

Provenance 2016–17

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Editorial

The 2016–17 issue of *Provenance* introduces some changes to the journal. As part of a complete redevelopment of the Public Record Office Victoria (PROV) website, you will notice that layout and design elements of the journal have changed in conjunction with PROV's new website design. Additionally, while the journal retains its integrity as a standalone online publication, links to articles in the journal will also appear throughout the PROV website wherever the content of an article may be of relevance. The publication cycle of the journal has also changed and it will now be published annually in March, to allow us to better promote its content throughout the calendar year. Along with these changes to the look of the journal and its publication cycle, the journal is now being co-edited by Tsari Anderson and Sebastian Gurciullo. Despite these changes, the journal will continue to present scholarly and general interest articles that illuminate the breadth and depth of PROV's holdings for historical research, as well as providing a valuable resource for researchers accessing records in the PROV collection.

The six peer reviewed and three forum articles in this issue demonstrate the wide range of subject areas and research opportunities presented by public records, and the ways in which archival and primary research can reveal fascinating stories – whether personal, social or political – and bring new perspectives of our past to light that are not always possible through other sources. Many of the articles utilise case studies or methodological approaches that show how detailed research can contribute to the understanding of larger themes in the history of Victoria. In some cases, otherwise unheard voices can be revealed, or illuminated when examined from a new perspective. A number of the articles demonstrate how new areas of research are being made possible, and simpler, as a result of increased accessibility to records through digitisation and online indexes. They all show the value of public records in being able to tell stories often quite different from the intentions of the original creators of the records themselves.

Lisa Hay's article 'Finding Thomas Brookhouse' presents a vivid and descriptive example of the ways in which the lives of working class people in the mid-nineteenth century can be brought to life through a detailed reading of commonly accessed records in the PROV collection, including inquests and criminal trial briefs. The circumstances surrounding the brutal death of shepherd Thomas Brookhouse described in official records of the

inquest and subsequent trial inadvertently reveal much about daily life and habits, as well as the living and working conditions, of the rural working class in Western Victoria during the 1850s.

Miranda Francis reveals a tension between archival and oral sources in her article about Footscray High School Crèche, which operated for ten years between 1976 and 1986. 'One woman's crèche is a bureaucrat's child-minding centre' shows the role of oral history in filling gaps in the written record about the crèche, particularly in understanding of the meaning of the crèche in the lives of the women who were involved in its operations and made use of its services.

Susan Walter's methodological essay 'Quarry and stone research methods' highlights the growing importance of the history of building stone materials in understanding Victoria's built heritage. Given the complexity of historical land use research, Walter's case study into Malmsbury's bluestone quarries, quarrying and stone use demonstrates the breadth of public records that are available at PROV for undertaking this kind of research, and has broader relevance as a resource for anybody interested in tracing the history, heritage and significance of places, building stone or land use in Victoria.

There has been a growing awareness within the Victorian community of the history of Coranderrk Aboriginal Station, which was located near the town of Healesville. The significance of the station and its people has recently gained prominence in the widely acclaimed play *Coranderrk: We will show the country*, which has played in theatrical spaces around Melbourne and throughout Victoria in recent years. The story that features in the play tells a tale of Aboriginal political resistance that became a focal point for a number of parliamentary inquiries in the 1870s and 1880s. In 'Beyond Coranderrk', Tiernan Morrison examines the records of the Board for the Protection of Aborigines (BPA) in the context of Aboriginal 'resistance' to the Aboriginal station system that dominated the lives of Aboriginal people in the latter half of the nineteenth century. Morrison's article shows that the correspondence files of the BPA reveal various levels of daily or 'micro-resistance' to the system by Aboriginal people living on Aboriginal stations. While these forms of 'resistance' are generally less visible and acknowledged, Morrison argues that they are significant in understanding the agency and determination of Aboriginal people that lived under provisions of the various Acts that controlled their daily lives.

One of a series of articles published in *Provenance* examining the impact of World War I, Nicole Davis, Nicholas Coyne and Andrew J May's article is an example of how a detailed examination of records within a single series can illuminate local stories about the lived experience of war on the home front. The result of a unique project to identify and digitise records relating to World War I contained within Melbourne City Council Town Clerk's Correspondence, 'World War I on the home front' highlights the ways in which the war permeated every facet of daily life in the City of Melbourne and brings to light a bigger story about the far-reaching impacts of the war across the city and on the people that lived and worked in it.

Geoffrey Robinson, in 'The Victorian railways strike of 1950: a study in public sector enterprise bargaining before its time' presents a detailed study of the longest railways strike in Victorian history. Robinson's article takes us through this complex industrial relations dispute that caused major disruptions throughout the State of Victoria for months during 1950 and the various machinations and negotiations between the railways management, the sector's unions and the Victorian Government.

The three forum articles in this issue explore the ways in which public records can illuminate aspects of Victorian history through detailed research of primary sources. Yosanne Vella provides details of her search through prison registers and published sources for evidence of Maltese 'troublemakers' and criminals in Australia, and while she did not eventually find evidence of the female Maltese criminals she was looking for, her research led her to find more general similarities between female criminals in Malta and Australia, as well as evidence of male Maltese criminals in Australia.

In 'The battle for Bears Lagoon', Richard Turner explores a case study of land selection and settlement in Victoria during the period of the 1860s land Acts, and how conflicts over entitlement to land between selectors and squatters played out through Lands Department records held at PROV.

Eric Frazer's article about the death of Mary (Molly) Winifred Dean in the Melbourne bayside suburb of St Kilda in 1930 examines evidence surrounding the murder, inquest and subsequent abandoned trial from a variety of published and unpublished sources. The brutal murder and the fact that it remains unsolved to this day, led to a large amount of information coming to light about

Molly, her life and relationships, including their dramatic portrayal in a number of books and even a play, decades after the events occurred.

Tsari Anderson and Sebastian Gurciullo
Co-editors, *Provenance*

Refereed articles

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Finding Thomas Brookhouse

Locating the nineteenth-century Western District rural working class through public records

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'Finding Thomas Brookhouse: locating the nineteenth-century Western District rural working class through public records', *Provenance: The Journal of Public Record Office Victoria*, issue no. 15, 2016–2017. ISSN 1832-2522.
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Lisa Hay is a former librarian and previous recipient of the State Library of Victoria's AGL Shaw Summer Scholarship. She is enrolled in a Higher Degree by Research at Central Queensland University. Her thesis details the lives of Thomas Brookhouse and Patrick Geary and the circumstances that led to a mid-nineteenth century Western District murder mystery.

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Abstract

Squatter Hugh Murray had employed George Ball to build a dry stone wall fence at Ti Tree station on the shores of Lake Corangamite. With just stepson John Baylis for company, Ball went about his task with diligence. Stopping his construction at the sound of his young companion's cry of 'Rabbit!', George Ball followed the boy as they gave chase to their quarry, tracking the rabbit to the far side of a mound of volcanic rock. For a time, George Ball lost sight of his stepson before finding him at the far end of the stony rise. There John Baylis had unearthed something entirely unexpected from the stones: the boy held a human skull aloft. Late in August 1869, after 15 years, the fate of missing shepherd Thomas Brookhouse had been revealed.

Australian nineteenth-century rural working class lives are often obscured from historical view. They are among the historically inarticulate: those who did not leave well preserved records behind.[1] The most authoritative reference to rural Victoria in this era is *Men of yesterday: a social history of the Western District of Victoria 1834–1890* by Margaret Kiddle.[2] Later historians criticised Kiddle for her perceived focus on the social elite. While the squatters of western Victoria are viewed as successful in their endeavours, history's 'losers', according to historians such as Martin Sullivan, are 'ignored, pitied or shunned, but never explained'.[3] The lives of the rural working class that Kiddle was accused of neglecting may be told through the exploration of public records. The dramatic developments surrounding the disappearance of a Western District shepherd reveal a greater story: they record details of one of the 'ignored' people. Within these records, the life of Thomas Brookhouse dwells.

Histories published in the decades since *Men of yesterday* have set about exploring the lives of the nineteenth-

century Australian rural workers in greater detail. An entire chapter from Michael Cannon's *Life in the country* was dedicated to the topic, yet failed to draw upon the richness of primary materials, including public records.[4] Two significant titles exploring the history of the colony, *The Victorians: settling* by Tony Dingle and *A history of the Port Phillip District: Victoria before separation* by AGL Shaw, gave scant attention to shepherds.[5] It was Sullivan who called upon the use of archives to illustrate the lives of this 'ignored' class to great effect.[6]

Those who had known Thomas Brookhouse could not recall where he had come from. Some thought he may have been English.[7] The physical description of 'Old Tom', as some knew the shepherd, varied—did he stand five feet three inches (159.8 cm) or almost five feet eight inches (172.7 cm) tall? The number of years that Brookhouse had worked for Hugh Murray were also uncertain. Samuel Duck, another man in the employment of Murray, thought he had known Brookhouse to work at Ti Tree for five years.[8] John Sharp from Calvert's station, the northern neighbour to Ti Tree, estimated it to be at least seven or eight.[9]

What they all remembered for certain was that one day Brookhouse was gone. Without explanation, he had left. Some thought he had simply gone away. Others believed him to be missing. Whatever the case, on a summer's day late in February 1854, Brookhouse had seemingly merged with the vastness of the Western District's volcanic lakes and plains.

The ancient landscape to the west of the Port Phillip District intrigued the first European arrivals. With numerous volcanic sites and crater lakes, it resembled the Scottish highlands from where their fathers hailed. The fertile land in those far reaches had soon become known as the Western District. Lured by the promise of great tracts of grazing land, new arrivals came in the hope of making vast riches from sheep flocks. Word of

the 'Colac country' had first reached Hugh Murray courtesy of members of a search party sent to locate ill-fated explorers Joseph Gellibrand and George Hesse. By September 1837, Murray had arrived as part of the first group of European settlers ready to stake their claim on the region.[10] Hugh and his brother Andrew established neighbouring stations. Hugh Murray's Ti Tree station sat to the north of his brother's Wool Wool run. The ever-changing shoreline of Lake Corangamite formed a natural border to their south and west. Together the combined area of their stations exceeded 7,200 hectares of land.[11] To their east, they were bordered by large tracts of land claimed by William Robertson, while Calvert's station sat to the north.

Early settlement at Port Phillip was beset by labour shortages. For squatters, servants from the ex-convict class rather than free immigrants were often preferred. [12] With new immigrants preferring life closer to towns and having little experience to prepare them for the conditions of early Western District stations, convicts were often the only men suitable to take shepherding work. An old hand, 'no matter how drink-sodden' was usually a better proposition.[13] One such 'old lag' was Thomas Brockhurst. After being tried and found guilty of burglary at Warwick in 1822, Brockhurst was sentenced to death. The punishment was later commuted to transportation. He arrived in Van Diemen's Land aboard the Commodore Hayes the following year to serve his life sentence.[14] Three decades in the colony had passed by the time of his disappearance, his surname having evolved from 'Brockhurst' to 'Brookhouse' along the way. Where he had come from was not at issue. Those who had known the Ti Tree shepherd were more concerned with where he had gone.

A shepherd's work was monotonous and undemanding. Men worked from first light to night fall.[15] Tasked with keeping flocks moving slowly throughout the day, the intelligence of shepherds was insulted by the colonists' derisive 'hatter' tag.[16] Often these men looked to grog as a cure to the loneliness created by the solitary nature of their work, losing themselves in what Kiddle describes as 'a hopeless mirage'. [17] The arrival of other shepherds on the same or neighbouring stations was welcomed by the 'old lags' who were glad to have another man with whom to 'pass a yarn'. [18] Human contact could be irregular for shepherds, with their huts often located far from the

home station. The hut that Brookhouse called home was situated several kilometres from the hub of Ti Tree station. [19] Others recalled not seeing Old Tom for a month at a time, while others sometimes saw him two or three times a day.[20]

The hut where Brookhouse had lived was over four kilometres from Lake Corangamite.[21] Its interior had been found just as it might have been any morning: tin teapot, earthenware basin and knife on the table.[22] The faithful sheepdog of Old Tom remained nearby. Nothing suggested the shepherd had planned to leave his watch. As Andrew Murray later testified, nothing was 'disturbed or taken as if he had bolted'. [23]

Word quickly spread through the station of Brookhouse's disappearance. Hugh Murray's overseer made enquiries to those stationed at Ti Tree and neighbouring runs. Had they seen the shepherd recently? Witnesses recalled the last time they remembered seeing Old Tom. The last visit John Lamont had made upon Brookhouse was to the shepherd's hut, possibly a week before the man had vanished.[24] Two days before Brookhouse was reported missing, James and Rose Wilson, servants from Robertson's, had seen him returning from town.[25] It had probably been the night before he disappeared that the shepherd had stopped by Samuel Duck's hut on the way back from the Ti Tree's home station. Duck watched evening descend as Brookhouse headed in the direction of the Warrion Hills.[26] Even George Leek, the police sergeant at Colac, could recall when he had last seen Brookhouse: it had been about four days before the shepherd was reported missing. The two men had spoken as Brookhouse headed from the township towards the Ti Tree station.[27]

The disappearance of Thomas Brookhouse warranted serious attention. Once the alarm had been raised, a search of the Ti Tree run commenced that involved everyone from squatter to station hands. Word was also sent to the Colac police.[28] The quest to find the missing shepherd extended into Andrew Murray's Wool Wool run to the south of Ti Tree and John Calvert's land to the north. Murray searched on horseback and later recalled: 'a great number of persons searched. We were near a fortnight looking for him'. [29] Sergeant Leek said the search for Brookhouse continued for over a month.[30]

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Some of those involved in the search noted the behaviour of Brookhouse's dog. Following his master's disappearance, the dog had been found near Brookhouse's hut. Andrew Murray thought the sheepdog might hold a clue to the whereabouts of Old Tom. Yet each time the animal was followed, it would head west for about 800 metres and go no further.[31] John Sharp regretted that he had not thought to follow the dog.[32] Others recalled hearing the dog howling by some stony rises.[33] Cutting a mournful figure across the run for some time after his master had gone, the dog eventually vanished.[34] No one could say what had become of Old Tom's dog.

Among the shepherds and station hands who took part in the search for Thomas Brookhouse, were John Sharp, a shepherd from Calvert's station, together with John Lamont and Patrick Geary from the Ti Tree run. Geary, or as his Irish brogue earned him the moniker of 'Paddy', was the shepherd who lived some 1,600 metres away, making him Brookhouse's closest neighbour. It was to Geary's hut that Sergeant Leek, accompanied by a constable, first headed after completing his search of the missing man's accommodation. Having spotted Geary some distance away, Leek spoke to his wife Margaret Geary before entering the hut and sitting down while waiting for her husband to arrive. Unlike Brookhouse, Geary had a wife and children in residence. On leaving the hut without an opportunity to speak to Geary, Leek discovered him outside close by. The Sergeant bid Geary 'good morning' as the two men passed. The sole door and window of the slab hut faced south. Leek walked around to the north side of the hut where he overheard the words: 'Oh Paddy you murdering bugger! You ought to be hanged!' shouted by Margaret Geary. Her words, according to Leek, were as clear as they were angry. Retracing his path around the hut, the sergeant returned inside to quiz the woman. How could she use such language to her husband he asked. 'Oh bad luck to him, he is always angry. I don't know what to do with him.' Her reply concluded, Margaret Geary broke into song. Her Irish folk song ringing in his ears, Leek returned to his police constable, whom he had left minding the horses.[35]

The disappearance of Old Tom was not the only mystery emanating from the shores of Lake Corangamite. There had been losses to the sheep flocks at both Ti Tree and Wool Wool runs in the year before Brookhouse's disappearance. The losses were substantial at both stations: anything up to 500 sheep each. Squatters at

neighbouring stations also complained of large losses to their flocks.[36] The depletion of sheep numbers were great enough to cause Hugh Murray concern. He was said to skulk about the stony acres of the Ti Tree, spy glass in hand, in search of an explanation.[37]

In September 1837, Murray had arrived in the Colac region with a flock consisting of 100 ewes. In the first years of European settlement, the local Aboriginal population had attacked Murray's sheep: first by night, then becoming more daring by driving a score or two from the shepherds in daylight.[38] At the time of Brookhouse's disappearance, the number of Aboriginal people at Colac had dwindled to ten men, five women and one child. By then, most of those were employed as station hands.[39] The local Aboriginal community were unlikely to be responsible for damage to the flocks.

Before Brookhouse's disappearance, talk had circulated among shepherds and station hands about problems between him and Geary. In usual shepherd practice, both kept their own flocks. Geary had lambing ewes, while Brookhouse kept some wethers for fattening. In response to the disappearance of some of his own sheep, Brookhouse had examined John Sharp's flock, but could find none belonging to his own.[40] Brookhouse had told Samuel Duck that he was not on 'good terms' with Geary.[41] While Brookhouse did not seem to like Geary, John Lamont was not aware of any particular quarrel between the two men.[42]

Geary quickly became the object of suspicion. John Lamont, the first person to call at the hut in search of Brookhouse, stated he had seen Geary carrying a partially filled flour sack over his shoulder.[43] Geary had not disclosed that he came from the direction of Brookhouse's hut the day the search begun. When asked by Lamont, Geary seemed certain Brookhouse had left the district.[44] Forthright claims were made by James Wilson from Robertson's station, who directly accused Geary: 'You bugger, you have murdered him'. The words apparently caused Geary to grow silent and his face to 'change colour'.[45]

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The search concluded when no sign of Brookhouse could be found. Patrick and Margaret Geary left Hugh Murray's employment sometime after. Some thought Geary and his wife had left a month after Old Tom had been reported missing, while others thought it was anywhere up to a year-and-a-half afterwards. They remained in the Colac district for some time, or at least Margaret Geary did: her husband was jailed in 1857 for horse theft.[46] Regardless of their movements after 1854, the fact remained that when the discovery of the skeleton was made 15 years later, Patrick and Margaret Geary were long gone.

The skeleton had been well concealed. Volcanic stone of varying size cloaked the grim deed well, until it was unearthed by one of the squatters' less-celebrated legacies. As part of acclimatisation, additional rabbits were introduced to Australia by Western District squatters, most notoriously by Thomas Austin in 1861 and quickly grew to plague proportions.[47] The Robertsons built stone walls with 90-centimetre deep foundations in the futile hope of protecting their stations.[48] Dry stone wall fences and the introduction of rabbits to the region were symbols of the landed gentry's dominance. These two emblems of success combined in accidental circumstances to dislodge the bones of Thomas Brookhouse from their makeshift resting place of 15 years. Pursuing the rabbit he had spied as he worked with his step-father, John Baylis's efforts to break through the outer layers of the stony rise had been made all the easier by these pests. Their persistent burrowing had removed the earth, causing the rise of volcanic rocks to partially collapse and expel the skull in a macabre eruption.[49] The skeleton had laid under the pile of stones, disturbed only by rabbits and other creatures small enough to press their way through the gaps available.

Discovery of the bones in 1869 came as the role of Western District shepherds was in decline. Fencing had consigned shepherds to a class of obsolete rural worker. [50] The site discovered by George Ball and John Baylis was just 800 metres from where Brookhouse had once lived. The huts formerly occupied by Brookhouse and the Gearys were no longer standing. By 1869, the remains of Thomas Brookhouse were the only physical evidence that these shepherds had once roamed the lakes and craters of the surrounding area.[51] The man who had employed both shepherds was no longer alive. Hugh Murray had pre-deceased the discovery of the skeleton by a matter of

weeks.[52] Murray was the archetype of the successful pioneer and squatter: someone who was historically articulate. His local life was rich in community involvement. Yet within the pages of public records concerning Thomas Brookhouse, a murdered shepherd, a richness of detail can be found that is not available for descriptions of Murray.

Coroner Dr Thomas Rae presided over the September 1869 inquest at Colac, finding the cause of death resulted from skull fracture.[53] The injuries had not been self-inflicted.[54] A verdict of 'wilful murder against some person or persons unknown' was declared.[55] The bones were established to belong to a male of age and height similar to Thomas Brookhouse. Witnesses were asked to testify to Brookhouse's physical appearance, his style of dress and his mannerisms. Their evidence was vital to help establish the identity of the remains and to connect the surviving fragments of clothing and personal possessions to Brookhouse.

It was the remarkable facial features of the deceased that were best remembered. His protruding jaw meant Brookhouse's visage was sharp, displaying a 'formation of face rarely seen'. [56] He was recalled by Hugh Murray and others as 'oldish', at about 50 years of age.[57] As to his height, most thought Brookhouse had stood between five foot six inches (167.6 cm) and five foot seven inches (170.2 cm) tall. Recalling their banter from long ago, John Sharp described how they had compared their respective heights. Brookhouse was just less than Sharp's own height of five feet eight inches (172.7 cm). Old Tom, he had quipped, was 'not fit to be a soldier'. [58] Some had no memory of Brookhouse's teeth, while others were quite certain in their recollection. He had a tooth missing from the lower left jaw, maybe both sides, Samuel Duck thought.[59] Old Tom had been barely able to keep his pipe in place while smoking, Lamont stated, due to Brookhouse missing two teeth on the lower jaw.[60] From the sandy colour of his hair to his knock-kneed walk, the records disclose what otherwise would have been forgotten to history.

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It was not just his physical features that were recalled. Acquaintances of Brookhouse presented an image of him as a fastidious man who kept his appearance tidy: 'a very smart clean man' in the opinion of George Leek.[61] He dressed in a blue woollen shirt, over a cheap cotton undershirt with corduroy trousers.[62] A sou'wester protected Brookhouse's head from the elements.[63] The handkerchief he wore around his neck was black with red stripes, or maybe it had been in a blue bird's eye pattern?[64] All agreed the fabric would usually be tied in three knots and was likely to be silk.[65] The fragments of cloth found with the skeleton were found to match Brookhouse's usual clothing. As a portion of the boots had survived their years under the rocks, footwear also linked the skeleton to Brookhouse. The shepherd had worn lace up boots, with very close lace holes.[66] As he had worn his boot laces closer than any other man, John Sharp had not the least doubt 'inwardly' that it was the remains of Brookhouse's boots that had been presented before him in the court room.[67]

The practice of tobacco smoking was also crucial to evidence. A pipe and a knife found with the remains received close scrutiny for possible resemblance to objects belonging to the missing man. Brookhouse had been a smoker who used his finger and a knife to place his tobacco into a common short clay pipe.[68] The small knife he carried in his pocket had a handle made from buckhorn and was used to treat sheep for footrot.[69] Witnesses remembered the knife had a hole in either its blade or handle, similar to the one found with the bones.[70]

The inquest formally concluded that the remains were those of Thomas Brookhouse. Newspapers announced with glee that the 'Ti Tree Murder' was 'thus official!' and that the findings of the inquest were 'an unfortunate discovery' for Patrick Geary.[71]

Geary was arrested in Albury and charged with murder. His wife Margaret, was found in Ballarat and charged as being an accessory after the fact to murder. Both were tried and pleaded not guilty at the Criminal Sessions of the Supreme Court before Judge Pohlman, held at Melbourne on 15 November 1871. The jury returned after just two and a half hours with an acquittal for Margaret Geary and a verdict of guilty against Patrick Geary, who was sentenced to death.[72] The execution took place at Melbourne Gaol on 4 December, 1871.[73]

A possible explanation of the circumstances in which the murder took place is available throughout the witness testimony, but curiously absent from the judge's summary.[74] Alcohol may have contributed to Geary's crime. A few days before Brookhouse was reported missing, multiple witnesses, including the Colac Sergeant of Police, had seen him returning from town with a bottle of gin under each arm.[75] In accounting for his own whereabouts, Geary claimed he had been drinking with Brookhouse in town that same day.[76] A witness stated they had never seen Brookhouse 'worse' for drink, while Geary was known to 'get plenty of drink in'.[77]

The involvement of alcohol, while not offering an excuse for murder, does present the act in less than romantic terms. Had the 'hopeless mirage' as described by Kiddle visited itself upon Brookhouse and Geary in a grog-filled argument? To Kiddle, the isolation and boredom of the shepherd made for a destructive mix: 'When stimulated by grog the dream became frenzied fancies ending in oblivion. To these shepherds reality itself often became the nightmare'.[78]

The remains of Thomas Brookhouse were buried five days after Geary's execution. Newspapers described the funeral in flowery terms. In life, little was known about the murdered man. In death, Old Tom had not been forgotten, regardless of his humble existence as a shepherd. The funeral procession had wound through the streets of Colac, containing 'many old men, who knew and respected the deceased when alive'. Funeral costs were to be defrayed by public subscription. The death of Brookhouse 17 years earlier was recast as a nostalgic tragedy for eager newspaper readers to consume. The headstone read:

Here lies the remains of Thomas Brookhouse, who was murdered on the late Hugh Murray's Ti Tree run near the Warrion Hills in February 1854. Discovered 26th August 1869, and now interred 9th December, 1871.[79]

Finding Thomas Brookhouse through official documents was made possible by his violent death. This event enabled his life to be recovered through public records, unlike many of his fellow station hands. Although his life ended prematurely, specific and individual detail that would not otherwise have survived is available to contemporary researchers. Brookhouse might summarily be dismissed as one of history's 'losers', an anonymous individual destined to be ignored or pitied

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according to Sullivan's prediction.[80] Close reading of the available public archives is replete with detail about the minutia of a Western District shepherd's daily life during the 1850s. Illuminated here for contemporary researchers are descriptions of his living accommodation, clothing style and preferred way of lacing his boots. The trial documents reveal Brookhouse's methods for treating footrot in sheep and his ongoing concerns over thefts from his flock. They also describe his fondness for tobacco and alcohol, as well as his interactions with other station occupants. The imagery presented is highlighted by lengthy discussions about Brookhouse's physical appearance, his missing teeth and gait. The accounts of the shepherd's faithful sheepdog add a layer of sorrow and grief not witnessed elsewhere at the time of his disappearance, indicating that Brookhouse was genuinely missed by at least one other living being.

The life of Thomas Brookhouse was remembered at the time of the inquest into his death and the subsequent trial resulting from his murder. This ensured that traces of his life would be preserved, if only by inadvertent means. Sudden death, however, was not unique to Brookhouse: inquest records were created to explain the circumstances that caused lives to end prematurely. At least three other inquests examining the deaths of shepherds occurred in the Colac district between 1857 and 1876. Their findings detail grim accounts of causes of death as varied as accidental poisoning, lightning strike and dray accident.[81] Common to each of these records is the richness of detail they contain about the rural working class. Particulars about health, wages and labour relations provided contemporaneously as background to coronial proceedings emerge as vital primary research material on a class of 'historically inarticulate' people.[82]

Contemporary researchers are able to locate the lives of the rural working class within official documents. Increased access to online indexes and digitised records have allowed incidental traces of individuals, who otherwise may have been forgotten, to be preserved. Scattered throughout public archives as part of other events, such as inquests and criminal trials, Thomas Brookhouse and his milieu remain. Their appearances, habits and activities may be found—often as a result of unintended consequences—well articulated and illuminated for further discovery.

Acknowledgment

Thank you to Dr Geoff Robinson for his valuable editorial assistance and to Dr Bill Garner for early encouragement to delve deeper into the story of Brookhouse. Sincere thanks to the PROV North Melbourne reading room staff for their patience.

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[5] Tony Dingle, *The Victorians: settling*, Fairfax, Sydney, 1984; AGL Shaw, *A history of the Port Phillip District: Victoria before separation*, Melbourne University Press, Melbourne, 1996.

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[8] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of Samuel Duck (hereafter 'Duck testimony').

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[20] PROV, VPRS 30/P29 Criminal Trial Briefs, Unit 400, Case number 14: Patrick Geary and Margaret Geary, p. 33.

[21] 'Murray testimony,' p. 3.

[22] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of George Leek (hereafter 'Leek testimony'), p. 22.

[23] 'Murray testimony,' p. 4.

[24] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of John Lamont (hereafter 'Lamont testimony'), p. 18.

[25] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of Rose Wilson (hereafter 'R Wilson testimony'), p. 31.

[26] 'Duck testimony,' p. 16.

[27] 'Leek testimony,' p. 25.

[28] PROV, VPRS 30/P29, Unit 400, Case number 14: Patrick Geary and Margaret Geary, George Leek affidavit (hereafter 'Leek affidavit'), p. 44.

[29] 'Murray testimony,' p. 4.

[30] 'Leek testimony,' p. 25.

[31] PROV, VPRS 30/P29, Unit 400, Case number 14: Patrick Geary and Margaret Geary, Andrew Murray affidavit (hereafter 'Murray affidavit'), p. 41.

[32] 'Sharp testimony,' p. 11.

[33] 'R Wilson testimony,' p. 32.

[34] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, James Wilson testimony (hereafter 'J Wilson testimony'), p. 30.

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[37] 'The Colac Murder', *Bendigo Advertiser*, 12 April 1871, p. 3.

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- [58] 'Sharp testimony', p. 12.
- [59] 'Duck affidavit', p. 36.
- [60] 'Lamont testimony', p. 20.
- [61] 'Leek testimony', p. 26.
- [62] 'Sharp affidavit', p. 34; 'Duck affidavit', p. 37.
- [63] 'Sharp testimony', p. 12; 'Duck testimony', p. 15; 'Lamont testimony', p. 21; 'Leek testimony', p. 26.
- [64] 'Sharp testimony', p. 12; 'J Wilson testimony', p. 29.
- [65] 'Sharp testimony', p. 12; 'Duck testimony', p. 15.
- [66] 'Leek testimony', p. 26.
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World War I on the Home Front

The City of Melbourne 1914–1918

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‘World War I on the Home Front: the City of Melbourne 1914–1918’, *Provenance: The Journal of Public Record Office Victoria*, issue no. 15, 2016–2017. ISSN 1832-2522. Copyright © Nicole Davis, Nicholas Coyne and Andrew J May

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Abstract

This article utilises Melbourne City Council’s Town Clerk’s Correspondence as a critical resource through which to examine the experience of World War I on the home front in an Australian city. It argues that an examination of such records shifts the balance of historiographical attention from the global to the local in critical ways, and, in so doing, demonstrates the ways in which the war permeated every facet of life within the municipality; from the day-to-day running of the city, its economy, public spaces, and social relationships, as well as broader understandings of loyalty, patriotism and citizenship. The article further argues the profound importance of this collection and the ways in which it can be used to tell the big and small stories of war in the city.

In the days prior to the outbreak of World War I, the clerks in the Melbourne City Council’s (MCC) Town Clerk’s office stamped and filed inward correspondence relating to council matters, as they and their predecessors had done since 1842. With no hint of what was to come revealed within the bureaucratic paperwork of the municipality, the same sorts of letters that had passed through the department since the beginning of colonial Melbourne were received and filed as usual during these days. Complaints about nuisances, applications for permissions for bands to march, an invitation to council members to visit the Working Men’s College, requests from the Electric Supply Committee to order incandescent globes from Europe, permit applications from local cricket clubs—all formed the minutiae of civic communications.

When the first letter was stamped on the morning of 28 July 1914,[1] the war would not be declared in Europe for another few hours, but the likelihood of conflict must surely have been on the minds of these men, their employers, the writers of the letters and the city. Some of these men or their friends in municipal employment would themselves go to war, and some would not return. These particular official documents, written by a diversity of individuals, gave no indication of the threat of conflict. No extant letter announces its beginning in these files, and the first indication that a war had erupted came eleven days later on 7 August—three days after Britain and, by extension, Australia had declared war on Germany—when the City Electrical Engineer wrote to the Chairman of the Electric Supply Committee: ‘Sir, I have the honor to report that in view of the European War I have taken stock of several of our important materials which are imported from time to time from Europe [and included] CARBONS ... FILAMENT LAMPS ... [and] METERS’.[2] This war, to which Australia had now committed itself, was here represented purely as a potential disruption to the smooth running of civic business.

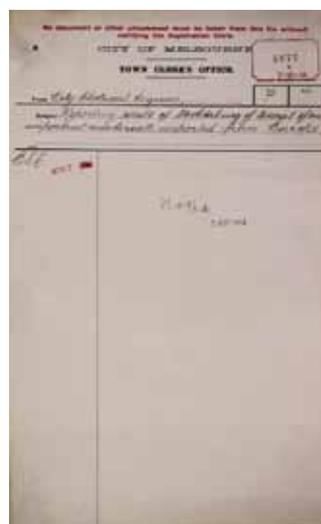
Over five years later, when what was now known as the Great War had ended, its impact still reverberated in the council’s records, the life of its employees and, by implication, the entire city and its citizens. On 16 January 1919, two months after the war’s end, letters were exchanged regarding the repeated absences of council employee Archibald Wardrop due, in the words of his doctor, to asthenia or a nervous debility. The junior draughtsman had enlisted in July 1915 and remained on active service in Europe for two years and seven months, serving at Gallipoli and in France. Returning to Australia in early 1918 after his service was terminated by the AIF

due to unfitness for duty, he quickly returned on 1 July to his role in the City Engineer's Office, which had been held for him during his service. Although the letters in this file do not explicitly state it, these numerous absences from his role were likely due to the effects of the war.[3] The letters show that the conflict affected not only the running of the council, through its impact on Wardrop's health, but also had longstanding personal implications for the returned soldier until his death in 1961.[4]

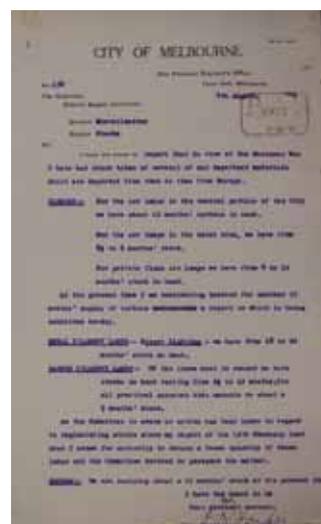
This article introduces the series in which these two letters and thousands of others are preserved—the MCC's Town Clerk's Correspondence—and assesses its value as a lens through which to examine the experience of World War I on the home front in one Australian city. While these files have long been recognised and used by scholars to tell a diversity of tales about the city and its people, a small project begun in October 2014, with the 100th anniversary in full swing, to examine them in detail and investigate what effects the Great War had on the city and its people.[5] The project also aimed to digitise any documents relating to, or mentioning, the war within this large collection.[6] They would then be displayed on the long-running eMelbourne website[7] in order to bring the collection and its contents to a wider audience, facilitating access for students, scholars and the general public, and increasing its usability for those interested in the history of the city of Melbourne, including the experience of the war within it.[8] What the trajectory of the project unexpectedly revealed was that this was an even richer treasure trove of information than could have been imagined. The examination of the records demonstrated how the war permeated every facet of life within the municipality, from the day-to-day running of the city to the lives of its inhabitants and to occurrences that resonated on a worldwide scale for many years to come.

While it was expected that there would be significant mentions of the war within the municipal records, what the research revealed was that the impact of this period of conflict permeated the metropolis on multiple levels—from the everyday running of the council to the physical use and experience of the urban environment. The concerns of the war reflected in these letters display not simply the daily workings of the council, although this was the initial purpose of their collection, but reveal the deeper experience of the city: of individual lives, public spaces, trade, transport, concepts of patriotism, nationalism and citizenship, infrastructure, changing

gender roles, international relations, the presence of the military, and interrelationships between municipal bodies and federal authorities. City life in wartime, as Jay Winter notes, is 'an overwhelmingly complex story'. [9] The research reinforced what a profoundly important collection this is and how it can be used to tell the big and small stories of war in the city. It also highlights the value of bringing a collection such as this to public attention, to make it more accessible to those for whom the archives are not within physical or conceptual reach.



Cover for letter from the City Electrical Engineer reporting result of stocktaking of materials imported from Europe, 7 August 1914. PROV, VPRS 3183/P1, Unit 197, Item 4997.



Letter from the City Electrical Engineer reporting result of stocktaking of materials imported from Europe, 7 August 1914. PROV, VPRS 3183/P1, Unit 197, Item 4997.

The collection

The City of Melbourne Town Clerk's correspondence files (VPRS 3181 and VPRS 3183) are a diverse collection of documents that record some of the minutiae of the daily life of the city and its operation. Disgruntled ratepayers, prosecutions for breaking by-laws, health reports on milk supplies, applications for council jobs, permission to march through the city, applications for factory licenses and myriad other topics are covered in these letters. Letters were also regularly exchanged between councils throughout Australia and overseas, often requesting information regarding the administration of the city, including during World War I. For many years the Town Clerk's Correspondence has provided a wealth of information to scholars interested in the city of Melbourne. Andrew May's work, for example, has drawn heavily on this collection in order to draw a vivid picture of the experience of the city of Melbourne and its inhabitants during the late nineteenth and early twentieth centuries.[10] Simon Purtell wrote about the great Nellie Melba's visit to the city and her performance in the Melbourne Town Hall using material drawn from these boxes.[11] They have been used in reports prepared for the City of Melbourne on the cultural and historic significance of Royal Park, in online projects,[12] and for exhibitions.[13] Honours and doctoral students of urban history have delved into them to reveal aspects of the city's urban history that might not be revealed through other primary sources.

With the letters all filed together largely in date order, those from 1914 to early 1919 form an assemblage through which the workings of the council and the life of the city itself during this period can be traced chronologically to assess changes and the effect of the war, as well as thematic threads that run through the correspondence and might be compared to the experience of this period in other cities in Australia and the world. The first consignment (P0) of VPRS 3183 includes a relatively small collection of miscellaneous documents, visual material and propaganda matter from Australia, France, America and England, all connected to the conflict: periodicals such as *Life* and *Steads* that contained articles about the war and advertising for war bonds; cartoon books like *International cartoons of the war* and *Raemaekers cartoons*; pamphlets, for example, Ambrose Pratt's 'Why should we fight for England?'; letters, including from the Defence Department

based in Melbourne, as well as representatives of the forces overseas; and the recruiting posters, with illustrations by Norman Lindsay, produced just before the end of the war.[14]

The second consignment (P1) of VPRS 3183 contains the boxes that comprise the main sequence of the Town Clerk's Correspondence files for the period 1910–1919. Altogether there are 111 boxes that cover the period from the early days of conflict in late July 1914 until 18 January 1919, two months after its end. The Town Clerk's Department filed around 7,000 to 8,000 such files every year and, for the purposes of this project, each was examined for any mentions of the war. Overall there were over 660 individual files (containing from two to hundreds of pages) in these boxes that were identified, and almost 5,500 individual pages digitised from them. These references to the conflict were not evenly distributed, with some boxes having no relevant material, while others contained a dozen or more. Many of the files were copied in full, although in a number of cases, not all of the pages were digitised due to the sheer number of the pages contained within, where at times only a handful might mention the war. Those where the conflict was only mentioned in consequence of a greater concern within the file, such as the Town Planning Conferences of 1917 and 1918, were still digitised as they demonstrated the effect of the war on everyday life.[15]



AUSTRALIAN WAR MEMORIAL H02146

Dummy army tanks outside the Melbourne Town Hall during a 7th Commonwealth War Loan parade, 1918. Australian War Memorial, H02146.

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Among the immense body of Australian war historical scholarship, World War I has been looked at predominantly as a national experience. For the majority of the population, however, the experiences and much of their participation in the war occurred in the cities on the home front. Adopting a more local approach is important, therefore, in recalibrating national and local narratives and experiences.

WK Hancock's *Australia* (1930) confined the impact of the war to a chapter about 'foreign policy',[16] while Ernest Scott's *Australia during the war* (1936) saw Australia as a harmonious society that was strengthened by the experience of war.[17] His work detailed many of the political, economic and material conditions of the time, and his historic assessment of conditions on the home front stood relatively unopposed by early Australian historians who did not pay much attention to the impact of the war. Scott, and to some extent Hancock, were primarily interested in the manifestation of British values and identity in the Australian people.

Michael McKernan's *The Australian people and the Great War* (1980), like Scott, returned to a national focus of the home front. McKernan believed that the war was a pivotal event for the nation and he was critical of previous historians whose 'accounts neglect[ed] to show what an enormous effect the war had on the lives of ordinary Australian men and women'.[18] However, it was Bill Gammage's *The broken years* (1974) that first challenged the absence of the war from the national narrative. Using the letters of men in the Australian Imperial Force (AIF), Gammage combined social history with a revival of interest in Australian military history. The emphasis on the tragic and destructive nature of the war by Gammage and McKernan has been marked as an influential narrative that inspired a renewed focus on the war in the national consciousness.[19]

From the 1980s, the events of World War I (and the Gallipoli campaign in particular) became central components in the historical conceptualisation of Australian national identity. Gammage was the historical advisor for Peter Weir's *Gallipoli* (1981), a film shown in cinemas and schools that some would argue expounded a nationalistic conception of the war.[20] Military history would grow to become a contested and emotive subject, in scholarly as well as political circles. Christina Twomey suggests that the emphasis upon 'trauma' and tragic

aspects of the war were essential to changing narratives surrounding Anzac Day, which was previously made newsworthy by the presence of anti-war and anti-rape protesters.[21] This emphasis upon tragedy was not without controversy, with many conservative political commentators and some historians believing the dialogue was tied up in a 'radical-nationalist orthodoxy' which implied that Australians were the victims of British Imperialism.[22] Contemporary discussions about Australian war history, therefore, cannot be configured without consideration of the role it played in the 'history wars' in the 1990s and early 2000s. The main focus of these political and social debates revolved around the nature of colonial violence on the frontier; but another key clash of values focused on whether or not Australians should feel proud and celebrate the nation's record at war, from the Gallipoli campaign onwards.[23]

The centenary of World War I has naturally inspired a plethora—even an excess—of scholarly as well as popular publications, many of which have continued to define the war as national experience.[24] Joan Beaumont concludes of the conflict that 'in essence, then, Australians ... emerged from the First World War in many cases more independent and self-consciously Australian but still proudly British'.[25] An examination of experiences in Melbourne during this time, and in particular the multiple conceptions of identity that were manifested and contested, provides necessary ballast to over-determined narratives of national awakening.

A focus on the city as opposed to the nation state has recently re-emerged in scholarly work, though not necessarily with regard to the experience of war in Australia. Pierre Yves-Saunier has argued that a renewed focus upon municipal governance around the world would be one effective way to 'make urban history one of the avenues to historicize globalization', a critical trajectory that has recently gained ground.[26] More particularly, studies of daily life in European cities including Berlin and Vienna have addressed aspects of the city in wartime—issues for example of broad domestic policy decisions, demographic trends, food distribution and supply—and the innovation of these exercises confirms that the body of literature on daily urban life in specific urban contexts is slim compared to the vast collective scholarship on the war at national and international scales.[27]

In *Capital cities at war*, Jay Winter and Jean-Louis Robert argue that more local contexts can be helpful in understanding experiences of World War I. They insist that ‘the concrete, visible steps taken by Frenchmen, Germans, or Englishmen to go to war, to provision the men who joined up, and to adjust to the consequences—the human dimension of war—were almost always taken within and expressed through collective life at the local level’.[28] There is no reason why the same urban-focused study would not be worthy of examination in Australia; indeed, Australia’s physical distance from the battlefields opens up different possibilities of examining the interplay between exogenous and endogenous factors in explaining war’s cultural construction and social effects.

Kate Darian-Smith’s *On the home front* places the city as the central focus of a wartime social history, with a particular focus on World War II through oral history rather than municipal archives.[29] A number of regional studies have explored the war in terms of rural conditions, communities and social conflicts;[30] most recently Michael McKernan comes close to a localised focus of the impact of the war in *Victoria at war: 1914–1918*, the publication of which was supported by the Victorian Government ‘to mark the centenary of World War I’. ‘Any account of the Australian response to the war, or any part of it, must highlight the generosity of that response, the nobility of sacrifice freely embraced and the determination to endure to the end’, declares McKernan. There is no doubt that there were acts of valour and sacrifice, but the claim that there was a unified and generous response can be questioned on the ground, and a more nuanced analysis of home-front experiences shows that there were complex intentions behind even some of the most seemingly noble responses to the war.[31]

Some urban histories are useful in understanding the impact of the war at a suburban level,[32] though other local-level studies concede the absence of detailed research into the impact of World War I.[33] Important elements of wartime experiences in Melbourne can be drawn from works that are not regionally focused. Maxwell Waugh’s *Soldier boys* looks into the experiences of school children in the leadup to and during the war, in Australia and New Zealand, with a significant focus on Melbourne.[34] Waugh is particularly concerned with the militarisation of schools as institutions, and argues that they were far more militaristic than any in the world, bar

Switzerland. Another work that usefully covers individual experiences in wartime Melbourne is Elizabeth Nelson’s *Homefront hostilities: the First World War and domestic violence*. Nelson uncovers how the militarisation of civilians had a disturbing impact upon domestic violence in relationships, arguing that ‘wartime constructions of masculinity shaped individual men’s behaviour on the home-front’.[35] In sum, there has not yet been a coherent city-based focus on the city of Melbourne during World War I. Judith Smart’s recent contribution to a special issue of the *La Trobe Journal*—with its particular focus on the hardening of class lines and the inflection of gender and sectarian divisions—is exemplary in suggesting that Melbourne’s response to the war was ‘mixed and complex’;[36] where Smart draws primarily on newspaper reports, this article takes a municipal archive as its raw material in order to illuminate a street-level view of a mass phenomenon.

A city-based view



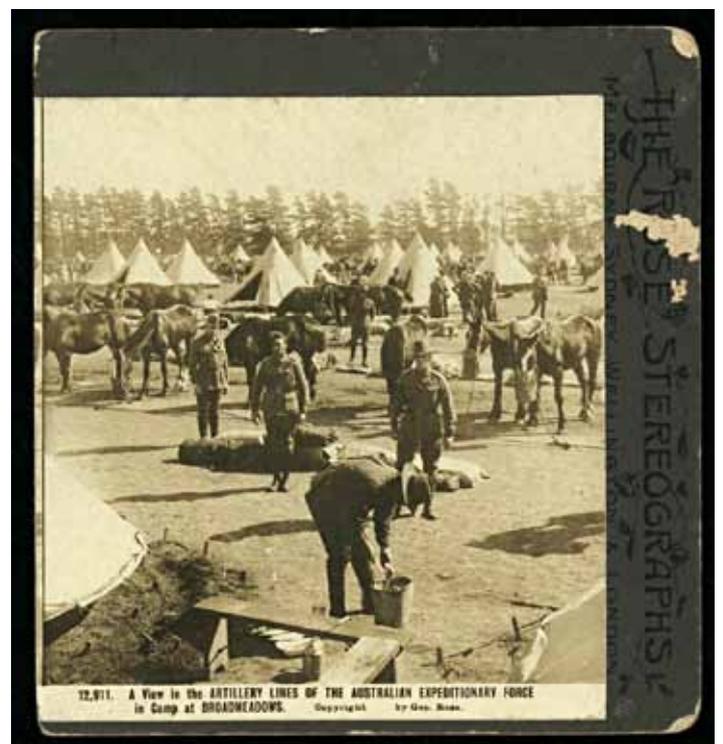
World War I recruiting meeting, MMBW employees, Melbourne Town Hall, 15 July 1915. PROV, VPRS 8609/P26, Unit 8, PN 1315.

Public life, the expression of loyalty, anti-war sentiment, the conscription debate, identification of enemy aliens, the impact of war on the economy, the effect of a wartime footing on the everyday management of the city, the visible effect of the war on council employees, and the post-war experience of returned soldiers—our understanding of many wartime processes and events can be materially enhanced through a city-based view. Many documents and letters are infused with expressions of patriotism and loyalty to Australia, Britain and the Empire.[37] David Duncan writes to the Town Clerk on 12 July 1915 that ‘certain persons ... in the Botanical Reserve, Yarra Park ... South Richmond ... play football and pitch and toss ... It seems to me callous in the highest degree on the part of these young men, who indulge on Sunday ... when possibly at the same time their fellow Victorians are fighting so nobly on our behalf in the Dardanelles.’[38] The MCC was intimately involved in numerous ways: it raised money for ambulances, encouraged enlistment, and distributed recruiting posters,[39] while the growing visibility of the military in the city as the war progressed is evident in council files through discussions of marches and other war-related activities.

Militarised areas of the city served as a constant reminder that an Empire and its people were at war. The military camps at Broadmeadows, Royal Park and the Kensington Show Grounds became features of the landscape for the duration of the conflict. For civilians, prescriptions under various defence Acts meant that areas of their neighbourhoods were already used for military purposes before the outbreak of war. There is a significant amount of research on the militarisation of civilians in Australia—particularly of schoolboys—and the prevailing ideologies that motivated it.[40] The way in which these ideologies were performed in the urban environment is more of interest in the context of this article.

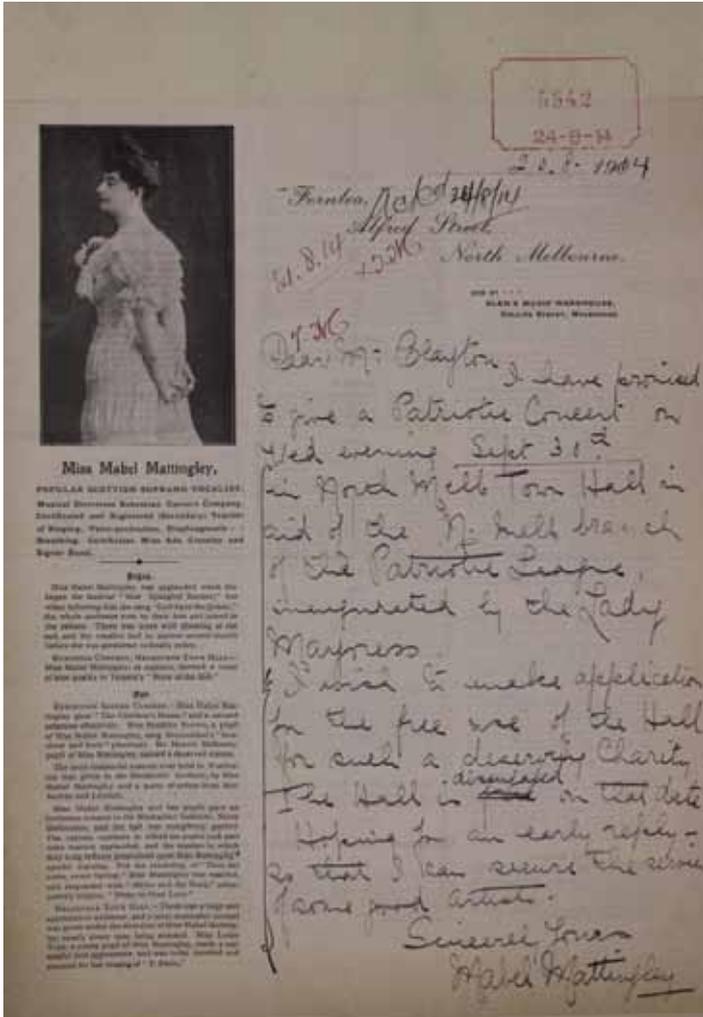
From 1909 all males were required to attend military drill, even during peacetime. This policy severely disadvantaged working-class men who were required to drill during their leisure time, while private school boys were able to fill their requirements as a part of their schooling. Under the Defence Act 1910 there were 27,749 prosecutions of young men not attending compulsory drill.[41] These drills occurred in designated areas mostly very central to the city of Melbourne. A map found in the collection is marked with the designated training areas and shows that Port Melbourne was the furthest site west

and Box Hill the furthest east, going northwards there was no site past Carlton North. For working-class school children these designated areas of drill would have been the places of their forced and performed engagement in the conflict, reminding them of their roles as male citizens of the nation and of their responsibility to defend it when called upon.



George Rose, A view in the artillery lines of the Australian Expeditionary Force in camp at Broadmeadows, 1914. State Library Victoria, H86.98/216.

Public life in Melbourne during the war was overwhelmed by gatherings and entertainments in urban spaces both on a large and small scale. The city streets, halls, parks and other public spaces were constantly in use for events related to the war, for fundraising concerts, patriotic displays, compassionate work, enlistment drives, troops marching to war, and early Anzac Day remembrances and celebratory events at the end of the war. Public celebrations, demonstrations, gatherings, and entertainments of all sorts were a regular occurrence in the city of Melbourne prior to the war. But the war did not bring them to a halt as perhaps might be expected; rather, they were reframed into public expressions appropriate to the experience of the times and into appropriate activities that were resonant with nationalistic and imperial fervour.



Letter regarding a Patriotic Concert featuring Mabel Mattingly, 20 August 1914. PROV, VPRS 3183/P1, Unit 199, Item 5342.

In the first few weeks and months of the war, public events and private entertainments were abandoned due to the outbreak of the conflict. On 7 August 1914, the concert by Mischa Elman was cancelled on account of the war and in order for the Town Hall to be made available for patriotic purposes, while on 13 August a parade organised by the Imperial Boy Scouts to commemorate the anniversary of the departure of explorers Burke and Wills was cancelled. [42] However, on 4 August, Mrs MC Braddy, Honourable Secretary of the Fitzroy Patriotic Committee, requested permission to hold a band performance in Fitzroy Gardens on 23 August for the Lady Mayoress's Patriotic League Fund.[43] On Friday 11 August a lecture was held by Dr Rosenhain on 'The making of a big gun' in the Town Hall,

with proceeds going to the Patriotic Fund and the Red Cross Fund. Mrs J Graham wrote requesting the use of Kensington Town Hall for a Euchre party in aid of the Patriotic Fund on 12 September.

Dozens of events are recorded, run by a diversity of groups and individuals, as permission was sought to use council properties for these purposes. Council policies encouraged the undertaking of and participation in such events, by providing refunds for the hiring costs or electric light charges[44] of municipal properties, such as town halls and park bandstands, as long as they were used for patriotic purposes and provided the balance sheets for the expenditure and income to the council upon completion of the event.[45] Later, this seems to have been restricted to the condition that the proceeds were given to the Lord Mayor or Mayoress's Patriotic Funds— at least by the beginning of August 1916, when the Field Naturalist's Club of Victoria was refused free use of the Melbourne Town Hall for a flower show on behalf of the YMCA soldiers' comfort funds, unless the whole proceeds were given to the Lord Mayor's Patriotic Fund.[46] As Smart has noted, Melbourne's conservatives regarded compulsory military service as a civil duty rather than an infringement of civil liberty, and in the grip of the conscription debate in 1917, the City of Melbourne refused permission for anti-conscriptionists to use the Town Hall for meetings.[47] 'They could not countenance', remarks Graeme Tucker, 'the views of peace activists, unionists, socialists, and others who disagreed with the War and with conscription'.[48]



Swallow & Ariell Patriotic Sewing Bee c. 1916. Swallow & Ariell Pty Ltd Collection 1961.0035, University of Melbourne Archives BWP/23162.

Organisations large and small, such as the Australian Red Cross and the Belgian Relief Fund, received support through these events. The year 1915 saw such a flood of such occasions, that towards the end of the year, some event organisers decided not to proceed due to the probable lack of attendance because so many events were being held. The importance of patriotic work within the daily life of the city is clearly evident and reflects the fact that around 10,000 groups were formed for patriotic purposes during the war throughout Australia, some of which used entertainments to raise money for various causes, including refugees and soldiers' comfort funds. [49]

The outbreak of war had a consuming effect upon the social lives and activities of Melburnians. Some people expected that the outbreak of war would trigger community and national engagement. Attention to the war effort in some cases deflated the vitality of existing social activity. Enthusiasm for dancing and extravagant balls was one notable area where attitudes around socialising collided with war-mindedness. After an inability to sell tickets, one organiser of a masquerade ball unsuccessfully made a case for a refund of the use of the Kensington Town Hall. 'The public seem to have abandoned all interest in dancing', proclaimed WJ Mahon, the secretary of the Fortune Hunters Club. He made note of the wider social context, citing the fact that 'many other clubs are giving up the idea of holding their assemblies, and balls, knowing how hard it is to make things a success on account of the war'. [50] This more sombre approach is in direct contrast to other social groups who were increasing their activities. Retired military man, Frank Roy Morton, organised a ball for 23 September, inspired by the 'great patriotic feeling throughout Melbourne and suburbs'. [51] Reactions varied on a more local scale within communities that had different expectations as to what they could gain or lose from the war. Within such different social or class groups—or 'emotional communities' as Rosenwein would characterise them—there were different assessments of public sentiment; [52] it is simplistic to describe the reactions of people even within groups who supported the cause of the war as 'enthusiasm' or 'patriotism'. [53]

One of the more commonly adopted methods of expression directly related to the war can be observed in the performances of marches through the city streets. Performance and entertainment were central elements

that helped draw crowds and raise money. While the broadly perceived message of participants in many of these processions was the expression of loyalty and patriotism, there were often other intended and unintended signals on display. Letting the public know who was behind the patriotic marches was a key element. 'Help make our Scotch pageantry a success', pleaded WS Lechie of the Victorian Scottish Union when asking for a permit for a march of one hundred soldiers led by a pipe band. [54] Celebrations of Scottish culture and music were already an established tradition in Victoria by this time, and an upsurge in Scottish immigration in the period 1906–1914 boosted such cultural activity and engagement. [55] Lechie's letter is one of many examples in the Town Clerk's records of the intention of a community to express themselves through an active gesture. In these letters, there is a planned linguistic expression that initiates an outward performance displayed before a wider public audience. The Scottish Union ultimately wanted to show its value to the Empire, but its separate ethnic identity was attributed as the reason for its loyalty and virtue. The Scottish Union displayed pride in the ethnicity of its members by supporting the British Empire in sending their sons to fight for a newly-formed army of a Dominion nation. It is therefore problematic to describe this as a purely patriotic expression, as there are multiple conceptions of identity being paraded.

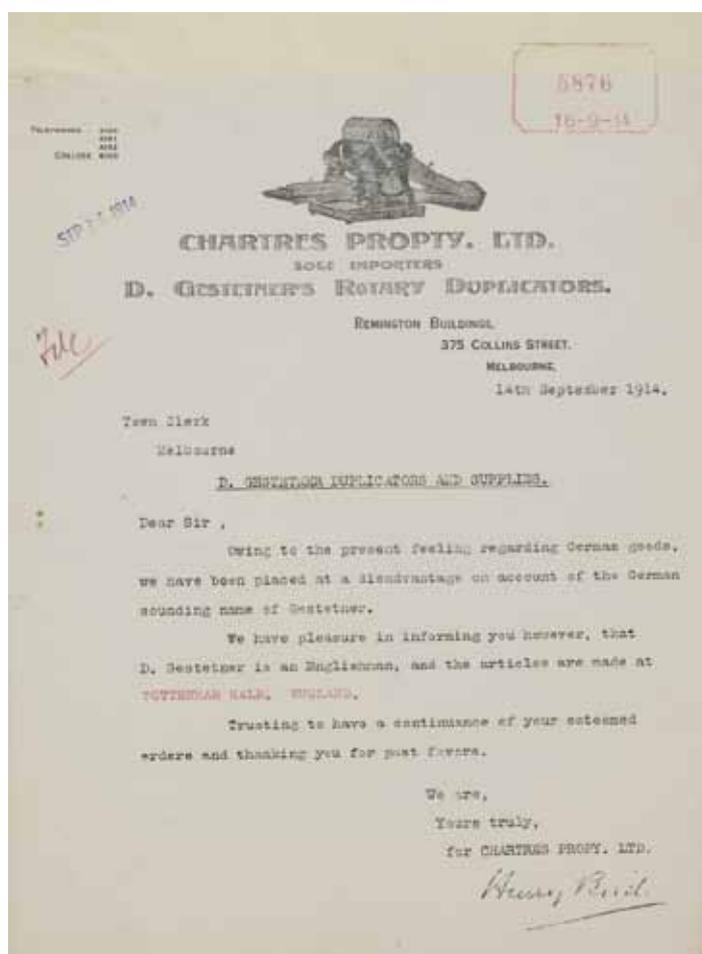
There were different expectations in Melbourne of how citizens should participate in the war that was occurring in Europe. Young men were at least expected to try to enlist as a soldier, and if they could not, the onus was often placed on them to explain why. Reasons for dismissal from military service are littered throughout the hundreds of job applications presented to the council during the war. [56] The roles of war were far less obvious and rehearsed for women, school children and non-military aged men. Particular groups and individuals took up roles of authority to inspire fortitude in their communities during uncertain times. They focused on how they could use their influence to contribute to the war or protect their people and interests from it. Private corporations, for example, often disguised their public relations efforts in patriotic displays. The MCC as a municipal authority was also expected to participate as a patriotic mobiliser. It was eager and at times pressured to use its already established authority to support initiatives such as recruitment and fundraising. It was incumbent on

the council to keep in balance the realities of local governance with some of the anxieties of those who felt that civilian wartime efforts were inadequate.

Correspondence reveals that individual loyalties—particularly of those with German-sounding names—were frequently questioned. The Recruiting Committee requested information from the MCC as to the loyalty of Ernest John Hirt, possibly due to his German-sounding name, and Frederick William Diergarten, Australian-born of German descent through his father.[57] Individuals dealing with the council were often careful to mention their ancestry—if they were German, they might state how long they or their families had been in Australia. The exclusion of German influence in economic cooperation was also implemented at all levels of government. The exuberance with which the MCC cut German ties caused confusion between companies and local and federal governments. The council cut ties with Siemens Brothers Dynamo Limited because of suspicion that the company paid dividends to enemy shareholders. The company petitioned that such a decision would hurt the 60 employees it had in Australia and the 7,000 it had in Great Britain and her other dominions. Trade and industry were geared to benefit the British Empire as an economic unit as is evident in this appeal.[58] The case was made that the dividends in question would be put into a British trust fund. To clarify this, a letter of assurance was presented to the MCC from Lord Kitchener, who was insistent on increasing war production.[59] The federal and British governments were glad that the MCC were taking seriously the German threat within, but not at the expense of compromising the production needs of the Empire to directly fight Germany and its allies outwardly.

While the MCC received orders to slow its pursuit of shutting down suspect businesses in Australia, it was also being simultaneously pressured by smaller municipal councils to do more to oppress German–Australians. John Lack has described how smaller town councils in Melbourne competed and lobbied to express their patriotic efforts.[60] The Shire of Wannon successfully lobbied the MCC to use its influence over the Victorian Government to ‘secure the disenfranchisement of all enemy aliens resident in Victoria, whether naturalised or not’.[61] There were more intense calls for disenfranchisement from the press, particularly the Graphic of Australia, which sent a letter on 21 July 1916, expecting the MCC to take action to influence the removal

of anyone with a German name from representative positions: ‘The German element should be entirely eliminated from our public life’, demanded the newspaper. [62] Their editorial ‘elimination campaign’ assisted in this process by publishing the names of Germans in elected positions on their front page.[63]

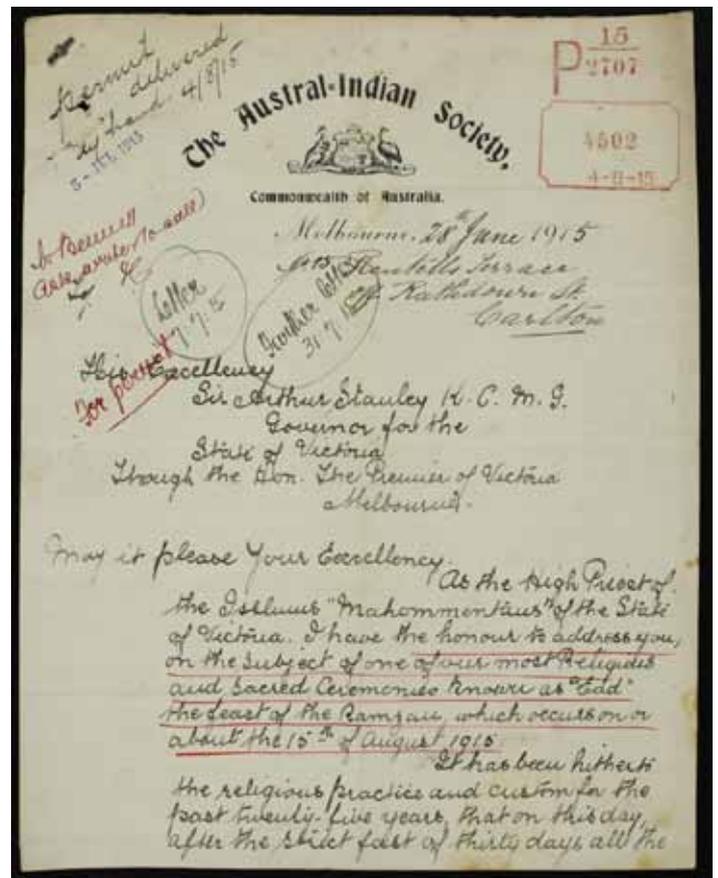


Letter from Chartres Pty Ltd, 14 September 1914. PROV, VPRS 3183/P1, Unit 200, Item 5876.

Economic and bureaucratic discrimination became tools for eager citizens and officials to accentuate their role in the home front experience and to ‘feel that they were participating in an event imbued with grandeur’, argues Fischer.[64] Victims of this type of vitriol appealed in vain to the MCC for any form of protection. In September 1914, Chartres Pty Ltd, importers of D Gestetner’s Rotary Duplicators wrote to the Town Clerk, worried about the company’s economic disadvantage because of its German-sounding name.[65] Perception of Germanic

association was poison to a private company's brand. The C & G Rubber Company, whose offices were in Collins Street, wrote a letter to its customers claiming that 'rumours' of Germanic association had led to the 'seizure of our goods, arrest of our officials, the closing of our business'. The letter was a last ditch performance of public relations in order to fend off ruin by displaying the company's loyalty to the Empire. Such messages did not convince the press. The Age attacked the letters for being effective in deceiving customers of the company's intentions to trade with Germany whose purpose was to 'crush and humiliate the British race'. The Town Clerk read this article passively, concerned not with the treatment of the company but the article's false accusation that the MCC used the company's tyres.[66] Section 5 of the War Precautions Act 1914 had introduced prohibitions and controls on enemy aliens, and anti-Germanic sentiment became a central component of the performance of loyalty. While discrimination was enacted from the top down from the Federal Government, the ability to deny prosperity and enforce exclusion in communities across the nation was a power that local governments were expected to enforce.

In some cases, the patriotic cleansing was not immediate. It took until the very end of 1915 for the closing of the Turkish Baths on Swanston Street, with the consequent loss of several local jobs. Initially the closure seemed inconsequential to the MCC on the basis of patriotic principle, although it did mean that certain vulnerable individuals such as one 16-year-old boy who had lost the ends of his fingers needed to find an alternative form of employment.[67] Here was another example of prioritising patriotism even if it went against economic and social pragmatism. Robert Wuchatsch has concluded that patriotic fervour, emotional stress caused by the loss of a relative, and individuals seeking personal financial or political gain, were the three main features of letters of complaint against Germans in Australia.[68] The Town Clerk's correspondence is full of examples of this language and influence in action, and provides evidence as to how groups and individuals on the home front could feel a part of the wider conflict by attacking their isolated enemies armed with just a pen and paper.



Pages of letter from the Austral Indian Society to Governor of Victoria regarding Eid celebrations, 28 June 1915. PROV, VPRS 3183/P1, Unit 241, Item 4502.

15
4502 P 2707

Indians of the Muslim Faith have a procession through the streets of Melbourne carrying the Islamic flag.
 Flag of Red with the star and Crescent and the words "Allah Allah, Mahammed Rasool"
 ("God and Only One God, Mahammed his Prophet")
 But at this most unfortunate time of War and though our brethren of India all Britishers are fighting with the Allies side by side at the front and against the Turks - the populace of Melbourne may think it is the Turkish flag, and may thus be excited. It is not a Turkish flag, but a flag of the Islamic Faith just as the Irish flag which is always displayed on St. Patrick's Day Celebrations.

I humbly beg on behalf of myself and co-religionists of Melbourne to ask permission of Your Excellency to use our Religious flag together with the British & Australian flags to mark our great sense of Loyalty and to request for Police Protection. I may add that instead of the flag being red I shall have them green -

I humbly beg to point out that it would be against the British principals to have our Religious Festival interfered with in a

4502
2-2-15

British Country, and I am sure the same privileges will be afforded and allowed our co-religionists on the occasion all over India
 Humbly praying for your excellency's pardon for addressing you
 I have the honor to be
 Your excellencies most Obedient and Loyal Subject
 Saïd Jellane, Shah, Priest
 President

The correspondence files also reveal other complex expressions of loyalty by those of different ethnicities. The Austral-Indian Society sought permission to march for the annual Islamic religious procession for Eid, the end of Ramadan. Asserting that 'at this most unfortunate time of War and though our brethren of India all Britishers are fighting with the Allies, side by side at the Front and against the Turks', the society noted that while it usually marched under the flag of Islam, it was worried it may be mistaken for the Turkish flag. It consequently suggested marching with both the Islam flag (changed from red to green) and the Australian and British flags 'to mark our great sense of Loyalty and to request for Police Protection ... it would be against British principals [sic] to have our Religious Festival interfered with in a British Country:[69]

Broader effects of the war can be read in correspondence mentioning the ways in which the economy was suffering from a downturn caused by both war and drought, and shopkeepers requested rate reductions in council-owned buildings due to the downturn in trade.

This came after a period of buoyancy increased manufacturing and urban growth during the long recovery from the 1890s depression.[70] The running of the MCC itself was affected in myriad ways. Council employees soon requested leave to go to war, at first 'for some time', or 'until the war ends'. Many temporary jobs were thus created, and many correspondence records refer to rolling backfills and other employment-related affairs. Preference was given to those who were not eligible for service or who were returned soldiers. The need to mention the war was keenly felt in these applications (job advertisements required that they must not be eligible). Many state that they have been rejected or that they are not eligible, some say that they need to support their families, others detail their family members in the conflict.[71]

On 21 September 1914 the Legislative Committee decided that the MCC should pay employees who enlisted the difference between their service wages and the wages that they received when on service, and the council was required to keep their positions for them.[72] A review on 26 August 1916, however, determined that only men who had been employed with the council for six months should receive this benefit.

Conclusion

On 6 November 1918 the Lord Mayor of Melbourne assembled a meeting of citizens to celebrate the capitulation of the Ottoman and Austrian Empires. The German army was still intact, but Acting Prime Minister William Watt declared to the crowd that the 'coming overthrow' of Germany was only 'a question of time'.^[73] Such certainty was exhilarating to the crowd in such unstable times. The armistice would come five days later, leaving the people of Melbourne to the task of the recovery of their own communities. They faced many problems, including a shortage of housing and the prospect of reintegrating soldiers back to work and health in a stagnated economy. There were many destructive elements of the war, including the conscription debates; one of the most damaging on the home front was the capacity of people to get along with each other in such trying circumstances. The war undoubtedly impacted upon people's lives, but the ways in which people believed they should act during such times equally shaped their behaviours and relationships.

The public spaces of Melbourne became an important and contested canvas of social and emotional expression throughout the war. This article has highlighted a number of ways in which the war years can be seen less as a homogenous period in the city's history, and more of a stage where manifestations of interest, loyalty, engagement and fear, ebbed and flowed as a consequence of the interaction between local, national and international forces and events. At times there were palpable tensions between the city being en fête for war causes, and a wartime morality that influenced those activities that were acceptable and those that were not. During the early stages of the war, social activity was tied into the mobilisation of patriotic efforts. The MCC was happy to foster this desire to contribute, as it reflected well upon the corporation as an entity under scrutiny

itself, and to lead a city and culture that could be seen, despite obvious anti-war sentiment in some quarters, to be whole-heartedly contributing to the Empire's war. When tensions surfaced among the population, performances of authority and control became a prominent method of brandishing a consensus among a divided public. The war and its pressures also forced many people to defend their emotional and political identities as citizens through a proliferation of expressive performances. The municipal records of the City of Melbourne enable a fine grained analysis of changing standards and adaptations of behaviour that are not easily reducible to simplistic labels of enthusiasm, patriotism or moral purpose. 'In wartime', Winter challenges, 'identities on all levels—that of the individual, the quartier, the city, the nation—always overlapped'.^[74]

The impact of the Great War at home has been a subject of increasing interest to scholars, particularly its impact on individual lives and communities. From public exhibitions to PhD theses, from websites to scholarly books, much of the output generated in commemoration of the 100th anniversary of World War I has engaged to some extent with the effect of the conflict on those outside the sphere of battle. For those living in Australia, thousands of miles from Europe, the war may have been physically removed but was nevertheless conceptually as tangible as if they were near the front. The archives of the City of Melbourne collection from 1914 to 1918 provide a rich source of these interactions.

The project has now digitised the documents relating to the war within the Town Clerks Correspondence with plans to make them available online under the title of *The everyday war*.^[75] Through this medium, the collection will prove a further valuable resource for students, researchers and members of the public, with the continuing interest in World War I over the next two years and beyond. The material is already demonstrating synergies with and can add potentially valuable material to a number of projects already initiated—such as the collaboration between University of Melbourne, University of Queensland and volunteer researchers, *Diggers to veterans: risk, resilience & recovery in the First AIF*,^[76] as well as PROV's own Soldier Settlers research project and exhibition.^[77] Likewise, with the many individual names mentioned in these records—from council workers to government officials, from business owners to everyday citizens—the collection should prove

of enormous value to family history researchers who wish to know more about their specific family members and to connect these private individuals mentioned in the documents to the broader public life of the city.

Acknowledgement

The authors would like to thank the anonymous referees for their helpful comments on the manuscript.

Endnotes

[1] PROV, VPRS 3183/P1, Unit 196, Item 4779.

[2] PROV, VPRS 3183/P1, Unit 197, Item 4997.

[3] PROV, VPRS 3183/P1, Unit 308, Item 202.

[4] Other files relating to Wardrop's pre-enlistment military duty (in 1914), his enlistment and departure for war, and the efforts to replace him (in 1915) can be found in the collection: PROV, VPRS 3183/P1, Unit 203, Item 6027; PROV, VPRS 3183/P1, Unit 208, Item 7029; PROV, VPRS 3183/P1, Unit 244, Item 4898.

[5] The project was undertaken with a small research grant from the Faculty of Arts at the University of Melbourne, which enabled analyses and digitisation of relevant files from 1914 to 1918, from two parts of the PROV series VPRS 3183.

[6] There are subject indexes to the Town Clerk's Correspondence Series—PROV, VPRS 8904/P1—but they have never been systematically indexed by recording metadata regarding the senders, recipients and subjects of each individual file of material.

[7] *eMelbourne: the city past & present*, available at <<http://www.emelbourne.net.au>>, accessed 16 March 2016. eMelbourne is the ongoing online iteration of Andrew Brown-May and Shurlee Swain (eds), *The encyclopedia of Melbourne*, Cambridge University Press, Melbourne, 2005.

[8] The project was partly inspired by and begun in loose conjunction with the University of Birmingham's World War One Engagement Centre, Voices of War and Peace, led by Ian Grosvenor, *Voices of war and peace*, available at <<http://www.voicesofwarandpeace.org>>, accessed 20 March 2016. Public Record Office Victoria provided a space and equipment to digitise the material. Our thanks to Daniel Wilksch, Coordinator, Digital Projects at PROV, who was instrumental in assisting with space and equipment onsite at the Victorian Archives Centre in order for the project to be undertaken. Thanks also to Helen Morgan, who was instrumental in getting the project online, at the University of Melbourne eScholarship Research Centre, available at <<http://www.esrc.unimelb.edu.au/>>, accessed 20 March 2016.

[9] Jay Winter, 'The practices of metropolitan life in wartime', in Jay Winter & Jean-Louis Robert (eds), *Capital cities at war: Paris, London, Berlin, 1914–1919*, vol. 2, Cambridge University Press, Cambridge, 2007, p. 1.

[10] Andrew Brown-May, *Melbourne street life: the itinerary of our days*, Australian Scholarly Publishing, Kew, 1998; Andrew May & Susan Reidy, 'Town planning crusaders: urban reform in Melbourne during the progressive era', in Robert Freestone (ed.), *Cities, citizens and environmental reform: histories of Australian town planning associations*, Sydney University Press, Sydney, 2009, pp. 89–118; Andrew Brown-May & Peg Fraser, 'Gender, respectability, and public convenience in Melbourne, Australia, 1859–1902', in Olga Gershenson & Barbara Penner (eds), *Ladies and gents: public toilets and gender*, Temple University Press, Philadelphia, 2009, pp. 75–89.

[11] Simon Purtell, 'A "souvenir of my deep interest in your future achievements": The "Melba gift" and issues of performing pitch in early 20th-Century Melbourne', *Grainger Studies: An Interdisciplinary Journal*, vol. 1, 2011, pp. 75–95; Peter Cochrane, *Simpson and the donkey: the making of a legend*, anniversary edition, Melbourne University Press, Carlton, 2013; Christina Dyson, *Cultural and historical significance of Royal Park*, report prepared for the City of Melbourne, September 2013.

[12] PROV Wiki, available at <http://www.wiki.prov.vic.gov.au/index.php/PROV_Wiki_-_Home>, accessed 21 March 2016; eMelbourne.

[13] *Paper city*, City Gallery, Town Hall Melbourne, 14 July–31 October 2011.

[14] PROV, VPRS 3183/P0, Unit 132, Defence Department letters; PROV, VPRS 3183/P0, Units 133–134, including: *Stead's review* (Melbourne), various issues (1917); *Life Magazine* (Melbourne), various issues (1916–1919); Helen Pearl Adam, *International cartoons of the war*, E P Dutton & Co., New York, 1916; Louis Raemaekers, Raemaeker's cartoons, Hodder & Stoughton, London, 1916; Ambrose Pratt, 'Why should we fight for England?'; *Australian Industrial and Mining Standard* (Melbourne, 1917). On Norman Lindsay's posters see Jelena Gvozdic, 'The legacy of wartime propaganda', Parts 1 and 2, Public Record Office Victoria Blog, available at <<https://www.prov.vic.gov.au/about-us/our-blog/legacy-wartime-propaganda-part-1>> and <<https://www.prov.vic.gov.au/about-us/our-blog/legacy-wartime-propaganda-part-2>>, accessed 8 March 2017.

[15] Curious was the absence, in 1917 and 1918, of numerous physical files. Although the numbering on extant files shows that they originally existed, there are a large number that have not been retained for those years, files relating to particular aspects of the council's operation had been removed at some point significantly affecting our ability to analyse the material. These include very little correspondence from the Defence Department and Federal Government, job applications, prosecutions in breach of legislation and none relating to noxious trade licences, factory applications, applications for places of entertainment, suitability for the production of foodstuffs, registration of private hospitals and other types, which all reappear in 1919.

[16] WK Hancock, *Australia*, The Jacaranda Press, London, 1930.

[17] Ernest Scott, *The official history of Australia in the war of 1914–1918*, Vol. XI: Australia during the war, Angus & Robertson, Sydney, 1936.

[18] Michael McKernan, *The Australian people and the Great War*, Nelson, Melbourne, 1980, p. 10.

[19] Bill Gammage, *The broken years: Australians in the Great War*, Penguin, Melbourne, 1974; Martin Crotty & Christina Spittel, 'The one day of the year and all that: Anzac between history and memory', *Australian Journal of Politics and History*, vol. 1, 2012, p. 126.

[20] James Bennett, 'Breaking out of the nationalistic paradigm: international screen texts on the 1915 Gallipoli campaign', *Continuum*, vol. 28, no. 5, 2014, p. 642.

[21] Christina Twomey, 'Trauma and the reinvention of Anzac: an argument', *History Australia*, vol. 10, no. 3, 2013, pp. 85–108.

[22] Frank Bongiorno & Grant Mansfield, 'Whose war was it anyway? Some Australian historians and the Great War', *History Compass*, vol. 6, no. 1, 2009, pp. 62–69.

[23] Andrew Bonnell & Martin Crotty, 'Australia's history under Howard, 1996–2007', *Annals of the American Academy of Political and Social Sciences*, vol. 617, 2008, pp. 149–165.

[24] Phillip Payton, *Australia in the Great War*, Robert Hale Ltd, London, 2015.

[25] Joan Beaumont, "'Unitedly we have fought": imperial loyalty and the Australian war effort', *International Affairs*, vol. 90, no. 2, 2014, p. 399; Joan Beaumont (ed.), 'Introduction', in *Australia's war 1914–18*, Allen & Unwin, Sydney, p. 995.

[26] Pierre-Yves Saunier, 'Introduction', in Pierre-Yves Saunier & Shane Ewen (eds), *Another global city: historical explorations into the transnational municipal movement, 1850–2000*, Palgrave MacMillan, New York, 2008, pp. 1–18. Brown-May's chapter in the book is particularly relevant, as it demonstrates the importance of a renewed and localised focus on the impact of municipal governance: Andrew Brown-May, 'In the precincts of the global city: the transnational network of municipal affairs in Melbourne, Australia', pp. 19–34.

[27] See for example Belinda Davis, *Home fires burning: food, politics, and everyday life in World War I Berlin*, University of North Carolina Press, Chapel Hill & London, 2000; Maureen Healy, *Vienna and the fall of the Habsburg Empire: total war and everyday life in World War I*, Cambridge University Press, Cambridge, 2004.

[28] Winter & Robert, *Capital cities at war*, p. 4.

[29] Kate Darian-Smith, *On the home front: Melbourne in wartime, 1939–1945*, University of Melbourne Press, Carlton, 1990.

[30] J McQuilton, 'A Shire at war: Yackandandah 1914–1918', *Journal of the Australian War Memorial*, vol. 11, 1987, pp. 3–15; John McQuilton, *Rural Australia and the Great War: from Tarrawingee to Tangambalanga*, Melbourne University Press, Carlton, 2001. See also Raymond Evans, *Loyalty and disloyalty: social conflict on the Queensland homefront, 1914–18*, Allen & Unwin, Sydney, 1987.

[31] Michael McKernan, *Victoria at war: 1914–1918*, New South Publishing, Sydney, 2014, p. 4.

[32] Janet McCalman, 'War and Peace I', in *Struggletown: public and private life in Richmond 1900–1965*, Melbourne University Press, Carlton, 1985, pp. 89–119; John Lack, 'Footscray at war', in *A history of Footscray*, Hargreen Publishing Company, Melbourne, 1991.

[33] Peter Yule (ed.), *Carlton, a history*, Melbourne University Press, Carlton, 2004, p. xii.

[34] Maxwell N Waugh, *Soldier boys: the militarisation of Australian and New Zealand schools for World War I*, Melbourne Books, Melbourne, 2014.

[35] Elizabeth Nelson, *Homefront hostilities: the First World War and domestic violence*, Australian Scholarly Publishing, Melbourne, 2014, pp. 41–42.

[36] Judith Smart, 'A divided national capital: Melbourne in the Great War', *The La Trobe Journal*, vol. 96, 2015, p. 32.

[37] Annie Woodburn, Secretary, Women's Brigade & Battalion Depots to Town Clerk, 7 October 1916, PROV, VPRS 3183/P1, Unit 288, Item 4959: 'as our funds are depleted by the Christmas boy's comfort's fund & also that our cause is for Empire. We having made the greatest of all sacrifices, nay "it is a glorious privilege". We are asking to have the Hall free. ... Yours for King and Empire'

[38] David Duncan to the Town Clerk, 12 July 1915, PROV, VPRS 3183/P1, Unit 258, Item 6.

[39] Military Registrar Melbourne Sub District 44 to the Deputy Town Clerk, 1 October 1916, PROV, VPRS 3183/P1, Unit 287, Item 4737.

[40] Thomas W Tanner, *Compulsory citizen soldiers*, Alternative Publishing Co-Operative Limited, Waterloo, 1980; John Barrett, *Falling in: Australians and 'boy conscription' 1911–1915*, Hale & Iremonger, Sydney, 1979, pp. 2–4.

[41] Waugh, *Soldier boys*, p. 95.

[42] A Jerome to Town Clerk, 7 August 1914, PROV, VPRS 3183/P1, Unit 198, Item 5048; Hon. Secretary Imperial Boy Scouts to Town Clerk, 13 August 1914, PROV, VPRS 3183/P1, Unit 198, Item 5152.

[43] PROV, VPRS 3183/P1, Unit 198, Item 5223; VPRS 3183/P1, Unit 198, Item 5228; VPRS 3183/P1, Unit 199, Item 5262.

[44] For example PROV, VPRS 3183/P1, Unit 291, Item 5406: when the Police Charity Carnival requested that the account for electric light supplied be withdrawn as proceeds were to be given to Hospital Saturday (to raise money for local hospitals), the City Electrical Engineer replied that 'it is not the practice for the Department to make concessions except for lighting for Patriotic purposes'

[45] PROV, VPRS 3183 P/1, Unit 269, Item 1979.

[46] Town Clerk to Honourable Secretary, The Field Naturalists' Club of Victoria, 3 August 1916, PROV, VPRS 3183/P1, Unit 291, Item 5591; The Town Clerk to Secretary, Ball & Welch Pty. Ltd., 8 December 1916, PROV, VPRS 3183/P1, Unit 291, Item 5614.

[47] Judith Smart, 'A divided national capital: Melbourne in the Great War', *The La Trobe Journal*, vol. 96, 2015, pp. 49, 53.

[48] Graeme Tucker, 'The Melbourne Town Hall: the City's meeting place?', in Graeme Davison & Andrew May (eds), *Melbourne centre stage: the Corporation of Melbourne 1842–1992*, special issue of *Victorian Historical Journal*, vol. 63, nos 2 & 3, 1992, p. 40.

[49] Peter Stanley, 'Society', in John Connor, Peter Stanley & Peter Yule, *The war at home, Volume IV: The centenary history of Australia and the Great War*, Oxford University Press, Melbourne, 2015, pp. 165–169.

[50] PROV, VPRS 3183/P1, Unit 201, Item 5672.

[51] PROV, VPRS 3183/P1, Unit 200, Item 5525, p. 2.

[52] Barbara Rosenwein, 'Review essay: Worrying about emotions in history', *American Historical Review*, vol. 107, 2002, p. 842.

[53] Alida Green argues that urbanisation and the outbreak of war created a vibrant ballroom dancing culture in South Africa. Alida Green, 'The Great War and a new dance beat: opening the South African dance floor', *Historia*, vol. 60, no. 1, 2015, pp. 60–74.

[54] PROV, VPRS 3183/P1, Unit 200, Item 5528.

[55] Malcolm D Prentis, *The Scots in Australia*, University of New South Wales Press, Sydney, 2008, pp. 147, 198, 210; Susan Cowan, 'Contributing Caledonian culture: a legacy of the Scottish diaspora', *Journal of Australian Studies*, vol. 76, 2003, pp. 87–95.

[56] PROV, VPRS 3183/P1, Unit 264, Item 1138, p. 4; Nelson, Homefront hostilities.

[57] Lieutenant, OC Recruiting Depot, Town Hall to Town Clerk, 13 November 1916, PROV, VPRS 3183/P1, Unit 291, Item 5493; O.C. Recruiting Depot, Town Hall to Town Clerk, 27 November 1916, PROV, VPRS 3183/P1, Unit 293, Item 5725.

[58] For further reading on the globalised economic system of the British Empire during this time, see Mark Brayshay, Mark Cleary & John Selwood, 'Interlocking directorships and trans-national linkages within the British Empire, 1900–1930', *Area*, vol. 37, no. 2, 2005, pp. 209–222.

[59] PROV, VPRS 3183/P1, Unit 218, Item 712, pp. 1, 17; Thomas W Tanner, 'Lord Kitchener and the consolidation of compulsion' in *Compulsory citizen soldiers*, Alternative Publishing Co-Operative Limited, Waterloo, 1980, pp. 163–178.

[60] Lack, *A History of Footscray*, p. 213.

[61] PROV, VPRS 3183/P1, Unit 288, Item 4176.

[62] PROV, VPRS 3183/P1, Unit 279, Item 3624, p. 4.

[63] 'Huns in public life: Graphic's elimination campaign', *Graphic of Australia*, 25 August, 1916. p. 14.

[64] Gerhard Fischer, 'Fighting the war at home', *The enemy at home: German internees in World War I Australia*, University of New South Wales Press, Sydney, 2011, pp. 18–22.

[65] PROV, VPRS 3183/P1, Unit 200, Item 5876, p. 2.

[66] PROV, VPRS 3183/P1, Unit 207, Item 6771.

[67] PROV, VPRS 3183/P1, Unit 258, Item 65, p. 2.

[68] Robert Wuchatsch, *Wesgarthtown: the German settlement at Thomastown*, Robert Wuchatsch, Melbourne, 1985.

[69] PROV, VPRS 3183/P1, Unit 241, Item 4502.

[70] Henry F Dunne & C Mitscherlich to Town Clerk, 11 August 1914, PROV, VPRS 3183/P1, Unit 198, Item 5080. Dunne, who had shops in the Eastern Market asked, 'In view of the slackness and uncertain state of trade occasioned by the present war and the serious depression which will follow, we ... would take it as a gracious and patriotic act if your committee would hold in abeyance the proposed increase of rent ...'; M Healey to Town Clerk, 25 August 1914, PROV, VPRS 3183/P1, Unit 199, Item 5410, Healey asks for his Victoria Market shop rent to not be raised until the war has ended due to slackness in trade.

[71] Applications for position to the Chairman of the Public Works Committee, 12–16 October 1916, PROV, VPRS 3183/P1, Unit 289, Item 5108. In the applications for a temporary position as architectural draftsman in the City Engineer's Office to replace the draftsman who is on active service, 'preference [was] given to returned soldiers, married men with families, men over military age and those unfit for military service.'

[72] Clerk of Disbursements to Town Clerk, 24 January 1917, PROV, VPRS 3183/P1, Unit 295, Item 6014; Clerk of Disbursements to Town Clerk, 18 October 1916, PROV, VPRS 3183/P1, Unit 289, Item 5026. This did not include men called up for service by proclamation.

[73] PROV, VPRS 3183/P1, Unit 307, Item 4930, p. 13; 'The dawn of peace', *Age*, 7 November 1918.

[74] Jay Winter, 'The practices of metropolitan life in wartime', in Winter & Robert (eds), *Capital cities at war*, p. 3.

[75] University of Melbourne, *The everyday war: World War 1 and the City of Melbourne* available at <http://www.emelbourne.net.au/everydaywar/> accessed 30 March 2017.

[76] *Diggers to veterans: a history*, Facebook page, available at <<https://www.facebook.com/groups/DiggersToVeterans/>>, accessed 21 March 2016.

[77] PROV, *Battle to farm: WWI soldier settlement records in Victoria*, available at <<http://soldiersettlement.prov.vic.gov.au/>>, accessed 28 April 2016; *Soldier on: WW1 soldier settler stories*, exhibition at Old Treasury Building, 9 November 2015 to 15 August 2016.

Quarry and stone research methods

Looking for holes in history

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Susan Walter originally qualified as an Agricultural Scientist, and worked in the fields of Quality Assurance and Technical Management in horticulture and organic waste-management. After researching and writing up family history as a hobby, this expanded into an interest in local history through a desire to know more about her home landscape. This involved joining Malmsbury Historical Society, 86 km north-west of Melbourne, in 2002 and later taking on the challenge of managing their research services in 2006. After researching and writing local Malmsbury history on a voluntary basis, she is currently combining her passions for natural landscapes, landuse history and science in a PhD thesis at Federation University Australia entitled 'Malmsbury Bluestone and Quarries: Finding Holes in History and Heritage'.

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Abstract

Quarries, quarrying and stone use in Victoria were an essential part of Victoria's development and built heritage, but are infrequently considered in historical works. The formation in 2012 of the Heritage Stone Task Group, which will oversee the international recognition of Global Heritage Stone Resources, has the potential to reverse this situation, with nominations for Sydney sandstone and Victorian bluestone already underway. Reasons for researching the subject of building stone can also include analyses of historic landscapes, impact of former land disturbance on current state and local planning issues, an interest in local or family history where quarrying and stone use feature strongly, or heritage issues relating to restoration works. The histories of many of Australia's iconic, and less well-known building stones, are however poorly documented. Many quarries were on private land and mining law did not generally cover quarrying activity until well into the twentieth century, making such records scarce. Quarries on public land can be explored and researched via public records accessed through the Public Record Office Victoria catalogue and the Victoria Government Gazette. Public records can also reveal quarrying on private land that might otherwise go unrecorded. This paper examines the means by which the history of stone and stone quarries in Victoria can be researched through public archives. By contributing to the understanding of landscape history, building stone heritage and land history research methods, it demonstrates that there is a wealth of knowledge to be gained from examining quarrying history, and assisting the global recognition of our local stones.

The first details of a proposed Global Heritage Stone Resource (GHSR) designation that would recognise 'natural stone resources that have achieved widespread utilisation in human culture' were made public in 2008. [1] Since then, the concept has been officially accepted by the International Union of Geological Sciences and the International Association for Engineering Geology and the Environment. The formation of the Heritage Stone Task Group (HSTG) and its approved management scheme followed in 2012; its function being 'to accommodate the proposal and to endorse international procedures that formally recognise the GHSR designation'. In 2015 a nomination for Portland stone from Dorset, England was accepted, with a nomination for Sydney sandstone being one of several others currently being considered.[2] Work to nominate Victorian bluestone is being undertaken by the author.

While nominations must include both scientific and historical information on the stone, in addition to its sources and uses, there is a noticeable dearth of detailed published works on stones originating from Victoria that would meet the requirements of the HSTG. [3] One of the objectives of the HSTG is to facilitate the identification of stone sources and preservation of quarry sites to ensure materials are available for future restoration works. Obtaining technical information, however, may require destructive sampling, but there is also a need for reference samples from quarries with which to compare the test results. Alan Spry's 1988 study, *Building stone in Melbourne*, records the uses of a wide range of stones in inner Melbourne to assist in stone identification and provide a literary resource for restoration projects.[4] What is needed are detailed

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histories, including technical data, of source quarries themselves to provide both spatial and temporal use of stone to assist in narrowing down a list of potential sources within a defined region. By concentrating on a single stone type, the 2014 book, *Sydney's hard rock story: the cultural heritage of trachyte*, fills such a gap and has made a significant contribution to the understanding of building stone and associated land use and industrial heritage.[5]

Anyone wishing to fill the information void and document the significance of any given Victorian stone requires access to historical records of quarry sites, stone use, distribution of that use, technical information and heritage citations. There is currently no 'one-stop shop' for the history of Victorian quarries. It is a complex process of transcribing, matching, cross-referencing and interpretation that Beresford described as 'a "triangular" journey from field to archive, archive to library, and back again'. [6] The documentation of quarry histories themselves is often a challenge. Land use history, especially the move from Crown land to private land, is erratic and it is wise to cover the entire history of a site to ensure all potential material is acquired. The aim of this paper is to demonstrate a means by which this can be achieved through the example of bluestone quarries around Malmsbury where an important stone resource was harvested for well over 70 years. This method is applicable in other localities where stone was quarried and thus has a direct relevance to stones sourced from Victoria and still present in the built heritage of a much broader landscape.

Getting started

The basic tools for the job are parish maps, geological maps, archived aerial photographs, probates, inquests, Crown land files, newspapers, rate books, and government gazettes. This rather simplified list, however, hides other problems a researcher will encounter. Take the last three items for example. Rate books may or may not be lodged with Public Record Office Victoria (PROV)—in the case of Malmsbury Borough (1861–1915) they are not—but in most cases they have not been digitised or transcribed.[7] Luckily many years ago Malmsbury Historical Society acquired some photocopies of an incomplete run of years and their volunteers have been transcribing the key details into a database which covers 1861–1872, and 1879–1894.[8] In addition to this, the digitised *Victoria*

Government Gazette (VGG) available online via the State Library Victoria (SLV) can only be searched based on the printed index in each volume, so land parish names or the names of people acquiring licences to occupy Crown land for quarrying can only be found by manually examining one edition at a time.[9] Here, however, the valuable work of Archive Digital Books should be applauded for their digitisation of these volumes with Optical Character Recognition (OCR) and word search functions that do enable such data to be found in a timely manner.[10] Only the 1914–18 period of the Kyneton newspapers (Malmsbury did not have its own newspaper) are available on the National Library of Australia's digitised newspapers website, *Trove*, so newspaper-based research outside of this period is time consuming and cumbersome, but nevertheless rewarding. The other tools listed are far more readily available, either from PROV, SLV or the Victorian Department of Economic Development, Jobs, Transport and Resources websites, or a visit to an archive centre such as the Victorian Department of Environment, Land, Water and Planning's aerial photography library at Laverton.[11]

Quarrying on private land

On Ernest Lidgley's 1894 *Malmsbury and Lauriston Gold Field* map, the location of a number of quarries was recorded within the parishes of Edgecombe and Lauriston, and the township of Malmsbury.[12] Examining the corresponding Edgecombe and Lauriston parish maps reveals that the majority of Crown land was sold in the 1850s and the rest in the 1860s.[13] Unlike mining, quarrying on private land did not require any form of licence until well into the twentieth century, so the history of such quarrying is hidden in private land records such as the Registrar General's Office (RGO) 'Old' or 'General Law' memorials and Torrens titles. In the case of Edgecombe and Lauriston parishes, it is mostly the former as the land sales pre-date the 1862 introduction of Torrens titles.[14] One also has to consider the development of townships after they are first surveyed. In the case of Malmsbury, which is mostly in the Parish of Edgecombe (the south-east portion is in Lauriston parish), a township 'reserve' was surveyed and marked out in 1851, but it took many more decades for the majority of land to be alienated from the Crown, so some quarrying sites may be found through Crown land archives.[15]

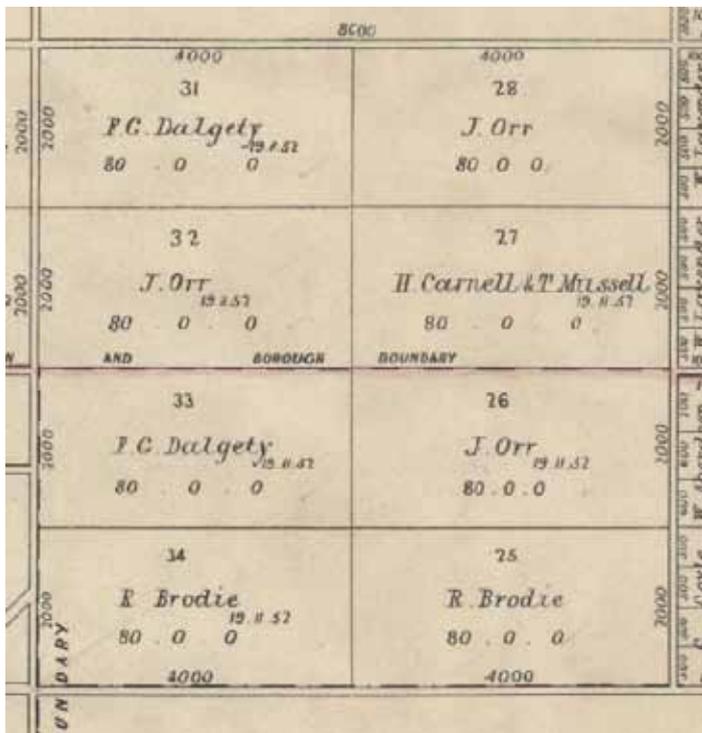


Figure 1. Portion of Edgecombe parish plan showing portions 25 and 34. PROV, VPRS 16171/PO, Edgecombe Parish Plan, imperial measure, 2576.

Taking Portions 25 and 34 of Edgecombe, for example, which were purchased at a Crown land auction by Richard Brodie in 1852 (Figure 1), we can see that Lidgely recorded two quarry sites on portion 34, one of which is named 'Ryan's Quarry' (Figure 2).[16] A search of RGO land records failed to show any sign of quarrying leases being registered for this land between 1852 and 1877 which indicates that either such leases did not exist, or they were not registered with the RGO. In fact, of over 60 properties in the parishes of Lauriston, Edgecombe and Malmsbury researched in this way, only one registered quarry lease was found. This was between quarrymen Charles Mailler and Michael Woods and the owner Mary Olive in 1887 for five acres in the Parish of Lauriston.[17] When Richard Brodie died in 1872, his probate records described the two allotments as 'Spring Farm', but by February 1874 when the land was transferred to his executors, and in July 1875 when they decided to sell the property, it was advertised as 'Quarry Farm'. [18]

The new owner was Joseph Shilton, and he had the land transferred to a Torrens title in 1876 under the *Transfer of Land Act 1862*. [19] There is no apparent record of Shilton

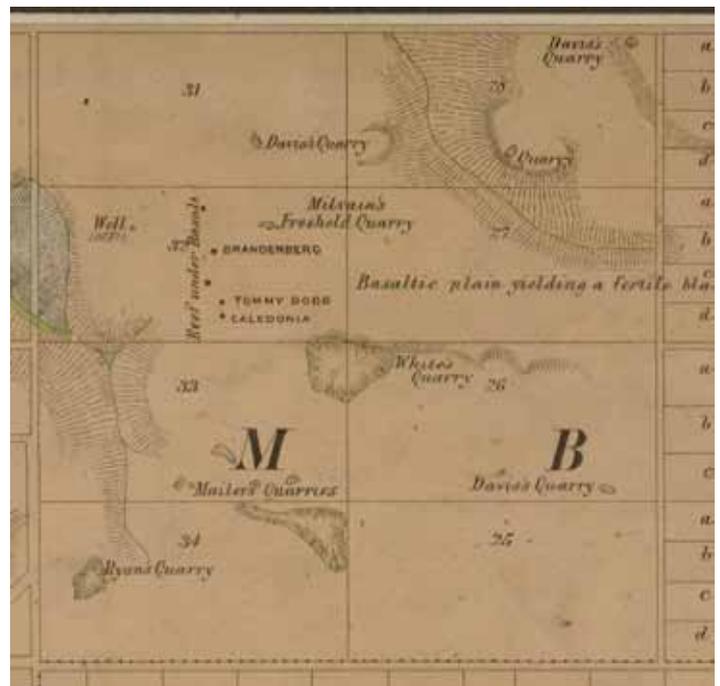


Figure 2. Portion of Lidgely's 1894 Malmsbury and Lauriston Gold Field Map showing quarry sites. E. Lidgely, *Report on the Malmsbury and Lauriston gold-field*, Geological Survey of Victoria progress report, no. 8, Department of Mines, 1894, pp. 20–27 (digitised item accessed via Trove website).

residing in or around Malmsbury and of his four children with Fanny Sarah Skellett whom he married in Stawell in 1871, the first three were born around Stawell between 1872 and 1875 and their last in St Kilda in 1878. [20] While Malmsbury Historical Society does not have access to the 1873 to 1878 rate books, Shilton's name does not appear in the post-1879 rate books as either an occupier (who paid the rates) or the owner. It should be noted that the habitual failure of the Malmsbury town clerk to regularly record the owners of land in the rate books, and just as often the allotment numbers of land they were paying rates for, complicates this research. It is probate records that in this case reveal more of the story. Joseph Shilton died in 1878. [21] He had been a major investor or partner in the Footscray Steam Stone Cutting Company and upon his death his probate was granted to his widow. Joseph had real estate worth £16,000 which included allotments 25 and 34 in the Parish of Edgecombe (160 acres valued at £480) which was let to Mr Sullivan for £45 per annum. He also had an interest in the Footscray Steam Stone Cutting Company of Footscray worth £3,245 and liabilities which included an overdraft of £3,000 with the London Chartered Bank, Melbourne, with respect of the Footscray

Steam Stone Cutting Company for which Joseph Shilton with others became personally liable. James O'Sullivan does appear in the Malmsbury rate books as occupying a house and farm in Edgecombe parish, or on Parish Boundary Road (currently called Malmsbury East Road), and between 1884 and 1892 this was recorded as being portion 34, but the owner is frequently not recorded.[22]

In 1876, Angus McKay, a wagon driver employed by Hugh Milvain at Malmsbury to cart stone from quarries to the Malmsbury Station, was found dead beside his wagon at Malmsbury.[23] A short time earlier he had left a quarry, owned by the Footscray Steam Stone Cutting Company, however the newspapers also recorded the accident as being on the farm of James Sullivan and as Sampson's quarry.[24]

An 1873 report by Robert Brough Smyth on mining and mineral statistics, shows that by that year, the Footscray Steam Stone Cutting Company was primarily sourcing its bluestone for sawing at the Footscray plant from quarries at Malmsbury.[25] The fact that Fanny Shilton kept the land for a number of years implies that this permitted the Footscray Steam Stone Cutting Company to harvest the land for bluestone until the company was wound up in 1882.[26] The land was sold to Alexander Hardie in 1889, and he continued to lease it out to James O'Sullivan until at least 1894.[27] Hardie then leased the farm out to Owen McAree, but Hardie died in 1899 and his executors sold the land to William Hall Fernie the same year, with McAree continuing his occupation of the site. [28] The probate makes no mention of a quarry on the land, however the sale notice in the *Argus* records that 'on this property is a first-class quarry being worked, 5 [shillings] per week being paid to the vendor for each man engaged'.[29] The probate of William Fernie, who died in 1904, also makes no mention of the quarry, but upon the death of McAree's son, Owen Joseph McAree, also in 1904, the newspapers recorded that the son had engaged in farming and quarrying pursuits.[30]

Despite all this research, no evidence can be found that links anyone named Ryan with this quarry site. Did Lidgley get his information wrong? The quarries marked as 'Mails' on allotment 33, and 'White' and 'Davis' on allotment 26, both just north of allotment 34, have a similar story—rigorous searches failed to locate any link between this land and local quarrymen Charles Mailler, John White (or his sons Edward Pearce White and William John White) and anyone by the name of Davis.[31]

It is possible that a blanket search of local newspapers may reveal more, and prove these links, but for now this process demonstrates the need to consult a wide range of land records to construct a seemingly simple story. With evidence of quarrying activity on the land between 1874 and 1899, and perhaps later, these dates would suggest the Malmsbury bluestone structures which pre-date this will have been sourced from other quarries.

These same quarries were at risk of destruction during the construction of the Calder Highway Malmsbury bypass.[32] The eventual route bisected the quarry complex and probably destroyed some of the heritage potential of the site, however the major quarry holes were saved as a direct result of the recommendations of the consultants engaged to undertake the archaeological and heritage study. Such studies have a broad scope and limited timeframe and the information upon which the assessment was made did not include most of the above details. While the recommendations for further study have gone unheeded, there is now great potential for a deeper understanding of this quarrying landscape.

Quarrying for railways on public land

One subject matter of interest to researchers of railways and bridges is the source of stone used in the construction of railway infrastructure. Malmsbury, for example, is serviced by the Mount Alexander railway, constructed between 1858 and 1862.

While the Engineer-in-Chief's correspondence registers reveal that much of the stone used in the Jackson's Creek Viaduct at Sunbury was sourced from Footscray, with intentions to use the same stone at Taradale as well, at Malmsbury Viaduct the source was in the vicinity of that town.[33] The process of finding a more precise location is another example of the need for some complex research. One very brief but unhelpful reference of 1859 stated the stone was sourced from 'near the site'. [34] A railway accident in December 1863 gave better clues. A special ballast train, which was carrying a stone crushing machine, was leaving a local siding described as being 'about two miles from Malmsbury, on the east or Kyneton side of the line' that was connected to a bluestone quarry. [35] As the special train was crossing over the tracks, it was hit by the freight train from Melbourne, resulting in serious damage to both trains but not to human life.

There appears to be no surviving detailed plan of the railway's route that might show the locations of quarries and cuttings which may have exposed usable stone. This is despite the Engineer-in-Chief's correspondence registers repeatedly referring to such structures by number or to the portion of the specific contract in which they were located.[36] Using Google Earth, one logical starting point then is in the vicinity of the Lasslett Street bluestone road-over-rail bridge, south of the viaduct. Stone was carted as short a distance as possible to reduce costs, so why not build a crossing over the line near the quarries? The 1866 Geological Survey of Victoria quarter sheet map for Malmsbury area (Figure 3) notes the nature of the basalt rocks near this bridge, a feature which is repeated on Lidgley's 1894 map with more recent landscape details added (Figure 4).[37] An aerial photo of 1966 (Figure 5) does indeed show the pock-marked landscape of former quarrying activity, and the features left by a short siding can be seen a short distance further south in a 1946 photograph of the same location (Figure 6).[38]



Figure 3. Portion of the 1866 9NW *Taradale Quarter Sheet* geological map showing location of Lasslett Street bridge, description of nearby basalt and an early quarry. George Ulrich, *Quarter Sheet No. 9 N.W. Taradale* geological map, second edition revised, Geological Survey of Victoria, 1866.



Figure 4. Portion of Lidgley's 1894 Malmsbury and Lauriston Gold Field Map showing same location as Figure 3. E Lidgley, *Report on the Malmsbury and Lauriston gold-field*, Geological Survey of Victoria progress report, no. 8, Department of Mines, 1894, pp. 20–27 (digitised item accessed via Trove website).



Figure 5. Portion of 1965 aerial photograph no. 089 showing quarry holes adjoining Lasslett Street (lower left) and Breakneck Road (lower right), Malmsbury. Land Victoria, Aerial Photography Register, Project 7723N7 559, Run 17, Film 1935, Image 089, August 1966.



Figure 6. Portion of 1946 aerial photograph showing location of old railway siding (arrow) on allotment 289G, Parish of Lauriston, south-east of Malmsbury. Land Victoria, Aerial Photography Register, Project 7723N2 817/7, Run 10, Film 244, Image 27748, February 1946.

These quarry holes roughly match with allotment 9 of section 33 of Malmsbury township (Figure 7). The fact that this lot was sold in 1908, whereas the adjoining lots were sold in 1871, hints at the land being retained by the Crown for the intervening years. There are three approaches that can be taken at this point: find the VGG notice for the alienation of this land to McBride in 1908 based on the sale date, examine McBride's probate file, or use the Catalogue of Crown Lands and Survey Files microfiche (VPRS 7312) to locate any file relevant to this land. The VGG of 23 September 1908 records that the Crown land sale of allotment 9 of section 33 was held at Woodend on 28 October 1908, with the value of improvements being £7 and offered at the upset price of £7 and 10 shillings, but this explains nothing more than the process of alienation.

An examination of the probate file of Catherine McBride from 1907 shows it was purchased by her daughter Margaret who applied to have the land sold to her at public auction.[39] Catherine had occupied the site since the death of her husband Patrick in 1905.[40] Patrick had held it by licence under section 145 of the Land Act 1901 but he had never applied to buy it. Using the VGG shows that Patrick had been occupying it since at least 1895 as a garden licence.[41] The microfiche in VPRS 7312 for Malmsbury township contains a file for this land, but it only dates from 1891 onwards.[42] The file does, however, reveal that the garden licence, originally held



Figure 7. Portion of Malmsbury Township, showing section 33 (XXXIII) adjoining Lasslett Street. PROV, VPRS 16171/P0, Malmsbury Township Plan (part 2), imperial measure, 2595.

under section 99 of the *Land Act 1890*, had been transferred to McBride in 1893 by Robert Don, a known quarryman of Malmsbury, who in turn had had it converted from a quarry licence in 1891.[43] Don's letter of application for the garden licence in 1893 states: 'I have abandoned the land under Section 99 as the quality of the stone on it is to [sic] poor'. This then gives an indication of when quarrying ceased on the land, but not when it began.

Using the date of the sale of the surrounding allotments, a 'putaway' plan dating to this time period was identified (Figure 8) and on allotment 9 there is a notation for a quarry licence with reference 73/M 25214. An earlier plan of 1865 also shows this reference number (M65B, Figure 9). This notation is a reference to the category and serial for Crown Lands Correspondence in VPRS 44, accessed by VPRS 226 and VPRS 227, where the category 73/M refers to 1873, M is the register volume (register books ran from 'A' to 'Z', then '&') and 25214 being the specific 'serial' item number. These documents are kept under a 'top numbering' system where each successive item of correspondence is given the next serial number in sequence and is added to the top of the existing file, which then is assigned the serial number of the latest piece of correspondence that was added (and so on until the file is closed). The category/serial on the microfiche for VPRS 44 is the top-most serial for the file.

If there is no specific file number known by a researcher, VPRS 226 (then VPRS 227) can be used to find references in the index under the subject 'Quarries' (such as those on page 505 of the 1873 register, which shows an entry for November of that year for J Prendergast, Malmsbury' with reference M page 551). At this point the microfilm roll for page 551 of the M register for 1873 in VPRS 227 is consulted to obtain the 'top' serial number. In this specific case, because it is known (register M for 1873 item 25214), VPRS 227 can be viewed without reference to VPRS 226, the entry being:

John Prendergast applies for a certain site for quarrying purposes at Malmsbury. Annotated 'Mislaid'—attached to 74/O 13019 21/7/1874.

A search of VPRS 227 and the VPRS 44 microfiche shows that this specific file is indeed 'mislaid', however the register also reveals the related reference to 74/O 13019. [44] But the 13019 file reference has no relevance to Malmsbury and perhaps this explains the 'mislaid' notation. Purely by chance, while looking in VPRS 227 for 71/D 13019, the entry for 13091 was seen stating: 'John Tyson application for sale by Auction of Allotment 9 Section 33 Malmsbury'. This, in turn, referred to serial numbers 71/D 10077 and 74/O 14381. Item 14381 shows that in 1874 John Tyson applied to have allotment 9 of section 33 sold in order to secure a supply of stone for the Malmsbury Stone Sawing Company.[45] This company was located on the Coliban River at Malmsbury and commenced operations in 1874, with Tyson being a manager and shareholder.[46] However, John Prendergast, another known quarryman, had an existing quarry licence from 1873 so Tyson's application was refused, also confirmed by the quarry licence held by Robert Don in 1891.[47] Hence, quarrying can now be dated back to 1873. Item 10077 from 1871 shows the application John Tyson made to occupy the stone sawing works site.[48]

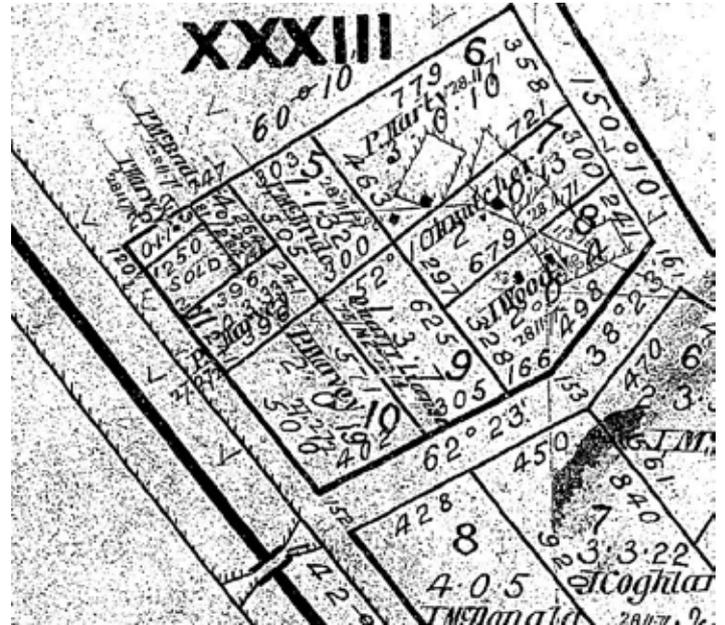


Figure 8. Portion of 1871 'Putaway' Parish Plan M65H_1 for Malmsbury and allotment 9 annotated with '73/M 25214'. Castlemaine Historical Society, digital file M65H_1.pdf, map dated July 1871.

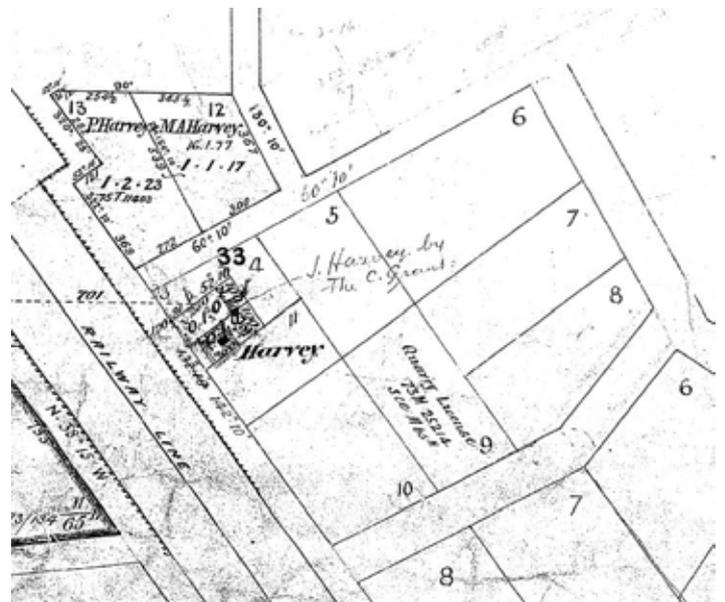


Figure 9. Portion of Parish 'Putaway' Plan M65B_1, allotment 9 annotated with 73M 25214. Castlemaine Historical Society, digital file M65B_1.pdf, map dated 12 October 1865.

The 1871 'putaway' plan was surveyed by WC Reeves in July of that year. His field notebooks show his sketches and calculations for surveying sections 33 and 50 of Malmsbury (just south of section 33, also adjoining the railway—see Figure 10).[49] His observations of landscape features include the presence of a well 'made at time of railway works' and with respect to the nature of the soil, 'Section 33 portions of 5 7 8 & the whole of 9 & 10 were used for quarries for ballast in the construction of the Railways & is therefore rough & comparatively poor'. Unfortunately, Mark Amos's field notebooks from the 1865 survey and plan do not appear on the PROV catalogue. Section 50 is just north of the old railway siding reported in 1863 and the aerial photograph shows it just runs into section 50.



Figure 10. Portion of Malmsbury Township, showing sections 33 and 50. PROV, VPRS 16171/P0, Malmsbury Township Plan (part 2), imperial measure, 2595.

Michael Woods, another known Malmsbury quarryman, bought land in 1894 just east of this, being allotment 11a of section 50 (lower right in Figures 5 and 10).[50] The 1946 aerial photograph also shows signs of former quarrying on this site and a direct search of the Crown Lands and Survey Files microfiche (VPRS 7312) for Malmsbury township shows there is a file for this land. [51] The documents include a report on the condition of the land including the notation that it was 'fit for either [cereal or root crops] except 4 acres which is not fit for cultivation having been quarried for the M.A. railway'.

Hence, while there is no specific mention of the viaduct, this portion of Malmsbury, now privately owned, was Crown land being quarried at the time of the railways,

and would appear to be the most likely source of the stone used. It should also be noted, though, that in 1860, Cornish & Bruce the contractors for the railway, wrote to WB Hull informing him of the provisions made for ashlar stone for the Taradale viaduct sourced from the quarries at Malmsbury 'including private land'. [52] All attempts to determine which private land was quarried, however, have so far met with a 'stone wall'.

VPRS 44 holds numerous items of similar material on quarries at many other Victorian places on a variety of stone types. Quick access to some of these can be found in the VGG notices for lands temporarily reserved for the purposes of 'procuring stone' by councils or by quarrying licence, each entry in the gazette bearing the reference number from this series of records. Two examples of this are those gazetted for Yarrowee in 1867 (67/O 4166) and Burrumbeet in 1868 (67/O 8383).[53] While the microfiche for VPRS 44 can be referred to quickly to determine if these sites are filed under these specific serial numbers, if they are absent VPRS 226 and VPRS 227 may need to be consulted for any subsequent references. The VGG also contains half-yearly reports of early fledgling municipal councils which mention their requests to have the state government set aside these reserves. In the case of Brighton Council, their bluestone quarry reserve was located near Williamstown.[54]

Quarrymen and working conditions

Inquest and probate records also play their role in revealing quarrying history. Those interested in labour history can also find plenty of material from inquests to uncover the industrial heritage and working conditions of those who worked with stone. John Collins died in July 1874 as a result of injuries received at the Malmsbury railway station. The 'dogs' being used to lift by crane a block of bluestone weighing nearly three tons, slipped and the falling stone crushed Collins who was standing underneath it.[55] Only a year earlier, in February 1873, quarryman Isaac Stephenson was killed near Malmsbury when working for the Footscray Steam Stone Cutting Company.[56] A group of men were working at the quarry on the property of the late James Pennington when the bolt at the top of the mast of the derrick crane came loose. The mast fell on Stephenson, knocking him against a large stone which killed him instantly. While this quarry was on private land, and the estate of Pennington was managed

by trustees, no record of a registered quarry lease has been located.[57] In 1914, the trustees handed over the land to the Kyneton Hospital and contemporary newspaper reports show that quarrying continued on the land for some time. Thus there is further proof to be found of where specific quarrymen were working (witnesses to the inquest were John Fox and John Ashton) and that stone was being taken from Malmsbury for processing at Footscray. A similar accident happened in 1890 when William Rose was working in John Ryan's quarry at Malmsbury.[58] While loading a stone onto a wagon for transport, Rose was working the windlass wheel when it slipped and the handle struck him on the skull, the resulting fracture being the cause of his death shortly afterwards. The information in the inquest file is too vague to determine the exact location of the quarry, but the *Kyneton Guardian* reported that it was 'about a mile and a half from the township on the road to Lauriston'.[59] This suggests the quarry was located on the currently-named Breakneck Road and would thus exclude it from being the 'Ryan's Quarry' on Lidgley's 1894 map.

The 1884 probate file of quarryman Richard Lightfoot of Kyneton exposes an intriguing story.[60] One of the assets listed is a 'one fourth interest in stone quarry at Malmsbury' valued at £30, but no title details are recorded. This implies the quarry was on private land not owned by the deceased, however no formal record of any lease has been found. The Kyneton newspapers from two years later reveal that Lightfoot, in conjunction with his brother Thomas, Malmsbury quarryman James Eastham and stonemason Peter Connell were quarrying on private land in 1884 under an unregistered lease.[61] The land was donated in the same year by the owner to the Salvation Army, the novelty of which meant the story was published in several regional and interstate newspapers, including a lampoon cartoon in the *Bulletin*. [62] The death of Richard Lightfoot that year meant the remaining three paid his widow his one-quarter share of the value of the work done in the quarry. Two years later in 1886, the quarrymen were taken firstly to the Malmsbury court, then the Supreme Court in Melbourne to have them evicted from the land.[63] The quarrymen believed they 'owned' the asset, being the workable quarry face, but with the court finding in the Salvation Army's favour, the men, who had yet to harvest and sell any stone from the quarry face they had prepared, were forced to leave the property. Facing financial ruin, a community fund-raising

scheme helped to meet some of their legal costs. It is perhaps ironic that Malmsbury bluestone was used in the base course of the very court which put them in this situation. Opening a quarry and preparing a workable face is a drawn-out process and requires much labour input before any profits can be made. These records highlight the risks taken by independent quarryman working on private land, without formal lease agreements.

Finding technical data

While the above explains the 'how' of tracing quarry history, providing technical information on the properties of specific stones is also a requirement for a GHSR nomination. Information on stones currently in use can be obtained by relevant suppliers, but stones that only have historical use present some difficulties. A very interesting and useful source is the 'Law Courts Stone Board' file located within VPRS 967/P0, Unit 41. This contains documentation relating to the Victorian Government board established in the 1870s to look into stone deemed suitable to use in the extensions to Parliament House and the new Supreme Court. Its contents include composition and physical test results for stones from sources such as the Grampians, Ceres, Tasmania, Kyneton, New Zealand and Portland (England).

Conclusion

Finding and recording holes in Victoria's history is not as straightforward as it seems, in fact at times Beresford's 'triangular' journey can seem one of going round in circles instead. There are today, however, numerous people who have an interest in knowing more about quarries and stones. These include the descendents of quarrymen and masons, those in direct contact with the products of their labour, through living or working in, or trying to preserve them, or those appreciating the parks and reserves created from repurposing the resulting quarry holes. The latter may be a means by which Victoria 'covers up its history with grass', but a decent dig in the archives can re-open these holes.[64] Some may even reveal additional stones suitable for a Global Heritage Stone Resource citation.

Acknowledgment

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The Victorian railways strike of 1950

A study in public sector enterprise bargaining before its time

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Abstract

From 16 October to 8 December 1950 Victorian members of the Australian Railways Union (ARU) and the Australian Federated Union of Locomotive Enginemen (AFULE) stopped work. This was the longest railway strike in Victorian history. This article draws on the records of the Victorian railways and unions to explain this unusual strike in which for a time Labor 'true believers', Communists and even railways management found a common foe in the Australian arbitration system.

From 16 October to 8 December 1950 Victorian members of the Australian Railways Union (ARU) and the Australian Federated Union of Locomotive Enginemen (AFULE) stopped work. This was the longest railway strike in Victorian history. During this period there were rail stoppages in every state except Western Australia in support of the Victorian workers.

This was a different strike from the great industrial battles of the late 1940s. These strikes had pitted Communist unions against employers, governments and often non-Communist unions. For much of the 1950 strike, unions of different political ideologies cooperated. The Victorian railways as the employer had consented to the union's claim in an early example of what would later be called 'enterprise bargaining'. A conservative government largely ignored the strike. The strike anticipated the crisis that the Victorian Railways, the great edifice of nineteenth-century state socialism, would face in the affluent and consumerist years of the long boom.

The railways in crisis

In post-war Australia, the managers of the state railway systems faced difficult challenges. The private affluence of a boom economy constrained the public sector. Road transport encroached on the railways' pas-

senger and freight business. Years of expenditure restraint during the Depression and wars left railways infrastructure chronically depleted. Full employment meant that the old railways promise of a secure job was less attractive. The Victorian Railways refused to pay above the award rate set by the Commonwealth Court of Conciliation and Arbitration. However, private employers frequently paid workers above the award rate, so that railway workers with rail-specific skills, such as drivers, were particularly disadvantaged compared to skilled workers in the private sector. By June 1950, the Victorian Railways were short of 4,500 staff. Immigrants, in particular Displaced Persons, helped to cover staff shortages but many of them left the railways as soon as their contracts had expired.[1]

In 1950, three commissioners headed by Chief Commissioner Richard Wishart managed the Victorian Railways. Wishart had spent his entire working life of more than 40 years in the railways and had been a commissioner since 1940.[2] The stability of railways management contrasted with the volatility of Victorian politics, from September 1943 to June 1950 the Premiership changed hands six times. In June 1950, Alexander McDonald of the Country Party formed a government based on Labor support. Victoria had a Minister for Transport, however the incumbents generally deferred to the commissioners. The ministers' correspondence files bulge with replies to other Members of Parliament in which the minister advised that the commissioners were unable to accede to their requests.[3]

Arbitration and the railways

Railway management found workers more troublesome than politicians. From the early twentieth century, rail unions looked to the Arbitration Court as a balance against the paternalistic style of their managers.

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In 1924, the Arbitration Court made its first award for railway employees.[4] In 1950, conditions of most railway employees were set out in the Railway and Tramway Employees Award 1947 and the Locomotives Enginemen's Award 1948. These awards specified slightly different conditions by state but the expectation of arbitrators and employers was that significant alterations in any one state would flow on to workers in other states. [5]

In the era of post-war full employment the attitude of unions towards the arbitration system underwent a significant change. Unions now enjoyed a strong bargaining position and across the political spectrum they chafed under the legalistic procedures and slow pace of industrial arbitration. In 1947, the Chifley Labor government pleased all unions, both conservative and radical, when it reformed the arbitration system to give most responsibilities to lay conciliation commissioners rather than judges. In 1950, Commissioner Leslie P Austin was responsible for locomotive crews, tradesmen, assistants and workshop staff and Commissioner Vivian G Hall for the rest, except senior staff. Hall was a former industrial officer for the NSW railways, Austin a former NSW president of the Australian Railways Union (ARU). New South Wales railway unions had welcomed their appointment.[6] During the 1950 strike however both, especially Hall, defended the sanctity of arbitration law against the emerging reality of collective bargaining in a full-employment economy.

Railway unionism

With 14,000 members, the Australian Railways Union (ARU) was the largest union in the Victorian Railways. It represented most railway employees, excluding engine drivers and firemen who were members of the Australian Federated Union of Locomotive Enginemen (AFULE) and those covered by craft unions such as tradesmen in the workshops. The members of the ARU were diverse by occupation and political allegiance. In 1942, Communist Party of Australia (CPA) member, JJ Brown, became union secretary. Communist electoral success reflected worker approval of their record as industrial leaders. This leadership was most effectively displayed in a nine-day strike in 1946, the first railway stoppage in 43 years. The ARU's industrial successes, however, encouraged overconfidence on the part of Brown. By 1950, his leadership was under siege

from supporters of the Australian Labor Party (ALP) Industrial Groups. These were nominally a broad alliance of Labor supporters but were dominated by activists aligned with BA Santamaria's Catholic Social Studies Movement.[7]

The AFULE had only 2,000 members but they were the craft elite of the railways—drivers, and those in the line of promotion to the position of drivers, such as firemen. They were labour aristocrats by disposition. In 1949, Frank Carey was elected Victorian secretary.[8] In 1950, the union's national general secretary attributed the defeat of AFULE member Ben Chifley at the 1949 federal election to the fact that most voters were 'very lacking' in political understanding.[9] The AFULE was closely aligned with the Labor Party: their national president Eli Harrison was a federal Labor Member of Parliament from NSW. Neither Communists nor members of the ALP Industrial Groups had a presence within the union, but there was a constant tension within the Victorian branch between militants strongest in the metropolitan branches and more conservative rural members.[10] This division was entrenched in the union's structure. Office-bearers were elected by the Victorian membership as a whole, but the state executive comprised only representatives of metropolitan branches.

The overtime issue

The catalyst for the strike lay in discontent among traffic branch employees: those who operated the trains, enginemen, firemen and guards. Staff shortages meant high levels of overtime for these workers. In August 1950, metropolitan electric drivers worked 14 to 16 hours overtime a fortnight.[11] Traffic branch employees had two demands. First, 'daily overtime' that penalty rates commence after eight hours work on any shift and second, that for the determination of when overtime started no distinction be made between time worked and 'passive time'; time spent on the job without working, such as returning to a depot after taking a train to its destination.

On Sunday 3 September, Brown led a guards' deputation to interview the Railways Commissioners. According to the ARU, the commissioners promised to 'approach the Arbitration Court in agreement with the union' to provide for payment of all time on duty as active time and payment of overtime on a daily basis after eight hours.[12] There was an ambiguity in the promise—were the commissioners agreeing to the union demands in good faith or were they simply punting the matter to arbitration in the expectation that the commissioners would reject any concessions? On Monday 18 September, a joint deputation of the ARU and AFULE met the commissioners again. Wishart told them that the concessions offered to guards would also apply to locomotive men subject to ratification by the Arbitration Court. Wishart now claimed that he considered this unlikely.[13]

What lay behind the commissioners' insistence on arbitration? At times the ARU argued that railways management was committed along with private employers and conservative politicians to an anti-worker agenda.[14] This was incorrect. The Commissioners cherished the ideal of the railways as a community. They had come to accept unions as part of the family. There was a constant back and forth flow of communication between unions and the Commissioners: 174 letters were despatched from ARU to railways management in 1950. [15] There were regular meetings between unions and management on operational matters.[16] Railway management came to accept arbitration as compatible with its formalised and bureaucratic style of management. Railway managers were aware of the stresses on their workforce, especially in the traffic branches, but wanted to respond to these within the framework of its established management style.[17] Perhaps for this reason the 1950 strike itself has left relatively little trace within the records of the Victorian Railways. The commissioners appear to have largely ceded responsibility for the resolution of the strike to the arbitration system. This minimalist approach was common among Australian employers of the time.[18]

Before the conciliation commissioners

For the Victorian Railways and the unions in 1950, the Arbitration Court meant Hall and Austin as conciliation commissioners. They had power to vary the railway awards of 1947 and 1948, but the Conciliation and Arbitration Act provided they could not adjust

'standard hours of work'.[19] The question of whether changes to overtime rules fell under this heading would be contested during the strike.

On Thursday 21 September Hall commenced his consideration of the agreement. The Victorian Railways argued its support, but their case was opposed by representatives of other states. They feared any variation would inevitably flow on to their states. Hall was unsympathetic to the claim and suggested that the Victorian Railways had acted under duress. He observed that railway working conditions had substantially improved in recent years. Hall contended overtime rules should recognise that the railways were necessarily an around-the-clock operation. He also suggested that adjustments to passive time rules might be outside his powers. On 11 October Hall handed down a decision that rejected the ARU's claim.[20] Austin consulted with Hall and similarly rejected the AFULE claim on the same day. He contended that it was outside his powers to adjust hours of work.[21]

Hall and Austin's decision exemplified the frequent determination of arbitration personnel in this era to defy market forces and only grant concessions they considered appropriate. Assured of government financial support, state enterprises could hold the line on industrial law and order unlike private employers who frequently capitulated when workers struck in defiance of arbitration rulings.[22]

The Railway Commissioners' response to Hall and Austin was to advise the unions on 14 October that the September agreement would not be implemented. They also requested that Hall convene a conference between themselves and the unions. This request began a long cycle of unproductive arbitral hearings. All train services ceased from midnight on Sunday 15 October.[23]

Hall's decision evoked a strong response among railway workers. One indication was the position of the AFULE. At stop work meetings on 16 October the Victorian branches of the AFULE voted 16 to 4 to continue strike action.[24] All ARU members, not just guards, were enthusiastic. By 19 October all ARU sections had voted to strike.[25]

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Railway workers outside Victoria rallied to the cause. On 19 and 20 October in Brisbane the AFULE federal convention, dominated by moderates, voted unanimously that the Victorian AFULE remain on strike, that NSW and South Australian members stop work for 24 hours on Monday 23 October, and that there be a national stoppage of AFULE members on Monday 30 October if the dispute was not resolved.[26] On Thursday 19 October, the NSW and South Australian ARU called for 24-hour stoppages from midnight Sunday in support of the Victorian workers.[27] The NSW ARU secretary, Jack Ferguson, was a Chifley loyalist and national ALP President. The NSW ARU journal called for unity between Labor and Communist unionists in a just industrial struggle.[28] The involvement of the NSW ARU in the strike reflected not only a sense of solidarity with their Victorian colleagues but also their own ongoing industrial grievances. For Ferguson, the spectre of Communism was a useful tool to force concessions from the NSW Labor government. Even the Victorian ARU Industrial Group pledged support for the strike. They sought to evade the fact of the hostility of the conciliation commissioners to the strike. Instead the Industrial Group focused on the conciliation commissioners' doubts about their legal power to alter overtime rules.[29] At an ARU members meeting on 26 October, Industrial Group activists proposed that an approach be made to the Arbitration Court to settle this question. This suggestion attracted only 30 votes out of 4,000.[30]

Railway workers' enthusiasm for the strike, across state boundaries and ideological divisions, reflected their shared grievances. Outside of the railways there was less enthusiasm. Tramways' Union members rejected calls from their Communist leadership for action in support of rail workers.[31] The government relaxed restrictions on road traffic imposed to assist railways.[32] Police were instructed to be lenient on overloaded road vehicles.[33] Despite this, food prices rose and by late October coal shortages threatened industrial production.[34]

Where the rail unions did have some success was in blocking transportation alternatives for commuters. Bus drivers were members of the Motor Transport Union and they agreed to restrict emergency bus services operating directly to the city from 'outer suburbs'. The closest of these to central Melbourne was Williamstown. Employers complained in early November that absenteeism among workers had risen to an average of five hours a week. The tram system was massively overloaded.

On 6 December, a journalist counted 130 passengers in one tram.[35] The impact of this urban commuter frustration on a Country Party government was, however, limited.

Railways management was bereft of a strategy to resolve the dispute. The decisions of conciliation commissioners could not be appealed except on points of law. As a result, railway management and unions sought to find new ways of presenting again the September agreement to Hall and Austin in the hope that somehow it could be ratified. On the request of the Railways Commissioners, Hall convened a compulsory conference of employer and union representatives on 17 and 18 November. Such conferences were supposed to be an opportunity for the parties to work towards an agreement, but the hearing was unproductive. Harrison, representing the AFULE, told Hall he had discredited arbitration and played into hands of the Communists.[36] Hall was unimpressed and his ruling on 20 October was peppered with homilies about the evils of industrial appeasement.[37] Austin ruled the same day that the AFULE did not have an agreement with the railways separate from that of the ARU. As a consequence, he determined that the AFULE claim could not be granted independently.[38]

The response of railways management to the failed conference was to propose an appeal to the Arbitration Court on the question of whether the unions' claim constituted an alteration of standard hours of work. A joint meeting of the ARU and AFULE executives on Friday 20 October rejected this proposal and resolved to continue the strike.[39] On Monday, the ARU stopped work in New South Wales and South Australia. In the latter state ARU members voted for an indefinite strike in support of the Victorian colleagues and an outstanding local dispute.[40]

The strike had now become a national dispute and attracted the involvement of the Australian Council of Trade Unions (ACTU). The union peak council convened a conference of the 19 unions with members in the railways. This met throughout the strike and I will refer to it as the 'unions' conference'.[41] The ACTU leadership proposed a novel legal strategy to bypass Hall. This was to pursue a 'Part 7 agreement'—an almost unused component of the Arbitration Act that provided for automatic certification of an industrial agreement once lodged with the Arbitration Court's Industrial Registrar. These agreements were not subject to any review on public interest criteria. In 1913,

the High Court had restricted their scope for fear that they would be used to undercut award conditions.[42] Now the Victorian railway unions sought to use them to exceed award conditions. On 24 October, the ACTU unions' conference resolved to pursue option of a Part 7 agreement. This followed a hint by Austin that day that neither he nor Hall had ruled out the filing of such an agreement.[43]

Railways' representatives rejected the idea of a Part 7 agreement in negotiations with the ACTU on 25 October. The railways argued that a Part 7 agreement was not arbitration. They suggested Hall's proposal that such an agreement be made suggested a change of mind on his part as to the unions' claim. The railways proposed the claim be resubmitted for approval under Section 37 of the Arbitration Act. This provided for certification of industrial agreements subject to a public interest test.[44]

On October 26, Hall and Austin summoned yet another conference to discuss the AFULE's national strike scheduled for Monday 30 October.[45] The conference commenced on that Monday when trains stopped in all states except Western Australia, where the AFULE refused to strike on the grounds it already had the conditions that the Victorian drivers sought.[46] Hall accepted a submission from the railways that he could certify an agreement under Section 37 even if the subject of the agreement, such as a change to standard hours, was outside his award-making powers.[47] Hopes surged for an end to the strike and railways management claimed Hall paved the way for a settlement.[48] The next day these hopes crashed. Hall once again rejected the agreement and declared that nothing had changed to alter his judgement that ratification would be against the public interest.[49] On Wednesday 1 November, government ministers, railways and union representatives met at the Victorian Parliament. Premier McDonald declared that the government would not give instructions to the Railways Commissioners and claimed a Part 7 settlement was repugnant to the commissioners.[50]

The response of participants to Hall's decision was to try yet another arbitral option. On 3 November, a meeting of government ministers, railways management and the ACTU agreed to support the ARU in an approach to the Arbitration Court to ratify the September agreement. The court ruled on 14 November that certification of the agreement was outside its power as it did not concern any

matters that had been left within the jurisdiction of the court by the 1947 amendments.[51]

The trial of strength

With the strike stalemated, railway management began to encourage a return to work. On Monday 30 October, Wishart called for striking workers outside the traffic branch, to return to maintenance duties. The commissioner argued this would ensure a quicker return to full operation when the strike ended.[52] Railways management was cautious. Newly-arrived Displaced Persons were sent to training courses rather than used as strike-breakers.[53] The ARU leadership was anxious that support for the strike might erode outside of the traffic branches. On 12 November, the union added a demand for general wage increases to its claims.[54] By 20 November, Wishart claimed that a thousand members had returned.[55] The AFULE remained solid.[56]

The success of the ARU in the nine-day day strike of October 1946 had cemented the appeal of the Brown leadership to rail workers, but as the strike dragged on the union faced new challenges. The militant mood of the immediate post-war years had passed. Strike pay was a problem. Although some railway workers, such as tradesmen, could readily obtain skilled work, those with more rail-specific skills were in a difficult position.[57] The union's insistence that workers sign an affidavit that they were not in receipt of other income was resented. Claims of political bias in allocation of strike pay and disputes about administration persisted for months after the strike finished.[58]

Brown and his colleagues misjudged the position. His propensity for impulsive decision-making had been the object of disapproval from his fellow Communists. His oratorical skills inspired young radicals and mass meetings, but some Communists disparaged him as a 'tub-thumper'. [59] As it is often the case in long strikes, the ARU leadership under siege began to lose touch with its members.[60]

At the Arbitration Court hearing of 14 November, Justice Foster had told unions that no conceivable industrial gains could compensate for wages lost through strike action.[61] It is a common argument against strike action, but misleading. In practice, one industrial victory, however costly, makes it more likely employers will make

concessions in the future.[62] Despite this, by late November, militants in both unions made appeals to explicitly non-economic motives for which the support of the rank and file was doubtful. *Rail Strike News*, produced by the ARU-dominated Central Strike Committee, admitted that rail workers were making sacrifices to defend the wages of other workers.[63] At a late November AFULE executive meeting, delegates clashed on this question. A moderate complained about workers' loss of wages. A militant responded: 'What is 70 or 80 pounds? Men go on holidays and throw it down the drain'.[64] On 23 November, the Arbitration Court confirmed that unions with members on strike would be excluded from an upcoming increase in the basic wage. [65] ARU and AFULE members outside Victoria now faced a material cost.

The exhaustion of the arbitral road led the ARU to propose an extension of the strike. On 15 November, it proposed to the unions' conference that black bans be placed on the delivery of oil for road transport. The AFULE successfully opposed this proposal. The meeting did resolve that if the dispute was not settled within a week, extension of the strike would be considered.[66]

The ARU leadership was unimpressed with the AFULE's caution. Brown complained to AFULE militants that Harrison and Carey were weakening in their resolve.[67] Brown should have focused on his own union. The weakening base of his leadership was dramatically displayed at a mass meeting of members held on Wednesday 15 November. In the morning, Industrial Group members on the union executive had proposed a return to work.[68] An Industrial Group motion to this effect at the meeting was ruled out of order by the chair of the meeting, ARU state president GC Harding. Enraged Group supporters moved dissent, but Harding hastily declared this motion lost and closed the meeting amidst uproar. Brown claimed Harding's ruling was upheld 3,000 to 4,000.[69] Industrial Group supporters claimed there was a two to one majority against him.[70] The debacle exemplified the dogmatic and authoritarian style of many Communists at the time.[71] It was a contrast with the AFULE meeting of the same day where a thousand voted unanimously to remain on strike.[72]

The fiasco of 15 November accelerated the drift back to work by ARU members. By 20 November, railways management claimed a thousand ARU members had returned.[73] This was despite the fact that the official

policy of the ALP Industrial Groups remained that strikers should not return as individuals.[74] On 16 November, South Australian ARU members voted to return to work in defiance of their union executive.[75] The Victorian ARU leadership retained the support of the guards. They voted to remain on strike by 390 to 10 on November 19 and confirmed this decision 267 to 13 a week later.[76]

Arbitration once again

The Arbitration Court ruling of 14 November made clear that the original agreement of September was beyond retrieval. The strike seemed stalemated, but Hall and Austin now began to suggest that the union claims might be revisited if and only if workers returned to work. On 22 November, Austin advised the ACTU he would recommence hearing the AFULE claim within 24 hours of a return to work.[77] The next day, the union's federal council resolved that they did not oppose acceptance of Austin's offer.[78] AFULE federal President Harrison allied himself with the Victorian leadership to push for a return to work. They faced strong opposition from the Victorian executive, which resolved the next day to recommend to branches that the strike be continued.[79] On 26 November, branches voted 20 to 4 to continue the strike and city members voted 891 to 44 to stay out.[80]

The AFULE's public show of unity contrasted with the unravelling of the ARU. At a chaotic mass meeting on 27 November, members rejected a recommendation from the union executive for a partial return and instead voted 890 to 742 for a full return to work. Industrial Group supporters argued that the only workers who benefited from the dispute were guards.[81] It was a massive rebuff to the union leadership, but Brown insisted it was merely a recommendation for consideration by the executive. The next day the ARU executive voted for a partial return to work. In defence of this position, Brown argued that the wishes of the guards and the AFULE should be taken into account.[82] Guards voted 265 to 5 to continue the strike on 30 November.[83]

The AFULE leadership was by now in full retreat. Harrison met with Premier McDonald, Labor leader John Cain, Railways Commissioner Wishart and the Crown Solicitor on Tuesday 28 November. Harrison advised them that his union wanted to 'lose the tag' that tied its claim to that of the ARU. Wishart suggested that Austin would be

more sympathetic to the drivers' claims than Hall was to that of the ARU.[84] Harrison conveyed these hints to the union executive the next day, but executive members voted to recommend to branches that the strike continue.[85] Harrison's response was to telegraph branch secretaries and argue that Austin's offer should be accepted. Despite this, a majority of branches backed the executive after heated debates at meetings on Thursday.[86] AFULE militants complained that the ARU members who had voted for a return were 'dirty rats'.[87]

The Victorian Government intervenes

It was at this point that the Victorian Government determined to act. Until this point ministers had declared that the strike was not their concern and it was up to the Railways Commissioners and the Arbitration Court to resolve the strike.[88] This caution was largely a result of its alliance with the Labor Party, whose leader John Cain was of the centrist stamp of the AFULE office-bearers. With the unions in disarray the state government now felt enabled to act.

On 4 December, the Victorian Cabinet resolved to instruct the Railway Commissioners to seek deregistration of all branches of the AFULE and ARU under the *Commonwealth Arbitration Act*. Premier McDonald also declared that the government might deprive rail workers of their rights of superannuation and long-service leave.[89] The threat to retirement benefits would, as Carey argued, have been devastating to those members of the AFULE with long service with the railways.[90] Deregistration would have enabled other unions to attempt to recruit ARU and AFULE members. A particular danger here was the National Union of Railwaymen (NUR). This small union originated in NSW as an organisation of strike-breakers during the 1917 general strike and was detested across the spectrum of the labour movement. Advocates of a return to work, such as Carey, stressed the danger that 'the SCAB NUR' posed.[91]

The response of the AFULE and ARU leaderships to the deregistration decision was to move decisively to end the strike. On Tuesday 5 December, the AFULE Victorian president called an emergency state conference for 11 am on Thursday in an attempt to bypass the militant majority on the state executive.[92] On Wednesday, McDonald agreed to a request from Harrison to delay the deregistration application until noon on

Friday. The same day, an ARU deputation met the Premier in discussions described as 'conciliatory'.[93] That evening Brown flew to Sydney to meet with Hall. The media predicted that Brown would support a return to work. A similar judgment was made by the Commonwealth's security services.[94] Hall now followed Austin in the provision of encouraging words. On Thursday morning he declared that there were,

certain merits in the claims that have been made and which appear to justify some reasonable expectations on the part of the men. Obviously I can make no promises and I make none. The case will proceed as soon as practicable after the men are back at work.[95]

Around 1:30 pm on Thursday, Brown advised Hall that he would return to Melbourne and get the guards to return. [96]

That morning, the AFULE special conference assembled. The claim that Brown had already promised to Hall that the guards would return clinched the debate in favour of a return to work. By now most workers could see no path to victory. Delegates voted 23 to 11 to end the strike,[97] and, later that afternoon, guards accepted Brown's recommendation that they return to work.[98] In public Brown and the rest of the ARU leadership claimed that Hall's hints represented a great victory, but some of his fellow Communists fretted about Brown's bureaucratic style.[99] The trains ran again on Friday 9 December, and[100] a grateful government paid a bonus to tramway employees.[101]

Hall and Austin handed down their decisions on 24 January 1951. Hall once again refused the ARU's claims for the abolition of passive time and overtime after eight hours duty. He presented himself as the defender of fiscal responsibility against the commissioners. This decision was greeted with outrage by the ARU who accused him of failing to honour the promise he had made in settlement of the strike.[102] Austin's decision was more generous. He agreed to the abolition of passive time prior to the commencement of work duties.[103]

Conclusions

On one level, the strike was an example of the failure of the arbitration system. The conciliation commissioners did not conciliate in any meaningful sense, they arbitrated against the union. It seems a classic example of how the old arbitration system discouraged direct negotiations between workers and unions.[104] Despite this, Hall and Austin did perceive that the railways faced a crisis. They were caught between declining demand for their services and rapidly rising costs including wages. In the later 1950s arbitral authorities became more tolerant of workplace bargaining, but the steady growth in wages added to rail losses. By the 1980s, huge deficits and endemic industrial conflict demoralised railway staff at all levels.[105]

For the Communist Party the strike was a heavy blow. The ARU leadership had worked closely with the AFULE and the ACTU, despite its political disagreements with their leaderships. This was a united front rather different from the sectarian hostility to the Labor Party that Communists had displayed in the late 1940s. Brown argued in June 1950 that whatever the political disagreements of rail workers they could find common ground in defending their material interests.[106] The strike revealed that this judgment was incorrect. Workers' perception of their material interests is shaped by competing ideologies.[107] Over the next few years the Communist leaders of the ARU lost to the Industrial Group candidates at union election. Brown was in the last to fall in June 1954.[108] For the AFULE the strike was disappointing, but its members' sense of superiority was confirmed by their record of unity during the strike compared to that of the ARU, despite the latter union's more militant pretensions.[109]

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Beyond Coranderrk

Station era Aboriginal political resistance in the Victorian archives

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'Beyond Coranderrk: station era Aboriginal political resistance in the Victorian archives', *Provenance: The Journal of Public Record Office Victoria*, issue no. 15, 2016–2017. ISSN 1832-2522. Copyright © Tiernan Morrison

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Abstract

The Coranderrk inquiries and subsequent petition during the 1870s and 1880s have long been considered defining moments in the history of Aboriginal political resistance. By defying colonial authority and making the mistreatment of Indigenous Australians better known to the Victorian public, the people of Coranderrk under William Barak struck an early blow to the oppressive station system under which the lives of Aboriginal people were organised. While the events at Coranderrk are remarkable and important in and of themselves, there has been a tendency to misinterpret their significance to the wider project of Aboriginal political resistance. Far from emblematic of the mission station system as a whole, Coranderrk and the events that happened there reflect a unique set of people and circumstances. Furthermore, the inquiry undertaken by the Victorian Government ultimately supported the mission station system more than it harmed it. I suggest that the nature of 'resistance' must be re-evaluated when considered alongside the unique milieu of the Aboriginal stations. In such restrictive conditions, we cannot expect political resistance to be reflected in large demonstrations but in quiet acts of rebellion that the colonial archive does not acknowledge as such. By re-evaluating historical sources with this fact in mind, the ostensibly banal bureaucratic documents created by the Victorian Board for the Protection of Aborigines actually reveal a dense history of micro-resistance on the Aboriginal stations.

In the foreword of the recent performance project based on the Coranderrk rebellion *Coranderrk: we will show the country*, the author emphasises the unique historical significance of the rebellion and argues that we view its leaders as 'the forerunners of reconciliation'.^[1] This project is one of a number of historiographical texts that frames the rebellion as an early antecedent of the

organised Aboriginal political resistance that took place in the twentieth century.^[2] These texts are right to exult the rebellion as a remarkable moment in Aboriginal history, but they often overstate its significance to the wider project of Indigenous political liberation. While Coranderrk's compelling narrative and ample documentation make it easy to privilege in accounts of Indigenous history, doing so risks marginalising the experience of the majority of Aboriginal Australians who were not in a position to rebel so directly. As James Scott notes in his book, *Weapons of the weak*, focusing on these moments of explosive resistance misses the fact that 'most subordinate classes throughout history have rarely been afforded the luxury of open, organised, political activity'.^[3] Emblematising the Coranderrk rebellion also ignores the way in which its perpetuation served and continues to serve the image of colonial authority as a benign power. To uncritically emphasise Coranderrk as the first-time Aboriginal resistance was heard ignores the implications of the fact that non-Aboriginal Victoria chose to listen, while remaining deaf to so much else. Understanding why this event seemingly sparked the conscience of non-Aboriginal Victoria when little else did is crucial to understanding the imperial ontology of colonial Victoria and the place of Coranderrk within it.

I suggest that to truly understand and appreciate Aboriginal political resistance at the height of the station era, we must broaden our understanding of what constitutes politics under these conditions. As Steven Hahn writes in his study of American slave politics before the Civil War, 'what could sensibly be regarded as political activity at one time and place might not be regarded as political activity at another ... a slave who defies the authority of his or her owner does something very different than a free worker who defies the power of his or her employer'.^[4] While the system of slavery in the American South and the Victorian station system differ

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in terms of the nature and the extent of the control they exerted, the point stands that we must contextualise and historicise the behaviour of subaltern groups in order to see the cracks of resistance in the relationship between the oppressed and their oppressors. This essay suggests that Aboriginal political resistance was always expressed in a form particular to the cultural and material conditions in which it fomented. As such, the essay will argue that we should consider the Coranderrk rebellion as an expression of a peculiar culture endemic to the Coranderrk Station at a particular point in time. Rather than privileging the Coranderrk petition in historical accounts of Aboriginal political resistance, appreciating the nature of Aboriginal subjugation allows us to understand the many and various ways in which Indigenous Victorians enacted political resistance. When considered in this light, the administrative documents created by the Board for the Protection of Aborigines reveal the quiet rebellions interlaced throughout the history of Aboriginal Victorians under colonial rule.

The Aboriginal stations

With concern for the welfare of the Aboriginal people increasing, the Victorian Government established the Central Board for the Protection of Aborigines (CBPA) in 1860 to oversee their management. The CBPA formalised a series of organised communities or 'stations', centralising the Aboriginal population of Victoria so as to better control and monitor them.[5] The passage of the *Aborigines Protection Act 1869* saw the CBPA morph into the new Board for the Protection of Aborigines (BPA), giving this statutory authority further control of Aboriginal people and ensuring that policy relating to Aboriginal Victorians would largely be actioned through the stations. Although the station system was in theory a total system, it is important to note that just over half of this population lived on the stations in 1877.[6] That said, after the passage of the *Aborigines Protection Act* it became increasingly difficult for an Aboriginal person to avoid having some ties to the station system. Though established with broadly defined humanitarian intentions, these stations were often driven by a desire to inculcate western Christian values into the Aboriginal population. As Richard Broome states, the impetus for the stations can best be understood from the perspective of 'paternalism', a hierarchical relationship of ruling and guiding from above with deference from below in return for protection.[7] By viewing the Aboriginal

people as 'childlike' and in need of protection, colonial authority could present itself to itself as a benign and even charitable force, while continuing the destruction of Aboriginal people on a cultural level. The Aboriginal station became the site at which the Aboriginal subjects were reified by the state's colonial ambitions and the ideological constructions of race and civilisation they depended upon. To use the analogy of Clare McLisky, these sites isolated from the outside world by distance and decree became something of a colonial laboratory, places in which 'the related goals of Aboriginal pacification, protection, conversion and civilisation' could gradually be worked towards.[8] In efforts to 'civilise' the Aboriginal people, Bain Attwood shows how almost every aspect of their lives, from marriage to work and even hygiene practices, became scrutinised and regulated. Indeed, Attwood argues that the panoptic nature of the Aboriginal stations were their defining feature, existing as they did to 'imbricate the ideas and values [of non-Aboriginal civilisation] into the very fabric of the Aborigines consciousness and way of being'.[9] We get a sense of this quality through the writing of station managers. Speaking of the 'progress' made at the Ramahyuck Mission, Reverend Hagenauer describes the way his Aboriginal charges have been 'changed from their wild savage state ... and now enjoy the blessings of religion and civilisation'.[10] This fact is further reflected in the very nature of the reports that the managers submitted, presenting as they often did a highly detailed account of the activity of Aboriginal people on the stations. The 1885 report on the status of Lake Tyers Station provides the details of everything from attendance at church services ('very well attended'), the progress of the education program ('strictly carried out') and the nature of the work carried out by the residents ('satisfactory').[11] We can conclude that if there is a defining feature of the station system, it is the way it sought to completely and totally shape the lives and consciousness of its Aboriginal subjects.

Coranderrk

While the Aboriginal stations theoretically shared certain ideological underpinnings, difference inevitably arose between them over the course of their development. No station illustrates the potential for radical difference in a putatively homogenous system than Coranderrk. While many of the stations were established through government mandate, the community that would be

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Coranderrk came about in part through the persistent deputations and petitions of the Kulin people for land of their own. With the aid of the government appointed Guardian of Aborigines, William Thomas, the Kulin people pioneered what was known as the Acheron land north of Melbourne in 1860.[12] By the end of the year, the Acheron Reserve had been taken over by non-Aboriginal settlers and Coranderrk Station was established in its place on a traditional camping site of the Kulin people. Overseen by Manager John Green, Coranderrk was unique for the autonomy it granted its residence and for being the largest and most socially complex of the stations.[13] Green shared leadership of Coranderrk with William Barak and Simon Wonga, elders of the Wurundjeri people who were generally acknowledged to be the leaders and spokesmen for the community. Though comprised of many clans and divided by language and beliefs into moieties, the Coranderrk community came to form strong intertribal alliances through marriage between clans.[14] As it was united under recognised leadership, Coranderrk was able to speak as a unified community. The differences between Coranderrk and the other stations is aptly illustrated by the Coranderrk rebellion, an event hitherto unprecedented in the history of Aboriginal colonial relations. Prompted by the removal of popular station manager John Green, the increasingly restrictive policies of the BPA and the threat of removal, the people of Coranderrk under William Barak organised wide-scale petitions and protest marches. The Coranderrk rebellion involved numerous written petitions to the BPA and the Victorian Government, and numerous in-person deputations. By gathering influential allies and attracting the attention of the press, the Coranderrk people brought about two parliamentary inquiries that gave significant voice to the concerns of the community. The 1881 inquiry, which was made up of members of the BPA and a collection of other interested parties including society figure and activist Ann Bon, saw the removal of manager Reverend Strickland and an end to the question of re-locating the Coranderrk people.

This sort of organised resistance was not a unique occurrence during the station era. In 1913 the residents of Lake Tyers mounted a letter-writing campaign petitioning the forced eviction of their manager's elderly widow, Caroline Bulmer.[15] The residents of Lake Condah organised a similar protest against the closure of the station.[16] One major difference between the Coranderrk rebellion and the petitions of other stations is scale. The Coranderrk rebellion took place over a number of years, attracted a great deal of media attention and

involved several in-person deputations. Another significant difference between Coranderrk and other contemporary Aboriginal protests is the way it spoke directly to the issues facing Aboriginal people as a whole rather than their immediate manifestations. The opening salvo of the rebellion was a letter to the *Leader*, in which Barak stated that he would not leave Coranderrk as 'the Yarra is my [his] father's country'.[17] Another participant in the rebellion was quite famously heard to have uttered; 'the white people have only left us a miserable spadeful of ground, and now they want to take that away from us'. [18] These statements mark some of the first times that the notion of 'Country' and its importance to Aboriginal identity appear on the public record of colonial Australia. In this way, Coranderrk can be seen as foreshadowing the Aboriginal civil rights struggles of the twentieth century that centred on land rights and claims to Country. At the time, the Coranderrk rebellion was unique in the way it spoke directly to the colonial disinheritance of Aboriginal people and their desire to win back the land and identity they had lost.

There were a number of cultural and material factors peculiar to Coranderrk that made the rebellion take the form that it did. While other stations were formed by missionaries or the state and comprised of a mixture of different groups, Coranderrk was founded by and for its Aboriginal residents who were a uniquely cohesive social group guided by a number of traditional leaders. As Jane Lydon notes in her study of photographs taken at the station, Coranderrk also became a place where meanings of Aboriginal culture and identity were forged and maintained both for Aboriginal people and colonial Victoria. In a remarkable image entitled 'The Yarra Tribe Starting for Acheron', Lydon shows how 'the blacks' journey to Coranderrk was configured in biblical terms, an exodus of sorts to a chosen land. Lydon argues that the notion of Coranderrk as a special place and its residents as a chosen people suffused the imaginations of the Coranderrk Aboriginal people and the white public.[19] The pride of ownership that the Coranderrk residents felt was furthered by the fact that the station was profitable after a few years of operation. The BPA Report for the year 1874 shows that Coranderrk made a profit of £1,840 while the next highest grossing station made only £300.[20] Self-governance and pride of ownership were fostered by the leadership of station manager John Green. Green treated the Coranderrk Aboriginal people as free and independent men and women, respecting their freedom and their right to the land that they occupied. All of this

combined to make Coranderrk an egalitarian community unique among the Aboriginal stations of this period. We can therefore understand the political resistance of the Coranderrk community as an expression of their peculiarly liberal social and cultural circumstances.

Coranderrk in the archive

If Coranderrk does not provide an accurate picture of the nature of Aboriginal resistance in the station era, it can tell us a great deal about the way subaltern political resistance is shaped and translated by colonial authorities. As Ann Laura Stoler argues, colonial archives ‘produced as much as they recorded the realities they only ostensibly described’.[21] In the inclusions, omissions and structuring of the archive, we can discern a narrative authored by the State, what Achille Mbembe calls a ‘montage of fragments that create an illusion of totality and continuity’.[22] Keeping this in mind, we must ask ourselves why the Coranderrk rebellion was granted such a prominent space in the archive through the comprehensive media coverage and well-documented government inquiry it received. While the actions of the Coranderrk Aboriginal people are remarkable, Coranderrk was comprised of at most a few hundred people who were disenfranchised political non-entities in relation to the Victorian Government and therefore easily ignored by it. As the previous petition efforts examined here show, organised Aboriginal political activity in the station era was far more likely to become administrative detritus than it was to result in governmental inquiries. Without diminishing the extraordinary efforts of the Coranderrk people to be heard, it is important to understand the reasons they were listened to. To do this, we need to interrogate the role that the Coranderrk rebellion and the inquiries it brought about played in the political discourse of the time.

As noted above in the discussion of photography at the station, Coranderrk was the site at which the non-Aboriginal Victorian public constructed their ideas of Aboriginality and negotiated the relationship between coloniser and colonised. Diane Barwick demonstrates that the Secretary of the BPA, Robert Brough Smyth, viewed Coranderrk as the colony’s flagship station, and a ‘secular experiment’ in the management of Aboriginal people.[23] As Bain Attwood states, Coranderrk more than any other station also became a hub for tourists, authors and ethnographers seeking out ‘the exotic’ and a chance

to inspect ‘the last of a dying race’.[24] The government adviser William Thomas based many of his influential accounts of the Aboriginal people on his encounters with the Kulin people from the 1830s, many of whom would go on to comprise the Coranderrk population. Popular writing about Aboriginal people by Brough Smyth and others drew heavily on Thomas’s work, and thus furthered the idea of Coranderrk as a metonym for Aboriginal people in the popular colonial imagination.[25] Indeed the construction of Coranderrk as a proxy for the entire Aboriginal population made it a rallying point for progressive journalists and wealthy philanthropists like Ann Bon, without whose vocal support the rebellion would not have received the hearing that it did. The role of Coranderrk as a standard bearer for the management of Aboriginal people is further shown by the fact that managers of other stations in their annual reports commented upon how the rebellion was being received by people on their stations.[26]

An article in the *Sydney Illustrated News* from 1884 summarises the unique role of Coranderrk in conversations about the treatment of Aboriginal people at the time:

The unfortunate Yarra Yarra aboriginals of Coranderrk have been preached at, written about, and made the pegs for ambitious leader writers to hang attacks on the Government on; have been inspected, superintended, catechised and missionaryised, and generally badgered around the world till the wonder is that at some of the deputations or royal receptions at which they have assisted they have not used their nullahs [sic] and show boomerangs on the thick skulls of the tormentors, who will allow them neither to live or die in their own fashion ... Now there is an unholy notion afloat that these poor fellows should be removed to Gippsland, to tear them from their homes, from where their children were born ... and transport them virtually to another climate where to a certainty they will soon be improved off the face of the earth.[27]

Though itself disregarding the agency of the Coranderrk people, the article reflects a sense that the conversation surrounding their welfare showed little regard for their own beliefs or their long term survival. Indeed it can be argued that as Coranderrk became a proxy for Aboriginal people as a whole, engaging with their concerns became a means of absolving the conscience of non-Aboriginal Victoria for the crimes of colonialism. While some objected to the most grievous examples of cruelty towards Aboriginal people, few objected to the white supremacist civilising discourse that underwrote it. Proof of this can be seen in the fact that the infamous ‘Half Caste Act’ was

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implemented only five years after the conclusion of the Coranderrk Inquiry. This Act, which historian Michael Christie refers to as ‘an attempt at legal genocide’,[28] greatly expanded the control of the BPA over the Aboriginal population and saw almost half of the population of the stations forced to move elsewhere. [29] While the Coranderrk Inquiry resulted in short-term material improvements in the condition of the Coranderrk people, the report of the board appointed for the purpose of the inquiry still recommended arbitrary limitations on their autonomy like not allowing them to own more than one cow or horse.[30] Ann Bonn, champion of the Coranderrk cause, said little about the ensuing decimation of the Coranderrk Station[31] and is later on record attempting to remove the station manager at Lake Condah for allowing a party for the marriage of two Aboriginal residents to carry on into the night.[32] Considering the shallowness of non-Aboriginal Victorian support for the Coranderrk petitions and the overwhelming and fatal silence that followed them, it seems clear that taking up the Coranderrk cause was an act of tokenism for the government and its allies in society and the press. The symbolic role that Coranderrk played in colonial discourse about the welfare of Aboriginal people allowed the inquiry to act as a ritual of absolution for non-Aboriginal Victoria. This aligns with Stoler’s understanding of the commission as a colonial tool that allows the State to ‘demonstrate its moral conscience and disinterested restraint, its willingness and commitment to critically reflect on its own mishaps.’[33]

Thus, while the Coranderrk Inquiry produced important short-term gains for the people of Coranderrk, it ultimately supported the narrative of benevolence that undergirded the State’s treatment of Aboriginal Victorians.

State inquiries also have the power to define what does and does not represent legitimate political expression and enshrine this consensus in the archive. By defining certain events as worthy of archiving, the State inquiry silences other forms of political expression through omission. As Michel Foucault said, the archive is ‘the law of what can be said and the system that governs the appearance of statements as unique events.’[34] Evidence that the BPA was concerned with presenting Coranderrk as a singular event can be found in the way they framed the debate as one about whether the protests of the Coranderrk people could be considered legitimate, self-authored political action. It is easy to discern this debate between the lines of the Coranderrk Inquiry Report. The rhetorical strategy of

the representatives from the BPA placed on the report committee was to emphasise Coranderrk as an aberration; a settlement stirred to a frenzy by the political agendas of outside agitators. Members of the BPA sitting on the Coranderrk Inquiry claimed in the report that they had received ‘ample testimony that they are satisfied with the management’ of the ‘five other stations besides Coranderrk’ under the control of the board.[35] The ‘Remarks of the Board’ on the final report of the Coranderrk Inquiry expand on this theme, suggesting that ‘the people of Coranderrk are well fed and clad’ and claiming that the ‘gross untruthfulness of many of the witnesses is patent to anyone who reads the evidence’.[36] This rhetorical strategy can be discerned years earlier in the report of the outgoing General Inspector of the BPA, CS Ogilvie, wherein he states that ‘Coranderrk Station will not bear favourable comparison with any of the other stations, either as to its climate or to its state of discipline’.[37] While the Coranderrk people and their allies successfully refuted claims of deception and outside influence, debating on these terms still allowed the BPA to determine the criteria for what could be considered political action by Aboriginal people. With the remarkably high bar that the Coranderrk people set, it is no surprise that much of the quieter forms of resistance I will go on to examine were considered sub-political concerns. Thus, staging the Coranderrk Inquiry served both to allay the conscience of non-Aboriginal Victoria and marginalise Aboriginal political expression. By uncritically using the Coranderrk narrative then, as historians we risk reproducing what Spivak termed the epistemic violence of colonial authority.[38]

Political resistance on the stations

To truly appreciate the nature of the political resistance era, we need to re-evaluate the way in which we use and understand the colonial archive. When seen as a tool through which colonial authority constructs its vision of itself and its subjects, the colonial archive loses its claim to transparency. One possible way of recovering lost Aboriginal voices of resistance is to broaden our understanding of political resistance. As Colin Gordon is quoted as saying in James Scott’s *Weapons of the weak*, ‘the binary division between resistance and non-resistance is an unreal one’ and ‘the existence of those who seem not to rebel is a warren of minute, individual, autonomous tactics and strategies’.[39] While writers like Patricia Grimshaw and Jan Critchett

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have studied these ‘untold stories’, few have sought to frame these quiet acts of dissent as the micropolitics of the disenfranchised.[40] I will examine two of the ‘strategies’ that Aboriginal Victorians exhibited here to demonstrate some of the breadth and character of station-era political resistance.

‘Laziness’

One of the great stereotypes about Aboriginal people during the station era and one of the greatest causes of complaint by station managers was their perceived laziness and tendency to shirk routinised labour.[41] While no doubt this perception is partially built on the institutionalised racism that Syed Alatas described in *The myth of the lazy native*,[42] in the Victorian context it has its basis in a sort of fact. The archive is full of complaints about Aboriginal men in particular making seemingly concerted efforts to avoid the labour imposed on them by station managers. A letter from the Lake Condah station manager in 1915 complains of three ‘half castes’ ‘strong and big enough for anything’ who ‘will not work, getting away at every opportunity and also keeping others from working’.[43] A similar letter from the Lake Condah manager in 1917 states that ‘the natives are getting beyond all reason ... taking no interest in their work and even refusing to get out of bed’.[44] Viewed with an understanding of Aboriginal colonial experience, what authorities termed laziness can be read as a form of passive resistance. Frantz Fanon observed the disruptive power of indolence when he described laziness as ‘the conscious sabotage of the colonial machine’.[45] The contemporary European understanding of time was for most of history one of a number of competing temporal cultures. While the European temporal order emphasises punctuality and productivity in line with modern labour practices, Bain Attwood notes that an Aboriginal understanding of time ‘had a rhythm centred in a subsistence economy on meeting immediate needs’.[46] Inculcating Aboriginal people with this system of time through forced adherence to a regular routine was an essential aspect of colonial hegemony. The Aboriginal station reports regularly provided updates on the nature and quality of Aboriginal labour as proof of ‘progress’, with one report from Lake Tyers in particular speaking of the dangers of the ‘do-as-please’ way of living in contrast to a life of settled labour.[47] Given this, the ‘laziness’ described by the aforementioned station managers should really be thought of as a means of frustrating

colonial order, representing a refusal to abide by the arbitrary demands of colonial authority.

Family and kinship

Determining the structure and composition of the family unit was one of the main forms of control exercised by colonial authorities. Manipulating familial bonds was a way of ensuring compliance and of inculcating Aboriginal people with colonial ideology. Restricting families was also important because if they were left unregulated, they had the potential to form the nucleus for organised political action on the stations. Much like Steven Hahn comments on the kinship networks between American slaves, ‘familial obligations and responsibilities ... could give slaves support in daily contests of will with owners and managers, and in negotiating the personal travails that could have left them isolated and exposed’.[48] This bore out in Coranderrk where traditionally-maintained kinship structures formed part of the organisational scaffold for rebellion. Regulating and dividing families developed new importance after the introduction of the ‘Half Caste Act’, as it became the tool by which the ‘Aboriginal population’ as defined by the Act could be reduced. Here the story of Effie Mobourne, an Aboriginal woman living on Lake Condah Station is highly instructive. After Effie left her first husband, the manager of Lake Condah asked the BPA for advice on how best to deal with her. The BPA recommended that Effie should be married again, but only to a ‘half caste’ because ‘it would be against the intention of the Act to allow her to marry an Aboriginal’. The letter further states that ‘if you could persuade her, you may be able to get her settled away from the station, but it is necessary that you proceed very carefully ... to avoid any suspicion being aroused in the matter’.[49] Whether due to the machinations of the manager or not, Effie was married shortly after to the ‘half caste’ Eddie Mullett and ordered to leave the station. Seen from this perspective, the reports of Aboriginal people seeking to exercise autonomy over their family lives represent another form of political resistance. The determined effort made by Harry Rose to keep his children with him at the Framlingham station and the attempts that Winnie Austin and her family made to be reunited represent radical campaigns for freedom in the face of colonial hegemony.[50] The efforts of Aboriginal people to retain their familial connections takes on greater significance when the importance of kinship to Aboriginal identity is considered. The Western

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notion of the 'family unit' is itself a colonial imposition that differs from traditional Aboriginal understandings of kinship. As Andrew Strathern writes in the preface to Sally Babidge's study of the Aboriginal family and the State, Aboriginal Australian societies were in earlier times 'marked by elaborate systems of descent coupled with prescriptive or preferential marriage rules and governed by a cosmology linking people in special substantive ways to Country through the expressive images of the Dreaming Time'.^[51] The centrality of kinship networks to Aboriginal identity makes the struggle of Aboriginal Victorians to determine them for themselves a defence of Aboriginal identity as well as a practical political strategy.

Conclusion

We cannot understate the strength, courage and ingenuity of the Coranderrk protestors, whose struggle marks an important moment in the history of Aboriginal political resistance. We should be careful, however, that by exalting the Coranderrk story we are not mischaracterising the nature of Aboriginal life during station era colonial rule or diminishing the smaller gestures of political resistance that surfaced within it. As examined above, disguising and denying the political capacity of Aboriginal people helped to maintain the myth of benign authority that underwrote white hegemony. Acknowledging this fact and accepting that Aboriginal political resistance took a variety of forms helps us to 'decolonise' the historical record. Bound by a highly restrictive system of control, Aboriginal Victorians on the stations fought their battles when and where they could. For most, struggle against colonial domination took the form of a struggle against its immediate manifestations. Forced labour, separation of families and countless other cruelties and indignities comprised the lived reality of Aboriginal people in the station era and in resisting them they were resisting the colonial system that authored them. These stories, disguised as the flotsam of colonial rule in the archives held by Public Record Office Victoria and so many others, are an essential part of Aboriginal history and deserve to be understood as such.

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One woman's crèche is a bureaucrat's child-minding centre

'The Flat' at Footscray High School 1976–1986

'One woman's crèche is a bureaucrat's child-minding centre: "The Flat" at Footscray High School 1976–1986';
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Abstract

State archives present historians, particularly social historians, with challenges. For many decades oral history has been used to fill the gaps in archives and to bring historical stories to life. This paper concerning the establishment of Footscray High School Crèche goes further. It aims to use a dialogue between archival and oral sources to extend the story into different directions and open new perspectives on the past. The crèche was set up by a group of teachers in 1976 and ran for ten years. The history of the centre is not well documented in the archives, although there are clues to its existence. However, it featured very large in the lives of the parents who used it. This article considers the meaning of the different sorts of information about the crèche that can be gleaned from the archival records and from oral testimonies and suggests that this is indicative of the practical meaning of the crèche for its users and state administrators.

It is a truism that, in writing history, oral history can bring the story to life and fill the gaps in the archival record. The reverse is also true: there are histories for which the archive carries very little or even no trace, such as those of entirely non-literate societies. Their histories must be constructed from oral accounts preserved in the minds of living men and women and called up into the hearing of modern historians when they are told. 'Oral traditions make an appearance only when they are told' as the historian and anthropologist, Jan Vansina, puts it, 'the utterance is transitory, but the memories are not'.^[1] Between the two, lies a category of histories that are largely oral, because what they describe is beyond the purview of governments or organisations or corporations. They may be about the same things that concern bureaucracies, but the point of view is so different that

their archival traces are diffuse, not easily glimpsed, even fleetingly. Yet, they are there and they can be discovered by following the suggestions provided by the oral evidence. When they are followed, the archival strands can be linked together to provide a completely new set of stories. This is a different dynamic: the oral histories no longer simply fill the gaps in the archive, but they push the story into directions that can open up understandings of the past and the concerns of the consumers of government as well as—not instead of—its purveyors.

Sometimes, the process of cross-checking the oral and the archival sources shows new lines of enquiry that go far beyond the discrete material provided by one form or another. What is important to one informant may also be important to others and encapsulate a problem, a theme or an event that the archives of government either miss or document scantily because the concerns of bureaucrats are different from those of the individuals they administer. This is necessary because bureaucrats have to provide and administer systems that serve many people, not just a few. These limitations, on both sides, create a tension that illustrates the difference between what the state wants, what administrators consider they need, and what the wider society needs.

This article illustrates a very small example of this tension, but one that clearly shows how some Melbourne mothers in the mid-1970s understood their needs and how Victorian state officials tried to translate these needs into administrative action and fit them into a wider policy. This tension only emerged as my research moved back and forth between oral interviews and archival research at Public Record Office Victoria. That, of course, is a very common practice in modern social history, but in this case, it makes clear a much wider theme than the

micro-history of a single case study; one that clearly demonstrates how the personal and the bureaucratic approaches operated from very different standpoints.

It is certainly a micro-history.[2] In 1976, a group of teachers set up a crèche at Footscray High School. The severe shortage of qualified teachers at the time made the principal receptive to the idea of the crèche as a way to attract and retain women teachers. The crèche cared for a maximum of ten children at one time and ran for ten years: at most, it affected 100 families. The very informality and ad-hoc nature of the crèche as described by my interviewees means it is hard to find in the archives. By focusing on this informality through oral testimony, this article goes beyond social and political forces such as feminism and government policy, which certainly played a part in the history of the crèche, and moves into the personal, lived experiences of my informants.[3]

It would be easy to say that the importance of this story lies in how it illuminates the changes in family life in a working class Melbourne suburb in the late 1970s and early 1980s. That would position it as a piece in the building of a larger cultural story—part of my wider research project about women’s memories of bringing up children in suburban Melbourne in the second part of the twentieth century.

Even then, it is quite a small piece of the story. The footprint of the crèche in the public record is not large. There are some passing references in the archives and local newspapers, but it excited no controversy to attract the attention of bureaucrats and journalists. Could it be their refusal to accord it their attention reflected its lack of importance in the larger picture? Alternatively, could the silence of the print and government records reflect the tendency to ignore individual endeavour? I assembled the story of the crèche from interviews with three informants. Does the process of recovering the story, stitching together its public traces with the private memories of the participants, do more than simply add another small story to a wider theme?

Initially the crèche seemed a small part of my research, but when I went to the archives to check the details against other sources, it opened up a much larger line of enquiry. A simple search for confirmation of dates led me to ask questions about working mothers and their attitudes to childcare. A deeper methodological problem arose: what is the relationship between oral

history recorded from Melbourne women and the history of Melbourne women recorded about them in the archives and in the press? In this case, the first discovery of the story of the crèche came from the oral testimony of a participant named Therese Keys.

Interviewee Therese Keys

Therese Keys mentioned Footscray High School Crèche to me when interviewed about her life experiences as a mother in suburban Melbourne. Therese was born in Spotswood in 1955 in the post-war baby boom. Her father had grown up in rural Victoria and recreated a little of the country in their ‘huge’ city backyard with ‘chooks, veggie gardens’ and space for the children to play ‘lots of ball games’.[4] In the 1950s, leftover industrial land in Spotswood was increasingly being re-developed for housing. Therese’s parents bought a block of land and built a war service house. This was one of the many bungalows built around the Maribyrnong area during this post-war period.[5] With eight children in the family, the large washing line in the back garden was well used and Therese recalls that at kindergarten all she ‘ever used to paint was nappies on the line’. As the oldest daughter, Therese helped look after her younger siblings, especially as a teenager in the months when her mother was recovering from a stroke and her father returned to his work as a tram conductor on the Port Melbourne line. Therese remembers enjoying the fact that babies were always around her and wanted to ‘experience having a baby’ herself. In 1979, at the age of 24, and four years after she married, Therese was delighted to discover she was pregnant with her first child:

I was very excited about becoming a mother; I had a history of being one of eight children, and always around babies, always. I was the eldest girl, of those eight children, and always had a little baby nearby to play with, or help, or whatever, and I just really wanted a baby of my own.[6]

Therese had not planned to work after having children. Therese’s mother had stopped working in the office of the Catholic newspaper, the Advocate, when she married. However, Melbourne in the 1970s was not the same as in the 1950s. Family life was changing. One of the significant changes was the increase in married women and mothers in the paid workforce. In 1954, 13 per cent of married women were in paid work. By 1974, this had increased to 40 per cent. Many of these married women were mothers. In 1973, 50 per cent of mothers of school

age children and 27 per cent of the mothers of pre-school children were working.[7] The Royal Commission on Human Relationships released its findings in 1977 and estimated that 28 per cent of children under the age of six were the responsibility of a working parent—most often the mother.[8] Of course, working mothers were not a new phenomenon in Australia, but the dramatic increase in numbers in two decades made it more visible. Working mothers were a social reality by the mid-1970s, and as journalist Anne Deveson wrote in 1978, ‘to ignore this social reality is to ignore the interests and well-being of thousands of young children’.[9]

The reasons for this change were complex and varied: smaller families with children spaced more closely together, feminism, suburban development, economic factors, increased school retention rates and legislative changes such as the abolition of the marriage bar for public servants in 1966 and the gradual introduction of ‘equal pay’ for women. For these women, the primary reason most often given in interviews for returning to work was financial. However, such responses can obscure reasons that are more complex. Of course, there was often a financial impetus. By the mid-1970s, the economic stability of the 1950s and 1960s had disappeared. Economic growth had slowed, inflation was high and unemployment was increasing. The 1970s credit squeeze was felt particularly keenly in working class areas such as Spotswood and Footscray, which had traditionally been heavily reliant on manufacturing. Job insecurity meant more women took up work to protect their families in case of future job losses for their husbands. A February 1976 Gallup poll showed that inflation and unemployment were the greatest sources of concern, and newspapers were full of political promises to improve housing affordability for families.[10]

Like many others, Therese discovered one income was no longer enough to support her family:

I needed to, I needed the money, and I needed, we needed the money. And the good part was, I got the further education my self, and I’ve been able to help the family, and have a good job, you know, because of that, and get through where, you know, the last, what, how many years we’ve had to have two jobs, and that’s been good.[11]

Therese repeats ‘needed’ four times in one sentence, but perhaps more interestingly she changes the subject from ‘I’ to ‘we’. The family needed the income, but Therese also needed the work for herself and her independence.

Gaining a tertiary education (the first in her family) meant Therese was able to help the family financially and it became evident in her interview that this gave her a great deal of confidence as a mother. This small shift in emphasis points to the variety of reasons women entered and re-entered the workforce after motherhood.



Footscray High School, Wembley Avenue, Spotswood, circa 1953. Maribyrnong Library Service, image ID 4808.

‘It was a little home’: Therese introduces Footscray High School Crèche

Through her sister, Therese found a part-time job in the library at Footscray High School. She had worked at various retail jobs after leaving school, but this was the first time she had worked in a library. Footscray High School was built in Spotswood in the 1950s and opened just before Therese started primary school. As the photograph above shows, it featured the long straight corridors typical of the ‘chicken coop’ schools of the time. Initially, it accommodated the post-war migration boom, but was still a busy school in the 1970s. Accepting the position at the school created a problem for Therese and her husband. Who would look after their 12-month-old daughter? Therese’s mother lived in the next street and was supportive. Therese remembers her mother would often ‘grab washing’ and help with babysitting. However, her mother was still caring for her own children—Therese’s younger siblings. This was not unusual and reflects a wider story again.

The gradual decline in the median age of mothers in Australia dropped from 28 in 1945 to 25 in 1970—the lowest on record. Fertility rates were over 3.0 children per family between 1950 and 1965.[12] This combination of younger women having babies in the 1970s, but often coming from larger and more widely spaced families, meant new grandmothers were not always available to look after grandchildren. In suburbs like Footscray with high numbers of post-war migrants, grandparents were often not around at all. As Therese explains, the deciding factor in accepting the job was that there was a small child-minding centre on-site:

When she [daughter Jessica] was one, I started the job, and I think I must have started studying, maybe two years into the job, or 18 months into that job. The job eventually became full-time, oh sorry, permanent part-time, it was only part-time. Oh it was lovely! There was a crèche at the school. Run by a mothercraft nurse, and there were only teachers, and staff, children, and there was a maximum of ten, and it was very, very rarely ten, so it was a little home, within the school, a proper home, because it used to be a residence.

Yes, it was set up as, it was beautiful, it was really. And we all took turns, the staff all took it in turns, at lunchtime, relieving at the day-care centre, the crèche, and as I was just part-time, sometimes I worked there too, so, they'd give me a bit of it ... you'd have school, the high school students there as well, at, but you'd be in charge, when the mothercraft nurse wasn't around, or had a day off, or whatever, and yes, I worked there sometimes too, which was nice.

Oh, it was perfect, just perfect.[13]



Footscray High School Crèche, 1978. Photograph provided by Jillian Hargreaves.

The emotional aspect of putting children into care outside the home is one I have found mothers remember and talk about at great length decades after their children have grown up. Therese repeated several times that the crèche was a 'little home' and emphasised how 'you almost felt as though you weren't leaving them'. However, she was leaving them and her sadness about this came through later in her interview when she spoke about returning to work after her second child was born:

Even though it was under those good conditions, it was at the school, it was, you know, I'd just drop him off at one room, and go to another myself, I still wanted to be home with him a bit longer... I felt I would have liked a bit longer, as a mum.[14]

The photograph above of story time illustrates the homely atmosphere of the crèche. Jill, the mothercraft nurse, sits with one child on her lap and another nestled into her, while Lyn, the woodwork teacher's wife, reads a story. In emphasising the intimate nature of the crèche, Therese may also be commenting on what some other child-minding centres were like in 1970s Melbourne.

Child minding legislation

This question about childcare sent me back to the archives. The archival records suggest not all centres were as homely as Footscray High School. According to the *Health (Child Minding) Act 1964*, the Department of Health regulated child-minding centres in the 1970s. These regulations were primarily concerned with the health and safety of the children and focused on the physical environment: the height of door handles, ventilation, height of toilets and sinks, heater guards and first aid cupboards. They do not mention the child-minders' experience with caring for children. Perhaps this focus helps explain the reservations of mothers such as Therese about child-minding centres and her emphasis that Footscray was a crèche (not a 'child-minding centre') and run by a 'fully qualified mothercraft nurse'. Deborah Brennan points out that the term 'child care' was also complicated as, until at least the 1960s, it was closely associated with 'child welfare'. [15] Documents in the Department of Health files suggest an increasing concern from the department as well as the public about the child-to-staff ratios as well as the quality of care. Community Child Care, a feminist grass-roots association, shared some of these concerns. Founding members of this group noted in 1981 that the Department of Health requirements in the 1970s, 'seemed

to be more concerned with the children's physical hygiene and ensuring that children of one yearly age-grouping didn't mix with any others, than with the social and cognitive development of children'.^[16] By the 1970s, the public as well as bureaucrats were asking questions about the 'adequate number of staff employed on duty' and this correspondence was used by the Secretary of the Department of Health in May 1974 to support recommendations to amend the regulations to 'overcome loop-holes in relation to the employment of group leaders at Child Minding Centres'.^[17] In 1985, the newly-created Department of Community Services took over registration of child minding centres noting that it 'would appear to be more relevant to that Department now'.^[18] With this move came further regulatory changes and a greater emphasis on the quality of care in child minding centres.

However, some working parents had little choice in childcare. The lack of suitable childcare was a considerable problem in the 1970s. In 1977, the Royal Commission on Human Relationships reported that, although improving, there was 'still a serious shortage of child care of all kinds'.^[19] Mothers coped with this by adjusting their work lives by working part-time or working at night or taking jobs out of their career field that fitted within school hours. As one of the commissioners, Anne Deveson, explained, 'many of the working women had solved the child care problem by avoiding it'.^[20]

Child minding centre files

Public Record Office Victoria holds the Victorian Department of Health records for 1962 to 1980 and they include close to 1,000 child minding centre files. Many of these were what Deborah Brennan has termed 'home-based childminders' and not formal childcare centres as we understand the term now.^[21] The files are stored in 37 boxes, catalogued at the box level with no further information on the box label or in the catalogue record other than the child minding centre number. These records are incomplete as Footscray High School Crèche (child minding centre number 890) is not included in any of the boxes.^[22] There are traces of the crèche in the archival record such as the plans submitted to the Department of Health in the building files.^[23] The establishment of the crèche was reported in the local Footscray newspaper, the Mail, but, being 1976, this falls into the un-digitised 'black hole' of Australian newspapers and so not easily searchable.

'Last-ditch move to attract teachers': establishing the school crèche

So I returned to oral testimony. I was able to locate and interview one of the teachers involved in setting it up as well as the mothercraft nurse who ran the crèche. Footscray High School Crèche was the idea of one teacher, Lana Malakunas, and achieved by the collective efforts of a small group of teachers. In 1975, Lana, an English and history teacher at Footscray High School, was upgrading her teaching qualifications at the University of Melbourne. She noticed their family club which had been set up as a cooperative day nursery and kindergarten in 1965 and thought: 'what a wonderful idea because if you have your child close by and in a place with people you feel comfortable with, it means so much to you as a working parent'.^[24] Lana knew from personal experience that formal childcare was not readily available and she knew other mothers who also wanted to work outside the home. At the end of the school's home economics wing was a section known as 'The Flat'. Set up as a replica house with a kitchen, bedroom and sitting room, it was a relic from the days when schoolgirls were taught all aspects of home making—including the correct method of making beds.^[25] By the early 1970s, 'The Flat' at Footscray High School was no longer used. Lana saw it had other possibilities: it would make an ideal crèche. Together with three other female teachers, she prepared a proposal to set up a cooperative child-minding centre on the school grounds. The school principal agreed; minor alterations were made to 'The Flat'; the necessary paperwork was completed for the Department of Health; and the committee began advertising for a mothercraft nurse. In 1976, Footscray High School Crèche was established. It ran successfully for the next ten years under the supervision of former students and recently-qualified mothercraft nurse, Jillian Hargreaves.

The idea of having a crèche on school premises was innovative and challenged social norms of the times, but it was generally well received by the principal, staff and school council. However, there were certainly teething problems. Lana remembers one senior male teacher in particular who vigorously objected to the idea of a crèche. The school principal was able to ignore these objections as there was a severe teaching shortage at the school, and the crèche was strongly promoted by the advisory committee as one way to 'attract and retain teachers'.^[26] The teacher shortage was a widespread problem, but it was felt particularly keenly in more disadvantaged

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schools such as Footscray High School in the western suburbs. The school had been employing temporary teachers from the USA. Retaining staff was also a problem. The school principal reported in 1978 that the school 'has had a staff turnover rate between 30 and 40 per cent each year,' but 'the Crèche is helping to reduce that rate'.^[27] A local newspaper article about the crèche in 1976 ran with the rather depressing headline: 'Last-ditch move to attract teachers'. An advertisement ran in the same paper was 'urgently' looking for teachers in term two for boy's craft, history, science, migrant English and remedial English.^[28]

To an extent, the crèche was an example of work-based childcare established in response to employer needs. Deborah Brennan points out this type of childcare was criticised by sections of both the union movement and the community childcare movement for tying the children and parents to the workplace.^[29] In reality, the number of childcare centres of this type was so small that this concern seems to have been a little misplaced. A 1970 Federal Government Department of Labour and National Service report into childcare centres in Australia identified only two 'child care centres in Australia which employers conduct for the benefit of their employees'. Both were in Victoria: the first was a manufacturer of telephone equipment and the second a Melbourne hospital.^[30] In 1977, a real estate developer established a childcare centre as part of an industrial estate in the Sydney suburb of Ryde. The *Women's Weekly* reported the development as being 'the workplace of the future' and 'revolutionary', suggesting that it was unusual but attractive.^[31] This was echoed in 1979 in another *Women's Weekly* article, this time on German factory on-site kindergartens, which began, 'children's centres designed as part of the work-place are still largely a dream in Australia'.^[32]

The Footscray High School Crèche was also clearly more than a desperate attempt to solve a teaching shortage. At the time, teachers at the school talked about it as 'an important social experiment' and a 'modern trend'.^[33] The school principal described it as 'one of the school's contributions to the spirit of the *Equal Opportunity Act*'.^[34] There seems to have been a sense among the advisory committee of being trailblazers. Lana wrote a detailed statement of the procedures followed to set up the crèche in response to other schools 'wishing to know how we were able to establish a child care centre on Education Department premises, so they could make

use of our experience as a basis for their own work'.^[35] Now, four decades later, Lana sees the objection to the crèche as reflecting some of the larger social disquiet about women, and especially mothers, in the workplace:

... and the senior teaching group were men. And there was one in particular who thought it would be very, very nice for the senior teachers to have their own quarters in the school. And so it was a toss-up between, do the male senior teachers have this as their office space or do we use it as a crèche? [relaxed laughter] And, I had to stand my ground. Mmm, so, it worked out well [laughter]. But, I think they were the days also when women were becoming more seen in the workforce. And, to have women with children being part of the workforce was [pause] they were early days [pause] they were pioneering days in just so many ways. And, so, you know it made people think and question and challenge [laughter]. And, but, that's ok. That's part of the evolutionary process. On the whole people were very, very supportive.^[36]

Lana's use of the work 'pioneering' evokes a sense of real hardship, creating new ground and overcoming significant barriers. I asked Lana about this and she agreed this was how she and her female colleagues felt. However, she was also keen to remind me that the role of men was also changing. In her case, her father who had just retired looked after her two children rather than her mother who continued to work.

Nevertheless, there were tensions about these changes and these were evident beyond Footscray High School. In 1976, sociologists Jan Harper and Diane Worrell conducted a study of young mothers in Melbourne called *Two options or a double bind*, funded by the Royal Commission on Human Relationships, in which they described a divide between mothers and working mothers in the 1970s. In their interviews with almost 200 Melbourne mothers, Harper and Worrell discovered that mothers were caught between two negative stereotypes: 'dull housewives' if they stayed home to care full-time for their children, or 'neglectful and selfish' if they entered the paid workforce. As Harper and Worrell put it: 'you're damned if you do and damned if you don't'.^[37] Neither Therese nor Lana remembers the divide being quite so clear, but other interviewees have spoken about this division.

The discussion about working mothers was framed around the best interests of the child. The British psychologist John Bowlby's theories of maternal attachment still seemed to be influencing ideas about childcare and the role of the mother in early attachment. However, it is difficult to know how much this discussion

reflected the social structures of the day. As Harper and Richards point out, it can be ‘difficult to separate the norms from external factors, like availability and suitability of child-care’.[38] A viable childcare option, such as an on-site crèche, allowed mothers to make choices about work, choices they would not have been able to make a decade earlier.[39] Choices, as Lana explained in her interview, some people found challenging.

Conclusion

The research behind this paper started out as a simple exercise in fact checking of oral material. It developed into an understanding of how the expectations of individuals and the considerations of government interacted and differed. As research, it resulted in an extended dialogue between the archival and oral sources. To return to Vansina and his point that oral stories are fleeting, as ‘most of the time they dwell only in the minds of people’.[40] The personal histories of my informants are only known because I interviewed them—otherwise the story would probably never have surfaced and the memories, however long-term they might have been, would eventually have died with them. Without those memories, a much more important story would have been lost. The archive alone would never have suggested the extent of the difference between personal expectations and the provisions of government. The formulation of ‘crèche versus child-minding’ as contrasting outlooks between government and individuals is the difference between informal, cooperative on the one hand, and formal, and prescriptive on the other.

In its own terms, Footscray High School Crèche ran successfully for ten years showing its value to the staff who used it and to the school as a whole. In the end, the informal and cooperative nature of the centre, as well as its small scale, proved unsustainable. In 1985, the newly-created Department of Community Services took over responsibility from the Department of Health for child-minding centres in Victoria and the regulations around childcare began to change. Jillian, who ran the centre, explained that the new staff-to-child ratios and increasing bureaucracy meant that it was no longer financially viable to keep the centre open. Footscray High School Crèche closed in 1986.

However, in just a decade, the crèche made an enormous difference to some families. Social changes such as the creation of teaching studentships, increased mature age university entry and the introduction of free tertiary education, allowed women like Lana and Therese to take up work and educational opportunities that had not been available to their mothers. The opportunity to obtain tertiary education has led to long and interesting careers. An on-site and homely crèche allowed them to continue in the paid workforce after having children. Therese formally trained as a librarian technician and worked in an academic library for more than 30 years. Lana taught in secondary schools for many years and then moved into education administration before retiring a few years ago. Like many other working mothers in the 1970s, neither remembered consciously planning a career. As Lana explained, ‘we worked, we didn’t think of it as a career’. Yet, a career is what they achieved.

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Endnotes

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- [17] Memorandum from AT Gardner, Secretary General Health Branch, 27 May 1974, PROV, VPRS 14836/P3 General Correspondence Files (General Health Branch 1944-1978; Public Health Division 1978-1986), Unit 59, Child Minding Act 1964 & Regulations, 1964–1986.
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- [20] Ibid.
- [21] Deborah Brennan, *The politics of Australian child care: from philanthropy to feminism*, Cambridge University Press, Melbourne, 1994.
- [22] PROV, VPRS 3876/R1 Child Minding Centre Files (Single number).
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- [24] Lana Malakunas interview with the author, Melbourne, 30 October 2015.
- [25] Thank you to Marilyn Bowler for pointing out that these flats were sometimes rented by single teachers and especially single women. See advertisements in the *Victoria Education Gazette and Teachers' Aid*.
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[31] Gillian Chalmers, 'It has a child care centre, parkland, lake and fitness track: the workplace of the future', *Women's Weekly*, 21 December 1977, pp. 34–35.

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Forum articles



The search for Maltese troublemakers and criminals in Australia

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She was the Vice-Chair of the Education and Culture Committee of NGOs at the Council of Europe up to 2014, she is one of the editors of the online textbook *Historiana* published by Euroclio, the European History Educators' Network, and she is one of Euroclio's ambassadors. She is also on the editorial board of a number of journals including *Heirnet's International History Teaching Journal*. She has published various books, textbooks, papers and teaching resources on history education, as well as a number of history papers on women in Malta in the eighteenth century. She is the Vice-President of both the Malta History Society and the Maltese History Teachers' Association.

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Abstract

This paper describes the author's search in Public Record Office Victoria and in Australian newspapers for criminal activity by the Maltese. What started as a search to find Maltese women criminals in the nineteenth-century evolved and changed into a more general search dictated by the history and availability of the historical sources. This paper gives some background on Maltese migration to Australia, followed by an explanation of how this history constrained the particular study on Maltese criminals. A possible explanation is given as to why no Maltese women criminals were found and how other women criminals proved to be quite interesting. Some comparison is also made between the crimes of Australian women who were not Maltese in the nineteenth century and the crimes of Maltese women in Malta in the eighteenth century. The author's first encounter with Maltese women in the records are mentioned, and then the focus shifts to the small number of Maltese male criminals in Australia, giving some indication of what the nature of their crimes were in early twentieth-century Australia.

Research focus

My area of historical interest is usually women in Malta in the eighteenth century and I have published a number of papers on this topic, among them one on women 'troublemakers' and crime in that century.[1] This topic has always fascinated me as I find these women often shatter the stereotyped image of Maltese women in the past—the good, well behaved religious wife and mother who did not venture far from home. During a three-month stay in Melbourne, I was drawn to the Public Record Office Victoria's main collection at the Victorian Archives Centre in North Melbourne where I hoped to find similar evidence of Maltese women 'troublemakers' in Australia.

Along with online searches of Australian archives, soon after my arrival in Melbourne I began to pay regular visits to Public Record Office Victoria (PROV). As any historian would tell you, three months is a very short time to find many interesting and useful sources on a specific topic, but I thought I would give it my best shot. The aim of this paper is to share my observations and interpretations of what I found during this brief period of research.

Maltese migration to Australia

The sources on crime offenders at PROV read like a timeline of Victoria's and Australia's history of migration. [2] The surnames and places of origin of the law-breakers reflect the history of the different ethnic groups who arrived, when they arrived, and the subsequent generations who stayed.

It was clear from the start that my search for Maltese criminals was very much constrained by the history of Australia itself. For example, finding any records of Maltese or any other criminals in Victoria or anywhere else in Australia in my own research period (the eighteenth century) is not possible. In 1770, Lieutenant James Cook's voyage was made and in 1787 the first British ships with people from Britain arrived in Sydney, slowly followed by a few other nationalities including the Maltese.

The general migration history of Maltese people to Australia is quite well documented. According to the Immigration Museum in Melbourne:

The first Maltese to arrive in Australia were convicts, transported in the 1810s for deserting their British regiments. Malta was then a British colony. The first free settler, Antonio Azzopardi, arrived in Melbourne in 1837 and became a successful businessman, but few Maltese followed in his footsteps. By 1881, the Malta-born population of Victoria was only 73.[3]

This tallies with various studies on Maltese migration to Australia[4] and that 'by 1891 the population of the Maltese in Australia was estimated to be 200, which rose to 1350 by 1921'. [5] Australia's 1901 *Immigration Restriction Act* kept Maltese arrivals low in the early twentieth century for this gave customs officers power to exclude all unwanted immigrants. The Immigration Museum in Melbourne gives attention to the notorious dictation test:

Immigrants could be required to pass a language test in any European language. If they failed, they were refused entry. Maltese applicants were given a test in Dutch. A political activist [not a Maltese] who spoke several European languages eventually failed when he was tested in Gaelic. This technique continued to be used by Customs until 1958.[6]

Most studies on Maltese migration also mention the infamous event of 1916 when 240 Maltese arrived on the French steamer *Gange*. They were refused entry and kept for six months in New Caledonia before being allowed into Sydney.[7] According to Price,[8] Maltese migration

restrictions were lifted in 1920, but with a quota of 260 per annum which was later increased to 1200 per annum. Then came the great wave of Maltese migrants in the late 1940s, 1950s and early 1960s. Cauchi describes it as:

... a period of massive and rapid migration, so that some villages in Malta and Gozo were depopulated of young able-bodied men. Moreover, Maltese migrants after the war found Australia more attractive. Pre-war, most Maltese migrated to USA or UK, whereas after the war, Australia and Canada were the main places to take migrants.[9]

After the 1970s the pattern of migration changed and a larger number of Maltese middle-class and professionals migrated to Australia.[10] Today in the twenty-first century a few Maltese continue to migrate to Australia joining the present profile of Australian immigrants who tend to be 'skilled migrants meeting workforce deficits. Migrants who arrive in Australia are generally of prime working age, and have high levels of labour market participation',[11] forming part of what has been called a 'brain gain' for Australia.

Looking for criminals

This history of Maltese immigration to Australia makes uncovering Maltese criminals in the past very difficult because the bulk of Maltese immigration to Australia occurred mainly after the middle of the twentieth century. Undoubtedly, after this big wave of immigration of the 1950s and 60s had occurred, there would be a sizeable number of criminal records that exist, but they are inaccessible. Access to these records is closed to public viewing for privacy reasons, since naturally these people might quite possibly still be alive. Therefore the bracket of years within which I could work was limited to about 50 years; from 1900 to 1950. I was encouraged to start from 1900 because I did find a few Australian Maltese men who had fought during World War I. A recent article on Maltese immigrants retells once again the infamous 1916 *Gange* incident when 249 Maltese were refused entry, and quotes various attacks in the Australian media of the time against this decision:

Where would the boys have been on April 25, 1915, had not the Maltese kept up the line of communication? How many of them partook in the naval battle of Jutland? How did they treat the boys whom they got to Malta? And this is the way we repay them?

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The author of the article makes a final, scathing indictment of the Australian Prime Minister which appeared in the Western Australian of Wednesday 2 May 1917. 'Others have received our wounded Australians into their homes at Malta and nursed them back to health'.^[12]

Involvement in World War I

These statements in defence of the Maltese focus on the fact that Malta was on the side of the Allies in World War I and they seem very aware of Malta's reputation as the 'Nurse of the Mediterranean' where wounded Allied soldiers were sent. While these statements are true, a quick name search in the National Archives of Australia revealed that a number of Maltese men were actually fighting in the Australian army in World War I. The Personnel Dossiers of the First Australian Imperial Force^[13] revealed a Cini, a Portelli, an Agius, two Bartolos, Vellas, Muscats and Caruanas, three Camilleris and Borgs and seven Attards! Closer examination of each of these individuals in this sample confirmed they were Maltese Australians originally hailing from various parts of the Maltese Islands including Valletta, Zejtun, Qormi and Gozo. Finding 24 Maltese in a quick search is quite impressive.

Maltese involvement in this war goes beyond helping to care for the Australians wounded during the Great War in Malta, it shows that Maltese men living in Australia were directly involved in the war effort on the Australian side. I found this helpful for my own research on Maltese criminals for these men enlisting in the Australian army clearly indicates that the number of Maltese in Australia prior to the twentieth century was larger than imagined and possibly the number of Maltese women had also grown. This gave me some hope that the records of the first Maltese women offenders in the nineteenth century and early twentieth century would eventually come to light and thus possibly disprove the accepted idea that:

The first woman to migrate from Malta to Australia was Carmela Sant in 1915. The move was prompted by her husband Giuseppe Ellul, who had migrated in 1913. Giuseppe Ellul was a stonemason in Mosta before moving to Australia to commence a successful career in sugar cane and dairy farming in Mackay, Queensland. In 1916 the couple gave birth to the first born Maltese Australian, Joseph Ellul.^[14]

Common criminal patterns for women

Unfortunately, while I did find hundreds of women criminals in the nineteenth century, using the surname as an indicator, none appeared to be Maltese women or Maltese men. However, despite not finding any Maltese surnames, I found these mostly Irish, Welsh, Scottish and English women of the nineteenth century fascinating. Having previously written on Maltese women criminals in the eighteenth century I noticed that these women, although different by location and time, were committing similar types of offences.

In Malta in the eighteenth century:

court records show that women were sued in civil law in such matters as the non-payment of debts and illicit gambling in their taverns. Accusations against women both from Valletta and the villages included those of abusive and blasphemous conduct, drunkenness, theft offense, molesting, fighting and beating up people. Punishments took the form of fines, warnings as well as imprisonment, incarceration in a conservatorio and even exile to Gozo.^[15]

These observations could equally be used to describe the crimes committed by Australian women in the nineteenth century, as the registers of female prisoners^[16] at PROV report very similar crimes.

One frequent charge against both women in Australia in the nineteenth century and Maltese women in eighteenth-century Malta was that of theft. Women were charged with stealing foodstuffs, household goods, clothing, gold, silver and jewellery, and similarly hundreds of women in nineteenth-century Australia were accused of being thieves. Women used to work as servants in private households and were trusted with the running of the house. This offered them a golden opportunity to steal in an unperceived way by slowly putting things aside in the hope they would not be missed. The Australian media reported one such case which drew my attention for two reasons—firstly, the offender was a woman and secondly, the victim happened to be a Maltese man.

This was the case of Lilian Fitrick who was employed by a Maltese man, Christopher Portelli, a fruiterer, in Barkly Street, St Kilda in 1917. She was accused of stealing from him.

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She had worked at his shop between 29 July and 11 August 1917, during which period he lost six sovereigns and a half sovereign. He complained to the police that he kept the money in a waistcoat pocket hanging behind the door in his bedroom and Lilian was the only person who had access to the room. He seemed to be quite a kind man for on hearing Lilian was in trouble over debts he said 'Why didn't you tell me, and I would have let you have the money, and you could take it out in wages'.[17]

Men like Christopher Portelli show that some early Maltese immigrants in Australia were quite successful, not only working themselves but also employing others. They seem to have been living comfortable lives, just as the first Maltese free settler known as Antonio Azzopardi had done as early as 1832. 'The first free settler, Antonio Azzopardi, arrived in Melbourne in 1837 and became a successful business man'.[18]

The lack of any Maltese surnames in the nineteenth-century prison registers at PROV might indeed confirm that they did well or at least kept their heads just above water and lived within the laws of the new country.

Maltese women in the early twentieth century

In the past, most Maltese men tended to be married to Maltese women in Australia. The usual pattern was for the men to arrive first in Australia and once they were settled they would be followed by their Maltese wives or they married Maltese women they met in Australia. Wedding announcements between Maltese couples in the early twentieth century are quite frequent. To cite one example, the marriage of Doris Vassallo and Anthony Attard was announced on 31 July 1936. Doris was probably born in Australia for Doris's father George is described as a 'well known resident of Wetherail Park' while it is not so clear where the groom Anthony was born. He is said to be from Pendle Hills, while his parents are described as being from Malta. It was a grand occasion.

The bride looked stately and presented a regal air as she entered the church on the arm of her father, her long train being supported by two flower girls ... The bride carried a shower bouquet of white hyacinths and carnations, with a touch of pink; the bridesmaids' shower bouquets were pale pink flowers ... The bridegroom was attended by an old school friend, Mr Joe Pace, as best man and Mr Victor Portelli as groomsman.[19]

Maltese women were in Australia by the early twentieth century but my research did not locate any criminal offences recorded for them. The lack of female criminals even as late as the early twentieth century is testament to how relatively small the Maltese community was before the explosion of Maltese immigrants in the 1950s. However, another interpretation is that Maltese women in Australia led sheltered lives within the confines of their homes and family and did not venture out and mix much with the rest of society. Hence, the opportunity for crime was very limited.

One such lady was Antonia Vella who was born in Mosta, Malta in 1880. Her obituary states that 'she arrived in Australia and landed at Mackay in 1920 with her three eldest children to join her husband who had immigrated 10 years previously, to take up cane farming. Five years later the farm was disposed of and they went into business. Mrs Vella was one of the first two Maltese women to settle at Habana, where she remained until 1939. In 1934, accompanied by her husband and two younger children, she paid a visit to her native land, where they remained for six months'.[20]

This supports the notion that the Maltese did quite well economically as Antonia went into business with her husband and at one point could afford to return to Malta for half a year. She lived in Habana for 19 years and her obituary states that 'her kindness, generosity and happy disposition won her many friends, and on all occasions her house was a home for all'. The obituary goes on to describe her illness which lasted 20 years. Her funeral was attended by her husband, two sons and ten grandchildren.

Sometimes many years would pass between the arrival of the Maltese men in Australia and the arrival of their wives and the rest of their family. Like Antonia Vella, another Maltese woman described in a newspaper article simply as Mrs Attard arrived in Australia with her daughter around Christmas time 1949 while her husband, Joseph Attard, had been in Australia since 1926, a good 23 years before his wife. Unlike Antonia Vella, however, Mrs Attard seems to have led a less peaceful existence due to the behaviour of both her husband and her son who was described as one who gets very violent when angry. His father had actually paid for him to come to Australia a year before, but father and son did not get on very well. One day the son warned his father to stop drinking and in fact told the bar attendant not to serve

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his father any more drinks. Mrs Attard was indirectly involved in the fist fight that occurred between her husband and their son. It was she who eventually stopped the fight in the street and took her husband home, but not before he had sustained a number of injuries including ‘two black eyes and a sore nose.’[21]

These Maltese women are by no means criminals, on the contrary, they are described as good natured and actually acted as peacemakers in their families and community. I did not find any Maltese female criminals at all, but this is not to say that none existed. Future research on this subject might eventually yield them. My method of using surnames to uncover Maltese women might be the reason for my unsuccessful attempt to uncover female criminals, for the search is hindered by the fact that women, especially in the past, changed their surnames upon marriage. Hence any Maltese women criminals bearing non-Maltese surnames all went undetected during my search.

Maltese male criminals in Australia

By the early twentieth century, the small Maltese community began to grow, aided by the continued constant small trickle of immigrants from Malta. With the larger Maltese population, the likelihood of finding convicted Maltese also grew and this did happen in my research at Public Record Office Victoria and in general Australian newspapers. Suddenly, in the early twentieth-century sources, I came across the first Maltese lawbreakers. Even though the number of Maltese men I found is small, I was delighted to find them. Having abandoned my quest to find Maltese women, I was grateful to find any Maltese at all. Indeed it was like finding precious needles in a hay stack.

Maltese male criminals, married or otherwise, did retain Maltese surnames and I managed to find a few of these, though not many. This would be expected for such a small community, but this very small number might also confirm the notion that the Maltese community continued to fare quite well economically in early twentieth-century Victoria and elsewhere in Australia and managed on the whole to keep out of trouble.

The oldest record I found of a Maltese man who did cause some disturbance in the community was John Portelli, who had leprosy. On 16 September 1919, he escaped from

hospital in Sydney where he had been detained for seven months but I found no evidence that he was ever caught after this escape.[22] John Portelli did break the law by running away from the Lazaret Coast hospital, but he can hardly be described as a criminal. However, other Maltese men who appeared in the records almost a decade after Portelli could well be described as criminals. They were mostly convicted of petty crime, although some could also be described as dangerous criminals.

Although men normally keep their surnames, not all of them did. One of the Maltese convicts changed his surname and his Christian name. Emanuele Agius[23] was also known as George Muscat. Emanuele could have done this to cover his identity and make it difficult for him to be traced. He was not the only prisoner to give different names, and the police officers or clerks registering the convicts seemed to be aware of this. In a separate register to that where the crimes of Emanuele Agius, aka George Muscat, are recorded, there appears one Irish convict listed as Joseph Nagan,[24] where the clerk writes in red next to his name ‘says name is Joseph Nagan, but cannot rely on him’. His suspicions might further have been raised when Joseph Nagan claimed he could not remember the name of the ship or the date when he arrived in Australia, thus eliminating the possibility of confirming whether his name is real or not! Joseph Nagan was charged with ‘insulting behaviour’ and eventually discharged on 3 February 1908.

Australia was a new country and these men were thousands of miles from their homeland. This provided a great opportunity for past offenders to start a new life with a new identity and a clean slate, either to start a new path on the right side of the law or to continue breaking the law, but with no past records! The intriguing case of Guiseppe Azzopardi, incidentally a Maltese, showcases in detail how subjects of the British Empire could vanish in Australia. Azzopardi moved to Smyrna, Turkey in 1842 leaving his wife and a young child in Malta. There he murdered a Dutch woman and was caught and sent for trial in London and condemned to death. This was later changed to transportation to Australia. He eventually remarried under the name of Joseph Azzopardi and despite the search for him by the official British government system—a search instigated by his destitute first wife—he was never found.[25]

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Going back to Emanuele Agius, aka George Muscat—he was described as being swarthy, dark and with brown eyes and born in Malta in 1901. He had been a labourer, but Emanuele must have fallen on hard times some time after his arrival in Victoria for he is accused of two offences; that of ‘insufficient means’ and ‘unlawful assault’, possibly the first offence led to the behaviour that got him his second offence. He was convicted on 10 February 1931.

Emanuele could read and write, which was quite an achievement for a Maltese born in 1901, unlike the next Maltese convict Joseph Muscat[26] who had also been born in Malta, but was illiterate. Joseph is described as five-and-a-third feet (162.5 cm) tall, with brown eyes. His trade is noted as being that of a French polisher, but like Emanuele, Joseph seemed not to be doing very well in his new adopted country and was convicted on 13 September 1930 for ‘insufficient means’. That was his only crime, but apparently it was enough to get him a six-month prison sentence. Joseph Muscat was convicted three years earlier than Emanuele in 1928 and he was also much older than Emanuele Agius for Muscat was born in 1869, probably also in Malta for he is said to be ‘a native of Malta’. This would make Joseph almost 60 years old while Emanuele was still a young man of 29; as to be expected Joseph was married while Emanuele was not.

Another Maltese I found convicted in Victoria is very interesting and a somewhat different character to the other two men. Frank Attard was born in Malta in 1905 and also physically described as being swarthy and dark, and quite short, only 5 foot 2 inches (158 cm), but that’s where the similarity with Emanuele and Joseph ends. Frank Attard appears to have fared better than both Emanuele and Joseph for he could read and write and was a café owner. His crime was that of selling ‘sly grog’. The word ‘grog’ is today found in the Maltese language, but it actually comes from an English word which referred to a measure of alcohol, usually whisky. It is not much in existence in England today, but in the ex-British colonies like Malta and Australia, it is a familiar word and still used to refer to a drink of any alcohol. ‘Sly’ means cunning and also untrustworthy, so in other words Frank Attard was selling untrustworthy and illegally produced alcohol and sold in all probability as fake whiskey in his coffee shop.

Another Maltese man who got into trouble over the selling of liquor was Antony Portelli, described as a market gardener in New South Wales.[27] He was first brought to

court at the age of 27 in 1933, when he denied any knowledge of the four bottles of white spirit found in the room occupied by two of his employees, as well as other bottles hidden in the market garden. This case was dismissed, but four years later he was not so lucky and was fined the then hefty sum of £30 for selling beer without a license. This time Anthony Portelli’s claim that he had bought the liquor for his own use was ignored.[28]

Similarly, in 1931 in Melbourne in Frank Attard’s case, the judge, perhaps recognising that Frank Attard was not a poor man, gave him the option of either paying £25 or a three-month prison sentence. But Frank Attard might not have been that rich after all or else simply preferred not to pay the heavy fine—instead he went to prison on 13 January 1931, served his three months and was released on 17 June of that year.

Around this time, only a month before Frank Attard’s conviction, another Maltese café owner sharing the same surname got into even more serious trouble. I found Attard to be a very popular Maltese surname in Australian records, but it seems too much of a coincidence to find two criminal Maltese café owners bearing the same surname in Melbourne in the 1930s; considering Frank Attard was 25 years old and Joseph Attard was 29 years old in 1930, they might quite possibly have been brothers sharing the same coffee shop business. The Daily Mercury newspaper reported on 30 December 1930 that Joseph Attard had been on trial on a charge of having committed a serious offence against a girl under the age of 17 years. The girl gave evidence to the effect that she was a waitress in Attard’s employment. He persuaded her to drink a glass of beer and then punched her. The 1930s newspaper does not say why Joseph did this and what happened while she was unconscious. When she regained consciousness, Attard told her that if she informed the police, he would knife her. Evidence was given to the effect that she had been criminally assaulted.[29]

Sometimes Maltese men committed murder. This occurred in the case of Guiseppe Caruana, a 49-year-old who was charged with the murder of a fellow Maltese, Emmanuel Attard, on 20 November 1935. He spoke in broken English and was acquitted after ‘declaring his innocence from the witness box. He said that it was in an attempt to protect himself from Attard, who had a knife, that the latter was killed’.[30] Indeed, carrying knives seems to have been the habit of a number of Maltese men and they were not afraid to use them. A fatal stabbing of a

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Maltese man occurred in Sydney in 1935, again possibly by another Maltese man,[31] and again in New South Wales six years previously in 1929, a Maltese farmer at Wetherill Park, John Attard (another Attard!), was charged with threatening language. He had told a Charles Parvis that: 'I will kill you; I will draw blood from you'. The defendant did not understand the question asked of him in court and a friend who accompanied him had to explain, at which point he pleaded guilty. Attard was bound over to keep the peace for 12 months, and given a double fine of £15.[32] Cases of fights breaking out between Maltese men in the early twentieth century are quite frequent and, to cite just one more case, Charles Agius was knocked unconscious by Benedetto Said in 1940 and in court Charles said that when he had asked why Benedetto was insulting him, Benedetto told him to 'go to the devil'.[33]

The sensational case of the Maltese man Joe Camilleri who, at 32 years of age, attempted to murder his wife, also Maltese, in 1938 drew much attention from the Australian media. I found a trail of articles reporting this case and the subsequent trial. Joe Camilleri, poultry farmer from Wentworthville, Sydney was remanded in custody and charged in July 1938 for having 'feloniously attempted to administer arsenic to his wife, Mary Camilleri, with intent to murder her'. The police prosecutor said the woman was now in hospital paralysed from the hips down and Joe Camilleri had been refused bail.[34] During the trial, which lasted until September 1938, various witnesses gave evidence including his Maltese father-in-law Michael Camenzuli as well as his wife who was brought from hospital in an ambulance. Joe was found guilty and imprisoned for 12 years.[35]

Conclusion

These Maltese criminals were unearthed in my brief research which was confined to a few registers at PROV and general Australian newspaper articles citing incidences that occurred within a time span of just 50 years. I am sure that Maltese people convicted of crime grew in number proportionate to the rapid growth of the Maltese community which occurred from the middle of the twentieth century onwards. But, as already explained, registers on crime offenders in the PROV archives post-1950s are closed to the general public and not currently accessible, and I did not think it ethically correct to search for them in other sources.

Although the end result of my research study did turn out to be somewhat different from my initial idea, it was still an enjoyable journey. This is a small study, but it does give a picture of Maltese troublemakers in Australia in the early twentieth century. Like the Maltese community, the number of criminals is also small, but they did leave their footprint on Australia's past. It is hoped that this brief study on criminal activity helps to encourage further qualitative studies on all aspects of the Maltese; they are not easy to unearth but they do exist.

Endnotes

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The battle for Bears Lagoon

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'The battle for Bears Lagoon', *Provenance: The Journal of Public Record Office Victoria*, issue no. 15, 2016–2017. ISSN 1832-2522. Copyright © Richard Turner

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Abstract

William Doody, who was born on the goldfields in 1855, selected land at Bears Lagoon when he was 18 years old with his father, Joseph Doody. The selections might have gone unremarked and followed familiar patterns of hard work, and success or failure depending on their skills, entrepreneurial abilities, or luck. However, that was not to be. The Doodys and neighbouring selectors became locked in conflict for many years with powerful pastoralist interests represented by squatter John Ettershank. The Doodys and a dozen or so other selectors had selected blocks of land that John Ettershank regarded as his own. It set off a long and bitter struggle recorded in great detail in the Department of Crown Lands and Survey (Lands Department) records now held by Public Record Office Victoria. These records reveal, at the ground level, the conflict between the great squatters and 'liberal' governments, and between the selectors and the squatters themselves, illustrating the history of the struggle over land in Victoria.

powerful pastoralist, or 'squatter', interests represented by John Ettershank. The letter was decisive in finally deciding the conflict in favour of the Doodys and some of their neighbouring selectors.

By then, Joseph Doody was dying of diseases contracted on the Victorian goldfields. His long and mainly upwardly mobile journey had commenced in the London Road district in Manchester,[1] and culminated, like many other miners, in the selection of land under the *Land Act 1869* with his oldest son, William, at Bears Lagoon, north-west of Bendigo. The selections might have gone unremarked and followed familiar patterns of hard work, and success or failure depending on their skills, entrepreneurial abilities, or luck. However, this was not to be. The Doodys and a dozen or so other selectors had chosen blocks of land that John Ettershank regarded as his own. He had acquired these under earlier lands Acts through what would seem to be employees acting as dummies on his behalf.

This situation set off a long and bitter struggle that is recorded in great detail in the Department of Crown Lands & Survey (Lands Department) records now held by Public Record Office Victoria. These records illuminate at the ground level, the conflict between the great squatters and 'liberal' governments attempting to establish a pathway to land ownership for the small farmer and cultivator, and between the selectors and the squatters themselves. The Doodys and Ettershank represent the human face of the political turmoil arising from the strident campaign to 'unlock the land', and which I argue is intrinsic to the consolidation of Victoria's robust democratic tradition.

I have continually been worried by the Messrs Ettershank ever since I first selected. Whether this may be a ruse on their part to cause me to lose my land altogether the land is even more preferable to us than the £5000 as it is taken up as a permanent home for my family. Moreover I may state that land is letting up here with right of purchase at £10 per acre and my father and I have 100 acres under crops and fallow and as I have nothing else to depend upon now it would be a matter of the most serious consequences if I should be deposed of the land after spending so much time and money in improving it to its present state of a working proposition.

William Doody, Bears Lagoon, Letter to the Minister of Lands, 28 October 1877, PROV, VPRS 625/P0, Land Selection Files, Unit 353, Item 24567.

William Doody was 22 years old when he wrote that letter. He, his father Joseph Doody, and neighbouring small farmers, or 'selectors', were locked in conflict with

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Settler: Joseph Doody

Joseph Doody had first selected land in the area of Bears Lagoon under the *Land Act 1865*. This Act was the Minister of Lands James Macpherson Grant's first attempt to fix seriously flawed earlier land Acts and genuinely open up for selection Victoria's rural lands to the small farmer. Doody was granted a lease over 71 acres (29 hectares) on Allotment 158B, Parish of Janiember, in the county of Bendigo on 17 December 1869. On 20 February 1873, he was granted freehold title for the land under Section 33 of Grant's second and more effective land reform legislation, the *Land Act 1869*. This grant was dependent on certification that he had 'made substantial and permanent improvements to the value of One Pound for every acre' on the allotment.[2] On this land, Joseph Doody and his wife Fanny built the first Bears Lagoon Hotel and General Store, as well as meeting the cultivation requirements for freehold title.



Bears Lagoon Hotel built by Joseph Doody and his sons, and managed by his wife Fanny, East Loddon Historical Society.

After a successful career as a miner and investor, Joseph Doody had been declared bankrupt in April 1868 after he and fellow investors had overreached themselves on quartz mining ventures at Inglewood.[3] That he could select the land so soon after his bankruptcy is evidence of the vagaries of fortune for these gold diggers. He would have had to be discharged from bankruptcy to be able to select. This argues for at least one of those ventures paying off in a very short time. The average time it took selectors to make the required improvements and purchase the freehold title was eight to ten years. He did his in just three years.

In 1872, Joseph and his 18-year-old son William selected a further 560 acres (226 hectares) in four allotments to the south of Doody's original selection. This land had originally been selected by Henry Henrickson under one of the earlier land Acts. In 1870, Henrickson travelled to New

Zealand to join his brother permanently. He forfeited his selection, but requested that the four allotments be transferred to the Doodys in return for them compensating him for the improvements he had made and rents he had paid. The Lands Department gazetted the forfeiture then allowed the Doodys to re-select the blocks under Sections 19 and 20 of the *Land Act 1869*. [4] However, it is highly probable, though there is no direct evidence, that Henrickson selected the blocks as a dummy for John Ettershank. Certainly Ettershank considered the land to be rightfully his, as correspondence in the Doodys' selection files and another file, titled 'Correspondence regarding selections of Mr John Ettershank, Sandhurst Land District', demonstrate.[5] His fight to reclaim that land and many other adjoining allotments in the Serpentine Creek/Bears Lagoon area, and the Doodys and other selectors fight to retain their title, resulted in what I call 'The Battle for Bears Lagoon'.



Janiember East Parish plan, PROV, VA 538 Department of Crown Lands & Survey, VPRS 16171/P1, Regional Land Office Parish and Township Plans, Plans H-K, Janiember East.

Squatter: John Ettershank

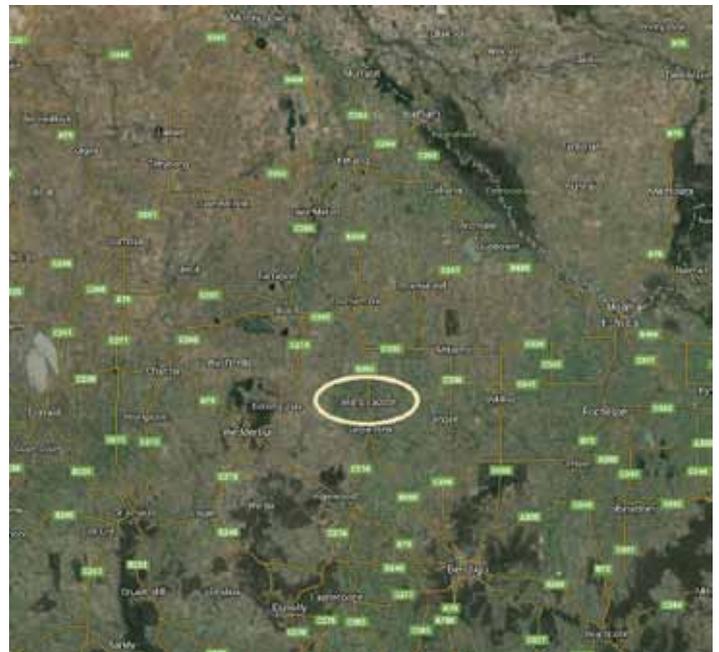
John Ettershank, though a relative latecomer to the pastoralists ranks, came to represent in the public mind and in the view of 'liberal' governments, all that was bad about squatters. The *Age* newspaper described Ettershank and his brother as 'land-grasping gentry' who resorted to 'dubious means' to satisfy their 'appetites'. [6] His name also crops up in parliamentary records in connection with alleged bribery and improper appointments. [7]

Ironically, Ettershank's migratory journey crosses with Joseph Doody's at several points before they both finally arrived at Bears Lagoon and came into conflict. John Ettershank was of middle class Scottish origin, and a qualified civil engineer. He moved to Manchester soon after qualifying where he was involved in the construction of new engineering works and warehouses—some of which Joseph may have worked on as a plumber and glazier. But he did not stay in Manchester for very long. Migrating to Victoria with his new wife, Christina, older brother Edward, and Christina's brother, William Eaglestone, they arrived in Melbourne in December 1852 as unassisted migrants. [8] Obituaries and historian Ian Itter claim that they came out to work on the construction of the Alfred Graving Dock at Williamstown, but construction of the dock did not start until 1864 and in that year a branch of the engineering firm that the Ettershank brothers established was awarded one of several contracts put out to tender. [9]

It is probable that the whole family group would have migrated to participate in the gold rush and travelled to Ballarat soon after arriving in Victoria. Whether they actually dug or mined on these fields is impossible to ascertain. But the Ettershanks and Eaglestone saw their opportunity to put their engineering skills to work; importing parts and assembling or constructing engines, pumps, boilers and other engineering machinery increasingly required to extract gold.

Joseph Doody was engaged in similar enterprises in Bendigo, and their paths may well have crossed when the Ettershanks opened a branch of their engineering works in Bendigo towards the end of the 1850s. Ettershank quickly realised that greater profits could be made as

a stock agent delivering sheep and cattle to the hungry miners. Though he did not pioneer the stock routes, which saw sheep and cattle driven from New South Wales and southern Queensland down the inland corridor, he turned it into a very lucrative business that broke the monopoly Sydney stock agents had previously held over the stock trade. It was this business which first bought Ettershank to Bears Lagoon. [10]



Map showing Bears Lagoon in relation to Bendigo and Kerang. Source: Google Maps, <https://www.google.com.au/maps/@-36.0360305,144.0764771,257043m/data=!3m1!1e3>, accessed 26 June 2016.

Bears Lagoon

Bears Lagoon is a narrow gash in the alluvial flood plains about 55 kms north-west of Bendigo, formed by a fracture along a fault line in the underlying rock. It is now silted up as the result of an irrigation channel running through it and is wadeable, but was once very deep, supporting abundant games and fish. It may have been fed by an artesian water supply as well as the network of creeks that drained into the Serpentine Creek and then the Loddon River. A local farmer says that it would never dry up even in the worst droughts. The area around it is flat and covered in natural grasslands. Conveniently located mid-way between the Murray River crossings and Bendigo and Ballarat, it was an ideal place to rest and fatten the cattle and sheep before driving them south down the Serpentine Creek.

Consequences of the Land Act 1869

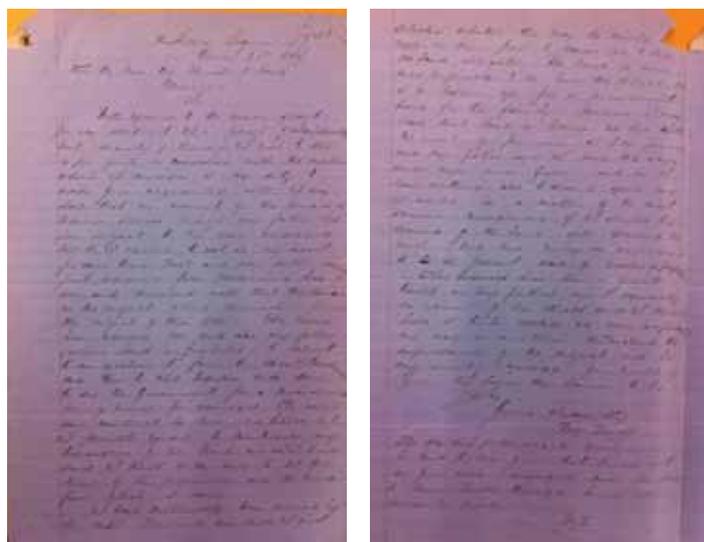
After the *Land Act 1869* was passed, a substantial number of these early selections came under investigation from the Lands Department, and much of the early material in the correspondence regarding selections of Mr John Ettershank consists of affidavits, letters, and statements in relation to these investigations. It may have been the Doodys who stirred the Lands Department to look at those selections. At least one affidavit was obtained by Joseph Doody from a shepherd who used to work for Ettershank. Between 1872 and 1874 several of the pre-1869 selections were forfeited for non-payment of rent, non-compliance with the provisions of the Acts, and non-performance of covenants in the respective leases. In at least one case a widow, Margaret Horan, was allowed to re-select the allotment under sections 19 and 20 of the 1869 Act. On other allotments, new selectors quickly selected the forfeited selections.

Ettershank came out fighting claiming that, on all the selections concerned, he had right to title as all the original selectors had assigned title to him in return for being advanced sums of money.[11] That was the beginning of a long legal struggle that went all the way to the Privy Council where he won one case on appeal and lost another.[12] Further protracted negotiations between the Lands Department and Ettershank and his lawyers followed through until 1886 when they finally agreed on a settlement. In return for paying back rent and penalties of £1172.10.00, he was granted certificate of title on 1212 acres (490 hectares) selected in 1865. Among the people displaced was Margaret Horan who received £300 in compensation from the lands board. Ettershank did surrender his claim to several other titles where selectors had ownership and grant of title was already confirmed.[13] This presumably included the Doodys selections.

Whether people like Margaret Horan eventually lost their selections to Ettershank, while others like the Doodys would successfully fight off Ettershank, came down to how much influence they could bring to bear to counter the influence that Ettershank could wield to frustrate their claims. It could not have been an easy fight for them. At the very beginning of William Doody's selection file is a letter from Ettershank addressed to the Assistant Commissioner of Land that reads: 'Sir, I have the honour to send you on the leaf the different allotments of land which the President agreed he would not present to be selected

pending the adjudication and settlement of my claim to them'. A pencilled note on the letter says 'not to be selected pending settlement of Mr Ettershank's claim'. This indicates that Ettershank could clearly wield influence at the highest levels of the public service. Yet, subsequent to that note, the Sandhurst Lands Office did proceed with the applications for selection by Joseph and William Doody, suggesting that there might have been considerable division within the Lands Department.[14]

Joseph and William were prolific and literate correspondents who demonstrated considerable understanding of their entitlements and rights. Despite starting work sometime around the age of nine or ten in a dyeing works in Manchester, Joseph seems to have acquired a good elementary education and absorbed much of the radical political and chartist thought prevalent during his childhood and teenage years.[15] His son, William, was born on the goldfields and grew up there. His letters are well-written in a neat and legible handwriting (see below) that suggest educational opportunities on the goldfields were far from inadequate.



William Doody, Bears Lagoon, letter to the Minister of Lands, 28 October 1877. PROV, VPRS 625/P0, Unit 353, Item 24567.

Political and land reform

The settler's struggle for their selections coincides with a time of considerable political upheaval in Victoria as the liberal groups of the lower house battled to assert their dominance over the upper house to implement their reform programs, particularly land and electoral reforms. Joseph Doody seemed to have ready access to Grant, who served as Minister of Justice in the Berry government between 1875 and 1880, and Francis Longmore who was Minister of Lands in that period and, like Berry and Grant, committed to breaking up the great pastoral estates through a punitive land tax. There are also letters in their selection files from various members of the Legislative Assembly querying the department as to why the Doodys were having such difficulty in gaining final freehold title to their selection, when they had made their improvements and paid the money due on their leases.

In late 1876, Minister Longmore directed that title be granted expeditiously to both the Doodys. Though grant of title was dated to Joseph and William Doody respectively on 22 July 1876 and 10 February 1877, they did not receive the certificates of title for another two years as the Sandhurst office, so supportive in the early years, seems to have fallen under the influence of Ettershank and found one excuse after another to not issue the certificates. The last excuse was based on their receipt of an anonymous letter reporting that Joseph Doody was running a business on his selection—the Bears Lagoon Hotel, Post Office and Blacksmith shop. Though the letter of the law said this could be cause for forfeiture of selection, the Lands Department on the whole tended to ignore the establishment of such businesses as they were vital to the development of viable rural communities. An exasperated and terse order from the commissioner finally resulted in issuing of the certificates. The Doodys were then officially able to join their fellow selectors in developing what was initially a thriving community similar to many springing up across Victoria.[16]



Some of the ladies of Bears Lagoon, believed to be taken at an early celebration of Federation when Bears Lagoon was a thriving community. East Loddon Historical Society.

Conclusion

In coming to Australia, Joseph Doody was seeking independence and a route to property ownership denied to him and his peers in the United Kingdom. Gold and agricultural land represented the possibility of achieving this. The gold fields and the land also became the battleground on which a new social democratic society emerged. The struggle to unlock the land, which the Doodys' personal struggle personifies, created a new and substantial property-owning small business class with a substantial investment in both a social democratic policy and the country as a whole. The journey to Victoria had exposed Joseph Doody to new political and social cultures which led him to participate in struggles against an oligarchy determined to preserve their entrenched privileges. His sons and grandchildren also played influential roles in their community by establishing a school, mechanics institute, an agricultural cooperative and other institutions.

Remarkably, the Bears Lagoon and Serpentine oligarch, John Ettershank, also contributed to making Bears Lagoon into a viable economic, social and cultural community. Not only did he provide substantial sums to develop its local institutions, in the late 1880s he also began sub-dividing his pastoral estate and selling it to local farmers, including William Doody, at generous prices and interest rates which allowed them to further develop viable and sustainable economic landholdings.

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In 1916, three young men from the third generation of Doodys met up in Manchester to explore their grandparents' homeland prior to joining the Australian Army Corp on the Western Front. The Britain they were going to fight for would have been a very different one to that which their English contemporaries were being shipped off to fight for.



Doody cousins from the third generation in Manchester on their way to the Western Front. East Loddon Historical Society.

Endnotes

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[14] PROV, VPRS 625/P0, Unit 12424.

[15] The National Archives of the UK, PRO: 1841, HO107/571/1/8/9.

[16] PROV, VPRS 625/P0, Unit 200, Items 12423 and 12424; PROV, VPRS 625/P0, Unit 353, Item 24567.

Mary (Molly) Winifred Dean (1905–1930)

The murder, inquest and abandoned trial

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'Mary (Molly) Winifred Dean (1905–1930): the murder, inquest and abandoned trial', *Provenance: The Journal of Public Record Office Victoria*, issue no. 15, 2016-2017. ISSN 1832-2522. Copyright © Eric J Frazer

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Recently, while researching the history of his residence in Elwood, leading up to its centenary in 2014, he came across the story of the Mary (Molly) Dean murder in 1930. She also lived in Milton Street, only a few doors away, and had been brutally attacked in an adjoining street. The relevant records held by Public Record Office Victoria, plus the numerous newspaper reports available via *Trove*, proved to be an absorbing distraction for several months!

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Abstract

Mary (Molly) Winifred Dean was brutally murdered on 21 November 1930 in the inner-city suburb of Elwood, Melbourne. During the inquest that followed, attention focussed on Molly's personal life, her torrid relationship with her mother, Mrs Ethel Dean, a widow, and Adam Graham's possibly improper relationship with Mrs Ethel Dean. Although witnesses to Molly's journey home the night she was murdered came forward, none actually saw her being attacked. Adam Graham was committed to trial for the murder by the Coroner, however, the Crown Prosecutor did not proceed with the case, presumably due to inadequate evidence.

Insights are sought into Molly's professional and private life and the circumstances surrounding her death. Aspects of the police investigation and the subsequent inquest are discussed and drawn together to flesh out a rather tragic story. The article draws on the available archival records held by Public Record Office Victoria, essentially the teacher record books and the brief to assist the Coroner. These are supplemented by the extensive newspaper accounts of the time and two well-known books published years later. Unfortunately, the murder remains unsolved!

Mary (Molly) Winifred Dean was brutally murdered in the early hours of 21 November 1930 in the inner-city suburb of Elwood, Melbourne. A sensational two-day inquest followed on 29–30 January 1931, much of which centred on Molly's personal life and her torrid relationship with her mother, Mrs Ethel Dean, a widow. Adam Graham's long-term friendship with the Dean family and, in

particular, his possibly improper relationship with Mrs Ethel Dean were also featured. Although there were a number of witnesses to Molly's journey home from the theatre that fateful night, no eye witnesses to her attack were forthcoming. In the end, Adam Graham was committed to trial for the murder by the coroner.

Finding a murder

The author came across the story of Molly Dean's murder while researching the history of his home in Elwood leading up to its centenary in late 2014. The Port Phillip Bay-end of Milton Street only began to be developed around 1910 following the filling of a large area of swamp land. Molly lived in the same block as the author—only a few doors away. She was brutally attacked in an adjoining street. The newspaper reports of her murder and inquest were detailed and frequent, making them impossible to ignore during suburb/decade keyword searches via *Trove*. The stories were published widely in both the local and interstate newspapers of the day. Plainly, public interest was high, perhaps driven by possibly related murders of other young women in Melbourne in the months preceding Molly's death.

This article delves into Molly's professional and private life, the circumstances surrounding her death, the police investigation and the subsequent inquest, including Mary's acquaintances, potential suspects, and the accused, Adam Graham. It draws on the available archival records held by Public Record Office Victoria,

essentially the Teacher record books (VPRS 13579) and the brief to assist the coroner (VPRS 30 Criminal trial briefs). These are supplemented by the extensive newspaper accounts and some literary sources published years later. The story is fascinating, but the mystery surrounding a murder, so close to 'home', remains!

Living on through fiction and fact

It seems surprising to find an unsolved murder, committed decades earlier, featuring in two well-known books: *My brother Jack* by George Johnston[1] and *The eye of the beholder* by Betty Roland.[2] In Johnston's novel, Mary Dean and Colin Colahan (whom Molly was involved with at the time) are portrayed by the characters Jessica Wray and Sam Burlington (the author, George Johnston, apparently knew Colahan in postwar-London).[3] Necessarily, the general story is dramatised to suit the author's purpose and the focus is on his character Burlington's reactions to the murder. On the other hand, Betty Roland was Molly's friend and she provides detailed insights about Molly's relationship with Colin Colahan, although these are sometimes second-hand accounts of happenings some 50 years previously. Roland felt that she had somehow contributed to Molly's death having sent her the theatre tickets for that night. Regardless, Molly is one storyline in her book, the account occupying only a very small part of the text.

The story lives on, in even more dramatic fashion, in the play *Solitude in Blue*, written and directed by Melita Rowston. It was presented in 2002 at Stables Theatre, Sydney (Griffin Theatre Company); the storyline begins:

Melbourne 1930. A murderer is lurking the streets. The strangled bodies of young girls are piling up in the laneways of suburbia, casting a shadow over the sun-bleached days of summer. In the heat of the city, Molly Dean barges into painter Colin Colahan's life and seduces him with her words. She is determined to leave behind her dingy suburban roots and become a 'bohemian' writer. Colin is enchanted by this fiery creature who drags him away from his elite artistic circle and forces him to paint with his heart instead of his head.[4]

Apart from the creative use of the case for fiction, there is also a realistic portrayal of the case in two brief articles written by TM Sellers, an historian with a particular interest in Brighton General Cemetery where Molly Dean was buried.[5] His two accounts are similar and neatly summarise the story, principally reflecting the newspaper reports of the time. In addition, Sellers

provided images of the crime scene as it is today. Finally, Molly's story was mentioned in the *City of Port Phillip: Elwood Heritage Review* published in 2005;[6] this account relies on both Sellers' summary and Roland's personal memoir. The main players are shown in Figure 1, as pictured in Sydney's Truth on 1 February 1931.



Figure 1: Left to right: Mrs Ethel Dean, Mary (Molly) Dean, Colin Colahan and Adam Graham, Truth, 1 February 1931.

Professional and personal insights

The most valuable entrée into Molly's professional life, right up until the time of her death, is to be found in the Teacher Record Books maintained by the Victorian Education Department (VPRS 13579;[7] see Figure 2). Molly entered Teachers' College on 10 February 1926, following four years as a junior trainee at the St Kilda (Brighton Road) school. As a trainee, in mid-1925, she was described as 'intelligent & bright & capable of doing v[ery] g[ood] work'. At college, she was described as 'original & of strong personality' and 'an exceptional student'. She left College on 31 December 1926 with a Trained Primary Teachers Certificate having been awarded the '1st Geadman Prize (equal) for teaching (Primary)'. She was appointed as an assistant teacher on 1 January 1927 at the Faraday Street Carlton School. By September 1928, her teacher grading had increased from 'E' to 'C'—'she exercises a pleasing influence over the members of her grade'.



Figure 2: Mary (Molly) Winifred Dean, Teacher Record Number 22525, PROV, VPRS 13579/P1, Unit 75.

Molly was appointed a temporary assistant at the Queensberry Street North Melbourne School (an ‘Opportunity’ school for children with learning difficulties) on 16 March 1929 and was working there at the time of her death. Here she maintained a C+ grading, and the comments on preparation, teaching, and organising were always very positive. Her last assessment was documented on 13 November 1930, only about two weeks before her untimely death: ‘Is doing work which on the whole varies between a good & a v[er]y g[ood] standard, but is not always punctual’. Surprisingly, punctuality had never previously been mentioned as an issue over the almost nine years that the record covers (February 1922 – November 1930).

A pre-inquest statement[8] reveals that Molly had been in contact with the Vice-Principal of the Teachers College Carlton, George S Browne. At the beginning of November 1930, Molly ‘asked advice about lodging an application for three months leave of absence in order to try her hand at journalistic work’. About ten days before her death, he visited her school and saw her headmaster, who informed him that ‘her work of late was very unsatisfactory and that he might have to report her to the Department’. It seems that Molly’s desire to change career direction was

beginning to affect her teaching performance. In fact, Molly had already had a long blank-verse poem, entitled ‘Merlin’, published in *Verse*, a Melbourne publication, in November 1929.[9] She had also been elected a member of the Society of Australian Authors at the beginning of 1930.[10]

Betty Roland’s book gives valuable glimpses into Molly’s private life, particularly her involvement with the Meldrumites (followers of the school of painting founded by Duncan Max Meldrum in Melbourne) during the 1920s. Molly was intimately involved with Colin Colahan, an artist, who was the initial suspect in her murder. Although published some 50 years after Molly’s death, Roland’s account seems remarkably fresh, obviously written with the eye of a keen observer:

... Molly held my interest. She was ruthless and, I felt, might be dangerous, but she was never dull. Lena [Skipper] told me that it was she who had induced Colin to divorce his wife, though she might not have succeeded had the marriage been a happy one.[11]

Roland also confirmed the severely strained relationship between Molly and her mother:

Her homelife was deplorable as her widowed mother resented the fact that Molly insisted on living away from home and took violent exception to her involvement with the ‘Bohemians’, in other words, the Meldrumites. But Molly ignored all this and spent most of her time in Colin’s studio, earning her living by teaching backward children at a special school.[12]

The murder

Apparently, Molly had arrived at St Kilda Railway Station very late on the evening of 20 November 1930, having attended the theatre with friends, including Colin Colahan. In fact, she had stayed at Colahan’s Hawthorn flat on the previous night.[13] She was too late for the last tram which would have dropped her only a few blocks from her home. Therefore, Molly was forced to walk the 2 km, apparently following the tram route up Grey Street, then down Barkly and along Mitford Streets. A number of sightings of Molly were reported in written statements given soon after her death and in evidence at the inquest. One of these, by Edward Roy Cole, reported seeing Molly on Barkly Street near Havelock Street[14] and the corner of Carlisle Street.[15] Another onlooker, Sydney Arthur Gordon,[16] saw ‘a young lady walking briskly along Mitford Street’ between Blessington and Dickens Streets

at about 12:25–12:35 am, and James Hugh Nankivel[17] saw Molly walking west on Dickens Street towards Addison Street.

The Brighton Electric Tramway ran from St Kilda Railway Station via Grey Street, Barkly Street, Mitford Street, Broadway, Ormond Road, St Kilda Street and Esplanade to Park Street, Middle Brighton.[18] There was a tram stop on the corner of Dickens and Mitford Streets.[19] Thus, Molly was taking a familiar and direct route home (see map Figure 3). As an aside, one might wonder why there were so many witnesses to events in the very early morning hours. The weather records suggest that the overnight temperature would have been relatively mild, with a maximum on Thursday 20 November of 80°F (26.7°C) and a minimum of only 60°F (15.6°C) on Friday 21 November[20]—hardly a heat wave.

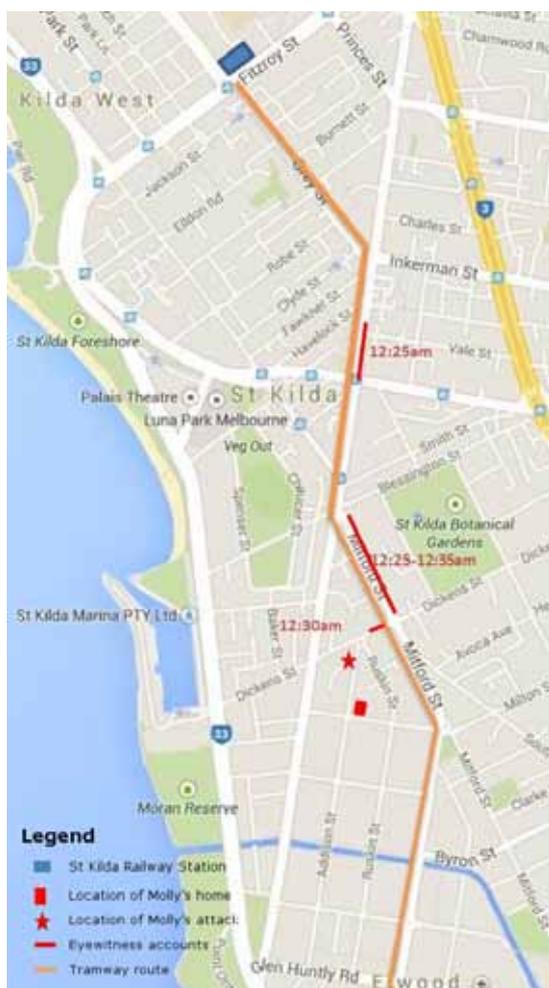


Figure 3: Map of Molly's route home with witness observations. Map data © 2015 Google

Molly was discovered, severely injured, at about 1 am on Friday 21 November 1930 in a laneway just opposite 5 Addison Street, Elwood, less than 200 metres from her home at 86 Milton Street. The residents (Frederick Owen and his sister, Beatrice) heard moaning and discovered the girl's belongings and blood on the footpath outside their gate.[21] Frederick called the police and Constable Guider attended the scene at about 1:30 am, soon discovering Molly in the laneway opposite.[22] Molly was taken by ambulance to the Prince Alfred Hospital arriving in the ward at about 2:10 am.[23] Soon after, Mrs Ethel Dean and her son, Ralph, were informed of the situation and transported to the hospital by the police. Molly died of her injuries about two hours later.

The earliest newspaper report of Molly Dean's murder was published in the Argus on 22 November, only one day after the event.[24] Surprisingly, this was extremely detailed (1,433 words) covering Molly's teaching and literary leanings, her movements on the evening of her death, a grim description of her injuries, and details of the initial police investigation. It seems that those in charge of the case, senior detectives O'Keefe and Lambell, released information in an effort to encourage witnesses to come forward; they had already interviewed residents of Addison and Dickens streets.

On Monday 24 November, it was confirmed that the investigation was being conducted on the assumption that the crime had been committed for motives of jealousy, and detectives issued an appeal to the public to assist them to clear up the mystery.[25] This was followed by a series of newspaper articles over the period 25–29 November 1930[26] but, despite the intense publicity, no arrests were made.

The inquest

The brief to assist the coroner[27] reveals that the police enquiry had been exhaustive, with 38 potential witnesses interviewed (see Figure 4). Just before the inquest, it was reported that: 'In police circles it is believed that at least one person will be committed for trial on a charge of murder'.[28] The inquest eventually began on 29 January 1931, with intense publicity over the two days of proceedings.

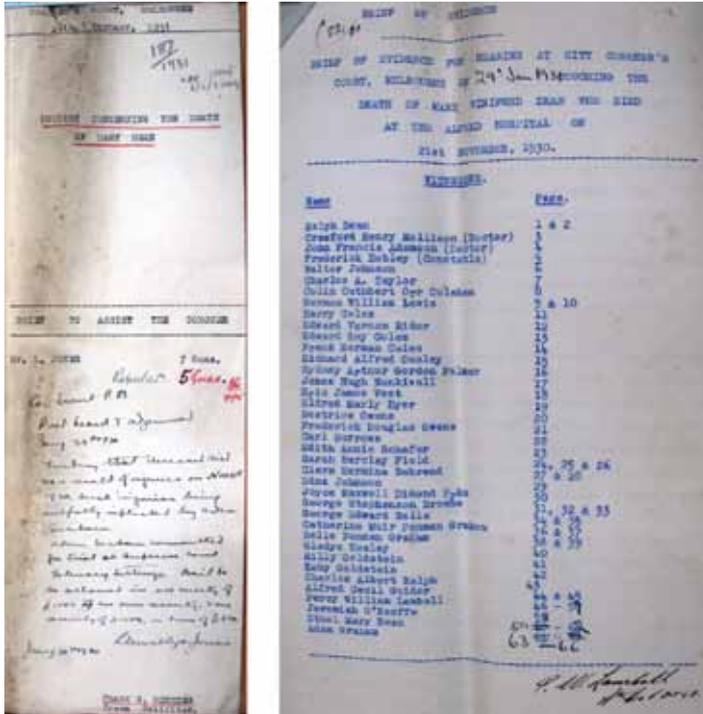


Figure 4: Inquiry concerning the death of Mary Dean: brief to assist the coroner (cover page and list of witnesses), PROV, VPRS 30/P0, Unit 2383, Item 187.

Adam Graham was clearly a person of interest to the police. Indeed, the statements by Harry Coles[29] and James Nankivell[30] suggest that their identification of Adam Graham in the area that night might have been ‘encouraged’ by police. However, the most sensational evidence revolved around Mrs Ethel Dean’s relationship with Adam Graham. Mrs Dean claimed intimacy, Adam Graham denied it. In the event, the coroner, Mr D Grant, finally committed Adam Graham to trial for murder. It seems that he was swayed by a number of factors including Graham’s long-term relationship with Mrs Dean, their treatment of Molly, and some circumstantial evidence.

The Deans had been living in Milton Street since 1916 after the father (George Edward Dean) had died. The Graham family was related to Mrs Dean’s sister, Mrs Blyth, and they had lived with the Deans for 18 months when they came to Australia from Scotland in 1921. Adam continued to be a regular visitor to the Dean family home, often leaving his car under the street light outside their house for safe keeping. As early as 1928, Graham and Mrs Dean used to follow Molly by car to check on her

acquaintances—in one case to Melbourne University where Molly met George Sell.[31]

Sarah Field, a schoolteacher and friend living at South Yarra, said Molly had told her that ‘Mrs Dean wanted Molly to go with him [Graham] but she did not want to, because she did not like him’.[32] Molly’s brother, Ralph Dean, said that Graham had not paid attention to Molly for 4 or 5 years.[33] Indeed, no evidence of any close relationship was ever revealed during the inquest.

There was some circumstantial evidence: (i) blood stains were found on one of Graham’s suits; (ii) a man was seen at St Kilda Station with a peculiar gait—apparently like Graham’s; (iii) Graham was out on the night of the murder, returning at about 10:45 pm to his house in Gordon Street, Elwood, close to both Molly’s house in Milton Street and the scene of the murder in Addison Street; and (iv) there was disagreement between Graham’s mother and sister about exactly where he had slept that night (front bedroom or sleepout).

Finally and rather strangely, Mrs Dean was identified by her neighbours as having been seen in Milton Street at about 11:30 pm on the night of the murder. However, Mrs Dean claimed that she had been walking her dog much earlier, at about 8:00–8:30 pm.

Suspects and acquaintances

About two weeks before Molly’s murder, a 12-year-old schoolgirl was abducted from South Yarra and later found in the suburb of Ormond, strangled to death. However, the police believed that the motives in this crime and Molly’s murder were different.[34] Only two months later, on 10 January 1931, a 16-year-old girl, Hazel Wilson, was abducted and strangled, also at Ormond.[35] In the event, the police were correct. Arnold Karl Sodeman was executed at Pentridge Prison in 1936, having confessed to four murders of girls aged between 6 and 16 over the period 1930–1935, including the two above.[36]

Colin Colahan had met Molly about 12 months before her murder. They had become ‘very friendly’ and were frequently in each other’s company.[37] Colin was eliminated as a suspect very early in the police investigations because of two phone calls made by Molly (from St Kilda Station) to Colahan’s Hawthorn flat

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just after midnight on 21 November 1930. These firmly established his alibi. Colin was shaken by Molly's murder, and further distressed by the inquest and publicity that followed. He departed for England in 1935 where he built a reputation as a portrait painter. In 1942, he was appointed an official war artist by the Australian War Memorial, Canberra. He died in Ventimiglia, Italy, in 1987. [38]

During the murder investigation, only a few other men were identified as having had a close relationship with Molly. In interviews with Detective Lambell, Mrs Dean mentioned Fritz Hart (Director of the University Conservatorium of Music), [39] Percy Leason (an artist) [40] and Mervyn Skipper (the Melbourne representative of the *Sydney Bulletin*) as having known Molly. [41] Mrs Dean certainly did not approve of Molly's relationship with Mr Fritz Hart. [42] Sarah Field, a friend of Molly's since 1926, revealed that she and Molly had been to Fritz Hart's place [43] and she knew that Hart, who was a married man, had corresponded with Molly. [44]

Betty Roland, quoting from Lena Skipper's (Mervyn Skipper's wife) diary, sheds a little more light on Molly's approach to relationships:

She is very clever and interesting to listen to as she expresses herself well and weighs all she says, but devotes most of her attention to the men. During Colin's [Colahan] exhibition she showered more attention on Mervyn [Skipper] and Percy [Leason] than anybody else and eventually made Mervyn her 'pl tonic friend' ...

Is she to go from one flirtation to another? I know one or two men she has offered herself to and they did not accept. She is not a femme fatale, she just likes to cause sensations. She says her virtue would never get in the way of her ambitions. [45]

George Edward (Teddy) Sell, a law student living at Ormond College, Melbourne University, was interviewed soon after Molly's death. He had met Molly in late 1927 and took her out occasionally until the middle of 1928 when he was warned off by Mrs Dean. [46] Mrs Dean also admitted causing a scene when a young man named 'Clifford' bought Molly home; [47] unfortunately, no further details emerged. Finally, the 30 November 1930 issue of *Truth* [48] reported that Molly was frequently in the company of a man who paid her a great deal of attention while Colahan was touring for a couple of months 'in search of subjects which might be committed to canvas'. However, this particular man was never identified, nor were any of the above-named implicated during the inquest.

The 'trial' and thereafter

The Crown Prosecutor did not proceed with the case, presumably due to inadequate evidence. The sequence of events leading to the abandonment of the prosecution against Adam Graham was well summarised by an article in the *Argus* of 6 March 1931:

Mr. Slater [State Attorney-General] said yesterday that the depositions containing the evidence of the 38 witnesses who gave evidence at the inquest had been submitted to Mr. Book (Crown Prosecutor), who had prepared an opinion in which he had advised that no presentment be filed against Graham. This opinion had been submitted to the other Crown prosecutors (Mr. Sproule and Mr. Nolan), who had concurred. Mr. Slater said that he had approved of the recommendation, and was acting accordingly. [49]

Most surprisingly, Roland reported that Adam Graham and Mrs Ethel Dean were married shortly after the inquest. Since 'a wife cannot be compelled to give evidence against her husband in a capital case, the Crown was deprived of its chief witness and the case collapsed'. [50] This explanation is plausible enough, but no evidence of such a union in the Victorian marriage records, or even co-habitation in the electoral records, could be found!

Clearly, Adam Graham had been affected by the whole experience. Following the decision by the Crown Prosecutor, Graham alleged that the detectives investigating the murder had used 'third degree methods' [51] in an attempt to extract a confession:

Graham said that the detectives interviewed him five times, and as a result of their brow-beating tactics he was a nervous wreck.

He added that the case cost him £350 in legal expenses and loss of work.

'Apparently a man has no redress for this sort of thing. I don't know yet how much harm it has done to my health. The whole thing has nearly killed my mother,' said Graham bitterly [his mother, Isabella, died on 30 May 1946]. [52]

Nothing seems to have come of the above complaint. Indeed, not that much is known about his life before or after the murder.

Graham was born in Cowdenbeath, Fifeshire, Scotland in about 1900, coming to Melbourne in 1921 and living with the Deans for about 18 months. From 1924 to at least 1942, he was a machinist (motor mechanic) living with his mother, brother and sister at 13 Gordon Avenue, Elwood. During the inquest, it was reported that he used to assist Ralph Dean with his work as a motor mechanic and do maintenance on Gladys Healey's car. Gladys had known Graham for about 15 months (by sight for 7–8 years) and he visited her twice a week during the evening and on Sunday mornings.[53] Interestingly, Gladys's car was garaged in the same Addison Street lane where Molly was found close to death![54] Eventually, in about 1947, he married Gladys (Marie) Healey and they lived at her family home, 98 Milton Street, just a few doors away from the (former) Dean household at 86 Milton Street. Adam Graham died at his home on 3 September 1980 and was cremated at Springvale Crematorium. Gladys pre-deceased him by only about two years (in 1978). Mrs Ethel Dean had died almost 20 years previously, on 12 October 1962.

As late as 1966, tantalising reports regarding Molly Dean's murder appeared in the press.[55] Someone in Brisbane had sent the Chief Commissioner of Police, Victoria a letter offering information. It said: 'Would your department still be interested in some information that will lead to an arrest regarding the Molly Dean case?' Perhaps this communication was somehow stimulated by the 1964 publication of George Johnston's *My brother Jack* which featured the 'Jessica Wray' murder.

The message implied that the murderer was known to the 'informant' and was still alive. Assuming that the perpetrator was the same age as Molly in 1930 (that is, 25 years old), he/she would have been about 60 in 1966. Ex-detective Percy William Lambell, then 76 years old, was interviewed at the time the letter was received. He was still living in Elwood and hoping 'to have it cleared up at least'.[56] Despite the efforts of Detective-Inspector Frank Holland, chief of the Homicide Squad, no further information was forthcoming so, by now, some 85 years after the murder, the secret has surely gone to the grave!

Concluding remarks

So, what are we left with? The life of a young woman, possibly on the threshold of a promising literary career, cut short without explanation. Molly was brutally bashed, dragged into a laneway and further assaulted but, given the forensic evidence, this was not necessarily sexual in nature. One could speculate that it was a random attack, but the 'information' received by police in 1966, some 36 years later, makes that seem unlikely. At the time, the police investigation was exhaustive. They assumed a motive of jealousy and pursued the Dean family friend, Adam Graham, whom Molly apparently abhorred. However, they failed to unearth sufficient hard evidence for the prosecution to proceed. Graham's close relationship with Molly's mother, Mrs Ethel Dean, and her antagonism towards any of Molly's male acquaintances were complicating factors. If Mrs Dean had not enlisted Graham's help by following Molly in his car on several occasions, this connection would have appeared less significant. The press of the day sensationalised any negative aspects of the evidence given at the inquest and one wonders what influence this would have had on a subsequent trial.

Molly was very young and apparently a successful teacher at a special State School in North Melbourne. However, she wished to pursue a literary career and her application to teaching began to suffer as she sought opportunities to pursue her dream. She tended to associate with the 'Bohemian' set, as exemplified by the promising painter, Colin Colahan, and other glitterati. She was rebellious, clashing repeatedly with her mother over such relationships and leaving home on several occasions to live independently. Betty Roland's autobiography provided insights into Molly's circle of friends and her ambiguous approach to relationships, but gave no suggestion of potential suspects.

Although there is no resolution to Molly's particular story, some universal themes endure. We have seen the sometimes inevitable discord between the generations, youth wanting independence and freedom from authority, and striving to find purpose and fulfillment in life. Fortunately, violent crime is not usually part of that story!

Endnotes

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[16] PROV, VPRS 30/P0, Unit 2383, Item 187, p. 16.

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[23] PROV, VPRS 30/P0, Unit 2383, Item 187, p. 22.

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[45] Roland, *The eye of the beholder*, p. 65.

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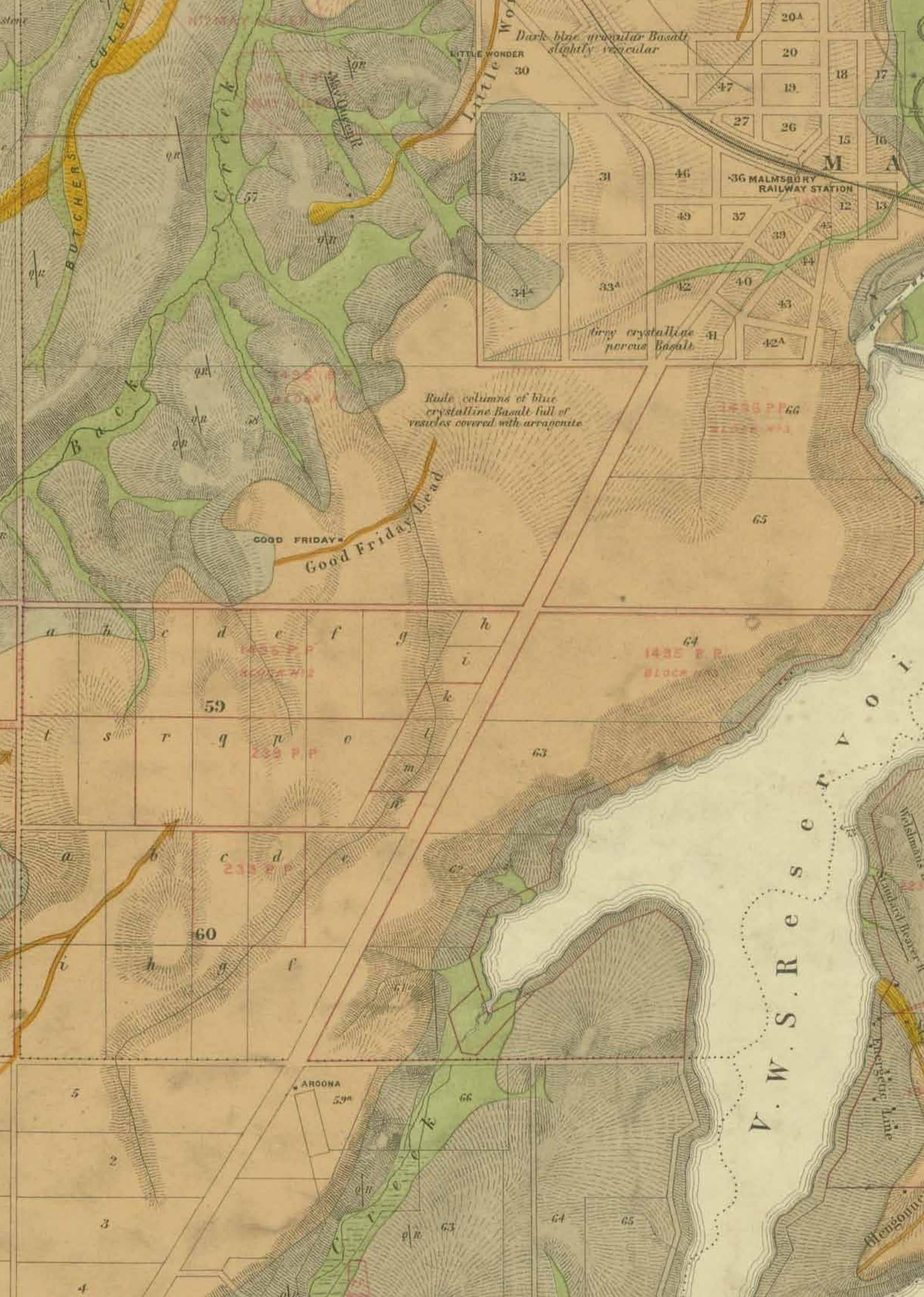
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Dark blue granular Basalt slightly vesicular

Rude columns of blue crystalline Basalt full of vesicles covered with arragonite

Grey crystalline porous Basalt

V. W. S. R e s e r v o i r

36 MALMSBURY RAILWAY STATION

ARODNA 59m

