the individual boxes I examined as part of this survey, the section 12 files were found to be roughly in file number order. Checking them against the cards established that the section 12 file numbers were allocated by the Department of Crown Lands and Survey in alphabetical order according to the surname of the lessee at that time.[36] This appeared to be confirmed following a sort of the electronic data for the portion of the series to which our volunteers had added personal names.

The sort, in turn, revealed instances of what appeared to be numerous duplicate section 12 land file numbers. A further sort, this time of all the section 12 file numbers in the series, revealed up to six files were created with the same number, all in different parishes. My immediate thought was that the department had created a separate section 12 land file sequence for each of the six land divisions in Victoria. Accordingly, I added another column to my spreadsheet and added the land division against each file. A subsequent sort of the data confirmed my theory.[37]

These last two discoveries are significant in providing a plausible picture of how VPRS 5714 may have been physically stored and managed at the department where it was created. My view is that the department probably stored most of the key records – the section 12 files, estate files and the obsolete, pre-1938 discharged soldier settlement and closer settlement files – according to the land division of the allotment to which they referred, as was the case with the obsolete, pre-1938 advances files.[38] The physical order of what was processed as VPRS 5714 was probably lost as time went by or was lost as part of the actual process of boxing the records for transfer into the archives.[39]

Despite these successes in reconstructing the history of these records, one part of this possible explanation nagged at me; there were seven pre-1938 advances series in the PROV Collection, not six. Six of the series were identified in the online catalogue and in the Lands Guide by reference to the land division to which they related. The seventh, VPRS 10381, was identified simply by the title Soldier Settlement Advances Files. Fortunately, VPRS 10381 was one of the advances series that had a detailed listing that included the parish name for each file and so, once again, I obtained an electronic version of the list and added a column for the land division. This quickly established that the files in the series were all from the Melbourne Land Division and steps will be taken to cancel the more recently created series and to attribute its contents to VPRS 10381.
This is a card from PROV, VPRS 13982/P1, unit 2, (Co-Do), for William John Cornish which records his closer settlement file number as 6004/86 and shows that it had previously been discharged soldier settlement file 5325/86.6 (for Thomas Richardson). The reverse of the card (not pictured) showed that the file underwent another change of file number to closer settlement file 284/113.

Applying the knowledge gained

Armed with this newly-gained knowledge, it was time to devise instructions and a workflow for our volunteers who are to extract the necessary information from the files in VPRS 5714. One of the challenges for us in administering the project was to produce documentation that would enable our volunteers to extract the relevant and accurate information from the cards in VPRS 13982. After initial discussions with key staff[40] it was decided that I should attempt to create a visual guide showing typical cards and the information content that should be harvested from them.

The resultant tool was a good concept in theory but, unfortunately, in reality there was no such thing as a typical card. In fact, nine different variations were identified and even they did not cover every eventuality. A test using some of our volunteers confirmed that there were simply too many variations for the tool to be useful during the actual process, although the index itself remained an important information resource.

The same test also found that it was difficult to integrate the cards into a meaningful workflow. Originally it was thought that someone could continue the work that I had begun with the sample survey, and thereby create histories for every file which would then be validated by volunteers comparing the completed histories to the contents of the actual file. It quickly became apparent this was not an efficient use of time or resources; simply going through each file and harvesting the lessee names actually required less time compared to using the cards. It also meant that volunteers could be formed into teams that could start with different boxes in the VPRS 5714 box sequence and proceed at their own pace. The cards though remain on hand to resolve any inconclusive cases.

The work on extracting lessee names commenced in March 2014. As of the time of writing (September 2014), around 80% of the name-listing is complete.

The resultant online tool will provide an important resource for anyone who wishes to find the land files for these discharged soldier settlers whether it be for local, social or family history research or for any other purpose. Public Record Office Victoria will have made these records more accessible in a manner that is aligned with researcher expectations in searching for a particular file without requiring them to master much of the complex information presented in this article.

Endnotes

[1] Credit here to Liz Buckle, one of our volunteers, for the superb title.

[2] All digitisation proposals at PROV must be scoped, considered and approved by our Collection Access Governance Group before any work can commence.

[3] One example of this was that all of the approximately 11,000 plans in VPRS 8168 Historic Plan Collection needed to be individually listed and reprocessed as separate units before their digitisation could even be contemplated.

[4] A similar arrangement was in place for leases organised under the Closer Settlement Scheme operating during the same era.

[5] To receive a block under the scheme, discharged soldiers had to appear before an agency known as the Soldiers Qualification Committee and obtain a qualification certificate by providing proof of previous farming experience and references as well as submitting to an oral exam. See PROV, Lands Guide, PROV, Melbourne, 2009, pp. 301 and 303.


[7] Discharged soldier settlement and closer settlement advances files in these series can be distinguished through the addition of the prefix DSL (or DS) and CSL (or CS) to their respective sequential file numbers. CSL stood for closer settlement lease.
[8] The advances files series are: VPRS 745 Advances Files – Northern Division; VPRS 746 Advances Files – Geelong Division; VPRS 747 Advances Files – Eastern Division; VPRS 748 Advances Files – Western Division; VPRS 749 Advances Files – Mallee Division; VPRS 10381 Soldier Settlement Advances Files; and, VPRS 15763 Advances Files – Melbourne Division. As I will discuss later on, there should only be six advances files series, one for each of the land divisions and that none of these series contains documentation created after 1939.

[9] These were files documenting the repurchase of properties by the Victorian Government so these could be selected by discharged soldier settlers and are also found in VPRS 5714.


[11] The same applies to the information provided for VPRS 5714 in our online catalogue, although elements of it were not amended in light of what was published in the Lands Guide (notably the characterisation of ‘land files’ as ‘selection files’).

[12] Listing records by file number only as described above, also greatly assisted staff at our client agencies who were required to create the actual lists before transfer. The creation of detailed lists would only have served to delay the receipt of the transfer and increase the cost to agencies of preparing the records for transfer.


[14] I suspect, but cannot confirm, that names were excluded because of the likelihood that the allotment[s] documented in the file could have many leases over time and any attempt to have the indexers inspect each file for all the names would have significantly extended the length of the project.

[15] Another way to look at matters is to visualise the government as the landlord of a piece of property and the land file as the primary record of its leasing.

[16] The name of the last person holding the lease is always recorded on the land file cover alongside the other data that was extracted from it for inclusion in the 1985 listing.


[18] The breakdown was: 935 files with the category number 86.6: 94 with 113.206; 79 with category 46.6: 33 with category 46.6: 81.49; 18 with category 46.6: 49; and, 190 with category number 198.6. Without exception, all of the 86.6 and 113.206 files were located in VPRS 5714, the remainder were in VPRS 5357. The land files in VPRS 5357 will also be included in the final tool. None of these remaining categories are discussed in the Lands Guide and further research will be required on these.

[19] That figure being 11,639 settlers allocated allotments minus the 1,349 files I had already detected.

[20] On top of that VPRS 5714 also holds an additional 353 category 86 closer settlement land files.


[22] That a number of files ended in 1939 instead of 1938 was not a major concern. The 1938 Act was proclaimed on 5 December 1938 and so it made sense that many advances files were closed in 1939.

[23] This leaves me having to explain why most of the various advances files were given an end date of ‘?1982’ according to the Lands Guide. Obviously, the archivist who dated the series was unsure as to its end dates as reflected by the use of the ‘?’ qualifier but they may also have formed the assumption the series ended in the 1980s which is when the post–World War II (and totally different) scheme ended.


[26] These files are identified as financial files on the section 12 file movement cards found in VPRS 13982, which will be described in greater detail later on in this paper.

[27] In many cases, the ribbon has been broken and so today, the section 12 land file and advances/financial file have been placed together in the one bag.


[29] In any case, I was not confident that any of these sources would yield a result because all recorded just the most recent number allocated to the file. What I needed was a record that could be used to identify both the most recent and the previous number.


[31] VPRS 13982 is not even referenced in the Lands Guide.

[32] For the record, I chose units 901–1000 of VPRS 5714/P0.

[33] I was not concerned by my inability to find cards for 56 files in the sample. This was because 3 of the 16 boxes of cards in VPRS 13982 were found to be extremely disorderly and time constraints meant I could not re-sort these. The same time constraints resulted in my not analysing the remaining 13 files.

[34] This takes into account either discharged soldier settlement files converted into section 12 files in 1938–1939 or into closer settlement files before this time that were converted as such into a section 12 file.

[35] In fact I came across some instances where a lease passed though 2 or 3 discharged soldier settlers before it was ultimately taken over by a closer settler.
The fractured nature of the file arrangement in VPRS 5714 effectively hid this detail when names were added by the volunteers. Even then, as the volunteers were adding only the final name on the file, they were not necessarily capturing the lessee’s name at the time the new section 12 numbers were allocated in 1938–1939.

This sort also revealed numerous gaps in the six numbering sequences, suggesting that many section 12 files had, in turn, been top-numbered into yet other categories of land files. Hopefully this has not prevented the discovery of a significant number of World War I soldier settlement leases.

There is a possibility that the various series of advances files had been stored with VPRS 5714 as well but I have no evidence to suggest this. Indeed, most of the advances series were transferred to PROV many years prior to the transfer of VPRS 5714, and were received in the order reflected by their assigned VPRS numbers, which possibly means these may have been stored elsewhere.

Unfortunately, I could not ascertain where the records had been stored prior to their transfer to PROV. It is possible that the records were stored in the notorious secondary storage facility of the Department of Crown Lands and Survey known as the ‘Dead House’, graphically described by Professor Bill Russell in the book he wrote about the history of PROV, *A Matter Of Record*. If so, this would be sufficient to suggest that the order of the records was lost when they were transferred to that secondary storage location. It is also worth noting that VPRS 5714 was transferred to PROV over the course of a number of smaller accessions during 1983–1984, which raises the possibility that the records were stored in a location were space was at a premium thus restricting the ability of the most skilled and experienced archivists to obtain a meaningful overview of the series.

The staff being my colleagues in Collection Management: Jack Martin (Co-ordinator, Collection Services) and Leigh Kinrade (Team Leader, Volunteers) as well as Co-ordinator, Digital Projects Daniel Wilksch.
Preparation for Death

The story of Francis O’Brien, Mildura High School Headmaster and family annihilator

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Abstract

On 28 May 1934, Francis O’Brien (Frank) slit the throats of his wife, three children and then himself. Discovered close to Frank’s body was a small black book entitled Preparation for Death, edited and translated by Dr Coffin. It was a premeditated murder–suicide.

Upon investigation into the circumstances surrounding the familicide, police discovered that this was the same Francis O’Brien who killed his wife with a hammer 10 years previous while he was Headmaster at Mildura High School.

How did the system fail Frank and his family? What are the conditions surrounding both murders and what was Frank’s state of mind really like? Using records from Public Record Office Victoria (PROV) this article explores Frank’s life and the events surrounding both murder cases; it takes a look at the mental health and crime prevention processes that were in place at the time, and examines how such a horrendous tragedy was able to occur in the first place.

Definition of familicide

A familicide is a multiple-victim homicide incident in which the killer’s spouse and one or more children are slain … Familicides were almost exclusively perpetrated by men, unlike other spouse-kilings and other filicides. Half the familialidal men killed themselves as well …[1]

A family massacre

On 30 May 1934 the bodies of the O’Brien family were found dead in their beds. Father, Francis (Frank), 59 years, wharf labourer; Mother, Rose, 39 years, home duties; Son, Owen Francis, 3 years and daughters Joan and Marie, 2 years and 11 months respectively. Each member of the family had their throats cut, with the children also sustaining head wounds.
There was little doubt that the deceased Frank O’Brien killed his family and then himself. His hands were covered in blood and an open and bloody razor lay beside him.

A prayer book, *Preparation for Death* was found in the bedroom with the bodies and a partial note on the living room mantle told a story of a desperate and sick man worried about finances and the future.

For months my health has been going off. I began to lose interest in everything since coming to this hovel with no conveniences, no copper, no washing troughs, not even a decent bath, and a lavatory that won’t flush properly, not even an oven or a stove to cook. Dear, patient, unselfish Rose, always cheerful and self-sacrificing, has tried to keep a smiling face in spite of bad times. She has been a hundred percent wife and mother, and deserves the best in life. I can see the strain is telling on her as it is on me, trying to make ends meet.

My appetite has completely gone. Constipation has got me in its grip, and now the demon insomnia has claimed me. For weeks I have been losing weight. I have lost between 1½ and 2 stone since coming here and am fast becoming a physical and mental wreck.

I am afraid of the future. I soon will not be able to continue work and you know what that means to them all. I tried to keep going but life lately has been a living hell. Rose would rather starve than be in debt and yet at times we could not avoid it. Come to see me as soon as you can as I want your advice and to explain …[2]

The police also found a number of horse racing systems in each room of the house, as well as a book entitled *Betting to Win*. The meticulously kept systems speak of a man desperate to alleviate financial hardship, seemingly without success.

This devastating tragedy was not expected by any of those close to the O’Brien family, who claimed Frank was very attached to his wife and had great affection for his family. But upon further investigation, evidence showed it certainly could have been predicted.

Upon making enquiries into Frank’s past, the detective in charge of the investigation Leo McKenna, discovered a devastating reality. Ten years earlier Francis O’Brien had been charged with the murder of his then wife, Clara O’Brien, who he battered with a hammer as she lay sleeping in her bed.[3] Frank claimed to have not remembered the act and a judge subsequently found he was not guilty due to ‘confusional insanity’[4] and was committed to Mont Park Hospital for the Insane.

But did the system also have blood on its hands? Frank was a man stifled by dwindling health, a gambling addiction, a secret prior murder conviction and a fearful uncertainty about the future. However, he was also a doting father, a loving husband, and a well-regarded friend who by all accounts gave the world the face of an everyman, struggling through the Great Depression but trying to do the right thing. How is it that the authorities could fail a man with such an unpredictable previous mental health problem? No doubt a lack of understanding surrounding mental illness by the authorities responsible at the time and a deficiency in probationary laws were contributing factors which in combination in Frank’s case led to a failure to prevent the familicide. So where does the blame lie, with the state authorities or the man?

This article will examine Frank’s mental health history and how these horrific murders came to pass. The article draws on information in the criminal trial brief relating to the murder of Clara O’Brien and the inquest into the O’Brien family massacre. We will also delve into the discrepancies surrounding the support and supervision provided to Frank by the Victorian Law Department and the Victorian Lunacy Department after he was released from Mont Park in 1927 and will discuss how Frank fell through the cracks of a system that was not equipped to help or protect him or his family, resulting in horrific consequences – family annihilation.
Francis O’Brien – Headmaster

Francis O’Brien was born on 20 July 1875 at Campbells Creek, Victoria to Michael and Ann O’Brien. Frank had at least five siblings and according to the original criminal trial brief into Clara O’Brien’s murder, two of Frank’s sisters were ‘slightly mentally affected’[5] and one brother, Jack was sent to Royal Park Mental Hospital for treatment when he was younger.

Frank left home at 19 years-of-age and became a school teacher. This was a career that would span almost 30 years, seeing him rise through the levels of teaching until he was honoured with the position of Headmaster of Mildura High School in 1921.[6]

In 1905 Frank met and married Clara Ellen Hill, three years his junior. They were considered a happy couple and went on to have six children during their time together; Charles, Francis, John, Isabella, George and a baby born in 1924 (name unknown). They were by all accounts a very happy family.

As the years went by, Frank became increasingly nervous, sick and anxious. It was towards the later stage of his career that he started to have mental breakdowns.

According to statements taken in the criminal trial brief for Clara’s murder, some time in May 1918, when Frank was stationed at Rutherglen State School as Head Teacher, he was apprehended for taking an axe and smashing up the brick building of the school. At this time he was taken to the police station, medically examined and subsequently sent to the receiving house at Royal Park, Melbourne. Frank was examined there by Dr Godfrey (who would later be the examining doctor in Clara’s murder trial). Frank was kept under Godrey’s care for a few weeks and when released took a leave of absence from teaching until September 1918.

Frank resumed duty on 9 September 1918 as an assistant teacher at a school in Footscray where he remained until he was appointed Headmaster at Mildura High School on 1 September 1921.

According to Frank’s teaching records, his performance of duties was excellent at Mildura until late July 1922 when he had a nervous breakdown and had to take time off. Frank went back to work in August and time passed without incident until 18 October 1922 when Mildura High School was set alight.

Frank was nowhere to be found.[7]

As the school burned, the authorities and fellow teachers wondered about Frank’s safety. As events turned out, at 8:45 am that morning Frank was already at the Mildura watch house. Constable Richard Bonnsel came across Frank there, sitting, twitching and dazed. The constable approached him and asked him how he was and when he did not answer the constable sat beside him. Eventually Frank asked ‘You want to see me?’ and when the constable in return asked him why, Frank answered ‘about the fire’. At this point, the constable did not know about the fire and tried to get Frank to speak again but he remained silent, his eyes dazed. By all accounts he appeared to be a ‘hopeless imbecile’ and did not understand any remark spoken to him.[8]

It is interesting that the criminal trial brief into Clara’s murder and Frank’s education department records all point to Frank being missing at the time of the Mildura fire, before he voluntarily turned up at the police station but acting guilty and unco-operative. Constable Bonnsel claimed he removed a knife from Frank’s pocket and detained him. It would seem that there were definite suspicions that Frank was involved in the arson, though he never admitted it. A full report of the incident was made but no charges were ever laid.[9]

Frank was hospitalised after the fire at Mildura High School. He was off work for two months. Education records stated that his medical certificate for this time off showed he was suffering from ‘extreme physical and mental depression’.[10]

Frank went back to work in December 1922 but it seemed he had not as yet fully recovered. In a letter to the Working Man’s Club in Mildura dated 16 January 1923 Frank tells a story of being unhappy with his position at Mildura and seeking a new position in a metropolitan area. Frank wrote:

I do not know what is wrong with me, but since September I have been gradually going down hill. Physical exertion and mental work are alike an unendurable burden on me. I do not feel fit for anything at all. I thought at first that a good rest during the Christmas vacation might fix me up but it has not done so, so far …[11]

He continued saying that he had no interest in life and was concerned about bringing ruin and misery to his family. He then asked for help:

My sleep, too, is disturbed with awful dreams and nightmares, I sometimes wonder if my mind is permanently going, and my brain diseased. I have tried to hide my suffering and my illness from my family so as not to worry my wife. I write this to you … so that you will understand why it may be best for me to get a transfer in the New Year even though we will have to pay our own expenses …[12]

This letter was a distinct call for help, showing a man on the periphery of a complete mental and physical breakdown. And yet no response was given. He went back to work at Mildura High School and even took on additional teaching duties.
According to a statement given by Frank's son, Charles, around September 1923 he became unwell again, often keeping to himself. Towards the end of the year he appeared to become even worse, staying in bed and becoming progressively moodier and worried. Frank was clearly a man on the edge. But no one expected he would be capable of killing his beloved wife.

‘What have I done?’

At 6:00 am on Saturday 26 January 1924, Frank's 17-year-old son Charles got out of bed. He was supposed to work that day and went to wake his father. Frank told him to 'go back to bed until I get things ready and I will call you in a few minutes.'[13]

Charles went back to bed. His bedroom was in the room adjoining his parent's bedroom. As he lay there he heard his father moving about in the kitchen, thinking that he was making breakfast preparations. Charles heard what sounded like a couple of blows or a banging noise that sounded like it was coming from his parent's bedroom.

A few seconds later his bedroom door opened and Frank rushed at Charles. He had a hammer in his hands and he tried to strike his son. Still in his bed, Charles struggled with his father yelling at him to stop. Frank had a strange look in his eyes and was obviously not himself.

After a time of struggle Frank suddenly stopped, grasped his head and said ‘What have I done now.’ All of the other O'Brien children slept through the altercation.

Charles went into his parent's room and discovered his mother in an unconscious state, her skull broken and bloody. Removing the 8 week old baby from the room Charles rushed down the road to get Dr Brown.

What followed would have been considered a fairly primitive investigation in modern terms, but for the O'Brien family it was an assault of doctors, ambulance men and police officers. When approached by police officers, Frank asked 'what is wrong Sergeant', and said 'I feel as if I am in a nightmare.'[14] Dr Brown examined Clara and realised by the damage and amount of blood on the pillow that her situation was dire. Frank was not restrained at this point, but left alone at the kitchen table in his apparent 'mentally affected' state.[15]

The dealings of the crime scene were nothing like what we're used to seeing on television crime shows, where the vicinity would be immediately quarantined, the room sifted top-to-bottom for clues and blood-splatter analysis, the weapon isolated, bagged and tagged. There was no crime scene photographer on hand, documenting every inch of the house, nor any family psychologist able to deal with hysterical children. The suspect was neither restrained nor read his rights.

Responsibility for the five younger children, including the eight week old baby boy, fell to 17-year-old Charles. Frank was also allowed to change his clothes and the weapon was haphazardly seized by an officer from atop the fridge. Photographs were not a thought. Compared to what we are accustomed to nowadays, it seemed a fairly casual process.

Frank was taken to the Mildura police station. When the charge of grievous bodily harm was read to him he exclaimed ‘What! My wife, my wife.’[16] It was apparent Frank's 'confusional insanity' had struck again.[17]

Clara was taken to Mildura Hospital where she was operated on, but died 4 days later from a fractured skull and lacerated brain. This development changed O'Brien's grievous bodily harm charge to that of wilful murder.

The King v Frank O'Brien

An investigation began and Frank went on trial at the Supreme Court, Castlemaine on 11 March 1924.

Various witnesses stepped forward to vouch for the decent character of Frank O'Brien. Police officers and doctors brought to light his previous amnesiac mental breaks. And yet they all agreed that they did not expect it from the family man. Did the fact that Frank held a high-ranking position as a school headmaster cloud the judgement of those around him, even though he had a concerning history with mental illness sometimes resulting in destruction? It would be expected these days that if an individual was hospitalised multiple times due to nervous breakdowns, extreme depression and particularly amnesiac destructive or violent episodes that they would be monitored regularly by a health care professional and potentially medicated. No doubt the lack of advances and understanding in the mental health profession in the 1920s was a factor in Frank's case. Frank's mental illness was also very unpredictable, and it's hard to imagine that the tragedy could have been prevented under the prevailing circumstances.

In his statement at the trial, his son Charles stated:

Our family life was a happy one and my father and mother were devoted to each other ... My father was of very temperate habits. I had never known him to attack any member of the family previous to this ...[18]
Constable Shankly gave a statement of arriving at the O’Brien household on the morning of the incident, finding Clara close to death and the normally personable O’Brien in a confused mental state.

Dr Joel Brown gave a statement of attending to Clara at the house that morning and the mental state in which he found Frank. Dr Brown gave an account of the previous times he had examined Frank while being mentally affected. It was his opinion that Frank was not capable of appreciating what he was doing and that the ‘disease as exhibited by Frank was very elusive from his point of view.’[19]

Government medical officer Dr Godfrey gave his statement in relation to examining Frank in Melbourne Goal in early February 1924. He mentioned that O’Brien was under his care from 1918 after the axe incident at Rutherford School. Dr Godfrey diagnosed Frank with ‘confusional insanity – the climax of a condition of psychasthenia associated with an inherent mental instability.’[20] He stated that at the time of the examination Frank was in a normal mental state but at the time of the tragedy he was in suffering from a ‘state of mental unsoundness’.[21] He concluded:

I consider from definite disease of the mind he was incapable of knowing that he was killing his wife or any human being or of realising what he was doing ...[22]

On 11 March 1924 a verdict of not guilty on the grounds of insanity was given. On 20 March 1924, Frank was admitted to Mont Park, in Macleod, Victoria.

**Becoming Flinn**

Frank became a model patient at Mont Park and using his previous educational experience was put in charge of the library and employed in the telephone room. It was reported that his mental state remained stable and showed no variation during the time he was a patient.

On 9 September 1924 Dr John Catarinich reported of Frank:

At present and has been since admission here, sane. There is, however, present a lack of emotional reaction, which to some extent may be due to no conscious memory of the crime committed.

The history submitted with his case shows that he has had more than one attack of insanity, and he is, therefore, very likely to relapse.

Under no circumstances would I suggest O’Brien ever again living [sic] with his children, nor do I consider it safe to give O’Brien his liberty, even with restrictions. Supervision of someone with a skilled knowledge of insanity would not guarantee that O’Brien’s impulses could be foreseen.

I therefore cannot make any favourable recommendation for him.[23]

Regardless of Catarinich’s report, over the next three years O’Brien filed various petitions to his Excellency the Governor seeking his release. All appeals were denied as per Catarinich’s initial recommendation.

In August 1927 O’Brien’s brother, Michael, wrote to the Chief Secretary, requesting the release of Frank from Mont Park. Although this request was denied, the Director of Mental Hygiene Dr Jones replied that after three years of observing Frank he was now of the opinion that Frank was sane and if some person would undertake the responsibility of providing for Frank’s future welfare, his release might reasonably be granted.

It was pointed out by Dr Jones that the Lunacy Act 1903 did not have clauses that directly governed how criminal lunatics could be released under a probationary or parole period, only for trial leave. In comparison to parole this was a much more relaxed situation, requiring patients to check in and be evaluated as long as the Lunacy Department considered necessary. In fact, they did not have any way of dealing with a probationary release under any conditions. In the early 1900s the notion of criminal probation and parole obligations was solely a Law Department responsibility and as Frank was under the care of the Lunacy Department, probation or parole laws did not directly apply to him.

As far as Dr Jones and the Lunacy Department were concerned, if Frank was to be released from Mont Park, he would have to be completely discharged.

Michael O’Brien replied on 5 September 1927 that both himself and another brother would be willing to provide for Frank’s welfare and would assist him to obtain employment.

Frank was released into his brother’s care by the Governor under the Crimes Act 1926 on 28 November 1927, just three years and eight months after his incarceration. He was released with the proviso that:

1. He did not live with his children,
2. He reported every month, either to the Inspector General or the Superintendent for examination of his mental condition, and
3. He did not resume his departmental duties.[24]
One of the letters sent to the Chief Secretary from Frank's brother Michael stating he would be responsible for him upon release. PROV, VPRS 30/P0 Criminal Trial Briefs, unit 2034, case 93 of 1924, King v. Frank O'Brien.

Frank followed these instructions regularly for a period of time, voluntarily reporting to the Lunacy Department on a monthly basis, but gradually began to drop off in his reports. As the department did not have an official reporting system in place for those released on a trial basis, they had no adequate way of cementing a structured and enforced reporting schedule with Frank. It seemed they relied solely on Frank to approach them of his own free will and there was no documentation that they were ever overly concerned when his reporting started to drop off in frequency. By 1930 Frank was only reporting to Dr Jones every three months or so. Dr Jones stated during the inquest into the familicide of 1934 that he did not make any real attempt to chase Frank directly, believing he had no power under the Lunacy Act 1903 to do so as essentially Frank was released under the Crimes Act 1926, of which Dr Jones had no real understanding. He also admitted that he was not even certain how often Frank reported, or of his condition on those dates as he did not keep notes regularly. Dr Jones stated that from late 1930 Frank did not make any further reports.

The confusion surrounding Frank's release under the Crimes Act 1926 and the disorganised and undisciplined way in which Frank's release into the community was carried out is staggering by today's standards. How could anyone have expected to monitor his mental state? Where did the responsibility of duty of care end in such an unorthodox situation? Dr Jones himself stated that the situation itself was a very unusual one and he tended to put the underlying responsibility onto Frank's relatives who agreed to care for him.[25]

In 1929, Frank moved to Melbourne where he married Rose Love. It is claimed that he met Rose while a patient at Mont Park. Rose and Frank would go on to have three children, Owen, Joan and Marie. The family lived a modest life in Richmond. Frank worked as a wharf worker for the Victoria Stevedoring Company at the Victoria Dock where he aliased under the name of Frank or Stan Flinn. Flynn was Frank's mother's maiden name.

"Flinn" was well liked by his peers at the stevedoring company. His neighbour and workmate George Bromell claimed that Frank was 'one of the best liked men in the place'.[26] He said that the man he knew always appeared to be normal and that he was very honest and a non-drinker.

Flinn seemed to be concerned about finances and according to George he spent a lot of his spare time working out racing systems, none of which seemed to pay off.

George claimed that Flinn had started complaining about his health and his sleep a few months prior to the tragic murder–suicide – again exhibiting many of the same symptoms that had afflicted him back in 1924. Not knowing about Frank's past, George was unable to read the warning signs, and as Frank had ceased reporting to the Lunacy Department, his condition was unknown to any of the state's authorities and they were therefore unable to take any preventative action.

George Bromell stated that over the previous four years Flinn and his two eldest children would visit him each Sunday. After the O'Brien's failed to show up on Sunday 27 May 1934, George went to Flinn's house on the Monday, and received no answer. He tried again the following day and there was still no answer, but he did notice a light burning in the front room and the key in the door. He came back again on 30 May. Still receiving no reply he left and returned later with his wife, getting his wife to make enquiries with the neighbours while he used the key in the door to let himself in.

What he found at that little house in Richmond would haunt him for the rest of his days.
Fingerprints used to identify Flinn as Frank O’Brien, the same man who killed his wife in 1924; also visible is the wharf employment identification in the name of Frank Flinn: both are contained in the inquest file for his murdered family. PROV, VPRS 24/P0, unit 1268, case 1934/825.

Familicide in Australia

The act of family annihilation is rare. We have all heard stories on the daily news about mothers and fathers who take the lives of their children and sometimes themselves; this is commonly known as filicide. Filicide, where the lives of the spouse and one or more child is taken, and often involving suicide, is much rarer, but not unheard of.

A general inspection of the inquest records held by PROV (VPRS 24) reveal seven definite familicides, Frank’s included, occurring in Victoria between 1912 and 1971. (27) All seven cases were committed by the father, five were related to mental illness and altruism,(28) one to jealousy,(29) and one was planned, allegedly in relation to a family life insurance policy, although the perpetrator disappeared on the day of the murders and has since been considered dead.(30)

More modern cases are harder to investigate as inquest files held at PROV are unavailable for the period post-1985.

Various reports similarly state that there are three main reasons surrounding familicide:

- mental illness; including post-natal depression and psychosis;
- misguided altruism (‘they are better off dead’); and,
- fear of abandonment, spite and revenge.(31)

Filicide is generally attributed to physical abuse, fear of the future and spousal punishment. However, unlike filicide, where there is often a history of abuse, familicide cases generally have an absence of previous violent behaviour, suggesting more altruistic motives as opposed to violence from the perpetrator.(32)

According to the cases above and the reports pursued, it is apparent that familicides are committed predominately by males(33) and are born out of the perpetrator’s altruistic need to do what they believe is best for the family that they love, respect and have abundant care for. Inherent mental illness combined with a fear of the future no doubt persuades such a person that the only way to escape these feelings of hopelessness and depression is to die and take those with you that would otherwise be left to suffer, effectively saving them from a world of pain and worry.
The system

How could it be that the system could have failed Frank and his family so drastically? A person known to have killed his first wife when in a confused state of mind is set free to start his life over, begins a whole new family and ends up destroying them all.

As stated, Frank was given three conditions for his release: that he would not live with his (current) children; that he would report to the Lunacy Department at Mont Park in relation to his mental condition every month; and that he would not resume his duties in education and teaching.

He certainly did not live with the children of the first wife he murdered. Frank's brother Michael claimed that when Frank was released from Mont Park he moved directly to Melbourne, and did not even contact any of his existing children. He also did not resume his teaching duties, instead opting for a modest job as a wharf worker in Melbourne.

Michael claimed he did not recall sending the letter to the Chief Secretary requesting Frank's release and promising that he and an another brother would provide O'Brien with assistance and care, even though the letters exist and are well-documented as having been received by the Chief Secretary. Michael claimed he only saw the deceased three or four times after he was released, the last time he saw him was in 1929. In August 1930, when the Inspector General of Mental Hygiene contacted Michael regarding Frank's whereabouts, he responded that he had not seen his brother for almost a year. This was the last contact Michael had with his brother and he claimed he did not know Frank remarried, nor where he had been living with his new family or anything about his mental condition.

When quizzed about his responsibility for providing supervision to Frank, Michael stated that the department did not notify him that they had released Frank, and that they had not told him he was expected to fulfil that obligation. He said he did nothing to fulfil his promise as Frank went out of his way to avoid the family. Michael did not think too much about the situation as each time he saw Frank he seemed 'perfectly sane'.[34]

It appears Frank's family skirted their proposed responsibilities and accepted no blame for the events that transpired. What about those in charge of his release at Mont Park?

In the inquest into the O'Brien familicide, Dr John Catarinich pointed out that at various times throughout the proposal for release Dr Jones had advised the minister that the Lunacy Act 1903 did not allow for a criminal lunatic to be released on probation, and so the only option would be to release Frank completely. This shows that there was a fundamental flaw in the Lunacy Act at that time; surely, a person with a history of violence and killing, who suffered from a serious mental condition, should have been more closely monitored for the rest of his life.

As there was no provision for this kind of monitoring it was up to Frank himself to check in with Dr Jones. When O'Brien failed to turn up on a monthly basis it seems not much was done to locate him or determine his mental state.

Dr Catarinich stated that Frank was not discharged under the Lunacy Act 1903; he was discharged under the Crimes Act 1926 which states that the 'Governor could impose such conditions as he thought fit for the patient'.

All this meant that there was effectively no way for the Lunacy Department to enforce the conditions of Frank's release. Yet it seemed the Victorian Law Department were not aware of the conditions of the release, as it appeared no one at the Lunacy Department had stipulated any required involvement for the Law Department as part of Frank's release. Surprisingly, at the time it seemed the departments did not seem to have very much do with each other when releasing potentially dangerous people into the community.

Dr Jones advised that Frank reported to him for a time, but then the periods in between his reports became longer, and then stopped altogether. Jones said that he had asked the police to get in touch with Frank to find out what had happened to him. Dr Jones advised that at the end of 1930 the police did find Frank and as a result of this he subsequently reported to Dr Jones, for the last time. Jones claimed that Frank was quite sensible and perfectly sane. He was also under the impression that he was in the care of his brother and that he did not know that Frank had remarried. Following the loss of contact with him in 1930, Jones did not pursue Frank personally or through the police.
The communication links between the Lunacy Department and the Law Department seem to have been rather fractured and inadequate in 1934, with no one wanting to take the blame or offer solutions for a situation such as this. In the inquest into the murders there are no concluding suggestions from the Lunacy Department or the Law Department about preventing future instances of this type of crime. Coroner Charles McLean concluded simply that the O'Brien family died from injuries sustained by Frank O'Brien, he being of unsound mind.[35]

The scene of the crime – the bedroom where the bodies of the O'Brien family were discovered by friend and neighbour, George Bromell. PROV, VPRS 24/P0, unit 1268, case 1934/825.

In the end

The case of Frank O'Brien is truly devastating. But the conditions which led him to murder his family were not unheard of, especially during and around the Great Depression when employment, shelter, food and future prospects were scarce and dreary. The lack of comforts compounded with an uncertain livelihood may have compelled those with already fragile minds to desperate and irrational acts, which some perhaps altruistically imagined as providing final relief for their suffering families and a release from a bleak future.

During this time there was a lack of established mental health care and a lack of general understanding of mental illness, which certainly did not help the situation of people like Frank.

We can be thankful that our modern healthcare and better living conditions and social welfare provisions prevent these tragedies from happening as often as they once did.

Endnotes


[3] PROV, VPRS 30/P0 Criminal Trial Briefs, unit 2034, case 93 of 1924, King v. Frank O'Brien.


[8] PROV, VPRS 30/P0 Criminal Trial Briefs, unit 2034, case 93 of 1924, King v. Frank O'Brien.


[16] ibid.


[18] ibid.


[22] ibid.

[23] ibid.


[25] PROV, VPRS 30/P0 Criminal Trial Briefs, unit 2034, case 93 of 1924, King v. Frank O'Brien.

[27] Please note, PROV, VPRS 24 Inquest Deposition Files at the Public Record Office Victoria are closed for records relating to inquests post-1985, hence the lack of more modern examples.

[28] PROV, VPRS 24/P0, unit, 884, case 1912/865; unit 1097, case 1926/842; unit 1344, case 1938/25; and unit 1597, case 1948/1108.

[29] PROV, VPRS 24/P0, unit 866, case 1911/492.


[34] Inquests of Francis O’Brien, Owen Francis O’Brien, Joan O’Brien, Marie Therese O’Brien and Rose Dorothy O’Brien, in PROV, VPRS 24/P0, unit 1268, case 1934/825.

[35] ibid.