

Dr James Stewart: Irish Doctor and Philanthropist on the Ballarat Goldfields

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This thesis is submitted in total fulfilment of the requirements for the
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ABSTRACT

This thesis is the first in-depth biography of Dr James Stewart (1829-1906), an Ulster Presbyterian doctor who spent his prime years in Victoria between 1852 and 1869. It answers the question of who James Stewart was and why such an important actor in the history of Ballarat and colonial Victoria has been almost completely ignored by the historical record.

The thesis explores the themes of identity and class by revealing the elements that shaped who Stewart was as well as his contributions to Ballarat and the colony through his medical work, civic duty, philanthropy and capitalist investment. Beginning with his early life in rural Ulster and medical education in Dublin, insight is provided into his emigration as a ship's surgeon to the Ballarat goldfields in the context of the Irish diaspora. New light is thrown on the formative experience of ships' surgeons and their role in the development of colonial medicine and civic duty; medical care available on the goldfields and during the events of the Eureka Stockade; and the professionalisation of medicine in colonial Victoria.

In pursuing the biographical method advocated by Robert Rotberg, in the absence of personal records, it makes extensive use of newspapers and the archives of the institutions to which he contributed significantly. Interpretative and speculative methods are employed to carefully analyse his detailed will and obituaries.

This study finds that Stewart's flexible identity facilitated his involvement with a variety of community, class and social groups. Examination of his religious influences provides new understanding of Ulster Presbyterians and the Anglo-Irish in Victoria and challenges Patrick O'Farrell's claim that the Anglo-Irish in Australia were right-wing conservatives. A major contributor to the development of Ballarat, a visionary and generous benefactor, James Stewart's legacy continues to have an impact more than a century after his death.

STATEMENT OF AUTHORSHIP

Except where explicit reference is made in the text of the thesis, this thesis contains no material published elsewhere or extracted in whole or in part from a thesis by which I have qualified for or been awarded another degree or diploma. No other person's work has been relied upon or used without due acknowledgement in the main text and bibliography of the thesis.

This is to certify that the thesis is less than 100,000 words in length, exclusive of tables, maps, bibliographies, footnotes and appendices.

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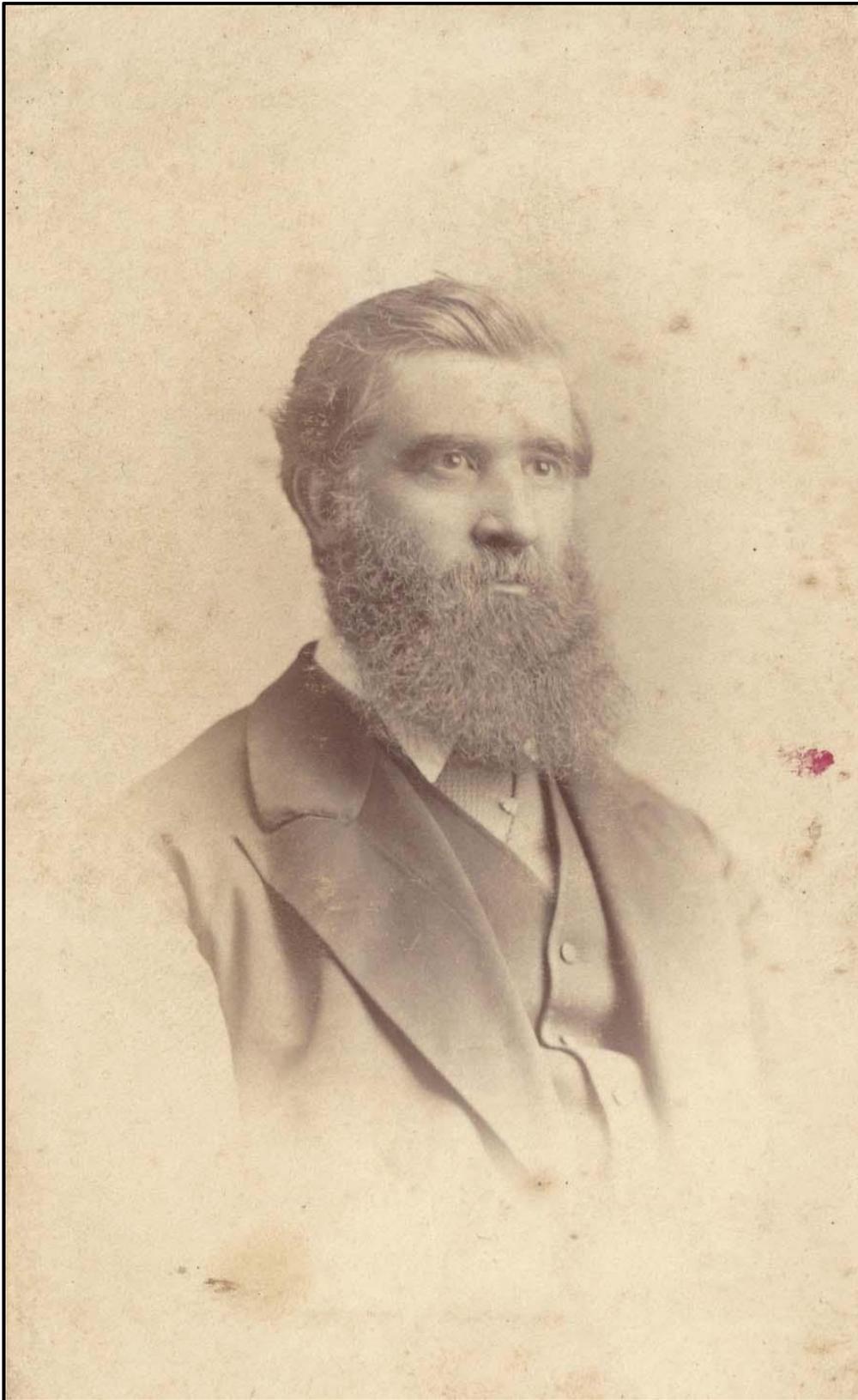
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INTRODUCTION



Dr James Stewart

Private Collection

‘My opinion was that death was caused by apoplexy drawn on by a blow’,¹ concluded Dr James Stewart after examining the body of James Scobie in October 1854. With incendiary conditions intensifying in the lead up to the Eureka Stockade, Dr Stewart was the person that George Scobie turned to for the truth about his brother’s demise. The 24-year-old doctor had gained such trust and status with both the miners and the Government Camp in the short time he had been on the Ballarat goldfields that he could be called upon to perform the examination. His involvement with Eureka extended much further than this, as did his impact on Ballarat, yet he has been almost entirely forgotten and ignored by the historical record. Stewart is virtually unknown and there is no entry for him in the *Australian Dictionary of Biography*, Australia’s premier biographical dictionary, despite his extensive contributions to colonial Victoria.²

My interest in James Stewart was sparked by the lack of knowledge about him among his relatives, of whom I am one. I am his great-great-great niece, a descendant of his brother, Robert Stewart (c.1834-1900). My family knew little more than that Stewart was an Irish doctor who had lived in Ballarat at some time. They referred to him as ‘the bachelor doctor’; they knew he had left money to the family and to the University of Melbourne, but that was all. A final account of Stewart’s estate, retained by a family member, held clues to his life but no family member had looked further than finding their ancestor’s name in the list of beneficiaries. Nothing else was known by the current generations of the family or, if it was known, had not been shared. I wanted to find out who Stewart was, what he did and why the institutions so generously remembered in his will were important to him. Preliminary research revealed that Stewart’s involvement with Ballarat organizations was extremely wide-ranging and significant. He was involved in so much more than practising medicine. My kinship with James Stewart may have been my starting point, but it was intellectual curiosity that drove the research and writing of this biography.

Irish physician, surgeon and philanthropist, James Stewart was born in County Tyrone in 1829. After moving to Dublin in the late 1840s to receive his medical education, he emigrated to Victoria in 1852 where he was a key contributor to the growth of Ballarat as a city in the formative years of the Australian goldrush. A compassionate man whose care for others encompassed much more than treating patients, he left generous bequests to many Victorian institutions when he died in England in 1906. This biographical study seeks to address the question that sparked my initial interest: Who was Dr James Stewart? It also seeks to examine Stewart’s influence on Ballarat and Victorian history, and

¹ James Stewart’s deposition. Brief for the Prosecution relating to the case Queen v James Francis Bentley, Catherine Bentley, William Henry Stance & John Farrell Case No. 10 November Supreme Court of Criminal Sessions, Melbourne Queen v James Francis Bentley, Catherine Bentley, William Henry Stance, John Farrell. VPRS 5527/P Unit 1, Item 5.

² It is my intention to submit an entry on Stewart to the *Australian Dictionary of Biography*.

to explore the extent to which his Ulster Protestant background influenced his public life in Ballarat and his philanthropy.

Subsidiary questions explore various influences on his life in Ireland, Australia and England. His childhood experiences, the Irish Presbyterianism of his father, his Dublin education and his departure from Ireland are examined. Building on his Irish experiences, the important role his family continued to play in his life abroad, and what it meant to be an Irishman in colonial Victoria are scrutinized. How such a young doctor was popularly elected to public roles so soon after arriving in the colony, the types of institutions and roles that attracted his involvement and how the new surroundings of goldrush life in Ballarat influenced him are also considered. His reasons for leaving Australia and why he chose to live in England rather than Ireland are pondered. The thesis concludes with an examination of why Stewart left the majority of his considerable fortune to institutions in Victoria – a place in which he had lived for just 17 of his 76 years. These and other questions of motivation help to underscore the significance of Stewart's impact on Victoria.

Biography can take many forms. Barbara Caine indicates the changing relationship between history and biography by suggesting that biography has moved from the margins of historical study and is being valued for its illustrative capacity, the way in which it can show the functioning and processes of a larger society through an individual's life and the way it can unite the public and private individual.³ Caine stresses that the impacts and actions of important individuals have always been central to historians, while John Tosh highlights the importance of their motives.⁴ According to Robert Rotberg, social forces, structural and cultural variables important to history, happen through individuals.⁵ This thesis places Stewart in the historical context of his life and times. Beginning in rural County Tyrone in Ireland in the early nineteenth century, it examines his medical education and his role as a ship's surgeon on an immigrant ship to the Victorian goldrush in 1852. It continues with his professional life in Ballarat from 1852, his role in the Eureka Stockade and in Ballarat organizations. The proprietor of one of the first tent hospitals in Ballarat and government vaccinator, Stewart was also a key player with the Medico-Chirurgical Society, Municipal Council, Miners' Hospital, Mining Institute, Mechanics' Institute, the Philharmonic Society, the Agricultural Association, the Ballarat Gas Company, banks, insurance and mining companies.

Through an examination of Stewart's professional work, civic engagement and philanthropy, new light is thrown on an important actor in Ballarat's development. Indeed, this thesis contends that the

³ Barbara Caine, *Biography and History*. Basingstoke; New York: Palgrave Macmillan, 2010.

⁴ John Tosh, *The Pursuit of History: Aims, Methods and New Directions in the Study of Modern History*. 3rd ed. Harlow, England: Longman, 2000.

⁵ Robert I. Rotberg, "Biography and Historiography: Mutual Evidentiary and Interdisciplinary Considerations." *Journal of Interdisciplinary History* XL, no. 3 (2010): 305-324, p. 305.

history of Ballarat's first two decades cannot be adequately told without including Stewart; thus Stewart's biography provides important new insight into Ballarat's history. It also provides new understandings of the Irish in colonial Victoria. Returning to Britain in 1869, Stewart left generous bequests in his will to the University of Melbourne Medical School and to Ballarat organizations. The thesis illuminates the 'Stewart Legacy' – a propitious legacy that continues to support beneficiaries long after Stewart's death.

THEMES

This study is not restricted to traditional national history frameworks. Stewart lived a transnational life that transcended national boundaries and the imagined communities discussed by Desley Deacon, Penny Russell and Angela Woollacott, Ann Curthoys and Marilyn Lake and Benedict Anderson.⁶ The flexibility of Stewart's identity across the time, places and spaces in which he lived is considered in terms of a densely interconnected world, as noted by Matthew Pratt Guteri.⁷

Within the overall context of transnationalism and the British Empire, this thesis will test Patrick O'Farrell's findings about the contribution of the Anglo-Irish to Australian culture. O'Farrell claims that leading Anglo-Irish migrants to Victoria in the nineteenth century became conservative and increasingly right wing. He describes them as Protestants, mostly Trinity College graduates, who were fairly concentrated in Victoria. They led the Victorian cultural and professional scene and founded diverse institutions. He contends that 'their various initiatives and liberal causes soon became accepted as colonial orthodoxy, indeed as conservative positions, while their versatile capacities allowed them to adapt in such ways as to merge with their new environment, though increasingly on its right wing'.⁸ It will also probe goldfields' society, the nature of philanthropy and colonial medicine.

⁶ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Revised ed. London: Verso, 2006; Ann Curthoys and Marilyn Lake. "Introduction." In *Connected Worlds: History in Transnational Perspective*, edited by Marilyn Lake and Ann Curthoys, 5-20. Canberra: Australian National University, 2005, p. 6; Desley Deacon, Penny Russell, and Angela Woollacott, eds. *Transnational Lives: Biographies of Global Modernity, 1700-Present*. Basingstoke: Palgrave Macmillan, 2010.

⁷ Matthew Pratt Guteri "AHR Forum: Comment: The Futures of Transnational History." *American Historical Review* (February, 2013): 130-139, p. 131.

⁸ Patrick O'Farrell, *The Irish in Australia: 1788 to Present*. Cork: Cork University Press, 2001, p. 97.

Ireland and the Irish Diaspora

The three main Irish cultural traditions were Gaelic Catholic, Anglo-Irish and Ulster Protestant, as O'Farrell asserts,⁹ though, as Jacqueline Hill and Mary Ann Lyons point out, 'there is no wholly straightforward terminology for the three main religious denominations'.¹⁰ Stewart was born in the County Tyrone civil parish of Donaghedy in the province of Ulster. All three traditions were present in Donaghedy with the Presbyterians (mainly originating from Scotland) in the majority, as William Roulston has established.¹¹ But generally the Gaelic Irish dominated the image of Irishness after the Gaelic revival of the nineteenth century, as O'Farrell and Ronayne contend.¹²

The Ulster Presbyterians made a formidable bloc because, according to Roy Douglas, Liam Harte and Jim O'Hara, they were independent-minded and hard-headed.¹³ They had dynamic, multiple and malleable identities at different times, as Patrick Griffin and Patrick Ireland have noted.¹⁴ Ulster Presbyterianism went through important changes during the early nineteenth century, including the Arian controversy within the church during the 1820s and shifting political attitudes that began to align more with the Episcopalians than with the Catholics, as Peter Brooke and Liz Curtis note.¹⁵ Ulster Presbyterians were leaders in the Irish nationalist rebellion against the English in 1798 but during the nineteenth century many had shifted their allegiance away from the nationalist cause and towards unionism.

The Anglo-Irish were Protestants, mainly Episcopalians, and were the predominant group in Ascendancy Ireland. David Fitzpatrick notes that the Ascendancy was mostly imaginary and was unmistakably in decline after the 1790s.¹⁶ O'Farrell, like Gordon Forth, argues that these establishment Irish were marked more by class than religion as some were Presbyterians, Methodists

⁹ Ibid., p. 5.

¹⁰ Jacqueline Hill and Mary Ann Lyons, eds, *Representing Irish Religious Histories: Historiography, Ideology and Practice*. Springer International Publishing, 2017, p. xxxv.

¹¹ William J. Roulston, *Three Centuries of Life in a Tyrone Parish: A History of Donaghedy from 1600 to 1900*. Letterkenny: Strabane History Society, 2010.

¹² Jarlath Ronayne, *The Irish in Australia: Rogues and Reformers, First Fleet to Federation*. Camberwell, Vic.: Viking, 2003, p. 7; O'Farrell, *The Irish in Australia*, p. 94.

¹³ Roy Douglas, Liam Harte and Jim O'Hara. *Ireland since 1690: A Concise History*. Belfast: The Blackstaff Press, 1999, p. 9.

¹⁴ Patrick Griffin, *The People with No Name: Ireland's Ulster Scots, America's Scots Irish, and the Creation of a British Atlantic World, 1689-1764*. Princeton: Princeton University Press, 2001, pp. 4, 6; Patrick R. Ireland, "Irish Protestant Migration and Politics in the USA, Canada, and Australia: A Debated Legacy", *Irish Studies Review* 20, no. 3 (2012): 263-281, p. 265.

¹⁵ Peter Brooke, *Ulster Presbyterianism: The Historical Perspective 1610-1970*. Dublin: Gill and Macmillan, 1987, pp. 153, 178; Liz Curtis, *The Cause of Ireland: From the United Irishmen to Partition*. Belfast: Beyond the Pale Publications, 1994, pp. 35, 36.

¹⁶ David Fitzpatrick, *Descendancy: Irish Protestant Histories since 1795*. Cambridge: Cambridge University Press, 2014, pp. 3, 6, 9.

and even Catholic.¹⁷ O'Farrell describes them as 'a mixed breed in decline and increasingly alien in their own Ireland ... yet feeling themselves Irish and indeed formed by distinctive and unique Irish attitudes and experience'.¹⁸ They dominated the Ascendancy institution of Trinity College in Dublin where Stewart attended some classes. Interpretations of the Anglo-Irish fluctuate and, as Geoffrey Bolton and Gordon Forth suggest, historians have had a large influence on this.¹⁹

It is important not to 'de-sensitise modern historical writing to the sufferings and injustices of Ireland's past',²⁰ as Ciaran Brady notes. Kevin O'Neill argues that Ireland had been subjected to the 'triple jeopardy' of 'the Norman feudal conquest, the Elizabethan colonial expansion, and the Victorian imperial realm'.²¹ It was affected by the interplay of politics and controversies in the three Stuart kingdoms, as Davies asserts.²² A major experience of suffering in Ireland during Stewart's formative years in Ireland was the Great Famine. The Famine accelerated already existing processes such as emigration, as Roulston demonstrates at the local level of Stewart's home parish and Donald Harmon Akenson and Oliver MacDonagh assert at a national level.²³ Migration was, as Patrick O'Sullivan contends, 'a central part of Irish Protestant experience'.²⁴

The six main Irish diaspora destinations, according to Akenson, were the USA, Great Britain, Canada, Australia, New Zealand and South Africa. He considers Australia's Irish were in the middle of the spectrum of Irish immigrants in terms of age, gender, religion and occupation. The Irish played an important role in nineteenth and twentieth century European imperialism as Akenson, Proudfoot, Hall and Malcolm have established.²⁵ Akenson describes the Irish as 'enthusiastic ideal prefabricated collaborators' and contends that conversely the Irish diaspora required the support of the British and

¹⁷ Gordon Forth, "The Anglo-Irish in Australia: Old World Origins and Colonial Experiences." In *Irish-Australian Studies: 6th Irish-Australian Conference 1990*, edited by Philip Bull, Chris McConville and Noel McLachlan, 51-62. Melbourne: La Trobe University, 1991, p. 53.

¹⁸ O'Farrell, *The Irish in Australia*, p. 94.

¹⁹ G.C. Bolton, "The Anglo-Irish and the Historians, 1830-1980." In *Irish Culture and Nationalism 1750-1950*, edited by Oliver MacDonagh, W. F. Mandle and Paucic Travers, 239-257, 1983, pp. 240, 249; Forth, "The Anglo-Irish in Australia", p. 52.

²⁰ Ciaran Brady, "'Constructive and Instrumental': The Dilemma of Ireland's First 'New Historians'." In *Interpreting Irish History: The Debate on Historical Revisionism 1938-1994*, edited by Ciaran Brady, 3-31. Dublin: Irish Academic Press, 1994, p. 10.

²¹ Kevin O'Neill, "Revisionist Milestone." In Brady, ed. *Interpreting Irish History*, 217-221. Dublin: Irish Academic Press, 1994, p. 219.

²² Norman Davies, *The Isles: A History*. Oxford: Oxford University Press, 2000, p. 572.

²³ Donald Harman Akenson, *The Irish Diaspora: A Primer*. Toronto: P. D. Meany Co.; Belfast: Institute of Irish Studies, Queen's University of Belfast, 1993, p. 25; Oliver MacDonagh, "The Regulation of the Emigrant Traffic from the United Kingdom 1842-55." *Irish Historical Studies* 9, no. 34 (Sep, 1954): 162-189, p. 162.

²⁴ Patrick O'Sullivan, "Introduction to Volume 5: Religion and Identity." In *The Irish Worldwide. History, Heritage and Identity. Vol 5. Religion and Identity*, edited by Patrick O'Sullivan, 1-24. London and Washington: Leicester University Press, 1996, p. 12.

²⁵ Akenson, *The Irish Diaspora*, p. 142; Hall and Malcolm. "Diaspora, Gender and the Irish", p. 12; L. J. Proudfoot and Dianne Hall, *Imperial Spaces: Placing the Irish and Scots in Colonial Australia*. Manchester, England: Manchester University Press, 2011, p. 4.

American empires.²⁶ This ambiguity and contradiction of empire for the Irish is also noted by O'Farrell.²⁷ Eric Richards, Malcolm Campbell and Barry Crosbie also note the enthusiastic participation in empire but Bielenberg considers that Irish Catholics are better placed in the context of European expansionism rather than as the enthusiastic collaborators.²⁸ This advantageous participation in empire can be seen in the use nineteenth century Irish doctors made of British Empire institutions such as the armed forces and civil services, as Elizabeth Lake asserts.²⁹ It reinforces, in David Goodman's words, the importance of retaining some sense of the wider British history of colonial societies.³⁰

According to Richards, the Irish accounted for 38 per cent of the almost eight million people leaving the United Kingdom in the period 1853-1894.³¹ David Fitzpatrick, like Akenson, suggests that the Australian pattern of Irish migration did not reflect transatlantic migration patterns because it did not change dramatically in response to the 1840s Famine as it did in other Irish diaspora countries.³² This is supported by O'Farrell who claims that under two percent of Irish immigrants during the Famine decade arrived in Australia.³³ Australia was too distant and more expensive than the more popular United States, as Neil Coughlan, O'Farrell, Richards and Campbell have established.³⁴ Fitzpatrick asserts that the number of Irish immigrants in the period 1836 to 1850 was less than half of that of the 1850s gold rush period. It is his view that these Irish were coming from a setting of slow recovery and social reorganisation rather than a setting of poverty and disaster.

²⁶ The term "ideal prefabricated collaborator" is attributed to Ronald Robinson. See Akenson, *The Irish Diaspora*, p. 142.

²⁷ Patrick O'Farrell, *Vanished Kingdoms: Irish in Australia and New Zealand a Personal Excursion*, edited by Richard O'Farrell, Kensington, N.S.W.: New South Wales University Press, 1990, p. 111.

²⁸ Andy Bielenberg, "Irish Emigration to the British Empire, 1700-1914." In *The Irish Diaspora*, edited by Andy Bielenberg, 215-234. Harlow, England: Longman, 2000, p. 228; Malcolm Campbell, *Ireland's New Worlds: Immigrants, Politics, and Society in the United States and Australia, 1815-1922*. Madison, Wisconsin: The University of Wisconsin Press, 2008, p. 49; Barry Crosbie, *Irish Imperial Networks: Migration, Social Communication and Exchange in Nineteenth-Century India*. Cambridge: Cambridge University Press, 2012, pp. 17-18; Eric Richards, *Britannia's Children: Emigration from England, Scotland, Wales and Ireland Since 1600*. London and New York: Hambledon and London, 2004, pp. 31, 82.

²⁹ Elizabeth Mary Lake, "Medicine and Publishing in Early Nineteenth Century Ireland: Production and Consumption 1801-1858." PhD Thesis, The University of Ulster, 2010, p. 1.

³⁰ David Goodman, *Gold Seeking: Victoria and California in the 1850s*. St Leonards, N.S.W: Allen & Unwin, 1994, p. xiii.

³¹ English and Welsh accounted for 52 per cent and the Scots 10 per cent. Richards, *Britannia's Children*, p.180.

³² Akenson, *The Irish Diaspora*, p. 25; David Fitzpatrick, ed. *Oceans of Consolation: Personal Accounts of Irish Migration to Australia*. Carlton, Vic.: Melbourne University Press, 1995, pp. 7, 598.

³³ O'Farrell, *The Irish in Australia*, p. 63.

³⁴ Malcolm Campbell, "Ireland's Furthest Shores: Irish Immigrant Settlement in Nineteenth-Century California and Eastern Australia." *Pacific Historical Review* 71, no. 1 (2002): 59-90, p. 80; Campbell, *Ireland's New Worlds*, p. 38; Neil Coughlan, "The Coming of the Irish to Victoria." *Historical Studies: Australia and New Zealand* 12, no. 45 (1965): 68-86, pp. 72, 73, 76; O'Farrell, *The Irish in Australia*, p. 63; Richards, *Britannia's Children*, pp. 142, 144; Eric Richards, "Voices of British and Irish Migrants in Nineteenth-Century Australia." In *Migrants, Emigrants and Immigrants: A Social History of Migration*, edited by Colin G. Pooley and Ian D. Whyte, 19-41. London: Routledge, 1991, p. 19.

Fitzpatrick and O'Farrell reveal the experience of the Australian fragment of the diaspora through Irish immigrant correspondence.³⁵ O'Farrell posits that it was the professional types of Anglo-Irish, Ulster Protestants or affluent Catholics who were most likely to maintain strong links to Ireland in the colonial setting through family correspondence.³⁶ Both historians importantly stress the two-way process of influence between the Irish and colonial society. This is reflected in Richards' consideration of the Irish as part of the wider British diaspora where return migrants were 'important conduits of imperial intelligence, familiarising the centre with the diaspora'.³⁷ But as Perry suggests, settlers were not 'always reliable or straightforward representatives of the British world'.³⁸ This was complicated by 'the daily practices of migration, race, and identity'.³⁹

Goodman contends that the local can only be understood by looking outside it.⁴⁰ This is also true of the Irish diaspora: the Australian fragment can provide understanding of other diaspora destinations, as Akenson and Malcolm Campbell argue.⁴¹ Like Fitzpatrick, Campbell stresses that explanations of Irish immigrants' adjustment to life abroad are inadequate without considering the importance of the host nation as a critical agent in their lives.⁴² This view is reflected in Bielenberg and Akenson's discussions of religious cultural background and the New World.⁴³ McCarthy highlights the importance of transnational and comparative approaches along with the use of personal testimonies in advancing 'our knowledge of Ireland's place in the wider world'.⁴⁴ Stewart's life provides another unique piece of experience adding to understanding of both the Australian fragment and the Irish diaspora as a whole and the importance of conditions in his receiving country in the way in which he adapted.

The Irish were a founding people in Australia, as MacDonagh, Fitzpatrick, Campbell and Ireland contend.⁴⁵ They did not join an already established society but were an important element of the

³⁵ Fitzpatrick, *Oceans of Consolation*; O'Farrell, *Vanished Kingdoms*.

³⁶ Unfortunately none of Stewart's correspondence has been found.

³⁷ Richards, *Britannia's Children*, p. 169.

³⁸ Adel Perry, "Whose World was British? Rethinking the 'British World' from an Edge of Empire." In *Britishness Abroad*, edited by Kate Darian-Smith, Patricia Grimshaw and Stuart Macintyre, 133-152. Melbourne University Press, 2007, p. 141.

³⁹ *Ibid.*, p. 143.

⁴⁰ Goodman, *Gold Seeking*, p. xxi.

⁴¹ Campbell, *Ireland's New Worlds*, p. vii.

⁴² Campbell, *Ireland's New Worlds*, pp. 183, 184; David Fitzpatrick, *Irish Emigration 1801-1921*. Dublin: Economic and Social History Society of Ireland, 1984, p. 13.

⁴³ Donald Harman Akenson, "Irish Migration to North America, 1800-1920." In Bielenberg, ed. *The Irish Diaspora*, p. 132; Bielenberg, "Irish Emigration to the British Empire", p. 226.

⁴⁴ Angela McCarthy, "Introduction." In *Ireland in the World: Comparative, Transnational, and Personal Perspectives*, edited by Angela McCarthy, 1-14. Taylor and Francis, 2015. Accessed September 28, 2016. ProQuest Ebook Central, p. 1.

⁴⁵ Campbell, *Ireland's New Worlds*, p. 93; Ireland, "Irish Protestant Migration and Politics", p. 268; Fitzpatrick, *Oceans of Consolation*, p. 19; Oliver MacDonagh, "The Irish in Victoria, 1851-91: A Demographic Essay."

society from its beginning. MacDonagh notes that the three main Irish cultural traditions were prominent in Victoria's early legal and political systems and provided more than their share of political leadership in the colony for their number.⁴⁶ This prominence can be seen in Roynane's study of the network of wealthy Trinity-educated Protestant males in Australia.⁴⁷ Both O'Farrell and Ronayne powerfully employ the collective study of the lives of groups of historical actors to discover common background characteristics of Australian Irish.

Views on Irish settlers in Australia range from assimilation 'to a British way of life', to the persistence of Irish ethnic identity, or a mix of both, as Val Noone points out in his valuable bibliographical survey of Irish-Australian conference publications.⁴⁸ O'Farrell, Ronayne and Forth all stress the under-representation of the Anglo-Irish in the story of the Irish in Australia but views about why this is the case vary amongst historians of the Australian Irish.⁴⁹ O'Farrell posits that this is because of their unnoticed Irishness, compared to the Gaelic Catholics who dominated the popular perception of Irishness. The Anglo-Irish attracted less attention because of reduced emigration from Ireland, and because they shared so many characteristics with the English. Yet Coughlan considers the Irish as having 'startling homogeneity'⁵⁰ in Victoria in the 1850s and 1860s. Forth contends that the Anglo-Irish rapidly assimilated into the Australian population.⁵¹ Similarly, Ireland suggests the Irish Protestants (including Ulster Presbyterians) responded and adapted with facility but over time.⁵² But Ronayne dismisses the argument that anglicisation and fast assimilation meant the Anglo-Irish were absorbed into the Protestant English majority. He contends that they exhibited distinctively Irish thinking, social and cultural values and they did not conceal their Irishness.⁵³

O'Farrell refers to the Ulster Protestants in Australia as 'those other less obvious Irish'⁵⁴ taken for granted by the historical process like the Anglo-Irish. He describes them as 'the determined frontiersmen of a Protestant God' distinguishing them from the Anglo-Irish whom he considers were the 'administrators of the empire'.⁵⁵ This thesis highlights the impact of this under-represented group

In *Historical Studies: Papers Read before the Irish Conference of Historians VII*, edited by T. D. Williams, 67-92. Dublin: Gill and Macmillan, 1971, p. 68.

⁴⁶ MacDonagh, "The Irish in Victoria", p. 71.

⁴⁷ Ronayne, *The Irish in Australia*.

⁴⁸ Val Noone, "Irish-Australian Conference Publications: Content and Context." In *Ireland and Australia 1798-1998: Studies in Culture, Identity and Migration*, edited by Philip Bull, Frances Devlin Glass and Helen Doyle, 349-366. Sydney: Crossing Press, 2000.

⁴⁹ Forth, "The Anglo-Irish in Australia", p. 54.

⁵⁰ Coughlan, "The Coming of the Irish to Victoria", p. 84.

⁵¹ Forth, "The Anglo-Irish in Australia", p. 54.

⁵² Ireland, "Irish Protestant Migration and Politics", pp. 267, 272, 276.

⁵³ Ronayne, *The Irish in Australia*, pp. 10, 11.

⁵⁴ O'Farrell, *The Irish in Australia*, p. 93.

⁵⁵ O'Farrell, *Vanished Kingdoms*, p. 111.

of Protestants from Ulster through an exploration of Stewart's Irishness. Stewart's identity is also considered in terms of the flexibility of how others saw him in the places and spaces that he inhabited.

Colonial Society and the Ballarat Goldfields

The gold rush had a dramatic impact on the colony of Victoria. Goodman contends that 39 per cent of the world's gold produced in the period 1851 to 1860 occurred in Australia, a large amount of which came from Victoria.⁵⁶ He compares the societies of the Victorian and Californian goldfields, revealing the ambivalent responses to the gold rushes. This reinforces the value of Goodman's comparison and Akenson's recommendations. Campbell stresses the value of Irish diaspora studies outside of national narratives in his comparison of the Irish in both of these gold rush societies.⁵⁷ Campbell attributes the particular experiences of the Irish in California and eastern Australia to their time of arrival, their backgrounds and prior experiences, their host societies' cosmopolitan characters and the presence of significant non-European immigrant populations in each place.⁵⁸

Greater understanding of goldfields communities is provided by studies of mobility, connections, networks and cultural and social patterns between goldfields communities and understanding Australia's place in the trans-Tasman world, as Daniel Davy and Chris McConville, Keir Reeves and Andrew Reeves reveal.⁵⁹ It is also provided through studies of the individuals and families living within goldfields communities, such as Joan Hunt's study of the Springdallah goldfields communities near Ballarat.⁶⁰ Stewart's experiences contribute to this understanding. The shaping influence of the settler colony in reimagining the space of Greater Britain is revealed by Philip Steer through the writings of 'the gold-inflected accounts of empire'⁶¹ of British visitors to the colony.

John Hirst usefully considers Victorian society in terms of Hartzian theory whilst acknowledging the theory's weaknesses. The prevailing ideology in societies when emigrants left helped form the nature

⁵⁶ Goodman, *Gold Seeking*, p. ix.

⁵⁷ Campbell, "Ireland's Furthest Shores".

⁵⁸ Campbell, *Ireland's New Worlds*, p. 88.

⁵⁹ Daniel Davy, "'A Great Many People I Know from Victoria': The Victorian Dimension of the Otago Gold Rushes." In *Rushing for Gold: Life and Commerce on the Goldfields of New Zealand and Australia*, edited by Lloyd Carpenter and Lyndon Fraser, 41-53. Dunedin: Otago University Press, 2016; Chris McConville, Keir Reeves and Andrew Reeves. "'Tasman World': Investigating Gold-Rush-Era Historical Links and Subsequent Regional Development between Otago and Victoria." In Carpenter and Fraser, eds, *Rushing for Gold*, 23-40, p. 24.

⁶⁰ Joan E. Hunt, "Mining a Rich Lode: The Making of the Springdallah Deep Lead Goldfield Communities." PhD thesis, Federation University, 2015.

⁶¹ Philip Steer, "Gold and Greater Britain: Jevons, Trollope, and Settler Colonialism." *Victorian Studies* 58, no. 3 (2016): 436-463, p. 459.

and course of European colonial societies to which they emigrated.⁶² Stewart carried the prevailing ideology in Ireland at the time that he emigrated to the Ballarat institutions with which he was involved. Through institutions such as the Mechanics' Institute, he shared much in common with the 'morally enlightened artisan' who, according to Geoffrey Serle, 'for the rest of the century may be claimed as one kind of élite in the van of political and cultural progress'.⁶³

Ballarat became a stronghold of liberalism during the mid-to-late nineteenth century, as Stuart Macintyre contends in *A Colonial Liberalism*.⁶⁴ This is stressed by Weston Bate who considers that Ballarat was closer to the 'liberal-democratic ideal of equality of opportunity'⁶⁵ than any nineteenth century British city. Macintyre reveals the ambiguous and personal expressions of liberalism which developed in the unique Australian situation through the collective biography of George Higinbotham, David Syme and Charles Pearson. For these men it was a way of thinking and being, a consuming passion rather than a doctrine. Stewart shares some similarity to these men, particularly the Trinity-educated Higinbotham, but differs through his involvement with many local groups and his philanthropy.

W.B. Withers and Weston Bate provide valuable accounts of Ballarat's foundation period and gold rush.⁶⁶ This is the period when Stewart was living and working in Ballarat yet Withers barely mentions him. These sporadic references to the doctor neglect the large and influential role he played in Ballarat during the 1850s and 1860s. Bate's history complements and expands on Withers' history and his comparative discussion of the development of East and West Ballarat and comparisons of Ballarat to other Victorian goldfields are particularly valuable. He makes no mention of Stewart despite discussing many of the institutions and events with which the doctor was heavily and influentially involved.

The Eureka Stockade was a major influence on gold rush life in Ballarat. Raffaello Carboni's autobiographical account of his experience as a participant in the Stockade was written soon after the

⁶² Hartz posits that, for the Australian fragment, this was 'radical, charged with proletarian turmoil of the Industrial Revolution'. Louis Hartz, *The Founding of New Societies*. New York: Harcourt, Brace & World, Inc., 1964, p. 3; John Hirst, *Sense & Nonsense in Australian History*. Collingwood, VIC: Black Inc. Agenda, 2009, p. 126.

⁶³ Geoffrey Serle, *From Deserts the Prophets Come: The Creative Spirit in Australia 1788-1972*. Melbourne: Heinemann, 1973, p. 25.

⁶⁴ Stuart Macintyre, *A Colonial Liberalism: The Lost World of Three Victorian Visionaries*. South Melbourne: Oxford University Press, 1991, p. 171.

⁶⁵ Weston Bate, *Lucky City: The First Generation at Ballarat, 1851-1901*. Carlton South, Vic.: Melbourne University Press, 1978, p. 148.

⁶⁶ William Bramwell Withers, *The History of Ballarat: From the First Pastoral Settlement to the Present Time*. 2nd ed. Ballarat: F.W. Niven and Co., 1887. <http://archive.org/details/texts>. Also available in print form; Bate, *Lucky City*.

event and published in 1855.⁶⁷ He does not mention Stewart. Withers' history was first published 15 years after Carboni's. Accounts of events were not so fresh in the minds of witnesses and memories were more affected by time and hindsight. Withers was an outsider looking in, while Carboni's was a view from the inside looking out. Their experiences, knowledge, reactions and feelings looking back are necessarily very different. Ronayne and O'Farrell both importantly offer significant insights into the Irish involved in Eureka from both sides of the Bench and the role of the Irish and Eureka in the larger context and processes of Victorian and Australian history. Neither mentions Stewart, for reasons I will explain.

Philanthropy

The nineteenth century has been described by Laurence Geary and Oonagh Walsh as 'the century of philanthropy'.⁶⁸ Nineteenth century philanthropists varied greatly in their social origins, sources of wealth, motives, religious backgrounds and charitable interests, as David Owen, Gertrude Himmelfarb and Katherine Coon contend.⁶⁹ Their philanthropy was influenced by conditions within their communities, different views on the causes of poverty, what they wanted for their own families, their family and friendship networks as well as by religious and secular ideologies, as Himmelfarb, Coon, Tanya Evans, and Anne O'Brien have established.⁷⁰ These influences could change at different times and, as Lawrence Friedman suggests, philanthropy can 'have multiple and shifting meanings'.⁷¹ Evans importantly notes the value of examining philanthropists' public and private lives to further understanding of particular behaviours.⁷² This is very pertinent to understanding Stewart's behaviour and choices.

⁶⁷ Raffaello Carboni, *The Eureka Stockade*. Melbourne: J.P. Atkinson and Co., 1855.

<http://archive.org/details/texts>. Also available in print form.

⁶⁸ Laurence M. Geary and Oonagh Walsh. "Introduction." In *Philanthropy in Nineteenth-Century Ireland*, edited by Laurence M. Geary and Oonagh Walsh, 13-22. Dublin: Four Courts Press, 2015, p. 13.

⁶⁹ Katherine E. Coon "The Sisters of Charity in Nineteenth-Century America: Civil War Nurses and Philanthropic Pioneers." MA thesis, Indiana University, 2010, p. 13; Gertrude Himmelfarb, "The Age of Philanthropy." *The Wilson Quarterly* 21, no. 2 (1997): 48; David Owen, *English Philanthropy 1660-1960*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1964, p. 4.

⁷⁰ Coon, "The Sisters of Charity", p. 12; Tanya Evans, "Working Towards the 'Welfare of the World': British Imperial Networks of Philanthropy in the Nineteenth Century." *History Australia* 13, no. 1 (2016): 109-123, p. 122; Himmelfarb, "The Age of Philanthropy"; Anne O'Brien, *Philanthropy and Settler Colonialism*. Basingstoke, UK: Palgrave Macmillan, 2015, p. 6.

⁷¹ Lawrence J. Friedman, "Philanthropy in America: Historicism and Its Discontents." In *Charity, Philanthropy, and Civility in American History*, edited by Lawrence J. Friedman and Mark D. McGarvey, 1-22, Cambridge: Cambridge University Press, 2003, p. 6.

⁷² Evans, "Working Towards the 'Welfare of the World'", p. 110.

Eileen Chanin examines the relationship between duty and philanthropy in Britain and how it was carried to colonial Australia.⁷³ She argues that the British sought practical solutions to the critical needs in their society and adapted to the changing nineteenth century and colonial settings. The Irish influence on colonial Australian philanthropy is missing from Chanin's discussion; this is addressed in this thesis through the examination of the motivations and influences on Stewart's philanthropy.

Janice Croggon addresses Australian identity through the experiences of Celtic groups in Ballarat and the accommodating experience the British and Celtic identities underwent in the new circumstances of the colony and goldfields.⁷⁴ She describes the Anglo-Irish in Ballarat as having a wealthy, privileged, upper class background and more interested in class and justice than religion. Diane Campbell concentrates her study on five Anglo-Irish lawyers in Ballarat and suggests that they set out to reproduce Ascendancy behaviours from Ireland in a civilising mission in the new Australian setting.⁷⁵ This local example is in direct contrast to Ronayne's claim that the Anglo-Irish in Australia did not seek to emulate their positions of privilege in the new land, thus demonstrating the importance of individual studies revealing varied experiences.⁷⁶ Whilst benefiting from chain migration and the Anglo-Irish cousinage, these men sought to prove themselves in the new colonial setting through philanthropic involvement with mainly English-style institutions in Ballarat. Both Croggon and Campbell neglect Stewart's contributions to philanthropy in meeting the needs of Ballarat's growing population.

Withers and Bate importantly stress the atmosphere and value of benevolence particular to Ballarat throughout their histories – discussions that should include Stewart but do not. Bate concentrates on Stewart's contemporary James Oddie. Anne Beggs-Sunter contributes greatly to understanding Ballarat history through Oddie's contributions.⁷⁷ She argues that strong bonds were forged by the ongoing shared goldfields experience which transcended class consciousness and had a very strong influence on the development of Ballarat's social, educational and cultural institutions. Stewart and Oddie were friends who held similar civic roles but only a few of Stewart's significant contributions are touched on by Beggs-Sunter.

⁷³ Eileen Chanin, "Cultural Philanthropy: David Scott Mitchell and the Mitchell Library." PhD thesis, University of New South Wales, 2012. Published as Eileen Chanin, *The Life and Times of David Scott Mitchell*, Melbourne: Australian Scholarly Publishing, 2011.

⁷⁴ Janice Croggon, "Strangers in a Strange Land: Converging and Accommodating Celtic Identities in Ballarat 1851-1901." PhD thesis, University of Ballarat, 2002.

⁷⁵ Dianne P. Campbell, "Anglo-Irish Lawyers in Post-Goldrush Ballarat." MA Thesis, University of Ballarat, 2002.

⁷⁶ Ronayne, *The Irish in Australia*, p. 8.

⁷⁷ Anne Beggs-Sunter, "James Oddie (1824-1911) His Life and the Wesleyan Contribution to Ballarat." MA thesis, Deakin University, Australia, 1989.

Dorothy Wickham argues that philanthropy and charity in Ballarat were not purely altruistic.⁷⁸ They were used to achieve and maintain power and status for the mostly Protestant emerging middle class, to strengthen class barriers and enforce moral standards. Pioneers dominated membership of the major charities and were successful professional and business men, many of whom were involved in local government and Freemasonry – including Stewart. Wickham provides an indication of Stewart's involvement with Ballarat institutions but it is a far from complete representation of his extensive contributions.

Irish and Colonial Medicine

Irish medical practice moved from a hierarchical system of physician, surgeon and apothecary at the turn of the nineteenth century to scientific medicine by mid-nineteenth century. Lake claims that the profession grew dramatically from 61 medical practitioners in Dublin in 1774 to 1989 by 1846.⁷⁹ Particularly Irish experiences such as the Famine and fever influenced Irish medicine, as Lake contends.⁸⁰ Greta Jones and Elizabeth Malcolm assert that there were important medical education and clinical research developments in Ireland during the nineteenth century, although they warn that stress on the significance of the distinctiveness of Dublin-based Irish medicine may be a self-serving claim advanced by Dublin doctor-historians.⁸¹

Contemporary religious and political events must be considered for Irish medicine, as Jones and Malcolm note.⁸² Laurence Geary's research into the Irish medical profession in Ireland reveals its wider context and connectedness with countries such as Scotland. He provides important insight into Irish doctors in nineteenth-century Victoria in terms of their numbers, backgrounds, religion, education, qualifications and their reasons for emigrating.⁸³ Stewart's Irish medical education and the

⁷⁸ Dorothy Glennys Wickham, "Beyond the Wall: Ballarat Female Refuge: A Case Study in Moral Authority." MPhil thesis, Australian Catholic University, 2003.

⁷⁹ Lake, "Medicine and Publishing", p. 1.

⁸⁰ Ibid.

⁸¹ Greta Jones and Elizabeth Malcolm. "Introduction: An Anatomy of Irish Medical History." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Greta Jones and Elizabeth Malcolm, 1-17. Cork: Cork University Press, 1999, p. 3.

⁸² See also, Akenson, Geary and Froggatt. Akenson, *The Irish Diaspora*; Peter Froggatt, "Competing Philosophies: The 'Preparatory' Medical Schools of the Royal Belfast Academical Institution and the Catholic University of Ireland, 1835-1909." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 59-84, p. 67; Laurence M. Geary, "Prince Hohenlohe, Signor Pastorini and Miraculous Healing in Early Nineteenth-Century Ireland." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 40-58, p. 53; Jones and Malcolm. "Introduction", pp. 4, 6.

⁸³ Laurence M. Geary, "Australia Felix: Irish Doctors in Nineteenth-Century Victoria." In O'Sullivan, ed. *The Irish Worldwide. History, Heritage and Identity. Vol 2. The Irish in the New Communities*, 162-179; Laurence M. Geary, "'The Most Illiberal and Monopolising Corporation in Existence'. The Royal College of Surgeons in Ireland and Professional Appointments to Irish County Infirmaries." In *Borderlands: Essays on Literature and Medicine in Honour of J.B. Lyons*, edited by Davis Coakley and Mary O'Doherty, 106-114. Dublin: Royal

medicine that he practised in Victoria add to the understanding of nineteenth century Irish medicine and colonial doctors. These also provide insight into his identity negotiation in the transformation from Ulster Presbyterian boy to fully-fledged surgeon in Dublin because, as Laura Kelly argues, medical education marked the ‘transition from boyhood to manhood’ for male students and the ‘metamorphosis from medical student to fully-fledged member of the profession’.⁸⁴

Janet McCalman and her co-contributors reveal the ways in which survival in colonial Victoria was affected by the ability to form networks, the financial and social capital emigrants brought with them, the effects of infirmity and illness on the ability to build a viable household and the lack of traditional extended family support.⁸⁵ These conditions are very pertinent to the role of the colonial institutions that developed in gold rush Ballarat with which Stewart was heavily involved.

Eureka and Ballarat histories usually highlight the large number of casualties from the Stockade and the impetus it gave to the establishment of a hospital in Ballarat. However, sometimes the doctors involved are not even alluded to. With the high rate of injuries due to mining activity and the casualties of the Stockade it is disappointing that this area has not been more thoroughly considered. It is even more disappointing that Stewart’s role has been neglected.

Anthea Hyslop and Keith Macrae Bowden address Ballarat doctors in some detail.⁸⁶ Hyslop’s history of the Ballarat Base Hospital reveals the difficulties faced by doctors in the colonial mining setting and improvements to medicine through the doctors’ unique experiences in this setting. Bowden usefully demonstrates the camaraderie of the Ballarat doctors of the 1850s in trying conditions, their changing roles as the city developed and as the Victorian health system was reformed. He importantly draws on his own medical background to interpret events in terms of modern medical practice as well as in the context of medical practice during the mid-nineteenth century. Hyslop leaves a large gap by brushing over Stewart’s extensive contributions to the hospital and medical care in Ballarat. Bowden, however, singles out Stewart as a doctor who was very prominent in 1850s Ballarat but concluded that

College of Surgeons in Ireland, 2002; Laurence M. Geary, "The Scottish-Australian Connection, 1850-1900." In *The History of Medical Education in Britain*, edited by Vivian Nutton and Roy Porter, 51-75. Amsterdam, Atlanta GA: Rodopi, 1995.

⁸⁴ Laura Kelly, "Irish Medical Student Culture and the Performance of Masculinity, c.1880-1930." *History of Education* 46, no. 1 (2017): 39-57, p. 39.

⁸⁵ Janet McCalman, "To Die without Friends: Solitaries, Drifters and Failures in a New World Society." In *Body and Mind: Historical Essays in Honour of F.B. Smith*, edited by Graeme Davison, Pat Jalland and Wilfrid Prest, 173-194. Carlton: Melbourne University Press, 2009, p. 175; Janet McCalman and Ruth Morley, "Inequalities of Gender and Health 1857-1985: A Long-Run Perspective from the Melbourne Lying-in Hospital Birth Cohort." *Australian Journal of Social Issues, the* 43, no. 1 (2008): 29-44, p. 31; Janet McCalman, Ruth Morley and Gita Mishra. "A Health Transition: Birth Weights, Households and Survival in an Australian Working-Class Population Sample Born 1857–1900." *Social Science & Medicine* 66, no. 5 (2008): 1070-1083, p. 1081.

⁸⁶ Keith Macrae Bowden, *Goldrush Doctors at Ballarat*. Mulgrave, Vic.: Magenta Press, 1977; Anthea Hyslop, *Sovereign Remedies: A History of Ballarat Base Hospital 1850s to 1980s*. Sydney: Allen & Unwin, 1989.

very little was known about him. T.S. Pensabene's study of medical practice and the professional status of doctors in Victoria commences in the 1870s and neglects important changes in these areas during the 1850s and 1860s.⁸⁷

This biographical study provides insight into the life of a Victorian colonial doctor within the larger historical processes of Victorian and Empire history, revealing the ways in which one individual both influenced and was influenced by these processes. Creating an understanding of his life illuminates the variety of roles and opportunities available to medical practitioners in Ireland and early Ballarat, the roles of ship surgeons and doctors in the Victorian goldfields setting, the role of civic duty in colonial life, the role of the Irish in Victoria and the role of Presbyterianism (in its unique Ulster form) in shaping individual choices and its impact on colonial society.

A detailed study of an Ulster Presbyterian contributes to our knowledge of religious, social and class features of the Ulster Presbyterians, the opportunities available to them through education, travel and careers in the nineteenth century and offers insight into the world in which they lived in both Irish and colonial settings. It also significantly adds to knowledge of their impact on the colony.

METHODOLOGY

The methodological framework governing this thesis is best understood as qualitative and ethnographic interpretive biography. The primary method employed is document analysis. Other methods utilized are: speculative biography, theme identification, *leitmotif* identification, interpretive methods, comparative analysis and turning point analysis.⁸⁸

The interpretivist approach to human inquiry has been chosen to investigate and understand interpretations of the social life-world that are both historically situated and culturally derived. This is based on the current form of Max Weber's idea of *Verstehen* (German for 'understanding') which concentrates on understanding and interpretation. It reflects the thinking of Silverman, Nowak and Weiss, and is less about Weber's empirical verification and causal explanation through nomothetic and idiographic inquiry as described by Crotty.⁸⁹ Through ethnography informed by symbolic

⁸⁷ T.S. Pensabene, *The Rise of the Medical Practitioner in Victoria*. Canberra: Australian National University, 1980.

⁸⁸ Sheridan Palmer defines *leitmotifs* in biography as "those recurrent themes or images that illuminate his or her character and motivates their life and work". Palmer, Sheridan. "The Importance of Leitmotifs and Distance in the Biography of Bernard Smith." *Australian Historical Studies* 43, no. 1 (2012): 28-44, p. 29.

⁸⁹ Michael Crotty, *The Foundations of Social Research: Meaning and Perspective in the Research Process*. London: Sage Publications Ltd, 2012.

interactionism this research seeks to see the world from the standpoint of James Stewart, to understand his inner self and public self and to uncover his motivations, attitudes and values. It seeks to discover the ways in which his cultural background impacted on his public life in Ballarat.

Interpretive biographical method is employed to enable creation of a shareable understanding of the inner and outer life of the individual with particular consideration of epiphanies and turning point events. This reflects the ideas of Norman Denzin who was influenced by C. Wright Mills, Jean-Paul Sartre and Jacques Derrida and utilizes critical theory developed by structuralism and post-structuralism.⁹⁰ Denzin's focus on the individual and specific turning point events has been seen as limiting by Caulley because the selection of 'true' turning points can be contentious and by Ward because important identity re-negotiations can occur in ordinary moments.⁹¹ Such limitations can be sufficiently addressed by combining interpretive biography with other methods to create more comprehensive frameworks – as is the case with the combination of methods utilised in this study.

Document analysis is the key method employed in this study to analyse the rich representation of James Stewart's professional and civic duties in newspapers, particularly from the *Ballarat Times*, *Ballarat Star* and the *Argus*. Other documents examined considering the context of the time and manner in which they were created include his very detailed will, wills of his relatives and friends, photographs, court inquest and medical reports, medical and University of Melbourne archives and Ballarat Municipal Council minutes from the doctor's time as a councillor and chairman. Weston Bate's *Lucky City* has been an important guide to locating valuable sources.

The *Star* newspaper had a large influence on Ballarat in its nearly 80 year run. As Morrison contends, the newspaper press was 'an integral part of politics and public life: one means amongst several of participating in the political process'.⁹² Much of Stewart's life in Ballarat is revealed through the pages of the *Star*, gratifyingly made accessible through TROVE under the sponsorship of the Ballarat and District Genealogical Society.

As few personal documentary sources exist for James Stewart, speculative biography is employed to create imaginative links by creatively using other data to identify and fill gaps, as recommended by

⁹⁰ Norman K. Denzin, *Interpretive Biography*. Newbury Park, California: Sage Publications, 1989.

⁹¹ Darrel N. Caulley, "Turning Points in Qualitative Research: Tying Knots in a Handkerchief [Book Review]." *Qualitative Research Journal* 4, no. 2 (2004): 187-190, p. 190; Nicki Ward, "Complicating Actions and Complicated Theory through an Exploration of Lesbian Lives." In *Biography and Turning Points in Europe and America*, edited by Karla B. Hackstaff, Feiwei Kupferberg and Catherine Negroni, 187-206. Bristol: The Policy Press, 2012, p. 201.

⁹² Elizabeth Morrison, *Engines of Influence: Newspapers of Country Victoria, 1840-1890*. Carlton, VIC.: Melbourne University Press, 2005, p. 102.

Lloyd Ambrosius.⁹³ This data includes public papers from speeches, inquests, other public records and the personal papers of the doctor's contemporaries. David Nasaw argues that historians are uniquely placed to gain useful details from limited and unconventional life writing sources and Rotberg believes that reasonably definitive answers can be found from difficult, imprecise and unlikely sources when the biographer asks the right questions.⁹⁴ New knowledge of the doctor gained from this approach guides speculation of characteristic behaviour and directs the study towards answers to the research questions outlined above. This is particularly important for understanding the doctor's life after he left Ballarat.

Examining the actions and meanings made and modified by James Stewart through his social interactions and language reflects Blumer's basic symbolic interactionist assumptions and the humanist Marxism described by Merrill and West.⁹⁵ Sheridan Palmer argues that valuable illumination into the character of the individual can be gained by searching for *leitmotifs* which begin to emerge through extensive systematic research.⁹⁶ Two *leitmotifs* in the life of James Stewart that emerged during preliminary research were philanthropy and civic duty.

All data sources are critically considered in terms of context, consistency and data triangulation – methodological skills which Alistair Thomson points out are essential.⁹⁷ Thomson notes the importance for the researcher to work with the features and peculiarities of the particular data source type such as flaws of bias, self-justification and secrecy, as well as insights into 'ordinary' lives and observing what has been left out as well as included. Denzin suggests that obituaries are the summed-up achievements of a life given meaning in terms of the life ending.⁹⁸ This is especially important in the analysis of Stewart's death notices, as these reveal how others saw him, what they decided were the most important achievements of his life, how his life could be summarised and what has been left out.

The impact of the 'linguistic turn' which highlights historical documents and the possibility for multiple, but not unlimited, interpretations and understandings due to the impact of language with its culture, philosophy, time and social meanings is recognised in this study. This reflects the

⁹³ Lloyd E. Ambrosius, ed. *Writing Biography: Historians and their Craft*. Lincoln & London: University of Nebraska Press, 2004.

⁹⁴ David Nasaw, "AHR Roundtable: Historians and Biography Introduction." *The American Historical Review* 114, no. 3 (June, 2009): 573-578, p. 576; Rotberg, "Biography and Historiography", p. 317.

⁹⁵ Herbert Blumer in Crotty, *The Foundations of Social Research*, p. 72; Barbara Merrill and Linden West. *Using Biographical Methods in Social Research*. London: Sage Publications, 2009, p. 67.

⁹⁶ Palmer, "The Importance of Leitmotifs".

⁹⁷ Alistair Thomson, "Life Stories and Historical Analysis." In *Research Methods for History*, edited by Simon Gunn and Lucy Faire, 101-117. Edinburgh: Edinburgh University Press, 2012, p. 102.

⁹⁸ Denzin, *Interpretive Biography*, p. 80.

poststructuralist ideas of Michel Foucault and the postmodernism described by Crotty and Ann Curthoys and John Docker.⁹⁹ This biographical research is considered as mediated through the language of the time and society in which the documents were created and attempts to apply the 'self-reflexivity' which Curthoys sees as essential for researchers.¹⁰⁰

Caine suggests that biography has moved from the margins of historical study to share more of the centre ground with political institutions and social and economic structures because of changes in both history and biography, despite continuing ambivalence towards it by some historians.¹⁰¹ Historians have criticised biography because its focus on the private individual risks overlooking historical context and processes and therefore separates it from traditional history. It could lead to over-emphasis of the individual's role and significance, problems could arise from reliance on theoretical insight over empirical research, extensive time spent studying an individual's life inevitably leading to biases where the individual's time is viewed too much from their point of view and for biographers concentrating only on the private papers or diaries of an individual without considering other sources and public records. This thesis avoids the potential pitfall of over-concentration on the individual because the dearth of personal papers for Stewart requires reliance on public sources and placing him in the context of colonial society.

Biography has been chosen because, as Rotberg contends, biography has made history more informed and more complete by revealing overlooked and forgotten examples of human agency and efforts as critical parts of historical change.¹⁰² Biography can aid understanding of an individual's psychological dimension which can reveal more about their historical context, as Rickard asserts.¹⁰³ The connections between an individual's public and private lives can offer valuable learning potential about the world, as Tanya Evans and Robert Reynolds have established.¹⁰⁴ The relationship between primary sources and the individual and their social and political surroundings has been stressed by Caine and Tosh.¹⁰⁵ This is achieved by strengthening historical arguments through the use of public and private archives, widening context, considering social context through probing historical questions and considering the why and how of what is written about the subject. This thesis follows Rotberg's approach.

⁹⁹ Ann Curthoys and John Docker. *Is History Fiction?* 2nd ed. Sydney: University of New South Wales Press, 2010, pp. 182-183.

¹⁰⁰ Ann Curthoys, "Thinking about History." *Australian Historical Association Bulletin* (Dec, 1996): 14-28, p. 24.

¹⁰¹ Caine, *Biography and History*.

¹⁰² Rotberg, "Biography and Historiography".

¹⁰³ Rickard, "Psychohistory in Australia".

¹⁰⁴ Tanya Evans and Robert Reynolds. "Introduction to this Special Issue on Biography and Life-Writing." *Australian Historical Studies* 43, no. 1 (2012): 1-8.

¹⁰⁵ Tosh, *The Pursuit of History*; Caine, *Biography and History*.

STRUCTURE

The thesis is divided into three sections that correspond to the places where James Stewart lived: Ireland, Ballarat and England. In the first section Chapter One discusses Stewart's life growing up in Ireland, the Ulster Presbyterianism of his family, the opportunities available to him in Ireland and his medical education, while Chapter Two examines his role as a ship's surgeon within the context of the Irish diaspora.

The second section has four chapters covering Stewart's time in Ballarat. Chapter Three examines Stewart's arrival in the Colony of Victoria, the colonial medicine he practised in Ballarat during the 1850s and his involvement in the events of the Eureka Stockade in 1854. The influence of new radically different surroundings of goldrush life in Ballarat on Stewart is examined, as is his important contribution to the development of the Miners' Hospital. Stewart's rise to public prominence through civic duty and his private life during the 1850s are discussed in Chapter Four. The important role his family continued to play in his life after leaving Ireland and what it meant to be an Ulster Presbyterian in colonial Victoria are also examined. Stewart's second decade in Ballarat is discussed in Chapter Five starting with changes in his private life during the 1860s. This is followed by examination of his medical practice and the professionalisation of colonial medicine. Chapter Six concludes the section by examining Stewart's civic duty during his second decade in Australia along with his investments as a colonial capitalist.

The final section covers Stewart's life after leaving Australia. Chapter Seven provides insight into his reasons for leaving Australia, his decision to live in England rather than Ireland and his final years. His bequests and philanthropy are explored in Chapter Eight. Attention is given to considering what his bequests reveal about who he was, his ultimate motivations and why Australia remained so important to him. The thesis concludes with reflections on why Stewart has been so ignored by historians (such that he has almost been completely forgotten) despite his obvious contributions to Ballarat and Victoria, and offers thoughts on how he could (or should) be remembered.

PART I: IRELAND AND EMIGRATION

CHAPTER ONE

FROM DONAGHEADY TO DUBLIN

This chapter encompasses the first two decades of James Stewart’s life from 1829 to 1852 in the context of Ireland, Ulster, County Tyrone and Donagheady. It provides insight into the Ulster of Stewart’s early life and his childhood influences. It includes the farming background of his family, their Presbyterianism, the living conditions and community of the civil parish of Donagheady and events and experiences that influenced his outlook, motivations and life choices as well as those in the Anglican Ascendancy world when he received his medical education in Dublin.

Stewart Family

Robert Stewart
c.1788 - 20 September 1863
m.

Mary Ann Paton
c.1791 - 14 November 1842

{	<i>Daniel</i>	unknown
	<i>Jane</i>	born c.1820
	<i>Martha</i>	born c.1824
	<i>Mary Ann</i>	born c.1825
	<i>Catherine</i>	born c.1827
	<i>James</i>	born 6 November 1829
	<i>Robert</i>	born c.1834

Donagheady

James Stewart was born into a farming family in the civil parish of Donagheady, County Tyrone in the province of Ulster on 6 November 1829.¹ He was the son of Robert and Mary Ann Stewart who lived on a farm in the townland of Altrest with his siblings Daniel, Jane, Martha, Mary Ann, Catherine and Robert.² Stewart’s grandfather, Daniel Stewart, and his brother John first became tenants at Altrest in the 1760s after moving from Rash in the parish of Cappagh, just south of Donagheady.

An Ordnance survey memoir was produced for the Donagheady parish in May 1836 when Stewart was six years old. Ordnance surveys of Ireland were recommended by an English House of Commons

¹ The spelling of ‘Donagheady’ (pronounced *Donna-heed-e*) will be used throughout this thesis. ‘Donaghedy’ is the official parish name and other variants include ‘Donakiddy’ and ‘Donnaghkiddy’ but, according to William Roulston, ‘Donagheady’ is most commonly used. Roulston, *Three Centuries of Life*, p. 8; Harry Allen, "The Founder of the Stewart Bequest." Harry Brookes Allen Papers. University of Melbourne Archives (hereafter UMA).

² There is a dearth of information about James’s brother Daniel. The approximate birth years are known for Stewart’s other siblings but it is speculation that Daniel was the oldest of the siblings.

committee in 1824 to enforce uniform taxation valuations.³ These surveys played a similar role to what Anderson calls ‘institutions of power’ – the census, the map and the museum. They were important to colonial ideologies and policies from the mid-nineteenth century and dramatically ‘shaped the way in which the colonial state imagined its dominion’.⁴ Lowenthal suggests that the surveys were eventually ‘scuttled’ by the British government because they stirred Irish nationalist sentiment by generating local interest in antiquities, making the locals more connected to a denigrated heritage and past.⁵ This was not just occurring in Ireland, as Hill points out, attempts ‘to enlist the past in support of nationalist causes’⁶ were part of the broader European context.

The memoir for Donagheady estimated the parish to be 36,000 acres with a population of 10,290 and one village, Dunnamanagh.⁷ Dunnamanagh is about 21 kilometres from the town of Strabane, 41 kilometres from Omagh, 70 kilometres from Dungannon and 17 kilometres from Derry. It had a damp climate with mountains, hills and bogs and the River Denit (Dennet) which flowed into the River Foyle. Donagheady is in the barony of Strabane and most of its townlands existed prior to plantation and evolved from ballyboes (native Irish land units). For centuries townlands were, according to Roulston, the most important marker of local identity.⁸ This is evident in the Stewart family who carried their connection with Altrest to Australia, naming their homes after the townland. The parish was dominated by Presbyterians of mostly Scottish background. Stewart’s family were Presbyterians who had emigrated from Scotland to Ulster as part of the Plantation of Ulster and farmed in the district for generations.

The Plantation of Ulster in the early seventeenth century involved the allocation of lands to Protestants from England and Scotland and the removal of native Irish from their lands. Ulster had, according to Davies, an ‘ancient pastoral economy’ and was ‘the most Irish, Gaelic, Catholic, and traditional province in Ireland’.⁹ There had been population movement between some Ulster counties and Scotland for centuries prior to plantation due to their close proximity.

³ Angélique Day and Patrick McWilliams, eds. *Parishes of County Tyrone I: 1821, 1823, 1831-36, North, West & South Tyrone*. Ordnance Survey Memoirs of Ireland. Vol. 5. Antrim: The Institute of Irish Studies, The Queen's University of Belfast & The Royal Irish Academy, 1990, p. ix.

⁴ Anderson, *Imagined Communities*, p. 164.

⁵ David Lowenthal, *The Past is a Foreign Country*. New York: Cambridge University Press, 2011, p. 335.

⁶ Jacqueline Hill, "Laying the Nineteenth-Century Foundations: Contributions from a Catholic and a Protestant Scholar in the 1820s." In *Representing Irish Religious Histories: Historiography, Ideology and Practice*, edited by Jacqueline Hill and Mary Ann Lyons, 53-67. Springer International Publishing, 2017, p. 55.

⁷ There are a variety of spellings for Dunnamanagh. Donemana is the modern name.

⁸ Roulston, *Three Centuries of Life*, p. 10.

⁹ Davies, *The Isles*, p. 566.



Donemana (Dunnamanagh) 2008

John Campbell

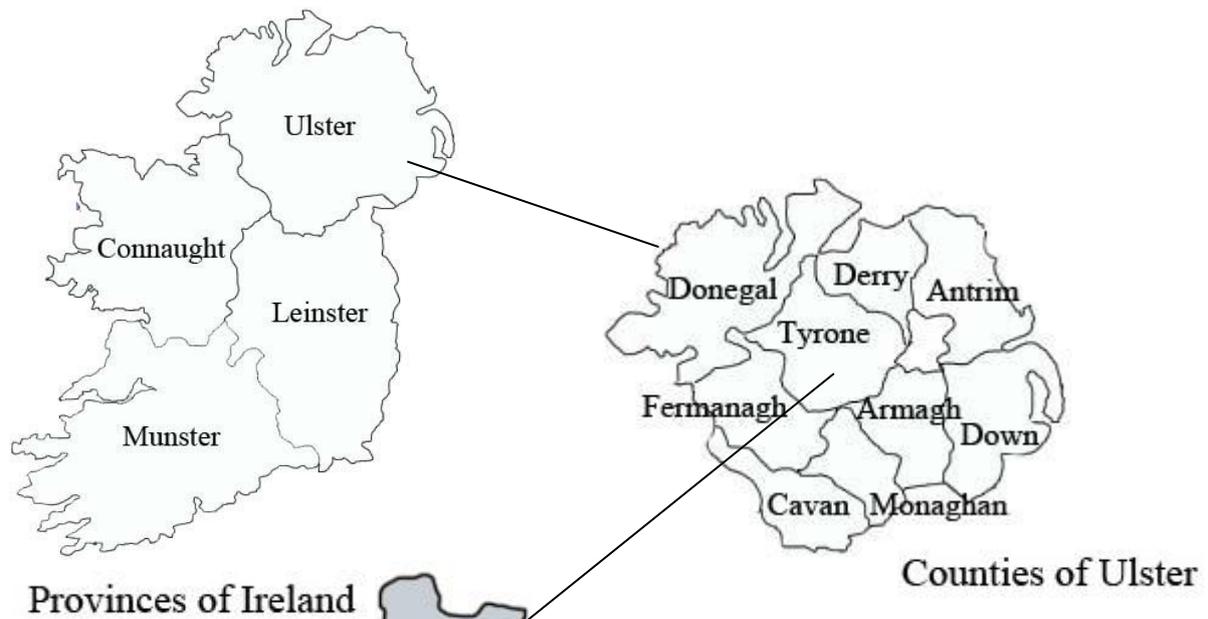
Davies considers the plantation ‘a particularly ruthless form of colonization’¹⁰ that was created in an atmosphere of anti-Catholic hostility after the failed Gunpowder Plot of 1605. It became possible after the ‘Flight of the Earls’ in 1607 when the Ulster Gaelic clan chiefs fled Ireland in voluntary exile. Plantation both transformed the Irish landscape and maintained some native Irish settlement characteristics. Landlords, according to Proudfoot, created geographic footprints representing their own sense of belonging, identity and *mentalité*.¹¹ Robinson suggests that the use of native Irish ballybetaghs ensured equal agricultural potential rather than equal size in estate allocation.¹²

The eight Strabane barony undertakers were Scottish men connected to King James VI of Scotland, I of England. James Hamilton, the Earl of Abercorn, was allocated the lands of Strabane and

¹⁰ Ibid., p. 567.

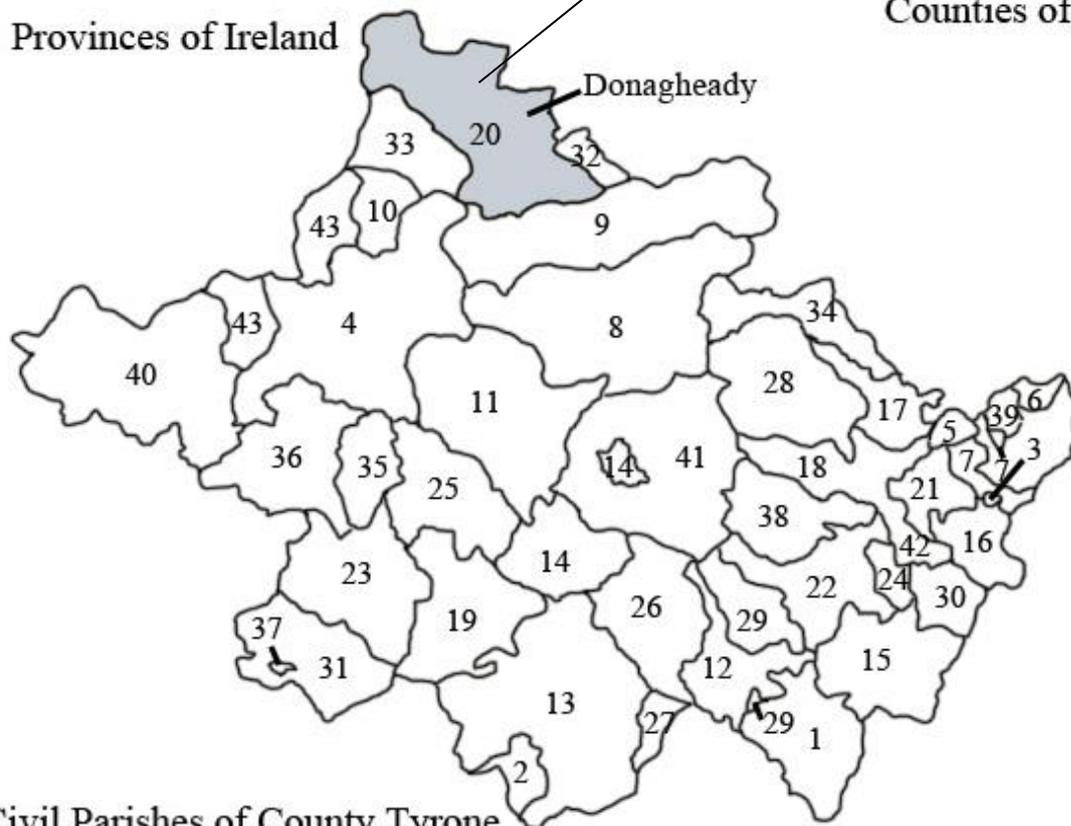
¹¹ Lindsay Proudfoot, "Place and *Mentalité*: The 'Big House' and its Locality in County Tyrone." In *Tyrone: History and Society*, edited by Charles Dillon and Henry A. Jefferies, 511-542. Dublin: Geography Publications, 2000, pp. 512, 514, 539.

¹² A Ballybetagh was a land unit of 16 ballyboes. Philip Robinson, "The Ulster Plantation and its Impact on the Settlement Pattern of Co. Tyrone." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 233-266, pp. 233, 234, 251.



Provinces of Ireland

Counties of Ulster



Civil Parishes of County Tyrone

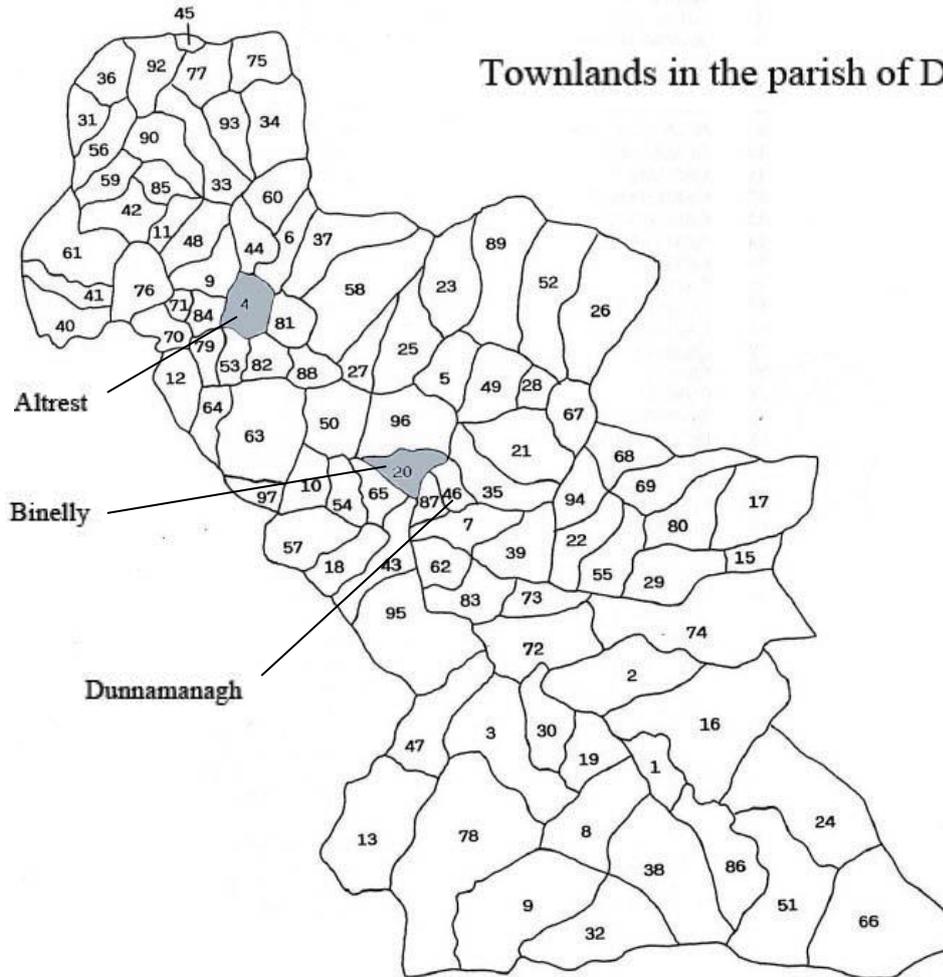
Original map: Ulster Historical Foundation¹³

Key:

1 Aghaloo	10 Camus	19 Donacavey	28 Kildress	37 Magheracross
2 Aghalurcher	11 Cappagh	20 Donagheady	29 Killeeshil	38 Pomeroy
3 Arboe	12 Carnteel	21 Donaghenny	30 Killyman	39 Tamlaght
4 Ardstraw	13 Clogher	22 Donaghmore	31 Kilskeery	40 Termonamongan
5 Artrea	14 Clogherny	23 Dromore	32 Learmount	41 Termonmaguirk
6 Ballinderry	15 Clonfeacle	24 Drumglass	33 Leckpatrick	42 Tullyniskan
7 Ballyclog	16 Clonloe	25 Drumragh	34 Lissan	43 Urney
8 Bodoney Lower	17 Derryloran	26 Errigal Keerogue	35 Longfield East	
9 Bodoney Upper	18 Desertcreat	27 Errigal Trough	36 Longfield West	

¹³ Ulster Historical Foundation. "Civil Parishes of County Tyrone", accessed November 24, 2013, <http://www.ancestryireland.com/civil-parish-maps-for-ulster/civil-parishes-of-county-tyrone>.

Townlands in the parish of Donagheady



*Original Map:
Willie O’Kane,
Heather, Peat and
Stone: The
Parishes and
Townlands of
County Tyrone.
Dungannon,
County Tyrone:
Irish World, 1992.*

- | | | | |
|--------------------|--------------------|-------------------------|-----------------|
| 1 Aghabrack | 26 Castlewarren | 51 Glengarrow | 76 Magherareagh |
| 2 Aghafad | 27 Cavancreagh | 52 Glennagoorland Glebe | 77 Meenagh Hill |
| 3 Altishahane | 28 Church Hill | 53 Gloudstown | 78 Meendamp |
| 4 Altrest | 29 Claggan North | 54 Gobnascale | 79 Milltown |
| 5 Ardcame | 30 Claggan South | 55 Gortaclare | 80 Moneycanon |
| 6 Ardmore | 31 Cloghboy | 56 Gortavea | 81 Mountcastle |
| 7 Aughtermoy | 32 Clogherny | 57 Gortileck | 82 Moyagh |
| 8 Balix Lower | 33 Cloghogle | 58 Gortmellan | 83 Rousky |
| 9 Balix Upper | 34 Coolmaghery | 59 Gortmessan | 84 Sandville |
| 10 Ballaghalare | 35 Creaghan Glebe | 60 Gortmonly | 85 Sollus |
| 12 Ballybeeney | 36 Creaghcor | 61 Grange Foyle | 86 Stonebrack |
| 12 Ballyheather | 37 Cullion | 62 Killenny | 87 Stonyfalls |
| 13 Ballykeery | 38 Doorat | 63 Killyclooney | 88 Stranabrosny |
| 14 Ballynabwee | 39 Drain | 64 Killycurry | 89 Taboe Glebe |
| 15 Ballynacross | 40 Drumenny Big | 65 Leat | 90 Tannabradly |
| 16 Ballynamallaght | 41 Drumenny Little | 66 Legnagappoge | 91 Tannabryan |
| 17 Ballyneaner | 42 Drumgauty | 67 Leitrim | 92 Tannaclare |
| 18 Barran | 43 Drumman | 68 Liscloon Lower | 93 Tannakeery |
| 19 Binbunniff | 44 Dullerton | 69 Liscloon Upper | 94 Tirconnelly |
| 20 Binnelly | 45 Dunnalong | 70 Lisdivin Lower | 95 Tirkernaghan |
| 21 Bunowen | 46 Dunnamanagh | 71 Lisdivin Upper | 96 Tullyard |
| 22 Carnagribban | 47 Dunnyboe | 72 Lisnaragh Irish | 97 Windyhill |
| 23 Carrickatane | 48 Eden | 73 Lisnaragh Scotch | |
| 24 Carrickayne | 49 Fawney | 74 Loughash | |
| 25 Castlemellan | 50 Glencosh | 75 Magheramason | |

Dunnalong which included Altrest.¹⁴ The Abercorns were mostly absentee landlords.¹⁵ Reports based on information from Stewart's relatives in Australia and the United States claim that Stewart's ancestors emigrated to the area in the early years of plantation and that his ancestor, Walter McCrea, was a member of the Earl's retinue.¹⁶ It is unclear if these are anything more than just family stories.

The planting of Ulster was to involve close settlement, urbanization and segregation but deviated in practice because some plantation elements were impractical and unrealistic and thus were modified or ignored by settlers, as Robinson asserts.¹⁷ This deviation can be seen in the Strabane barony. The two land grants of James Hamilton ended up in the hands of his sons Claud and George who were brought up as Roman Catholics.¹⁸ As Michael Perceval-Maxwell, Robert Hunter and Ian Wallace point out, this is an anomalous case where a Roman Catholic was in charge of an area of plantation designed for Protestant control.¹⁹

Land disputes arose from lack of reliable measurement in surveys and when land ownership changed.²⁰ In 1820 the new owner of the Altrest and Dullerton townland rent-rolls, General William Armstrong, threatened to seize and auction off the Donaghedy Presbyterian Church's pulpit and seats in lieu of rent kept by the previous owner, Sir John Hamilton.²¹ Armstrong approached Robert and James Stewart (James's father and uncle) and another Altrest resident in Dullerton on 20 May 1820, warning them of his plans.²² He threatened other congregation members and caused much alarm over the following weeks by seizing flax, money and 16 spangles of yarn.²³ He held the sexton's son prisoner during his visit then accused Hamilton of dishonourable conduct. Armstrong apologised, thus avoiding the threat of a challenge from Hamilton.

¹⁴ Michael Perceval-Maxwell, Robert J. Hunter and Ian Wallace in Robert J. Hunter, ed. *Strabane Barony during the Ulster Plantation 1607-1641*. Belfast: Ulster Historical Foundation, 2011, p. 14; William J. Roulston, "The Parishes of Leckpatrick and Dunnalong", accessed December 1, 2013. <http://www.breadyancestry.com>, under heading 'The Plantation in the manors of Clohogall and Dunnalong, 1610-70'; Roulston, *Three Centuries of Life*, p. 21.

¹⁵ Roulston, *Three Centuries of Life*, p. 7.

¹⁶ These claims are unsubstantiated but come from different family lines in different countries which possibly gives them a little more credibility. One came from a distant branch of McCrea relatives in the United States (James's grandmother was a McCrea) and the other from communication with James's nephew in Ireland. Harry Allen, "Dr James Stewart." Harry Brookes Allen Papers. UMA; *Catholic Press*, 22 February 1912, p. 9.

¹⁷ Robinson, "The Ulster Plantation", p. 247.

¹⁸ William Roulston, "The Ulster Plantation in the Manor of Dunnalong, 1610-70." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 267-290, pp. 278, 279; Perceval-Maxwell, Hunter and Wallace in Hunter, *Strabane Barony during the Ulster Plantation*, p. 17.

¹⁹ Perceval-Maxwell, Hunter and Wallace in Hunter, *Strabane Barony during the Ulster Plantation*, p. 18.

²⁰ According to Roulston, Dunnalong in the Strabane barony was surveyed to be 2,000 acres but was actually 10,217 acres. Proudfoot, "Place and *Mentalité*", p. 518; Robinson, "The Ulster Plantation", p. 250; Roulston, "The Ulster Plantation", p. 268.

²¹ Reverend William McCrea in John Rutherford, *Donaghedy Presbyterian Churches and Parish*. Belfast: McCaw, Stevenson and Orr, 1953, under heading 'Rev. William McCrea, M.A.'.

²² Evidence strongly suggests that this James Stewart of Altrest was Robert's brother but it is also possible that they could have been first cousins.

²³ Rutherford, *Donaghedy Presbyterian Churches*, under heading 'Rev. William McCrea, M.A.'.

Tenants who had to sell their land (or were ejected) often took out their frustrations on the next tenant rather than on their landlords. This 'Ulster custom' was prevalent in County Tyrone and there is some evidence of it occurring near Donaghedy.²⁴ It involved the new tenants seeking the goodwill of the previous tenants through compensation payments for improvements they had made to the land which Curran contends was more often out of fear of retaliation and intimidation than a moral obligation.²⁵

O'Brien suggests that landowners took on a somewhat paternal role towards their tenantry.²⁶ The Earl of Abercorn sometimes suspended rent collection and aided the poor during bad seasons but landlords could also be unsympathetic.²⁷ Some chose jail over selling up to clear their debt.²⁸ Squeezing non-paying tenants out of their land in this manner could be worse for the tenants than the jolt of ejection – for once in jail with their crops seized, the tenants' ability to pay their debts had been removed.

In December 1787 some Donaghedy and Leck tenants wrote to the Earl of Abercorn unhappy about further augmentations of rents, revealing the choices they faced:

the lands are already very dear, so that pinching want and poverty is staring many of us in the face, and if they are again to be raised, God only knows what the consequence may be. The only prospect to great number (a dreary and comfortless prospect indeed) will be from their utter inability to pay the rent, either to be cast abroad in a starving situation to the world, or to rot in the body of jail, or if so much is left as to waft us across the ocean, we may try to find some shelter in a foreign land.²⁹

The problem of high rents continued to be an issue as evidenced by a very similar letter the following April from the tenants of Dunnalong.³⁰ By 1836, the high rents had prevented improvements to parish farms according to the survey memoir author.

The survey memoir describes farms in the parish as:

²⁴ James Hamilton Jnr, Strabane, Co. Tyrone, to [Marquess of Abercorn]. 2 May 1792. PRONI D623/A/87/57.

²⁵ Daragh Emmett Curran, "A Society in Transition: The Protestant Community in Tyrone 1836-42." PhD thesis, National University of Ireland Maynooth, 2010, p. 60.

²⁶ Gerard O'Brien, "State Intervention and the Medical Relief of the Irish Poor, 1787-1850." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 195-207, p. 195.

²⁷ [James, Earl of Abercorn], London, to Mr McClintock. 30 March 1745. PRONI D623/A/12/11; James Hamilton Junior, Strabane to [Marquis of Abercorn, London]. 13 June 1793. PRONI T2541/IA/1/19/50; Roulston, *Three Centuries of Life*, p. 265.

²⁸ James Hamilton, Junior, Strabane to [Marquis of Abercorn]. 8 August 1798. PRONI T2541/IA/2/7/28.

²⁹ Tenants in the parishes of Donaghedy and Leck to [Earl of Abercorn]. 24 December 1787. PRONI D623/A/47/49.

³⁰ Tenants in the manor of Donelong to "James Earl of Abercorn London". 1 April 1788. PRONI T2541/IA/1/16/14.

in general about 20 acres, very few are enclosed. Potatoes are the general preparation crop throughout this parish. The usual rotation as follows, according to the soil: potatoes, barley, flax, oats, potatoes, oats, flax, oats, potatoes, oats, oats.³¹

Farms commonly had hawthorn and furze fences which worked together like a poor man's barbed wire preventing stock from escaping. Farmers used Scotch ploughs and carts, some also grew rye, common white grass and clover and had livestock. Meadows were irrigated and composts consisting of dung, bog, clay and lime were used for 'manure'.

The manufacture of linen was prevalent in Donaghedy by 1836 and, according to Dowling, had been stimulated by some of the Abercorn earls.³² Ulster's large rural population was somewhat safeguarded by combining farming with weaving and the linen industry during the Famine but by the 1830s it was in decline. The industry suffered from the ripple-effect of the 1846-7 slump in the British economy along with other processes that were happening prior to the Famine but the Famine expedited the process.³³

James was part of the third generation of Stewarts to live at Altrest. Much of the agricultural land in this area was of high quality as indicated by the high density of townlands in Dunalong and the preference for land around the Strabane area in early plantation settlement.³⁴ The following 1763 lease agreements relate to the Stewart family:

Lease dated 18 March 1763 between John Hamilton of Dunnamanagh and Archibald Sinclair of Altrest. Grant of part of Altrest for the lives of Archibald Sinclair and Daniel and John Stewart, sons of Robert Stewart of Cappagh parish, or the term of 31 years. Rent £10.³⁵

Lease dated 22 March 1763 between John Hamilton of Dunnamanagh and Daniel Stewart of Upper Altrest. Grant of Upper Altrest for the lives of Daniel Stewart, John Stewart, son of Robert Stewart of Rash [near Omagh], aged about 10 years, and James Smith, son of James Smith of Eden. Renewable forever.³⁶

³¹ Acres in the district were measured by the Irish acre except the Marquis of Abercorn used Scotch acres. Day and McWilliams, *Parishes of County Tyrone I*, p. 89.

³² Martin W. Dowling, *Tenant Right and Agrarian Society in Ulster 1600-1870*. Dublin: Irish Academic Press, 1999, p. 142.

³³ Akenson, *The Irish Diaspora*, p. 25; Brooke, *Ulster Presbyterianism*, p. 184; Curran, "A Society in Transition", p.3; Christine Kinealy, "Introduction." In *The Famine in Ulster: The Regional Impact*, edited by Christine Kinealy and Trevor Parkhill, 1-14. Belfast: Ulster Historical Foundation, 1997, p. 2, 10, 14; Roulston, *Three Centuries of Life*, p. 267.

³⁴ Robinson, "The Ulster Plantation", p. 255; Roulston, "The Ulster Plantation", p. 268.

³⁵ Roulston, *Three Centuries of Life*, p. 181.

³⁶ *Ibid.*, p. 182.

Tenant agreements could be made as a lease of years or a lease of lives. Leases for lives were popular long-lasting leases that gave tenants some security for a large upfront payment.³⁷ The lease remained valid until the death of the last named individual. The first deed was £10 for the lives of Archibald Sinclair, Daniel Stewart and John Stewart or 31 years. The second deed was renewable forever which, according to Roulston, essentially made it a grant in perpetuity. This indicates that James's great grandfather Robert Stewart of Rash in Cappagh was in the fortunate position to be able to pay a sum upfront for the security of a perpetual lease and fixed rent price. The Stewarts had the luxury of being able to expand family holdings as the family grew.

James's grandfather, Daniel Stewart, and his brother John, were growing flax at Altrest as early as 1796.³⁸ It was quite a substantial farm with two dwellings, a flax mill and four outbuildings.³⁹ In May 1841, James's father, Robert, inherited a farm in the townland of Binnelly from his uncle Robert McCrea (the brother of his mother, Martha).⁴⁰ Binnelly was about three miles from Altrest.⁴¹ Robert McCrea's will specified that Robert Stewart was to take care of his widow, Jane, by providing potatoes, hay, flax, oatmeal, turf and a milch cow. This farm had been owned by the McCrea family for several generations as part of the expansion of the original Ballyheather McCrea family. It is unclear when Robert and his family moved to Binnelly as the family were still living at Altrest in 1843 but were established at Binnelly by 1855. Margaret Stewart, the widow of James's uncle (also called James Stewart), eventually inherited the Altrest farm mentioned in the 1763 deeds.⁴² A poem written about the district in 1855 refers to James's father Robert:

Binnelly people all in health, And likewise with good store of wealth –
George Alexander, Robert Craig, Old Stewart and David of Peeltegg.⁴³

The 1858 Griffith's Valuation for Binnelly provides an indication of land size and leasing of the family's farm.⁴⁴ Robert Stewart and two other tenants were leasing from James Ogilby. There were six townland lessors (including Robert who leased part of his land to another tenant). By 1863 Robert was no longer leasing to the tenant and the number of townland lessors had halved to three.⁴⁵ Robert's lease involved a house and offices. It was 61 acres, 2 roods and 30 perches in size with rent of £40,

³⁷ Ibid., p. 180.

³⁸ "Spinning Wheel Bounty Lists (Flaxseed Premiums), Donagheady Parish - 1796", accessed November 19, 2013, <http://www.cotyronereiland.com/flax/spinning-wheel-donagheady.html>. Transcribed by Len Swindley.

³⁹ Valuation Office Field Book 1B/641 in William E. Hogg, "Old Mills of Ireland." Ulster Historical Foundation, accessed November 16, 2013, <http://www.ancestryireland.com>.

⁴⁰ 1841 Will of Robert McCrea of Binnelly in Roulston, *Three Centuries of Life*, p. 229.

⁴¹ Leslie Craig, personal communication.

⁴² Margaret McCarey had married James Stewart of Altrest on the 19 December 1820. *Belfast News-Letter*, 29 December 1820, p. 3.

⁴³ David Kee, 'Residents of Donemana and District. A.D. 1855' in Roulston, *Three Centuries of Life*, p. 380.

⁴⁴ "Griffith's Valuation", accessed November 19, 2013, <http://www.askaboutireland.ie/griffith-valuation>

⁴⁵ Valuation Revision Books, PRONI VAL/12/B/42/19A (1860-1863), p.8.

making it the second largest of the eight Binnelly properties. The farm was more than three times larger than the average 20 acres suggested by the 1836 Ordnance survey.



Altrest and Binnelly townlands⁴⁶

There was great variation in the social standing and prosperity of farmers and between the landowners and tenants. Proudfoot maintains that substantial gentry landowners shared the same social stratum as titled landowners which was also symbolised by their public social obligations.⁴⁷ In Donagheady there was sometimes little difference between more prosperous farmers and the gentry, as Roulston has established.⁴⁸ Robert was one of the highest cess-payers (rate-payers) in the barony.⁴⁹ He was in Ranelagh's category of 'property owners and farmers of more than fifty acres'⁵⁰ for the Irish population from the 1841 census which was the highest relative wealth category and a comparatively small group. This suggests that Stewart grew up with substantial financial security.

Robert grew flax, oats, potatoes and strawberries and grazed cows. The Stewart family had some degree of self-sufficiency with crops and stock providing food and flax and yarn for sale, personal use

⁴⁶ The map incorporates Google Maps satellite images with Griffith's Valuation maps. "Griffith's Valuation".

⁴⁷ Proudfoot, "Place and *Mentalité*", p. 518.

⁴⁸ Roulston, *Three Centuries of Life*, p. 210.

⁴⁹ "Presentment Sessions Co. Tyrone, Lent Assizes 1843." Transcribed by Len Swindley from the *Londonderry Sentinel*, 24 September 1842. Accessed 5 April 2016. <http://cotyroneireland.com/misc/presentment1843.html>.

⁵⁰ Ranelagh, *A Short History of Ireland*, p. 123.

and possibly for folk medicine remedies. Ballard asserts that flax was used in cures for burns, mumps, sprains and whooping cough; potato was used in mumps, rickets, quinsy and wart cures; and milk and liquor featured in many remedies.⁵¹

As is common in rural communities, farmers worked together to take care of the community, assist other farmers in times of need and the large farmers were ‘the traditional providers of relief’,⁵² as Kinealy asserts, along with clergy and landlords. Drying flax indoors and the use of kilns increased the risk of farm fires so other farmers often assisted fire victims with goods and rebuilding.⁵³ Roulston asserts that the absence of resident landowners in Donaghedy meant that the more substantial farmers also helped out by providing leadership.⁵⁴ This includes Robert Stewart who, for example, was involved in preparing a petition to parliament regarding revision of the Tithe Act in 1824.⁵⁵ Many farmers contributed to the local famine relief committees and are indicative of the community spirit of the Donaghedy farmers who contributed to the wellbeing and sustainability of the community as a whole. Thus Stewart had a role model for community care and leadership in his father and witnessed ways that community leaders could make a difference to those in need.

Historians offer varying years to encompass the Great Famine with most ranging from 1845 to 1852.⁵⁶ There had been earlier potato crop failures, hunger gaps, famines and subsistence crises, though not as comprehensively extreme, and the effects were felt for much longer than this period. Potato blight affected crops in England, Europe and America, but not to the same extent as in Ireland.⁵⁷ In Tyrone there was partial potato crop failure in 1845 and total failure in 1846.⁵⁸ Ireland’s population of about 8 million in 1845 declined by about two million during the Famine period, or nearly 20 per cent, with around one million emigrating and one million dying.⁵⁹

⁵¹ Linda-May Ballard, "An Approach to Traditional Cures in Ulster." *Ulster Medical Journal* 78, no. 1 (2009): 26-33.

⁵² Kinealy, "Introduction", p. 4.

⁵³ James Hamilton, Strabane, to [Earl of Abercorn]. 15 November 1774. PRONI T2541/IA/2/1/21; James McFarland, Strabane to Marquis of Abercorn, London. 24 October 1790. PRONI T2541/IA/1/17/19.

⁵⁴ Roulston, *Three Centuries of Life*, p. 214.

⁵⁵ *Ibid.*, p. 262.

⁵⁶ Coughlan: 1846-1852, ("The Coming of the Irish to Victoria", p. 68), Croggon: 1846-50 ("Strangers in a Strange Land" Chapter 5), Davies: 1846-49 (*The Isles*, p. 775), Kinealy: 1845-52 ("Introduction", p. 1), Lowenthal: 1847 (*The Past is a Foreign Country*, p. 250), O’Farrell: 1845-49 (*The Irish in Australia*, p. 150) and 1845-50 (*Vanished Kingdoms*, p. xxvi), Ronayne: 1845-48 (*The Irish in Australia*, p. 7).

⁵⁷ Coughlan, "The Coming of the Irish to Victoria", p. 72; Kinealy, "Introduction", pp. 4, 5; O’Brien, "State Intervention and the Medical Relief", p. 203; Davies, *The Isles*, p. 760.

⁵⁸ James Grant, "The Great Famine in County Tyrone." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 587-616, pp. 587, 596.

⁵⁹ Davies suggests over 8 million in 1845, 1 million deaths from unnatural causes and 1 million emigrated during the 1840s with the population decreasing by 20% in the Famine period (*The Isles*, pp. 775, 760); Ranelagh suggests an almost 20% population decrease to 6,552,385 (*A Short History of Ireland*, p. 123); Kinealy suggests between 1845 and 1851 that over 1 million died from famine-related diseases or starvation and 1 million emigrated (Kinealy, "Introduction", p. 14); Ronayne suggests a drop from over 8 million to 6 (*The Irish in Australia*, p. 7); MacAuley suggests that over a million died and over a million emigrated (Ambrose

The Famine left a lingering imprint on the Irish psyche. Lowenthal asserts that the Irish continue to experience injustices and injurious events such as the Famine as almost contemporaneous events, not because they are living in the past but because Ireland's history lives in the present.⁶⁰ Additionally, flight, and the emigration process to a lesser extent, can leave the past unresolved and the problem intact, as O'Farrell stresses.⁶¹ He describes the Famine as 'a valuable, consoling fiction'⁶² for emigrants. For those who remained in Ireland, according to Fitzpatrick, 'home' had to be re-imagined 'if they were not to become aliens in their own country'.⁶³

Suggestions that Ulster was not affected by the Famine is a myth which, Kinealy posits, was rooted in the Famine itself and Miller credits to Unionist propaganda.⁶⁴ County Tyrone was one of the counties least affected by the Famine but this is an overall consideration with some parts of the county very severely affected.⁶⁵ In Donaghedy, according to Roulston, 'for those living on the economic fringes of society, the threat of starvation was never far away'.⁶⁶ By February 1847 Reverend Charles Douglas, chairman of the Dunnamanagh relief committee, stressed that 'destitution and sickness pervade the whole district to a terrible degree'.⁶⁷ Even if this is exaggerating the problem as part of what Grant calls 'begging letters' for government funds, famine affected the parish harshly.⁶⁸ Suffering was exacerbated by the particularly severe winter of 1846-7.

There was large variation within the parish and these areas required less government relief than the Strabane Union as a whole. In Dunnalong the most people receiving government relief food in any one day during the famine was 162 (5.75%) and in Dunnamanagh it was 364 (16.6%).

MacAuley, "Catholicism in Nineteenth Century Tyrone." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 617-636, 2000, p. 633.); Coughlan suggests over 1 million died and 1 million emigrated by 1851 ("The Coming of the Irish to Victoria", p. 72); Noone suggests that some 1 million died during the famine and 2 million emigrated during the period of 1845 to 1855 (Val Noone, ed. *Nicholas O'Donnell's Autobiography*. Ballarat: Ballarat Heritage Services, 2017, p. 26).

⁶⁰ Lowenthal, *The Past is a Foreign Country*, p. 250.

⁶¹ O'Farrell, *Vanished Kingdoms*, p. xxvi.

⁶² *Ibid.*, p. 163.

⁶³ Fitzpatrick, ed. *Oceans of Consolation*, p. 535.

⁶⁴ Kinealy, "Introduction", p. 2; Kerby A. Miller, "'Heirs of Freedom' Or 'Slaves to England'?" Protestant Society and Unionist Hegemony in Nineteenth-Century Ulster." *Radical History Review* no. 104 (Spring 2009): 17-40, p. 26

⁶⁵ Jim Grant, "The Famine in County Tyrone." In Kinealy and Parkhill, eds. *The Famine in Ulster*, 197-222, p. 198; Kinealy, "Introduction", p. 2; Grant, "The Great Famine in County Tyrone", p. 589; Roulston, *Three Centuries of Life*, p. 265.

⁶⁶ Roulston, *Three Centuries of Life*, p. 265.

⁶⁷ Reverend Charles Douglas in *ibid.*, p. 268.

⁶⁸ Grant, "The Famine in County Tyrone", p. 206; Grant, "The Great Famine in County Tyrone", pp. 595, 605.

Division	Population (in 1841)	Most people receiving government relief food in one day	Percentage of population
Strabane Union	59,000	10,857	18.4
Dunnalong	2,816	162	5.75
Dunnamanagh	2,192	364	16.6

Table 1: Most people receiving government food relief in one day
*Commission on Relief*⁶⁹

Robert Stewart would have been one of the 200 subscribers to the Dunnamanagh relief fund in 1846 along with many tenant farmers.⁷⁰ Members of the Dunnamanagh committee were considered some of the strongest critics of the government relief policy, revealing a spirited and protective community attitude – an outlook that Grant considers was stronger than in other Ulster counties.⁷¹ Not surprisingly, they saw little sense in having the relief fund if they could only sell the food at market price to those most suffering.

The parish population declined from 10,608 in 1841 to 8,924 in 1851.⁷² Although large scale emigration (mainly of Ulster Presbyterians) had been occurring in the parish for over a hundred years prior to the Famine, this decline of nearly 16 per cent over the decade would have had a substantial impact on the community. Stewart was one of this number leaving the parish during the Famine decade. He was not forced to leave from famine conditions but had the choice to travel to Dublin for further education. He took with him the farming spirit and sense of community where people looked after their kin and community, working together to improve their society.

Ulster Presbyterianism

Scottish settlers like Stewart's Ulster Scots ancestors brought their language, Presbyterianism and education philosophy with them to Ulster. As Hale has argued for the Ulster Scots language, their

⁶⁹ The population figures are from the 1841 census and only provide a general indication of the actual population at the time. *Commission on Relief. Distress (Ireland.) Supplementary Appendix to the Seventh, and Last, Report of the Relief Commissioners*, 1848, p. 20, 80.

⁷⁰ R. Stewart subscribed 10 shillings and J. Stewart subscribed 1 shilling. Although no addresses are given, this is likely to be Robert Stewart and his brother James. Subscribers to the Dunnamanagh relief fund. National Archives of Ireland, RLFC 3/2/28/33; William Roulston, personal communication.

⁷¹ Grant, "The Famine in County Tyrone", p. 211; Grant, "The Great Famine in County Tyrone", p. 599.

⁷² Roulston, *Three Centuries of Life*, p. 270.

culture was not simply transplanted but emergent.⁷³ It was influenced by those around them in the particular regions in which they settled along with the time they arrived and modernisation processes.

Stewart's family were exposed to Scottish Enlightenment influences through ongoing kinship connections and their Presbyterian religion. Continued migration between Ulster and Scotland contributed to some areas of Ulster having a culture similarly influenced by the Enlightenment as parts of Scotland.⁷⁴ The Enlightenment had key Dutch, French and Scottish components and, as Edelstein asserts, it was 'never just the sum of its parts ... it provided a matrix in which ideas, actions, and events acquired new meaning'.⁷⁵ Values attributed to the Enlightenment by historians include liberal politics, pragmatism, progress, improvement, rationalism, fostering achievements in science, ethical views, new political ideas on property, human rights, criminal punishment, toleration of expression and thinking for oneself.⁷⁶

The new thinking of the Enlightenment was disseminated through universities in Scotland by what Davies describes as 'a dazzling array of pioneering thinkers'⁷⁷ that could not be emulated by their English counterparts.⁷⁸ It was in Scotland, particularly at Glasgow University, that eighteenth century Irish Presbyterian ministers received their education in the liberal arts, as Holmes asserts, and Glasgow 'was at the forefront of the Scottish Enlightenment'.⁷⁹ This is also true of some nineteenth century Donaghedy district Presbyterian ministers, as Roulston has established.⁸⁰

Donaghedy contained the main Irish cultural traditions suggested by O'Farrell as Gaelic Catholic, Anglo-Irish and Ulster Protestant.⁸¹ These differed from each other through experience and regional variations.⁸² Davies asserts that the formation of the Ulster Presbyterian colony with plantation

⁷³ James Hale, "The Ongoing Influence of Lowland Scots, Irish and Ulster English on the Developing Varieties of Ulster Scots." *Scottish Language* (2008): 81-106, p. 87.

⁷⁴ For example, Baraniuk asserts that Ballycarry in County Antrim in 1770 'was an Enlightenment-influenced culture very similar to that which existed in south-west Scotland at the same period'. Carol Baraniuk, "James Orr: Ulster-Scot and Poet of the 1798 Rebellion." *Scottish Studies Review* 6, no. 1 (2005): 22-32, p. 22.

⁷⁵ Dan Edelstein, *The Enlightenment: A Genealogy*. Chicago: The University of Chicago Press, 2010, p. 13.

⁷⁶ Davies, *The Isles*, p. 92; Edelstein, *The Enlightenment*, pp. 59, 79; Samuel Fleischacker, *What is Enlightenment?* London; New York: Routledge, 2013, pp. 1, 4; Andrew R. Holmes, "From Francis Hutcheson to James McCosh: Irish Presbyterians and Defining the Scottish Philosophy in the Nineteenth Century." *History of European Ideas* 40, no. 5 (2014): 622-643, p. 627; O'Brien, *Philanthropy and Settler Colonialism*, p. 2.

⁷⁷ Davies, *The Isles*, p. 722.

⁷⁸ T.M. Devine, *Scotland's Empire 1600-1815*. Camberwell: Penguin Books, 2004, p. 177.

⁷⁹ Holmes, "From Francis Hutcheson to James McCosh", p. 626.

⁸⁰ William McCrea (minister of the First Donaghedy Presbyterian Church in 1804) and Robert McMorris (minister at the First Ray Presbyterian Church in Manorcunningham, County Donegal, in 1855) were educated at Glasgow University. However, Joseph Love (minister of the Killeter Presbyterian Church in 1839) received some of his education at the Royal Belfast Academical Institution. Roulston, *Three Centuries of Life*, p. 217.

⁸¹ O'Farrell, *The Irish in Australia*, p. 5.

⁸² Myrtle Hill, "Expressions of Faith: Protestantism in Nineteenth Century Tyrone." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 637-664, p. 637; MacAuley, "Catholicism in Nineteenth Century Tyrone", p. 617.

cemented the Gaels' Catholic identity.⁸³ These divisions were emphasised by the nineteenth century Gaelic revival which Ronayne suggests produced a shift from identifying the Anglo-Irish as Irish to the Gaelic Catholics being identified as the true Irish with the Anglo-Irish perceived as separate.⁸⁴

The Anglo-Irish were mainly Protestants and some were members of the Ascendancy, or had the 'ascendancy mind', represented 'by their use of wit, satire, rhetoric and verbal dexterity'.⁸⁵ According to Ronayne, the Ascendancy were an Anglican elite consisting of descendants of Norman invaders, 'old English', Cromwellian settlers and ancient Gaelic chiefs who monopolised Irish society and politics during the eighteenth and nineteenth centuries and were still referred to as the Ascendancy long after their ascendancy was in decline.⁸⁶ Fitzpatrick argues that the Ascendancy was imaginary in many respects, was not representative of Irish Protestants and was unmistakably in decline after the 1790s.⁸⁷ For O'Farrell these establishment Irish were marked more by class than religion as some were Presbyterians, Methodists and even Catholic through temporary conversion for entry into Trinity College Dublin or through marriage. He describes them as 'a mixed breed in decline and increasingly alien in their own Ireland'.⁸⁸ They monopolised university education through the Ascendancy institution of Trinity College.

In 1834, when Stewart was four years old, the Presbyterians were by far the largest group in Donaghedy. According to Roulston, there were 5,910 Presbyterians, 3,397 Catholics and 1,683 Church of Ireland members.⁸⁹ By 1837 there was one Roman Catholic Church and four Presbyterian meeting houses in the parish – three members of the Synod of Ulster and one member of the Secession Synod – and a Reformed Presbyterian Church at Bready.⁹⁰ Thus the Presbyterians were far from being a homogenous group. There was also a Church of Ireland Church and some Methodist members of the population.⁹¹ Movement between denominations in the parish was somewhat frowned upon but did occur.⁹² Secession Church missionary and itinerant Methodist preachers were able to

⁸³ Davies, *The Isles*, p. 562.

⁸⁴ Ronayne, *The Irish in Australia*, p. 7.

⁸⁵ *Ibid.*, p. 6.

⁸⁶ *Ibid.*, p. 12.

⁸⁷ Fitzpatrick, *Descendancy*, pp. 3, 6, 9.

⁸⁸ O'Farrell, *The Irish in Australia*, p. 94.

⁸⁹ Roulston, *Three Centuries of Life*, p. 138.

⁹⁰ Samuel Lewis, *A Topographical Dictionary of Ireland: Comprising the several Counties, Cities, Boroughs, Corporate, Market, and Post Towns, Parishes, and Villages, with Historical and Statistical Descriptions*. London: S. Lewis & Co., 1837. www.libraryireland.com/topog. Also available in print form, under heading 'Donaghedy, A Parish'; William Roulston, personal communication.

⁹¹ Roulston, *Three Centuries of Life*, p. 14.

⁹² *Ibid.*, p. 146.

influence those unable to attend church. Some lacked 'respectable' Sunday church clothing and in Donagheady the hilly countryside presented a difficulty for some, particularly in winter.⁹³

The Stewart family attended the First Donagheady Presbyterian Church where James's father, Robert, acted as an elder. This church was built in 1672 near the Stewart's farm in Altrest and was the first Presbyterian meeting house built in the parish.⁹⁴ Inability to agree on a new minister for the church led to a Sabbath Day riot and division of its congregation in 1741. This resulted in a second church being built just 200 yards away from the original church.⁹⁵ By 1834 the First Donagheady church had a congregation of 2,485 and the Second Donagheady church had 2,790.⁹⁶ The congregations did not reunite until nearly 200 years later when membership had dwindled and economic circumstances changed.⁹⁷

Life for the Donagheady Presbyterians was not always easy or safe in late seventeenth-century Ulster. Ministers had to preach in private under risk of arrest and imprisonment and the building of Presbyterian churches was forbidden until 1670 during the reign of Charles II when dissenting Protestants had disabilities placed on them.⁹⁸ Presbyterians had been tolerated by the Church of Ireland but were ejected at this time for refusing to conform – as was the fate of Donagheady Presbyterian minister, Reverend John Hamilton.⁹⁹

These Irish Dissenters were discriminated against with exclusion from holding public office and restricted civil rights for not being members of the Church of Ireland. This led to strong anti-establishment feeling, 'a legacy of bitterness',¹⁰⁰ as McBride asserts, and a distinct Ulster Presbyterian outlook, as Brooke has argued.¹⁰¹ Ranelagh suggests that it led to them identifying more closely with

⁹³ Myrtle Hill, "Expressions of Faith", p. 649; Rutherford, *Donagheady Presbyterian Churches*, under heading 'Rev. S.T. Wray'.

⁹⁴ Roulston, "The Ulster Plantation", p. 296.

⁹⁵ Roulston, *Three Centuries of Life*, p. 61; Rutherford, *Donagheady Presbyterian Churches*, under heading 'Division of the Congregation'.

⁹⁶ *Statement of Application of Sum Voted for Non-Conforming Ministers in Ireland*: Her Majesty's Stationery Office, 1833, p. 1. EPPI.

⁹⁷ Rutherford, *Donagheady Presbyterian Churches*, under headings 'Division of Congregation' and 'New Congregation of Donagheady'.

⁹⁸ Rutherford, *Donagheady Presbyterian Churches*, under heading 'Rev. John Hamilton, M.A.'; Davies, *The Isles*, p. 601.

⁹⁹ R.J. Hunter, "Style and Form in Gravestone and Monumental Sculpture in Co. Tyrone in the Seventeenth and Eighteenth Centuries." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 291-326, p. 309; Roulston, "The Ulster Plantation", p. 296; Rutherford, *Donagheady Presbyterian Churches*, under heading 'Rev. John Hamilton, M.A.'.

¹⁰⁰ I.R. McBride, "'When Ulster Joined Ireland': Anti-Popery, Presbyterian Radicalism and Irish Republicanism in the 1790s." *Past & Present* no. 157 (1997): 63-93, p. 76.

¹⁰¹ Brooke, *Ulster Presbyterianism*, p. 67.

the Catholic Irish than the English ruling class but fully regained their separate identity during the nineteenth century when religious and economic distinction was politically exploited.¹⁰²

The Dissenters were problematic to the Ascendancy who discriminated against them. They were small for their number, solidly grouped, hard-headed and independently-minded and had effective social cohesion as Brooke, Douglas, Harte and O'Hara contend.¹⁰³ The Episcopalians were a minority church representing only one-sixth of the Irish population. Ranelagh argues that whilst the Catholics were 'squeezed into peasantry'¹⁰⁴ by the Anglo-Irish aristocracy, Ulster Presbyterians were able to become rich and influential through their development of agricultural assets, textile industries and rights including their ability to inherit land.

Brooke asserts that the Ulster Presbyterian Church was created by Scottish Presbyterian ministers with a missionary fervour coming from a militant Presbyterian movement mixed with those wishing for a better life in Ulster away from debt and troubles back in Scotland.¹⁰⁵ As Hill suggests, Presbyterianism's democratic nature meant that the clergy were under far greater scrutiny from the Presbytery and their congregations.¹⁰⁶ These democratic ideals were part of the relationship that developed between the Scottish philosophy and Presbyterian religion, as Holmes asserts.¹⁰⁷ This democratic nature would have importantly influenced both Robert and James's outlooks, their expectations of their society and their own duty within it, reinforcing their Enlightenment influences.

The ongoing connection with Scotland meant some Scottish controversies were replicated in Ulster. It was more than the Scottish controversies, it was the interplay of politics and controversies in the three Stuart kingdoms.¹⁰⁸ Ripples from events in Scotland in 1745 were felt in Donaghedy with reports that:

this Scotch rebellion has raised a spirit of great zeal and loyalty amongst Protestants of all ranks and denominations; there was a gathering of the Protestants of the neighbouring Parishes to this town... who all showed the greatest zeal and loyalty for His Majestie and the present Government.¹⁰⁹

¹⁰² Ranelagh, *A Short History of Ireland*, p. 80.

¹⁰³ Brooke, *Ulster Presbyterianism*, p. 191; Douglas, Harte and O'Hara. *Ireland since 1690*, p. 9.

¹⁰⁴ Ranelagh, *A Short History of Ireland*, p. xvii.

¹⁰⁵ Brooke, *Ulster Presbyterianism*, pp. 17, 47.

¹⁰⁶ Myrtle Hill, "Expressions of Faith", p. 644.

¹⁰⁷ Holmes, "From Francis Hutcheson to James McCosh", p. 625.

¹⁰⁸ Davies, *The Isles*, p. 572.

¹⁰⁹ Jno. McClintock, Strabane, to Earl of Abercorn, Cavendish Square, London. 26 October 1745. PRONI D623/A/27/67.

Historians have noted how Ulster and the Ulster Presbyterians behaved like a small cohesive 'state within a state'¹¹⁰ and a conglomerate of nations that over time became one nation-like entity with its own political system.¹¹¹ They did not suffer the same low morale and internal discipline problems as the Church of Ireland and Catholic Church during the eighteenth and early nineteenth centuries, as Connolly posits.¹¹² The Ulster Presbyterians were benefiting from the power of an imagined community which Anderson contends can be aspired to, made strong by the conceived horizontal comradeship and can also be exploited and pirated.¹¹³

Paradoxically this distinct society that posed a threat to the government was armed by them in the Irish Volunteer movement to help the over-stretched army, which was feeling vulnerable due to the American Revolution and the perceived threat of French invasion. Brooke contends that it was the Ulster Presbyterians' coherent identity that made them significant contributors to the movement.¹¹⁴ There were 1,538 men between the age of 18 and 45 in Donaghedy considered fit for service in the Tyrone militia in 1793.¹¹⁵

Some Volunteers joined the United Irishmen but many fought against them in the yeomanry. The yeomanry were a civilian volunteer military force set up to defend against the threats of French invasion and United Irish insurrection. Tyrone had the largest numbers of yeomanry for a county outside of Dublin in 1797, as Blackstock has established.¹¹⁶ The United Irishmen were a non-sectarian radical society comprising educated and mostly middle class Belfast Presbyterians and Dublin Anglicans and Catholics.¹¹⁷ The United Irishmen sought to end British domination of Irish people of all religious denominations with the traumatic, bloody and formative 1798 Rebellion leading to the end of Irish autonomy with the Acts of Union in 1800. The autonomy was, according to Douglas, Harte and O'Hara, nominal rather than real.¹¹⁸ There were 4,855 United Irishmen in Tyrone in October 1796 and within seven months this increased to 14,000, as Blackstock asserts.¹¹⁹ In many places they outnumbered the yeomanry.

¹¹⁰ Davies, *The Isles*, p. 571.

¹¹¹ Brooke, *Ulster Presbyterianism*, pp. ix-x, 106, 177-8, 176; Ranelagh, *A Short History of Ireland*, p. ix.

¹¹² Sean Connolly, *Religion and Society in Nineteenth-Century Ireland*. Dublin: The Economic and Social History Society of Ireland, 1987, p. 15.

¹¹³ Anderson, *Imagined Communities*, pp. 7, 67.

¹¹⁴ Brooke, *Ulster Presbyterianism*, p. 115.

¹¹⁵ James Hamilton Junior, Strabane to [Marquis of Abercorn, London]. 13 June 1793 PRONI T2541/IA/1/19/50.

¹¹⁶ Allan Blackstock, "The Knoxes of Dungannon and the Irish Yeomanry." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 489-510, p. 489.

¹¹⁷ Davies, *The Isles*, p. 632; Douglas, Harte and O'Hara, *Ireland since 1690*, pp. 9, 21; Kerby A. Miller, "Introduction." *Eighteenth-Century Life* 22, no. 3 (1998): 1-6, p. 3; James G. Patterson, "Continued Presbyterian Resistance in the Aftermath of the Rebellion of 1798 in Antrim and Down." *Eighteenth-Century Life* 22, no. 3 (1998): 45-61, p. 45.

¹¹⁸ Douglas, Harte and O'Hara, *Ireland since 1690*, p. 21.

¹¹⁹ Blackstock, "The Knoxes of Dungannon", p. 500.

In 1798 James's father, Robert, would have been 10 years old and his mother, Mary Ann Paton, would have been 7 years old and there were enough ripples in the parish from the Rebellion to have been felt by them during their childhood. There was a strong undercurrent of United Irish activity among the parish's Presbyterians, especially in 1796-7.¹²⁰ There was a military depot in Donagheady and in June 1798 Hamilton reported the punishment of rebels by execution, floggings and house burnings in Coleraine (35 miles away) but believed that there had been no sign of a rising in Strabane (six miles away).¹²¹ Eight people from the parish were arrested and warnings were posted on parish doors during the night advising people to 'pay no attention to the oath of allegiance but to stick to their obligation to United Irish'.¹²²

While there was no outbreak of rebellion in Donagheady in 1798, as the Presbyterians of Counties Antrim and Down were at the heart of it, it was not untouched.¹²³ Tellingly, Hamilton believed there would be no trouble in the parish but warned that 'if any disturbance here, it will be worse than the South; there will be no medium; it will be either perfect quiet or desperation in the extreme but I would wager my life all will be peaceable'.¹²⁴ By March 1799 there were reports that parts of Tyrone were 'much disturbed by quarrels between Orangemen and Catholics' with 'houghing cows and sheep and cropping and docking horses in the night'¹²⁵ in Donagheady.

Stewart came into a world where the influences of the French and American revolutions charged with Enlightenment ideas had enmeshed and contorted in the Irish situation where autonomy, liberty and justice were sought. His grandparents and parents would have influenced him through their own understandings and experiences. These were powerful forces that would have prepared Stewart for the experiences of his later life and contributed to his very strong beliefs.

The Union with Great Britain at the beginning of the nineteenth century saw society change, argues Brooke, from one where the church was the main social influence to a society where the state was in control and religion was a choice.¹²⁶ He maintains that the Ulster Presbyterians went 'from being a substantial minority' in Ireland to 'an insignificant minority in the United Kingdom'.¹²⁷

¹²⁰ William Roulston, personal communication.

¹²¹ James Hamilton, Junior, Strabane, to Marquis of Abercorn, Grosvenor Square, London. 1 May 1798. PRONI T2541/IA/2/7/16; James Hamilton, Junior, Strabane to Marquis of Abercorn, General Post Office, Dublin, 18 June 1798. PRONI T2541/IA/2/7/23.

¹²² James Hamilton, Junior, Strabane to Marquis of Abercorn, 18 June 1798.

¹²³ Patterson, "Continued Presbyterian Resistance", p. 45.

¹²⁴ James Hamilton, Junior, Strabane to [Marquis of Abercorn] 8 August 1798. PRONI T2541/IA/2/7/28.

¹²⁵ Houghing involved disabling the animals by cutting their hamstrings, cropping and docking involved cutting the animals' ears and tails off. James Hamilton, Jnr., Strabane, to [Marquis of Abercorn]. 17 March 1799. PRONI D623/A/91/8.

¹²⁶ Brooke, *Ulster Presbyterianism*, pp. 191, 196.

¹²⁷ *Ibid.*, p. 136.

They no longer had the power of their nation-like state. Evangelism and religious intensity was increasing in both Catholic and Protestant denominations from the 1820s which, according to both Connolly and Holmes, marked a new interest in Protestant missionary efforts, including a new focus on Irish Catholics.¹²⁸ There was a resurgence of Scottish influence in the evangelical form of Presbyterianism which was more Calvinist and, Holmes asserts, was an attempt to return to seventeenth century Presbyterian theological and spiritual priorities.¹²⁹ It was also affected by the extensive economic and social structural changes associated with modernisation, as Miller contends.¹³⁰

By 1854 the First Donagheady Presbyterian congregation had diminished to only 200 families (half the number listed for 1804) and the Sabbath School had closed.¹³¹ Robert Stewart was a pew-holder and by 1854 was acting as an unordained elder.¹³² The Stewart family's involvement with Presbyterianism in the Donagheady and nearby parishes was reinforced through marriages providing strong Presbyterian influences in James's life. His maternal grandmother married Reverend Alexander Paton, a minister at Urney.¹³³ Robert Stewart's aunt, Mary McCrea of Binnelly, became the second wife of Reverend John Holmes, minister at the Second Donagheady Church from 1778 to 1831.¹³⁴ The son of the next minister for that church, Reverend Francis Porter, married James's niece, Martha McLaughlin in 1880 at the Leckpatrick Presbyterian Church and in 1864 James's eldest sister, Jane Stewart, became the second wife of Reverend Joseph Love of Lislaird.

Stewart grew up during a time of much change in the church and in Ulster. Arianism had been purged from the church in 1829, the Synod of Ulster and Secession Synod were united in 1840 and the influence of the 1859 Revival was strongly felt.¹³⁵ Brooke usefully summarizes the changing role of Presbyterianism in Ulster:

¹²⁸ Connolly, *Religion and Society*, p. 25; Andrew Holmes, "The Shaping of Irish Presbyterian Attitudes to Mission, 1790-1840." *The Journal of Ecclesiastical History* no. 4 (October, 2006): 711-737, p. 712.

¹²⁹ Brooke, *Ulster Presbyterianism*, p. 104; A.R. Holmes, "Covenanter Politics: Evangelicalism, Political Liberalism and Ulster Presbyterians, 1798-1914." *The English Historical Review* 125, no. 513 (2010): 340-369, p. 344.

¹³⁰ Akenson, *Small Differences*, p. 140.

¹³¹ Rutherford, *Donagheady Presbyterian Churches*, under headings 'Rev. William McCrea, M.A.' and 'Rev. S.T. Wray'.

¹³² "1st Donagheady Presbyterian Church Financial Statement 1857", accessed November 11, 2013, <http://www.cotyroneireland.com>. Transcribed by Doreen Edgar.

¹³³ Allen, "The Founder of the Stewart Bequest."

¹³⁴ Rutherford, *Donagheady Presbyterian Churches*, under heading 'Rev. John Holmes, M.A.'

¹³⁵ According to Brooke, Arianism 'was a theory of the nature of Christ, arguing that he was distinct from, and subordinate to, God the Father. The Son, or second person of the Trinity, had, according to the Arians, been created by God at a point in time, the first and greatest of created beings.' Brooke, *Ulster Presbyterianism*, pp. 106, 147, 153, 178; Rutherford, *Donagheady Presbyterian Churches*, under heading 'Rev. Francis J. Porter'.

In the eighteenth century to be a Presbyterian was to be a member of a self-organising community. By the 1850s to be a Presbyterian was to be a person with particular religious views.¹³⁶

Considering this definition, Robert Stewart was born into the democratic, strong and cohesive Presbyterian way of life but towards the end of his life held views that were Presbyterian. The Stewarts lived in a part of Donaghedy where the farming community was overwhelmingly Presbyterian.¹³⁷ Robert showed a strong commitment to his Presbyterian world throughout his life and, as an elder, he was very much a part of the governing systems of that society. His ongoing commitment to the church would have profoundly influenced James as a constant in his life in a dramatically changing society. Robert had lived his entire life in the security of the same Presbyterian society and the strong boundaries of its imagined community and mindset which influenced both his public and private life. In contrast, James was born at the beginning of the evangelical change and left the stability of this strong Presbyterian community to experience other influences and choices. He took with him the understanding of the power of the strong cohesive and democratic community.

Education

By 1600 Ireland had lay schools, grammar schools and a university. The Irish Catholic system involved 'hedge schools' and parish schools from the mid-eighteenth century. The eighteenth century Irish public education system, according to Kelly, involved parish schools introduced during Henry VIII's reign, diocesan schools introduced during Elizabeth I's reign (aimed at improving the 'civilizing' objectives of the parish schools through higher levels of education and literacy), royal schools (free schools in the planted counties aiding Anglicization but with little impact) and charter schools.¹³⁸ Milne suggests that the charter schools met different needs in Protestant society by providing good husbandry habits, 'an antidote to a still virulent popery'¹³⁹ and inculcating the right thinking and loyalty.

The elementary education system was again reformed during the 1830s through the National Education System where Protestants and Catholics were to be taught together. It ended up being somewhat denominational in practice due to the main denominations withdrawing their support for combined education.¹⁴⁰ Coolahan asserts that it was 'a minefield over which the shrapnel of

¹³⁶ Brooke, *Ulster Presbyterianism*, p. 191.

¹³⁷ William Roulston, personal communication.

¹³⁸ James Kelly, "The Context and Course of Thomas Orde's Plan of Education of 1787." *The Irish Journal of Education* xx, no. 1 (1986): 3-26, p. 4.

¹³⁹ Kenneth Milne, "Irish Charter Schools." *The Irish Journal of Education* viii, no. 1 (1974): 3-29, p. 5.

¹⁴⁰ MacAuley, "Catholicism in Nineteenth Century Tyrone", p. 629.

denominational invective blazed with dazzling ferocity'.¹⁴¹ Notwithstanding the denominationalism, education played an important role in the modernisation of Ireland. The number of pupils enrolled in national schools in Ireland jumped from 107,042 in 1831 to 281,849 a decade later and 500,000 pupils were being educated in 1849 in 4,321 schools.¹⁴² Secondary education institutions were, according to Akenson, denominational from their beginnings.¹⁴³

In eighteenth century Donaghedy, according to Roulston, many farmers had access to formal and higher education.¹⁴⁴ Stewart's ancestors were likely to be some of these farmers. By the early nineteenth century there were about 15 schools in the parish, they were co-educational and each had from 15 to 20 students. The majority of these schools were operated by Presbyterians. Akenson notes that Presbyterians in Ireland had the highest literacy rate, closely followed by Anglicans and a much lower rate for Catholics which he attributes to the concentration of Presbyterians in the middle classes rather than their showing a greater interest in education than other denominations.¹⁴⁵ The 14 schools listed for the parish in an 1826 parliamentary investigation into education reflected denominational proportions in the parish with six Presbyterian masters, three Protestant masters, four Roman Catholic masters and one unknown.¹⁴⁶

Stewart's older siblings most likely attended school in the Presbyterian Church retiring room at Altrest where there were approximately 32 Presbyterian students and 2 Catholic students in 1826. In 1835 there were 23 schools in the parish (including 12 Sunday schools and four private schools). After the introduction of the National Education system, Stewart most likely attended the Grange National School.¹⁴⁷ It is also likely that he received his secondary education at Foyle College in nearby Londonderry until the age of 16.¹⁴⁸ The College had been a Royal Free School and a diocesan Free School.¹⁴⁹ It was named the Free Grammar School rather than the Derry Diocesan School in 1815. This was, according to McMahon, because the income derived from other sources including the

¹⁴¹ John Coolahan, "The Daring First Decade of the Board of National Education, 1831-1841." *The Irish Journal of Education* xvii, no. 1 (1983): 35-54, p. 42.

¹⁴² *Ibid.*, pp. 51, 52.

¹⁴³ Akenson, *Small Differences*, pp. 115, 121.

¹⁴⁴ Roulston, *Three Centuries of Life*, p. 290.

¹⁴⁵ Akenson, *Small Differences*, p. 118.

¹⁴⁶ Data from 1826 Parliamentary investigation into education in Roulston, *Three Centuries of Life*, p. 300.

¹⁴⁷ Samuel Lewis's 1837 *Topographical Dictionary* lists parochial schools adjoining a church, schools at Lisnarrow, Killeany, Rusky, Tamnaghbrady, Tyboe, Grange and Ballyneuse and both a school and agricultural school at Loughash Lewis, *A Topographical Dictionary of Ireland*, under heading 'Donaghedy, A Parish'.

¹⁴⁸ Harry Allen claimed that Stewart attended the Grange National School and Foyle College after receiving information from Stewart's nephew, Col. John McLaughlin. There is no record of Stewart's attendance in the Foyle College archives but records for this time are not reliable. Harry Allen, "The Founder of the Stewart Bequest. A Biographical Sketch." *University Review* (1914): 68-71, p. 68; Robert Montgomery, Foyle College archivist, personal communication.

¹⁴⁹ Sean McMahon, ed. *A View of the Foyle Commanding: A Portrait of Foyle College*. London: Third Millennium Publishing, 2013, p. 27; R. Barry O'Brien, *Fifty Years of Concessions to Ireland. 1831-1881*. Vol. 2. London: Sampson Low, Marston, Searle & Rivington, 1883-1885, p. 318.

Irish Society was greater than that from the diocese.¹⁵⁰ The level of education attained by Stewart's siblings is unknown but they were literate and may have had similar secondary education to Stewart.¹⁵¹

In Donagheady Stewart could have stayed in farming like his father or taken other work. Occupations in the district included labourers, weavers, flaxdressers, scutchers, cottiers, shoemakers, carpenters, blacksmiths, masons, tailors, salmon fisherman on the River Foyle, tradesmen, shopkeepers, dressmakers, seamstresses, basket makers, brickmakers and distillers.¹⁵² There was also employment at corn, tuck, spade, paper and bleach mills. As Presbyterians tended to occupy the middle classes their profession choices tended to reflect this.¹⁵³ Froggatt asserts that careers in medicine and the church were favoured by the sons of the rural Ulster Presbyterians and this can be seen in the Donagheady parish where some farmers' younger sons pursued careers in the ministry, medicine (many as naval surgeons) and as merchants.¹⁵⁴ The Stewart family reflects this as James chose to pursue a career in medicine.

The choices for James's siblings were varied: Daniel emigrated to America, Mary Ann stayed in the parish and married a local farmer, Catherine emigrated to Australia, Robert emigrated to Australia and continued the family farming tradition. Martha and Jane remained unmarried until after the death of their father. Malcolm stresses the authority that parents in post-Famine Ireland had over their adult children, particularly the unmarried children who worked on their family farm.¹⁵⁵ This appears to be the case with James's two eldest sisters who looked after their younger siblings and father after their mother died in 1842. They would have had a strong influence on James in his formative years. Within a year and a half of their father's death Martha married a jeweller and moved to Londonderry and Jane became the wife of a widowed local Presbyterian minister.

Stewart's family offer an example of the ties of kin which have the power to maintain family connections when other social characteristics diversify, hybridise, stay stagnant or become otherwise incongruent. The generations of Stewarts and their relatives who farmed in the parish provided a strong network of support as well as influences that would have been difficult to challenge. Within

¹⁵⁰ McMahon, ed. *A View of the Foyle Commanding*, pp. 41, 44.

¹⁵¹ Jane, Catherine and Robert were literate as their writing appears on various documents and personal notes on photographs. Martha signed her name with an 'X' on the deed to the Binnelly farm suggesting that she was not literate but she did sign her marriage certificate in 1865. Leslie Craig, personal communication.

¹⁵² Scutching involves striking the woody stem off flax straw. Jo. Colhoun, Strabane, to [Earl of Abercorn]. 22 December 1751. PRONI D623/A/30/129; Roulston, "The Parishes of Leckpatrick and Dunalong", under heading 'Rural industries in Leckpatrick and Dunalong'; Roulston, *Three Centuries of Life*, p. 210.

¹⁵³ Froggatt, "Competing Philosophies", p. 118.

¹⁵⁴ *Ibid.*, p. 61; Roulston, *Three Centuries of Life*, pp. 216-224.

¹⁵⁵ Elizabeth Malcolm, "'The House of Strident Shadows': The Asylum, the Family and Emigration in Post Famine Rural Ireland." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 177-191, p. 184.

Stewart's immediate family the ties of kin were to keep them all connected when each sibling moved outside the family home but these ties also restricted the two eldest female siblings. Prosperous farmers, such as the Stewarts, could afford university education for their sons, thus providing for better career opportunities. At 16 years of age Stewart went to Dublin to study medicine.¹⁵⁶



Jane Love – James Stewart's eldest sister
Private Collection

Irish Medicine

Stewart's decision to study medicine would have been influenced by many experiences. The death of his mother, Mary Ann Stewart, on 14 November 1842 at Altrest at the age of 51 would have deeply affected the 13-year-old James.¹⁵⁷ This may have been an important turning point in his life. He had

¹⁵⁶ Allen, "The Founder of the Stewart Bequest."

¹⁵⁷ *Belfast-Newsletter*, 29 November 1842, p. 3.

also witnessed poverty, famine and the ways that his family, friends, substantial farmers and medical practitioners in Donaghedy assisted those in need.

Stewart had friends and relatives who were doctors. According to descendants of his brother Robert, there had always been a doctor in the Stewart family.¹⁵⁸ His cousin, Dr James McCrea of Grange, was the resident surgeon at the Strabane County Infirmary from 1846-1848.¹⁵⁹ McCrea was only eight years older than Stewart and if he did influence Stewart's decision to study medicine it was not to be at the same university. McCrea received his M.D. and L.R.C.S. in Edinburgh. Stewart's choice to study in Dublin may reflect the changing reputation of Trinity College and the quality of education becoming available in Ireland. Froggatt argues that most Ulster rural Presbyterian medical students favoured Scotland because Dublin was 'culturally alien, expensive, remote and morally lax, and London ...was even more so'.¹⁶⁰ This appears not to have been a deterrent to Stewart and indicates a possible familiarity with its lifestyle prior to his move to Dublin, perhaps through already established Dublin connections.

The unique circumstances found in Ireland helped to shape Irish medicine and medical education. There was both sectarianism and cooperation between the Catholic and Protestant doctors, reflecting the contemporary social, religious and political conditions. Epidemic diseases and the Great Famine had a strong influence which McGeachie describes as "normal" development in an 'abnormal' place'.¹⁶¹ Irish practitioners also made use of their connection with the British Empire, as Lake asserts.¹⁶²

By the seventeenth century Dublin had very meagre care available to the sick poor and during the eighteenth century voluntary hospitals were established and maintained through philanthropy and public subscription.¹⁶³ By 1800 the medical profession still resembled that of Tudor times with the hierarchical system of physician (treating internal diseases), surgeon (treating external conditions) and apothecary (compounding medications) still operating in Ireland with the emphasis on provision of relief and remedies.¹⁶⁴

¹⁵⁸ Letter from Helen Wragg to Greta Devereux, n.d. Private Collection.

¹⁵⁹ R. S. J. Clarke, *A Directory of Ulster Doctors (Who Qualified before 1901)*. Vol. 2. Belfast: Ulster Historical Foundation, 2013, p. 665.

¹⁶⁰ Froggatt, "Competing Philosophies", p. 61.

¹⁶¹ James McGeachie, "'Normal' Development in an 'Abnormal' Place: Sir William Wilde and the Irish School of Medicine." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 85-101, p. 93.

¹⁶² Lake, "Medicine and Publishing", p. 4

¹⁶³ Davis Coakley, *The Irish School of Medicine: Outstanding Practitioners of the 19th Century*. Dublin: Town House, 1988, p. 3.

¹⁶⁴ Froggatt, "Competing Philosophies", p. 59; Lake, "Medicine and Publishing", p. 2.

Coakley asserts that during the early nineteenth century 'poverty, malnutrition, poor sanitation and virulent epidemic diseases were causing devastation'.¹⁶⁵ Doctors were at great risk from infection and death from the epidemic diseases and from accidental cuts during operations and post-mortems as antibiotics were yet to be discovered. At the height of the 1832 cholera epidemic 19,000 lives were lost in Ireland, this included many doctors.¹⁶⁶ Tuberculosis caused the highest mortality rate during the nineteenth century but, as Jones asserts, public officials concentrated more on typhus, smallpox and cholera.¹⁶⁷ Smallpox vaccinations were first used in Ireland in 1800 and were well established and reducing the mortality rate by 1840.¹⁶⁸

There was dramatic growth in Irish medicine during the nineteenth century. It is difficult to estimate the number of medical practitioners in Dublin during this time: Kelly estimates 103 practitioners in 1775 increasing to 195 by 1818 and Lake estimates that by 1846 there were 1,989 practitioners.¹⁶⁹ Medicine became a more popular profession after the Act of Union, as Meenan and McGeachie assert, when doctors and lawyers dominated social life in Dublin after the transfer of government to London.¹⁷⁰ It had become a lucrative occupation and free from many sanctions against Catholics, as Froggatt contends.¹⁷¹ By the mid-nineteenth century the profession was reformed as Irish medical practice moved into scientific medicine.

McGeachie suggests that the Dublin clinical school became a major influence on research and teaching outside of Ireland through the introduction to Irish hospitals of continental teaching techniques by Graves, Stokes and Macartney.¹⁷² He asserts that Dublin was part of the medical revolution started in Europe which involved a narrowing of the gap between surgeons and physicians.¹⁷³ The high standards were achieved at a time when medical learning had an international nature; doctors in Ireland were responding to great need in society and there was desire for a standard of medical education that would allow Irish medical students to learn in their own country. Popular medical education destinations had been Edinburgh, Paris, Leiden, Prague and Germany.

¹⁶⁵ Coakley, *The Irish School of Medicine*, p. 89.

¹⁶⁶ William Doolin, "Dublin Surgery 100 Years Ago." *Irish Journal of Medical Science* 24, no. 3 (1949): 97-111. p. 98; O'Brien, "State Intervention and the Medical Relief", p. 203.

¹⁶⁷ Greta Jones, "The Campaign Against Tuberculosis in Ireland, 1899-1914." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 158-176, pp. 158, 159.

¹⁶⁸ Deborah Brunton, "The Problems of Implementation: The Failure and Success of Public Vaccination Against Smallpox in Ireland, 1840-1873." In Jones and Malcolm, eds. *Medicine, Disease and the State*, 138-157, pp. 139, 140; James Kelly, "The Emergence of Scientific and Institutional Medical Practice in Ireland 1650-1800." In Jones and Malcolm, eds. *Medicine, Disease and the*, 21-39, p. 30.

¹⁶⁹ Kelly, "The Emergence of Scientific", p. 35; Lake, "Medicine and Publishing", p. 1.

¹⁷⁰ McGeachie, "'Normal' Development in an 'Abnormal' Place", p. 86; F.O.C. Meenan, "The Georgian Squares of Dublin and their Doctors." *Irish Journal of Medical Science* 41, no. 4 (1966): 149-154, p. 149.

¹⁷¹ Froggatt, "Competing Philosophies", p. 71.

¹⁷² McGeachie, "'Normal' Development in an 'Abnormal' Place", p. 88.

¹⁷³ *Ibid.*, p. 89.

International communication through relationships, periodicals and books contributed to keeping standards high and awareness of the latest discoveries and teaching were quickly adopted. The first successful anaesthesia operation was performed in America on 16 October 1846 and on New Year's Day 1847, just 11 weeks later, anaesthetic was used in Ireland.¹⁷⁴ Prior to this surgeons had to be strong enough to hold down their patients and, as Doolin points out, 'had developed a manual dexterity swift as the sword in the juggler's hand'.¹⁷⁵ The Irish school also influenced medical practice in other countries through emigration, through doctors such as Stewart who influenced medical practice in Victoria.

Stewart attended some classes at Dublin University (which is synonymous with Trinity College), the Carmichael Medical School (attached to the Royal College of Surgeons in Ireland) and the King and Queen's College of Physicians in Ireland (the name of the Royal College of Physicians at the time).¹⁷⁶ He received the qualifications of L.M., L.R.C.S.I., F.R.C.S.I. and L.K.Q.P.I. He was awarded the Licence in Midwifery (L.M.) from the Rotunda Hospital in Dublin in 1850 as part of his medical course. On 2 June 1852 he was awarded the Licence of the Royal College of Surgeons in Ireland (L.R.C.S.I.). According to Allen, Stewart passed the R.C.S.I entrance examination with honours and repeatedly won first prize in many of his classes.¹⁷⁷

After just over a decade of practice in Australia Stewart returned to Ireland for further medical education and was awarded the Licence of the King and Queen's College of Physicians in Ireland (L.K.Q.C.P.I) on 18 April 1864. He was also awarded the Fellowship of the Royal College of Surgeons in Ireland (F.R.C.S.I.) during the same year. His reasons for returning to Ireland for these qualifications will be discussed in Chapter 5.

¹⁷⁴ Coakley, *The Irish School of Medicine*, p. 101.

¹⁷⁵ Doolin, "Dublin Surgery 100 Years Ago", p. 102.

¹⁷⁶ The qualifications listed for Stewart in the 1872 *Medical Directory* were L.K.Q.C.P. Irel. 1864; F.R.C.S.I. 1864, L. 1853; L.M. Rot. Hosp. Dub. 1850; (*Univ. and Carm. Sch. Dub.*) Although he attended some classes at Trinity College (*Univ.* in directory listing), his name does not appear in the entrance books or student register of the university. George Dames Burtchaell and Thomas Ulick Sadleir, eds. *Alumni Dublinenses: A Register of the Students, Graduates, Professors and Provosts of Trinity College in the University of Dublin (1593-1860)*. Dublin: Alex. Thom & Co., Ltd., 1935. <http://www.digitalcollections.tcd.ie>. Also available in print form; *The Medical Directory for 1872, and General Medical Register*. London: J. and A. Churchill, 1872. www.bodleian.ox.ac.uk/dbooks. Also available in print form, p. 165; Royal College of Surgeons in Ireland. *Charters and Bye-Laws, Ordinances of Council, and Educational Regulations; Together with the Roll of Fellows & Licentiates of the College*. Dublin: J. Atkinson & Co., 1886. <http://archive.org/details/texts>. Also available in print form, p. 127; Trinity College (Dublin, Ireland), *Admission Records, 1825-1846*. <http://www.digitalcollections.tcd.ie>. Also available in print form; Robert Mills, Librarian, Royal College of Physicians of Ireland, personal communication.

¹⁷⁷ Allen, "The Founder of the Stewart Bequest."



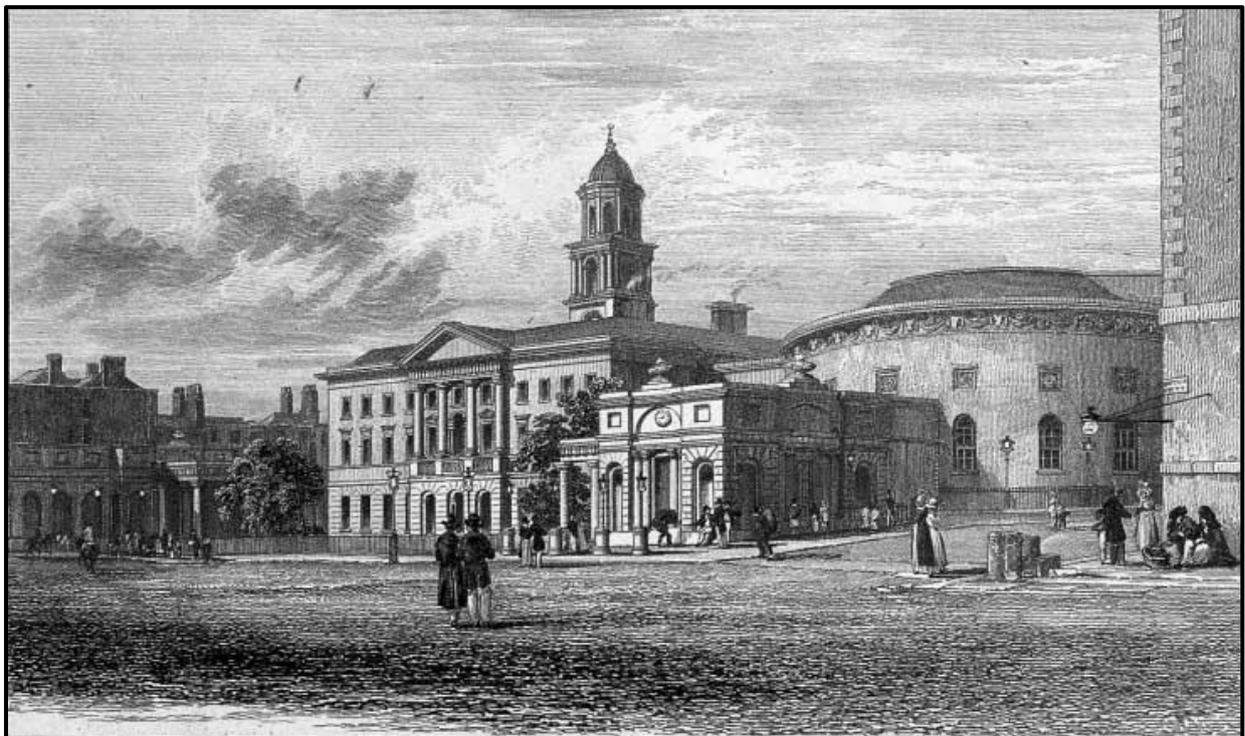
Royal College of Physicians of Ireland 1864



Royal College of Surgeons in Ireland 1828
Royal College of Physicians of Ireland



College Green and Trinity College 1892
The Board of Trinity College Dublin



The Rotunda Hospital 1821
Etching, after G. Petrie.
Wellcome Library, London

Trinity College was founded in 1592 after a charter was granted by Queen Elizabeth I which Ranelagh views as a conciliation designed to stop Irish students studying in countries hostile to England.¹⁷⁸ According to Kelly, the addition of a clinical component into the Trinity College School of Physic stemmed 'the haemorrhage of Irish medical students'.¹⁷⁹

Stewart was fortunate to be studying medicine when Robert Graves and his student William Stokes had been influencing Irish medicine. Under Graves's approach to clinical teaching the student personally observed the progression and effects of disease under the guidance of a teacher. Prior to this, students learned from lectures without ever coming in contact with patients. Graves revolutionised treatment of fever patients through emphasis on nourishment when previously they were prescribed little nourishment other than beverages.¹⁸⁰ The influences of these approaches are apparent in the medicine which Stewart later practised.

The Carmichael Medical School in North Great Brunswick Street, Dublin, was named after Richard Carmichael who lectured in surgery, anatomy and physiology at the Richmond Hospital from the late 1820s.¹⁸¹ He assisted John MacDonnell at the Richmond Hospital with the first use of ether as anaesthetic in Ireland in 1847.¹⁸² Carmichael died in 1849 and bequeathed £10,000 to the school during the period when Stewart was studying in Dublin. Carmichael's contributions to Irish medicine, medical education and philanthropy may have been strong influences for Stewart and the choices he made later in his life. According to Allen, Stewart spent six months as house surgeon at the Richmond Hospital after graduating.¹⁸³ He may have been involved with the hospital but he left Ireland less than two months after receiving his surgical qualification.

The Dublin Lying-In Hospital began in 1745 and became known as the Rotunda because of its highly decorated Round Room. The Rotunda attracted international doctors and students and dramatically reduced maternal mortality rates.¹⁸⁴ The hospital's founder Bartholemew Mosse set out to provide relief for the needy poor and to teach midwifery so that young doctors could learn within Ireland. Mosse dealt with a community need and, as Kelly notes, raised midwifery's status, paving the way for important improvements in obstetrics in the longer term.¹⁸⁵ Midwifery had been left to the surgeons

¹⁷⁸ Ranelagh, *A Short History of Ireland*, p. 58.

¹⁷⁹ Kelly, "The Emergence of Scientific", p. 34.

¹⁸⁰ Coakley, *The Irish School of Medicine*, p. 50; Crawford, "Typhus in Nineteenth-Century Ireland", p. 133.

¹⁸¹ John Fleetwood, "Dublin's Private Medical Schools." *Irish Journal of Medical Science* 23, no. 1 (1948): 20-31, p. 23.

¹⁸² Coakley, *The Irish School of Medicine*, pp. 62, 101; J.D.H. Widdess, "The Introduction of Ether and Chloroform to Dublin." *Irish Journal of Medical Science* 21, no. 10 (1946): 649-655, p. 650.

¹⁸³ Allen, "The Founder of the Stewart Bequest."

¹⁸⁴ Coakley, *The Irish School of Medicine*, p. 4.

¹⁸⁵ Kelly, "The Emergence of Scientific", p. 29.

and apothecaries who learnt through apprenticeships because university educated physicians considered it to be below their dignity and derogatory to the physician's calling, as Kelly and Kirkpatrick have asserted.¹⁸⁶ This was the first lying-in and training hospital for midwifery in the British Isles and became an example for the first lying-in hospital built in England.¹⁸⁷

In 1847, just a few years before Stewart was awarded his L.M., Professor Levy of Copenhagen described the Rotunda as 'one of the largest and best lying-in institutions in Europe'.¹⁸⁸ He noticed a large contrast between the lying-in hospitals of London and Dublin as did Dr F.H. Arneth, an ex-assistant from the Lying-In Hospital of Vienna, who visited the Rotunda in early 1851.¹⁸⁹ Arneth compared the mortality rates for the period 1828 to 1849 and found the Dublin Lying-in Hospital had a much lower mortality rate (1.34%) than the Paris (4.18%) and Vienna hospitals (5.35%). The Rotunda reduced puerperal sepsis fatalities by rotation of labour wards, treating the surfaces of the wards with chloride of lime and fumigation with chlorine gas, burning mattress straw and washing bed linen.¹⁹⁰ Doctors had to wash their hands before attending at a birth.

The high standards achieved by the Rotunda hospital reveal the types of medicine, health standards and environment in which Stewart learnt his medical skills. He would have been educated on the use of newly discovered anaesthetics with chloroform first used at the Rotunda for a forceps delivery on 18 February 1848.¹⁹¹ He was receiving formal education about new medical practices which had not existed when his cousin, Dr James McCrea, received his medical education just eight years earlier. He witnessed the results of Mosse's creation of an institution which provided for a community need years after its establishment and the usefulness of Carmichael's benevolent medical school endowment. Stewart received his medical education during a time that McGeachie describes as 'the heyday of the Dublin clinical school' where many of 'a generational cohort ... were simultaneously innovative medical men, polymaths and larger-than-life characters'.¹⁹²

Stewart's life growing up in Ulster involved a strong presence and democratic mindset of Presbyterianism, through his father and other family members. He moved to Dublin where he was educated during the heyday of the Dublin School of Medicine. In each place he was exposed to

¹⁸⁶ Ibid., p. 28; T. Percy C. Kirkpatrick, *The Book of the Rotunda Hospital: An Illustrated History of the Dublin Lying-in Hospital from its Foundation in 1745 to the Present*. London: Adlard & Son, Bartholomew Press, 1913. <http://archive.org/details/texts>. Also available in print form. p. 2.

¹⁸⁷ Kelly, "The Emergence of Scientific", pp. 28-9; Kirkpatrick, *The Book of the Rotunda Hospital*, p. 6.

¹⁸⁸ Professor Levy in Coakley, *The Irish School of Medicine*, p. 118.

¹⁸⁹ Kirkpatrick, *The Book of the Rotunda Hospital*, p. 166.

¹⁹⁰ Coakley, *The Irish School of Medicine*, p. 115.

¹⁹¹ The Rotunda Hospital Dublin, "History of the Hospital", accessed December 29, 2013, <http://www.rotunda.ie>.

¹⁹² McGeachie, "'Normal' Development in an 'Abnormal' Place", p. 85.

examples of great public need where problems were attacked by people using the skills, funds and imagination available to them to improve the situation. As a new medical graduate, Stewart embarked upon his professional career nurtured by the Stewart family with its reasonable wealth and strong religious and rural networks. He was equipped with the connections and understandings of both the Ulster Presbyterian world that he had grown up in and life in Dublin. The next chapter examines Stewart's early medical career, his decision to leave Ireland and his place within the Irish diaspora.

CHAPTER TWO

'THE DISAPPEARING SHORE'¹: JOINING THE VICTORIAN FRAGMENT OF THE IRISH DIASPORA AS A SHIP'S SURGEON

Stewart left Ireland and worked his way to the colony of Victoria as a ship's surgeon. His decision to emigrate can only be understood in the context of conditions in Ireland, particularly opportunities available for doctors there and the longer history of Irish emigration, both at a local County Tyrone level and the wider Irish diaspora. Consideration of the young doctor's motivations for leaving Ireland at an individual level and the connections that influenced his choice add to this understanding of Irish emigration. Examining the experiences of others helps to shed light on unknown aspects of his emigration experience and the experience of a ship's surgeon provides new insight into a formative experience which was to influence medical practice in the colonial setting.

Opportunities in Ireland

By early June 1852, the 22-year-old Stewart was a qualified surgeon with his licentiate from the Royal College of Surgeons in Ireland. He had numerous options for work, though all were oversubscribed in Ireland. With his new qualification he could move back closer to his family home in Donaghadee and attempt to practise as a surgeon at one of two fever hospitals in County Tyrone (the 75-bed County Infirmary in Omagh and the 60-bed fever hospital at Strabane) or take a position in nearby Derry.² He might have considered a much sought after position in Dublin, joining the armed forces as a military or naval surgeon or seeking work in another country but, without qualifications higher than a licentiate, his options were limited. Stewart chose to continue his stay in Dublin, for a short time at least.

In the second half of the nineteenth century Irish medical schools were producing more graduates than Ireland could absorb and there were complaints of overcrowding in the profession, as Geary, Jones and Farmar have established.³ As Geary notes, paltry private practice incomes had to be augmented

¹ Shane Howard, "Silvermines."... *Other Side of the Rock*. Goanna Arts, 2012. CD.

² *The Medical Directory for Ireland for 1852*. London: John Churchill, 1852.
www.bodleian.ox.ac.uk/dbooks. Also available in print form, p. 192.

³ Geary, "Australia Felix", p. 163; Greta Jones, "'Strike Out Boldly for the Prizes that are Available to You': Medical Emigration from Ireland 1860-1905." *Medical History* 54, no. 1 (January, 2010): 55-74; Tony Farmar, *Patients, Potions and Physicians: A Social History of Medicine in Ireland*. Dublin: A. & A. Farmar, 2004, p. 84.

with public appointments and post-Famine Poor Law practitioners were unhappy with their treatment.⁴ As well the greater financial rewards across the Irish Sea could be accompanied by extensive prejudice and career restrictions.

Harry Brookes Allen, Dean of the Faculty of Medicine at the University of Melbourne (1886-90 and 1896-1924), suggests that Stewart was elected a house surgeon at the Richmond Hospital in Dublin for six months before leaving for Victoria in early 1853 in an attempt to improve his failing health.⁵ There is no evidence of Stewart's health impeding his activities. Whilst he may have been involved with the Richmond Hospital it would have been prior to this time as he set sail for Victoria on 2 August 1852, just two months after receiving his licentiate. Studying and living in Dublin would have provided Stewart with a break from the ties of remaining in Donaghedy and created a situation where further migration became more likely. As Fitzgerald points out, 'in moving to Dublin the migrant had already severed important ties to locale and family and was thus arguably more conditioned to future onward migration'.⁶ It was not just breaking ties but also his exposure to new influences and connections that would have influenced his choices and decision to emigrate. Other historians note that the voyage to Australia was one of many moves for people often already experienced in mobility.⁷ It was this mobility that Ballantyne argues 'was the life-blood of empires'⁸ and, as Hall contends, for the Irish and Scottish there was a shared 'sense that empire could offer opportunities beyond those 'at home''.⁹

Stewart may have chosen medicine as a profession precisely because of the opportunity it afforded for travel and professional advancement. Malcolm posits that a career abroad could have been part of the attraction of certain professions in Ireland because of 'the strong possibility of migration'.¹⁰ Irish medical students were aware 'that emigration probably represented the best chance of professional advancement for a newly qualified doctor',¹¹ as Kelly asserts. The portability of medical practice made it a profession well-suited for emigration. It carried social cachet, the doctor could work

⁴ Geary, "Australia Felix", p. 163.

⁵ Allen, "The Founder of the Stewart Bequest", p. 69.

⁶ Patrick Fitzgerald, "From the Flight of the Earls to the Famine: Tyrone's Migration History 1800 to 1845." In Dillon and Jefferies, eds. *Tyrone: History and Society*, 461-488, p. 471.

⁷ Andrew Hassam, *Sailing to Australia: Shipboard Diaries by Nineteenth-Century British Emigrants*. Carlton: Melbourne University Press, 1995, p. 13; Richards, "Voices of British and Irish Migrants", p. 29.

⁸ Tony Ballantyne, "Mobility, Empire, Colonisation." *History Australia* 11, no. 2 (2014): 7-37, p. 7.

⁹ Catherine Hall, "Epilogue: Imperial Careering at Home; Harriet Martineau on Empire." In *Colonial Lives Across the British Empire: Imperial Careering in the Long Nineteenth Century*, edited by David Lambert and Alan Lester, 335-359. Cambridge: Cambridge University Press, 2006, p. 339.

¹⁰ Elizabeth Malcolm, "'What would People Say if I Became a Policeman?': The Irish Policeman Abroad." In *Ireland Abroad: Politics and Professions in the Nineteenth Century*, edited by Oonagh Walsh, 95-107. Dublin: Four Courts Press, 2003, p. 95.

¹¹ Laura Kelly, "Migration and Medical Education: Irish Medical Students at the University of Glasgow, 1859-1900." *Irish Economic and Social History* 39, (2012): 39-55, p. 45.

independently of his colleagues and he could commence work and establish his reputation on board a ship before reaching his new home country.

Whilst limited satisfactory employment opportunities were a major reason for doctors to emigrate, there were many other reasons. Stoller and Emmerson contend that Dr Alfred Carr emigrated to Australia because of his paranoid personality and in an attempt to avoid his self-inflicted troubles in England.¹² They suggest that Dr Walter Lindesay Richardson emigrated to get far away from his mother in an oedipal circumstance.¹³ But it becomes misleading to retrospectively impose historically specific medical diagnoses (such as Freudian psychiatry) on people who existed in a different social context and whose understanding of the world differed. The lack of career prospects for Richardson noted by Geary remains a more feasible reason.¹⁴ Both doctors were to become Stewart's colleagues in Victoria. Proposed emigration legislation in 1847 required a medical practitioner on every vessel. This was modified the following year to only ships carrying over 100 passengers because there were not enough medical practitioners for every ship, as MacDonagh has established.¹⁵ This need for ship's doctors may also have influenced Stewart's decision to emigrate.

Whatever Stewart's motivations for emigrating, such a big change in his life was a turning point. It was a time when his known world of Dublin was left behind and his life and family in Donagheady were left even further behind. It was also a time of identity negotiation and change. The young man who arrived in Dublin as an Ulster Presbyterian of Scots-Irish background had become a member of the medical profession amidst Anglo-Irish influences. He did not completely discard his Presbyterian background, it was an accommodation where different parts of his identity could come to the fore when the situation required. Harte contends that in autobiographical narration, identity is a continuing production that is dynamic and evolutionary.¹⁶ Similarly, emigrants' identities, such as Stewart's are dynamic and evolve in the changing situations and places in which they find themselves. This flexibility of identity was an advantage to Stewart throughout his life.

¹² Alan Stoller and Roma Emmerson, "Dr John Alfred Carr: A Psycho-Historical Study." *The Medical Journal of Australia* (27 January, 1973): 188-193.

¹³ Alan Stoller and R. Emmerson, "Richard Mahony, Walter Lindesay Richardson and the Spirochaete." In *Henry Handel Richardson 1870-1946: Papers Presented at a Centenary Seminar*, edited by National Library of Australia, 9-22. Canberra, 1972, p. 10.

¹⁴ Geary, "Australia Felix", p. 163.

¹⁵ MacDonagh, "The Regulation of the Emigrant Traffic", pp. 172, 173.

¹⁶ Liam Harte, "Immigrant Self-Fashioning: The Autobiographies of the Irish in Britain, 1856-1934." In Walsh, ed. *Ireland Abroad*, 47-61, p. 48.

The Irish diaspora

As Malcolm asserts, the Irish diaspora 'was, and is, enormously varied'¹⁷ and the experience and influence of the Irish is complex and widespread. The varied experiences within the diaspora can be seen in the shared and unique experiences of Stewart and his family. Emigration patterns were already established amongst Stewart's relatives. Stewart's great-uncle James McCrea of Binnelly emigrated to Philadelphia where one of his descendants became a railway magnate and president of the Pennsylvania Railroad.¹⁸ Stewart's older brother Daniel emigrated to America but it is difficult to find any evidence of where in America he went or what became of him.¹⁹ Stewart's older sister Catherine and younger brother Robert emigrated to Australia as part of chain migration through their kinship ties with James. Three of James's sisters (Mary Ann, Jane and Martha) remained in Ireland along with their father. Though remaining in Ireland, the three women were also somewhat mobile, moving between County Tyrone and the neighbouring counties of Londonderry and Armagh.²⁰ Stewart's cousin Dr James McCrea emigrated to Australia from County Tyrone. He later returned to Ireland to practise medicine in County Donegal, then emigrated to America.²¹

Whilst the emigrating members of the Stewart family shared the experience of all migrants in leaving their home country away from their known world and friends and family, they did so with some degree of financial security. This indicates a greater degree of choice than was afforded many. It allowed bonds to remain between family members because they could afford to travel between their old home country and their new home country. The Stewarts also maintained connections through letters. This reflects O'Farrell's contention that professional types of Anglo-Irish, Ulster Protestants or affluent Catholics were most likely to maintain strong links to Ireland in the colonial setting through family correspondence.²² As Hall and Malcolm contend, for the Irish there was both a shared diasporic experience and identity as well as significant differences relating to class, religion, gender, the part of Ireland they left, the country or countries they travelled to, the period in which they arrived, the different generations and their different gendered experiences depending on their destination within the diaspora.²³ Stewart's experience was shaped by all of these factors.

¹⁷ Malcolm, "What Would People Say", p. 106.

¹⁸ *The National Cyclopaedia of American Biography*. Vol. 14. New York: James T. White & Company, 1910. <http://archive.org/details/texts>. Also available in print form, p. 446; *Catholic Press*, 22 February 1912, p. 9.

¹⁹ It is possible that Daniel became a farmer in Illinois by 1842 then lived the rest of his life working as a carpenter in Cedar Rapids, Iowa. Insufficient data has been found to confirm or reject this possibility.

²⁰ Mary Ann moved to a nearby farm after marriage, Martha lived in Lurgan, Londonderry and Castlerock and Jane lived in Killeter and Castlederg.

²¹ McCrea was particularly mobile within the three countries and resided in Mount Alexander, Bendigo, Geelong and Melbourne in Australia and New Jersey and Philadelphia in America.

²² O'Farrell, *Vanished Kingdoms*, p. 170.

²³ Dianne Hall and Elizabeth Malcolm. "Diaspora, Gender and the Irish." *Australasian Journal of Irish Studies* 8, (2008/9): 3-29, pp. 9, 13.

Stewart left Ireland in 1852 after the worst years of the Great Famine and whilst it most certainly would have had an influence on his life, it was not the main motivation for his emigration. Established migration, mainly of Ulster Presbyterians, was already occurring in Stewart's home parish of Donaghedy, as discussed in the previous chapter. Some of this was part of the migration of Ulster people over generations along already established migration routes.²⁴ As Mageean contends, economic forces combined with a regional emigration mentality created by earlier migrations to become the main motivations behind Ulster Presbyterian migration once escape from religious persecution ceased to be the main cause.²⁵ In Donaghedy, as Roulston asserts, the Famine accelerated and deepened existing migration processes, setting in motion 'a culture of emigration'.²⁶ It also changed the face of emigration. According to Mageean, it caused a shift from male dominated migration to family migration consistent with mass migration caused by a disaster; immediately after the Famine women were more dominant in the migrant group.²⁷ Malcolm asserts that between 1850 and 1920, the younger children from farming and labouring families formed the largest group of emigrants from Ireland.²⁸ Whilst Stewart moved into the medical profession, he and his siblings Catherine and Robert formed part of this group.

Australia was one of the six major Irish diaspora destinations and, as argued in the introduction, it did not reflect transatlantic migration patterns.²⁹ Akenson asserts that the anglicisation of Australia's Irish gave them an advantage over other migrants because they had adopted the hegemonic English language, commercial practices and cultural values.³⁰ According to O'Farrell, the Irish emigrating to Australia during the 1830s and 1840s were mainly poor and destitute semi-skilled farm workers used by emigration commissioners to populate the colonies with British people when English and Scottish emigrants were not obliging.³¹ However, Margaret Kiddle's *Men of Yesterday* provides many examples of Irish settlers with wealth and education coming to Port Phillip in the 1830s and 1840s.³²

Ronayne posits that the Anglo-Irish began to migrate to Australia early in the nineteenth century and chose to leave because 'emigration had not hitherto reached that far up the social scale'.³³ He

²⁴ Deidre M. Mageean, "From Irish Countryside to American City: The Settlement and Mobility of Ulster Migrants in Philadelphia." In Pooley and Whyte, eds. *Migrants, Emigrants and Immigrants*, 42-61, pp. 42, 44.

²⁵ *Ibid.*, p. 43.

²⁶ Roulston, *Three Centuries of Life*, p. 356.

²⁷ Mageean, "From Irish Countryside", pp. 46, 48.

²⁸ Malcolm, "The House of Strident Shadows", p. 186.

²⁹ Akenson, *The Irish Diaspora*, p. 172.

³⁰ *Ibid.*, p. 39.

³¹ O'Farrell, *The Irish in Australia*, p. 71.

³² Margaret Kiddle, *Men of Yesterday: A Social History of the Western District of Victoria 1834-1890*. Carlton: Melbourne University Press, 1967.

³³ Ronayne, *The Irish in Australia*, p. 6.

attributes this to the lesser gentry and professionals being less enthusiastic than the landlords about the *Act of Union of Great Britain and Ireland*, the better survival rates of children of landed gentry, the loss of official appointments for Church of Ireland members after Catholic emancipation and a generally lessened position of the Church of Ireland.³⁴ O'Farrell argues that Irish migration to Australia pre-famine was championed by the Anglo-Irish 'who shared the view that it was Britain's duty and responsibility to populate the world'³⁵ and to relieve overpopulation problems in Ireland. The contrasting view was that of the Irish nationalists who saw it as 'draining the nation's life-blood',³⁶ causing misery back home and corrupting those forced abroad.

Only 8 percent of male and 11 percent of female assisted immigrants from the United Kingdom arriving in Port Phillip during the 1839-50 period came from Ulster, as Broome has established.³⁷ Ulster Protestants accounted for between 10 and 20 percent of the total number of Irish migrating to Australia.³⁸ Broome's limited discussion of the 60,000 unassisted immigrants to Port Phillip reveals the immigrants' desire and financial ability to come. McCalman and Kippen contend that self-funded immigration shaped Victoria more than any other Australian colony and built 'a solid middle class to challenge the pastoral elite for political and cultural leadership'.³⁹

Many factors assist and impede migration including regional economic conditions, employment opportunities, transport costs and availability, topography, information networks, kin, friendship, propaganda, social and cultural barriers and political controls, as Pooley and Whyte suggest.⁴⁰ The Irish made the long and more expensive journey to Australia in the expectation of improving their circumstances, as Hassam and Macintyre and Scalmer contend.⁴¹ Kith and kin were powerful influences in the migration process and forming settlements, as Davies and Schurer note, and, according to O'Farrell, personal relationships were probably the main force behind Irish emigration to Australia.⁴²

³⁴ *Ibid.*, p. 7.

³⁵ O'Farrell, *The Irish in Australia*, p. 54.

³⁶ *Ibid.*

³⁷ Richard Broome, *The Victorians: Arriving*. McMahons Point, NSW: Fairfax, Syme & Weldon, 1984, pp. 49, 51.

³⁸ Ireland, "Irish Protestant Migration", p. 264; O'Farrell, *The Irish in Australia*, p. 101.

³⁹ Janet McCalman and Rebecca Kippen. "Population and Health." In *The Cambridge History of Australia: Indigenous and Colonial Australia*, edited by Alison Bashford and Stuart Macintyre. Vol. 1, 294-314. Port Melbourne: Cambridge University Press, 2013, p. 299.

⁴⁰ Colin G. Pooley and Ian D. Whyte. "Introduction: Approaches to the Study of Migration and Social Change." In Pooley and Whyte, eds. *Migrants, Emigrants and Immigrants*, 19-41, p. 12.

⁴¹ Hassam, *Sailing to Australia*, p. 52; Stuart Macintyre and Sean Scalmer, "Colonial States and Civil Society, 1860-90." In Bashford and Macintyre, eds. *The Cambridge History of Australia*, 189-217, p. 194.

⁴² Davies, *The Isles*, p. 774; O'Farrell, *The Irish in Australia*, p. 86; Kevin Schurer, "The Role of the Family in the Process of Migration." In Pooley and Whyte, eds. *Migrants, Emigrants and Immigrants*, 106-142, p. 106.

Though some migration patterns to Australia were erratic, many Irish migrated through chain migration. This involved immigrants encouraging family, friends and neighbours back in Ireland to join them and, according to O'Farrell, offered the immigrant a sense of home in the colonial situation and aided rapid integration. He posits that Irish chain migration was possible to almost anywhere in the world because Irish families were so familiar with international dispersal.⁴³ Akenson contends that chain migration to Australia was particularly strong and Fitzpatrick attributes the regularity of the distribution of people coming from the different Irish counties to Australia from 1840 to 1900 to it.⁴⁴ Stewart's move to Australia may have been partly due to chain migration influenced by multiple people including his cousin Dr James McCrea who had first ventured to Australia as a ship's surgeon in 1849.

Some migration may appear to be individual but can be part of the collective family economic strategies where personal choice sometimes did not come into the decision, as Hall and Malcolm, Fitzpatrick and Schurer assert.⁴⁵ Whilst the multi-directional kinship channels involved in Stewart's migration can only be speculated about, the emigration of his siblings who joined him in Ballarat was certainly because of Stewart.

Other types of networks were important to the migration process and experience. Magee and Thompson contend that 'a variety of social networks oiled the wheels of imperial migration and shaped migrants' responses to the world around them'.⁴⁶ Many who were socially well-positioned, such as William John Wills (the ill-fated explorer), travelled with letters of introduction and the means to obtain money.⁴⁷ The value of kin and other support networks is also emphasised when such networks fail. Hall and Malcolm contend that the loss of support networks was a major reason why some Irish women and men succumbed to illness or resorted to crime.⁴⁸

Ronayne considers the chain migration was important to the Irish cousinage whom he describes as 'a highly influential group of Victorian Anglo-Irish, linked by blood, marriage, upbringing, religion, friendship and business partnerships'.⁴⁹ O'Farrell notes the wealth, superiority and connections of this cousinage in early Melbourne society and Forth refers to them as an extremely influential Ascendancy

⁴³ O'Farrell, *The Irish in Australia*, p. 88.

⁴⁴ Akenson, *The Irish Diaspora*, p. 97; Fitzpatrick, *Oceans of Consolation*, p. 14.

⁴⁵ Fitzpatrick, ed. *Oceans of Consolation*, p. 517; Hall and Malcolm. "Diaspora, Gender and the Irish", p. 15; Schurer, "The Role of the Family", pp. 132, 134.

⁴⁶ Gary B. Magee and Andrew S. Thompson. *Empire and Globalisation: Networks of People, Goods and Capital in the British World, c.1850-1914*. Cambridge: Cambridge University Press, 2010, p. xiv.

⁴⁷ William John Wills, *A Successful Exploration through the Interior of Australia from Melbourne to the Gulf of Carpentaria. From the Journals and Letters of William John Wills*, edited by William Wills. London: Richard Bentley, 1863. www.gutenberg.org. Also available in print form, p. 16.

⁴⁸ Hall and Malcolm. "Diaspora, Gender and the Irish", p. 19.

⁴⁹ Ronayne, *The Irish in Australia*, p. 105.

enclave.⁵⁰ Ronayne and O'Farrell both demonstrate how the processes and effects of Irish cousinage and manipulation of chain migration by colonial governments and the Catholic Church created a very different immigration process to that of the United States. Richards considers that an 'elaborate governmental and commercial apparatus'⁵¹ was necessary to encourage emigrants to travel the great distance between Ireland and Australia. The experiences of Stewart and his siblings provide an example of Ulster Presbyterian chain migration and Anglo-Irish cousinage influences through marriage and other connections.

Sailing to Port Phillip

Like many colonial doctors, Stewart made the journey to Australia employed as a ship's surgeon. He was the surgeon on the American clipper *Rip Van Winkle*, an unassisted passenger ship.⁵² Surgeons could work their way to Australia on board convict, government-assisted (the government paid a portion of the fare) or unassisted ships (passengers paid their own way). There were also emigration schemes offering finance, as Croggon and Hunt contend, 'especially after the Emigration Act 1851 (UK) provided even the poorest crofter with financial support to make the life-changing journey for just £1'.⁵³ Hassam asserts that fewer than one in ten emigrants could afford to travel in first, second or intermediate class.⁵⁴ Broome suggests that assisted emigrants generally had the intention to stay in Australia whereas many of the unassisted passengers, up to two-thirds of whom were men, 'arrived to make a killing and leave'.⁵⁵

The incomes of ships' surgeons varied. According to Haines, private surgeons earned £150 per voyage on average, while navy surgeons earned about £400 per voyage.⁵⁶ From the late-1840s those

⁵⁰ Gordon Forth, "No Petty People": The Anglo-Irish Identity in Colonial Australia." In O'Sullivan, ed. *The Irish Worldwide. Vol 2.*, 128-142, p. 132; O'Farrell, *The Irish in Australia*, p. 94.

⁵¹ Richards, "Voices of British and Irish Migrants", p. 19.

⁵² The *Rip Van Winkle* was built by James Madison Hood (shipbuilder and later the American Consul to Siam) and launched on 18 March 1851. According to Knoblock, the clipper was built for Eagle and Hazard in New York and possibly sailed in the cotton trade as part of the Eagle Line between New York and Mobile, Alabama. This voyage was to be the ship's only journey to Australia as it returned to the New York packet service after the voyage. George C. Kingston, *James Madison Hood: Lincoln's Consul to the Court of Siam*. North Carolina: McFarland & Company, Inc, 2013, pp. 44, 47; Glenn A. Knoblock, *The American Clipper Ship, 1845-1920: A Comprehensive History, with a Listing of Builders and their Ships*. North Carolina: McFarland & Company, Inc., 2014, p. 324; PROV, VPRS 7666/P0. Inward Overseas Passenger Lists, *Rip Van Winkle*, Port of Liverpool Final Report Survey.

⁵³ Jan Croggon and Joan Hunt, "The Scots at Springdallah." *Provenance, the Journal of Public Record Office Victoria* no. 13 (2014). Accessed 22 February, 2016.

<https://www.prov.vic.gov.au/publications/provenance/provenance2014/scots-at-springdallah>.

⁵⁴ Hassam, *Sailing to Australia*, p. 9.

⁵⁵ Broome, *The Victorians: Arriving*, p. 74

⁵⁶ Robin Haines, *Doctors at Sea: Emigrant Voyages to Colonial Australia*. Basingstoke, UK: Palgrave Macmillan, 2005, pp. 77, 89.

in government service accompanying emigrants to Australia were paid well compared to those accompanying emigrants to North America. In 1852, surgeon-superintendents (those on government ships) received a bounty of 10s 6d per head for each emigrant arriving in Victoria to the satisfaction of the Government as an enticement ‘to encourage attention to the health, comfort, and improvement of the Emigrants during the passage’.⁵⁷

Medicine and health care aboard convict ships impacted medical care on passenger ships, influencing the Passenger Act (UK) of 1855 and importantly influenced the development of medical standards. As Pearn contends, mortality rates were reduced ten-fold by the surgeon-superintendents on convict ships in the first three decades of transportation.⁵⁸ Surgeons on private ships were given fairly similar instructions to those on government chartered ships, as Haines asserts.⁵⁹

Improvement of emigration conditions was not an easy process. As MacDonagh contends, ‘the story of passenger legislation appears to continue in the pattern of amendment, partial failure, disaster at sea, further exposure of abuses, and renewed amendment’.⁶⁰ Haines notes that the press, publicity, officialdom and public scrutiny contributed to keeping the conduct of surgeons, emigrants and the emigrant service accountable at both ends of the voyage.⁶¹ There were also technical advances after 1850 that helped improve the voyage such as experimentation with ventilation, preserved foods and navigational instruments, as MacDonagh has established.⁶²

The ocean was more than just the means for internationalism to occur, it was the place where ‘much transnational history was lived’, as Christopher notes.⁶³ The emigrants’ time aboard ship was a time and space of transition between two worlds where they made physical, emotional and cultural adjustments, alterations, adaptations and negotiations, as numerous historians have established.⁶⁴ Charlwood describes the transition in *The Long Farewell*:

⁵⁷ Victoria. *Immigration: Return to Address - Mr. O'Shanassy, 25th November 1852*. Melbourne: John Ferres, Government Printer, 1852, p. 140.

⁵⁸ John Pearn, "Surgeon-Superintendents on Convict Ships." *Australia and New Zealand Journal of Surgery* 66, (1996): 253-256, p. 253.

⁵⁹ Haines, *Doctors at Sea*, p. 13.

⁶⁰ MacDonagh, "The Regulation of the Emigrant Traffic", p. 185.

⁶¹ Haines, *Doctors at Sea*, p. 68, 87.

⁶² MacDonagh, "The Regulation of the Emigrant Traffic", p. 188.

⁶³ Emma Christopher, "Steal a Handkerchief, See the World: The Trans-Oceanic Voyaging of Thomas Limpus." In *Connected Worlds: History in Transnational Perspective*, edited by Marilyn Lake and Ann Curthoys, 77-88. Canberra: Australian National University, 2005, p. 77.

⁶⁴ For example, Don Charlwood, *The Long Farewell: Settlers Under Sail*. Ringwood, Vic.: Allen Lane, 1981; Christopher, "Steal a Handkerchief", pp. 77, 88; Katherine Foxhall, *Health, Medicine, and the Sea: Australian Sea Voyages c.1815-1860*. Manchester and New York: Manchester University Press, 2012, pp. 1, 222; Hassam, *Sailing to Australia*, p. 3.

They had lived during the voyage in a state of limbo, out of touch with everyone but their shipmates, no longer belonging to the old world nor yet to the new. Day by day they had lived under conditions they could scarcely have imagined before their departure. When at last they had landed, they were by no means the same people who had boarded ship months before.⁶⁵

First time ships' surgeons such as Stewart also had to negotiate these changes as well as fulfilling their duty in assisting the passengers.

AUSTRALIA.

EMIGRATION FROM LIVERPOOL, FOR PORT PHILIP, DIRECT.

TO SAIL POSITIVELY ON THE 20th JULY,

 **T**HE Clipper United States frigate-built Ship, **RIP VAN WINKLE,**
A. F. SMITH, Commander ; 1,094 Tons Register, 2,000 Tons Burthen ; in Salthouse Dock.

This new, powerful, and fast-sailing ship has cabins unequalled for extent and splendour ; her second cabins are unsurpassed for space and comfortable accommodation, and her third cabins are arranged with the utmost regard to the convenience of passengers.

She will be fitted up and provisioned with every attention to secure the comfort of passengers on the voyage, under the inspection of her Majesty's Emigration Agents, and will carry an experienced surgeon.—Cabins all enclosed.—Captain SMITH has had many years successful experience in the passenger trade.

The **RIP VAN WINKLE** has been built in the most elegant and substantial manner, with all modern improvements, and with special regard to speed in sailing, being intended for the regular New York Packet service, from which she is temporarily withdrawn for this voyage only.—Apply to **JAMES M'HENRY, No. 5, Temple-place ; or to CAMPBELL and RUDD, Brokers, 2, King-street, Liverpool.**

 This Ship will carry " Philips' Patent Fire Annihilator."
June 21, 1852.

Advertisement for the *Rip Van Winkle* 1852

The Cork Examiner, 7 July 1852, p. 1.

Comfort, space, speed and the latest technology were important selling points for unassisted emigrant ships such as the *Rip Van Winkle*.⁶⁶ This included a Phillips' Patent Fire Annihilator, a carbon dioxide

⁶⁵ Charlwood, *The Long Farewell*, p. 1.

⁶⁶ *British Banner*, 7 July 1852, p.1; *Cork Examiner*, 7 July 1852, p. 1; *Sydney Morning Herald*, 30 September 1852, p. 2.

fire extinguisher which, according to Kingston, worked well in tests but not in practice.⁶⁷ There were some exaggerations in advertisements including the ‘experienced Surgeon’ on board – Stewart had received his surgical qualification just two months prior to the voyage. Not all such claims were exaggerated, however. The *Sydney Morning Herald* reported that ‘a finer ship, or one better adapted for the particular voyage, was never afloat’.⁶⁸ This was confirmed by the trade transactions book which described the ship as having superb passenger accommodation.⁶⁹ The company expected the voyage to Port Phillip to take 75 days, though it took 101 days. The conditions experienced by Stewart and his fellow passengers during the long journey were described in the *Sydney Morning Herald*:

The accommodations for passengers are of a very superior description, and are certainly not surpassed in first-class steamers. In the chief cabins, families, married couples, and two or three sisters can be accommodated separately, and at the same time have sufficient space to move about; while the saloon is fitted in a tasteful and luxuriant style, and is roomy enough to hold with comfort all the occupants of the surrounding state cabins for every purpose of social enjoyment.

The other cabins are likewise fitted up with every attention to the comfort of those who go second class, while the space for the intermediate passengers is more spacious than we have ever seen before in an emigrant vessel, being upwards of eight feet in height between the beams.⁷⁰

Emigrants were inspected at emigration depots or on board the ship by a medical officer not connected with the ship. This was to weed out those with symptoms of illness and disease in order to stop outbreaks on the long voyage to Australia.⁷¹ The medicines and instruments carried in Stewart’s medical chest were checked by John J. Lancaster M.D. of the Government Medical Inspectors’ Office.⁷² Stewart would have carried midwifery and surgical instruments including scalpels, lancets, needles, scissors, forceps, amputation saws and knives, silk for ligature and sutures, dental instruments; medicines including castor oil, quinine, sulphuric acid, chloroform and morphine; applications such as adhesive plaster, disinfecting fluid (zinc chloride) and equipment such as an enema and bleeding porringer.⁷³

⁶⁷ Kingston, *James Madison Hood*, p. 48.

⁶⁸ *Sydney Morning Herald*, 30 September 1852, p. 2.

⁶⁹ "*Transactions of British Ships in the Melbourne Trade (Biddle Index)*", Year 1852, Book 1, pp. 352-3. Geelong Heritage Centre.

⁷⁰ *Sydney Morning Herald*, 30 September 1852, p. 2.

⁷¹ *Return of Emigration Officers and Medical Inspectors*, p. 18.

⁷² As a medical inspector of emigrant ships, Lancaster was paid an annual salary of £400. PROV, Inward Overseas Passenger Lists, *Rip Van Winkle*; *Return of Emigration Officers and Medical Inspectors*, p. 33.

⁷³ *Return of Emigration Officers and Medical Inspectors*, pp. 28-30.

The *Rip Van Winkle* departed Liverpool on 2 August 1852 with Stewart its young surgeon and travelled around the Cape of Good Hope on an eastward passage as it sailed to the antipodes.⁷⁴ The ship was cleared for passage with 42 crew members on board: 5 officers, 5 cooks, carpenters and stewards, 26 able seamen, 4 ordinary seamen and 2 landsmen.⁷⁵ Under Stewart's care as surgeon were around 284 passengers (203 males, 42 females and 39 children).⁷⁶ This was nearly 50 fewer passengers than the 333 the ship was legally allowed to carry, thus overcrowding was not a problem.⁷⁷ Of these passengers, there were 129 English, 39 Scots, 55 Irish, 5 Americans and 7 passengers from other countries plus 49 cabin class passengers whose nationalities were not recorded. Males greatly outnumbered females in each nationality category except for the Scots who had closer gender parity. The largest occupation categories amongst the passengers were farmers, clerks, drapers, labourers, butchers, paper hangers and shoemakers.⁷⁸

Stewart was a very sociable young man who loved to chat and would not have been short of topics of conversation with the many passengers, particularly the farmers, over a quarter of whom (14) were from Ireland. Another passenger, Robert Elias Wallen, was possibly a classmate of Stewart's at Foyle College in Londonderry. He may have even alerted Stewart to the ship's surgeon position as Wallen had been working at an American merchant firm in Liverpool (the port from which the ship embarked) since 1848.⁷⁹ Stewart also had fellow surgeon William Billing, a 29-year-old Englishman, to discuss medical problems with and Irish medical student Patrick Smith (who was the same age as Stewart). M. Boulemier, a violinist from the Italian Opera in Paris, might have entertained Stewart

⁷⁴ *Argus*, 12 November 1852, p. 4; Kingston, *James Madison Hood*, p. 48; "Transactions of British Ships", pp. 352-3.

⁷⁵ *Empire*, 5 October 1852, p. 2; PROV, Inward Overseas Passenger Lists, *Rip Van Winkle; Return of Vessels Belonging to United Kingdom Cleared Outwards with Passengers under Inspection of Emigration Officers, June-December 1852*. HCCP, Paper 113, Volume XCVIII.315, p. 9.

⁷⁶ Different figures are given for the number of passengers in different sources. Some names are repeated, sometimes with different ages thus making it difficult to discern if it is two people of the same name or the same person listed twice. This figure is that listed in the Emigration Officer return to the House of Commons and from the PROV passenger list. Newspapers reported that the ship had 44 to 46 cabin passengers and 256 intermediate and steerage passengers. The PROV list also contains extra names including the ship's captain A.F. Smith that are not on the passenger manifest and may be crew members. Names that have been crossed out have not been included and the accuracy of ages is sometimes not reliable due unclear handwriting. *Argus*, 12 November 1852, p. 4; *Sydney Morning Herald*, 17 November 1852, p. 2; Inward Overseas Passenger Lists, *Rip Van Winkle; Return of Vessels*, p. 9.

⁷⁷ PROV, Inward Overseas Passenger Lists, *Rip Van Winkle*, Schedule A: Form of Passenger List, Names and Descriptions of Passengers.

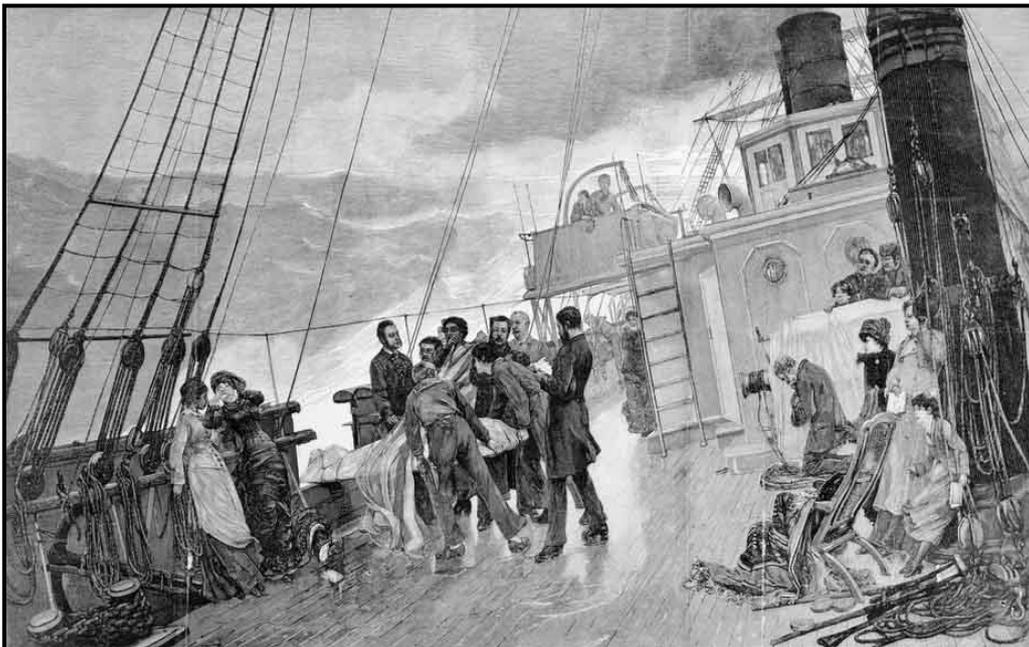
⁷⁸ Occupations listed for *Rip van Winkle* passengers are agent, baker, blacksmith, bookseller, brass founder, bricklayer, butcher, carpenter, chemist, child, clerk, clock maker, coach maker, draper, engineer, farmer, foreman, gardener, grocer, innkeeper, jeweller, labourer, laundress, manufacturer, mariner, mason/master mason, medical student, merchant, paper hanger, polisher, publican, schoolmaster, seaman, ship-hand, shoemaker, shopkeeper, stationer, student, surgeon, surveyor, tailor and wool dealer. Twenty three of the women were categorised as 'Wife'.

⁷⁹ A.R. Hall, "Wallen, Robert Elias (1831-1893)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wallen-robert-elias-4793/text7983>, published in hardcopy 1976, accessed online 18 April 2014.

and his fellow passengers as they sailed across the ocean under the starry frame. Though passengers in different travelling classes sometimes never met those in other classes, all passengers would have been familiar with their Dr Stewart.

Ships' Surgeons

Due to a dearth of data about the medical issues that Stewart dealt with on the *Rip Van Winkle*, the experiences common to most ship's surgeons on their voyages to Australia provide an example of how ship-life might have been for him. The ship's doctor had many roles on board an emigrant ship. He dealt with illness and disease outbreaks, accidents and childbirth, could perform vaccinations and small operations and sometimes post mortems. He was in charge of discipline and sanitation on board. He could also conduct religious services, including sea burials where status and class influenced the scale and attention afforded the burial.⁸⁰ Stewart had to deal with three deaths on the voyage, two of whom were infants. The doctor's other duties included controlling space on board, passenger welfare, being an immigration official and moral policeman.⁸¹ As Haines suggests, firmness, indulgence, consideration and strictness 'were qualities crucial to the outcome of the voyage'.⁸²



A burial at sea

Wood engraving published in *The Illustrated Australian News*, November 1880

State Library of Victoria

⁸⁰ According to Reid, burials could be partially secret and held in the night or completed very quickly by the ship's captains and surgeons to avoid low spirits in passengers or the spread of illness. The sea burial service came from the Church of England *Book of Common Prayer* where 'ground' was replaced with 'deep' in the line 'we commit his/her body to the deep'. Kirsty Reid, "Ocean Funerals: The Sea and Victorian Cultures of Death." *Journal for Maritime Research* 13, no. 1 (May, 2011): 37-54, p. 42.

⁸¹ Haines, *Doctors at Sea*, pp. 8, 73, 87; Hassam, *Sailing to Australia*, pp. 113, 139.

⁸² Haines, *Doctors at Sea*, p. 179.

George Hill Adams, an Irish ship's surgeon who travelled from London to Australia in 1848 and 1849, wrote to his brother that:

It is a difficult and most extremely responsible situation if done at all properly ... The medical officer has to be physician surgeon apothecary accoucheur clergyman magistrate and dispense the medical comforts etc etc - choosing constable, nurse hospital assistant matron schoolmaster (?) and keep continued surveillance over all.⁸³

Diligent ship's surgeons had a remarkable observational opportunity in the study of medicine because they could see illnesses unfolding in the controlled atmosphere of isolation and quarantine on board the ship. As Haines points out, they could provide a more accurate diagnosis based on knowledge of symptoms and illness progression than doctors on land who were only called upon as the patient's health deteriorated.⁸⁴ This would have impacted the way in which sedulous surgeons such as Stewart practised medicine and considered illnesses after they arrived in Victoria. Stewart shared this experience of shipboard medical learning with many of the doctors who were to become his colleagues in Ballarat including Doctors Wills, Hobson, Carr, Doyle, Leman, Nicholson, Allison, Heise, Creelman, Hillas, Mount, Dimock and Williams.⁸⁵ This formative experience for doctors was an important contributing factor to the development of colonial medicine.

Diet was one of many factors integral for the health and safety of passengers on a long voyage. Some English food was too rich for Scottish and Irish passengers to digest and affected their health.⁸⁶ Adequate ventilation, personal cleanliness, sewage disposal, good quality water, adequate space and exercise had to be maintained.⁸⁷ Zinc chloride solution was poured into water closets and below the

⁸³ Letter from George Hill Adams, London to [his brother] Thomas [Adams, Port Glenone, Co Antrim, Ireland], PRONI T1555/2.

⁸⁴ Haines, *Doctors at Sea*, p. 68.

⁸⁵ Ship's Surgeons:

James Stewart (*Rip Van Winkle* 1852), Timothy Doyle (*Lorena* 1853), Henry Leman (*Brilliant* 1852), Henry Mount (*Fanny* 1853).

Surgeon-Superintendents:

William Wills (*Lady Kennaway* 1853), Alfred Yates Carr (*Araminta* 1852), Richard Jones Hobson (*British Queen* 1853), George Nicholson (*Ravenscraig* 1855), Edward Allison (*Shackamaxon* 1853), John Auchterlonie Creelman (*Marchioness of Douglas* 1848), William Augustus Heise (*Arabian* 1853), Thomas Hillas (*Nepaul* 1852), David John Williams (*Templar* 1844, *Bride* 1853).

Assistant Surgeons:

Augustus Dimock (*Bourneuf* 1852).

Bowden suggests that William John Wills, the explorer and son of Dr William Wills, acted as surgeon on the *Janet Mitchell* in 1852. This does not seem to be the case as Wills's father wrote that the 19-year-old William John travelled in steerage with his brother Tom to save money. *Argus*, 1 November 1852, p. 8; *South Australian Register*, 28 January 1853, p. 1; Wills, *A Successful Exploration*, p. 25; Bowden, *Goldrush Doctors*, pp. 109, 110, 111, 112, 113, 115, 116, 119, 120.

⁸⁶ Coughlan, "The Coming of the Irish to Victoria", p. 81; Haines, *Doctors at Sea*, p. 102, 135.

⁸⁷ Haines, *Doctors at Sea*, p. 98; Pearn, "Surgeon-Superintendents on Convict Ships", p. 255; *Return of Emigration Officers and Medical Inspectors*, p. 13.

decks were swabbed with the solution as part of the sanitation regime.⁸⁸ As Haines argues, if some of these failed they were so detrimental to health that good diet was not enough to make a difference.⁸⁹ Ships that did not carry sea water distillation equipment could carry contaminated water that contributed to diarrhoea and misused or leaking water closets could cause cross-infection of water-borne diseases.⁹⁰ Passengers on the *Stag* voyaged through non-stop storms for four weeks and suffered from muddy cabin floors with beds the only dry place for the more fortunate. For *Stag* surgeon George Hill Adams, 'no language can describe the miseries'⁹¹ the passengers suffered.

Some passengers were ill before boarding the ship or picked up illnesses at the depots waiting to embark, particularly those from more remote rural areas who had not been exposed to some illnesses and had not had the chance to build up immunity. Some that were not considered contagious were emigrating in the hope of improving their health. Charlie Barton wrote to his mother that nearly all of the first cabin passengers of the *Stirlingshire* in 1884 'are going out for their health, and all that are, are weak on the chest'.⁹² Similarly, Hugh Andrews recommended that his sister Susannah travel to Australia for the benefit of the dry climate on her weak chest.⁹³ Australia was healthful for the European emigrants, provided they did not live too close to each other, as McCalman and Kippen have established.⁹⁴ Colonial promoters, literature and legislation marketing southern Australia for its healthful qualities and reports from immigrants with improved health all contributed to the creation of what Beattie refers to as 'pan-imperial landscapes of health'.⁹⁵

Seasickness could be very debilitating and some suffered from it for the entire journey. Haines suggests that many deaths of infants at sea might be attributed to the seasickness of their mothers unable to suckle their infants or delivering prematurely.⁹⁶ The month ships left in, the climate zones they travelled through and the sea route taken could all have a large impact on the health of passengers. Passengers, particularly children, became more susceptible to other infections after their health had been weakened by a first illness. Surgeons also had to deal with parental neglect of children with some parents eating their children's food or refusing them medical treatment.⁹⁷

⁸⁸ Journal of the *Anna Maria*. The National Archives, ADM 101/3/2/2; Pearn, "Surgeon-Superintendents on Convict Ships", p. 255.

⁸⁹ Haines, *Doctors at Sea*, p. 98.

⁹⁰ *Ibid.*, pp. 37-8, 92.

⁹¹ Letter from George Hill Adams to Thomas Adams.

⁹² Journal of a voyage from England to Australia starting October 1884 in the form of a letter from "Charlie" [Barton] to his mother, PRONI D718/4.

⁹³ Letter from Hugh C Andrews, Echuca, Victoria, Australia to his sister Susanna, 1888, PRONI D2608/1/A/137.

⁹⁴ McCalman and Kippen. "Population and Health", p. 309.

⁹⁵ James Beattie, "Imperial Landscapes of Health: Place, Plants, and People between India and Australia, 1800s-1900s." *Health and History* 14, no. 1 (2012): 100-120, p. 115.

⁹⁶ Haines, *Doctors at Sea*, p. 9.

⁹⁷ *Ibid.*, p. 96.

The first sight of Australian land and wildlife provided a psychological boost for passengers after months at sea. The first Australian to greet the artist Eugène von Guérard was a small grey heron followed by some moths and dragonflies the day before his ship reached the Port Phillip Heads.⁹⁸ Entry into Port Phillip Heads was described by surgeon-superintendent John Patterson on the *John Barry*:

It was a bright moon-light night, the captain and Doctor remained on deck, and the most solemn feeling pervaded the whole ship, as slowly and in silence, broken only by the monotonous voice of the sailor who sounded the depths, the good ship made her way between the dark and threatening rocks. Several times the greatest danger was apprehended, but by God's blessing on the Captains anxious care, the course was kept, which finally brought all (about 320 souls) safe to shore.⁹⁹

Patterson was from Strabane in County Tyrone and became the first Immigration Agent in Melbourne.¹⁰⁰ He may have been acquainted with Stewart and was possibly one of the many links in the chain of influence on Stewart's choice to emigrate.

After months at sea it could still be a number of days before passengers could set foot on land once they arrived in Port Phillip Bay. Von Guérard's ship had to wait two days for a pilot and then another two for better weather.¹⁰¹ At the end of the voyage surgeons had to stay on board for 14 days to minister to the sick and maintain quarantine if illnesses had broken out.¹⁰²

Stewart first set eyes on the colony of Victoria after nearly three and a half months at sea. The *Rip Van Winkle* entered Port Phillip Bay flying the American ensign and fired a royal salute three miles from Williamstown, and arrived in Melbourne on 11 November 1852.¹⁰³ It was reported that 'little or no sickness has occurred on the passage'.¹⁰⁴ There were no inquests held as the three deaths were not deemed out of the ordinary and deaths of infants were to be expected. It must have been a relief to

⁹⁸ Eugène von Guérard, *An Artist on the Goldfields: The Diary of Eugène Von Guérard*. Carlton: Melbourne University Press, 1992, p. 35

⁹⁹ 'Mr John Patterson was born near Strabane', PRONI T1280/1.

¹⁰⁰ "Garryowen". *Chronicles of Early Melbourne 1835 to 1852*. Melbourne: Fergusson and Mitchell, 1888. <http://arrow.latrobe.edu.au>. Also available in print form, p. 574.

¹⁰¹ von Guérard, *An Artist on the Goldfields*, p. 35

¹⁰² Haines, *Doctors at Sea*, p. 86.

¹⁰³ Sanitary Station (Hobson's Bay, Vic.), *Return of Diseases Most Prevalent on Board Ships Performing Quarantine during the Half-Year Ending on the 31st December 1852*. Melbourne: John Ferres, Government Printer, 1854, p. 6; "Transactions of British Ships", pp. 352-3.

¹⁰⁴ *Cornwall Chronicle*, 24 November 1852, p. 780.

Stewart to have had such a trouble-free passage with so many people under his care so early in his medical career.

The *Rip Van Winkle* was one of 91 passenger ships and 13 government emigrant ships passing through the Hobson’s Bay quarantine station for the 13 months from 1 May 1852 to 30 June 1853. The average number of days passage was 102.42 for passenger ships and 97.62 for government ships.¹⁰⁵ The average number of passengers was 212.96 for passenger ships and 486.23 for government ships and the average number of deaths during the voyage was 1.43 for passenger ships compared to 27.62 for government ships.

Ships	Number of Ships	Number of Days Passage (average)	Number of Passengers (average)	Number of Deaths (average)
Passenger Ships from Liverpool and London	91	102.42	212.96	1.43
Government Emigrant Ships from Liverpool, London and Exmouth	13	97.62	486.23	27.62
<i>Rip Van Winkle</i>		101	284	3

Table 2: Ships passing through the Hobson’s Bay quarantine station from 1 May 1852 to the 30 June 1853

Government ships during these 13 months completed the voyage on average nearly five days faster than the passenger ships. The government ships carried more than double the passenger numbers of the passenger ships. The death rate for passenger ships was 0.63 per cent of the total passengers and for government ships was 5.7 – over nine times higher. Kingston contends that the rapid passage of the *Rip Van Winkle* was essential in keeping sickness to a minimum when transporting large numbers of people over such a long distance but this is a simplistic analysis.¹⁰⁶ There were far more important factors such as preventative measures and good ventilation, as the previous discussion and the high death rates on the faster government ships reveal.

The *Rip Van Winkle* completed its voyage two days faster, carried 71 more passengers and the number of deaths was 1.5 more than the averages for passenger ships during the time period but fared much better than the government emigrant ships in terms of passenger survival rates. Five ships were ordered to quarantine anchorage in the bay and eight at the Point Nepean Sanatory Station with cases of typhus fever, measles, variola (smallpox), syphilis, scarlatina, ‘hooping-cough’ and scurvy. The

¹⁰⁵ Ibid., pp. 6, 7.

¹⁰⁶ Kingston, *James Madison Hood*, p. 48.

worst of these ships was the *Ticonderoga*. 96 of its 811 passengers died with nearly every person on board affected by ‘the worst form of typhus fever’.¹⁰⁷ This death rate rose to 198 by the end of the six-week detainment at the Point Nepean Sanatory Station. The high death rate was blamed on crowded decks and lack of proper ventilation which ‘caused debility and sickness among her passengers to such an extent that a sufficient number could not be found to keep them clean; dirt and filth of the most loathsome description accumulated, tainting the atmosphere and affecting every one who came within its influence, as with a poison’.¹⁰⁸

Surplus stores from the *Rip Van Winkle* were sold a few weeks after the ship’s arrival and provide an indication of the diet available to passengers during their voyage. This included beef, pork, sardines, bread, oatmeal, split peas, sugar, suet, rice, preserved soup, preserved fruits, tapioca, barley, flour, cocoa, mustard, pickles, celery seed and black pepper.¹⁰⁹ The ship also carried goods for those already in the colony including specie (coins), mining tools, carpenters tools, guns, an iron vice, clocks, a piano, raisins, confectionery, butter, hams, bacon, flour, cheese and 324 tons of coal.¹¹⁰ Stewart’s shipmate Wallen lost a parcel of goods after arriving in the port.¹¹¹ In it was a carpet, hearth rug, crumb cloth, and book shelves and it provides an indication of the home comforts brought by emigrants who could afford to travel in cabin class.

The time on land after arrival was, as Hassam asserts, a period of great physical and emotional upheaval where passengers moved from ‘one of the most controlled of the regulated environments in the Victorian period’¹¹² – the emigrant ship – to a new life, climate, space and world. It was the time that new arrivals had to deal with the identity shift from ‘emigrants at sea’¹¹³ to immigrants in a new land. Doctors also went through this identity negotiation and adaptation.

The Irish in the colony

The society that Stewart entered in Victoria was not completely alien to him. Martin contends that with the steady migrant population flow, immigrants to Australia found both language and institutions

¹⁰⁷ Sanitary Station, *Return of Diseases Most Prevalent*, p. 8.

¹⁰⁸ Ibid.

¹⁰⁹ *Argus*, 30 November 1852, p. 6.

¹¹⁰ *Argus*, 12 November 1852, p. 4.

¹¹¹ Wallen set up a gold-dealer and broker business with his father and brother, became involved in the Melbourne Stock Exchange and was a part-time journalist with the *Age*, *Argus* and other newspapers. *Argus*, 1 December 1852, p. 8.

¹¹² Hassam, *Sailing to Australia*, p. 139.

¹¹³ Ibid., p. 32.

that were familiar to them.¹¹⁴ This was not true for all migrant groups such as the Gaelic-speaking Irish and Scots. As MacKenzie notes, the Welsh did not have the same 'interactive experience of homeland and colonial settlement'¹¹⁵ as the Irish and Scots because of greatly differing migration levels between the groups.

Stewart was joining a society as a member of the Irish diaspora where the Irish were contributing to the formation and development of the society. As many historians stress, Irish emigration to diaspora places other than Australia, such as the United States, came later in the countries' histories where the Irish were joining an already existing culture.¹¹⁶ In Australia, the Irish were part of the society and culture from the beginning and have variously been described as a founding people and nation builders.¹¹⁷

At an imperial level, the Irish had constructed and placed themselves in what Hall refers to as 'mental maps of empire and grammars of difference'.¹¹⁸ The formation and character of the Irish in the colony was influenced by the world from which they came interlaced with the meanings in the colonial present, as MacDonagh and Proudfoot and Hall assert.¹¹⁹ Stewart began his life in Australia with the advantages and connections of his medical profession; his farming, class and Ulster background; his chains of acquaintance and his familiarity with institutions of empire.

Stewart's decision to emigrate as a ship's surgeon enhanced his medical experience and provided him with new understanding and skills for the next stage of his life. He was in control of a population, responsible for its health and wellbeing. It gave him experience and understanding of the value of leadership, crowd control, respect, human needs and improvisation in restricted conditions. On land mistakes in any of these areas could be left behind in a move to another place but on board ship the consequences were inescapable for months.

Haines contends that the extent to which mortality at sea was drastically reduced through government intrusion in passengers' lives is demonstrated by the zeal of British and Australian emigration officials.¹²⁰ This intrusion of government regulation to aid the health of people during the nineteenth

¹¹⁴ A. W. Martin, "Australia and the Hartz Fragment Thesis." In *The Whig View of Australian History and Other Essays*, 53-73. Carlton, Vic.: Melbourne University Press, 2007.

¹¹⁵ John M. MacKenzie, "Empire and National Identities: The Case of Scotland." *Transactions of the Royal Historical Society* 8, (1998): 215-231, p. 220.

¹¹⁶ Fitzpatrick, *Oceans of Consolation*, p. 19; MacDonagh, "The Irish in Victoria", p. 68; O'Farrell, *The Irish in Australia*, p. 62.

¹¹⁷ Fitzpatrick, *Oceans of Consolation*, p. 19; MacDonagh, "The Irish in Victoria", p. 68; Ronayne, *The Irish in Australia*, p. 10.

¹¹⁸ Hall, "Epilogue: Imperial Careering at Home", p. 341.

¹¹⁹ MacDonagh, "The Irish in Victoria", p. 68; Proudfoot and Hall, *Imperial Spaces*, p. 3.

¹²⁰ Haines, *Doctors at Sea*, p. 179.

century would also have provided Stewart with a powerful example of the possibilities for the ways in which government regulation could make a difference to the lives of people in urban communities. Once Stewart had discharged his duties on the *Rip Van Winkle* he travelled to the goldfields of Ballarat where he quickly set up practice in a tent hospital. The following chapter will discuss his first decade in Ballarat.

PART II: BALLARAT

CHAPTER THREE

THE BEGINNINGS OF BALLARAT AND ITS MEDICINE

Stewart arrived in Australia in November 1852 and began practising medicine on the Ballarat goldfields.¹ He arrived with the experience of a unique mixture of his Dublin life medical education, the experiences of shipboard medicine and pastoral care, the skills to innovate in a rural environment when government help was limited and possibly financial security from the continuing support of his family. This chapter examines Stewart's life and the conditions on the early goldfields, the medical needs of the Ballarat goldfields population, the medicine Stewart and his colleagues practised and his involvement as a key contributor in the development of Ballarat with a focus on its medical facilities throughout the 1850s.

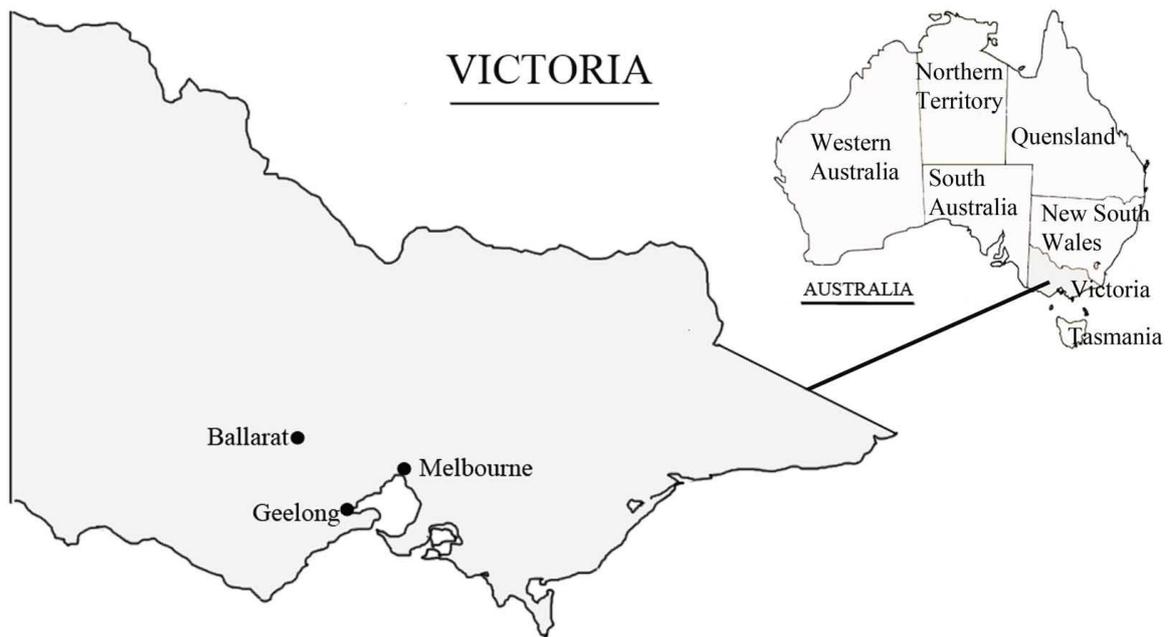
Stewart was important in the lead up to, during and after the events of Eureka in 1854 as evidenced by the important work he was asked to perform, including the life-saving operation on the rebel leader Peter Lalor. The contributions of Stewart and his medical colleagues have largely been left out of historians' discussions of Eureka, eclipsed by the role of Dr Alfred Yates Carr. Indicative of a lack of knowledge more generally about the role of doctors in early colonial Victoria and the medicine they practised, this gap in the historical record with regard to Stewart's role at Eureka will be analysed and filled in this chapter. As will become clear, the experiences of doctors at Eureka provide new and important insights into this landmark event in Australia's history.

Stewart arrived in Victoria just a year and a half after two important changes to the colony – the Port Phillip District became the Colony of Victoria and the Victorian gold rush began.² The gold rush started after the discovery of gold at Clunes, about 35 kilometres north of Ballarat. The first gold discovery at Ballarat was at Golden Point in late August 1851 which Bate, a key historian of Ballarat, asserts was 'one of the richest and most tantalizing alluvial goldfields in the history of the world'.³

¹ Ballarat was sometimes written as 'Ballaarat'. The spelling of 'Ballarat' will be used throughout this thesis except for when it is part of a quote or the name of an organization.

² The Port Phillip District was part of the colony of New South Wales prior to this. *Argus*, 12 November 1852, p. 4.

³ Bate, *Lucky City*, p. 7.



Golden Point, Ballarat 1851
drawn by D. Tulloch, engraved by Thomas Ham
State Library of Victoria

Ballarat was part of the Wathaurong indigenous cultural landscape. It was declared a site for a town on 29 July 1852.⁴ By April 1854 there were approximately 4,023 females and 12,660 males living on Ballarat according to the census but, as Serle points out, this census was very incomplete.⁵ Most of these people were living in canvas and calico tents but by mid-1854 some substantial houses and Government Camp structures had also been built.⁶ The goldfields were a melting pot of cultures including indigenous Australians, Americans, Canadians, Cornish, Chinese, English, French, Germans, Irish, Italians, New Zealanders, Scandinavians and Scottish peoples. In Melbourne and Geelong there were between ten to twenty percent more males than females but in Ballarat there were more than three times more males than females.

District	Total*	Female	Male
Ballarat	16,684	4,023 (24%)	12,660 (76%)
Goldfields	66,697	14,152 (21%)	52,542 (79%)
Geelong (including ships in Corio bay)	20,324	9,043 (44%)	11,272 (55%)
Melbourne & suburbs (excluding Brighton & Williamstown)	76,565	31,308 (41%)	45,252 (59%)

Table 3: Victorian Populations – Census April 1854

* Includes persons where gender was not specified

The transient goldfields life offered opportunity but also created social tensions. McCalman contends that those who arrived in the settler colony unknown or with damaged reputations had to build daily connections with strangers in order to survive; the more fortunate had financial and portable social capital with which to get by.⁷ Stewart was one of the latter. These colonial migrants were making

⁴ *Victoria Government Gazette*, 4 August 1852, p. 801.

⁵ Geoffrey Serle, *The Golden Age: A History of the Colony of Victoria, 1851-1861*. Parkville: Melbourne University Press, 1963, p. 389; *Victoria. Census of Victoria – 1854*. Melbourne: John Ferres, Government Printer, 1855, p. 15.

⁶ *Geelong Advertiser and Intelligencer*, 15 July 1854, p. 4; *Geelong Advertiser and Intelligencer*, 28 August 1854, p. 4.

⁷ McCalman, "To Die without Friends", p. 175.

meaning in their new country through what Proudfoot and Hall describe as ‘interactions between their national past and their colonial present’.⁸ Meaning was influenced by the ethnic ‘glues and solvents’⁹ discussed by both Nolan and O’Farrell where colonial processes affected ethnic groups thus creating flexible identities. Migrants came in search of a better life, following the rushes and moving their canvas homes to wherever gold could be found. Some stayed and began to settle. The 24-year-old Stewart was one of those who stayed and helped to create the foundations of the city.

By 1855 the nature of gold mining on Ballarat was changing. With the easily-won alluvial gold now exhausted, mining involved deep sinking. It was more expensive and companies had to be formed. It required steam machinery to bail water out from shafts, puddling and quartz crushing machines and gunpowder to blast volcanic rock. Bate contends that deep sinking’s most important effect was the permanence it brought to Ballarat.¹⁰

Ballarat was by no means isolated from the rest of the colony with its transient mining population and various forms of communication and travel. It was well supplied with newspapers which, as Lambert and Lester note, were part of the formal and informal networks that kept individuals connected.¹¹ The volatile *Ballarat Times* began publishing in March 1854. It was described by Morrison as ‘the virtual mouthpiece of the Reform League’¹² and by Serle as belligerent.¹³ The later *Star*, first published on 22 September 1855, was conservative by the late 1860s.¹⁴ The Melbourne *Argus* and *Age* and *Geelong Advertiser* were also available on the goldfields. By 1855 Ballarat had the electric telegraph which could transmit messages to Geelong in less than a minute and people could travel the six-hour trip between the George Hotel in Ballarat and Mack’s Hotel in Geelong on the Estafette Daily Line of Coaches for £2.¹⁵

Local self-government came to the township when it was declared a municipality in December 1855.¹⁶ By the following December Ballarat had two flour mills, a District Road Board, Agricultural Society, foundry, soapworks, breweries, brick and tile makers, a tannery, bookbinders and much more. The *Star* considered this proof that it was ‘fast emerging from that semi-barbarous state which

⁸ Proudfoot and Hall, *Imperial Spaces*, p. 66.

⁹ Melanie Nolan, *Kin: A Collective Biography of a Working-Class New Zealand Family*. Christchurch: Canterbury University Press, 2005, p. 29.

¹⁰ Bate, *Lucky City*, p. 41.

¹¹ David Lambert and Alan Lester "Introduction: Imperial Spaces, Imperial Subjects." In Lambert and Lester, eds. *Colonial Lives*, 1-31, p. 28.

¹² Morrison, *Engines of Influence*, p. 95.

¹³ Serle, *The Golden Age*, p. 165.

¹⁴ Bate, *Lucky City*, p. 141; Morrison, *Engines of Influence*, p. 235.

¹⁵ *Argus*, 5 September 1855, p. 5; *Argus*, 31 December 1855, p. 7; *Bendigo Advertiser*, 26 January 1856, p. 2.

¹⁶ *Victoria Government Gazette*, 18 December 1855, p. 3275.

has been but too long considered to be inseparable from gold seeking'.¹⁷ This reflects Goodman's finding that gold rush contemporaries all agreed that gold was a disruption to the normal way of life, which had both assisting and corrosive effects on their civilization.¹⁸

Goldfields Medicine

By early April 1853 the brown-haired and bushy-bearded Stewart had set up a medical practice at Commissioner's Flat as one of the earliest resident medical practitioners in Ballarat.¹⁹ He was listed as a legally qualified medical practitioner in the Government Gazette in January 1854. Doctors had to submit qualification testimonials to the colonial Medical Board to be considered legally qualified.²⁰ Some doctors procured business through advertisements in the Ballarat newspapers. Stewart was one of seven doctors advertising in the *Ballarat Times* business directory in October 1854.²¹

Stewart practised in Ballarat as a surgeon and accoucheur (male midwife or physician specialising in obstetrics). A number of qualified surgeons in early Ballarat were also accoucheurs including Alfred Sickler, William Augustus Heise, Henry Mount, Augustus Dimock, Augustus Roseman, Henry Leman, Richard Bunce and George Nicholson.²² There was plenty of work for these accoucheurs: for the three months to 30 September 1856 there were 420 births in Ballarat.²³ Birth rates rose after the early rush years as more women came to Victoria and the gender ratio became more balanced.

Martyr contends that midwifery during the nineteenth century was mostly in the hands of the untrained and unqualified, that women gave birth mostly at home and were attended by midwives rather than doctors.²⁴ Women had home births in the early years of Ballarat as there was no lying-in (maternity) ward in Ballarat until 1868 but they did have access to doctors qualified in midwifery

¹⁷ *Star*, 6 December 1856, p. 2.

¹⁸ Goodman, *Gold Seeking*, pp. xiv, xxi.

¹⁹ Stewart and Sutherland's tender to treat gaol prisoners in Bowden, *Goldrush Doctors*, p. 80; *Argus*, 11 April 1853, p. 12.

²⁰ This was after the Act to Extend the Provisions of the Acts Relating to Legally Qualified Medical Practitioners, 1854.

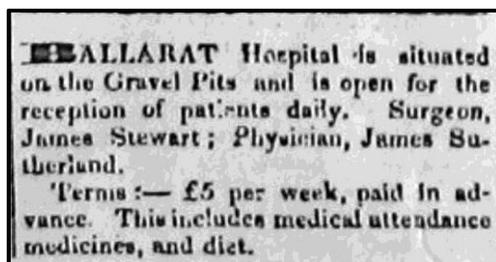
²¹ The seven doctors were Dr Campbell at College Hill, Dr Clendinning at his Red Hill hospital, Doctors Hobson and Warner between Gravel Pits and Red Hill and at Eureka, A. Sickler M.D. near the Baths, Mr James Stewart 'Surgeon etc.' at his Ballarat Hospital, Bakery Hill, Gravel Pits and Mr Wills surgeon and oculist near Bath's Hotel. *Ballarat Times*, 28 October 1854.

²² Accoucheurs practising later in the 1850s included Walter Lindesay Richardson (father of author Henry Handel Richardson), George Wakefield, Dr O'Sullivan, Florian Kupferberg and Henry Crossen. *Star*, 22 July 1856, p. 1; *Star*, 11 October 1856, p. 2; *Star*, 4 December 1856, p. 1; *Star*, 31 January 1857, p. 1; *Star*, 25 December 1857, p. 1; *Star*, 17 February 1858, p. 1, p. 3; *Star*, 27 May 1858, p. 3; *Star*, 22 January 1859, p. 3; *Star*, 28 July 1859, p. 3; Bowden, *Goldrush Doctors*, pp. 90, 110.

²³ *Star*, 11 October 1856, p. 2.

²⁴ Philippa Martyr, *Paradise of Quacks: An Alternative History of Medicine in Australia*. Paddington, NSW: Macleay Press, 2002, p. 81.

from the town's earliest days, contrary to Wright's claim that there were no midwifery services.²⁵ Lack of support networks for some of the population might have created extra need for the accoucheurs in Victoria that did not exist in the home countries. For example, the young population did not have the traditional support of grandmothers and other female relatives, as McCalman, Morley and Mishra assert.²⁶ The accoucheurs often provided ongoing care for mother and child.



An early Advertisement for Dr Stewart's Ballarat Hospital
Ballarat Times, Buninyong and Creswick Advertiser, 1 January 1855

Stewart co-owned the first 'Ballarat Hospital' with Scottish physician James Sutherland. Their 12-bed tent hospital was at Bakery Hill on the Gravel Pits, about three-quarters of a mile from the Government Camp.²⁷ It was situated at the corner of Humffray and Wills (now Mair) Streets.²⁸ An obituary for Stewart claims the hospital started on the grounds of St Paul's Parsonage before a slab building was constructed at Bakery Hill.²⁹ Medical care in Stewart's hospital was £5 a week for medical attendance, medicines and food.³⁰ This provided the doctors with an excellent income of up to £60 a week on top of their other fees.³¹ Similarly, Doctors George Clendinning and Alfred Yates Carr charged £5 a week at their Red Hill private hospital in 1854.³² Some operations attracted higher charges plus seven guineas if a special attendant was required.

²⁵ This Lying-In ward was at the Ballarat Benevolent Asylum. Clare Wright, *The Forgotten Rebels of Eureka*. Melbourne: Text Publishing, 2013, p. 162.

²⁶ McCalman, Morley and Mishra. "A Health Transition", p. 1081.

²⁷ *Ballarat Times, Buninyong and Creswick Advertiser*, 1 January 1855; *Geelong Advertiser and Intelligencer*, 24 February 1855, p. 2.

²⁸ Part of Mair Street was renamed Wills Street in December 1861 after the death of explorers Burke and Wills. The section of the street was eventually returned to its original name of Mair Street. *Star*, 4 December 1861, p. 2; *Ballarat Star*, 11 July 1870, p. 2.

²⁹ The obituary contains many incorrect details and no other evidence from prior to Stewart's death has been found to support this claim. *Ballarat Courier*, 14 June 1906, p. 6.

³⁰ *Ballarat Times, Buninyong and Creswick Advertiser*, 1 January 1855; Bowden, *Goldrush Doctors*, p. 22.

³¹ Miners' incomes and the cost of living varied over the first two decades in Ballarat and some were losing money rather than making anything. Serle's estimate that about half the miners regularly worked for wages a week of between £2 10s and £3 10s on well-established goldfields in the 1860s provides a comparative indication. Serle, *The Golden Age*, p. 228.

³² Victoria. Legislative Council. Select Committee on the Lunatic Asylum. *Progress Report from the Select Committee upon the Lunatic Asylum*. Melbourne: John Ferres, Government Printer, 1861, p. v.

Sutherland was 10 years older than Stewart and might have taken the young surgeon under his wing but this appears not to be the case – Stewart was more dominant, had a great deal of professional respect and very quickly moved into leading public roles.³³ Sutherland was known for his knowledge of the classics and scholarship but was an alcoholic and financially careless.³⁴ He did not claim fees or keep proper patient visit records and this is most likely the reason Stewart ended their partnership. Stewart moved his bustling practice to the township in 1855.³⁵ Although practising on surgical qualifications, Stewart practised as both surgeon and physician, as did many doctors in the colony until the 1860s when a medical act restricted doctors to their qualified areas. This will be discussed further in Chapter 5. Stewart was well established in Ballarat by the turbulent final months of 1854 that culminated with the Eureka Stockade on 3 December.

Eureka

The miners on the goldfields of Ballarat in 1854 were subjected to licence hunts, mistreatment and corruption in the Government Camp and this has been extensively covered in the rich historiography of Eureka. Birrell asserts that the miners considered these hunts to be ‘an affront to the dignity of decent hard-working men’.³⁶ The situation was exacerbated by increased licence inspections from 13 September 1854 and peace could have been achieved had the licence tax been abolished, as Bate has established.³⁷ The inspections on this date are, according to Walshe, the reason why the Stockade happened at Ballarat and not on another goldfield.³⁸ Blainey asserts that Ballarat’s stable population could sustain indignation longer than other more transitory goldfields but they also had more injustices to remember.³⁹ The public and democratic nature of diggers’ discussions form an important part of understanding Eureka, as Walshe and Goodman point out.⁴⁰ In a larger context, it was part of a ‘surge in democratic politics’ in Victoria where, according to Curthoys and Mitchell, ‘an educated

³³ Sutherland was born in 1819 in Keith, Banffshire in Scotland. His qualifications were Ch.M., M.D. and L.R.C.S. Edin (Master of Surgery, Doctor of Medicine and Licence of Royal College of Surgeons Edinburgh). He died in penury aged 51 on 8 July 1870. Bowden, *Goldrush Doctors*, p. 118; Gravestone of James Sutherland, Old Cemetery Ballarat.

³⁴ *Ballarat Star*, 11 July 1870, p. 2; Bowden, *Goldrush Doctors*, p. 23.

³⁵ *Geelong Advertiser and Intelligencer*, 25 September 1855, p. 3.

³⁶ Ralph Birrell, "Eureka and the Redefinition of Company Mining in Australia." In *Eureka: Reappraising an Australian Legend*, edited by Alan Mayne, 175-200. Perth, W.A.: Network Books, 2006, p. 175.

³⁷ Weston Bate, "Eureka: Still Contested." In Mayne, ed., *Eureka: Reappraising an Australian Legend*, 11-16, p. 13.

³⁸ Bob Walshe, "Eureka is so Significant." In Mayne, ed., *Eureka: Reappraising an Australian Legend*, 17-41, p. 18.

³⁹ Geoffrey Blainey, *The Rush that Never Ended: A History of Australian Mining*. Parkville: Melbourne University Press, 1963, p.52.

⁴⁰ Walshe, "Eureka is so Significant", p. 20; David Goodman, "Eureka and Democracy." In Mayne, ed., *Eureka: Reappraising an Australian Legend*, 107-122, p. 109.

middle class and an environment that fostered literacy, education and political liberalism and radicalism⁴¹ quickly developed after the discovery of gold.

Tensions increased after the murder of James Scobie in October 1854 and the mishandling of the case by corrupt officials. Molony argues that, in the already tense atmosphere, Scobie's death was the small spark that caused a conflagration: the Eureka affair's 'beginning was in the form of death'.⁴² This was the point where the issue moved from an economic one, common to other goldfields, to a rights one, as Walshe maintains.⁴³ Stewart and his medical colleagues were practising their medicine amongst this disharmony, anger and mistrust.

Stewart's Post Mortem of James Scobie

The circumstances of James Scobie's murder are well known. Scobie and Peter Martin were set upon on the night of 6 October 1854 after being refused entry to the Eureka Hotel.⁴⁴ Scobie died and his body was taken to the hotel soon after. A post mortem was performed by Dr A.Y. Carr at the behest of Dr David John Williams (the coroner and Camp surgeon).⁴⁵ Carr believed the cause of death was from the rupture of vessels in the brain from a blow, most likely from a kick and not from a spade that was held in evidence.⁴⁶ James and Catherine Bentley (owners of the Eureka Hotel), John Farrell and William Hance were accused of Scobie's murder.

Williams held a coroner's inquest on the day of the alleged murder which many considered was mishandled when Bentley and the other accused were discharged by the bench of magistrates.⁴⁷

⁴¹ Ann Curthoys and Jessie Mitchell. "The Advent of Self-Government." In Bashford and Macintyre, eds. *The Cambridge History of Australia*, 149-169, p. 161.

⁴² John Molony, *Eureka*. Ringwood, Vic.: Penguin Books Australia Ltd, 1989, p. 49.

⁴³ Walshe, "Eureka is so Significant", p. 19.

⁴⁴ Petition from Ballarat miners at Eureka sent to Governor Hotham regarding James Scobie's murder investigation Registered with Governor's Office Petitions and letters, Unit 1. October 1854 Letters, No.81. VPRS 5527/P0, Unit 1; Statement of Michael Welsh, includes covering letter from Police Magistrate to the Crown Prosecutor Case No. 10 November Supreme Court of Criminal Sessions, Melbourne Queen V James Francis Bentley, Catherine Bentley, William Henry Stance, John Farrell. VPRS 5527/P Unit 1, Item 2; Peter Martin's deposition. VPRS 5527/P0, Unit 1, Item 1.

⁴⁵ The 33-year-old Carr was a surgeon from Staffordshire, England. Williams had been coroner for less than three months at the time of the Scobie case. He was preceded by Dr William Augustus Heise and replaced by Dr Henry Mount on 11 May 1855. Mount soon resigned and was replaced by Dr George Clendinning on 28 July 1855. Clendinning remained coroner for the district for many years. *Victoria Government Gazette*, 11 August 1854, p. 1775; *Victoria Government Gazette*, 15 May 1855, p. 1181; *Victoria Government Gazette*, 31 July 1855, p. 1769.

⁴⁶ Dr Carr's deposition, VPRS 5527/P0, Unit 1, Item 1; *Bell's Life in Sydney and Sporting Reviewer*, 2 December 1854, p. 1.

⁴⁷ A petition requesting an investigation into the coroner and the magistrates' conduct was sent to Lieutenant Governor Charles Hotham, the Lieutenant Governor of the Colony of Victoria, on 23 October 1854. *Petition from Ballarat Miners at Eureka Sent to Governor Hotham Regarding James Scobies' Murder Investigation*, Eureka Stockade - Historical Collection VPRS 5527 P0 Unit 1; Petition to His Excellency Sir Charles Hotham K.C.B, Lieutenant Governor of the Colony of Victoria, VPRS 5527/P0, Unit 1; *Argus*, 8 December 1854, p. 4.

Several of the inquest jurors suggested that Williams had tried to smother the case which they believed should have gone to trial.⁴⁸ According to Molony, John D'Ewes, one of the magistrates, was in financial partnership with Bentley who had no constraints on the running of the Eureka Hotel.⁴⁹ The decision and the conduct of the coroner and magistrates had destroyed the public's confidence in them.

George Scobie believed that his brother, James, had been murdered and asked Stewart to perform an independent post mortem on Scobie's body.⁵⁰ This demonstrates that Stewart had gained the trust of the miners. A wrong move from the young surgeon, aged just 24, could have further inflamed the fragile and intense situation. Stewart behaved professionally and honourably. He found contusions on James Scobie's lips, right eye and eyebrow, forehead near the temple bone and bruises on his face. His skull was not fractured but there was considerable bleeding on the outside of the brain and 'considerable congestion of the membranes of the brain but not sufficient to cause death'.⁵¹ Stewart believed that the primary cause of death was from 'apoplexy drawn on by a blow'⁵² due to clotted blood in the anterior lateral ventricle in the brain. He scraped hair and skin from the spade which bore a slight comparison to the wound, but would not swear that the blow which caused Scobie's death had come from the spade, reasoning that it must have been used lightly since a spade could cause much greater damage. The blow was most likely from a fist but he would not swear to this because there was no cut or gash. Reading between the lines, Stewart's deposition made it clear that Scobie had been injured with the spade but it was probably a punch that killed him. His deposition formed part of the prosecution brief in the later murder trial.

A meeting of people dissatisfied with the coroner and magistrates' conduct was held near the Eureka Hotel on 17 October 1854.⁵³ According to Carboni, they pledged 'to use every lawful means to have the case brought before other, and more competent authorities'.⁵⁴ These men were trying to stay within the law even though those who were supposed to uphold the law were working outside it. The

⁴⁸ *Ballarat Times*, 14 October 1854.

⁴⁹ Molony, *Eureka*, p. 50.

⁵⁰ The deposition of Captain Evans reported in the *Ballarat Times* named a 'Dr A. Stewart' as giving evidence at the inquest after being called to perform the post mortem. As no second doctor is named it is likely that Evans (or the reporter) had Stewart confused with Dr A. Carr. *Ballarat Times*, 14 October 1854; Brief for the Prosecution relating to the case Queen v James Francis Bentley, Catherine Bentley, William Henry Stance & John Farrell.

⁵¹ Brief for the Prosecution relating to the case Queen v James Francis Bentley, Catherine Bentley, William Henry Stance & John Farrell.

⁵² *Ibid.*

⁵³ Victoria, Parliament Legislative Assembly. *Report from the Select Committee upon Ballaarat Riots - Bentley's Hotel: Together with the Proceedings of Committee and Minutes of Evidence*. Melbourne: John Ferres, Government Printer, 1858, p. 12.

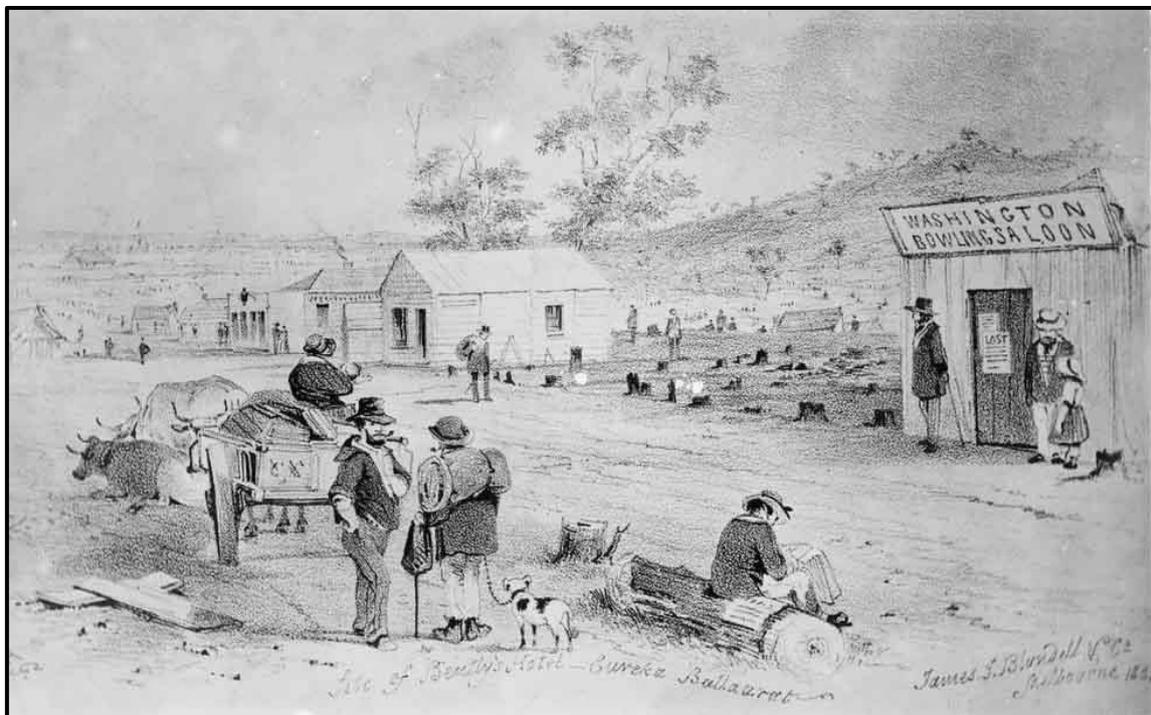
⁵⁴ Carboni, *The Eureka Stockade*, p. 21.



Charles Doudiet, Eureka Riot 17th October, 1854

watercolour on paper

Art Gallery of Ballarat, Purchased by the Ballarat Fine Art Gallery with the assistance of many donors, 1996



'Site of Bently's Hotel – Eureka Ballaarat'

S.T. Gill, engraved by J. Tingle

State Library of Victoria

mood at the meeting changed when the crowd began hooting, throwing stones and calling for D'Ewes or Bentley.⁵⁵ Stones and other missiles were thrown at the wall of the Eureka Hotel, and some windows were broken; so began the burning of Bentley's Eureka Hotel that became known as the Ballarat Riot.

Stewart was one of four doctors examined as witnesses after the disturbances.⁵⁶ He gave evidence on 4 November 1854 about the corruption of Police Magistrate John D'Ewes and stated:

I am a medical practitioner on the Ballarat diggings. About six months ago a person named Burchell, who has now left the diggings, brought me two promissory notes, which he requested me to cash. One of the notes was drawn in favor of Mr. Dewes, by Mr. Marshall, who was then building an hotel of which he is now landlord. The other was drawn, I believe, by Mr. Underwood, a wine and spirit merchant on the township. On learning that the notes were drawn in favor of a person on the camp, I refused to have anything to do with them. Burchell then told me that he would allow a large discount if I would cash the notes, and that I was certain of their being paid, as they were compensation money, by which I understood that the money was for some favors bestowed by Mr. Dewes on those gentlemen. Some time after this Mr. Burchell came to me again, asking me to advance about three hundred pounds to enable Mr. Phillips to pay for some land, and that Mr. Dewes would give his I O U for the money. I declined to do so.⁵⁷

Stewart did not want any involvement with any questionable dealings, particularly with D'Ewes or Burchell. The latter was an unscrupulous Irishman who fled the colony in October 1854 with the proceeds of a bank robbery.⁵⁸ Stewart stressed that, in his opinion, it was the magistrates' dismissal of the Scobie murder case that had caused the riot:

I think the general impression was, that the evidence was sufficient to commit Bentley. The decision arrived at by the dismissal of the case was, I believe, the sole origin of the outbreak.⁵⁹

⁵⁵ Witness statements of Maurice Frederick Ximenes and Gordon Evans in *Report from the Select Committee upon Ballarat Riots*, pp. 9, 11.

⁵⁶ The other three doctors examined were Alfred Yates Carr, Richard Jones Hobson and Emil Henri Levison. *Riot at Ballarat*.

⁵⁷ Stewart's deposition in *Ibid.*, p. 4.

⁵⁸ Burchell (or Burtchell) had left Ballarat on the day Bentley's Eureka Hotel was burnt and soon after returned to Ireland with about £10,000 he had stolen from the Ballarat Branch of the Bank of New South Wales. This robbery and another that took place at the Bank of Victoria on the day before the razing of Bentley's hotel added to the tensions in Ballarat. *Age*, 28 March 1856, p. 3; *South Australian Register*, 12 February 1855, p. 3; *Sydney Morning Herald*, 25 December 1854, p. 4; *Sydney Morning Herald*, 30 December 1854, p. 10; John Dunmore Lang, *The Convicts' Bank; Or A Plain Statement of the Case of Alleged Embezzlement*. Melbourne: Robert Barr, 1855. <http://www.slv.vic.gov.au>. Also available in print form.

⁵⁹ Stewart's deposition in *Riot at Ballarat*, p. 4.

Stewart took a risk in speaking out against D'Ewes and his associates, especially at a time when the Government Camp was considered a 'perfect hotbed of corruption',⁶⁰ demonstrated by Bentley and his companions avoiding trial. Stewart's words would have been greatly appreciated by those whose voices had either not been heard, or had not carried as much weight as his. The enquiry found that D'Ewes had subjected 'himself to influences unbecoming his position as police magistrate and a public officer'⁶¹ thanks, in part, to Stewart's evidence.

The Bentleys, Farrell and Hance appeared in the Supreme Court in Melbourne on 18 November charged with murdering Scobie and the three men were found guilty.⁶² The Attorney-General called Stewart at the trial but he was not questioned by the Crown or the defence. Whilst Stewart gave no evidence at the court case his private discussions with George Scobie and his friends may have helped to dampen the disquiet.

Freckelton and Ranson assert that the Scobie case was 'something of an unhappy coronial landmark' which 'highlighted corruption and poor practice at inquests'.⁶³ The importance of juries in the Eureka story is stressed by Goodman who asserts that it was the later Eureka trials in Melbourne where 'one of the cornerstones of British liberty', namely 'trial by jury displayed its democratic potential'.⁶⁴ For Stewart, the significance of the incident and subsequent trial was that it showed him to be an honourable and trustworthy man of some authority. Whilst it increased his status among the miners, Stewart also managed to maintain his status among those in charge at the Camp.

In late October the *Geelong Advertiser* correspondent at Ballarat felt that it was peaceful after the riot but:

this tranquillity ... does not, I am afraid, bode much good; it bespeaks rather firm resolve, on the part of the populace, to have what they term justice done them ... but unless the Government act with great discretion as well as firmness, the breach will be widened that now separates the people of Ballaarat from them.⁶⁵

A monster meeting was called for 29 November at Bakery Hill by the newly-formed Ballarat Reform League.⁶⁶ Many diggers burned their licences and aired their grievances at the meeting. Digger John

⁶⁰ *Argus*, 23 October 1854, p. 5.

⁶¹ Report of the Board of Enquiry in *Riot at Ballaarat.*, p. xi.

⁶² *Bell's Life in Sydney and Sporting Reviewer*, 2 December 1854, p. 1.

⁶³ Ian Freckelton and David Ranson. *Death Investigation and the Coroner's Inquest*. South Melbourne: Oxford University Press, 2006, p. 41.

⁶⁴ Goodman, "Eureka and Democracy", p. 119.

⁶⁵ *Argus*, 23 October 1854, p. 5.

⁶⁶ Molony, *Eureka*, p. 99.

Stewart (no relation to James) noted that the unhappy miners did not want to fight but could not continue living with the mistreatment.⁶⁷ Stewart's nephew, Harry Fynmore, suggested that Stewart was a referee chosen by the miners at the meeting.⁶⁸ While this is possible because of Stewart's nature and his relationship with the miners, it is unlikely because he has not been mentioned in the many accounts of the Bakery Hill meeting.

The Eureka Stockade

After another mass meeting on 30 November, the physical-force diggers marched from Bakery Hill to build a defensive stockade on the Eureka Lead. Bate asserts that the Stockade was created through resistance and not rebellion and this is supported by the evidence discussed above: the miners could take no more injustices.⁶⁹ At five minutes past four on the morning of 3 December 1854 troops and police marched to the Stockade and fired upon those inside.⁷⁰ The battle continued for 10 to 20 minutes.⁷¹ John Lynch, a stockader, felt that once it became clear that resistance was futile the stockaders should have been offered an unconditional surrender which would have 'spared many bitter memories. But the spirit of revenge was uppermost, and revelled in a fierce saturnalia of carnage. More than half the loss of life took place after resistance had ceased.'⁷² The *Geelong Advertiser* correspondent, whom Carboni assumed was a fellow digger, reported that 'all I spoke to, were of one opinion, that it was a cowardly massacre'.⁷³

This is quite different from the picture drawn by Sir Charles Hotham in despatches. He maintained that he proclaimed martial law in the district to 'suppress the insurrection' where 'misguided men, assembled in armed bodies, under military leaders, have intimidated and plundered the well-affected, set the law at defiance, and fired on and killed some of Her Majesty's forces'.⁷⁴ Captain Pasley, in an attempt at self-justification, likewise argued that the affair was grossly misrepresented in the

⁶⁷ John Stewart was a member of the Moral Force Party at Eureka. He witnessed the burning of Bentley's Hotel but had left the Stockade the night before the attack because he felt that things were getting too heated there. John Stewart, 'On Eureka', BDHC 122/1/29; Justin Corfield, Dorothy Wickham and Clare Gervasoni. *The Eureka Encyclopedia*. Ballarat: Ballarat Heritage Services, 2004, p. 487.

⁶⁸ *Goulburn Evening Penny Post*, 4 August 1906, p. 4.

⁶⁹ Bate, "Eureka: Still Contested", p. 16.

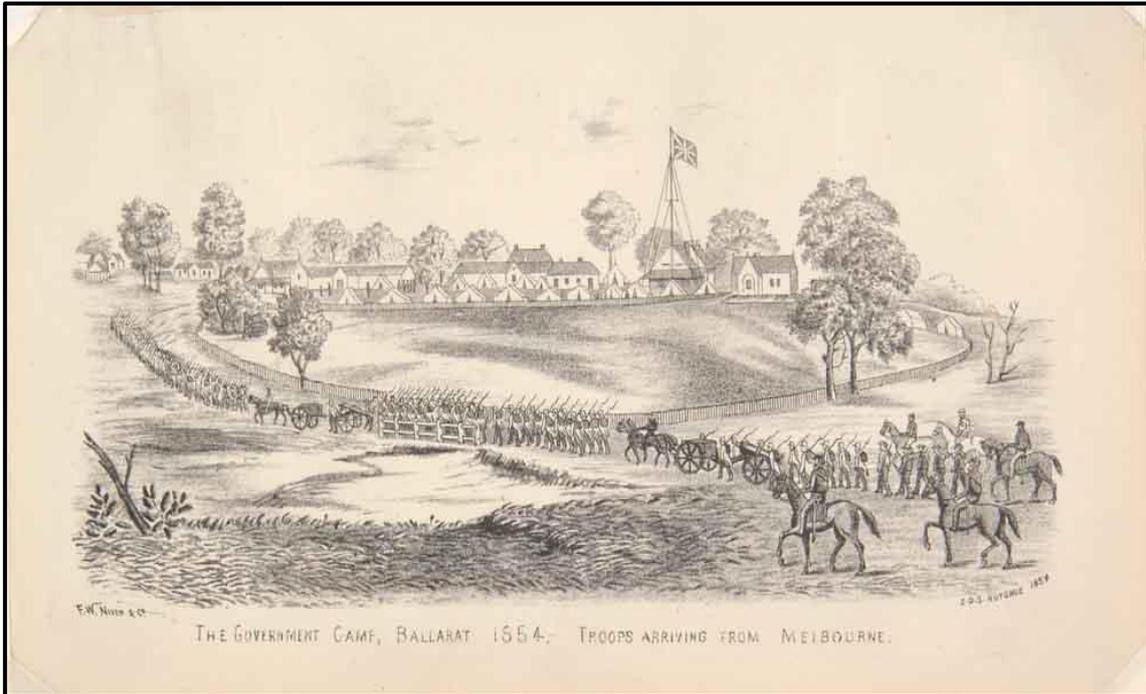
⁷⁰ *State Trials. Queen v. Hayes, Queen v. Joseph*, p. 134.

⁷¹ *Argus*, 5 December 1854, p. 4; Letter from Captain J.W. Thomas in *Disturbances at Ballaarat*. Melbourne: John Ferres, Government Printer, 1854, p. 2.

⁷² John Lynch, "The Story of the Eureka Stockade: VI - the Fight." In *Austral Light. A Catholic Magazine*. Vol. III, 100-105. Melbourne: The Catholic Publishing Company LTD., 1894, Ballarat Diocesan Historical Commission (hereafter BDHC), p. 103.

⁷³ Carboni, *The Eureka Stockade*, p.76; *Geelong Advertiser and Intelligencer*, 6 December 1854, p. 4.

⁷⁴ Colonial Secretary Despatches Message No. 30, 5 December 1854 copied in *Argus*, 18 December 1854, p. 6.



The Government Camp, Ballarat 1854. Troops arriving from Melbourne
 Lithograph by S.D.S. Huyghue, 1870
Art Gallery of Ballarat



'Eureka In the Neighbourhood of Insurgents' Stockade'
 Lithograph by S.T. Gill, 1855
State Library of Victoria

newspapers. Pasley further claimed that the 'troops and police behaved remarkably well'.⁷⁵ Stewart's opinion of the event is not reported but his egalitarian and democratic beliefs and his actions suggest that his heart was with the miners. His superior status in Ballarat might naturally align him with the officials and soldiers at the Camp but he continued to successfully negotiate the rather tricky path of keeping a foot in both camps. He was friends with the miners and trusted by them and perhaps his status in the Camp allowed him the space to attend the injured while the Camp officials' attention was focused on others.

The numbers of those involved in the event vary between sources: 276 to 300 troops attacked up to 150 diggers within the Stockade; four to six soldiers were killed, 13 soldiers were injured, 20 to 40 diggers were killed, 50 to 60 diggers were wounded and 125 were taken prisoner.⁷⁶ It is difficult to estimate the number of people who lost their lives as a consequence of the Stockade for, as Withers notes, 'some lingered long, and died of wounds received there'.⁷⁷ According to Carboni, when the 'bloody work' of the redcoats was over the dead and wounded were put in carts 'and all red-things hastened to Ballaarat'.⁷⁸

The military and police attack on the Eureka Stockade led to the death of both miners and soldiers. Injuries were inflicted with guns, bayonets, swords, sabres, knives, pikes; some of the wounded were trampled by horses and some were burnt to death when troopers deliberately set fire to tents. Many would have been affected by exhaustion because few people slept well in the days and nights leading up to the attack as the weather was hot, dusty and windy.⁷⁹ This harsh weather and exhaustion would have impeded the recovery of the severely wounded. Serle contends that 'the mass of Ballarat diggers were cowed and resentful that Sunday'.⁸⁰ Bate, by contrast, argues that they were angry rather than

⁷⁵ Captain Pasley to Colonial Secretary, reporting on the proceedings which took place at Ballaarat, 4 December 1854 in *Ibid.*

⁷⁶ *Age*, 9 April 1855, p. 7; Broome, *The Victorians: Arriving*, p. 92; Carboni, *The Eureka Stockade*, pp. 71, 73; Manning Clark, *History of Australia Abridged by Michael Cathcart*. Carlton: Melbourne University Press, 1995, p. 263; Diary of Charles Evans, 24 September 1853 – 21 January 1855, SLV, p. 126; *Disturbances at Ballaarat*, p. 3; Goodman, "Eureka and Democracy", p. 178; David Goodman, "The Gold Rushes of the 1850s." In Bashford and Macintyre, eds, *The Cambridge History of Australia*, 170-188, p. 178; Hyslop, *Sovereign Remedies*, p. 12; Joseph Jewkes, *Reminiscences of Ballarat, Victoria, its Goldfields and the Eureka Stockade, 1854-1900*, p. 23; Andrew Leigh and T.W. Gibbings. "'A Victory Won by a Lost Battle': What Eureka Means to Australians Today." In *Eureka: Australia's Greatest Story*, edited by David Headon and John Uhr, 11-26. Annandale, NSW: The Federation Press, 2015, p. 12; Letter to the Deputy Adjunct General, 3 December 1854 in Robert Rede papers, SLNSW; Alan Mayne, "Introduction." In Mayne, ed., *Eureka: Reappraising an Australian Legend*, 1-7, p. 2; Walshe, "Eureka is so Significant", p. 29; Dorothy Wickham, *Deaths at Eureka*. Ballarat: D. Wickham, 1996, pp. 24, 27, 54.

⁷⁷ Withers, *The History of Ballarat*, p. 126.

⁷⁸ Carboni, *The Eureka Stockade*, p. 73.

⁷⁹ In Ballarat on the morning of 30 November 'the dust [was] ... flying in all directions, under the influence of a strong hot wind'. *Geelong Advertiser and Intelligencer*, 1 December 1854, p. 4; Bate, *Lucky City*, p. 69; Diary of Charles Evans, pp. 121, 122; Serle, *The Golden Age*, p. 166.

⁸⁰ Serle, *The Golden Age*, p. 168.



Eureka Stockade riot, Ballarat, 1854
Watercolour drawing by John Black Henderson
Mitchell Library, State Library of New South Wales

cowed – ‘the public’s heart had been pierced as if by bullets and swords’.⁸¹ It was within these turbulent, emotional, dangerous and traumatic circumstances the Ballarat doctors provided medical assistance to the wounded of both sides of the battle. Accustomed as they were to dealing with gunshot wounds, stabbings and nasty accidents from mining and horse riding, the damage to life and souls on such a large scale would have been quite confronting for them all.

There were at least 24 surgeons and physicians in Ballarat in December 1854 including James Stewart, Charles A. Campbell, Richard Jones Hobson, Dr Warner, Alfred Sickler, William Wills, James Sutherland, Timothy Doyle, Henry Mount, D.J. Williams, W.A. Heise, A.Y. Carr, Robert Carr, Henry Paul Leman, Charles James Kenworthy, George Clendinning, William Macfarlane, John Stewart Kyle and J.T. Thomas.⁸² Some qualified doctors had stepped away from medical practice to

⁸¹ Bate, *Lucky City*, p. 72.

⁸² Other doctors who were in Ballarat during 1854, such as Charles Ridden, may still have been there on 3 December. Thomas Le Gay Hothouse was in Ballarat at the time of the burning of Bentley’s Hotel but had briefly returned to England at the time of the Stockade. *Ballarat Times*, 14 October, 1854; *Ballarat Times*, 21 October 1854; *Ballarat Times*, 28 October 1854; *Ballarat Times, Buninyong and Creswick Advertiser*, 1 January 1855; Carboni, *The Eureka Stockade*; Inquest John White, PROV VPRS 24/P0, Unit 22, Item 1854/671; *Riot at Ballarat*; Victoria. *Gold Fields’ Commission of Enquiry: Report of the Commission Appointed to Enquire into*

concentrate on mining or other activities and these included George Henry Gibson, William Beauclerk Otway and Emil Henri Levison. Surgeons attached to the troops included George Arden (Assistant Surgeon, 12th Regiment) and possibly Richard Wilcox Macauley (Assistant Surgeon, 40th Regiment).⁸³ Injured prisoners were treated in the Government Camp hospital and in an improvised hospital in a shed at the Camp. Some wounded were taken to the London Hotel which was converted to a hospital under Dr Carr's command (assisted by Carboni and Dr Clendinning). Others were attended wherever medical help could be found and some travelled to Geelong and other safer districts seeking medical care.⁸⁴

Not all doctors acted in ways that would earn them trust from the miners. Carboni believed that Dr Kenworthy was not at the Stockade to help when he was actually needed. Storekeeper Charles Wiesenhavern felt that Dr Levison was not trustworthy or honourable.⁸⁵ Carboni was also suspicious when Dr Carr was appointed to help the wounded Stockade diggers but had not stepped foot inside the Stockade prior to the battle.

The variety and extent of injuries suffered provides insight into the brutality of Eureka and the wounds the medical men had to treat. The 12th Regiment suffered injuries mostly from gunshot wounds but Private Joseph Wall was mortally wounded from an abdominal pike wound.⁸⁶ In the 40th Regiment Private Michael Roney died from a gunshot wound to the head and others suffered from flesh wounds, gunshot wounds and compound fractures from gunshots. Not all deaths were immediate. Private William Webb died two days later from gunshot wounds, Captain Henry Christopher Wise died 18 days later on 21 December from a flesh wound to the right thigh and a gunshot wound through the head of his tibia and fibula. Private Felix Boyle was recovering from a gunshot wound to the nose but died unexpectedly a month later on 2 January 1855.⁸⁷

Miner Michael Canny escaped the Stockade after being shot in the arm and the bullet went through to his breast. He stated that 'it did not hurt, but the blood spurted out and frightened me'.⁸⁸ Teddy Moore and John Hynes fell dead beside him. Canny's brother Patrick was shot in the shin and stayed in the

the Condition of the Gold Fields of Victoria, Melbourne: John Ferres, Government Printer, 1855; W.B. Withers interview with Dr Holthouse in *Ballarat Star*, 1 January 1889, p. 4.

⁸³ Bowden, *Goldrush Doctors*, pp. 83, 115; Victoria. *Mr. B. S. Hassall: Claim for Compensation with Copies of Evidence &c: Return to Address, Mr. Humffray*. Melbourne: John Ferres, Government Printer, 1856, p. 2.

⁸⁴ Alpheus Boynton was a partner in a carrying business between Ballarat and Geelong. When travelling to Ballarat he 'met coffins, and men with broken limbs returning to Geelong'. *Argus*, 5 December 1854, p. 4; Bowden, *Goldrush Doctors*, p. 24; Carboni, *The Eureka Stockade*, p. 76; Journal of Alpheus S. Boynton, 23 December 1852-26 February 1856, SLNSW, p. 167; Lynch, "The Story of the Eureka Stockade: VI - the Fight", p. 103.

⁸⁵ Witness statement of Charles Wiesenhavern in *Riot at Ballaarat*, p. 16.

⁸⁶ Letter from Captain J.W. Thomas in *Disturbances at Ballaarat*, p. 3.

⁸⁷ *Argus*, 23 December 1854, p. 8; *Argus*, 6 January 1855, p. 4; Wickham, *Deaths at Eureka*, p. 26.

⁸⁸ Michael Canny, 'I Fought at Eureka', BDHC 122/1/28.

Camp hospital for around six weeks as a prisoner. Richard John Smith was imprisoned at the Camp and spent over a week in its hospital after being shot in the leg.⁸⁹ Martin Diamond, who was not part of the disturbances, was shot whilst inside his store during the attack on the Stockade, leaving his wife, Anne, a widow.⁹⁰

Carboni listed the following injuries at the Stockade: an American commanding the rifle-pit men was shot in the thigh, Peter Lalor was shot in the left shoulder (discussed below), Ross had a bullet wound to the groin, Thonen was shot in the mouth ('his mouth literally choked with bullets'⁹¹), Teddy Moore was shot in both thighs, Johnny Robertson was shot dead, Henry Powell died of sabre cuts and gunshot wounds and an American digger had over six shots in the front of his body. Carboni maintained that the pikeman suffered the most, some wounded were burnt to death as troopers set fire to tents deliberately, some had bayonet wounds and others had their clothes and flesh burnt.⁹²

Horrendous injuries were also inflicted on people outside of the Stockade. The recently-married Emma Leman, wife of Dr Leman, was deliberately shot at twice by 'one of the butchers'.⁹³ According to eyewitness Charles Evans, Emma 'could not repress a cry of horror at the scene'⁹⁴ as she saw Henry Powell attacked near their tent by Clerk of Peace Arthur Purcell Akehurst.⁹⁵ Powell was struck on the head with a sheathed three-and-a-half-foot long knife, then shot at and ridden over after falling to the ground. He was attended by Dr Wills but died six days later on 9 December.⁹⁶ Newspaper correspondent Frank Arthur Hasleham was shot in the chest by a trooper and lay bleeding for two hours.⁹⁷ William Adams received injuries as he tried to move his wife and child to safety during the attack.⁹⁸

Dennis Dinan had surrendered to troopers when he was shot in the shoulder and struck by a sword to the head. He hid in the bush then was attended by Dr Gibson about an hour and a half later.⁹⁹

⁸⁹ *Report of the Commission Appointed to Enquire into the Condition of the Gold Fields and Victoria*, p. 118.

⁹⁰ According to Carboni, the Diamond's store was where the stockaders had 'kept the council for the defence'. Carboni, *The Eureka Stockade*, p. 74; *Claims for Compensation, Ballaarat*, p. 9.

⁹¹ Carboni, *The Eureka Stockade*, p. 75.

⁹² *Ibid.*, pp. 72, 74, 75, 78, 79, 82.

⁹³ Dr Henry Paul Leman married Emma Angus at St Paul's Church, Geelong, on 16 September 1854, just two and a half months before Eureka. *Argus*, 21 September 1854, p. 4; *Diary of Charles Evans*, p. 129.

⁹⁴ *Diary of Charles Evans*, p. 146.

⁹⁵ Dr Williams, coroner at the unfortunate Scobie inquest, was also the coroner at the Powell inquest. Bowden, *Goldrush Doctors*, p. 40; Carboni, *The Eureka Stockade*, p. 79; Freckelton and Ranson, *Death Investigation and the Coroner's Inquest*, p. 43.

⁹⁶ Powell was bleeding so much that witness George Popjoy (Pobjoy) thought he must have been dead. *Argus*, 14 December 1854, p. 6; Bowden, *Goldrush Doctors*, p. 41; Carboni, *The Eureka Stockade*, p. 79.

⁹⁷ Carboni, *The Eureka Stockade*, p. 80; *Geelong Advertiser and Intelligencer*, 6 December 1854, p. 4; Victoria, Governor. *Claims for Compensation, Ballaarat*. Melbourne: John Ferres, Government Printer, 1856, p. 1.

⁹⁸ *Claims for Compensation, Ballaarat*, p. 12.

⁹⁹ *Report of the Commission Appointed to Enquire into the Condition of the Gold Fields and Victoria*, pp. 111, 112.

Llewellyn Rowlands was shot through the heart by a sergeant when he was mistaken for one of the prisoners who had broken loose after the Stockade.¹⁰⁰ According to Evans, a woman ‘was mercilessly butchered by a mounted trooper while she was pleading for the life of her husband’.¹⁰¹ Injuries had also occurred in the tense days leading up to the Stockade. Benden Sherral Hassell was shot on 28 November after giving a military officer directions to the Government Camp.¹⁰²

After the battle Captains Pasley and Thomas sent medical assistance to the wounded remaining in the Stockade and had the unclaimed dead removed and buried.¹⁰³ The *Geelong Advertiser* correspondent described the troopers bringing carts to take away the bodies:

They all lay in a small space with their faces upwards, looking like lead; several of them were still heaving, and at every rise of their breasts, the blood spouted out of their wounds, or just bubbled out and trickled away.¹⁰⁴

The *Argus* correspondent visited injured diggers and soldiers in the weeks after Eureka and stated that ‘nothing has been wanting to their well-being that medical skill could suggest as calculated to prove advantageous’.¹⁰⁵ The last of the injured Eureka prisoners were discharged from the Camp hospital on 10 January 1855.¹⁰⁶ Some of the injured were still receiving medical care more than a year later.

In 1858 Dr Carr sought compensation for ‘Professional Services’ associated with the riot and was awarded £150.¹⁰⁷ He was an inmate at the Yarra Bend Lunatic Asylum suffering paranoid schizophrenia at the time. Stewart, like Carr, had performed a post mortem on James Scobie’s body and assisted the injured after Eureka but, unlike Carr, he did not claim compensation. J.B. Humffray and Peter Lalor stressed in 1860 that none of the doctors sought compensation apart from Carr. Humffray suggested that Carr would have ‘been paid for his services at the time. And in any case it should not be forgotten that every one else had rendered their services gratuitously’.¹⁰⁸ Similarly, Lalor stated that ‘Dr. Carr had no better claim to compensation than any other surgeon on Ballarat at

¹⁰⁰ Ibid., pp. 112, 113.

¹⁰¹ Diary of Charles Evans, p. 132.

¹⁰² The bullet struck Hassell’s left shin bone and by March 1856 it remained in his leg and was ‘discharging copiously’ and causing great pain. He received medical attendance and nursing but required an operation for extracting loose bone and the bullet some time later. Hassell went on to become a Ballarat West municipal councillor, alongside Stewart, in 1859. Victoria, Legislative Council. *Second Report from the Select Committee of the Legislative Council on the Ballaarat Outbreak Petition*. Melbourne: John Ferres, Government Printer, 1856, pp. 1, 2, 3.

¹⁰³ Letter to the Deputy Adjunct General, 3 December 1854; Letters from Captain Pasley and J.W. Thomas in *Disturbances at Ballaarat*, pp. 2, 4.

¹⁰⁴ *Geelong Advertiser and Intelligencer*, 6 December 1854, p. 4.

¹⁰⁵ *Argus*, 15 December 1854, p. 5.

¹⁰⁶ Bowden, *Goldrush Doctors*, p. 24.

¹⁰⁷ *Report from the Select Committee upon Ballaarat Riots*, pp. iv, v.

¹⁰⁸ Victorian Parliamentary Debates, Legislative Assembly, vol. 6, 11 September 1860, p. 1819.

the time had'.¹⁰⁹ These statements suggest that most, if not all the Ballarat surgeons attended the injured without payment, or thought of payment. Dr Clendinning maintained that the only losses suffered by Carr were those to his private practice because 'he became very unpopular and distrusted, as he was generally considered an agent of the Government'.¹¹⁰

Stewart continued to assist those affected by Eureka, including helping with the compensation claims of those who 'at one stroke ... found themselves reduced from affluence to penury'.¹¹¹ He was one of 18 signatories supporting Patrick Donoghue's claim for £130 after Donoghue's tent and its contents were burned inside the Stockade.¹¹² Stewart was familiar enough with miners to vouch for them and they trusted him to help. Like many claims, Donoghue's was rejected because the Compensation Commission decided that the destruction of tents was 'a necessary consequence upon the resistance offered to the military'.¹¹³

The practice of performing post mortems and inquests temporarily ceased during the events of Eureka. Wickham and Wright suggest that no inquests were performed on diggers who died at Eureka apart from Powell.¹¹⁴ There was an inquest held for William Simpson Hardie whom Wickham included in her list of deaths at Eureka.¹¹⁵ In the immediate hours after the attack on the Stockade the doctors would have been very busy attending the wounded and trying to save lives. Many of the dead were buried on the same day and some were removed from the Stockade by their friends and buried the following day, leaving no time for medical investigation.¹¹⁶ On top of this, official inquests were taken out of the local doctors' hands with the government and military in control; from 5 December

¹⁰⁹ Ibid., 13 July 1860, p. 1539.

¹¹⁰ Victoria. Legislative Council. Select Committee on the Lunatic Asylum. *Progress Report from the Select Committee upon the Lunatic Asylum*. Melbourne: John Ferres, Government Printer, 1861, p. v.

¹¹¹ Victoria. *Ballaarat Outbreak: Petition*. Melbourne: John Ferres, Government Printer, 1855, p. 1.

¹¹² 'We, the undersigned, do believe Patrick Donoghue to be a sober, honest and peaceably disposed man, and one who deserves to have his petition received with the most favorable consideration. For our part, we strongly desire to have the prayer of his petition granted.

(Signed by) PATRICK SMYTH, Rest. Cath. Priest, JAS. STEWART, M.D. Surgeon, ...'
Claims for Compensation, p. 11.

¹¹³ *Claims for Compensation*, p. 3.

¹¹⁴ *Geelong Advertiser and Intelligencer*, 30 January 1855, p. 4; Wickham, *Deaths at Eureka*, p. 25; Wright, *The Forgotten Rebels of Eureka*, p. 440.

¹¹⁵ Inquest Deposition Files William Simpson Hardie, PROV VPRS 24/ P0, Unit 24, Item 1855/23; Wickham, *Deaths at Eureka*, p. 55.

¹¹⁶ Withers, *The History of Ballarat*, p. 107.

until 9 December Ballarat was under martial law.¹¹⁷ The first inquest after the events of the Stockade was the Powell inquest held on 10 December.¹¹⁸

Emergency Surgery in Colonial Victoria

Peter Lalor, the rebel leader, was shot in his left arm in the Stockade on 3 December 1854. The arm was shattered and he lost a great deal of blood. He hid in a pile of slabs outside the Stockade during the day and later hid in the bush. He returned to the diggings at night and the next day his arm was amputated. A reward of £200 was offered for Lalor's capture for using 'certain treasonable and seditious language and incit[ing] men to take up arms with a view to mak[ing] war against our Sovereign Lady the Queen'.¹¹⁹ Consequently, much secrecy surrounded his escape and the amputation of his arm. This, in turn, has led to a variety of claims and stories being told about these events.

The dominant narrative involves the injured Lalor being taken to Father Patrick Smyth's presbytery at St Alipius where his arm was amputated by Dr Doyle with the assistance of Anastasia Hayes and Father Smyth and the arm thrown down a mine shaft. A persistent assumption is that the amputation was performed without anaesthesia.¹²⁰ Variations include different locations, other doctors (including Stewart) and other people involved. In one of the more fanciful accounts, Bill Gove, an old stockader, claimed that the amputation took place in a dairyman's cellar.¹²¹ As with the multitude of claims about people whose family helped Lalor while he was in hiding, association with this popular part of the Eureka story offers a perceived status, prestige and fame.

It is most likely that Lalor was taken from Stephen Cuming's tent to Father Smyth's tent or presbytery, half a mile from the Stockade. Bowden, Currey and Molony suggest that Lalor was at Cuming's tent and Withers, Spielvogel, Bate, Bowden, Molony, Beggs-Sunter, Turner, Currey and

¹¹⁷ Macarthur's order is dated 6 December, the Government Officer quoted in Withers also says 6 December but Rede gives the date as 5 December in his notes. Bate and Serle assert that martial law came with Sir Robert Nickle's arrival on 5 December. Walshe suggests the date was 4 December. Bate, *Lucky City*, p. 72; General Order, Edward Macarthur 6 December 1854 in Robert Rede papers, SLNSW; Rede's notes in Robert Rede papers, SLNSW; Serle, *The Golden Age*, p. 169; Walshe, "Eureka is so Significant", p. 32; Government Officer in Withers, *The History of Ballarat*, p. 107.

¹¹⁸ *Argus*, 14 December 1854, p. 6.

¹¹⁹ Lalor was described by the Colonial Secretary's Office as 5 foot 11 inches tall, aged 35 with dark brown hair and whiskers shaved under the chin, no moustache, a 'long face, rather good looking, and is a well made man'. *Victoria Government Gazette*, 19 December 1854, p. 2893.

¹²⁰ For example, Laurel Johnson, *Women of Eureka*, edited by Mark Holgate, Ballarat: Historic Montrose Cottage and Eureka Museum, 2006, p. 10.

¹²¹ Robert Samuel Ross, *Eureka Freedom's Fight of '54*. Melbourne: Fraser & Jenkinson, 1914, p.117.

Ross assert that the amputation took place at Smyth's tent or presbytery.¹²² This concurs with the accounts of people who were in Ballarat at the time of Eureka: Stephen Cuming, Anastasia Hayes and John Lynch.¹²³ Relatives of Stephen and Mrs Cuming suggested that the amputation took place at Stewart's residence. As did a 1906 newspaper report that claimed Stewart's nephew, Harry Fynmore, as its source:

The doctor was called by his excited man servant the night after the riots and informed that there were two men outside who demanded at once to see him. Hastily coming out he found two miners supporting a third, whom by the aid of the lantern he recognized as Lalor, the leader of the riots. Making a hasty examination the doctor realized that the case was urgent, as Lalor's arm was shattered by a musket ball. There and then, so to speak, in a coach-house and by the light of a lantern, the arm was amputated. ... The fee received by the doctor for the above surgical operation was £1000, which was enclosed in a packet and forwarded to the doctor anonymously.¹²⁴

This account suffers the problem of many accounts given decades later – it has a mix of family myth, exaggerations, blurred truths, distance between the individuals and events involved and possible 'enhancements' from the newspaper reporter. Fynmore's parents were close to Stewart, he should have had access to the 'real' story.

There are a variety of claims about which doctors performed the operation. Anastasia Hayes, Currey, Ross and Withers (in his original history) name Dr Doyle as the amputating surgeon, and give no indication that any other doctors were present. Cuming, by contrast, claims that the brave Lalor said 'let's know the worst' and that he and Doctors Stewart and Gibson were present while Doyle amputated the arm. Anastasia Hayes claimed that Lalor lay across two tables placed side by side during the operation while a nervous Father Smyth asked her to hold the basin and a timid Dr Doyle

¹²² Bate, *Lucky City*, p. 72; Anne Beggs-Sunter, "Birth of a Nation? Constructing and De-Constructing the Eureka Legend." PhD thesis, University of Melbourne, 2002, p. 105; Bowden, *Goldrush Doctors*, p. 29; C.H. Currey, *The Irish at Eureka*. Sydney: Angus and Robertson, 1954, p. 71; Letter from Nathan Spielvogel of the Ballarat Historical Society to Father T. J. Linane, 19 April 1948. BDHC 122/1/18; Molony, *Eureka*, p. 177; Ian Turner, "Lalor, Peter (1827-1889)." Australian Dictionary of Biography, National Centre of Biography, Australian National University, accessed April 1, 2013, <http://adb.anu.edu.au/biography/lalor-peter-3980>; Withers, *The History of Ballarat*, p. 126.

¹²³ The accounts of Stephen Cuming and Anastasia Hayes were given in 1889 and reported by Withers in 1896 in the *Austral Light*. Withers mistakenly refers to Anastasia Hayes as Catherine Hayes. Cuming and Hayes were both in Ballarat at the time of Eureka and their accounts were given more than 35 years after the event. John Lynch was with Lalor in the Stockade and recalled in 1894 (40 years later) that Lalor had stayed with Father Smyth. Bate, *Lucky City*, p. 72; Bowden, *Goldrush Doctors*, p. 29; Currey, *The Irish at Eureka*, p. 71; Molony, *Eureka*, p. 177; John Lynch, "The Story of the Eureka Stockade: VII - Character Sketch: Hon. Peter Lalor." In *Austral Light. A Catholic Magazine*. Vol. III, 130-135. Melbourne: The Catholic Publishing Company LTD., 1894, p. 130. BDHC; Ross, *Eureka: Freedom's Fight of '54*, p. 117; Turner, "Lalor, Peter (1827-1889)"; Withers, *The History of Ballarat*, p. 126; *Austral Light* reprinted in Withers, *History of Ballarat and some Ballarat Reminiscences*, edited by Ballarat Heritage Services. Ballarat, Vic.: Ballarat Heritage Services, 1999, p. 223.

¹²⁴ *Goulburn Evening Penny Post*, 4 August 1906, p. 4.

was encouraged by Lalor saying ‘Courage, courage, take it off’. Molony contends that Doyle and Stewart performed the amputation after deciding it was urgent, as does Hyslop.¹²⁵ Cuming’s relative has Stewart performing the operation with Doyle possibly present. Turner suggests that the arm was amputated by ‘a party of doctors’.¹²⁶

Stewart’s involvement in the operation is reported by both recent historians and eyewitnesses. Bowden’s important perspective as a doctor suggests that Doyle was assisted by Stewart, Gibson and Sutherland and the operation was performed under chloroform.¹²⁷ Fifty years after Eureka, Martha Clendinning wrote that Stewart had borrowed her husband Dr George Clendinning’s case of amputating instruments for Lalor’s operation.¹²⁸ Molony suggests that Father Smyth, Anastasia Hayes and Mrs Cuming were present at the operation to assist. Cuming claimed to be present during the operation, as did Anastasia Hayes but neither one mentions the other being in attendance.¹²⁹ Others have been suggested to have been present which would have made the secretive operation a very crowded affair.¹³⁰

The eyewitness accounts of Stephen Cuming, Anastasia Hayes, Martha Clendinning and Michael Carroll were recorded decades after the event by which stage both hindsight and false claims were affecting individual retellings. Yet, as Thomson points out, every historical source is ‘a constructed and selective representation of experience’; no source ‘provides a direct, unmediated and uncomplicated access to the past’.¹³¹ The stories surrounding the wounded Lalor and his arm amputation, like other parts of the Eureka story, remain highly contested.

Lalor described what happened to him in a letter published in the *Argus* on 10 April 1855:

I received a musket ball (together with two other smaller bullets) in the left shoulder, which shattered my arm, and from the loss of blood I was rendered incapable of further action. Soon after I was assisted by a volunteer out of the enclosure and placed in a pile of slabs, out of view of the military and police. While in this position the latter passed several times within a few feet of me. I remained there about an hour, when, thanks to the assistance of some friends, I was enabled

¹²⁵ Hyslop, *Sovereign Remedies*, p. 12.

¹²⁶ Turner, "Lalor, Peter (1827-1889)".

¹²⁷ Bowden points out that there was no dissenting voice to the claim in Doyle’s obituary in the *Ballarat Times* on 13 January 1858 that he amputated the arm.

¹²⁸ Clendinning-Rede Papers. SLV.

¹²⁹ Anastasia Hayes was a school teacher at St Alipius and the wife of the Ballarat Reform League chairman, Timothy Hayes. Jane Cuming’s husband Stephen was a digger and they were Lalor’s friends.

¹³⁰ Johnson suggests that Phoebe Scobie found Lalor and bound his wounds with strips from her petticoat, that Stephen and Jane Cuming sheltered Lalor, that the operation was performed without anaesthetic and that Anastasia Hayes and Nancy Quinane assisted and Quinane also nursed him afterwards. Johnson, *Women of Eureka*, pp. 10, 16, 34, 38.

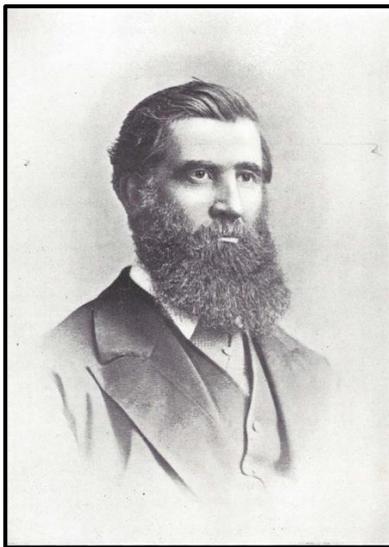
¹³¹ Thomson, "Life Stories and Historical Analysis", p. 102.

to leave it (the police and military having returned with the prisoners), and find my way to the bush, where I remained during the day. On the approach of night I returned to the diggings, and through the kindness of a friend procured the assistance of surgeons, who next day amputated my arm.¹³²

Lalor used the plural ‘surgeons’ which puts to rest the accounts that mention a single doctor performing the operation alone.

The surgeons who attended Lalor on the evening of Eureka and performed the operation on Monday 4 December 1854 were James Stewart, Timothy Doyle and George Henry Gibson. This was stated as a correction to a *Star* article in September 1858 about a similar amputation which claimed that Lalor’s surgeons were unknown. Part of the correction included:

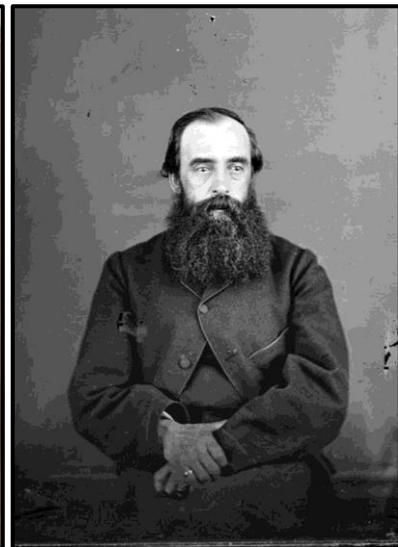
Further, in alluding to the amputation of that gentleman's arm, it was stated that the medical gentlemen who performed that operation were unknown to the writer. We may state that these were Dr Stewart (the Chairman of the Western Municipality,) the late Dr Doyle, and Dr Gibson, who has returned to England.¹³³



Dr James Stewart
*University of Melbourne
'Medical School Jubilee,
1914'*



Peter Lalor
*Reproduced with the permission
of the Victorian Parliamentary
Library*



Dr George Henry Gibson
*William James Harding Collection,
Alexander Turnbull Library, NZ*

Peter Lalor and two of his attending doctors. These photographs were taken many years after Eureka.

¹³² *Argus*, 10 April 1855, p. 7.

¹³³ *Star*, 28 September 1858, p. 3.

A letter to the editor pointed out that there was another similar amputation but there were no letters contradicting the names of the surgeons.¹³⁴ Like the 27-year-old Lalor, the three doctors who performed the operation were young men at the time of Eureka. Stewart, the youngest of the three surgeons, had just turned 25, Doyle was about 29 years old and Gibson was the oldest at 33.

As discussed in Chapter 1, Stewart was an Irish Presbyterian farmer's son from County Tyrone in Ulster. At the time of Eureka he had an L.M. (Licence in Midwifery) and an L.R.C.S.I (Licence of the Royal College of Surgeons in Ireland). Timothy Doyle was also the son of an Irish farmer. He was born in Kilkenny in c.1824. The Roman Catholic Doyle arrived in Australia with the qualifications of M.B. (Bachelor of Medicine) and M.R.C.S. Eng. (Member of the Royal College of Surgeons England).¹³⁵ He travelled from Britain to Australia as surgeon aboard the *Lorena*. Also on board was Rosetta (Rosa) Scott whom he married at Ballarat on 19 July 1853. The safety of Doyle's wife and their seven-month-old son Francis would have played large on his mind during the events of the day and when weighing up the risk of operating on the wanted man.¹³⁶ Doyle died from a cold on 11 January 1858, aged 33.¹³⁷

George Henry Gibson arrived in Australia in 1851 and was a miner at Forest Creek (Castlemaine) for 12 months before moving to Ballarat about two years before Eureka.¹³⁸ Although Gibson was not practising as a surgeon in December 1854, he provided medical assistance to some of the other injured from Eureka including Dinan, as mentioned above. Gibson returned to England soon after Eureka then later travelled to New Zealand as a ship's surgeon. In late 1858 he was appointed Medical Officer and Colonial Surgeon for Wanganui (about 200 kilometres north of Wellington).¹³⁹ He supervised the 11-bed Colonial Hospital at Wanganui for many years and was surgeon with the Wanganui Militia. His hospital received many casualties from the Taranaki Wars in New Zealand during the 1860s and he no doubt drew on his experiences at Eureka to help the wounded. Gibson returned to England in 1869 after suffering poor health and died of consumption a year later at Ramsgate in Kent at age 49.

When Doctors Stewart, Doyle and Gibson first saw the wounded Lalor on the night of 3 December they would have cleaned and dressed his wound and administered pain relief and sedation in the form

¹³⁴ *Star*, 27 September 1858, p. 3.

¹³⁵ Bowden, *Goldrush Doctors*, p. 111.

¹³⁶ Rosa gave birth to the couple's son Francis on 19 April 1854. The couple had three children: Francis, Thomas and Ada. *Argus*, 3 May 1854, p. 4.

¹³⁷ The widowed Rosa married Stewart Tournay, an English solicitor, at Buninyong 16 months after Doyle's death on 5 May 1859. *Star*, 6 May 1859, p. 2.

¹³⁸ *Gold Fields' Commission of Enquiry*, p. 49.

¹³⁹ New Zealand House of Representatives. *Return of Officers Connected with the Native Minister's Department, on the 1st October, 1863*. Auckland, 1863, p. 3.

of laudanum or other opiates. It is likely that the surgeons anaesthetised Lalor with chloroform when they performed the amputation the following day. Chloroform was used by Ballarat doctors at this time in other operations. It would have easily been administered in the make-do operating theatre of a goldfields tent, after all, these surgeons were operating in goldfields tents and at the sites of mining accidents in their normal everyday duties.

Both ether and chloroform had been in use for operations in Australia over three years before the three surgeons had arrived in Victoria. Sulphuric ether was first used as an anaesthetic in Australia by Dr William Russ Pugh at St. John's Hospital in Launceston on 7 June 1847. This was just eight months after the first successful operation with anaesthetic was performed at Massachusetts General Hospital on 16 October 1846.¹⁴⁰ Chloroform was used as an anaesthetic at the Sydney Infirmary on 11 April 1848, less than a year after ether's first use in Australia.¹⁴¹

Anaesthesia was adopted sooner in Ireland where Stewart received his medical education. Ether was used at the Richmond Hospital in Dublin on New Year's Day 1847, 11 weeks after its first successful use in America.¹⁴² This operation was performed by John MacDonnell with the assistance of Richard Carmichael and other medical colleagues.¹⁴³ Chloroform was first used at the Rotunda Lying-In Hospital in Dublin for a forceps delivery on 18 February 1848.¹⁴⁴ Stewart received some of his education at the Carmichael Medical School (named after Richard Carmichael) and at the Rotunda in 1850 and thus was trained in the use of anaesthesia. Doyle received his M.R.C.S. Eng. in 1852 and would have been similarly exposed to the use of anaesthetics. Gibson would also have had experience with using anaesthetics prior to Eureka.

Further insight into Lalor's amputation can be found in other operations performed by the Ballarat doctors around the time of Eureka. Dr Carr amputated William Simpson Hardie's leg using chloroform anaesthesia in a tent two days after Eureka with the assistance of Doctors Mount and Sickler and others.¹⁴⁵ Carr administered about three drachms of laudanum (a tincture of opium in alcohol) to Hardie prior to the chloroform then amputated the leg just below the hip joint. Hardie's

¹⁴⁰ *Launceston Examiner*, 9 June 1847, p. 4; Tasmanian Branch of the British Medical Association. *The Centenary of the Introduction of Surgical Anaesthesia to Australia: Proceedings of a Commemorative Meeting Held by the Tasmanian Branch of the British Medical Association June 1947*. Launceston: "The Examiner" Press, 1947, pp. 7, 15.

¹⁴¹ *Sydney Morning Herald*, 12 April 1848, p. 3.

¹⁴² Coakley, *The Irish School of Medicine*, p. 101.

¹⁴³ Widdess, "The Introduction of Ether and Chloroform to Dublin", p. 650.

¹⁴⁴ The Rotunda Hospital Dublin, "History of the Hospital".

¹⁴⁵ Hardie's femur was shattered and large vessels (the profunda arteries) were torn from a musket shot. Carr referred to Hardie as 'David Hardy'. Alfred Yates Carr, "Poisoning by Opium. its Treatment." *The Australian Medical Journal* (July, 1858): 178-183; Inquest Deposition Files William Simpson Hardie, PROV VPRS 24/P0, Unit 241; Inquest report in *Sydney Morning Herald*, 18 January 1855, p. 4.

condition was precarious and Carr stayed by his side for 12 hours after the operation, administering 12 drachms of Battley's sedative solution of opium. Opium preparations like Battley's solution were considered to 'act more kindly and certainly than opium' and 'cause less distressing symptoms in the head the day after'.¹⁴⁶ Hardie had nearly recovered after six weeks but died following a recurrence of typhoid symptoms. There are many recorded instances where Doctors Stewart, Doyle and Gibson performed amputations on patients anaesthetized with chloroform with other doctors present and/or assisting.¹⁴⁷

This reveals that chloroform was available and used in operations in Ballarat at the time of Eureka, that opiates were used for sedation and pain relief, that more than two doctors were present and assisting with the amputation operation and that more than six weeks were required for the amputation site to heal. If all went well for Lalor it would have been expected to take six weeks before he would be well enough to travel; moving him any earlier would have increased the risk to his health and life.



Medicine Chest (portable pharmacy) c. 1890
Chloroform bottle in bottom left corner of top level

Medical History Museum, University of Melbourne (MHM04341, MHM00061)



Set of Amputation Instruments c.1800

Anaesthesia had its benefits and dangers. It saved patients from what Thomas describes as 'almost mortal agony'¹⁴⁸ and Robinson calls the 'exquisite agony' of surgery without anaesthesia, whereby many patients preferred death because 'the experience meant severe nervous shock, followed by a long period of depression'.¹⁴⁹ This could seriously interfere with healing and prolonged

¹⁴⁶ John Steggall. *A Text Book of Materia Medica and Therapeutics*. London: John Churchill, 1837. <http://archive.org/details/texts>. Also available in print form. p. 225.

¹⁴⁷ For example, *Geelong Advertiser*, 9 June 1864, p. 3; *Star*, 5 February 1857, p. 2; *Star*, 20 March 1857, p. 3; *Star*, 27 September 1858, p. 3; *Sydney Mail*, 11 June 1864, p. 6. See below for further discussion of the Verschoor case.

¹⁴⁸ J. Davies Thomas. *A Consideration of the Respective Merits of Chloroform and Vinic Ether as General Anaesthetics (Read before the Medical Society of Victoria, May 1875)*. May 1875, p. 3.

¹⁴⁹ Victor Robinson, *Victory Over Pain: A History of Anesthesia*. New York: Henry Schuman, 1946, p. 78.

convalescence. Death could occur under anaesthesia and the reasons for this were not understood until decades later.

The popularity of chloroform and ether varied in different countries at different times. Chloroform was faster to act than ether and could easily be carried around because only small amounts were required to anaesthetise a patient. It also had a short shelf life in its pure form. Eighteen minims (about 1.07 millilitres) was required to induce surgical anaesthesia and the difference between fourth degree anaesthesia and a fatal dose was just 12 minims (about 0.7 millilitres).¹⁵⁰ Stratmann asserts that ‘a sudden high concentration, caused by unsophisticated equipment, careless administration, or the deep inspirations of a nervous struggling patient, will stop the heart in an instant’.¹⁵¹ Thus chloroform would have improved Lalor’s survival chances in terms of reduced trauma from pain during the operation but added its own risks.

The dangers involved in Lalor’s operation were many. The hot weather made surgery and recuperation more perilous for him. As Ballarat doctor William Whitcombe noted in 1863, few surgeons would be foolhardy enough to attempt major operations during the hot winds of the Australian summer except in emergency circumstances.¹⁵² Watson asserted in 1885 that the main fatalities from amputations came from shock, haemorrhage and exhaustion with death from blood poisoning.¹⁵³ The natural drainage of gunshot wounds was often rendered impossible and decomposition in the wound area frequently occurred.¹⁵⁴ Kirkup stresses the uniquely sinister problems associated with gunshot wounds: on top of bone and tissue damage, foreign bodies such as clothing, soil and other substances the shot came in contact with can contaminate the wound and lead to infection.¹⁵⁵ This contamination can lead to gas gangrene (clostridial myonecrosis) where *Clostridium perfringens* and other anaerobes build up quickly in necrotic tissue of skeletal muscle.¹⁵⁶ They secrete powerful toxins, destroy nearby tissue, generate a gas, turn the skin black and cause death within one to two days. Tetanus infection through the wound could also have proved fatal.

¹⁵⁰ Linda Stratmann, *Chloroform: The Quest for Oblivion*. Stroud: Sutton Publishing Limited, 2003, p. 67; Augustus D. Waller, "Remarks on the Dosage of Chloroform." *British Medical Journal* 1, no. 1947 (23 April, 1898): 1057-1061, p. 1058.

¹⁵¹ Stratmann, *Chloroform*, p. 213.

¹⁵² Letter from W.P. Whitcombe in *Australian Medical Journal*, October 1863, p. 316.

¹⁵³ B.A. Watson, *A Treatise on Amputations of the Extremities and their Complications*. Philadelphia: P. Blakiston, Son & Co, 1885. <http://archive.org/details/texts>. Also available in print form. p. 113.

¹⁵⁴ *Ibid.*, p. 681.

¹⁵⁵ John Kirkup, *A History of Limb Amputation*. London: Springer, 2007, p. 49.

¹⁵⁶ The incidence of *Clostridium perfringens*, *Clostridium septicum* and *Clostridium histolyticum* increases dramatically during mass-casualty conditions such as on battlefields and after earthquakes. H.G. Burkitt, C. R. G. Quick, and J. B. Reed, *Essential Surgery: Problems, Diagnosis and Management*. 4th ed. Edinburgh: Churchill Livingstone, 2007, pp. 45, 242; Shahab Qureshi, "Clostridial Gas Gangrene." *Medscape*, 18 January 2017. Accessed 1 April 2017. <http://emedicine.medscape.com/article/214992-overview>.

Minimising blood loss during the complicated operation was paramount and stemming the flow from a major artery made it all the more perilous. Lalor had already lost a lot of blood: Carboni described seeing ‘a stream of blood from under the slabs’¹⁵⁷ where he was hidden. Attempts to stem arterial blood flow and control haemorrhaging, through digital compression of the subclavian artery would have been made more difficult by the damage to the soft tissue and bone in Lalor’s arm and shoulder area. Properly qualified assistants were a necessity to control haemorrhaging during shoulder joint amputations, as Watson notes.¹⁵⁸

The pain and trauma of the injury, the operation and recuperating from it would have been considerable for Lalor. He wrote to his brother Patrick in Ireland that he felt like he was dying for some days when his ‘only earthly trouble was Alicia’.¹⁵⁹ He was referring to his beloved fiancée Alicia Dunne. He noted that his arm was so damaged that ‘the worst is that it is gone right out of the shoulder joint, consequently I can never get an artificial arm attached’.¹⁶⁰

Those who assisted the injured and wanted men after Eureka did so at great personal risk. The Irish Father Smyth tellingly wrote to his friend William Archer ten days after Eureka that there was nobody on the Diggings who ‘came in for more suspicion and more peril than Father Smyth did’.¹⁶¹ He believed that there had been plans to arrest and shoot him. Smyth would have assisted Lalor like any of those injured and dying, despite his grave concern about those in the Camp wanting to cause him harm. He would stake his life for peace and ‘stake it doubly for the weal of the dying’.¹⁶² William McCrea of the Star Hotel was faced with a pistol-wielding man and threats about his hotel licence when he took in the badly injured Charles Ross.¹⁶³ Ross was attended by several medical men including Dr Kenworthy but his injuries proved fatal.

Lalor was hidden in the tent of Irish Catholic Michael Hayes at Brown Hill while he recuperated, then taken to Geelong by Michael Carroll where he convalesced under his fiancée Alicia’s care.¹⁶⁴ Carroll and Moore family descendants assert that Lalor was taken to the Young Queen Hotel and cared for by

¹⁵⁷ Carboni, *The Eureka Stockade*, p. 75.

¹⁵⁸ Watson, *A Treatise on Amputations*, p. 222.

¹⁵⁹ Letter from Peter Lalor to Patrick Lalor. SLV.

¹⁶⁰ Ibid.

¹⁶¹ Letter from Father Patrick Smyth to W.H. Archer, 13 December 1854. SLV.

¹⁶² Ibid.

¹⁶³ *Gold Fields' Commission of Enquiry*, p. 109.

¹⁶⁴ Michael Carroll was 12 years old at the time. He related the incident 64 years later in 1918 recalling that he was driving drays with his father and his older brother John. His father was called into his customer Michael Hayes’ tent at Brown Hill where Lalor was lying on a stretcher and he asked Carroll to take a letter to Alicia Dunn. The escape to Geelong was then organised. Michael Carroll’s account in Maureen Christopher, Eileen Mount, and Judith Riscalla. *Castleconnell to Corio: The Story of Patrick Carroll and His Family*. Victoria: Maureen Christopher, Eileen Mount, Judith Riscalla, 2012, pp. 167, 168.

the hotel owners, the Moore family.¹⁶⁵ This would have been about mid-January 1855 if he waited the six weeks that other amputees required and suffered no complications. Whilst still a wanted man, Lalor appeared at an auction in Ballarat on 5 May 1855 and purchased 160 acres of land.¹⁶⁶ This was just four days before the government amnesty through which he gained his freedom.

The surgery performed on Lalor's arm on 4 December 1854 was to save his life – the surgeons did not remove bullets that were not considered dangerous. He had to wait seven months before his health had improved sufficiently to have further surgery in Melbourne.¹⁶⁷ After this second operation two small bullets remained in his side and shoulder blade. Lalor and Alicia married at Geelong on 10 July 1855 and he became a member of the Victorian Parliament as the representative of Ballarat in November 1855.¹⁶⁸

It is no surprise that Stewart and Doyle were elected two of the first honorary surgeons when the Ballarat Hospital first opened in 1856 (Gibson had left Ballarat by this time). Stewart was chosen from the many doctors on the goldfields because of his role before and after Eureka. Yet the important role of these and other doctors is under-represented in contemporary Eureka histories. This is part of the nature of the historical evidence: it is fragmentary, partial and open to interpretation. For example, Bate, Serle, Blainey and Clark discuss the wounded but make no mention of the doctors; Hyslop mentions four doctors and the increased need for a public hospital; and Wright briefly refers to the 'regimental and civilian surgeons' patching up the wounded.¹⁶⁹ The story of Lalor's amputation fits with this tradition, and was further marginalised by necessity.

Details of the complicated operation and the surgeons were necessarily kept secret because of the bounty on Lalor's head. The doctors involved did not seek fame or notoriety through their involvement. Within four years of Eureka only Stewart was still living in Ballarat, Gibson had left Australia and Doyle had died. Within 16 years Gibson had died and Stewart had left Australia. The three surgeons left no memoirs of Eureka and many of the eyewitness accounts appeared decades after

¹⁶⁵ The Young Queen Hotel was in Moorabool Street Geelong near the Barwon River. Phillip Moore, personal communication.

¹⁶⁶ The land was about 16 kilometres from Ballarat. Letter from Peter Lalor to Patrick Lalor; Anne Beggs-Sunter, "Lalor, Peter (1827-1889)." In *International Encyclopedia of Revolution and Protest*, edited by Immanuel Ness, 2043-2044. London: Blackwell Publishing, 2009, p. 2043.

¹⁶⁷ Letter from Peter Lalor to Patrick Lalor.

¹⁶⁸ Marriage Certificate Peter Lalor and Alicia Dunne, Archives of St Mary of the Angels Catholic Parish, Geelong; Parliament of Victoria. "Re-Member: Lalor, Peter." Accessed 3 February, 2016. <http://www.parliament.vic.gov.au/re-member>.

¹⁶⁹ Bate, *Lucky City*, p. 72; Blainey, *The Rush that Never Ended*, p. 56; Clark, *History of Australia*, p. 263; Hyslop, *Sovereign Remedies*, p. 12; Serle, *The Golden Age*, p. 168; Wright, *The Forgotten Rebels of Eureka*, p. 427.

the surgeons were long gone from Ballarat. Neither did they write about details of the amputation in medical journals. Hence the difficulty for historians.

Like all doctors in Ballarat on 3 December 1854, the three young surgeons, Stewart, Doyle and Gibson, assisted the injured after Eureka in any way they could under difficult circumstances. They put themselves at personal risk by aiding others. Through the care of these Ballarat doctors Peter Lalor received a similar standard of medical care to others injured at Eureka. Stewart, Doyle and Gibson constitute an important part of the medical history of Eureka and Ballarat.

The Ballarat Medico-Chirurgical Society

A meeting was held on 20 October 1854 at the George Hotel for every medical practitioner residing in the Ballarat district where Stewart proposed:

That a Medico-Chirurgical Society of all the legally qualified Medical Practitioners within the District of Ballarat be forthwith organised for the mutual protection of their rights and privileges, the diffusion of professional knowledge and the discouragement by every just and constitutional means, of all classes of unqualified practitioners.¹⁷⁰

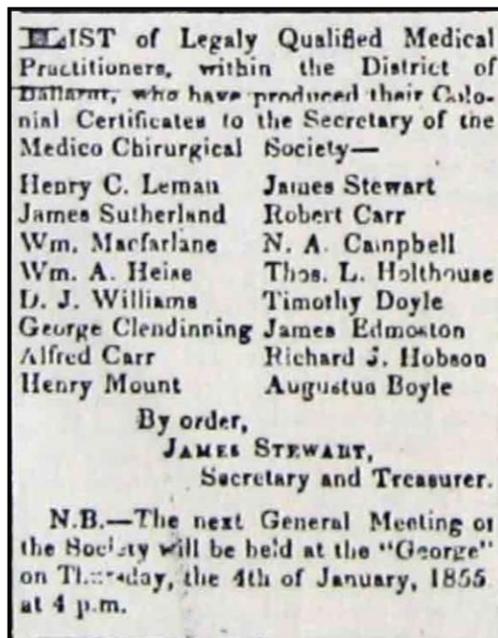
Stewart was a key figure in the establishment of the Ballarat Medico-Chirurgical Society and at 24 years of age he was elected the Society's first secretary and treasurer. Dr Williams became its chairman and Doctors Mount, Leman, Heise and Carr were committee members. These doctors were all older than Stewart and it is a sign of the regard in which he was held that the much younger surgeon was so prominent in the Society. Doctors had to submit their certificates to Stewart to join the Society and to be included in a published list of qualified practitioners.¹⁷¹ Those without the required documentation found rejection difficult to take. D.T. Dietrich of Specimen Hill considered his omission from the list a 'palpable insult'¹⁷² in April 1856 when he could not provide Stewart with the required certificates. Stewart's name appeared regularly in the newspapers attached to news of the Society, adding to his strong public profile. The list had grown to 33 practitioners and was published in the *Australian Journal of Medicine* when the journal was established in 1856.¹⁷³

¹⁷⁰ *Ballarat Times*, 28 October 1854.

¹⁷¹ The first list of legally qualified medical practitioners who had presented Stewart with their colonial certificates included 16 doctors and was published on 1 January 1855: Henry Leman, James Sutherland, Wm. Macfarlane, Wm. A. Heise, D. J. Williams, George Clendinning, Alfred Carr, Henry Mount, James Stewart, Robert Carr, N. A. Campbell, Thos. L. Holthouse, Timothy Doyle, James Edmonton, Richard J. Hobson and Augustus Boyle. *Ballarat Times, Buninyong and Creswick Advertiser*, 1 January 1855, p. 1.

¹⁷² *Ballarat Times*, 6 May 1856, p. 1.

¹⁷³ "Medical News." *The Australian Medical Journal* (October, 1856): 306-307.



The first Ballarat Medico-Chirurgical Society practitioner list

Ballarat Times, Buninyong and Creswick Advertiser, 1 January 1855

The Society lobbied for improvements to health in their community and sent deputations to hospital committee meetings and to Governor Henry Barkly, whom Stewart addressed in 1858.¹⁷⁴ They attempted to ensure greater safety for the goldfields public (and their private practices). The explorer William John Wills, who was just four years younger than Stewart, attended some of his father's patients in Ballarat during the 1850s. He felt that 'medical men were less valued for their real worth than for their tact in winning confidence through the credulity of the public'¹⁷⁵ – a credulity that allowed imposters to flourish in the early days.

A printed version of the Society's scale of fees was to be placed in each member's surgery to help 'the public in estimating the proper compensation for medical and surgical attendance'¹⁷⁶ and to prevent fee disputes. Society members' fees were five guineas, one guinea and seven shillings for poor patients.¹⁷⁷ Some doctors, such as Dr Richardson, declined to be part of such a system.¹⁷⁸ His behaviour was influenced by his fragile mental state and, as Stoller and Emmerson suggest, he was an intellectual snob, anxious and a deeply sensitive and passionate egotist.¹⁷⁹ He had abounding self-

¹⁷⁴ *Star*, 22 January 1858, p. 2; *Star*, 21 September 1858, p. 3.

¹⁷⁵ Wills, *A Successful Exploration*, p. 28.

¹⁷⁶ *Star*, 9 December 1856, p. 3.

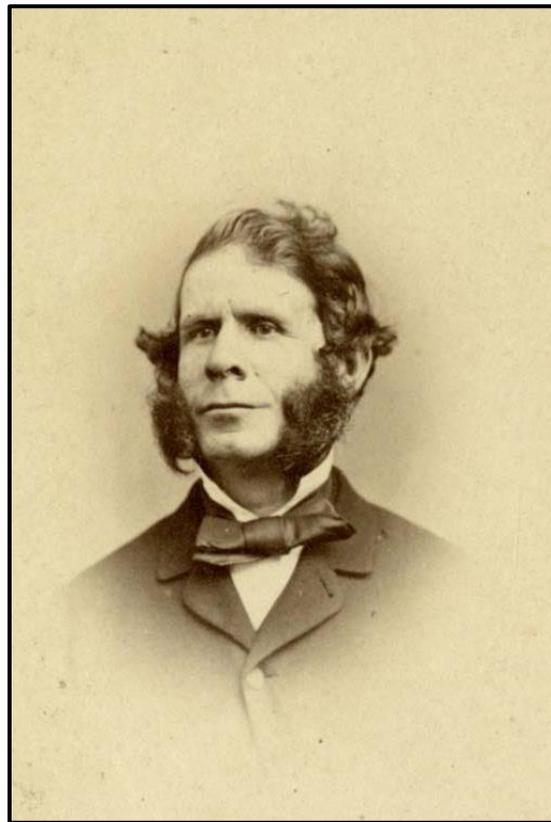
¹⁷⁷ *Star*, 6 December 1856, p. 2.

¹⁷⁸ Richardson advertised that he regulated his fees to the circumstances of his patients. Doctors who were members of the Medico-Chirurgical Society also made allowances for poorer patients with many providing gratuitous attendance for those in most need but they did not take to advertising it. *Star*, 9 December 1858, p. 3.

¹⁷⁹ Stoller and Emmerson, "Richard Mahony", p. 10.

confidence but may not have felt a part of the doctors' social group. Letters between him and his wife Mary reveal he was somewhat insecure about fitting in with other doctors prior to 1860.¹⁸⁰

The Medico Chirurgical Society of Victoria was established on 6 June 1854 in Melbourne, four months prior to the Ballarat Society.¹⁸¹ Its first President was Dr William McCrea and Stewart's cousin, Dr James McCrea, was one of its first ten fellows. Stewart's connection with the Doctors McCrea would have influenced his involvement in the establishment of the Ballarat Medico-Chirurgical Society. He gave evidence before William McCrea at the Board of Enquiry into the Riot at Ballarat on 4 November 1854, just two weeks after the Society's first meeting.¹⁸²



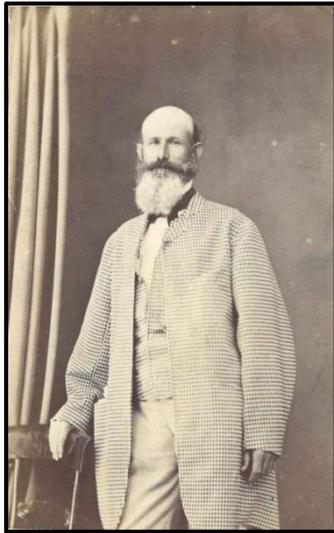
Dr William McCrea
Chief Health Officer Victoria (1853-1879)
Royal Historical Society of Victoria – P-290-Me

The Society subscribed to 14 international periodicals for the colonial doctors to be kept abreast with news and developments in medicine. It was a two-way exchange as the Ballarat doctors' cases were

¹⁸⁰ Meg Probyn, ed. *Marriage Lines: The Richardson Family Letters 1854-1877*. Melbourne: Australian Scholarly Publishing, 2000, p. 146.

¹⁸¹ Medico Chirurgical Society Victoria. *Rules of the Medico Chirurgical Society of Victoria*. Melbourne: 1854, AMA Archives, p. 3.

¹⁸² Victoria. *Riot at Ballaarat. Report of the Board Appointed to Enquire into Circumstances Connected with the Late Disturbance at Ballaarat*. Melbourne: John Ferres, Government Printer, 1854, p. 4.



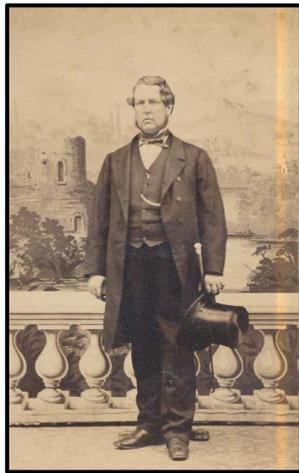
Dr Charles Kenworthy
The Australiana Collection, Ballarat City Library



Dr George Clendinning



Dr Walter Lindsay Richardson
National Library Australia



Dr Richard Jones Hobson



Dr Thomas Le Gay Holthouse

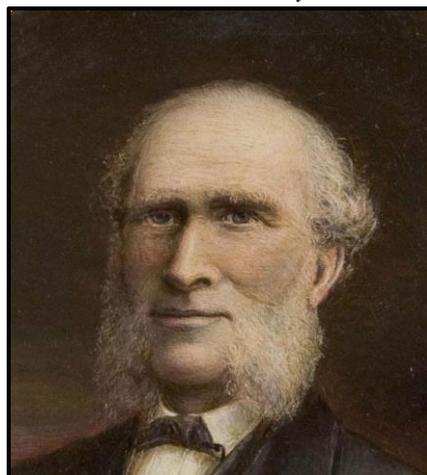


Dr William Phillip Whitcombe

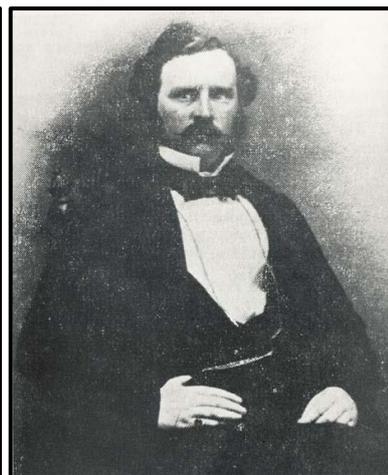
Ballarat Historical Society No.s 485.79, 271.79, 245.79



Mr George Gibson
*NZC14.1.31 Wanganui
Portrait Collection
Whanganui District
Library, NZ*



**Thomas Price, Dr. Wills, father of
explorer Wills, circa 1885**
oil on board
*Art Gallery of Ballarat, Gift of James
Oddie, 1887*



Dr Thomas Hillas
*Ballarat Base Hospital Trained
Nurses League*

Some of Stewart's Medical Colleagues of the 1850s

also reported in foreign medical journals.¹⁸³ Lake considers the nineteenth century the age of the specialist periodical which facilitated medical progress and allowed both greater access to information and increased influence through the contribution of articles.¹⁸⁴ The Victorian doctors were also leading the way for other parts of the country. Letters to the *Sydney Morning Herald* expressed the desire for such a society for the sons of Galen in New South Wales.¹⁸⁵ The Victorian Society was short-lived and merged with the Victorian Medical Association to become the Victoria Medical Society which then became Medical Society of Victoria in 1861, as Lewis and MacLeod have established.¹⁸⁶

By 1858 the Society's legally qualified practitioners list no longer appeared in Ballarat newspapers as the qualified doctors were well established. In May 1858 another medical society appeared in Ballarat (the Medical Society) with Dr Hobson its *pro tem* secretary.¹⁸⁷ This was possibly part of a larger disagreement between two groups of doctors stemming from the Chalmers case (see page 113).

Stewart's medical roles were many and he tried to help people despite inherent dangers that would have deterred some of his less courageous colleagues. He was regularly at the sites of a mining accidents within minutes. He and Sutherland became the Chief Medical Officers at the Camp log gaol in March 1855 where they attended prisoners for £1 per case.¹⁸⁸ The two doctors applied for this position during the unsettled aftermath of Eureka (their tender was accepted the day before Carboni's State trial).¹⁸⁹ They would have been very aware of the appalling conditions suffered by prisoners that was so well documented by Carboni. By 1856 Stewart's friend Dr Allison had become the gaol doctor.¹⁹⁰

¹⁸³ For example, Dr Walter Lindesay Richardson's experience with 220 cases of diphtheria was discussed in the *British Medical Journal* in 1866 and a report published in the French *Annales de Gynécologie* in 1875 described a caesarean and ovariectomy performed by Dr Thomas Hillas at the Ballarat Hospital on 4 June 1872. "Progress of Medical Science." *The British Medical Journal* (1866): 334-336; "Ovariectomie Chez une Femme Enceinte. Opération Césarienne. – Guérison, par le Dr Thomas Hillas." *Annales de Gynécologie* (1875): 384-385.

¹⁸⁴ Lake, "Medicine and Publishing", pp. 7, 8.

¹⁸⁵ 'Hirudo' pointed out there the need for such a society in New South Wales and 'it surely cannot be that we are stocked with all the old drones, and that the scientific and able medical men are concentrated in Victoria'. Meson Ramsay also wrote in support of the formation of a New South Wales Medico-Chirurgical Society and medical reform.¹⁸⁵ *Sydney Morning Herald*, 17 October 1854, p. 5; *Sydney Morning Herald*, 23 October 1854, p. 1.

¹⁸⁶ Milton Lewis and Roy MacLeod. "Medical Politics and the Professionalisation of Medicine in New South Wales, 1850-1901." *Journal of Australian Studies* 12, no. 22 (1988): 69-82, p. 71.

¹⁸⁷ Dr Kenworthy was also a member of this society but Doctors Clendinning, Dimock and Heise remained members of the Medico-Chirurgical Society. *Star*, 31 May 1858, p. 3; *Star*, 17 September 1858, p. 3; *Star*, 21 September 1858, p. 3.

¹⁸⁸ *Victoria Government Gazette*, 27 March 1855, p. 801.

¹⁸⁹ Carboni, *The Eureka Stockade*, p. 107.

¹⁹⁰ Dr Allison fought for prison reform, particularly with respect to health issues and was particularly concerned about the accommodation and treatment of the female prisoners and the mentally ill.

The Ballarat Hospital

There were three hospitals operating on the Ballarat goldfields in 1854 – the two private hospitals and the Government Camp hospital (for soldiers, police and Camp staff).¹⁹¹ The need to establish a public hospital for the destitute sick and afflicted miners on Ballarat was strongly felt. Nineteenth century Ballarat historian W.B. Withers suggests that lack of accommodation for the wounded at Eureka led to the development of the hospital but, as Beggs-Sunter and Hyslop more accurately contend, Eureka exacerbated an existing need.¹⁹² Subscription lists, benefits and other fundraising for building the Miners' Hospital were already in motion prior to Eureka.¹⁹³ A temporary hospital was set up at the Camp until a public hospital could be built.

The temporary hospital was supervised by Henry Foster (Superintendent of Police) and voluntarily staffed by Dr Richard Wilcox Macauley of the 40th Regiment of Foot.¹⁹⁴ Doctors Stewart, Clendinning, Heise and Henry Tapley attended the hospital after Macauley's regiment left Ballarat. They assisted 72 patients at a cost of £332 16s 6d – a cost met almost entirely by the four doctors.¹⁹⁵ Stewart contributed his services and money in early examples of his benevolence. He was a key contributor to the Ballarat Hospital from its very beginning.

Diggers were becoming more supportive of benevolent projects by this time but still were not contributing as much as they should for an institution that primarily benefited them.¹⁹⁶ Bendigo's hospital faced similar apathy from their miners in 1853, as Martyr contends.¹⁹⁷ The Ballarat Hospital relied on community fundraising efforts and some government funds, as did the Geelong and Bendigo

¹⁹¹ *Argus*, 15 December 1854, p. 5; *Ballarat Times, Buninyong and Creswick Advertiser*, 1 January 1855; Carboni, *The Eureka Stockade*, p. 76.

¹⁹² Beggs-Sunter, "James Oddie (1824-1911)", p. 81; Hyslop, *Sovereign Remedies*, p. 13; Withers, *The History of Ballarat*, 1887, p. 258.

¹⁹³ One such effort was a Grand Ball held in the Arcade to fundraise for the hospital in August 1854. *Ballarat Times*, 9 September 1854; *Ballarat Times and Buninyong and Creswick's Creek Advertiser*, 7 October 1854; Bate, *Lucky City*, p. 49; *Geelong Advertiser and Intelligencer*, 28 August 1854, p. 4.

¹⁹⁴ Macauley was murdered on 23 October 1856 by Ensign Vere Fitzmaurice Pennefather who then committed suicide. *Argus*, 24 October 1856, p. 4; *Waterford News*, 6 February 1857, p. 4.

¹⁹⁵ *Star*, 25 October 1856, p. 1S.

¹⁹⁶ *Argus*, 30 July 1855, p. 6; *Argus*, 31 August 1855, p. 6; *Star*, 16 September 1856, p. 2.

¹⁹⁷ Martyr, *Paradise of Quacks*, p. 78.

hospitals.¹⁹⁸ Fundraising included subscriptions, exhibitions, circuses, court fines and from church congregations.¹⁹⁹ Stewart was a ready donor and an agent for hospital benefit tickets.²⁰⁰

The new hospital was to be built at Military Point opposite Lydiard Street but a five acre Drummond Street site was eventually chosen.²⁰¹ The hospital's foundation stone was laid on Christmas Day 1855 with full Masonic honours.²⁰² Within six months the building was near completion and hospital staff had been appointed.²⁰³ The house surgeon received £400 a year with furnished apartments. This was more than double the meagre salaries of doctors in Ireland. For example, resident physicians in Irish lunatic asylums in 1851 received £200 and Poor Law doctors in Tyrone in 1860 received between £25 and £115.²⁰⁴ The committee hoped to fit the hospital out with 50 two and a half foot wide iron bedsteads with horsehair mattresses and blue and white bedspreads.²⁰⁵ Stewart and Sutherland very generously allowed the new miners' hospital to take the name of their original tent hospital – the 'Ballarat Hospital'.

Ballarat established its first public hospital relatively faster than Melbourne and Geelong but more slowly than the goldfields towns of Bendigo and Castlemaine, reflecting the great need for public medical care on the goldfields and the varied experiences of goldfields towns.²⁰⁶ Melbourne's first public hospital was established in 1839 in a two-storey cottage and the Melbourne Hospital began taking patients in 1848. The Geelong Infirmary and Benevolent Asylum opened in 1852, 14 years

¹⁹⁸ The Ballarat Hospital received £1000 for building and £1000 for maintenance on the condition that the Ballarat community raised equal amounts themselves. *Age*, 27 February 1855, p. 6; *Argus*, 5 March 1855, p. 6; *Argus*, 1 May 1856, p. 5; *Bendigo Advertiser*, 5 April 1856, p. 3.

¹⁹⁹ These included the one shilling admission fee to view the 2217 oz. 16 dwts 'Welcome Nugget' at the Miners' Exchange in June 1858, a benefit given by John Ah Tipp and Company at the Washington Circus, £20 proceeds of Professor Bushell's 'grand entertainment' involving electro-biology (mesmerism) and spirit rapping (spiritualism). *Star*, 20 December 1856, p. 2; *Star*, 25 December 1856, p. 2; *Star*, 11 June 1858, p. 3; *Star*, 9 July 1858, p. 2; *Star*, 12 August 1858, p. 2; *Star*, 14 August 1858, p. 3; *Star*, 3 September 1858, p. 3.

²⁰⁰ *Star*, 18 June 1857, p. 3.

²⁰¹ Military Point was named after the 12th Regiment who camped there during the 1854 disturbances. *Geelong Advertiser and Intelligencer*, 15 August 1855, p. 3; *Star*, 16 September 1856, p. 2.

²⁰² *Argus*, 13 December 1855, p. 6; *Geelong Advertiser and Intelligencer*, 21 December 1855, p. 2; *Geelong Advertiser and Intelligencer*, 28 December 1855, p. 2; *Star*, 25 October 1856, p. 1S.

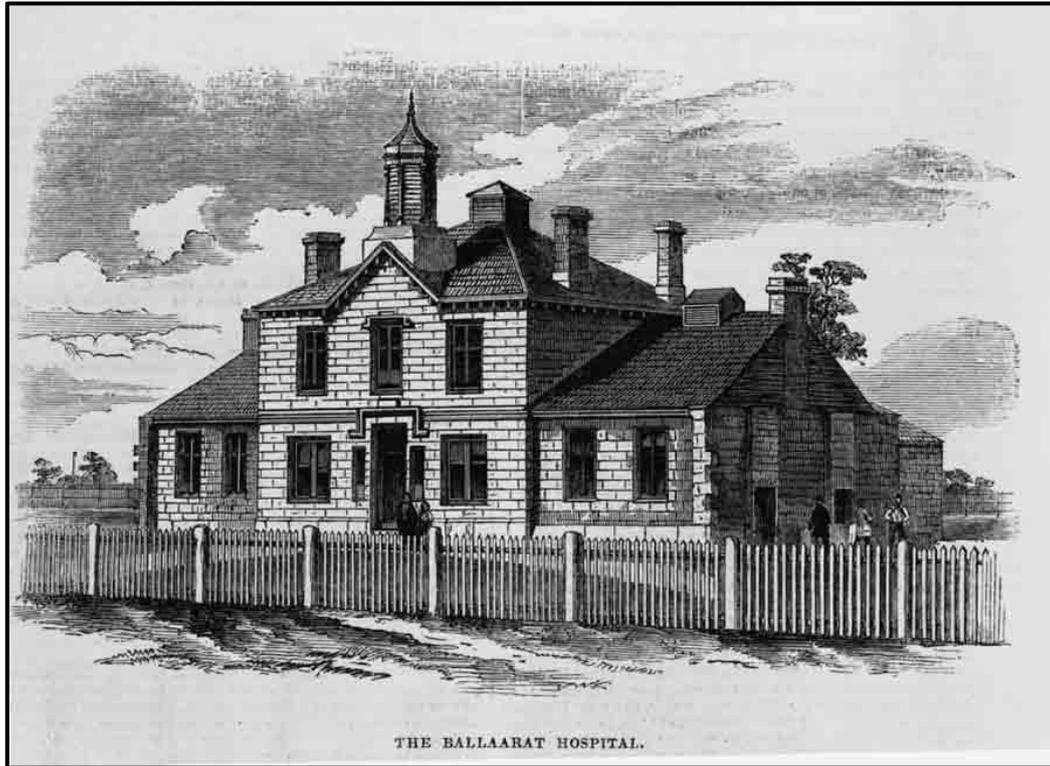
²⁰³ The hospital's rules were based on the Melbourne Hospital rules. *Argus*, 15 April 1856, p. 5; *Ballarat Times*, 7 May 1856, p. 4; *Star*, 25 October 1856, p. 1S.

²⁰⁴ *Fifth General Report on the District, Criminal, and Private Lunatic Asylums in Ireland*. H.M. Stationery Office, 1851. <http://dippam.ac.uk>. Also available in print form, p. 19; *The Medical Directory and General Medical Register for Ireland 1860*. London: John Churchill, 1860. www.bodleian.ox.ac.uk/dbooks. Also available in print form, pp. 230, 231.

²⁰⁵ Food supplied to the hospital for patients and staff in 1857 included bread, milk, meat, eggs, potatoes and other vegetables, Patna rice, oatmeal, pearl barley, sago, salt, butter (fresh and D. R. Cork), Cossipore sugar, ground coffee, Congou tea, porter, port wine, sherry, Old Tom (gin) and brandy. *Argus*, 6 June 1856, p. 7; *Star*, 27 January 1857, p. 4; *Star*, 28 June 1858, p. 4; *Star*, 26 June 1858, p. 3; *Star*, 23 July 1858, p. 3.

²⁰⁶ W.R. Lang, *Visions and Realities: A History of the Geelong Infirmary and Benevolent Asylum*. Belmont, Vic.: Neptune Press, 1980, p. 27; David Lloyd, *Domestic Comforts they had None: A Pictorial History of the Bendigo Hospital*. Melbourne: Australian Scholarly Publishing, 2003, p. 2; *New South Wales Government Gazette*, 28 November 1838, p. 1048; "Public Hospitals of Melbourne." *The British Medical Journal* (May 1935): 991-994, p. 991.

after Geelong had been declared a township. The Bendigo Gold District General Hospital and Castlemaine Hospital were established in 1853 and the Ballarat Hospital opened in 1856 – all within five years of the beginning of the Victorian gold rush.



The Ballarat Hospital 1858

Wood engraving print, *The Illustrated Melbourne News*, 23 January 1858
State Library of Victoria

Stewart was elected one of the first four honorary medical officers by hospital subscribers on 15 July 1856.²⁰⁷ He was part of the strong Irish influence at the hospital as three of the four doctors were Irish. Stewart was the youngest at 26 years old, Timothy Doyle was 31 years old from County Kilkenny in Leinster, Richard Jones Hobson was 34 years old from County Antrim in Ulster and Charles Kenworthy was a 31-year-old American.²⁰⁸ Stewart and Hobson had received at least some of their education at Trinity College, Dublin. Geary posits that Irish medical practitioners in Victoria during the nineteenth century practised with both medicine and surgery licences, were very well qualified and at least equal to other ethnic groups in terms of competence and professional training and the Trinity graduates as a group ‘tended to be most highly qualified’.²⁰⁹ The strong Irish influence had

²⁰⁷ *Star*, 19 July 1856, p.3.

²⁰⁸ Bowden, *Goldrush Doctors*, pp. 108, 109, 113; Clarke, *A Directory of Ulster Doctors*. Vol. 1, p. 484.

²⁰⁹ Geary, "Australia Felix", p. 169.

begun at the temporary Camp hospital with four of its five volunteer surgeons Irish (Stewart, Clendinning, Heise and Macauley).²¹⁰

Stewart was the only surgeon from the temporary hospital elected an honorary surgeon in the new hospital. For the young surgeon to be elected reveals the amount of respect his colleagues and community had for his medical skill. His election, along with Doyle's, was influenced by their involvement in Peter Lalor's arm amputation after Eureka in December 1854 but it would also have been their popularity and trust amongst the mining population that led to them being called to assist the wanted Lalor in the first place.

Stewart's numerous public roles overlapped at a Municipal Council meeting on 3 September 1856 when he moved 'that the building now erected and known as the Ballarat Hospital is a fit place for being opened and used as a Hospital under the Board of Health Act'.²¹¹ The hospital opened to patients two days later on 5 September 1856.²¹² In its first four months of operation the hospital treated 633 patients (111 in-patients, 522 out-patients) and 18 patients died.²¹³ Extra wings were soon required to accommodate the increasing number of patients.²¹⁴ Stewart was vocal about alterations he felt were important for the efficiency of the hospital and played no small part in improving it.

Around 90 per cent of hospital cases in January 1857 were due to mining accidents.²¹⁵ There were still complaints of scarce assistance from the mining community yet many eagerly contributed.²¹⁶ Hyslop attributes some of the miners' indifference to the impetus for its creation coming from the township and Camp rather than the diggings.²¹⁷ Some miners felt that using the hospital would make them

²¹⁰ The Trinity-educated William Augustus Heise was 40 years old and George Clendinning was 49 years old. *Argus*, 16 March 1876, p. 10; *Australasian*, 25 March 1876, p. 25; Burtchaell and Sadleir, eds. *Alumni Dublinenses*, p. 387.

²¹¹ *Star*, 4 September 1856, p. 2.

²¹² *Star*, 4 October 1856, p. 2.

²¹³ The conditions treated at the hospital during this period were abscess, anasarca (edema), ascitis, aneurism, apoplexy, bronchitis, burns, calculi, concussion, contusions, cystitis, dislocations, dysentery, eye diseases, fevers, fractures, gastritis, gunshot wounds, knee inflammation, lupus, mania, pneumonia, paralysis, phthisis (tuberculosis), periostitis (inflammation of the connective tissue surrounding bones), rheumatism, sciatica, schirrus, scurvy, secondary hemorrhage, starvation, stricture, sunstroke, synovitis, tumours, ulcers, wounds and gangrene. *Star*, 10 January 1857, p. 4.

²¹⁴ Some patients were sleeping on the ground because supplies of beds from Geelong had not arrived. The dead-house was too close to the hospital kitchen but it was low on the priority list of desired changes. *Star*, 25 October 1856, p. 1S.

²¹⁵ *Star*, 31 January 1857, p. 2.

²¹⁶ Miners on the Black Lead deducted a portion of their money for hospital donation in November 1856, White Horse miners raised £15 8s in December 1856 and the miners of Dead Horse Gully donated the balance of their accounts in early 1857. The Albion Company intended to 'engage two or three beds in the Ballarat Hospital for the benefit of sick or otherwise disabled shareholders' in 1857. *Argus*, 27 December 1856, p. 6; *Star*, 4 November 1856, p. 2; *Star*, 6 December 1856, p. 2; Rules of the Albion Company in Withers, *The History of Ballarat*, p. 203.

²¹⁷ Hyslop, *Sovereign Remedies*, p. 16.

charity recipients and they preferred to suffer in their tents. Stewart encouraged miners to be involved at hospital meetings and in the decisions that affected them. He wanted to work with people rather than decide for them.

The hospital's honorary medical officers were elected each January. Doctors attempted to appeal to voters through advertisements in the *Star*. Stewart's advertisements were always brief whereas other candidates chose to list their work history and were more ingratiating.²¹⁸ Stewart did not appear to need to prove himself to the public or gain favour. He may have been sure of his position and support by the constant presence of his name in the newspapers but it also indicates his desire for practicality and letting his actions speak for themselves. Stewart and the other original honorary surgeons were unanimously re-elected in the election held on 31 January 1857.²¹⁹

Whilst the hospital was able to provide much needed help to the goldfields community it was not able to (or designed to) address all medical needs. It was primarily a surgical hospital dealing with injuries and only some illnesses. Accidents could be admitted to the hospital at any time but other cases were only to be taken for three hours on Mondays and Thursdays. There was no assistance for lying-in (maternity), mental health, chronic paralysis or care for the destitute.²²⁰ Paralysed patients were sent to Geelong, raising the ire of the Geelong Infirmary and Benevolent Asylum who felt that Geelong should not be relieving Ballarat of its poor.²²¹ Other institutions dealing with these areas of health were required. The Ballarat Benevolent and Visiting Association was formed in November 1857 and the Benevolent Asylum opened in 1859 to help the 'aged, infirm, disabled, and destitute'.²²² This will be discussed in Chapter 6.

An unfortunate episode in the hospital's history was the treatment of John Chalmers, a miner who suffered paralysis after earth fell on him on 6 May 1857 at Smythe's Creek.²²³ The resident surgeon, Dr Thomas Hillas, refused Chalmers' hospital admission without even examining him. Hillas sent Chalmers' friends on a wild goose chase with no intention of admitting the injured man. The friends eventually decided to take Chalmers to Geelong.

²¹⁸ *Star*, 6 January 1857, p. 3; *Star*, 14 January 1857, p. 4.

²¹⁹ *Star*, 16 January 1857, p. 4; *Star*, 31 January 1857, p. 3.

²²⁰ *Star*, 30 January 1858, p. 3.

²²¹ Fewer chronic and incurable patients were sent to Geelong after the Ballarat Hospital was enlarged in 1858. Geelong Infirmary and Benevolent Asylum, *The Sixth Annual Report of the Committee of Management*. Geelong: Heath and Cordell, 1858, p. 8; Geelong Infirmary and Benevolent Asylum, *The Eighth Annual Report of the Committee of Management*. Geelong: Heath and Cordell, 1860, p. 8.

²²² Rules of the Ballarat Benevolent Asylum. Queen Elizabeth Centre, Ballarat.

²²³ Over a ton of earth fell on him and fractured his twelfth dorsal vertebrae and the first lumbar vertebrae and the twelfth dorsal right traverse processes were broken off. *Star*, 5 June 1857, p. 3.

Stewart visited Chalmers at the Red Lion Inn and found him in ‘a most filthy and disgusting state’.²²⁴ He stated that:

I asked him what had happened, and he told me all the circumstances of the accident, and said he believed his spine was dislocated. I told him if that was the case his back was broken. I gave him a note to the president of the committee, stating his case. He might possibly have lived for three or four months. His mates asked me whether it would be safe to convey him to Geelong. I told them that it would certainly be dangerous, and that if they had the means it would be far better to keep him here ... He had not the appearance of a man who was recovering, and was very emaciated.²²⁵

Chalmers was admitted to the Geelong Infirmary after a two and a half day trip and died five days later on 2 June.²²⁶ His injuries were too severe to survive but admission to the Ballarat Hospital would have spared him much suffering. The coroner’s inquest jury considered ‘that great inhumanity was shown by the surgeons of the hospital in not admitting the deceased’.²²⁷ There were calls for Hillas to resign and that he had ‘behaved with some want of humanity’.²²⁸

In what appears to be a personal attack (and probably an attempt to take some heat off himself), Hobson suggested that Stewart was as much to blame as Hillas. Stewart was very taken aback by Hobson’s accusations. Whilst Stewart felt he could not admit Chalmers because he was not on duty at the hospital, he appears to have done more than many of the Ballarat doctors involved in the case. Hobson held the same position at the hospital as Stewart but did not get Chalmers admitted. He and Hillas had requested payment before they would determine Chalmers’ fitness for the trip to Geelong. Hobson disappeared before Chalmers’ friend could return with the money required to examine Chalmers.²²⁹ Stewart had acted as he thought right, Hobson clearly had different motivations.

The fallout continued at a meeting held on 3 July 1857 where eight hospital committee members resigned.²³⁰ The house steward and matron, Mr and Mrs Garrard, resigned that same month.²³¹ Within two months Stewart resigned as honorary medical officer and William Thomas Pooley resigned as

²²⁴ *Star*, 10 June 1857, p. 2.

²²⁵ *Ibid.*

²²⁶ Dr Whittenburg of the Geelong Infirmary found Chalmers had a fractured spine with complete paralysis of the lower body, bed sores, water retention and two extensive sloughs exposing the dorsal and lumbar vertebrae. *Star*, 5 June 1857, p. 3.

²²⁷ *Star*, 5 June 1857, p. 3.

²²⁸ *Star*, 10 June 1857, p. 3.

²²⁹ *Star*, 16 June 1857, p. 3.

²³⁰ *Star*, 4 July 1857, p. 3; *Star*, 6 July 1857, p. 3.

²³¹ The Garrard’s resignation was likely connected with the Chalmers case but it could also have been due to Mr Garrard’s failing health. He died six months later of brain congestion at Ararat on 29 January 1858. *Star*, 3 February 1858, p. 2.

hospital treasurer.²³² Stewart must have been very unhappy with the committee's handling of the case for him to resign from an institution to which he had contributed so greatly. He did, however, continue to attend hospital meetings and contribute financially.

Problems at the hospital continued. At a meeting to nominate honorary medical officers on 29 January 1858 Stewart, Clendinning and Hobson declined to take office, Kenworthy resigned and the four newly-elected honorary surgeons threatened to resign.²³³ Kenworthy felt that if things continued as they were the best medical men would be driven from Ballarat. It was a recurrent theme at this time that doctors were unhappy, some hospital decisions were considered inhumane and the hospital committee absolved itself of all blame.²³⁴ In October 1858 the committee cold-heartedly attributed the large number of hospital deaths to people in a moribund state coming to the hospital with 'the only apparent object being to saddle the institution with the expense of a funeral'.²³⁵

It was no wonder that Stewart stepped away from the honorary medical officer position with the lack of support from the hospital committee, their contempt for their surgeons (and patients) and the general discontent amongst the doctors. After some renovations the Ballarat Hospital became known as the 'Ballarat District Hospital' to encompass its new role of taking in patients from greater distances on 29 September 1858.²³⁶

²³² *Star*, 5 September 1857, p. 3.

²³³ *Star*, 16 January 1858, p. 3; *Star*, 30 January 1858, pp. 2, 3.

²³⁴ The Benevolent Association considered that the hospital authorities acted this way in their treatment of George Harkly, an elderly man who was discharged from the hospital after three months, unable to walk or care for himself and suffering from numerous health issues. His readmission was rejected when he returned to the hospital the same morning he had been discharged. The case was investigated by the hospital committee who found no blame with the hospital authorities. *Star*, 30 January 1858, p. 3; *Star*, 8 September 1858, p. 4; *Star*, 9 September 1858, p. 3; *Star*, 21 September 1858, p. 3.

²³⁵ *Star*, 4 October 1858, p. 3.

²³⁶ The additions included a 17.6 by 17.6 feet operating theatre with a rotating table, a fracture and abscess room, a room for patients with weak eyes, a brick mortuary and libraries for doctors and patients. The building was lighted with gas and had water piped from the Swamp by the end of 1858. During the renovations a temporary hospital was set up in the Camp in the barracks formerly occupied by the 40th Regiment soldiers. The temporary hospital had two large wards (one with 21 beds and the other with 13 beds), a dispensing room, store room and an operating room. Patients at the barracks were exposed to extra health risks as the barracks were cleansed with an arsenic solution to eradicate vermin. Some had to sleep on the floor and others who would normally be admitted had to be treated as out-patients. *Star*, 12 January 1858, p. 3; *Star*, 9 February 1858, p. 2; *Star*, 26 February 1858, p. 2; *Star*, 31 July 1858, p. 2; *Star*, 4 September 1858, p. 3; *Star*, 4 October 1858, p. 3; *Star*, 27 December 1858, p. 2.



The Ballarat Hospital 1859
Lithograph by François Cogné
State Library of Victoria

Medical Practice in Ballarat

Stewart and other Ballarat goldfields doctors attended patients with conditions resulting from a variety of causes which included mining accidents, bad air (poisonous gases in mine shafts), bullet wounds (many from accidental shootings), burns, diseases, stabbing, intoxication and alcoholism, horse riding and dray accidents, child neglect, drowning, mental illness, suffocation, assaults and fights, rape, tree felling accidents and natural causes. As mining processes evolved so did the accidents they caused – the introduction of gunpowder in 1855 was a new source of danger leading to miners' injuries.²³⁷

Medical issues were reported in the newspapers as coroners inquests (performed if a death was out of the ordinary or from a crime), court cases, general news items, letters, hospitals and asylums reports, municipal council and Board of Health reports and articles from foreign medical journals and newspapers. This was part of official protocol, information (and misinformation) sharing and warnings about disease and conditions on the goldfields but the line was sometimes blurred between news items, entertainment and public agitation. For doctors it was also free advertisement of their services and added to their public prominence. For Stewart it added to his success as a public figure,

²³⁷ *Geelong Advertiser and Intelligencer*, 13 August 1855, p. 2.

as he regularly appeared in the news reports and advertisements. The reports provide valuable insight into the medicine practised by these doctors.

The Ballarat medical men usually worked together and referred cases to the most qualified amongst them. Very often this was Stewart as there was a high level of respect for him and his medical skill. They also had to mend the mistakes made by other doctors. In May 1856 Arie Verschoor sought medical assistance for a nosebleed that would not stop bleeding but ended up having his arm amputated.²³⁸ Dr Jackson incorrectly bled Verschoor's arm from the brachial artery. The arm swelled up full of blood and Dr Charles Campbell was called. By morning Verschoor's arm was black. Despite this, the two doctors said Verschoor was doing well and there was nothing more for them to do.

Four days later Verschoor sent for Dr Robert Carr who sent for Stewart. The next day Stewart, along with Carr and Clendinning, operated on the arm to take up the artery. One of the arteries burst out again a week later. Stewart and Carr tied the artery but they found mortification and put Verschoor under chloroform to amputate his arm. Stewart believed that:

If a doctor punctures an artery in bleeding, he can tell so immediately. One remedy is to raise the hand above the head, and apply pressure from the wrist to the shoulder; the other is to tie the artery above and below the puncture. A medical man ought to be more careful in bleeding when the arteries are near the surface.²³⁹

He described his surgical technique:

I tied up the artery twice, once before and once after the amputation of the arm. When I took up the first artery, if there had been aneurism in the second artery, I should have seen it. The second artery gave way, through becoming diseased, having too much blood passing through it.²⁴⁰

The need for amputations was not uncommon on the goldfields and some causes include damage from previous injuries, decay to bones from caries and fractures from mining injuries.²⁴¹ Patients were anaesthetised with chloroform and the amputation performed wherever most practical – sometimes *in*

²³⁸ Verschoor received £200 pounds damages for Jackson's negligence. *Star*, 6 January 1857, p. 2; *Star*, 21 October 1856, p. 2.

²³⁹ *Star*, 6 January 1857, p. 2.

²⁴⁰ *Ibid.*

²⁴¹ *Bendigo Advertiser*, 4 March 1857, p. 2; *Star*, 5 February 1857, p. 2; *Star*, 26 February 1857, p. 2; *Star*, 20 March 1857, p. 3.

situ in the case of severe accidents.²⁴² Stewart was often the amputating doctor. It took the swift surgeon just three minutes to amputate Mr Noonan's left leg below the knee on 5 February 1857.²⁴³

Doctors were also involved in mining-related accidents. Stewart was mistakenly reported to have lost his balance and mangled his hand under a huge crusher of a quartz crushing machine in June 1855.²⁴⁴ The report also suggested that he had initiated quartz crushing at Ballarat as patentee of a Chilean quartz crushing mill. It is very unlikely that these claims are true. Almost identical reports appeared a week later with Dr William Beauclerk Otway's name in place of Stewart's.²⁴⁵ Stewart had clearly been mistaken for the American doctor whose concentration was on gold mining (particularly at his Black Hill mine), possibly because of Stewart's prominence in the community and involvement with mining (see Chapter Six).²⁴⁶

There was little help for sufferers of mental illness in Ballarat's early years. They were usually taken to the Police Court where Doctors Stewart and Allison regularly gave evidence on their behalf.²⁴⁷ The sentenced 'lunatics' were sent to gaol for their own protection or to the Yarra Bend Asylum in Melbourne as there was no lunatic asylum in Ballarat until 1877.²⁴⁸ Sometimes people in dire need were placed in the gaol to ensure they received food before benevolent institutions appeared, as

²⁴² For example, Stewart and Hillas attended a man who became jammed between two earth removing wagons at the deep railway cutting near Warrenheip in 1859. The accident was so serious that the man's badly broken leg had to be amputated *in situ*. He died on the way to hospital. *Star*, 25 November 1859, p. 2.

²⁴³ *Star*, 5 February 1857, p. 2.

²⁴⁴ *Argus*, 23 June 1855, p. 5; *Geelong Advertiser and Intelligencer*, 21 June 1855, p. 2; *Sydney Morning Herald*, 28 June 1855, p. 2.

²⁴⁵ Otway came to Ballarat with extensive mining experience from the California gold rush, was one of the first quartz miners at Black Hill and introduced the Chilean mill. Bowden, *Goldrush Doctors*, p. 50; Withers, *History of Ballarat*, pp. 71, 339.

²⁴⁶ The Chilean mill was considered capable of grinding as much loam and sand in two hours as a man could do in a day. Otway's patented machine was manufactured by Dow and Co. by 23 December 1854 and put to work on 22 January 1855 at Black Hill. Davey suggests that nobody else was quartz crushing when Otway began. If this is the case, others including Stewart began crushing operations very soon after. *Argus*, 26 December 1854, p. 4; *Ballarat Courier*, 9 November 1870, p. 3; Bate, *Lucky City*, pp. 66, 80; Christopher J. Davey, "The Origins of Victorian Mining Technology, 1851-1900." *The Artefact* 19, (1996): 52-62, p. 58; *Mount Alexander Mail*, 12 January 1855, p. 6.

²⁴⁷ *Star*, 11 September 1856, p. 3; *Star*, 23 October 1856, p. 3.

²⁴⁸ The Yarra Bend Asylum opened in 1848 as a ward of the New South Wales Tarban Creek Asylum and was officially called the Yarra Bend Asylum in July 1851 when Victoria became a colony. The Ballarat Asylum opened on 29 August 1877 for child and adult 'imbeciles and idiots' in the former industrial school building but closed in 1879 when the building returned to the Industrial and Reformatory School Department. The Ballarat Lunatic Asylum reappeared in 1893. Victoria. Hospitals for the Insane Branch. *Report of the Inspector of Lunatic Asylums on the Hospitals for the Insane for the Year Ended 31st December 1877*. Melbourne: John Ferres, Government Printer, 1878, p. 21; Victoria. Hospitals for the Insane Branch. *Report of the Inspector of Lunatic Asylums on the Hospitals for the Insane for the Year Ended 31st December 1879*. Melbourne: John Ferres, Government Printer, 1880. p. 505; *Victoria Government Gazette*, 17 March 1893, p. 1368; Yarra Bend (Asylum 1848-1905; Hospital for the Insane 1905-1925), Agency Description, PROV VA 2839.

Beggs-Sunter has established.²⁴⁹ Allison fought hard to have mental illness sufferers admitted to the Ballarat Hospital after it opened in 1856 but to no avail.²⁵⁰

Care for the destitute in Victoria developed in different ways from the British model. Hirst usefully builds on Hartz's central idea that the nature and course of European colonial societies is determined by the prevailing ideology of the time that they left Europe, whilst acknowledging weaknesses in Hartzian theory.²⁵¹ Martin also usefully acknowledges weaknesses in the theory, particularly that Australia could not really be called a fragment prior to Federation when the theory suggests that the tone was meant to be already set.²⁵² This is because Australia had six separate colony foundations and he considers the gold rush effectively a second foundation for Victoria. There is evidence that some of the prevailing ideologies of the time immigrants to Australia left Europe were transferred to Victoria. When the goldfields population left Europe the poor law was unpopular amongst almost all groups, as Hirst and Kinloch assert.²⁵³ Hirst contends that prisons in Australia were used in place of workhouses because Australians were so anxious to avoid the poor law and its cruel workhouses but some elements of the poor law system still ended up in Australia.²⁵⁴ This can be seen in the usage of the Ballarat gaol during its early years and the development of other institutions in the town.

Charity, benevolence and friendly societies were to play an important role in the care of Ballarat's most needy inhabitants. Friendly societies offered 'self-help through mutual assistance'²⁵⁵ and were a part of the cultural transmission of British ideas as Serle, Hirst, Beggs-Sunter, Kinloch and Hazelwood have indicated.²⁵⁶ One of the earliest friendly societies in Ballarat formed in 1856 and the Ballarat Orphan Asylum was established in the 1860s from the impetus of the Oddfellows and Foresters friendly societies.²⁵⁷ Another element of poor law adopted from Britain was the distinction made between deserving and undeserving poor by Australian charities which has been noted by Hirst and, in Ballarat charities in particular, by Beggs-Sunter and Kinloch.²⁵⁸

²⁴⁹ Anne Beggs-Sunter, "The Ballarat Benevolent Asylum." unpublished, p. 1.

²⁵⁰ *Star*, 31 July 1858, p. 2; *Star*, 4 September 1858, p. 3.

²⁵¹ Hartz posits that, for the Australian fragment, this was 'radical, charged with proletarian turmoil of the Industrial Revolution'. Hartz, *The Founding of New Societies*, p. 3; Hirst, *Sense & Nonsense*, p. 126.

²⁵² Martin, "Australia and the Hartz Fragment Thesis", pp. 59, 62.

²⁵³ Hirst, *Sense & Nonsense*, p. 128; Helen W. Kinloch, "Ballarat and its Benevolent Asylum: A Nineteenth-Century Model of Christian Duty, Civic Progress and Social Reform." PhD thesis, University of Ballarat, 2004, p. 50.

²⁵⁴ Hirst, *Sense & Nonsense*, p. 129.

²⁵⁵ Anne Beggs-Sunter, "Genesis of the Friendly Society Movement." unpublished, p. 1.

²⁵⁶ Beggs-Sunter, "Genesis of the Friendly Society Movement." p. 2; Jennifer Hazelwood, "A Public Want and a Public Duty: The Role of the Mechanics' Institute in the Cultural, Social and Educational Development of Ballarat from 1851 to 1880." PhD thesis, University of Ballarat, 2007, p. 97; Hirst, *Sense & Nonsense*, p. 141; Kinloch, "Ballarat and its Benevolent Asylum", p. 51; Serle, *From Deserts the Prophets Come*, p. 19.

²⁵⁷ *Ballarat Star*, 7 July 1866, p. 2; Beggs-Sunter, "Genesis of the Friendly Society Movement." p. 4.

²⁵⁸ Beggs-Sunter, "James Oddie (1824-1911)", p. 83; Hirst, *Sense & Nonsense*, p. 128; Kinloch, "Ballarat and its Benevolent Asylum", p. 256.

The Ballarat medical practitioners were mostly generous men. Stewart and many of his colleagues assisted poor members of the community with gratuitous medical care and supported benevolent associations. In 1858 the Ballarat Visiting and Benevolent Association acknowledged 'the promptitude and readiness shown by almost every medical man in rendering their services to the destitute'.²⁵⁹ Stewart's medical, financial and moral care for the poorer members of his community is a *leitmotif* that continues throughout his life.

Ballarat had its share of health scares. Bate notes the fever scares and 'unparalleled health hazards'²⁶⁰ of the crowded Chinese villages. There were wider problems across the district related to an imperfect water supply, no drainage system and large quantities of decaying animal and vegetable matter. A local health report recommended stronger efforts to rectify these issues in the district in April 1858.²⁶¹ Insanitary housing was a risk to infant life, as McCalman, Morley, Smith and Anderson have established, and the problem was not easily fixed.²⁶² The deaths of 33 children under five years of age in 1859 were attributed to unhealthy quarters by the local Deputy Registrar of Births and Deaths.²⁶³

Between 1850 and 1876 scarlet fever was a serious problem in Victoria and was prevalent in Ballarat.²⁶⁴ It had first appeared in Victoria in 1841, and was followed by measles during the 1850s then by diphtheria around 1859.²⁶⁵ As McCalman and Kippen assert, once infections survived the long sea voyage to Australia 'their effects on the colonial-born, and therefore immunologically naive, was severe'.²⁶⁶

The Public Vaccinator

Stewart was the key contributor to smallpox prevention in Ballarat and was performing vaccinations there by early 1853.²⁶⁷ Vaccination systems were well established in the society from which he came: by the beginning of the twentieth century, Ireland 'was one of the most thoroughly vaccinated

²⁵⁹ *Star*, 20 August 1858, p. 3.

²⁶⁰ Bate, *Lucky City*, p. 151.

²⁶¹ *Star*, 14 April 1858, p. 2.

²⁶² Janet McCalman, Ruth Morley, Len Smith, and Ian Anderson. "Colonial Health Transitions: Aboriginal and 'Poor White' Infant Mortality Compared, Victoria 1850-1910." *The History of the Family* 16, no. 1 (2011): 62-77, p. 68.

²⁶³ *Star*, 23 July 1859, p. 2.

²⁶⁴ John Howard Lidgett Cumpston was the first Director-General of Health for the Commonwealth of Australia 1922-1945. J.H.L. Cumpston, "Birth Rates and their Possible Association with the Prevalence of Infectious Disease." *Journal of Hygiene* 31, no. 3 (1931): 291-308, p. 307.

²⁶⁵ *Ibid.*, p. 292.

²⁶⁶ McCalman and Kippen. "Population and Health", p. 309.

²⁶⁷ *Argus*, 11 April 1853, p. 12.

countries in the world',²⁶⁸ as Farmar has established. Stewart was appointed the public vaccinator for the district of Ballarat on 13 March 1855 after the introduction of the Vaccination Act of 1854.²⁶⁹ He held the position until June 1869.²⁷⁰ The colony of Victoria followed the British 1853 Act which mandated the vaccination of all infants, as Bashford asserts.²⁷¹ Children were supposed to be vaccinated by six months of age, although Stewart vaccinated children of a variety of ages.²⁷² The extant vaccination registers of the district for the 1860s reveal the ages of those vaccinated ranged from 5 weeks to 19 years.²⁷³ Gratuitous vaccinations were also given by other doctors.²⁷⁴ McWhirter contends that the continued success of the Vaccination Act was due to the effective administration of the Act.²⁷⁵ Stewart contributed to this success as the longest-standing Public Vaccinator for the district in Ballarat's first two decades.

The term 'vaccination' originally referred to using cowpox (vaccinia virus) to induce immunity to the highly virulent smallpox (variola virus) but later encompassed other immunization techniques. Smallpox is acutely contagious and enters the body through the respiratory tract and causes mouth and skin lesions.²⁷⁶ There were smallpox outbreaks amongst Europeans in Victoria in 1857 and 1868 but, as Cumpston notes, the confusion between smallpox and chickenpox raises questions about these cases.²⁷⁷ The disease no longer occurs naturally and was declared globally eradicated in 1980.²⁷⁸

²⁶⁸ Farmar, *Patients, Potions and Physicians*, p. 168.

²⁶⁹ Stewart also vaccinated children from other areas including Clunes, Bungaree, Buninyong, Amherst and Burrumbeet. *Victoria Government Gazette*, 3 April 1855, p. 870; Medical Association of Victoria. *The Australian Medical Gazette: A Journal of Medical Science, Literature, and News for 1869*. Melbourne: Clarson, Massina & Co., 1870, p. 129; Registers of Vaccinations, PROV VPRS 3654.

²⁷⁰ *Victoria Government Gazette*, 11 June 1869, p. 864.

²⁷¹ The Victorian Vaccination Act of 1854 banned the use of inoculation with variolus matter or attempting to produce smallpox in any person. Doing so would invite a fine of up to £100 or up to 12 months imprisonment. Act to Make Compulsory the Practice of Vaccination, 1854, p. 12; *Argus*, 28 September 1854, p. 4; Alison Bashford, *Imperial Hygiene: A Critical History of Colonialism, Nationalism and Public Health*. Basingstoke, Hampshire: Palgrave Macmillan, 2004, p. 50.

²⁷² J. H. L. Cumpston, *The History of Small-Pox in Australia, 1788-1908*. Melbourne: Albert J. Mullett, Government Printer, 1914, p. 137.

²⁷³ Public Records Office Victoria. VPRS 3654, Registers of Vaccinations. Bungaree 1868, 1869; Buninyong 1864, 1865, 1866, 1867, 1868, 1869; Burrumbeet 1863, 1864, 1865, 1868; Durham Lead 1865, 1866, 1868, 1869; Learmonth 1863, 1864, 1866, 1867, 1869.

²⁷⁴ Other Ballarat doctors who performed vaccinations included Doctors Tapley, Creelman, Clendinning, G.H. Hamilton, King, Hobson, Saenger, Hillas and McFarlane. *Ballarat Times and Southern Cross*, 15 March 1856, p. 1; Registers of Vaccinations, PROV VPRS 3654.

²⁷⁵ Rebecca McWhirter, "'Lymph or Liberty': Responses to Smallpox Vaccination in the Eastern Australian Colonies." PhD thesis, University of Tasmania, 2008, p. 71.

²⁷⁶ People become unwell 10 to 12 days after exposure to smallpox when they 'enter a pre-eruptive phase of fever, headache, myalgias, nausea, and vomiting'. Two to three days after the fever begins a characteristic rash develops with small macules (discoloured skin patches) which progress to vesicles (small fluid-filled bladder or cyst) and pustules which turn to scabs and separate after one to two weeks. Janie Parrino and Barney S. Graham. "Smallpox Vaccines: Past, Present, and Future." *The Journal of Allergy and Clinical Immunology* 118, no. 6 (2006): 1320-1326, p. 1320.

²⁷⁷ Cumpston, *The History of Small-Pox*, pp. 27, 28, 30, 124.

²⁷⁸ WHO Advisory Committee on Variola Virus Research. *Report of the Fifteenth Meeting*. Geneva: World Health Organization, 2013, p. 27.

Inoculation could be achieved by applying scabs or pus (lymph) from an infected person to broken skin to develop a milder form of the disease and induce immunity (variolation) or in a modified form by using the lymph matter of animals such as calves or human lymph infected with the less dangerous but related cowpox (vaccination). The effectiveness of the vaccine was affected by the potency, virus strain, preparation, storage conditions and bacterial fungal and viral contamination from lymph harvested from live animals, as Baxby, Parrino and Graham assert.²⁷⁹ Lymph was sourced in England and maintained via arm-to-arm transmission but vaccination with calf lymph became more popular from 1880.²⁸⁰ This was largely due to concerns about transmission of childhood diseases and syphilis during the operation, as Bashford has established.²⁸¹ Public vaccinators like Stewart would take lymph from children returning on the eighth day after vaccination and use it for future vaccinations, thus maintaining their vaccine matter supplies.

The Vaccination Act commenced on 1 January 1855 and 7,738 children had been vaccinated in the Ballarat district by 1861.²⁸² Poor patients were not charged for vaccinations from September 1857 and by March 1859 there was no charge for any vaccinations.²⁸³ Those who neglected vaccinating their children or failed to return after eight days to see if the vaccination had taken effect could be fined up to 40 shillings for the first offence and then up to £5 for further offences.²⁸⁴ In March 1861 Stewart took John Graber to court for not bringing his child back to check if the vaccination was successful.²⁸⁵ Stewart did not press charges but instead used the occasion to alert the public that they had to comply with the Act.

The fear and confusion about smallpox in Victoria was exemplified in the case of 8-year-old Miss Lecki in April 1858. The Chief Medical Officer of Victoria, William McCrea, called for an investigation by Stewart (as local public vaccinator) and Kenworthy, Nicholson and Mount (hospital medical officers).²⁸⁶ They diagnosed the girl with the less dangerous cowpox.²⁸⁷ Dr Allison attended the girl and considered her conical-shaped pustules to be an aggravated case of chickenpox.²⁸⁸ Dr

²⁷⁹ Derrick Baxby, "Smallpox Vaccination Techniques; from Knives and Forks to Needles and Pins." *Vaccine* 20, no. 16 (2002): 2140-2149, p. 2142; Parrino and Graham. "Smallpox Vaccines", p. 1321.

²⁸⁰ Cumpston, *The History of Small-Pox*, p. 138; McWhirter, "'Lymph or Liberty'", p. 46.

²⁸¹ Bashford, *Imperial Hygiene*, p. 20.

²⁸² *Star*, 23 April 1861, p. 2.

²⁸³ *Victoria Government Gazette*, 15 September 1857, p. 1733; *Victoria Government Gazette*, 25 March 1859, p. 547.

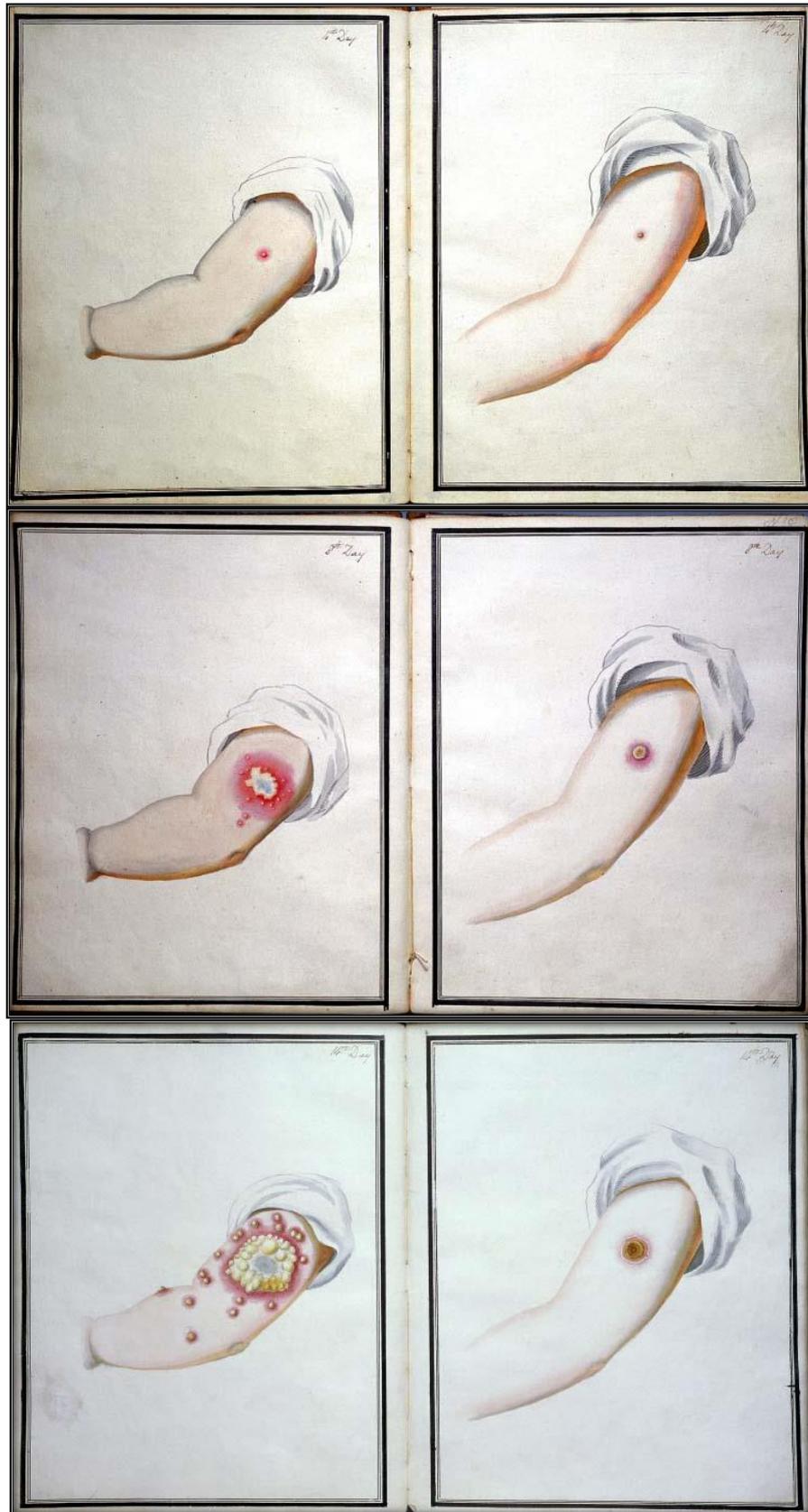
²⁸⁴ *Compulsory Vaccination Act 1854*, p. 12.

²⁸⁵ *Star*, 27 March 1861, p. 4.

²⁸⁶ *Star*, 29 April 1858, p. 3.

²⁸⁷ Bowden asserts that Stewart and the accompanying doctors were 'quite convinced that the disease was chicken-pox' and that Dr Allison was wavering and eventually decided it was modified smallpox. But, according to newspaper and Board of Health reports, they thought it was cowpox. Bowden, *Goldrush Doctors*, p. 72.

²⁸⁸ *Argus*, 30 April 1858, p. 5; *Star*, 28 April 1858, p. 2.

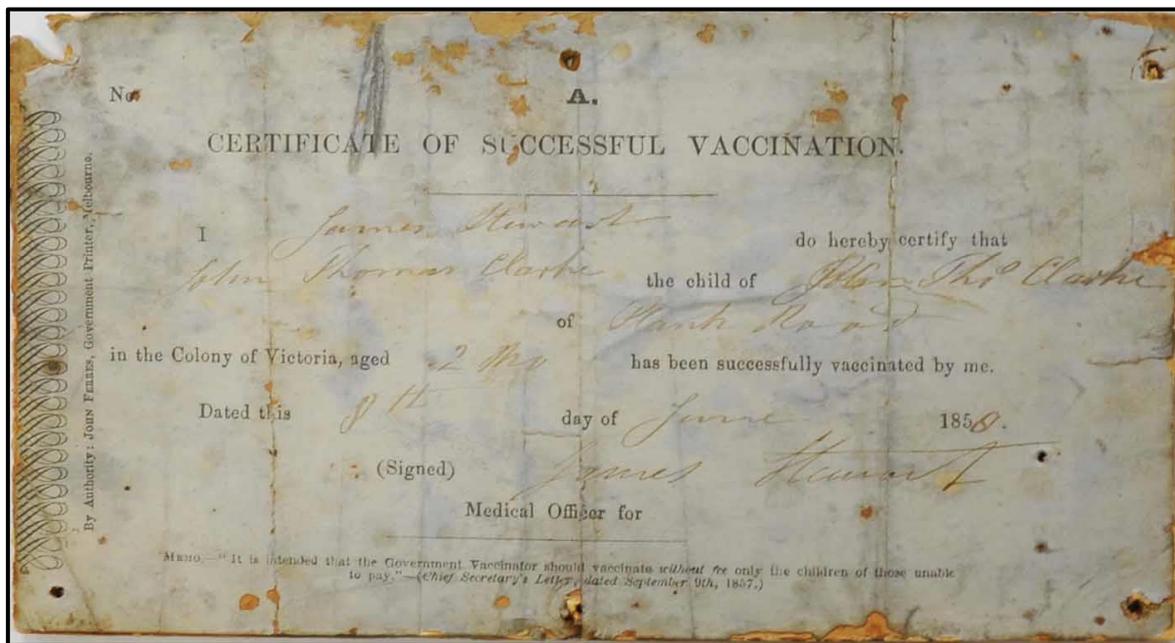


Smallpox inoculation (variolation), left, and cowpox inoculation (vaccination), right, four, eight and fourteen days after inoculation.

Watercolour drawings by G. Kirtland, 1802
Wellcome Library, London

Richardson had vaccinated Lecki a year earlier and believed that she was suffering from malignant smallpox. Reflecting a very different view to Stewart, Richardson favoured sanitary measures over vaccination in the belief that smallpox was a consequence of ‘ignorance and filth’.²⁸⁹ Stewart was the most qualified to recognise the infection from the large volume of vaccinations he performed.

The Star misreported the case in an alarmist manner suggesting that Allison was disgracefully derelict in his duty and put the community at risk.²⁹⁰ Stewart criticized the spread of false reports and felt that if he and his colleagues had not investigated the case the family’s tent and bedding would have been needlessly destroyed. As with his days at sea on the *Rip Van Winkle*, it was his role to look after, calm and mitigate the risks to the community for which he cared. As McWhirter suggests, alarm about smallpox was ‘disproportionate to its epidemiological impact’²⁹¹ and because it was epidemic rather than endemic it caused more alarm and provided the impetus for improvements in the development of public health.²⁹²



Certificate of Successful Vaccination signed by Stewart in 1858
Ballarat Historical Society, No. 79.0695

Most Ballarat parents took their children to Stewart to get vaccinated, even after East Ballarat gained its own vaccinator (Dr Leman) following the 1858 smallpox scare.²⁹³ The troublesome Eastern Council tried to remove Leman as their public vaccinator in 1859. Eastern councillor Scott felt that

²⁸⁹ Walter Lindesay Richardson in Dorothy Green, "Anti-Vaccination and Syphilis." *The Medical Journal of Australia* (March 7, 1970): 500-501, p. 500.

²⁹⁰ *Star*, 29 April 1858, p. 2.

²⁹¹ McWhirter, "Lymph or Liberty", p. 6.

²⁹² *Ibid.*, p. 49.

²⁹³ *Star*, 6 May 1858, p. 2.

Leman did not hold a high enough place in society required of the position.²⁹⁴ They took Leman to court for using bad vaccine matter (which could lead to 12 months imprisonment) and other vexatious accusations which were eventually withdrawn.²⁹⁵ Stewart clearly had a much stronger reputation and higher social position than Leman. Leman was from a lower class and did not have the same cachet, resilient reputation or privilege. He had to work harder for things that were more easily attained by Stewart.

Post Mortems

Stewart performed post mortems and regularly gave expert medical evidence at inquests and trials held in Ballarat and Geelong.²⁹⁶ Post mortems were performed in a variety of places – often in hotels and houses, even in stables. Two of Stewart’s earliest post mortems in Ballarat were in cases involving sudden death and manslaughter. On 2 February 1854 Stewart examined the body of William Norman and found Norman’s heart sufficiently diseased to cause sudden death.²⁹⁷ Stewart removed wadding and a ball from J. Fawcett’s gunshot wound after he was shot by Thomas Keane outside a bakery at Little Bendigo in April 1854.²⁹⁸ He found that Fawcett’s death had resulted from mortification of the wound and noted that Fawcett would have survived had his wound been properly treated.

Stewart was called to perform a second post mortem on the exhumed body of Ann Dinah Adams six days after her death in 1855.²⁹⁹ The coroner’s inquest found that she died from natural causes despite evidence to the contrary. Her husband William was indicted for wilful murder. Juries were reluctant to convict such cases and Adams escaped the gallows, despite Stewart’s evidence that Ann’s death was caused by external compression upon the windpipe.³⁰⁰ Neither Stewart, nor any other doctor,

²⁹⁴ *Star*, 3 August 1859, p. 3.

²⁹⁵ *Star*, 24 September 1859, p. 2; *Star*, 30 September, 1859, p. 3; *Star*, 19 December 1859, p. 2.

²⁹⁶ *Argus*, 28 July 1855, p. 5; *Geelong Advertiser and Intelligencer*, 27 July 1855, p.2; *Geelong Advertiser and Intelligencer*, 31 July 1855, p. 2; *Star*, 14 August 1857, p. 2.

²⁹⁷ Jurors for the inquest included three men with whom Stewart would have much involvement. Thomas Bath (owner of Bath’s Hotel) and Patrick Bolger and William Tulloch (members of the first Municipal Council with Stewart). Inquest William Norman, PROV VPRS 24/P0, Unit 18.

²⁹⁸ Keane was sentenced to 5 years on the roads. *Geelong Advertiser and Intelligencer*, 29 April 1854, p. 4.

²⁹⁹ Adams, a jealous man who ‘ill-used’ his wife, claimed that she had a fit and fell in their tent then died but witnesses saw signs of violence on her body including a black left eye, swollen cheek, discoloured under-lip and right temple. Stewart found three distinct marks on Ann’s neck. Her face was swollen and livid, there was an effusion of blood pressing on the anterior portion of her brain and internal ecchymosis (ruptured blood vessels bleeding into tissue) matched the external throat marks. *Argus*, 30 July 1855, p. 6; *Geelong Advertiser and Intelligencer*, 28 July 1855, p. 2.

³⁰⁰ *Argus*, 7 September 1855, p. 4.

performed official post-mortems on the dead after the Eureka Stockade (apart from on two who were not considered to be insurgents), as discussed above.

Doctors often took people to court for unpaid fees but some doctors were also taken to court. John Lang was awarded £100 damages at the County Court on 7 October 1857 for maltreatment and unskilled handling of a leg injury by Dr Allison. Doctors Heise and Clendinning secured Lang's fractured leg, advised rest and hospital care but 13 days later Lang consulted Allison who believed there to be no fracture and recommended crutches, fresh air and medication. By the time Lang attended the hospital his leg was both dislocated and fractured and he could not walk. Stewart did not agree with Allison's treatment method but was as supportive as he could be in the situation, giving an indication of the type of man that Stewart was:

I have never seen a case like the present one, but I consider such a case, to a certain extent, incurable. I cannot say that the patient, differently treated, would have been less lame than he is. When I examined him, I did not detect any evidence of bad treatment, but I should have treated the case differently myself. I cannot say that Dr Allison's treatment was one of gross ignorance or carelessness ... There is no other way than by bandages and splints to treat a fracture.³⁰¹

Allison was again taken to court on 30 September 1858 for damages and losses caused by unskilful professional conduct during acupuncture treatment to John Evans, a miner with leg pain.³⁰² Allison had inserted common sewing needles in Evans' leg on a few occasions followed by cupping (glasses containing Old Tom gin were placed on the area and lit). He unsuccessfully attempted to remove the needle with tweezers and a knife after it disappeared into Evans's leg.

Four days later Evans visited Stewart who advised him to go to hospital where surgeons cut into his leg but to no avail. Stewart stated that:

I found a hard substance in the calf of his leg such as would result from the presence of a needle. Doctors Nicholson and Heise concurred with me that it was deep seated ... Ivory needles are generally used for the purpose. If common needles were used I should certainly not put them in to the eye; but if it was so done ordinary skill should easily extract it if it could be seen ... Every

³⁰¹ *Star*, 8 October 1857, p. 2.

³⁰² These cases are included as examples because of Stewart's involvement, Allison was by no means the only doctor taken to court for alleged medical neglect. In May 1857 Doctors Doyle and Hobson were taken to court for the unskilful treatment of Henry Smith's broken leg. At least ten medical men were consulted on the case but it was not sent before a jury because differing opinions from doctors was not sufficient to show that Smith had suffered from the treatment he received. *Star*, 4 May 1857, p. 2; *Star*, 1 October 1858, p. 2.

medical man has his own particular method of treatment ... If I had used the needles I should have taken care to have put something in the eyes of the needles to have withdrawn them with.³⁰³

The views of Stewart and his colleagues on acupuncture exemplify the variety of experience and medical practice in Ballarat.³⁰⁴ Stewart thought that acupuncture was not generally in use but it was possibly being revived and he never used it for pain relief. Some considered acupuncture obsolete, most thought special ivory needles and needles with heads should be used and others had seen normal needles used. All thought it bad to cut into muscle in search of the needle unless it could be felt and that the needle should have been left in to work its own way out naturally.

Doctors and patients were well-supplied in Ballarat. By 1859 surgical instruments could be purchased from local storekeepers such as W.A. Mappin in Main Road.³⁰⁵ Coincidentally, Mappin also repaired the guns and pistols that too often led to the need for the surgical instruments. Surgical chemicals such as ether and chloroform became available from local distilleries in the 1860s. Dentists, chemists and druggists sold a plethora of medications and concoctions.³⁰⁶ The public could attend classes on practical phrenology which involved reading the head and skull for what Levine describes as 'signs of innate truth'.³⁰⁷ As Martyr contends, phrenology had shifted from a science to an entertainment by the 1850s.³⁰⁸

Stewart had very quickly set up a successful medical practice at Bakery Hill as one of Ballarat's earliest doctors. He was a key contributor to all facets of Ballarat medical practice from the beginning. His medical experiences offer insight into colonial medical practice, medical care at Eureka, the professional relationships between the Ballarat doctors, life on the goldfields, health issues faced by the goldfields community and the development of early Ballarat. Stewart in particular was deeply

³⁰³ *Star*, 1 October 1858, p. 2.

³⁰⁴ Allison had only practised acupuncture since arriving in Australia. Hillas had never seen acupuncture performed. Bunce had practised acupuncture and seen others practise it but felt it was not in general use. Heise was a frequent user of acupuncture. Richardson believed that the modern doctrine of blood diseases had rendered acupuncture obsolete. Clendinning considered acupuncture to be the proper treatment for neuralgia. Sutherland had seen acupuncture performed usually with common needles without heads. Evans was awarded £30 damages and £15 2s 8d costs.

³⁰⁵ *Star*, 13 August 1859, p. 3.

³⁰⁶ D.W. Robinson was a 'surgeon-dentist' who could stop and extract decayed teeth at Robinson & Cole's Wholesale and Retail Chemists and Druggists in 1854. By 1856 Mr Eskill and his successor Mr S. de Saxe in Main Road promised to supply and adapt teeth without pain, stop teeth with white enamel, cement, mineral and gold and the speedy removal of problems such as scurvy of the gums. These included dysentery mixtures, magnesia aperients to relieve constipation, eye lotions, tooth and gum tinctures, camphorated tooth powder, Dr L.L. Smith's Vegetable Pills (for bilious complaints, stomach and bowel diseases, scurvy, gravel, etc.), Williams' Antibilious Pills (for headache, indigestion, nausea, constipation, etc.), Holloway's Pills and Ointment and Warner's Anodyne Cough Lozenges. *Ballarat Times*, 28 October 1854; *Star*, 16 July 1856, p. 1; *Star*, 17 April 1857, p. 4; *Star*, 20 April 1857, p. 4.

³⁰⁷ Philippa Levine, "States of Undress: Nakedness and the Colonial Imagination." *Victorian Studies* 50, no. 2 (2008): 189-219, p. 206.

³⁰⁸ Martyr, *Paradise of Quacks*, p. 101.

involved in some of the major events of Eureka: he performed an independent post mortem on James Scobie, he gave evidence at the enquiry into the burning of Bentley's Eureka Hotel and about D'Ewes' corruption and assisted injured people after the events of the Stockade, most notably Peter Lalor.

Stewart was a key contributor to not only the establishment of the Ballarat Hospital and fundraising for it, but to providing medical care to its patients – in this way he contributed more to the hospital during the 1850s than any other person in Ballarat. Hyslop only briefly touched on some of Stewart's involvement with the hospital in her otherwise excellent history of the Ballarat Base Hospital and thus neglected a key contributor to the hospital and important facets of the hospital's beginnings.³⁰⁹

Stewart's reputation and status were well developed through his medical work, constant presence in the newspapers and in his medical roles. In these roles he was part of the Irish influence on medicine and its institutions in Ballarat and Victoria. His status as one of Ballarat's key medical men stood him in good stead for other public roles during the town's foundational period. Stewart's life in post-Eureka Ballarat is discussed in the next chapter.

³⁰⁹ Hyslop, *Sovereign Remedies*.

CHAPTER FOUR

CIVIC DUTY AND THE PRIVATE SIDE OF LIFE

**'I can assure you, that I feel convinced myself, at last we have
got the right man in the right place'¹**

**James Stewart
January 1858**

Stewart's involvement in the events of Eureka affected both him and the way he was seen by the public of Ballarat. He became involved in his community in new ways and entered into public life through popularly elected roles. How these were enacted by Stewart and how he built on the influences already present in his experiences, identity and personality are analysed in this chapter. The forms of civic duty that attracted him during his first decade in Ballarat are examined along with his version of colonial liberalism. The local and colonial networks with which he was involved are also analysed. These networks extended through to his private life. Stewart was a bachelor during this foundation decade in Ballarat and was heavily involved in social and community groups in Ballarat. As with other public institutions, Stewart was there at the beginning of many of Ballarat's social organisations, often playing an important part in their establishment.

Through civic roles Stewart importantly contributed to the formation and functioning of a city and adapting to its population's changing needs. His civic duty was influenced by his earlier life in Ireland with his father as a role model, the democratic nature of Ulster Presbyterianism and the influences of his time in Dublin. His formative experience as a ship's surgeon had given him a taste of the possibilities of his own leadership skills. His newer colonial influences involved the needs and possibilities of the burgeoning goldfields town and his friends and like-minded colleagues who contributed to Ballarat and its institutions. These were coloured by the more immediate influence of Eureka and his experience of goldfields life through the medical cases he attended. There was opportunity in the goldfields community to build new institutions from the ground up and adapt British institutions to goldfields conditions. Critical-mass was necessary for these attempts to be successful: it required like-minded people and the support of the majority of the population. Stewart's time in Ballarat would have been very different if he did not have public support.

¹ From James Stewart's address to Governor Henry Barkly. *Star*, 22 January 1858, p. 2.

Some of the same names appear alongside Stewart's in many of his endeavours in Ballarat as board members, councillors, committee members and trustees. These include Peter Lalor, James Oddie, William Collard Smith, William Pooley, Adam Loftus Lynn and John Hamlet Taylor. The friendships, relationships and stresses to some of these relationships form an important facet of Stewart's involvement with civic duty in Ballarat. They constituted interconnected local networks of power.

Stewart, like some of these men, had his own unique form of colonial liberalism. As Macintyre asserts, liberalism can be considered 'as a way of seeing the world and acting on it'.² In the colonial setting liberalism became 'a constructive endeavour'³ because, he argues, it was deprived of its natural enemy of established order. The importance of liberalism in Ballarat and on the Victorian goldfields has been stressed by Macintyre, Bate and Goodman.⁴ Like the men of Macintyre's *A Colonial Liberalism*, the belief in self-sufficiency and autonomy as part of the nineteenth century liberal tradition influenced Stewart's desire for representative government, protection of what was right and leading by example. His actions and ideas in local government shed new light on colonial liberalism.

In his critical comparison of 1850s goldfields in Victoria and California, Goodman attributes order in California to personal virtue and in Victoria to institutions. Victorians' individual choices came second to the law but the law came second to the Californians' code of honour and individual morals.⁵ This can be explained by the very different ways the two places developed – 1850s Victoria had the imported structures of British rule but, as McDowell asserts, late-1840s California was left without a legislature, bureaucracy, law code, police or gaols after the Mexican War.⁶ The Ballarat miners contested oppressive laws at Eureka where the institutions of justice and government had failed them. As Bate contends, they had much political experience through agitation, petitions, mass meetings and navigating the goldfields rules; Eureka sealed their commitment to goldfields rights and interests when Victoria achieved full self-government in 1855.⁷

The Goldfields Commission of enquiry into the condition of the Victorian goldfields in 1855 found 'a strong dissatisfaction' with the goldfields administration and 'the absence of a recognised political

² Macintyre, *A Colonial Liberalism*, p. 12.

³ Ibid.

⁴ Bate, *Lucky City*, p. 148; David Goodman, "The Gold Rushes of the 1850s." In Bashford and Macintyre, eds. *The Cambridge History of Australia*, 170-188, p. 179.

⁵ Goodman, *Gold Seeking*, p. 79.

⁶ Andrea G. McDowell, "From Commons to Claims: Property Rights in the California Gold Rush." *Yale Journal of Law and the Humanities* 14, no. 1 (2002): 1-72, p. 2.

⁷ Bate, *Lucky City*, p. 133.

and general status for the mining population⁸ that was enjoyed by other colonists. Commission recommendations led to goldfields political representation, miners' appointments as honorary magistrates, miners' courts and administration by mining wardens, as Beggs-Sunter has established.⁹ The Commission recommended the abolition of the miner's licence and the introduction of the 'miner's right' which was brought into law in the Gold Fields Act on 12 June 1855. For £1 this gave the miners legal rights to their claim, to reside on the claim and entitlement to the franchise.¹⁰ Birrell contends that the Act was revolutionary because it gave close to complete control of mining regulation to miners in each district as mining conditions were distinctive to each district.¹¹ He suggests that the overall tensions which caused Eureka were importantly reduced by the goldfields courts and their greatest achievement was 'the development of a basic set of rules for the conduct of goldmining over a range of geological and environmental conditions'.¹² But there were more community needs to be met.

The First Ballarat Municipal Council

By 1855 many members of the Ballarat population felt that the formation of municipal institutions provided the best way to improve their community. Many had lost confidence in the warden and police inspector as they were government-appointed. Stewart was involved in the push for local self-government from the beginning. A study of his civic duty provides new insights on Ballarat's early council and this biographical lens can illuminate hitherto neglected aspects of civic polity.

A meeting was held on 25 May 1855 at the Golden Fleece Hotel to consider declaring Ballarat a municipality and to organise a petition to Governor Sir Charles Hotham.¹³ Stewart was one of 160 signatories to the petition and Ballarat was constituted a municipality on 17 December 1855.¹⁴ Castlemaine and Sandhurst (Bendigo) were two of the first six municipalities in Victoria and,

⁸ *Gold Fields Commission of Enquiry*, p. xi.

⁹ Anne Beggs-Sunter, "Eureka and the Transformation of the Mining Industry in Mid-Nineteenth Century Australia." In *Transforming Labour; Work, Workers, Struggle and Change* Proceedings of the 8th National Labour History Conference, Brisbane, September 2003, edited by Bradley Boyden and John Kellett, 29-33: Brisbane Labour History Association, 2003, p. 2.

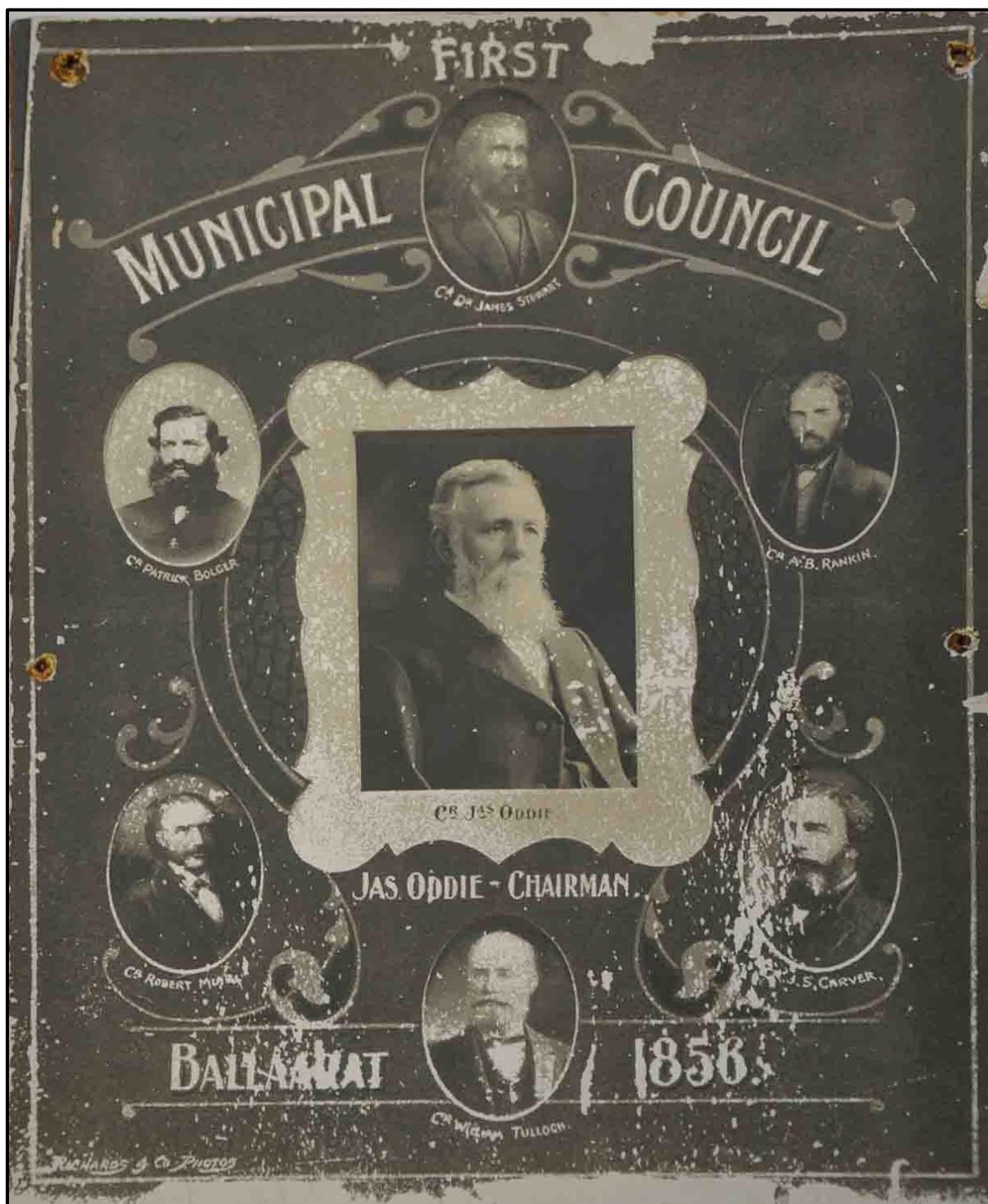
¹⁰ The commission consisted of John Pascoe Fawkner, William Westgarth, James Ford Strachan, John Hodgson, William Henry Wright and O'Shanassy. Victoria. *Gold Mining Regulations: Under the Act of Council 18 Vic. No. 37*, Melbourne: John Ferres, Government Printer, 1855; Serle, *The Golden Age*, pp. 173, 177.

¹¹ Ralph W. Birrell, *Staking a Claim: Gold and the Development of Victorian Mining Law*. Carlton South: Melbourne University Press, 1998, p. 35.

¹² *Ibid.*, p. 55.

¹³ *Argus*, 8 June 1855, p. 6.

¹⁴ *Argus*, 1 August 1855, p. 4; Ballarat City Council. *Copy of a petition of householders of Ballarat, Praying for Incorporation Under the 'Act for the Establishment of Municipal Institutions in Victoria' Presented to His Excellency Sir Charles Hotham: From the Mayor's Special Report 1881 25th Anniversary City*



First Municipal Council Ballarat

Clockwise from top: Cr Dr James Stewart, Cr A.B. Rankin, Cr J.S. Carver, Cr. William Tulloch, Cr. Robert Muir, Cr Patrick Bolger, Cr Jas Oddie (centre).

These images are from much later than 1856, the councillors were young men in 1856. It is most likely the picture James Oddie donated to the Ballarat Council 50 years later in July 1906.

Ballarat Historical Society, No. 106.81

Council of Ballarat. Ballarat, 1881; Geelong Advertiser and Intelligencer, 9 August 1855, p. 2; Victoria Government Gazette, 18 December 1855, p. 3275.



The amalgamated Mayoral Chains of Ballarat West (inner chain) and Ballarat East
Made from Ballarat gold, the shields are engraved with the monogram of chairmen and mayors with their name
and their presiding years engraved on the reverse.
City of Ballarat Collection, Gold Museum Ballarat

according to Barrett, had dwindling enthusiasm within weeks of being proclaimed.¹⁵ This was not the case for Ballarat which elected their first council within a month of being declared a municipality – Castlemaine took nine months.

Stewart was elected to the first Municipal Council at an election held on 16 January 1856.¹⁶ He received 115 votes, ranking third highest. At 26 years of age Stewart rated so highly on the poll because of his popularity amongst the miners. Apart from helping many of them medically, he gained much respect for his courageous and honourable actions during the events of Eureka. The six men elected with Stewart were James Oddie, Robert Muir, William Tulloch, Alexander Binney Ranken, John Smith Carver and Patrick Bolger. They were chosen as the best representatives for the district based on the wants and needs of a goldfields population who had suffered oppressive laws and the trauma of Eureka. They wanted fair treatment and for their district to prosper. The first council entered into their new unpaid roles carrying the weight of these potent expectations.

The Council met for the first time on Wednesday 16 January 1856 at Bath's Hotel and James Oddie was elected chairman.¹⁷ The *Argus* correspondent considered the new Council to be 'as upright and honest as could be selected'.¹⁸ They 'appeared to take remarkably well to harness, and gave indications of great adaptability for public business'.¹⁹ They presided over a district with assessable property valued at £40,060 consisting of 267 tenements and 297 vacant allotments.²⁰ The municipality encompassed the township of Ballarat on the basalt plateau; eastern Ballarat (the Flat) had to wait another year and a half to have its own local government. According to Bate, people thought of it as a single Ballarat until the east became a municipality.²¹ Stewart and his colleagues were soon working with (and learning from) other young councils such as Castlemaine and Sandhurst.

The councillors were establishing a more permanent and safe setting from the ephemeral and transitory goldfields life with buildings, streets, basic services and institutions that would improve living conditions and serve the community for years to come. They were negotiating the steep learning curve with existing rules and institutions of empire, creating their own by-laws, learning the limitations of their power and adjusting decisions to suit the changing circumstances of goldmining

¹⁵ Bernard Barrett, *The Civic Frontier: The Origin of Local Communities and Local Government in Victoria*. Carlton: Melbourne University Press, 1979, p. 164.

¹⁶ The election results were: J. Oddie (132), R. Muir (126), J. Stewart (115), W. Tulloch (107), A.B. Ranken (97), J.S. Carver (81), P. Bolger (81), A. Davies (73), R. Holmes (69), A. Chalmers (65), R. Smith (63), G. Anderson (49), W.B. Robinson (30), A. L. Lynn (30), J. G. M. Wigley (27), J. McDowall (20), H. Seekamp (17). *Geelong Advertiser and Intelligencer*, 18 January 1856, p. 2.

¹⁷ *Argus*, 22 January 1856, p. 5; *Argus*, 15 April 1856, p. 5.

¹⁸ *Argus*, 6 February 1856, p. 8.

¹⁹ *Argus*, 22 January 1856, p. 5.

²⁰ *Star*, 14 August 1856, p. 3.

²¹ Bate, *Lucky City*, p. 165.

life. They were also learning how to understand and make the best use of their physical environment. This called on the variety of skills and experience that each councillor brought to the Council. Oddie, for example, was a former iron founder, storekeeper and a real estate agent and, according to Beggs-Sunter, a deeply religious Wesleyan who maintained a curiosity in the applied sciences and was schooled in Chartism.²² Stewart's civic and medical roles soon crossed over as the Council would sit as the Local Board of Health at the end of their meetings.

The Council suffered the usual amount of criticism, some reasonable, some unreasonable. The *Star* suggested that those who criticised the Local Court were 'looked upon with jealousy and suspicion' but those who attacked the Council in its early phase could be 'looked on as popular champions'.²³ The shortcomings of the Local Court were overlooked because it was better than the previous tyrannical system that had been endured. However, such shortcomings, made for a difficult start for the councillors; it is a credit to Stewart and his colleagues that they were able to overcome many deterrents. As the Council developed, so did other institutions including the Mining Board and Chamber of Commerce.

A second municipality was being considered for the Flat of eastern Ballarat by December 1856. Some thought it best to extend the existing council and others saw benefit in two municipalities receiving twice the government grants and applying double the pressure to the executive.²⁴ Others felt that two municipalities would be divisive and un-business like; divisive best represents what happened.

The municipality of Ballarat East was proclaimed in the *Gazette* of 1 May 1857.²⁵ After this the Municipal Council of Ballarat was referred to as the Western Council. Instead of co-operating to benefit the district, the two municipalities wasted time and opportunities competing and fighting with each other with ill-will, jealousies and personal conflicts tainting the relationship. Barrett contends that the two municipalities repeated 'the fragmenting experience of greater Melbourne and greater Geelong'.²⁶ Bate argues that the western municipality developed ahead of the eastern municipality and that the sites of main buildings were naturally located in the West as a *fait accompli* with a cumulative effect.²⁷ Yet there were protracted fights for buildings to be erected in each municipality and some of the institutions listed by Bate were established in the east or had counterparts there. Many people

²² Beggs-Sunter, "James Oddie (1824-1911)", pp. 10, 12, 161.

²³ *Star*, 30 August 1856, p. 2.

²⁴ *Star*, 11 December 1856, p. 3.

²⁵ The first Ballarat East Municipal Council elected on 1 June 1857 consisted of Daniel Sweeney, John Gibbs, William McCrea, Richard Belford, William Bramwell Robinson, William Beckam Rodier and Dr George Clendinning. *Victoria Government Gazette*, 21 January 1857, p. 137; *Victoria Government Gazette*, 1 May 1857, p. 734.

²⁶ Barrett, *The Civic Frontier*, p. 236.

²⁷ Bate, *Lucky City*, p. 165.

realised there would be advantages to the two councils merging or at least working together but some of the old adversaries (in both municipalities) continued to promote keeping the councils separate. They were not to merge until 1921.

Stewart and the Council's influence in Ballarat was wide-reaching. For example, it apportioned a moiety from Police Court fines to care of the destitute poor and sick.²⁸ It employed men who were suffering from extreme poverty to break up metal (stone) for the roads, even though the metal was not needed at that time.²⁹ It helped to get a much needed new gaol when the log prison at the Government Camp was long considered completely inadequate.³⁰ This was the prison where Carboni was held after Eureka; the place where the vermin, stench, summer heat and horror of his situation 'had rendered life intolerable'.³¹ When the site for a new gaol and court house was chosen opposite the Clarendon Hotel on 17 September 1856 there was concern that the ground was auriferous.³² The councillors had to weigh community needs against mining needs; waiting to find out would mean no new gaol. It was not until 10 February 1862 that the new gaol was completed and proclaimed a house of correction.³³



H.M. Gaol Ballarat in 1861
State Library of Victoria

²⁸ *Star*, 24 July 1856, p. 2.

²⁹ *Star*, 12 November 1857, p. 2.

³⁰ *Star*, 17 September 1857, p. 3.

³¹ Carboni, *The Eureka Stockade*, p. 83.

³² *Star*, 18 September 1856, p. 3.

³³ *Victoria Government Gazette*, 11 February 1862, p. 271.

The first councillors contributed greatly to the design of Ballarat and elements of its current form. For example, in December 1857 Stewart felt that the plans for the new post office were inadequate and that ‘the appearance of the township would be deteriorated by the abortive building the Government intend erecting’.³⁴ The councillors were making sure Ballarat developed to their exacting standards, they intended to make an important and lasting contribution for the future.

Stewart’s egalitarianism can be seen in his fight for the longer term benefits of the population whilst some councillors preferred to complete work and spend money only in the areas where ratepayers lived.³⁵ He was also one of the councillors who sought more democratic voting for Council elections in December 1856 by seeking to introduce the ballot.³⁶ The secret ballot had been enacted into law by the Victorian Parliament nine months earlier on 19 March 1856, making Victoria the first legislature in the world to adopt the secret ballot voting practice.³⁷

The councillors fought hard to get information from the Victorian Government about revenue derived from the district’s goldfields through gold, taxes, land sales and other means in 1856.³⁸ They wanted to use it as leverage to complete important work in the municipality which was quite a difficult task.³⁹ John Basson Humffray and Peter Lalor were often solicited for support by the Council as their Legislative Council representatives. Bate posits that it was almost a full-time job for country members in colonial politics to act as emissaries and agents for their districts.⁴⁰ Once Ballarat East became a municipality the West relied more on Lalor; Humffray often fought against their interests in representing the East.

Lalor lost favour with the Ballarat public in 1857 for his conduct in the Legislative Assembly when the Haines ministry tried to rush through the Land, Goldfields and Mining on Private Property Bills, all of which Lalor supported.⁴¹ They were particularly upset about the Land Bill which favoured the squattocracy and felt that Lalor should resign. In October 1857 the Council decided to cease communication with him because it would be futile and ‘insulting to the community at large’.⁴² This was not to last for long because connections ran deeper than political representation; friendships with Lalor went back to the early rush days and some councillors consulted him about Council business in

³⁴ *Star*, 17 December 1857, p. 2.

³⁵ *Star*, 18 September 1856, p. 2.

³⁶ *Star*, 13 December 1856, p. 1S.

³⁷ *The Election Proceedings Regulation Act of 1856* (Vic).

³⁸ *Star*, 18 December 1856, p. 3; *Star*, 26 February 1857, p. 2.

³⁹ *Star*, 14 May 1857, p. 3.

⁴⁰ Bate, *Lucky City*, p. 134.

⁴¹ *Star*, 25 June 1857, p. 2.

⁴² *Star*, 22 October 1857, p. 2.

a private manner.⁴³ Just five months later a deputation, which included Stewart, visited Lalor and other parliamentary members to fight the water bill.⁴⁴

Stewart's views on land sales and the settlement of people in the township were influenced by his Ulster background. Improvements to properties in Ulster had been stifled in some cases from insecurity and ceased when there was no possibility for compensation for improvements. Stewart witnessed the same obstacles in Ballarat. He supported the sale of Crown lands and felt that people erecting buildings on unsold land in 1857 were taking a big risk 'in the present uncertain state of affairs'.⁴⁵ By 1858 the population of Ballarat West was 11,841 and no lands had been sold for nearly two years.⁴⁶ The councillors felt it was better to have the township occupied rather than vacant and that miners should be able to occupy it and be protected.⁴⁷ The lack of land sales was also being blamed for the unhealthy conditions of tents and living areas in the township by the Central Board of Health.⁴⁸ The Council opened Crown lands of 20 perches (1/8 acre) for selection and occupation in April 1858.⁴⁹ It was another month before they received clarification that the Gold Fields Act allowed for compensation for improvements for occupiers of municipal Crown lands, thus providing the security the public needed.

Despite only attending about two-thirds of the Council meetings, Stewart's popularity as a councillor and public figure was at its peak when a municipal election was held on 14 January 1858. Much excitement surrounded the election and carriages were driven through the streets carrying placards representing Stewart and his fellow candidates, Baird and Tulloch.⁵⁰ Stewart won the poll 57 votes ahead of his nearest competitor. A hurried Council meeting was called in the evening after polling closed. Governor Barkly was about to visit Ballarat and arrangements for his reception needed to be organised. Some councillors protested about the hurried meeting not being convened legally. They wrongly suggested that it was a 'dodge' and a 'trick' to elect a chairman under the guise of preparation for the Governor's reception. Stewart's opinion is not reported and he may have wisely avoided involvement, he was not one to jump into a petty dispute. Oddie and Robert Smith refused to remain at the meeting.

⁴³ *Star*, 23 February 1858, p. 3.

⁴⁴ *Star*, 26 February 1858, p. 2.

⁴⁵ *Star*, 14 May 1857, p. 3.

⁴⁶ *Argus*, 21 April 1858, p. 5.

⁴⁷ *Star*, 25 March 1858, p. 2.

⁴⁸ *Star*, 29 July 1858, p. 3; *Star*, 26 November 1857, p. 2.

⁴⁹ *An Act for Amending the Laws Relative to the Gold Fields, 1857*; *Star*, 29 April 1858, p. 3; *Star*, 20 May 1858, p. 2.

⁵⁰ *Star*, 24 December 1857, p. 3; *Star*, 16 January 1858, p. 2; *Star*, 19 February 1858, p. 3.

A meeting was held four days later where Stewart was elected the second chairman of the Municipal Council. Stewart thanked his colleagues for the honour and ‘expressed a hope that he would be enabled to vacate the chair at the expiration of his year of office, with as much pleasure as he entered it’.⁵¹ Oddie was noticeably absent from the meeting. He was upset about the post-election meeting and probably because of the missed opportunity to preside over the celebrations for the Governor. If Stewart’s election was just a few days later Oddie would have been the chairman leading the Governor’s celebrations instead of Stewart.

Ballarat elaborately celebrated the Governor’s visit on 19 January 1858. It was a large outburst of British patriotism mixed with excitement at the opportunity for Ballarat’s needs to be heard. This was one day after Stewart became Council chairman. He was immediately placed in the role of leading the celebrations and representing Ballarat. It was a start to a chairmanship like no other and it must have felt to Stewart like he was being celebrated too. It was a turning point moment for the 28-year-old doctor at the height of his public popularity and prominence.

The town was decorated with gum tree and wattle branches, flags and bunting and four triumphal arches.⁵² The day was declared a public holiday and 25 to 30 thousand people lined the streets from early morning waving their hats and handkerchiefs and throwing chaplets of flowers. They watched a procession which included trumpeters, a standard bearer, the two councils, miners, the fire brigade, horsemen, the Chamber of Commerce, religious ministers, Oddfellows, Freemasons, government officials, police and troopers. At night Ballarat was lit up with celebratory signs of welcome on buildings illuminated with gas, candles and coloured oil lamps.

The Governor was shown around the agricultural areas of the Ballarat district by Stewart, William Rodier (Stewart’s eastern municipal counterpart), John Hamlet Taylor (District Surveyor) and others. Rodier delivered an address to the Governor and led the procession through the east. The Western Council, all on horseback, led the procession to their township. Stewart delivered an address warmly welcoming the Governor but also stressing the importance of Ballarat, its need for government representation and a greater slice of public revenue. Ballarat had been neglected and Stewart spoke for its people:

We ... regret that circumstances should have deprived us of the pleasure of earlier welcoming you to this the acknowledged metropolis of the gold-fields, as we have long felt that it only required a personal inspection from your Excellency to convince you of the importance of this district from the amount of capital, enterprise, and industry employed in developing its natural resources,

⁵¹ *Star*, 19 January 1858, p. 2.

⁵² *Argus*, 21 January 1858, p. 7; *Argus*, 23 January 1858, p. 6; *Star*, 18 January 1858, p. 2.

firmly believing you will recognise that Ballarat, so long neglected, is entitled not only to a larger representation in the Legislative Assembly, but to a more equitable distribution of the public revenue to meet the requirements of this rapidly advancing district.⁵³

Stewart was seeking Barkly's influence to improve Ballarat's representation in parliament but, as the Governor's role was largely ceremonial after the new Constitution of 1855, he only had private influence over ministers. Serle suggests that this was almost Barkly's 'only power in the field of domestic affairs'.⁵⁴ That evening Stewart joined Barkly at a select dinner party for the Governor held at Bath's Hotel.⁵⁵ The following night Stewart chaired a Vice-Regal banquet for the Governor attended by 250 people at the Victoria Theatre. The Irish Stewart was very much involved in the ceremonies of empire in goldfields Ballarat. With the Governor seated beside him, Stewart toasted the health of the Queen, the Prince Consort, the Royal family and the Governor. He endorsed the Governor by saying 'I can assure you, that I feel convinced myself, that at last we have got the right man in the right place'.⁵⁶ He stressed that they were celebrating their loyalty to the Queen through Barkly as the Queen's representative but also their respect and esteem for Barkly. Stewart was clearly impressed by Barkly and had great hopes for what he meant to the prosperity of Ballarat.

As members of the British Empire the councillors also considered issues in other parts of the Empire. There was empathy in Victoria for sufferers of the uprising in India, now known as the Indian Mutiny of 1857. Some in Victoria condemned the 'savage sepoy's'⁵⁷ (the Indian soldiers) and funds were raised for a relief fund. When the issue was raised at a Council meeting Oddie felt that they could only afford to spend money on local purposes. Stewart thought the colonials in India had mostly caused the problem for themselves and 'the Anglo-Indian nabobs should first learn to dispense with some of their luxuries before they came here for assistance'.⁵⁸ Stewart's thoughts on empire were shaped through his experience of empire in Ireland as one of the non-English British.

Two anonymous letters of complaint appeared in the *Star* suggesting that Stewart was welcome to his own private opinion but as chairman of the Council he should not have expressed such an opinion. One contained a thinly-veiled attack on Stewart's Irishness, or rather, his non-Englishness. It stated that 'every true Englishman will, in the hour of trial, shew forth his colors, and maintain that liberality of mind, which may be said to be his birthright'.⁵⁹ Support for the fund was not great in Ballarat with

⁵³ *Argus*, 21 January 1858, p. 7.

⁵⁴ Serle, *The Golden Age*, p. 309.

⁵⁵ *Star*, 18 January 1858, p. 3; *Star*, 21 January 1858, p. 3.

⁵⁶ *Star*, 22 January 1858, p. 2.

⁵⁷ *Star*, 25 January 1858, p. 3.

⁵⁸ Nabob was an Anglo-Indian term for a wealthy European who made their fortune in India. *Star*, 11 February 1858, p. 3.

⁵⁹ *Star*, 16 February 1858, p. 3.

meetings held for the cause in both municipalities very poorly attended.⁶⁰ Stewart's anonymous detractors appear to have made their personal attack out of pride for England and Empire rather than caring greatly about the cause.

Stewart's leadership skills and relationship with the general public were demonstrated at a meeting for Council nominations on 1 May 1858. His deft responses to various disruptions received great applause. He castigated Mr Underwood: 'I don't care who you are, but if you interrupt the meeting I shall order your removal. I have the Act of Council on my side, and I hope the good sense of the meeting will prevent such interruptions in future'.⁶¹ He made it clear that he was in charge but was also having fun with his audience. He genuinely cared for the miners and wider public but was also able to play up to them at public meetings and say what some of the public would like to have been in the position to say. This can be seen in the way he enacted all his public roles. He had the power, status and connections of the town's elite but he had also earned his place in popularly elected roles by appropriately representing the public through his liberal ideals. His leadership skills also came to the fore at Council meetings. When 'the discussion waxed hot'⁶² between Oddie and W.C. Smith during meetings in 1858, it was Stewart who intervened to calm the situation.

As Ballarat and the Council developed, its buildings had to be adapted to fit their evolving uses and the introduction of new technology exemplifies the development of early Ballarat community groups and institutions. They developed and changed over time along with needs and resources available in their community. Council met at Bath's Hotel on Wednesday afternoons until April 1856 when a temporary Council chambers was built in Sturt Street.⁶³ Sandow describes the chambers as a simple 55 by 28 foot rectangle with an office on each side of a narrow rectangle which led to a large chamber running the full length of the building.⁶⁴ The building was designed by the town clerk Samuel Baird and built by Messrs. Doane and Ringrose. A variety of community groups used the chambers before they had buildings of their own.⁶⁵ The chambers were doubled in size by Messrs Ross and Co. in June 1858 and a month later they were fitted with gas lights.⁶⁶ Gas from the newly formed Ballarat Gas Company was far cheaper than oil. The Council had installed 40 gas lamps to light the township

⁶⁰ *Argus*, 17 February 1858, p. 3; *Star*, 12 February 1858, pp. 2, 3.

⁶¹ *Star*, 3 May 1858, p. 3.

⁶² *Star*, 29 October 1858, p. 4.

⁶³ *Argus*, 15 April 1856, p. 5.

⁶⁴ Mary Josephine Sandow, *The Town Hall Ballarat 100 Years*. Ballarat: Ballarat City Council, 1970.

⁶⁵ For example, meetings were held in the chambers for the Young Men's Association, Mechanics' Institute, Free Presbyterian Church, Church of England and the hospital. Farmers sold produce there on market days and it was used for police use during the inquest on Hugh Anderson in 1858. *Star*, 16 July 1856, p. 2; *Star*, 28 August 1856, p. 3; *Star*, 9 October 1856, p. 2; *Star*, 20 December 1856, p. 2; *Star*, 17 September 1858, p. 2; *Star*, 11 October 1858, p. 3.

⁶⁶ *Star*, 3 June 1858, p. 3; *Star*, 1 July 1858, p. 3.

streets by September 1858.⁶⁷ The creation of a railway between Ballarat and Geelong was being considered by mid-1856. Both Ballarat municipalities fought to have the railway terminus in their district. The fighting was less intense than other council struggles as most local groups wanted the terminus in the Western township.

Stewart continued to associate professionally and socially with governors, politicians and some of Victoria's most influential men. He attended celebrations for the cutting of the first turf of the Geelong and Ballarat Railway in Geelong on 25 August 1858.⁶⁸ Governor Barkly and the Ballarat and Geelong Mayors (Stewart, Richard Belford and Dr Alexander Thomson) led the celebrations as the first sod of the railway was turned at Geelong West. With the official ceremony over, they attended a *déjeuner* followed by a ball at the Geelong Mechanics' Institute in the evening.⁶⁹ Stewart would have been on familiar terms with Dr Thomson who was also a member of both the Victorian Legislative Council (1852-54) and Assembly (1857-59). Their paths would have crossed with the connection between the Ballarat and Geelong hospitals and through Council communications with Government ministers.

Local bodies had the opportunity to discuss Ballarat's issues directly with the leader of the Government when Chief Secretary John O'Shanassy visited Ballarat on 23 September 1858.⁷⁰ O'Shanassy, a Catholic Irishman from County Tipperary, had visited the goldfields in 1855 as a goldfields commissioner. He became premier for the second time in March 1858. Stewart and a deputation of Western councillors met with him at the Mount Blowhard and Bath's Hotels to discuss their issues. One of many matters introduced by Stewart was the issue of the sale of land that had been reserved as auriferous. O'Shanassy would only sell reserved lands to create demand but would not allow the market to be swamped.

Stewart chaired a small banquet for O'Shanassy that evening at the George Hotel with about 50 to 60 people in attendance. He toasted O'Shanassy, reminding him of Ballarat's power to influence politics. He stressed that the ministry would have Ballarat's support as long as they brought forward 'measures for the advancement of the colony ... All we want is fair play and no favor'.⁷¹ This was part of Stewart's colonial liberalism – the betterment of society, the advancement of the colony with fairness and no favour. It was a stark contrast to Stewart's meetings with Barkly; for he had far less faith in

⁶⁷ *Star*, 17 September 1858, p. 2; *Star*, 7 October 1858, p. 2; *Star*, 14 October 1858, p. 2.

⁶⁸ *Argus*, 27 August 1858, p. 4.

⁶⁹ *Courier*, 2 September 1858, p. 2; *Star*, 1 September 1858, p. 3.

⁷⁰ The local bodies included the two councils, Mining Board, District Road Board and Chamber of Commerce. *Freeman's Journal*, 6 October 1858, p. 1; *Star*, 23 September 1858, p. 2.

⁷¹ *Star*, 24 September 1858, p. 2.

O'Shanassy. Their relationships were also different because O'Shanassy was subject to election whereas Barkly was appointed.

At the end of his first year as Council chairman Stewart received a vote of thanks carried by hearty acclamation for his impartial conduct as chairman. W.C. Smith felt that nobody else could perform the role as impartially as Stewart had. Stewart was unanimously voted into a second term as Council chairman, an honour he had not anticipated. He felt that 'his past conduct was before them, and he would endeavor to perform the duties of his important situation in a similar manner'.⁷² He wanted to be judged by his actions and be chosen because people wanted him. There is no evidence of him fighting for roles for which he did not have public support.

Stewart's commitment to the people of Ballarat is exemplified in his fight to secure a reliable water supply. At the time of Eureka in 1854 suitable drinking water was neither abundant nor pure.⁷³ In September 1856 Stewart moved for the Council to obtain water from Yuille's Swamp (now known as Lake Wendouree) 'so as to afford a sure and constant supply to the inhabitants, as well as to increase the revenue of the municipality'.⁷⁴ The lake was, according to Bate, 'the jewel of the West, an asset no gold could buy'.⁷⁵ Stewart consulted ratepayers and moved to create a new by-law to place Yuille's Swamp under Council control.⁷⁶ The by-law was assented to in October 1856 and was the centre of great trouble over the ensuing years.⁷⁷

All attempts for government assistance with the water supply were thwarted, but still the Council fought on and pressed the local representatives, Lalor and Humffray, to assist.⁷⁸ Once Ballarat East became a municipality the issue became more complicated. The Eastern Council wanted equal right to use and control the swamp water – they already had the use but not the control.⁷⁹ Stewart pointed out that the East had a steady water supply from Warrenheip but the West had only the swamp which had been dry twice in the four years he had been living in Ballarat.⁸⁰ He did not see why the other municipality should be supplied to their detriment. The Warrenheip springs water was preferable to swamp water but the swamp water scheme would be in action faster.⁸¹ The West were accused of

⁷² *Star*, 20 January 1859, p. 2.

⁷³ Lynch, "The Story of the Eureka Stockade: VI - the Fight", p. 104.

⁷⁴ *Star*, 4 September 1856, p. 2.

⁷⁵ Bate, *Lucky City*, p. 167.

⁷⁶ *Star*, 11 September 1856, p. 2.

⁷⁷ *Star*, 30 October 1856, p. 2.

⁷⁸ *Star*, 5 February 1857, p. 2; *Star*, 12 February 1857, p. 3.

⁷⁹ *Star*, 24 June 1857, p. 3.

⁸⁰ *Star*, 11 June 1857, p. 3.

⁸¹ *Star*, 2 January 1858, p. 2.

being selfish and unco-operative by the East but other local bodies were happy to work with the West, contradicting many of their criticisms.⁸²

People needed good water for drinking but, as a medical practitioner, Stewart was also concerned about health issues. The Council fenced the swamp to prevent the dumping of animal carcasses and other offensive matter in one of many attempts to keep the water safe for human consumption.⁸³ Diseases such as cholera can be caused by faecal contamination of water with infection risks increased by poor sanitation. Only a few years earlier in 1854, English physician John Snow had identified the connection between cholera and a contaminated water supply when he traced the source of a London outbreak to a water pump.⁸⁴ Such health issues would have been fresh in Stewart's mind as he tried to protect the water supply. This demonstrates the value of the variety of skills the early Ballarat councillors brought to their Council work.

By early 1858 the amount of water required for mining and domestic purposes increased the need for a reliable water supply. Other supply options considered included the Yarrowee, Gong Gong and Fellmongers Creeks, the basin around the Brown Hill reservoir and water from mining claims.⁸⁵ The East, assisted by Humffray, made two attempts to get a water supply bill through Parliament to repeal the West's by-law and obtain equal control. The first attempt in April 1857 was refused by a majority of 38 votes to 2.⁸⁶ Alexander Thomson acknowledged that the East had a better supply of water than the West and were just chasing the revenue.⁸⁷ Lalor called the motion preposterous. The second attempt in January 1859 was successful and the by-law was repealed.⁸⁸ A Legislative Assembly inquiry into the water supply followed and the precariousness of the water supply was disregarded.⁸⁹ John Pascoe Fawkner M.L.C. regarded it as 'the first "log-rolling" Bill introduced'⁹⁰ in an accusation of trading favours in the Assembly. Stewart instructed Fawkner to oppose it. This reveals the close involvement of the local and colonial governments as well as Stewart's continued association with powerful men in the colony.

⁸² *Star*, 6 March 1858, p. 2; *Star*, 8 March 1858, p. 3; *Star*, 25 March 1858, p. 2.

⁸³ *Star*, 14 August 1856, p. 3; *Star*, 27 December 1856, p. 2.

⁸⁴ Ashworth E. Underwood, "The History of Cholera in Great Britain." *Proceedings of the Royal Society of Medicine* 41, no. 3 (1947): 165-173, p. 172.

⁸⁵ *Star*, 11 March 1858, p. 2; *Star*, 16 March 1858, p. 2; *Star*, 25 March 1858, p. 2; *Star*, 22 July 1858, p. 2; *Star*, 29 September 1859, p. 2; *Star*, 24 November 1859, p. 2; *Star*, 23 February 1860, p. 3; *Star*, 25 February 1860, p. 2.

⁸⁶ *Star*, 22 April 1858, p. 2.

⁸⁷ Victorian Parliamentary Debates, Legislative Assembly, vol. 3, 20 April 1858, p. 403.

⁸⁸ *Star*, 20 January 1859, p. 2.

⁸⁹ *Star*, 27 January 1859, p. 3.

⁹⁰ Victorian Parliamentary Debates, Legislative Council, vol. 4, 22 February 1859, p. 915.

Water was conveyed to the township by pipes from the Swamp for the first time on 14 December 1858.⁹¹ It was time for the East to connect their pipes to the West's but Stewart could not support the resolution. It went against his promise to the Western burgesses and he was a man of his word. His original concern that the water supply was insufficient to support both municipalities was confirmed the very next summer. The *Star* bemoaned:

The question of whether the Swamp is capable of affording a sufficient supply of water to Ballarat is now receiving a very practical and unpleasant reply in the negative ... the supply is not capable of reaching to the end of the present summer ...⁹²

The fight for a maintainable water supply continued after Stewart's chairmanship and shifted from East fighting West to the district fighting the Government for adequate grants for waterworks schemes. There were various times in later years that the water supply became depleted. The problem was resolved in 1862 when a water committee was formed with six councillors (three from each municipality) and, after a Government grant, water was connected from Kirk's Dam and Harry Beale's swamp.⁹³ The committee became the Ballarat Water Commission which Bate considers 'became a symbol of co-operation between the warring municipalities'.⁹⁴

By the late 1850s sludge was a large problem on the goldfields. Sludge was debris from puddling and sluicing operations that filled the beds of water courses, encroached on the roads and damaged property. Bendigo's sludge problem had been a joke amongst the Ballarat people but by June 1858 mining industry developments had made it Ballarat's problem too.⁹⁵ The Council tried to tackle the problem but was impeded by a lack of government grants. A Government Sludge Commission was appointed in 1859 which consisted of James Baker (Chairman of the Mining Board), Richard Belford (Eastern Council Chairman), J.H. Taylor (District Surveyor), Wilkes (District Road Engineer) and C.W. Sherard (Resident Warden). The Board of Land and Works mistakenly assumed that sludge was not a problem in the west but this was corrected and Stewart, as Western Chairman, was soon made a Sludge Commissioner.⁹⁶

The Commission were more than willing to work on the problem, the community eagerly came forward with evidence and suggestions but work did not commence until the Government adequately

⁹¹ *Star*, 9 December 1858, p. 2; *Star*, 16 December 1858, p. 3; *Star*, 31 December 1858, p. 2.

⁹² *Star*, 21 February 1860, p. 2.

⁹³ The Government granted £10,000 and purchased Kirk's Dam reservoir for the Councils. Ballarat Water Commissioners. *A Century of Permanent Water Supply* 1962.

⁹⁴ Bate, *Lucky City*, p. 183.

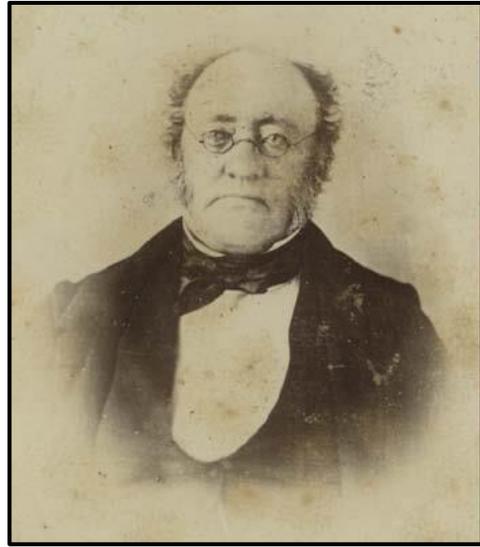
⁹⁵ *Star*, 11 June 1858, p. 2.

⁹⁶ *Age*, 4 February 1859, p. 3; *Victoria Government Gazette*, 18 February 1859, p. 311.

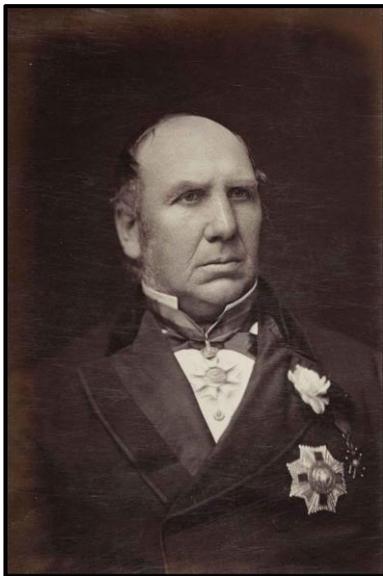
funded it.⁹⁷ The Commission made recommendations after monitoring the efficiency of narrow sludge removal channels in Bendigo. Land was kept for Sludge reserves in 1859 and for drains and sludge channels in 1860 and 1862.⁹⁸ The Sludge Commission dissolved on 17 April 1860 after it had accomplished the objects for which it had been appointed.⁹⁹



Sir Henry Barkly
Governor of Victoria (1856-1863)
State Library of Victoria



Dr Alexander Thomson
Geelong Mayor, M.L.A., M.L.C.
Geelong Heritage Centre



John O'Shanassy
Chief Secretary (1857, 1858-1859, 1861-1863)
Reproduced with the permission of the Victorian Parliamentary Library



John Pascoe Fawkner
M.L.C. (1851-1869)

Men of influence with whom Stewart mixed professionally and socially

⁹⁷ *Star*, 10 March 1859, p. 2; *Star*, 17 March 1859, p. 2; *Star*, 29 March 1859, p. 3; *Star*, 1 April 1859, p. 2; *Star*, 4 April 1859, p. 2; *Star*, 13 April 1859, p. 2.

⁹⁸ *Victoria Government Gazette*, 4 October 1859, p. 2079; *Victoria Government Gazette*, 10 August 1860, p. 1509; *Victoria Government Gazette*, 11 February 1862, p. 271.

⁹⁹ *Star*, 18 April 1860, p. 3.

Justice of the Peace

In Ballarat, as with Geelong and Melbourne, municipal chairmen and mayors were made Justices of the Peace (J.P.s). Thus Stewart took his oath as a J.P. in early 1858 when he became Council chairman.¹⁰⁰ Hirst contends that in colonial New South Wales the commission of Justice of the Peace was highly coveted, especially for those with aspirations to gain gentlemanly status that would be recognizable both in the colony and in Britain.¹⁰¹ Yet the Victorian colonial municipal heads already had gentlemanly status in their communities and those like Stewart in Ballarat and Thomson in Geelong had the status of medical practitioners.

Weber contends that early J.P.s in Victoria acted as both policeman and magistrate.¹⁰² They had less authority than stipendiary magistrates but two or more J.P.s could preside over cases that usually required a stipendiary magistrate.¹⁰³ Stewart would have been very proud of following in his father's footsteps as an honorary magistrate and extended his earlier experience of maintaining public order as ship's surgeon.¹⁰⁴ As a J.P., Stewart could grant summonses and warrants, issue warrants of distress and commitment, hear some complaints and witness important documents.¹⁰⁵

Following the practice in England, district magistrates would meet for quarter sessions dinners to allow less experienced J.P.s to meet and discuss their duties. Stewart attended one such dinner held on 9 December 1859 at the George Hotel.¹⁰⁶ For Stewart it was another social outing with men whom he associated with in other roles such as James Oddie. On 24 March 1862 he was added to the Roll of Territorial Magistrates for the colony of Victoria and sworn in by Justice Robert Molesworth on 12 April.¹⁰⁷ Here Stewart was associating with another influential Trinity-educated Irishman. He continued exerting his influence on Ballarat law as a J.P. until he left the colony in 1869.¹⁰⁸

¹⁰⁰ *Star*, 28 January 1858, p. 2; *Star*, 11 February 1858, p. 2.

¹⁰¹ Hirst, *Sense & Nonsense*, pp. 158, 159.

¹⁰² Thomas A. Weber, "The Origins of the Victorian Magistracy." *Australian and New Zealand Journal of Criminology* 13, no. 2 (1980): 142-150, pp. 142, 145, 148.

¹⁰³ *The Justices of the Peace Statute 1865* (Vic), p.404.

¹⁰⁴ Harry Brookes Allen papers, UMA.

¹⁰⁵ Cases Stewart heard included marital maintenance, wife desertion, highway robbery under arms, threatening behaviour in a public place, vagrancy of a young boy, deserted children, lunacy from drink, furious riding, wandering cows and horses, larceny, illegally fencing in Crown lands, drunk when in charge of horses ('drink-driving'), market sale of diseased animal carcasses, unlicensed liquor sale and fraud in weighing goods. He also heard mining-related cases such as unpaid mining calls, sludge flow fines and illegally working claims on a Sunday. *An Act to Consolidate and Amend the Law*, p. 405; *Ballarat Star*, 31 May 1866, p. 3.

¹⁰⁶ *Star*, 12 December 1859, p. 2.

¹⁰⁷ *Star*, 14 April 1862, p. 1S; *Victoria Government Gazette*, 4 April 1862, p. 585.

¹⁰⁸ Stewart was still listed as a magistrate for the General Sessions Districts for Ballarat in January 1869. *Victoria Government Gazette*, 5 January 1869, p. 2.

Stewart's various public roles inevitably crossed over. He sometimes gave advice on Council by-laws or medical circumstances and his legal decisions were informed by knowledge from his other capacities. This assisted co-operation between local bodies and the expediency was a great advantage to Ballarat since, like Stewart, many men held multiple public roles. Through his many varied public roles Stewart dealt with people at various times of crises in their lives. Arguably no other person in Ballarat had such a penetrating influence on the lives of so many people in the city across so many areas during this period.

Stewart was not the only medical practitioner in Ballarat who sought public positions. For example, Dr Clendinning was a member of the Eastern Municipal Council and its mayor from 1864-66 and Doctors Wills and Allison were candidates in the March 1859 Eastern Council election.¹⁰⁹ That each of these doctors had made their way to Victoria as a ship's surgeon is not surprising. As established in Chapter 2, the multi-faceted role onboard ships was a formative experience which gave them a taste for strong community leadership. Another way that Stewart was to influence Ballarat was through education.

Goldfields Education

Stewart contributed to the development of schools in early Ballarat in many ways including financially and as a local patron. His influence and views on denominational and national education systems were firmly rooted in his experience of school systems as a child in Ireland and shaped by the needs of the goldfields community. He was very familiar with the education system introduced by the Victorian Board of National Education in 1852 as it involved united secular instruction based on the Irish National System.¹¹⁰ The Irish readers used were secular but written from a Christian viewpoint embodying the social and political attitudes of their Catholic, Anglican and Presbyterian authors, as Gibbs has established, and maintained high levels of Britishness.¹¹¹ This is reflected in the actions of the National Board commissioners who, in 1852, sought teachers who were Christian and loyal to the sovereign.¹¹² They were to provide civilising influences on the children but, as Moore points out, promoted liberalism over religious truth.¹¹³

¹⁰⁹ *Star*, 7 March 1859, p. 2.

¹¹⁰ Edward Sweetman, Charles R. Long and John Smyth, *A History of State Education in Victoria*. Melbourne: Critchley Parker, 1922. <http://archive.org/details/texts>. Also available in print form, p. 124.

¹¹¹ Desmond Robert Gibbs, "Victorian School Books; A Study of the Changing Social Content and use of School Books in Victoria, 1848-1948, with Particular Reference to School Readers." PhD thesis, University of Melbourne, 1987, pp. 49, 55.

¹¹² *First Report: National Education*, in Keith Moore, *The Other Rebellion: Attacking Ignorance and Vice on the Ballarat Goldfield*. Frankfurt: Peter Lang, 2004, p. 24.

¹¹³ Moore, *The Other Rebellion*, p. 55.

There were schools in the Ballarat district before the National Board was formed. Presbyterian minister Rev. Thomas Hastie was the overseer at a day and boarding school established at Buninyong in 1848 which had 53 students in 1849.¹¹⁴ Denominational and National tent schools had opened at Bakery Hill, Eureka and Red Hill by the end of 1854 but the migratory nature of the goldfields populations and the desire for gold made education efforts difficult.¹¹⁵

Early attempts to raise funds for constructing a township school failed because interested people either left the district or lost interest. Moore asserts that the tide turned in April 1856 when Inspector Thomas Walker persuaded Stewart, Robert Muir and Peter Lalor M.L.C. to join James Oddie on the local school board.¹¹⁶ That Stewart was asked to join was a sign of the young doctor's standing in the community. He was just 26 years old at the time with no wife or children.

Stewart was involved in a push for a school at Dowling Forest at an Agricultural Society meeting in July 1856. Some thought the school should be denominational (Free Presbyterian). Stewart supported a national school to accommodate members of other denominations living in the neighbourhood. He related his own experience of the national education system in the north of Ireland and its 'very good results'¹¹⁷ – he was proof of those good results. Lalor, too, advocated the national system of education in Ballarat 'because it affords to all the best opportunity of instruction, without engendering sectarian feelings'.¹¹⁸ Lalor and Stewart's feelings were imbued with the experiences of their Irish background but Stewart's Presbyterian experience in Ulster was very different to Lalor's Catholic experience in Leinster. They were cognisant of each side of a denominational system that had changed into a national system and thus were very well placed to understand the most valuable education system for Ballarat. Some other Irishmen in Stewart's networks, including Chief Secretary O'Shanassy, advocated the denominational system.¹¹⁹

The foundation stone of the first National School in the township was laid on 15 May 1856 by Lalor.¹²⁰ The bluestone building was at the corner of Dana and Doveton Streets. The *Geelong Advertiser and Intelligencer* acknowledged that it was thanks to several influential gentlemen who 'put their shoulders vigorously to the wheel' trying to get Ballarat out of its 'slough of despond'.¹²¹

¹¹⁴ Ibid., p. 110; Sweetman, Long and Smyth, *A History of State Education*, pp. 20, 28; Withers, *History of Ballarat*, p. 8.

¹¹⁵ Sweetman, Long and Smyth, *A History of State Education*, pp. 30-31.

¹¹⁶ Muir and Oddie were two of Stewart's fellow municipal councillors. Moore, *The Other Rebellion*, p. 39.

¹¹⁷ *Miner and Weekly Star*, 22 August 1856.

¹¹⁸ *Star*, 7 August 1856, p. 4.

¹¹⁹ *Star*, 23 September 1858, p. 2.

¹²⁰ *Bendigo Advertiser*, 23 May 1856, p. 2.

¹²¹ *Geelong Advertiser and Intelligencer*, 21 November 1855, p. 2.

The school opened with 80 students on 2 February 1857.¹²² Religious instruction (of any denomination) was provided for three hours a week on the approval of parents, guardians or the patrons (including Stewart).¹²³



Dana Street National School - the first day of school in 1857
Dana Street Primary School

Stewart contributed financially to the National School including £5 in September 1856 and 5 guineas the following month.¹²⁴ These were larger than his usual 2 guinea subscriptions to other causes and suggest a response to a more urgent need. The National Commissioners promised to grant £900 once the guardians could raise £300 by public subscription. Stewart and Oddie were left with a debt of over £200 after the National Board reneged on this promise.¹²⁵ Patrons of the Gheringhap National School suffered a similar loss. There would have been no school without benevolent patrons like Stewart and Oddie taking risks, contributing their own money and fundraising.

By 1858 Stewart was also a patron of the non-vested (private) Mair Street School which had 41 students taught by George and Mary Knox.¹²⁶ The school began as a tent school, was eventually

¹²² The teaching staff in 1858 were Charles and Elizabeth Martin, F.L. Harnack and Mary Hitchcock. Board of National Education. *Sixth Report of the Commissioners of National Education for the Colony of Victoria for the Year 1858*. Melbourne: John Ferres, Government Printer, 1859, p. 60; Moore, *The Other Rebellion*, p. 42.

¹²³ *Additional Rule of the Commissioners of National Education*. Melbourne: John Ferres Government Printer, 1854; *Star*, 31 January 1857, p. 4.

¹²⁴ *Star*, 18 September 1856, p. 3; *Star*, 28 October 1856, p. 3.

¹²⁵ *Age*, 6 June 1859, p. 6.

¹²⁶ Board of National Education. *Sixth Report*, pp. 60, 69; Moore, *The Other Rebellion*, p. 42.

replaced by a timber classroom then in 1875 a brick building was erected.¹²⁷ Public education expanded due to the population increase from the gold rush and ongoing immigration, as Macintyre and Scalmer have established.¹²⁸ By 1858 there were 25 National Schools and 46 Denominational Schools in the Ballarat area with 71 teachers and 2,470 students.¹²⁹ The local boards were supposed to represent all leading denominations in the locality. This can be seen in the Dana Street school but there was no Catholic representative at the Mair Street school.¹³⁰

School	Patron	Occupation	Denomination
Dana Street	James Stewart	Surgeon	Church of England
	F. Green	Clerk of the Peace	Church of England
	Robert Muir	Merchant	Presbyterian
	Peter Lalor	M.L.C.	Roman Catholic
	James Oddie	Merchant	Wesleyan
Mair Street	James Stewart	Surgeon	Church of England
	C. Brown	Land Owner	Church of England
	W.C. Smith	Auctioneer	Church of England
	J. Crawford	Carpenter and Builder	Presbyterian
	L. S. Blair	Bootmaker	Presbyterian
	L. Whittington	Sexton	Wesleyan

Table 4: School Patron Boards 1858
(as described in the Board of National Education *Sixth Report*)

Stewart presided over the annual examination at the township National School in December 1858. He was treated to a needlework display and the children sang several songs. Stewart was ‘highly pleased with the proficiency exhibited by the children in the different branches of instruction taught in the School’.¹³¹ He would have known many of these children and their families through his capacity as accoucheur to their mothers, as doctor for their ills and injuries and as public vaccinator. His thoughts would have been with his young nephews and nieces in Ireland and Ballarat and their future education opportunities. In 1974 District Inspector of Education Lindsay Yandell recognized Stewart’s contributions to the Dana Street school, referring to him as ‘one of the great citizens of Ballarat’.¹³²

¹²⁷ L. J. Blake, ed. *Vision and Realisation: A Centenary History of State Education in Victoria*. Vol. 2. Melbourne: Education Department of Victoria, 1973, p. 615.

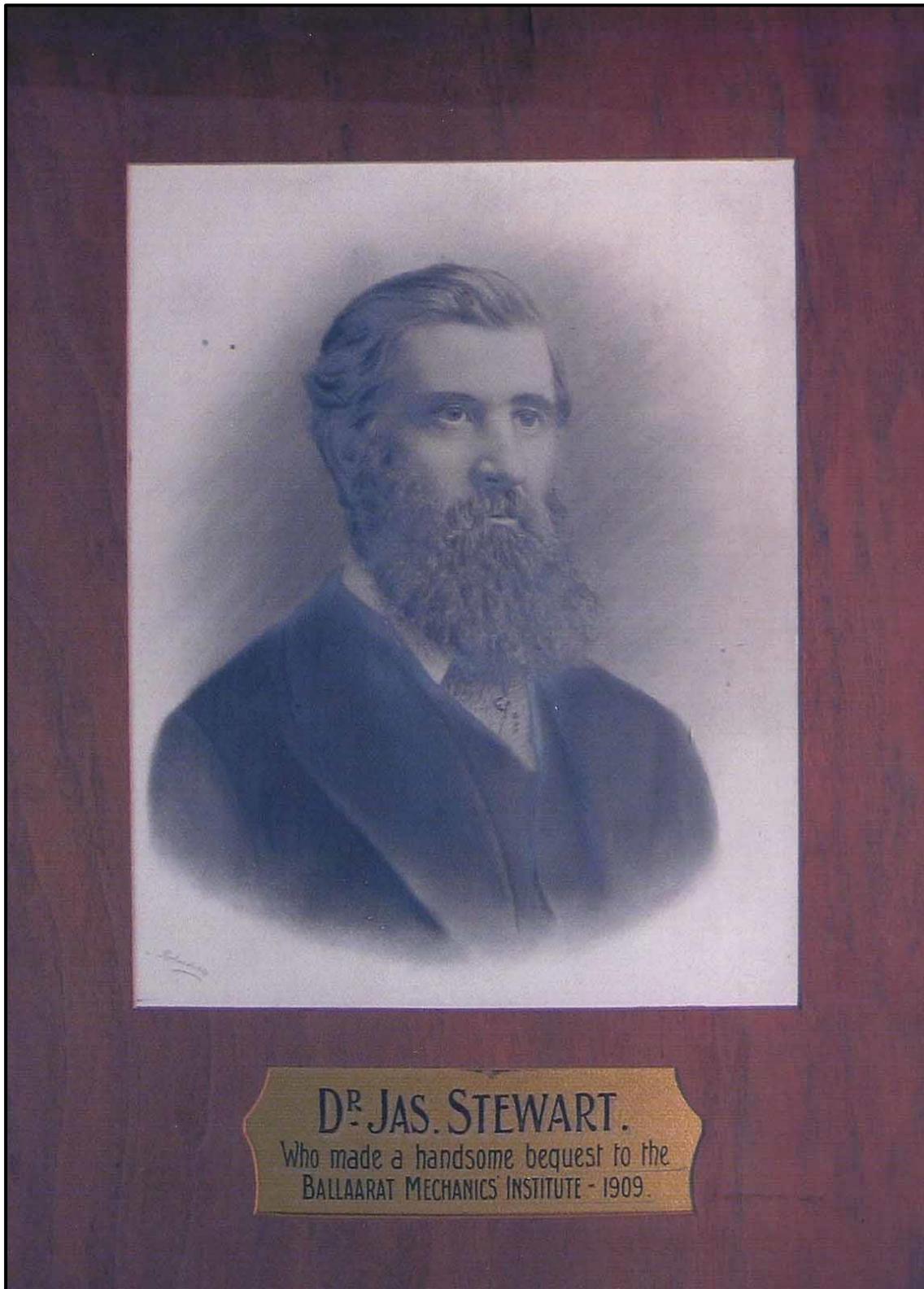
¹²⁸ Macintyre and Scalmer, "Colonial States and Civil Society", p. 203.

¹²⁹ *Star*, 23 September 1858, p. 2.

¹³⁰ *Ibid.*, pp. 12, 60,61.

¹³¹ *Star*, 24 December 1858, p. 2.

¹³² L. Yandell, District Inspector of Education, *A History of State Education in Ballarat*, 1974, Ballarat.



Dr James Stewart, Trustee, Ballaarat Mechanics' Institute, 1856-1874
Ballaarat Mechanics' Institute



Ballaarat Mechanics' Institute 1868
The Illustrated Melbourne Post, 9 November 1868



Reading Room at the Ballaarat Mechanics' Institute 1881
The Australasian Sketcher, 8 October 1881
State Library of Victoria

Mechanics' Institute

Stewart importantly contributed to the establishment and development of a Mechanics' Institute in Ballarat. He was a committee member, a fundraising sub-committee member and benefit patron, a trustee, a life member and a ready donor. Interest in forming an institute offering better activities for the many young men employed in Ballarat was strong in May 1856. As Blee notes, nothing eventuated from early calls for an institution with similar purposes.¹³³ The 1856 Institute committee hoped that literature and science were starting to be appreciated because, after the initial gold rush years, people's horizons were extending beyond just making money. They wanted to create a useful institution for mental improvement and enjoyment and to leave their "“footsteps on the sands of time,” as an incentive for further progress'.¹³⁴

Mechanics' Institutes relied heavily on colonial and local government grants but local fundraising also played its part. Lectures were given, subscriptions taken and concerts held to raise funds. Stewart was involved in many ways including as a patron with 19 others for a grand concert for the Institute at the Charlie Napier Concert Hall on 30 May 1856.¹³⁵ Barker posits that the government grants were not uniformly given before 1860 and financial difficulty was a continuing feature of Victorian Mechanics' Institutes.¹³⁶

Stewart and the Municipal Council were important in the establishment of the Institute. The Council was granted land as Institute trustee in February 1857 and fought for a Government grant of Crown land.¹³⁷ Stewart had to seek a grant extension after building was held up by people occupying the land reserved for the Institute who had to be ejected.¹³⁸ The Ballarat Savings' Bank Company faced a similar problem with people occupying their land and turned to the Council to find out how to overcome the problem.¹³⁹

¹³³ Jill Blee, "The Mechanics' Institute Movement." In *Under Minerva's Gaze: 150 Years at the Ballarat Mechanics' Institute*, edited by Jill Blee and Phil Roberts, 12-27. Ballarat: Ballarat Mechanics' Institute, 2010, p. 21.

¹³⁴ *Star*, 18 December 1856, p. 2.

¹³⁵ Early lectures held in aid of the Institute at the Council Chambers included 'Labor and Poverty', 'Toussaint L'Ouverture, his Life and Times', 'Mining Ventilation', 'Science of History', 'Geology of Gold' and six physiology lectures. *Ballarat Times*, 29 May 1856, p. 1; *Star*, 4 December 1856, p. 4; *Star*, 30 December 1856, p. 2.

¹³⁶ Donald Barker, "Funding Communal Culture: Opportunism and Standardisation of Funding for Mechanics' Institutes in Colonial Victoria." *The Australian Library Journal* 51, no. 3 (2002): 247-257, pp. 249, 256.

¹³⁷ *Star*, 6 December 1856, p. 1S; *Star*, 5 February 1857, p. 2.

¹³⁸ *Star*, 30 April 1857, p. 3; *Star*, 7 May 1857, p. 3; *Star*, 25 September 1857, p. 3.

¹³⁹ *Star*, 20 May 1857, p. 2.

The councillors remained trustees but this first attempt to start the Institute failed. Another attempt was made two years later in March 1859.¹⁴⁰ Stewart was one of the new trustees elected in May 1859 along with Rev. Searle, H. Caselli, F. Young and W.C. Smith.¹⁴¹ Searle had to resign six months later because the Government objected to religious ministers holding trustee positions but it was acceptable for a man like Stewart to hold the position whilst holding many other positions of power in the city.¹⁴²

The inaugural meeting of the Institute was held in the Fire Brigade Room in Barkly Street on 23 May 1859.¹⁴³ The Institute had 600 members and an average of 50 to 60 people attended the reading room daily by September 1860. The foundation stone for the Sturt Street premises designed by Charles Boykett was laid with Masonic honours on 28 September 1860.¹⁴⁴ Governor Barkly visited Ballarat for the celebrations and a procession was held.¹⁴⁵ Stewart participated in the celebrations as trustee of the Institute, municipal councillor and Freemason.¹⁴⁶

The object of the Ballarat Mechanics' Institute was to offer intellectual and moral improvement to those who were willing to take advantage of it.¹⁴⁷ This was to be achieved through a reference and circulation library, a reading room, a museum, lectures and classes. In addition to the original purposes of educating tradesmen in scientific and mathematical principles, such education was designed to be part of self-betterment and improving society through becoming more valuable citizens. This made it very open to the influences of the values of those providing the education. As Hazelwood posits, the Institute had a significant influence on Ballarat's cultural development because few other contemporary institutions were open to all classes.¹⁴⁸ The Institute began with egalitarian values but, as Collins suggests of Mechanics' Institutes in the United Kingdom, it became more conservative and middle class by the 1880s, as Mansfield has established.¹⁴⁹

¹⁴⁰ *Star*, 24 March 1859, p. 2.

¹⁴¹ *Star*, 3 May 1859, p. 3; *Star*, 11 May 1859, p. 3.

¹⁴² *Star*, 16 January 1860, p. 3.

¹⁴³ *Star*, 23 May 1859, p. 2.

¹⁴⁴ *Star*, 29 September 1860, p. 2.

¹⁴⁵ Participants in the procession included mounted troopers, policemen, the Ballarat Band of Hope with 300 children, the Total Abstinence Society, the Caledonian Society, the two fire brigades, Foresters, Oddfellows, the two municipal councils, Freemasons, Mechanics' Institute committee, Mining Board and other local bodies.

¹⁴⁶ Stewart's brother-in-law John Hamlet Taylor participated as the Worshipful Master of the Yarrowee Freemasons Lodge. *Argus*, 1 October 1860, p. 5.

¹⁴⁷ *Star*, 29 September 1860, p. 2.

¹⁴⁸ Hazelwood, "A Public Want and a Public Duty", p. 73.

¹⁴⁹ Michael Collins, "The Mechanics' Institute - Education for the Working Man?" *Adult Education XXIII*, no. 1 (1972): 37-47, p. 37; Peter Gerald Mansfield, "Public Libraries in Ballarat: 1851-1900." PhD thesis, Deakin University, 2000, pp. 31, 129.

Beddoe contends that the original educational philosophy of Mechanics' Institutes in Victoria was soon replaced with lectures of popular appeal, then with a recreational emphasis.¹⁵⁰ In contrast, Barker suggests that this was how they started out in Australia – a hybrid of an imported cultural institution which offered intellectual recreation.¹⁵¹ The Ballarat Institute reflects Barker's interpretation as the education it provided was very much influenced by its goldfields surroundings.

Stewart attempted to resign as an Institute trustee when he was leaving for Europe in April 1869.¹⁵² The committee deferred his resignation but eventually decided that resident trustees were desirable. They finally accepted his resignation, along with Thomas Learmonth's, five years later in May 1874.¹⁵³ Thus for some of these years the Institute functioned with only three of its five trustees. This reduced number of people in control would have directly influenced the changing attitudes promoted by the Institute. Stewart's interest in the Institute continued after his resignation and he left it a large bequest in his will. This will be discussed further in Chapter 8.

A Social Throng at Ballarat

Some of Stewart's colonial networks already existed when he first arrived in the colony. He had relatives and acquaintances who had travelled there before him. One of these was his cousin James McCrea (c.1822-c.1884) who arrived in the colony nine months before Stewart. McCrea was the Assistant Colonial Surgeon at Mount Alexander (Castlemaine) then at Bendigo from April 1852.¹⁵⁴ Within days of arrival Stewart might have attended McCrea's marriage to Anna Margaret Pollock in Melbourne on 20 November 1852.¹⁵⁵ The McCreas possibly even escorted him to his new home of Ballarat. As children, the two cousins had lived on farms in walking distance from one another. They now lived parted by a good 120 kilometre journey by horseback but that was a lot closer than their families left behind in Ireland. It would have been comforting for the young Stewart to have kin in his new country, particularly a fellow doctor who was familiar with goldfields life.

¹⁵⁰ Joan Beddoe, "Mechanics' Institutes and Schools of Arts in Australia." *Australasian Public Libraries and Information Services* 16, no. 3 (2003): 123-130, pp. 126, 129.

¹⁵¹ Barker, "Funding Communal Culture", p. 249.

¹⁵² Meeting Book of Ballarat Mechanics' Institute, 9 April 1869, p. 272; *Ballarat Star*, 13 April 1869, p. 4; *Ballarat Star*, 28 May 1869, p. 4.

¹⁵³ Meeting Book of Ballarat Mechanics' Institute, 30 December 1872, p. 15 and 7 May 1874, p. 29.

¹⁵⁴ Office of the Chief Commissioner of Goldfields. *Gold Fields: Return to Address Mr. Fawkner 10th December 1852*, Melbourne: John Ferres, Government Printer, 1853, p. 8.

¹⁵⁵ Anna Margaret Pollock, her mother and sister had accompanied McCrea on the voyage to Australia as private passengers on the government-assisted ship, *Charlotte Jane*. *Argus*, 22 November 1852, p. 4.

In Ballarat Stewart quickly made friends with miners and doctors alike. He was good friends with Scottish doctor Edward Duffin Allison and trusted his patients to Allison's care when he was absent from Ballarat.¹⁵⁶ According to Probyn, Stewart was a colleague particularly liked by Irish Dr W.L. Richardson.¹⁵⁷ Like his public side, elements of Stewart's private side were highly public. The public man Stewart was one of the most influential men on the Ballarat goldfields and part of an elite group of men who, as Mansfield points out, 'played a significant role in the development of Ballarat's social and physical infrastructure throughout the 1850s and for many years beyond, and exercised power'.¹⁵⁸ The private man Stewart was connected to his heritage and family but making his own way in Ballarat.

Celebratory dinners were a regular social outing for Stewart. He chaired a 'magnificent dinner' for some Ulster gentlemen with their English and Scottish friends at the George Hotel in Ballarat in May 1854. His colleague and fellow Ulsterman, Dr R.J. Hobson, was the vice-chair. Stewart was in the process of forming his colonial identity but celebrated his Irish identity in the company and security of others with similar cultural backgrounds. They did not try to hide their Irishness or 'Ulsterness' to blend in. They shared their heritage with new friends from different backgrounds such as the Scottish and the Imperial. They expressed their individual identities and shared collective identity in the songs they sang and the cheers they gave to 'The Land we Left, The Land we Live in, The Diggers, Ballarat'.¹⁵⁹ They viewed themselves in three arenas – their country of birth, the Colony of Victoria and their locality of Ballarat. This varied from individual to individual and from situation to situation. The group 'separated early in the next morning, highly pleased that in the future, even at Ballarat, a social throng can enjoy themselves'.¹⁶⁰

There are few references to Stewart's nationality in the public sphere which suggests that, whilst his accent revealed his birthplace and he did not try to hide his Irishness, he easily mixed into the colonial systems of empire. He was called an Ulsterman at the George Hotel celebration but this was someone else's description of him. He noted his north of Ireland origins at a meeting to form a school at Mount Rowan and referred to himself as an 'Irishman' at an Agricultural Society dinner in reference to the Irish familiarity with potatoes. There was also a thinly veiled reference to his non-Englishness in a letter of complaint to a newspaper in 1858; an example of a third party's use of his ethnicity as a slight against a perceived wrong. Yet coming from Ireland and Ulster was clearly no hindrance to him socially, professionally or politically.

¹⁵⁶ *Star*, 8 October 1857, p. 2.

¹⁵⁷ Probyn, *Marriage Lines*, p. 46.

¹⁵⁸ Mansfield, "Public Libraries in Ballarat", p. 76.

¹⁵⁹ *Geelong Advertiser and Intelligencer*, 11 May 1854, p. 4.

¹⁶⁰ *Ibid.*

Stewart's thoughts would have often turned to his family back home in Ireland. News of his family would have arrived in letters and through new arrivals in his Irish-colonial network. His letters home probably brimmed with his experiences, opportunities and hopes for Ballarat. Back in County Tyrone his sister Mary Ann married Henry McLaughlin on 7 August 1855 at the First Donagheady Presbyterian Church.¹⁶¹ Mary Ann and Henry farmed at Lisdivin, a townland near Altrest.¹⁶² Sadness at missing the family celebrations would have been surpassed by the excitement of the news that two of his siblings were sailing out to join him in Victoria.

Further migration in the Stewart family would have been dependent on Stewart's success in the new colony. He had set up a prosperous medical practice and was contributing in many ways to Ballarat. He must have seen a bright future in the colony in the aftermath of Eureka and sent word encouraging his siblings to emigrate. His older sister Catherine and younger brother Robert arrived in Victoria on 25 November 1855 on board the *Lightning*.¹⁶³ Catherine was about 28 years old and Robert was just 21 years old. They would have lived with James initially at his house in Creswick Road, Ballarat. It would have been a great comfort to James to have family members so close to him.

After a year in the colony Catherine married 32-year-old Englishman John Cameron Proctor in Ballarat.¹⁶⁴ Their marriage was officiated by Free Presbyterian Church minister James Baird on 17 March 1857. Proctor was a chemist and Stewart most likely helped him to build up a business until he was in a position to buy it. Stewart 'disposed of'¹⁶⁵ his chemical and drug department in Armstrong Street to Proctor in early 1860. Their first nephew, John McLaughlin, was born to their sister Mary Ann on 25 May 1857 in Ireland.¹⁶⁶ The following month their aunt Margaret Stewart sold the Altrest farm where they had grown up to her son-in-law, William Smith.¹⁶⁷

¹⁶¹ James and Mary Ann's cousin Margaret Stewart had married Henry's brother George McLaughlin just a month earlier on 21 June 1855. The McLaughlin men were farmers from Magherareagh, a townland near Altrest. "First Donagheady Presbyterian Church Marriages 1845-1928." Transcribed by Faye Logue and Len Swindley from LDS films of Civil registration of Marriages in Ireland and Marriage Certificates. Accessed 26 August, 2015. <http://www.cotyroneireland.com/marriages/1st-Donagheady-Presbyterian-Church-Marriages-1845-1928.html>.

¹⁶² "Donagheady Second Presbyterian Church Baptisms 13 April 1838 to 3 July 1901." Transcribed by Faye Logue from PRONI Film MIC: 1/P/459. A/1 - G/2. Accessed 26 August, 2015. http://www.cotyroneireland.com/births/Donagheady2ndPresbyterianBaptisms1838_1901.pdf.

¹⁶³ *Argus*, 26 November 1855, p. 4; PROV, VPRS 7666/P0. Inward Overseas Passenger Lists, *Lightning*, November 1855.

¹⁶⁴ John was born in Newcastle on Tyne, England, and was the son of Isabella Wright and Michael Proctor. BDM. Marriage Certificate Catherine Stewart and John Proctor.

¹⁶⁵ *Star*, 5 January 1860, p. 1.

¹⁶⁶ "Deaths in the Services." *British Medical Journal* (1 April, 1933): 589.

¹⁶⁷ William was married to Margaret Stewart's daughter Mary. "First Donagheady Presbyterian Church Marriages"; *Freeman's Journal and Daily Commercial Advertiser*, 3 January 1821, p. 4.

SALE OF FARM AND CROP. – ON Tuesday Mr. Walters sold the crop at Altrest, the property of Mrs. Stewart. The oats brought from £8 2s. 6d. to £10; wheat, £11; flax, £11. It was a fine crop. On the following day the farm, consisting of 39 acres, statute measure, with a good dwelling-house, out-houses, and a small scutching-mill, held under lease for ever, at the yearly rent of £9, and about £3 rent-charge, was sold to Mr. Smith for £1,300.¹⁶⁸

The farming life that they had known was changing. The farm was still in the hands of their relative but for James, Catherine and Robert their old home at Altrest must have seemed even further away from their Australian life. Their fondness for the farm is revealed in the way Catherine, Robert and some of their descendants were to name their homes and farms in Ballarat, Geelong and Chinkapook 'Altrest'.

The siblings began to put down roots in Australia with additions to their families in their new country which helped them to view it as their home. Stewart's first niece, Isabella Elizabeth Proctor, was born to Catherine and John in Geelong in late 1857.¹⁶⁹ Back in Ireland, Martha McLaughlin was born to Mary Ann in 1858. She was baptised at the Second Donagheady Presbyterian Church.¹⁷⁰ Mary Ann had taken a step away from her family's customs but still maintained her Presbyterian ties. She changed churches from the First Donagheady to the Second Donagheady when she married Henry. A few months later Robert Daniel Proctor was born to Catherine in Ballarat on 11 February 1859.¹⁷¹ Catherine's first birth may have been a concern for her as she chose her brother James to be her accoucheur for the second birth.

On 26 April 1859 Stewart's 25-year-old brother Robert married 24-year-old Scotswoman Jane McLean.¹⁷² The ceremony was conducted by Robert S. Stratton in the United Presbyterian Manse in Ballarat. Unlike the Stewarts, Jane appears to have been illiterate. She emigrated to Victoria as an assisted passenger on the *Star of the South* in August 1857.¹⁷³ She was brought to Ballarat by James King as a general servant and may even have been one of James Stewart's servants. Robert and Jane were farming at Dowling Forest when Jane gave birth to Robert junior on 7 November 1859.¹⁷⁴ Catherine used James as an accoucheur but Jane preferred the midwifery services of Dr Thomas Le

¹⁶⁸ *Belfast News-Letter*, 25 July 1857, p. 4.

¹⁶⁹ No birth certificate exists for Isabella. BDM Death Certificate Isabella Elizabeth Proctor.

¹⁷⁰ The baptism took place on 5 September 1858. "Donagheady Second Presbyterian Church Baptisms".

¹⁷¹ Robert Daniel Proctor was named after Catherine's (and James's) father and grandfather. BDM. Birth Certificate Robert Daniel Proctor.

¹⁷² Jane was born in Mearns, Scotland and was the daughter of labourer John McLean and Jane Pollock. BDM. Marriage Certificate Robert Stewart and Jane McLean.

¹⁷³ PROV, VPRS 14/P0. Register of Assisted British Immigrants 1839-1871, *Star of the South*, August 1857.

¹⁷⁴ BDM. Birth Certificate Robert Stewart.

Gay Holthouse. Around the same time, Robert Stewart McLaughlin was born to Mary Ann back in Donagheady.¹⁷⁵ The next generation of Irish and Victorian Stewarts were well on their way.

Colonial Religion

For Stewart, a person's religious denomination was a personal choice and not for public scrutiny. Whilst little evidence exists of his religious life in Ballarat, his Protestantism manifested itself in numerous ways during his time there. He appears to have been most involved with the Anglican Christ Church in Lydiard Street but helped raise funds for other denominations including to the Buninyong Presbyterian Church building fund.¹⁷⁶ He mixed with clergymen of different denominations through various community groups and networks such as the hospital committee, Municipal Council and Mechanics' Institute. Anglican Rev. Garrett Russell, the incumbent at the Holy Trinity Church in Buninyong in 1856, was most likely part of the Trinity-educated Anglo-Irish Ballarat network of which Stewart aspired to be part.¹⁷⁷

Ballarat's religious life represented its varied population. Roman Catholics had an early presence with mass held in the open outside a cleric's tent in October 1851.¹⁷⁸ They moved to a church tent and then to a slab and canvas church on the Gravel Pits near Bakery Hill in late 1853. Bate suggests that the Catholics' large sawn timber building was 'an important focus for Irishmen, whose identity was already strongly established in the nearby Eureka Lead'.¹⁷⁹ The Wesleyan chapel was opened in early 1855 and by 1858 there was a Congregational Chapel, German Lutheran Church and a place of worship for the Hebrew congregation.¹⁸⁰

Bate asserts that the Presbyterians and Church of England were the least adapted denominations to 'the free and easy atmosphere of gold-digging'.¹⁸¹ Rev. Thomas Hastie serviced Ballarat's Presbyterians until he organized the call to Rev. Baird in 1855, as Beggs-Sunter has established.¹⁸² Baird held Presbyterian services in the courthouse, the Council chambers and the Eureka school house

¹⁷⁵ Robert was baptised on 9 December 1859. "Donagheady Second Presbyterian Church Baptisms".

¹⁷⁶ Buninyong Presbyterian Church, *Subscriptions to the Building of the Buninyong Church*, 1860, p. 16; *Star*, 29 August 1857, p. 3.

¹⁷⁷ *Argus*, 7 October 1924, p. 10; John Spooner, *The Golden See, Diocese of Ballarat: The Anglican Church in Western Victoria*. Surry Hills, NSW: John Ferguson, 1989, p. 56.

¹⁷⁸ Moore, *The Other Rebellion*, p. 57.

¹⁷⁹ Bate, *Lucky City*, p. 39.

¹⁸⁰ The Wesleyan Methodist Church was dedicated as a place of worship on 4 March 1855. *Age*, 12 March 1855, p. 3; *Argus*, 22 February 1855, p. 6; *Star*, 18 January 1858, p. 3; *Star*, 1 July 1858, p. 3; *Star*, 20 November 1858, p. 3.

¹⁸¹ Bate, *Lucky City*, p. 20.

¹⁸² *Argus*, 24 April 1856, p. 5; Anne Beggs-Sunter, "The Early Churches in Ballarat." unpublished. Address Given at the Lydiard Street Uniting Church December 1999, p. 2.

before a church could be built.¹⁸³ At a meeting held on 23 December 1856 to discuss building a township Presbyterian church theologian Rev. Dr Adam Cairns estimated that four or five thousand of the 43,000 Scottish, English and Irish Presbyterians in Victoria were in Ballarat. Presbyterians were divided into the Free Church, the Established Kirk of Scotland and the United Presbyterians. According to Hamilton, there were just 20 Presbyterian ministers settled in the colony during the early gold rush (four Kirk, five Free and eleven United).¹⁸⁴ Cairns felt that there was not the same population to support all three groups in Victoria as there was in Scotland. The Stewarts' experience reflected the results of this weakness at the local Ballarat level as Catherine's marriage was officiated by a Free Church minister, Robert was married in a United Presbyterian manse and James was involved with the Anglican church.

The Presbyterian divisions in the Victorian setting might go some way to explaining why Stewart felt more comfortable staying with the Anglican Church when he came to Australia – the Presbyterian Church was too weak and splintered and the Anglicans offered greater social and business networking opportunities. Perhaps being a member of a different church gave Stewart distance from the family that he needed but it is more likely that the church had filled his need for his faraway family when he was in Dublin and when he first arrived in Ballarat.

The Anglican Church had a slow start in Ballarat with no resident Anglican minister for three years.¹⁸⁵ Early church services were held in the Camp and courthouse and by March 1854 Rev. Theodore C.B. Stretch and Rev. James Thackeray preached sermons.¹⁸⁶ The goldfields Anglicans tried to replicate elements of British life in Ballarat by raising subscriptions to erect a place to worship like they had back home.¹⁸⁷ The foundation stone for Christ Church was laid in late 1854 and St Paul's Church opened for Divine Service at Bakery Hill on 4 March 1855.¹⁸⁸ The Christ Church congregation met in the Arcade in Lydiard Street by September 1854, then at a temporary premises at the back of Bath's Hotel in Armstrong Street from 16 October 1855.¹⁸⁹

By September 1855 there was a split in the Ballarat Anglican congregation which was considered to advantage both parties. Rev. Thackeray was suspended from his position but, according to Moore,

¹⁸³ *Star*, 25 December 1856, p. 3.

¹⁸⁴ Robert Hamilton, *A Jubilee History of the Presbyterian Church of Victoria*. Melbourne: M.L. Hutchinson, 1888. <http://archive.org/details/texts>. Also available in print form, Appendix A, p. ii.

¹⁸⁵ Spooner, *The Golden See*, p. 16.

¹⁸⁶ *Argus*, 21 March 1854, p. 5; Moore, *The Other Rebellion*, p. 126.

¹⁸⁷ *Argus*, 27 July 1854, p. 5.

¹⁸⁸ *Age*, 9 March 1855, p. 5.

¹⁸⁹ *Ballarat Times*, 2 September 1854, p. 4; *Geelong Advertiser*, 11 December 1854.

refused to vacate the parsonage and churches until his creditors were paid.¹⁹⁰ Rev. John Potter had to find a temporary place of worship and was officially declared the only authorised minister for the Church of England in Ballarat.¹⁹¹ Members of the congregation could procure sittings from Stewart, Potter and Anglo-Irish lawyer Adam Loftus Lynn.¹⁹² This suggests that Stewart was quite involved with this congregation and a strong supporter of Potter. Following Stewart's other public positions, it would be expected to find him as a trustee of the Christ Church but the 1850s and 1860s records reveal his colleagues as trustees with no trace of Stewart.¹⁹³ It brings into question the depth of his commitment to the church.

Blombery contends that separate Anglican dioceses developed independently in Australia and reflected the colonies which they served.¹⁹⁴ A shift towards self-governing synodal government developed in the 1850s and the Synod of Melbourne was constituted in 1854. Thus, the Anglican Church in Victoria was different from Ireland and England. In Ballarat it differed further with its goldfields influences. For Stewart it may have been becoming more similar to the Presbyterianism he had grown up with but with the benefits of strong colonial networks.

Stewart was involved with the Ballarat Bible Society, an auxiliary of the British and Foreign Bible Society (BFBS), but details of the extent of his involvement are scant. It is clear, however, that the work of the Society was important to him because he donated to it and left it a large bequest in his will. The BFBS was established in 1804 and aimed to make the Bible and Holy Scriptures affordably available to the British poor and to people across the world in a variety of languages and without denominational comment or notes.¹⁹⁵ Its involvement with Australia began in 1807 and an auxiliary society was formed in Melbourne in 1840.¹⁹⁶

¹⁹⁰ The Vicar General found that Thackeray 'had cancelled his Easter Sunday service to attend a picnic, that money donated for church purposes was missing, and that Thackeray had withheld Creswick schoolteacher Thomas Williams's salary for several weeks without a valid reason'. Moore, *The Other Rebellion*, p. 127.

¹⁹¹ *Geelong Advertiser and Intelligencer*, 17 September 1855, p. 3; Spooner, *The Golden See*, p. 18.

¹⁹² *Star*, 22 September 1855, p. 1.

¹⁹³ Names in the trustees register include: Adam Loftus Lynn, Charles Wade Sherard, Townsend McDermott, Dr Walter Lindesay Richardson and Joseph Dixie. Register of Title Deeds Church Lands. Archives of Christ Church, Ballarat.

¹⁹⁴ Tricia Blombery, *The Anglicans in Australia*. Canberra: Australian Government Publishing Service, 1996, p. 18.

¹⁹⁵ George Browne, *The History of the British and Foreign Bible Society, from its Institution in 1804, to the Close of its Jubilee in 1854*. Vol. 1. Temple Bar, Dublin: W.M. Watts, 1859. www.archive.org/texts. Also available in print form, pp. 3, 6, 25; Karen Racine, "Commercial Christianity: The British and Foreign Bible Society's Interest in Spanish America, 1805–1830." *Bulletin of Latin American Research* 27, (2008): 78-98, p. 82; Isabel Rivers, "The First Evangelical Tract Society." *The Historical Journal* 50, no. 1 (2007): 1-22, p. 8; Heather J. Sharkey, "The British and Foreign Bible Society in Port Said and the Suez Canal." *The Journal of Imperial and Commonwealth History* 39, no. 3 (2011): 439-456, p. 441.

¹⁹⁶ Auxiliaries were established in Sydney on 7 March 1817, in Tasmania in 1819, in Victoria in 1840, in South Australian in 1845, in Queensland in 1855 and in Western Australian in 1884. The separate auxiliaries combined in 1924 to establish a Commonwealth Council of the British and Foreign Bible Society in Australia. British and Foreign Bible Society, Victoria Auxiliary. *British and Foreign Bible Society, Victoria, Established*

The BFBS has been variously described as a middle class voluntary association, a publisher trying to maintain a non-sectarian but Protestant character and an almost commercial business by the mid-nineteenth century.¹⁹⁷ In Ballarat, according to Bate, it was formed 'to attack widespread drunkenness, profligacy, licentiousness, and agnosticism with God's message of hope and damnation'.¹⁹⁸ Meetings were held for the Ballarat branch of the Society in 1858 and local depositories were established and carried Bibles in a variety of languages.¹⁹⁹

Interest waned and an attempt to revive the Society and establish a depot for Tract Society publications was made at a meeting at the Mechanics' Institute on 12 April 1866.²⁰⁰ The Ballarat Bible and Tract Society and a depot were then established. The BFBS's fundamental principle of only selling the Bible without comment meant that to appease the parent society the Ballarat Society separated in 1868 into the Auxiliary Bible Society (which only stocked Bibles and testaments) and the Book and Tract Society (which was free to stock a wider selection of religious literature).²⁰¹ Both had their own committees consisting of the same people and both continued in the same place at the Chamber of Commerce.

The ethnic 'glues and solvents'²⁰² discussed by Nolan and O'Farrell can be seen in the Presbyterian folkways demonstrated by Stewart and his siblings in colonial Australia. Nolan suggests that the family ties of kinship create a type of social group with the power to keep members of families connected at a certain level when other social characteristics diversify, hybridise, stay stagnant or become otherwise incongruent. Stewart's Presbyterianism had been diluted by his experiences in Dublin and while he attended the Anglican Church he remained connected to the Presbyterian Church through his family in Ballarat. His sister married an English Presbyterian and his brother married a Scottish Presbyterian and cemented their Presbyterianism. This is one reason why Proudfoot's point of 'the need to situate Irish migrant experience ... within the wider histories they shared with others'²⁰³

100 Years Ago, 1840-1940. Melbourne: The British and Foreign Bible Society, Vic., 1940, pp. 3, 5, 7, 9, 12, 16, 20; Browne, *The History of the British and Foreign Bible Society*, pp. 422, 427, 432.

¹⁹⁷ Aileen Fyfe, "Commerce and Philanthropy: The Religious Tract Society and the Business of Publishing." *Journal of Victorian Culture* 9, no. 2 (2004): 164-188, p. 164; Racine, "Commercial Christianity", p. 82; Rivers, "The First Evangelical Tract Society", p. 8; Sharkey, "The British and Foreign Bible Society" p. 441.

¹⁹⁸ Bate, *Lucky City*, p. 176.

¹⁹⁹ Early depositories were at James Oddie's in Dana Street, Mr Cooper's Chemist in Main Road Ballarat East and later at Mrs Taylor's in Lydiard Street. By early 1860 Bibles and testaments were available in English, French, Welsh, Swedish and Italian. *Star*, 31 July 1858, p. 3; *Star*, 19 November 1858, p. 3; *Star*, 15 November 1859; *Star*, 26 January 1860, p. 4; *Star*, 9 April 1862, p. 2.

²⁰⁰ *Ballarat Star*, 13 April 1866, p. 2.

²⁰¹ *Ballarat Star*, 30 April 1868, p. 2.

²⁰² O'Farrell, *The Irish in Australia*, p. 101; Nolan, *Kin: A Collective Biography*, p. 29.

²⁰³ Proudfoot, "Landscape, Place and Memory", p. 172.

is so pertinent. The Stewarts, like other Irish immigrants, shared their immigration experience with other religious and cultural groups, married into them and aligned with different religious denominational groups through their personal choices. This was also part of their colonial identity formation, some of which was negotiated in relation to Empire, as McKenzie and Harland-Jacobs have asserted.²⁰⁴

Davidoff and Hall note that whilst kinship bonds are flexible and recognition of them increases the availability of resources and service exchanges, kinship and family relationships tend to contain women more and 'men move beyond them into all-male locations and organizations'.²⁰⁵ This is certainly true of Stewart who moved into all-male domains such as local government and Freemasonry whilst his sister and sister-in-law were restricted to making their families and homes.

MacKenzie asserts that a great paradox of the British Empire was that instead of an overall national identity being created in the United Kingdom, the sub-nationalisms of Irish, Welsh and Scots survived and flourished through establishing world-wide connections.²⁰⁶ Stewart and his siblings could be part of Empire but maintain their Irish sub-nationalism and denominations and move between these arenas with ease. Their identification as part of the Empire or the British Isles altered because, as Darian-Smith, Grimshaw and Macintyre contend, Britishness took on new forms in different settings and it joined people through their shared institutions, traditions and common loyalties.²⁰⁷ De Serville suggests that 'the term British was loosely used, to encompass the Scots, Protestant Irish, and any others who were independent, but dependable'.²⁰⁸ This provided space for the flexible identities, associations and allegiances of the Stewarts in Victoria.

Recreation

The young bachelor James had an active social life and was involved in many groups that enjoyed socialising and celebrating with balls, banquets and dinners. His medical and public success would have made him a very popular young man amongst the young ladies of Ballarat. Men far outnumbered women in early Ballarat but more women arrived to provide gender balance after the initial rush

²⁰⁴ Jessica Harland-Jacobs, "All in the Family: Freemasonry and the British Empire in the Mid-Nineteenth Century." *Journal of British Studies* 42, no. 4 (2003): 448-482, p. 463; John M. MacKenzie, "Empire and National Identities: The Case of Scotland." *Transactions of the Royal Historical Society* 8, (1998): 215-231, p. 220.

²⁰⁵ Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850*. London: Routledge, 1998, p. 32.

²⁰⁶ MacKenzie, "Empire and National Identities", pp. 230, 231.

²⁰⁷ Kate Darian-Smith, Patricia Grimshaw and Stuart Macintyre, eds. *Britishness Abroad: Transnational Movements and Imperial Cultures*. Carlton, Vic.: Melbourne University Press, 2007, p. 1.

²⁰⁸ Paul de Serville, *Pounds and Pedigrees*. Melbourne: Oxford University Press, 1991, p. 229.

years. As mentioned in Chapter 3, there were about three men to every woman in 1854. By 1857 in the Ballarat West municipality the ratio was closer to two men to every woman and by 1861 it was getting closer to equal.²⁰⁹

Census	Female	Male	Total
<i>(Ballarat 1854)</i>	4,023 (24%)	12,660 (76%)	16,684
1857	1,761 (35.4%)	3,218 (64.6%)	4,979
1861	4,123 (44.8%)	5,082 (55.2%)	9,205

Table 5: Census gender comparisons for Ballarat West

Stewart's position in society was acknowledged and strengthened by requests to chair various community meetings and dinners and he often responded to toasts to the medical profession and Municipal Council. He 'ably' chaired a complimentary dinner for his friend Peter Lalor M.L.C. at the George Hotel on Monday 21 April 1856.²¹⁰ The dinner was attended by about 100 miners, businessmen and other professionals. He attended a complimentary dinner for J.B. Humffray M.L.A. with about 210 other gentlemen in the concert room of the Charlie Napier Hotel in November 1856.²¹¹ There were many toasts during the evening and Stewart responded to the toast to the medical profession. Stewart was described as one of the 'gentlemen well known on Ballarat'²¹² when he attended a farewell dinner at the North Grant Hotel on 11 May 1857 for Mr Bradshaw who was leaving for England. He was toasted twice during the evening for his medical and municipal work. Stewart chaired a celebration held for Alexander Gibb at the George Hotel on 12 June 1857 where he presented Gibb with an inscribed gold watch and chain.²¹³ Stewart also enjoyed celebrations with people from different cultural backgrounds. He joined about 100 people at a banquet at the Duchess of Kent Hotel celebrating the anniversary of the declaration of American Independence on 4 July

²⁰⁹ Victoria. *Census of Victoria, 1861*. Melbourne: John Ferres, Government Printer, 1862, p. 13; Bate, *Lucky City*, p. 106.

²¹⁰ *Ballarat Times*, 13 April 1856, p. 3; *Bendigo Advertiser*, 26 April 1856, p. 3.

²¹¹ *Star*, 1 November 1856, p. 2.

²¹² *Star*, 13 May 1857, p. 3.

²¹³ Gibb was returning to 'the old country'. *Star*, 13 June 1857, p. 3.

1857.²¹⁴ Banquet toasts to the two municipalities were responded to by Stewart and his eastern counterpart, William Rodier.

Stewart called on both his Scottish and Irish heritage when he chaired a public banquet and ball at Bath's Hotel for the centenary of Robert Burns' birthday on 25 January 1859. Fifty gentlemen attended the banquet in a room decorated with bouquets of flowers and 'British emblems and mottoes appropriate to the place and the occasion'.²¹⁵ Stewart toasted the Queen, Prince Albert and the royal family, the Governor, army and navy. These were all far from Ballarat but kept the colonials feeling very much part of Britain and its empire. Stewart compared Burns to Irishman Thomas Moore, noting that both men had portrayed their 'native country hills and dales, and ruins'.²¹⁶ He was well placed to make the comparison as an Irishman of Scottish heritage. He recommended that those present should recall Burns' songs and ballads with pleasure when they sat by their own firesides. Stewart would have recalled both Burns and Moore's songs and ballads by his own fireside.

The bachelor Stewart would have been a popular dance partner at the many balls he attended. He was one of the five stewards for a Select Dress Ball held at the Swan Hotel on 28 April 1857 and a committee member for the Bachelor's Ball in May 1858.²¹⁷ He was regularly called on as a patron and was a patron of the Grand Benefit to Miss Mary Provost at the Charlie Napier Theatre on 17 December 1858.²¹⁸

Stewart was a music and theatre lover and was made a patron of the Ballarat Philharmonic Society in 1858 along with Governor Barkly and J.B. Humffray.²¹⁹ Doggett asserts that the Philharmonic was the most prominent early music society in Ballarat with between 50 and 100 performers.²²⁰ By acting as a patron of this society, Stewart was supporting the establishment of a local cultural institution but also helping to raise monies for the hospital and Benevolent Asylum through supporting the society's fundraising concerts.

The Society was inaugurated on 5 March 1858 at a meeting at the Miners' Exchange. They felt that most of the vice, immorality and crime happening on Ballarat was due to the need for legitimate

²¹⁴ *Star*, 6 July 1857, p. 2.

²¹⁵ *Star*, 26 January 1859, p.2.

²¹⁶ *Ibid.*

²¹⁷ *Star*, 16 April 1857, p. 4; *Star*, 17 May 1858, p. 3.

²¹⁸ As patron, Stewart would have been in the audience to watch the performance of Reed and Taylor's five act comedy called *Nell Gwynne; or Court and Stage*. *Star*, 17 December 1858, p. 3.

²¹⁹ *Star*, 30 March 1858, p. 3; *Star*, 5 April 1858, p. 3; *Star*, 12 June 1858, p. 3.

²²⁰ Anne Doggett, "Beyond Gentility: Women and Music in Early Ballarat." *History Australia* 6, no. 2 (2009): 37.1-37.17, p. 37.6.



Statues of Thomas Moore and Robert Burns in Sturt Street, Ballarat
Nicola Cousen



George Coppin, M.L.C, M.L.A.
c.1880-1906



Madame Marie Carandini
c.1865

State Library of Victoria
Entertainment enjoyed by Stewart in Ballarat.

amusement in the evenings.²²¹ The Philharmonic was a form of entertainment with origins in nineteenth century England and as such catered for the tastes of the upper echelons of society with replicated experiences and behaviours from Britain, as Doggett has established.²²² The Society's opening concert in June 1858 was the first major choral performance in Ballarat and included selections from Handel's *Messiah*, glees, madrigals and other songs.²²³ Stewart, Barkly and Humffray remained patrons until 1862 when a new society was formed.²²⁴

Stewart was often part of groups who requested performances from actors and singers visiting Ballarat. In 1859 he and 15 others (including J.H. Taylor) asked George Coppin M.L.C. to perform some benefits on behalf of local institutions and to thank him for his Legislative Council duties.²²⁵ Coppin was a prominent Freemason and Stewart and Taylor's involvement would also have been as brethren. Stewart was a member of a committee that distributed the monies raised between the hospital and the Benevolent Association and presented Coppin with a diamond ring and an address on vellum. Stewart was also one of 21 men who requested a complimentary benefit for opera singer Madame Maria Carandini in 1859.²²⁶ As Doggett suggests, whilst performers like Carandini were very generous with participating in fundraising concerts, it was also a shrewd way of 'fostering good public relations'.²²⁷

Hearth and Home

Stewart employed many people over his lifetime. Examination of his employment practices provides an indication of the way in which he lived, the help he required and how he provided employment for different types of people in his community. It also indicates his class, status and power in the community. As a single male, he required cooks, housekeepers, servants, valets, message carriers and others so that he could concentrate on his numerous public and private pursuits. As Davidoff and Hall suggest, the behaviour of the family and household and their material setting were the tangible indications of financial and moral probity.²²⁸ In 1856 and 1857 he advertised for a 'respectable

²²¹ *Star*, 5 March 1858, p. 3; *Star*, 6 March 1858, p. 2.

²²² Anne Doggett, "'And for Harmony Most Ardently We Long' Musical Life in Ballarat, 1851-1871." PhD thesis, University of Ballarat, 2006, p. 163.

²²³ Doggett, "'And for Harmony Most Ardently We Long'", p. 204; *Star*, 24 June 1858, p. 3.

²²⁴ *Star*, 17 January 1862, p. 2.

²²⁵ Coppin performed 'Paul Pry' and 'To Oblige Benson' at the Theatre Royal in Sturt Street on 21 March 1859. *Star*, 21 March 1859, p. 3.

²²⁶ Carandini performed the operatic drama of 'Rob Roy' at the Charlie Napier Theatre on 3 February 1859. *Star*, 2 February 1859, p. 3.

²²⁷ Doggett, "'And for Harmony Most Ardently We Long'", p. 283.

²²⁸ Davidoff and Hall, *Family Fortunes*, p. 208.

married couple without incumbrance'²²⁹ and a 'respectable Housekeeper'.²³⁰ Respectable servants were required within his household to reflect his own reputation and to avoid any private scandal. This was part of his class status but, if Jane McLean had been his servant, it may also have been inspired by the inconvenience of losing a good employee to his brother. Stewart provided board with £1 a week in wages for a youth to attend his horse in 1857 which indicates that he already had sizable property including his house, medical rooms and accommodation for others.²³¹ Later he became involved in farming and employed farm labourers including family friend Robert Moody.

Stewart maintained many of the comforts and hobbies of his farming background. He had a pet spaniel dog and kept pigs, a milch cow and horses. He sold cattle at market and enjoyed growing fruit, vegetables, flowers and other plants. He enjoyed exhibiting the fruits of his labour at agricultural and horticultural shows.

Stewart was a member of the provisional committee for the formation of an Agricultural Association at a meeting at Bath's Hotel on 7 June 1856.²³² Thomas Bath and Robert Muir were the driving forces behind the Ballarat Agricultural Society but Stewart took a leading role in the Society chairing many meetings and working within the Society to improve conditions for local farmers and their families.²³³ Stewart also had influence through his role as municipal councillor: the Society was granted 10 acres of land in 1857 with the assistance of the Council.²³⁴ Roberts acknowledges Stewart as a pioneer of the Society but mistakenly refers to him as a Scot.²³⁵ James and his brother, Robert, were both subscribers to the Society.²³⁶ Their sister Catherine was also involved with the Society and acted as a steward at the Society's annual exhibition in 1880.²³⁷

The Society held annual ploughing matches and celebratory dinners. The matches encouraged skill in ploughing and improvements in farming methods and, as Roberts asserts, were also important as social occasions.²³⁸ Some competitors used Scotch ploughs, as the Stewart family would have used

²²⁹ *Star*, 28 August 1856, p. 4.

²³⁰ *Star*, 1 July 1857, p. 3.

²³¹ *Star*, 1 September 1857, p. 3.

²³² The other provisional committee members were Thomas Bath, H.B. Chalmers, George Butchart, Patrick Bolger, James A. Douglas, Frank Herring, John Strachan, Mr Quiney, Donald Rowan, Robert Muir, H.W. Cooper, Mr Morton and Dr Henry Mount. *Age*, 13 June 1856, p. 3.

²³³ *Star*, 5 January 1857, p. 2.

²³⁴ *Star*, 14 February 1857, p. 3.

²³⁵ Phil Roberts, *Golden Showtime: The History of the Ballarat Agricultural and Pastoral Society 1856-2006*. Geelong: Mud Group Pty Ltd, 2006, p. 21.

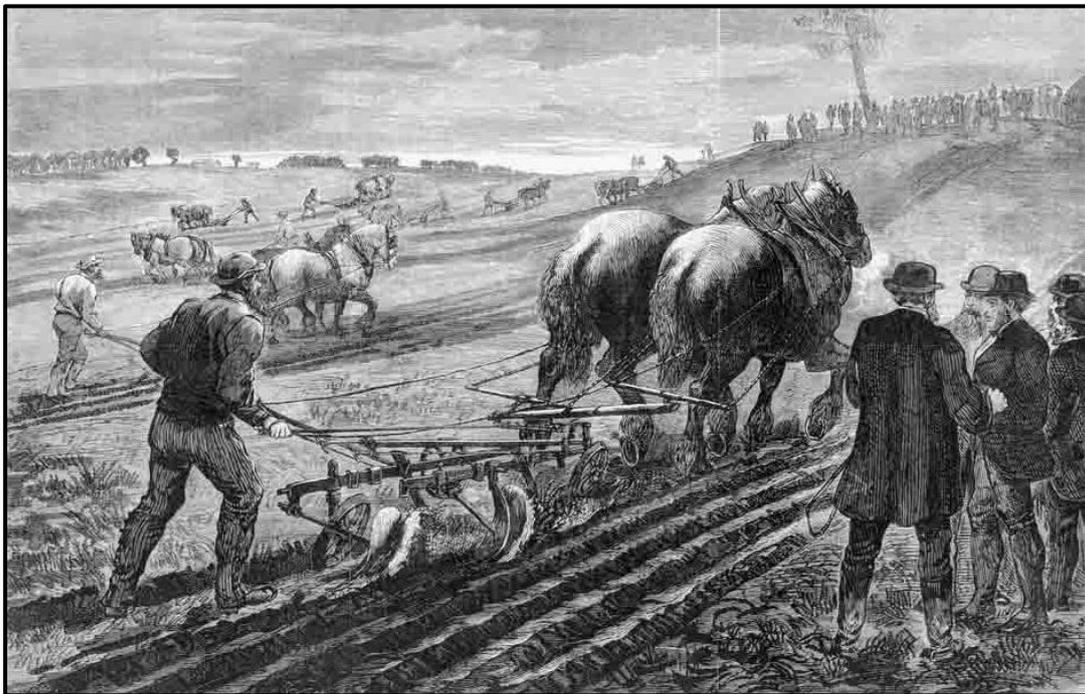
²³⁶ Ballarat Agricultural Society. *Report for the Year Ending on 1 April, 1861*, p. 14; Ballarat Agricultural and Pastoral Society. *Report for the Year Ending on May 1, 1875*, p. 24.

²³⁷ *Ballarat Star*, 30 October 1880, p. 4.

²³⁸ Roberts, *Golden Showtime*, p. 16.



Ballarat Market Square c.1866
Archibald Vincent Smith (1837-1874) photographer



Ploughing Match
Illustrated Australian News, 12 July 1875
State Library of Victoria

back in Ireland.²³⁹ Ploughing matches and agricultural societies were part of Stewart's farming heritage and he would have attended them during his youth in Ireland.²⁴⁰

Stewart exhibited his garden carrots and pumpkins at the first Ballarat Agricultural Society exhibition at the Corn Exchange in the Market Square in March 1859.²⁴¹ The district's agricultural pursuits were extensive and included the growing of grains, vegetables, fruit and tobacco.²⁴² There was even some hand-scutched and rough beetled colonial flax exhibited by the first flax producer in Victoria, T.C. McKenna. The sight and unforgettable smell of flax would have reminded Stewart of life in Ireland.

Stewart toasted the Society at a dinner at Bath's Hotel after the agricultural show. Proudly celebrating his Irish background, he felt that as an Irishman he might be considered a good judge of the potatoes which he considered the best he had seen anywhere. His mind was on the future and noted that Ballarat was able to produce 'the necessaries of life'²⁴³ but once a railway was built the district would be ready to export these necessary items. He believed that the district could no longer progress without the farmers and was relieved that times had changed from when they were completely dependent on miners and supplies from Geelong and the seaboard.

Stewart was not the only medical man with farming interests. Dr Kenworthy took merinos to the United States from the flocks of the Learmonths, Curries and Shaws but had to give up his breeding experiment because the southern land he thought best to rear them on was unusable because of the American Civil War.²⁴⁴ The Society had other international connections and sent wheat samples to the New York Agricultural Society in 1867, most likely through Kenworthy.²⁴⁵ The Lake Learmonth and Burrumbeet Agricultural Societies amalgamated with the Ballarat Agricultural Society in March 1860 and the Society became known as the Ballarat Agricultural and Pastoral Society on 3 May 1865.²⁴⁶

²³⁹ Competitors had four and a half hours to plough one third of an acre with horses and five hours with bullocks. Single wheel ploughs with bullock teams and 4 1/2 by 8 inch furrows were used. *Star*, 18 June 1858, p. 3; *Star*, 20 June 1857, p. 2.

²⁴⁰ According to Roulston, Donagheady ploughing matches were arranged by the Strabane branch of the North West Agricultural Society and later by the Donagheady and Leckpatrick Farming Society. Roulston, *Three Centuries of Life*, pp. 225, 227.

²⁴¹ *Star*, 14 March 1859, p. 2.

²⁴² Produce included wheat, Tartarian oats, English and Cape barley, Brown's River and ash leaf kidney potatoes, green Indian corn, sorghum saccharatum, maize, buckwheat, hay, Virginian and Havana tobacco, grey field peas, onions, Swedish and white stone turnips, parsnips, mangel wurzel, beet, field carrots, cabbage, pumpkins, onions, tomatoes, beans, peaches and melons.

²⁴³ *Star*, 14 March 1859, p. 2.

²⁴⁴ *Ballarat Star*, 24 August 1865, p. 3; Letter from Henry S. Randall to Frederick Watts, Commissioner of Agriculture, 15 May 1873 in United States Department of Agriculture. *Monthly Reports of the Department of Agriculture for the Year 1873*. Washington: Government Printing Office, 1873. <http://books.google.com>. Also available in print form. p. 258.

²⁴⁵ *Ballarat Star*, 24 March 1866, p. 2; *Ballarat Star*, 8 April 1867, p. 4.

²⁴⁶ *Star*, 2 April 1860, p. 2; *Star*, 4 April 1860, p. 2; *Ballarat Star*, 4 May 1865, p. 3; Roberts, *Golden Showtime*, p. 26.

Stewart exhibited his plants in the first Ballarat Horticultural Society exhibition on 25 November 1859. He supported the society from its beginnings and Taffe lists him amongst its founding members.²⁴⁷ As Taffe contends, the Municipal Council and Horticultural Society were ‘highly influential in the development of Ballarat as a garden city’.²⁴⁸ Stewart was influential in both. Some of his colleagues were founding members of the society including Dr Kenworthy (the Society’s first president), Dr Richardson and Western councillors W.C. Smith and Robert Smith.

The Society’s object was the diffusion of ‘useful and scientific knowledge in the various branches of Horticulture, the rewarding of merit, and the general encouragement of Horticulture’.²⁴⁹ Stewart was also continuing elements of his life in Ireland. He grew strawberries and other plants as his father had at Altrest. The produce exhibited by Stewart is an indication of his love of gardening and growing food. He won prizes and honourable mentions for his roses, bulbs and corms, annuals, perennials, verbenas, amaryllis, carnations, scarlet geraniums, strawberries, peaches, grapes, garden carrots and pumpkins.²⁵⁰ Both societies were an outlet for Stewart’s farming interests as well as a continuation of his social activities and part of improving his community.

Stewart shared a love of horse racing with his brother Robert. He was involved with a private race during New Year’s Day celebrations at the Turf Inn in 1858 where he took a tumble on the rough ground. Fortunately he ‘got off with a pretty severe shaking’²⁵¹ and nothing worse. Both siblings were involved with the Ballarat Turf Club. Stewart attended a Turf Club dinner at Bath’s Hotel in December 1857 along with about 20 other men. It was poorly attended because a race meeting held during the day had been fixed by many of the horse owners ‘to the utter disgust of the public and the members of the Ballarat Turf Club’.²⁵²

Stewart was elected a member of the club on 3 August 1858.²⁵³ His membership of clubs, committees, boards, church, Council and other groups was so varied and extensive that it allowed him to socialise with a large number of people in Ballarat in a variety of circumstances. His confrères in the Turf Club included Irish lawyer Henry Cuthbert and fellow medical practitioner Henry Mount.²⁵⁴

²⁴⁷ Michael Taffe, *Growing a Garden City: Ballarat Horticultural Society 1859-2009*. Ballarat: Ballarat Heritage Services, 2014, p. 161.

²⁴⁸ *Ibid.*, p. 154.

²⁴⁹ Rules of the Ballarat Horticultural Society in *Ibid.*, p. 24.

²⁵⁰ *Farmer's Journal and Gardener's Chronicle*, 22 November 1862, p. 13; *Star*, 14 March 1859, p. 2; *Star*, 26 November 1859, p. 3; *Star*, 26 November 1860, p. 2; *Star*, 16 March 1861, p. 2; *Star*, 23 November 1861, p. 2; *Star*, 15 March 1862, p. 1S; *Star*, 15 November 1862, pp. 2, 3.

²⁵¹ *Star*, 2 January 1858, p. 2.

²⁵² *Star*, 5 December 1857, p. 3.

²⁵³ *Star*, 4 August 1858, p. 3.

²⁵⁴ Dorothy Wickham, *Freemasons on the Goldfields: Ballarat and District 1853-2013*. Ballarat: Ballarat Heritage Services, 2013, p. 201.



Frederick WOODHOUSE
Australia, 1820 - 1909
Group in the Dowling Forest Racecourse enclosure, Ballarat, 1863

1864, Melbourne
oil on canvas
87.7 x 142.2 cm

M.J.M. Carter AO Collection through the Art Gallery of South Australia Foundation to mark the Gallery's 125th anniversary 2006

Art Gallery of South Australia, Adelaide

Freemasonry

Stewart helped to establish the Yarrowee Masonic Lodge of Ballarat East and was present at the meeting to form it on 20 January 1857.²⁵⁵ He was Lodge treasurer and attained his third degree in 1857.²⁵⁶ There is no evidence of his membership of the Freemasons in Ireland and this may indicate that it was socially more important for him in Ballarat.²⁵⁷ As with the Anglican church congregation, Stewart was mixing with other powerful leading men of Ballarat in the Freemasons. Equally, it was men like Stewart who made Freemasonry such a strong force in Ballarat. Bate asserts that a third of

²⁵⁵ Others in attendance were Richard Ocock (the Lodge's first Worshipful Master), Alexander Dimant, J. Daly, Bernard Smith, T. Cope, Robert Walsh, Dr Walter Lindesay Richardson, Robert Holmes, R. Fenton and W. Robinson. Wickham, "Beyond the Wall", p. 200.

²⁵⁶ The three degrees of Freemasonry were Entered Apprentice, Fellowcraft and Master Mason. *Star*, 17 June 1857, p. 3; Personal communication with Dot Wickham, 22 July 2013.

²⁵⁷ Personal communication with Alison Moffatt and Rebecca Hayes, Freemasons' Hall, Dublin.

the successful men of Ballarat were Masons.²⁵⁸ They included councillors W.C. Smith and Charles Dyte, Doctors Hobson, Kenworthy and Richardson and solicitors Richard Ocock and Robert William Holmes.²⁵⁹ Many of the Yarrowee Lodge men were Anglo-Irish.

Freemasonry provided a network of assistance for those in new surroundings in the colonial setting and, as Harland-Jacobs asserts, particularly for 'bachelors who circulated in the empire'.²⁶⁰ The moral and political language of the Freemasons was able to circulate through lodges over state and cultural boundaries, as Hoffman points out.²⁶¹ This included benevolence, charity, discipline, conviviality, tolerance, trust, brotherhood, rationality and science.²⁶² Freemasonry offered Stewart a connection to like-minded people. His ideology and identity would have already been considerably formed with its Enlightenment influences and within empire by the time he reached Ballarat; Freemasonry sat comfortably with whom he had already become.

Like church membership, Freemasonry could provide men with an effective way to display integrity and moral credit, as Davidoff and Hall have established, and, as Weber suggests of Protestantism and capitalism.²⁶³ Stewart displayed his integrity and creditworthiness through his actions in his very prominent public roles but these were added to along with social capital through his involvement with Freemasonry. Social capital was gained through membership of such groups, as Bourdieu suggests, providing members with credit in the form of collectivity-owned capital that can be maintained by material and symbolic exchanges.²⁶⁴

Freemasons met in hotel lodge rooms at several local hotels until a Masonic Hall was built in Camp Street in 1873.²⁶⁵ Davidoff and Hall contend that Freemasonry was 'one of the most influential and

²⁵⁸ Bate, *Lucky City*, p. 260.

²⁵⁹ Charles Dyte became M.L.A. for East Ballarat from 1864 to 1871. William Collard Smith became the M.L.A. for Ballarat West from 1861-64, 1871-1892 and 1894. *Freemasons Magazine and Masonic Mirror*, 12 September 1863, p. 205; Parliament of Victoria. "Re-Member"; *Star*, 17 June 1857, p. 3; *Star*, 13 April 1857, p. 3; *Star*, 22 August 1863, p. 3.

²⁶⁰ Jessica Harland-Jacobs, "'Hands Across the Sea': The Masonic Network, British Imperialism, and the North Atlantic World." *Geographical Review* 89, no. 2 (1999): 237-253, p. 246.

²⁶¹ Stefan-Ludwig Hoffmann, "Democracy and Associations in the Long Nineteenth Century: Toward a Transnational Perspective." *The Journal of Modern History* 75, no. 2 (2003): 269-299, p. 279.

²⁶² Davidoff and Hall, *Family Fortunes*, p. 426; Harland-Jacobs, "Hands Across the Sea", pp. 241, 244; Dan Weinbren and Bob James, "Getting a Grip: The Roles of Friendly Societies in Australia and Britain Reappraised." *Labour History* no. 88 (2005): 87-103, p. 87.

²⁶³ Davidoff and Hall, *Family Fortunes*, p. 208; Max Weber, *The Protestant Ethic and the "Spirit" of Capitalism and Other Writings*, edited by Peter Baehr and Gordon C. Wells. London: Penguin Books, 2002, p. 10.

²⁶⁴ Pierre Bourdieu, "The Forms of Capital." In *Education: Culture, Economy, Society*, edited by Albert H. Halsey, Hugh Lauder, Phillip Brown and Amy Stuart Wells, 46-58. Oxford: Oxford University, 1997, p. 51.

²⁶⁵ These included the George Hotel (1857), Bath's Hotel (1858, 1860), the Exchange Hotel (1860), the Rainbow Hotel (1861), the Unicorn Hotel (1869) and the British Queen Hotel (1870). The Library and Museum of Freemasonry. "John Lane's Masonic Records 1717-1894: Yarrowee Lodge." Accessed 1 August, 2015. <http://www.hrionline.ac.uk/lane/record.php?ID=2242>; Wickham, *Freemasons on the Goldfields*, p. 34.



Hospital Ball under the patronage of the Free Masons of Ballarat 1858
Ballarat Base Hospital Trained Nurses League



Freemasons laying the corner stone of the Ballarat East Town Hall, 26 December 1861
 J.B. Humffray holding a silver trowel ready to present to Eastern Council chairman Charles Dyte. Troopers at left, United Masons flag (left), Ballarat Fire Brigade flag (centre) and the Court Unity flag (right).
Royal Historical Society of Victoria – S-133

wide-ranging of the masculine associations'.²⁶⁶ In Ballarat it was one of the many ways that men like Stewart implemented their liberal beliefs and charitable aspirations. Bate contends that Freemasonry was popular with the gold rush generation because of the benevolence and charity emphasized in its moral code and its aversion to atheism and class distinctions.²⁶⁷ The Yarrowee Lodge, for example, regularly donated to the Ballarat District Hospital and the Ballarat District Orphan Asylum and to other causes such as to those affected by a fire at Specimen Hill in June 1858.²⁶⁸ It also provided Stewart with many social celebrations, adding to his busy social life. He was a steward for the Grand Masonic Ball held by the Yarrowee and Victoria Lodges in the Yarrowee Hotel Ball Room on 7 July 1857 and for the Annual Masonic Ball on 20 September 1859 at the Council Chambers.²⁶⁹

Harland-Jacobs contends that Freemasons played a crucial part in lubricating the wheels of imperialism and fostering imperial identity.²⁷⁰ The Victorian goldfields Freemasons were very aware of their place in empire and reports of the Ballarat lodges were published in international Freemason journals. They participated in processions in full Masonic uniform, carrying banners, performed Masonic rites and led ceremonies to lay the foundation stones of many public buildings in the town including the hospital, Mechanics' Institute, Benevolent Asylum and Ballarat East town hall.²⁷¹ The Yarrowee, Victoria, Ballarat and United Tradesman Lodges amalgamated under the name of the Yarrowee Lodge on 2 April 1867.²⁷²

Supporting Workers

A grand procession celebrating the anniversary of the Eight-Hours movement was held on 21 April 1858 and was followed by a dinner at the Clarendon Hotel in Lydiard Street under Stewart's patronage as municipal chairman.²⁷³ Operative masons carried flags and banners which illustrated the association's principles and were joined by other community members who had supported the movement. The Eight Hour day had been won in 1856 when stonemasons downed tools at the University of Melbourne on 21 April 1856 and, according to Love, marched in victory for the new

²⁶⁶ Davidoff and Hall, *Family Fortunes*, pp. 425-6.

²⁶⁷ Bate, *Lucky City*, p. 260.

²⁶⁸ *Ballarat Star*, 2 November 1868, p. 3; *Ballarat Star*, 1 July 1869, p. 3; *Ballarat Star*, 1 December 1869, p. 3; *Freemasons Magazine and Masonic Mirror*, 23 January 1864, p. 67; *Star*, 5 July 1858, p. 3.

²⁶⁹ *Star*, 17 June 1857, p. 3; *Star* 5 September 1859, p. 3.

²⁷⁰ Harland-Jacobs, "Hands Across the Sea", pp. 239, 246.

²⁷¹ *Freemasons Magazine and Masonic Mirror*, 16 July 1859, p. 37; *Geelong Advertiser and Intelligencer*, 28 December 1855, p. 2; *Star*, 17 March 1859, p. 2; *Star*, 18 March 1859, p. 2; *Star*, 29 September 1860, p. 2; *Star*, 24 December 1861, p. 3; *Star*, 27 December 1861, p. 3.

²⁷² The Library and Museum of Freemasonry. "John Lane's Masonic Records"; Wickham, *Freemasons on the Goldfields*, p. 202.

²⁷³ *Star*, 16 April 1858, p. 3.

system of eight hours work that they had negotiated with leading employers over the previous months.²⁷⁴ Stewart took the chair and proposed toasts to the eight hours movement and to the miners of Ballarat. Although participating in his capacity as municipal chairman, he would have been showing genuine solidarity with the working class as part of his egalitarianism and care for all members of the community. This would have been imbued with his experience of Eureka and the fight for miners to get better treatment.

A decade later Stewart was involved in another area of the working-hours debate as a vice president of the Early Closing Association.²⁷⁵ There were 36 vice presidents including five doctors and 13 clerics from the local denominations. After the success of the Eight-Hours movement the Early Closing movement set out to limit the trading hours of shops and advocated self-regulation or voluntarism, as Quinlan, Gardner and Akers have established.²⁷⁶ The Ballarat Early Closing Association was formed at a meeting of young men in Ballarat on 2 October 1856 and revived at a public meeting on 6 May 1867 at the Mechanics' Institute.²⁷⁷ Their object was to shorten the hours of retail shops and other trades. The latter attempt hoped to set closing hours to 6 p.m. on weekdays and 9 p.m. on Saturdays. It was not just about shorter and healthier hours for shop workers, it was an attempt to assert moral influence on the community. Some felt that limiting the Saturday hours was most important because staying open late meant that some would be 'so far 'tight''²⁷⁸ that they wouldn't turn up for church on Sunday.

Committees

Stewart was a provisional committee member for many institutions and groups at their inception and an integral contributor to their formation. Often he would become a director, board member or committee member but was not always a successful candidate. Men like Stewart were creating the structure of the goldfields society. Stewart was a subscribed member at a meeting to form the Chamber of Commerce at the Montezuma Hotel on 21 August 1856 and he was a candidate at its committee election a fortnight later on 3 September.²⁷⁹ He failed to get elected to the Chamber of

²⁷⁴ Peter E.D. Love, "Melbourne Celebrates the 150th Anniversary of its Eight Hour Day." *Labour History* no. 91 (2006): 193-196, p. 193.

²⁷⁵ *Ballarat Star*, 3 June 1867, p. 3.

²⁷⁶ Michael Quinlan, Margaret Gardner and Peter Akers. "A Failure of Voluntarism: Shop Assistants and the Struggle to Restrict Trading Hours in the Colony of Victoria, 1850- 85." *Labour History* no. 88 (2005): 165-182, pp. 165, 166.

²⁷⁷ *Ballarat Star*, 7 May 1867, p. 3; *Star*, 4 October 1856, p. 2.

²⁷⁸ *Ballarat Star*, 7 May 1867, p. 3.

²⁷⁹ *Star*, 21 August 1856, p. 2; *Star*, 30 August 1856, p. 3.

Commerce committee or as a member of the District Road Board a month later.²⁸⁰ Men running local businesses may have been preferable in the Chamber of Commerce. Similarly, those elected to the road board might have been involved with agriculture full time in the district and living on farms and thus considered better suited to the role.

Building on his early success in setting up medical practice in Ballarat, Stewart invested physically, socially and culturally in the town's civic, medical, judicial, cultural and educational institutions. His decision to commit himself to civic duty during the 1850s and the way he enacted it was influenced by his Irish background. He entered into public life with the democratic egalitarianism of an Ulster Presbyterian and the power, social status and connections of his education in Dublin and the understandings of his ability to care for a community through his experience as a ship's surgeon. He earned public support through his own actions, particularly at Eureka and through his medical care, but also maintained his links and networks, both familial and professional, with Anglo-Irishmen and men of influence in Victoria and shared the power and status of association with such men.

Stewart enjoyed a busy social life and was very much a part of almost all areas of life in 1850s Ballarat. He remained very close to his family in both Victoria and Ireland and benefited from strong kinship ties. These ties and his own personal choice of denomination allowed him to stay connected with two streams of Protestantism. Stewart joined and helped to establish a variety of community groups through which he mixed with people from all sections of Ballarat society. He was able to move within such groups with ease because of his flexible identity and his many interests and skills; the lines between his professional life and private life were often blurred. The next chapter begins Stewart's time in Ballarat during the 1860s with an examination of changes in his personal life and his medical practice.

²⁸⁰ *Star*, 6 September 1856, p. 2; *Star*, 25 October 1856, p. 2.

CHAPTER FIVE

FAMILY AND MEDICAL CARE IN BALLARAT'S SECOND DECADE

'... a very experienced and thoughtful practitioner'¹

Dr Richard Bunce describing James Stewart

May 1873

Stewart's personal life during the 1860s was filled with a growing extended family. His personal endeavours reflected settling down and making his home, farming and continued involvement in local social groups. The importance of his family in both the colonial setting and the more distant Irish setting is revealed in this chapter through the strong connections that he maintained. His Anglo-Irish connections strengthened during the decade and he was very much a part of Ballarat's upper class, well settled in as part of the class institutions and positions. But Stewart was not assured a comfortable life or guaranteed financial stability despite coming from privileged beginnings and ongoing high social standing. Successful colonial life required more than just a good start and this is demonstrated through the experiences of Stewart's extended family and his medical colleagues.

Stewart's professional life continued through his private medical practice in the Ballarat township. Ballarat had become a city and he had played a major part in building the city. Mining accidents still provided Stewart with many patients to attend but there were now more health issues related to farming and families as more people were settling and forming families in the city and on local farms. The population faced new devastation from diseases, particularly in children. These health issues also affected his family and household and his professional and private lives were never completely separate.

The face of Ballarat medicine was also changing as new doctors arrived and many of Stewart's colleagues from the 1850s had either died or left the district. Stewart's medical cases and practice reflect the changes in medicine in Ballarat's second decade and provide insight into various aspects of social life including conditions for women and children. They provide evidence of the variety of health issues that Stewart had to deal with, his popularity as a doctor and the variety of medical skills he had to call on in the colonial setting. This chapter provides insight into the day-to-day experiences of colonial doctors and the way in which they saw the world as medicine became more scientific and

¹ Dr Richard Bunce's description of James Stewart. Richard Bunce, "The Treatment of Diphtheria by Carbolic Acid." *Australian Medical Journal* (May, 1873): 135-137, pp. 136-137.

the medical profession in Victoria became professionalised. It also demonstrates how trusted Stewart was and confirms that he was often brought in as the expert.

In January 1860 the *Star* declared that ‘Ballarat is now a city’.² Many people had homes and gardens of their own and the town population had reached 12,000.³ There were 8 banks, 42 hotels, 313 shops and stores, 1,719 private dwellings and 472 vacant allotments in Ballarat West.⁴ According to the 1861 census, Ballarat’s population of 22,104 in 1861 was almost equal to the population of Geelong, Victoria’s second largest city, which was 22,986.⁵ There were 12 medical practitioners in Ballarat West, of whom Stewart was one, and 30 in Ballarat East.⁶ They accounted for about 6.5 per cent of 649 practitioners in the colony. The city’s growth continued and its population had nearly doubled by the end of the decade. By this time, according to Withers, the city had ‘40,000 inhabitants, 56 churches, 3 town-halls, 477 hotels ... over 10,000 dwellings ... 11 banks, 8 iron foundries, 13 breweries and distilleries, 3 flour-mills, and other manufactories’.⁷



Unknown photographer, Ballarat, looking east. Mt. Warrenheip 1860s
albumen silver photograph
National Gallery of Australia, Canberra
Purchased 1984

² *Star*, 16 January 1860, p. 1S.

³ *Star*, 14 March 1861, p. 4.

⁴ Municipal Council of Ballarat Tenth Half-Yearly Report for half-year ending 16 January 1861 in *Star*, 21 March 1861, p. 3.

⁵ The next largest town in the colony was Sandhurst with 13,020 inhabitants. Victoria. *Census of Victoria, 1861*.

⁶ The category of medical practitioner included physicians, surgeons, oculists, Chinese practitioners, dentists and others. There were 36 practitioners in Castlemaine, 28 in Geelong and 91 in Melbourne. Victoria. *Census of Victoria, 1861*.

⁷ Withers, *The History of Ballarat*, pp. 240-1.

The city was transforming with the changing needs of its population. As Bate suggests, many stores from Main Street had migrated from East Ballarat to West Ballarat around the early 1860s.⁸ New services became available, such as the Ballarat-Geelong railway which opened in 1862 (see Chapter 6). Businesses, occupations and social activities of a more settled population were developing. As Goodman points out, the demographic imbalance of gold regions was gradually normalised as families were formed by gold seekers.⁹ Ballarat had settled down, asserts Serle, as a stable place with a quality of migrants that was evidenced by the vigour of the city's cultural life.¹⁰

Dingle points out that there was a strong need 'for farming land on which to grow food for miners'¹¹ in the 1850s. By the 1860s farming had become a greater part of the Ballarat district life. Farmers had arrived in the district long before the gold rush but it was now, according to Withers, a 'wealthy mine and farm-girdled city'.¹² The hard-won right from Eureka to own land was paying off. Beggs-Sunter contends that the successful political movement of the Ballarat Reform League developed into the Victoria Land League. This 'devolved into the Land Convention, which influenced the passage of Victoria's Land Acts and enabled the diggers to become farmers in the 1860s'.¹³ Stewart was one who invested in farming.

The Colonial Farmer

Medical men like Stewart could follow wide-ranging interests in new colonial societies like Victoria. There was space for them to do what they wanted, as well as for community needs to be met. The doctors were innovators and instigators as is demonstrated throughout this thesis, for example, in establishing the gas company (see Chapter 6), and generally bringing new technologies to Ballarat. With their backgrounds and medical experience that was becoming more scientific, it is not surprising that many of them took an interest in horticulture and agriculture. Stewart was a founding member of the horticultural society along with Doctors Kenworthy and Richardson, as discussed in Chapter 4. Stewart and Dr Mount were members of the Ballarat Agricultural Society.¹⁴ Dr Rankin, like Stewart, ran milch cows, pigs and poultry on his land.¹⁵

⁸ Bate, *Lucky City*, p. 113.

⁹ Goodman, "The Gold Rushes of the 1850s", p. 181.

¹⁰ Serle *The Golden Age*, p. 371.

¹¹ Tony Dingle, *The Victorians: Settling*. McMahons Point, NSW: Fairfax, Syme & Weldon, 1984, p. 60.

¹² Withers, *The History of Ballarat*, p. vii.

¹³ Beggs-Sunter, "Birth of a Nation", p. 46.

¹⁴ Dr Kenworthy left Australia in December 1864 to take up farming in New York with a flock of Australian merinos. *Ballarat Star*, 24 August 1865, p. 3; *Ballarat Star*, 24 March 1866, p. 2; *Star*, 24 June 1858, p. 3; *Star*, 3 December 1864, p. 2S.

¹⁵ *Star*, 19 April 1864, p. 3.

James was involved with agriculture through his own investments (which will be discussed in the next chapter) and with his brother Robert. Farming could represent part of the recreation or reminders of 'home' as Croggon has asserted in her study of Celtic groups in Ballarat where she argues that 'the creation of "little Ireland" in the farming hinterlands of Bungaree and Dunnstown confirms the strength of the Irish love of 'home'''.¹⁶ The Stewart males had farming in their blood and James remained very involved with agriculture despite his busy professional life.

James and Robert most likely worked in a partnership in some of their early farming endeavours. They farmed stock including bullocks and cows.¹⁷ By 1866 James owned a 100 acre farm half way between Smythesdale and Ballarat which he leased out.¹⁸ Robert farmed in the Ballarat district from the late 1850s until 1900. He expanded his original holdings at Mount Rowan and Bungaree and leased agricultural land to other farmers.

The farming land owned by the Stewart brothers in Victoria was much larger than the farm they came from in Ireland. Their father's farm at Binnelly was just over 61 acres and the original Altrest farm where James was born was 39 acres. James's 100-acre farm was almost 40 acres larger than the Binnelly farm and two and a half times larger than the Altrest farm. Robert's land holdings dwarfed these at a total of 316 acres, 2 roods and 11 perches.¹⁹ His home farm 'Altrest' at Mount Rowan was 106 acres, 3 roods and 18 perches. It had a weatherboard house, weatherboard dairy, 11-stall stable and cow shed. There was more land available for the young farmers in Victoria than in Ireland but more land was required to achieve the same yields as at Binnelly and Altrest.

Serle suggests that the area of cultivated land in Victoria in 1852 was 37,000 acres total and by 1861 this was 440,000 but notes that these statistics should be read with caution like all statistics of the period.²⁰ Farming was quickly established in the fine chocolate loam soil of the Ballarat district with wheat and corn grown at Coghills Creek, north-west of Ballarat in 1839.²¹ Although crops were being grown in the district there was still a strong reliance on agriculture in the Geelong region which was Ballarat's main source for goods along with overseas imports. By 1858 there were at least 30,000 acres 'teeming with fruits of the soil'²² and the district was expected to have 60,000 acres of cultivated ground the following year.

¹⁶ Croggon, "Strangers in a Strange Land", p. 373.

¹⁷ *Ballarat Star*, 28 July 1866, p. 2.

¹⁸ *Ballarat Star*, 13 March 1866, p. 1; *Ballarat Star*, 21 February 1867, p. 3.

¹⁹ PROV, Will and Probate of Robert Stewart.

²⁰ Serle, *The Golden Age*, p. 232.

²¹ Withers, *The History of Ballarat*, p. 5.

²² Charles Seal (District Road Board chairman) at a banquet for Governor Sir Henry Barkly in *Star*, 22 January 1858, p. 2.

Dingle notes that settlement increased with farming as it helped to stem the growing number of discontented diggers departing Victoria.²³ They ‘embraced the yeoman ideal of the family farm with growing enthusiasm’²⁴ in an attempt to maintain their independence and to avoid wage labour as gold yields declined. This was the case in Ballarat, as Beggs-Sunter asserts.²⁵ Macintyre and Scalmer note that the number of farmers doubled between 1861 and 1891, but although the family farm was a chance for independence and self-sufficiency, it also led many to ruin.²⁶ It was not a cheap process to start a farm in Victoria. The *Victorian Farmers Journal and Gardeners Chronicle* claimed in 1860 that no British farmer would think of taking on a farm that did not have a working capital of £8 to £15 per acre but in Victoria the Australian farmer began farming with no fences, cultivation, appliances, buildings or cleared land – all involved incurring expenses before the land could offer any return.²⁷ According to Beggs-Sunter, a selector required about £200 to start up a farm.²⁸

The proportion of wheat grown in the colony for local consumption varied greatly prior to and during the gold rush and by 1859 it was just over 44 per cent.²⁹ Wool prices dropped in the 1860s but by 1874 wool had overtaken gold as the principal export.³⁰ Average yields per acre in Victoria at the end of the 1850s were 19.9 bushels for wheat, 27.9 for oats, 21.7 for barley, 3.6 tons for potatoes and 1.4 tons for hay. Wheat, bran, oats, hay and potatoes were grown in the Ballarat district by 1860 and most of these were grown in Donagheady where Stewart’s family came from.³¹ Thus the Stewarts were farming familiar crops in their new country. One Donagheady farmer claimed that his good cultivation land produced three to four tons of hay per acre in the early 1800s which was more than double the average yields in Victoria in the late 1850s and highlights the very different farming conditions in County Tyrone and Victoria.³²

²³ Dingle, *The Victorians: Settling*, p. 61.

²⁴ *Ibid.*, p. 60.

²⁵ Beggs-Sunter, "James Oddie (1824-1911)", p. 76.

²⁶ Macintyre and Scalmer, "Colonial States and Civil Society", p. 192.

²⁷ *Victorian Farmers Journal and Gardeners Chronicle*, 7 July 1860, p. 1.

²⁸ Beggs-Sunter, "James Oddie (1824-1911)", p. 76.

²⁹ According to the Registrar-General’s statistics for Victoria, only a third of the wheat Victoria required for consumption was grown there in 1841, the other two-thirds had to be imported. This number rose to about 91 per cent by 1850 but diminished greatly to about ten per cent in the mid-1850s during the population growth of the gold rush. From the Registrar-General of Victoria’s statistics in *Victorian Farmers Journal and Gardeners Chronicle*, 7 July 1860, p. 1.

³⁰ Macintyre and Scalmer assert that wool took over as main export in 1871 but, according to Blainey, this did not happen until 1874. Geoffrey Blainey, "The Momentous Gold Rushes." *Australian Economic History Review* 50, no. 2 (2010): 209-216, p. 211; Dingle, *Victorians: Settling*, p. 63; Macintyre and Scalmer, "Colonial States and Civil Society", p. 192.

³¹ Roulston, *Three Centuries*, p. 335; *Victorian Farmers Journal and Gardeners Chronicle*, 7 July 1860, p. 17.

³² Roulston, *Three Centuries*, p. 179.

Home Life

Stewart was still living at his Creswick Road property during the 1860s where his neighbours included the Union Brewery, Mr Milligan at 'Hope Cottage', Mr Mitchell, Patrick Curtain of the North Grenville Hotel and the Great Northern Mining Company on the Inkerman Lead (which later became the Determination Company).³³ Stewart's siblings, Catherine and Robert, still lived in the district with their families. Catherine and her husband John lived a 15 minute walk from James's house at 83 Windermere Street in Ballarat West.³⁴ Their house was near the Ballarat District Hospital and James probably visited regularly on his way to or from work at the hospital. Robert and his wife Jane farmed at various locations in the area and eventually settled on a farm at Mount Rowan, about eight kilometres from Ballarat, which they named 'Altrest' after the family farm in Ireland.

Like his siblings, the highly successful eligible bachelor James was to find love too. He began courting 30-year-old Annie Frances Taylor. Annie was the daughter of Dublin merchant Samuel Taylor and Jane Green.³⁵ She was in Victoria with her siblings Thomas Hamlet, John Hamlet, Jane and Louisa. The Taylor families were very large and Annie most likely helped to take care of her many nieces and nephews during her early years in the colony.

Annie and James probably met through her siblings John Hamlet Taylor and Jane Fynmore who briefly lived in Ballarat with their families. James was the family doctor for both the Taylors and Fynmores while they resided in Ballarat. John was the District Surveyor for Ballarat and had interacted with James through the Municipal Council and in the Yarrowee Freemason's Lodge. Jane's husband, James Augustus Fynmore, was also a Lodge member. There is a slight possibility that James became acquainted with the Taylor family during his time in Dublin studying medicine. Annie's father owned property in Ballywalter, County Wexford, but also resided in Upper Merrion Street in Dublin.³⁶ Merrion Street is in the same areas as the Royal College of Surgeons and Trinity College. They may even have attended the same church in Dublin.

On 12 June 1860 James Stewart married Annie Frances Taylor at Christ Church in St Kilda.³⁷ Annie most likely attended this church whilst staying with her brother Thomas and his family who lived in Ackland Street, St Kilda. Probably the greatest factor in their choice to marry in St Kilda instead of Ballarat was the condition of some of the female family members – almost all of the couple's sisters

³³ *Star*, 30 March 1859, p. 3; *Star*, 24 May 1859, p. 3; *Star*, 11 April 1861, p. 3; *Star*, 9 September 1861, p. 3; *Star*, 24 February 1862, p. 3; *Star*, 22 April 1862, p. 4; *Star*, 11 October 1862, p. 2.

³⁴ Ballarat College Student Register, Ballarat Clarendon College archives.

³⁵ *Argus*, 13 June 1860, p. 4; BDM Victoria. Death Certificate Jane Fynmore.

³⁶ *Geelong Advertiser*, 13 June 1860, p. 2.

³⁷ *Argus*, 13 June 1860, p. 4; BDM Victoria. Marriage Certificate James Stewart and Annie Frances Taylor.

and sisters-in-law were heavily pregnant. Just a week after the wedding, on 19 June, Anne Taylor (Thomas's wife) gave birth to a daughter.³⁸ A month later on 13 July Louis Fynmore was born in Ballarat to Annie's sister, Jane.³⁹ On 5 August James's sister, Catherine, gave birth to Mary Anne Frances Proctor and the following month Percy Taylor was born in Ballarat to Frances and John Hamlet Taylor.⁴⁰ James was accoucheur for the three Ballarat births. The great fondness for James and Annie is revealed in the names of the next generations where there were at least three girls named Annie Frances and some boys were named James and James Stewart. Between the two of them Annie and James had 47 nieces and nephews in Victoria and more back in Ireland. Some of these children died in infancy but it was still a very large extended family.

James and Annie returned to live in Ballarat after their wedding. There is little extant evidence of Annie's life and only small glimpses are seen through public social events. She entertained friends and James's colleagues at home and attended public functions with James. For example, the couple attended the annual Bachelor's Ball at Bath's Hotel on 23 August 1861.⁴¹ The elite of the town gathered in their finery in the ball room which was decorated with banners and a large shining crown in the centre of the room. James and Annie would have joined in some of the dances of the evening – the quadrille, polka, waltz, schottische, lancers, galop and Sir Roger de Coverly. Many of their friends attended the ball including Doctors Rankin, Hillas, Whitcombe, Crossen, O'Hara, Roche, Mount, Hickson and Bunce and their wives. With Annie in his life, James had a hostess to help entertain at their home thus increasing the importance of their home as a social space, whereas much of James's social life during the 1850s had been outside the home. Guests invited to their house by Annie included Mary and Walter Richardson in April 1866.⁴²

In the early rush days it had been acceptable for a doctor's wife to work, as Dr George Clendinning's wife had. Martha Clendinning sold food and supplies from her family's tent to supplement her husband's medical income.⁴³ She noted that it caused her husband anxiety to have a working wife once 'the class of residents on the field had become so superior to those of the working class'.⁴⁴ By this time Clendinning's earnings were enough for the couple's 'comfortable maintenance'.⁴⁵ For

³⁸ *Argus*, 21 June 1860, p. 4.

³⁹ Louis contracted whooping cough a month later and died on 19 August. BDM Victoria. Birth Certificate Louis Fynmore; Death Certificate Louis Fynmore.

⁴⁰ BDM Victoria. Birth Certificate Percy Taylor.

⁴¹ *Star*, 24 August 1861, p. 2.

⁴² Letter from Walter Lindesay Richardson to Mary Richardson 6 April 1866 in Probyn, *Marriage Lines*, p. 46.

⁴³ Items sold by Martha Clendinning included tea, coffee, sugar, candles, tobacco, cheese and other foodstuffs. *Leader*, 10 March 1906, p. 30.

⁴⁴ *Leader*, 31 March 1906, p. 29.

⁴⁵ *Ibid.*



Dr James Stewart
City of Ballarat



'Mrs Stewart' most likely Annie Frances Stewart (née Taylor)
Private collection

Annie and James it was a very different situation. James never required any assistance supplementing his income, as will be seen in Chapter 6. Ballarat was a city when Annie arrived and the doctors were living in houses with gardens rather than the tents of the Clendinning's early years in Ballarat. Annie was also from a different social class to the Clendinnings and work was never going to be part of her life. Martha Clendinning had felt that the class of residents were becoming superior to earlier times but for Dr Thomas Le Gay Holthouse the goldfields society was still in a jumbled state in 1867. He felt that 'it is very different from old England where you can choose congenial friends in your own station'.⁴⁶

As the new Mrs Stewart settled into her married life she soon required a general female servant.⁴⁷ Her family, like the Stewarts, were used to having servants. James had sought an elderly married couple to work as a groom and gardener and housekeeper six months earlier as he prepared for his married life.⁴⁸ Annie and James were in their early thirties and perhaps wanted older people around because they missed their parents back in Ireland. It was probably also part of James's effort to hire people who had difficulty finding employment due to age or infirmity. He employed Clement Pellier, an elderly man who suffered from heart disease, to collect accounts and transact other business for him. On 23 July 1865 Pellier had a fit on his way back to Ballarat from his daughter's Scarsdale house.⁴⁹ James attended him but he died a few hours later from apoplexy of the brain accelerated by his heart disease.

Employees in Ballarat had some power and were not completely at the mercy of employers' whims. In February 1865 James had to take his servant Charles Mullins to court to cancel their three-month employment agreement.⁵⁰ What could simply have been a warranted dismissal had its place in court even though Mullins agreed to discontinue the agreement. Mullins was charged with misconducting himself because he was so drunk that he could not attend to his duties. James could be lenient but not when his wife was exposed to such behaviour, she had to be safe in their home. His busy schedule also meant that he could not afford to be held up by his employees not performing their duties properly.

In April 1865 James sought a married couple 'without encumbrance'⁵¹ to work as groom and coachman and general servant. From a business perspective, the lack of encumbrance (that is,

⁴⁶ Letter from Dr Thomas Le Gay Holthouse to his sister Annie, 13 June 1867. Northamptonshire Record Office, HOLT 391/4.

⁴⁷ *Star*, 22 June 1860, p. 3.

⁴⁸ *Star*, 27 January 1860, p. 3.

⁴⁹ *Ballarat Star*, 26 July 1865, p. 2.

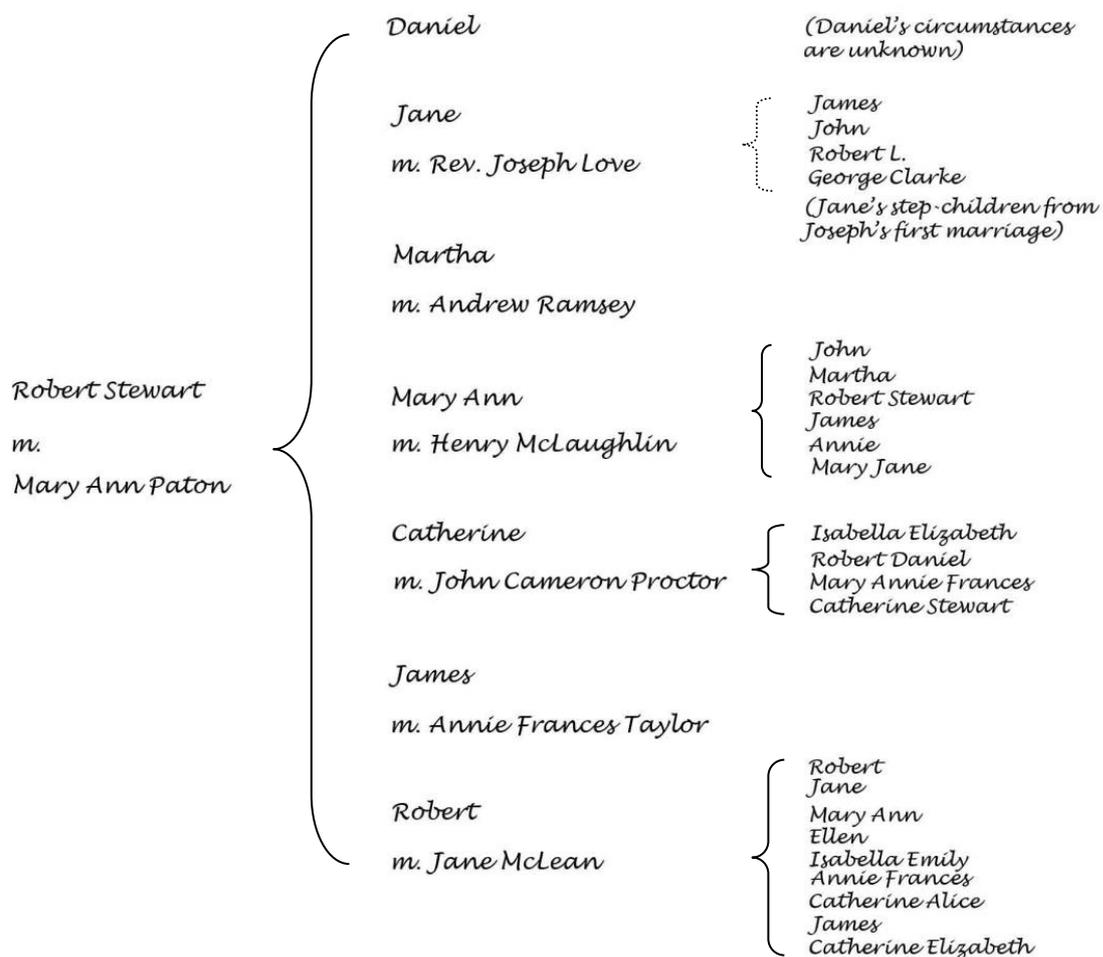
⁵⁰ *Ballarat Star*, 4 February 1865, p. 1.

⁵¹ *Ballarat Star*, 7 April 1865, p. 3.

children) made perfect sense, for it meant that both members of the employed couple had no childcare distractions taking them away from work. From a personal perspective, it may have been a sore point, particularly for Annie. The couple had been married for five years and had no children of their own. They were, however, surrounded by the ever-growing number of their siblings' offspring.

The Stewarts

James Stewart's Extended Family



Catherine and John Proctor had their third child, Mary Annie Frances, on 5 August 1860.⁵² When Mary was still an infant the couple lost their only son Robert, just days short of his third birthday. He became very ill with scarlatina anginosa (scarlet fever with severe throat symptoms).⁵³ Despite receiving the best efforts of his chemist father John and his doctor uncle James, Robert died three

⁵² BDM Victoria. Birth Certificate Mary Anne Frances Proctor.

⁵³ BDM Victoria. Death Certificate Robert Daniel Proctor.

days later on 6 February 1862. This was devastating for the Proctors and for James who had helped bring young Robert into the world but could not save his young nephew. Robert's was one of three deaths from a scarlatina outbreak in Ballarat West in early 1862.⁵⁴ The outbreak was part of an excessive amount of sickness in the city that was concerning the Central Board of Health. A day earlier two-year-old Isabella Surtes died from diphtheria and the day before that Walter and Jane Craig (of Craig's Hotel) had lost their three-year-old son Walter from chronic hepatitis and diarrhoea. The loss of young children was unfortunately far from uncommon throughout this period and can be seen in the experiences of other family members.

Catherine Proctor was about seven months pregnant when young Robert died and she would have been in fear for the health of her two daughters and unborn baby. Catherine Stewart Proctor was born on 23 April 1862 with the assistance of her uncle James as accoucheur. Parents Catherine and John would have felt great solace in having James there assisting with the birth so soon after such a traumatic experience. Less than a month later the family was again struck by tragedy. Their eldest daughter Isabella caught diphtheria and died two days later on 20 May 1862.⁵⁵ Isabella was just four years old and it is possible that she caught scarlatina from her brother, survived it but her weakened immune system allowed the diphtheria to take her. Haines notes the interrelatedness of childhood diseases where recovery from one childhood disease could often lead to death from another.⁵⁶ Catherine had no more children.

Robert Stewart was involved in his local district at Mount Rowan where he farmed. He was a toll collector and enjoyed racing horses.⁵⁷ Robert's wife, Jane, spent much of the 1860s pregnant and nursing infants. She gave birth to nine children in the 14 years between 1859 and January 1873.⁵⁸ Dr T.L.G. Holthouse was Jane's accoucheur for all but two of her births. Nurses Mrs Grant and Mrs Richmond attended one birth each. Robert and Jane suffered tragedy when on 15 May 1871 their ten-month-old daughter Catherine Alice died from pneumonia.⁵⁹ They suffered a second tragedy just seven months later on 31 December 1871 when their second son James died the day after he was born. The address of the family at the time of the births indicates that the family was mobile, following farming work in the immediate Ballarat area living at Bungaree, Ballarat West, Little Swamp and

⁵⁴ *Star*, 25 February 1862, p. 2.

⁵⁵ BDM Victoria. Death Certificate Isabella Elizabeth Proctor.

⁵⁶ Haines, *Doctors at Sea*, p. 40.

⁵⁷ Robert Stewart's toll gate was the Cowan's Road Gate. *Star*, 27 April 1863, p. 4.

⁵⁸ Robert and Jane Stewart's children were Robert, Jane, Mary Ann, Ellen, Isabella Emily, Annie Frances, Catherine Alice, James and Catherine Elizabeth. BDM Victoria. Birth Certificates for Jane Stewart, Mary Ann Stewart, Ellen Stewart, Isabella Emily Stewart and Catherine Elizabeth Stewart; Death Certificate Catherine Alice Stewart.

⁵⁹ BDM Victoria. Death Certificate Catherine Alice Stewart; Grave of Robert, Jane, Ellen, Catherine Alice and James Stewart and Edgar Allan Mudge, Ballarat New Cemetery.

Creswick Road. The latter address may indicate that some of Jane's children were born at James's house but he never acted as Jane's accoucheur.



James Stewart's sister-in-law, Jane Stewart (née McLean), with two of her daughters
Private Collection

Replicating part of Stewart family life in Ireland, Robert Stewart farmed in an area with a strong Presbyterian presence. The Stewart children most likely attended the Mount Rowan Presbyterian School near their Altrest farm, a school which James had helped to establish some years earlier. They later attended the Presbyterian-affiliated Ballarat College with their Proctor cousins. James's nieces were part of an important small group of female students to attend the College which was situated near St Andrews Kirk in Sturt Street.⁶⁰ It was an all boys school apart from 1874-1893 when girls also attended the school.⁶¹ According to Roberts, the College was 'the largest and strongest non-Catholic private college in Ballarat'⁶² by the early 1880s.

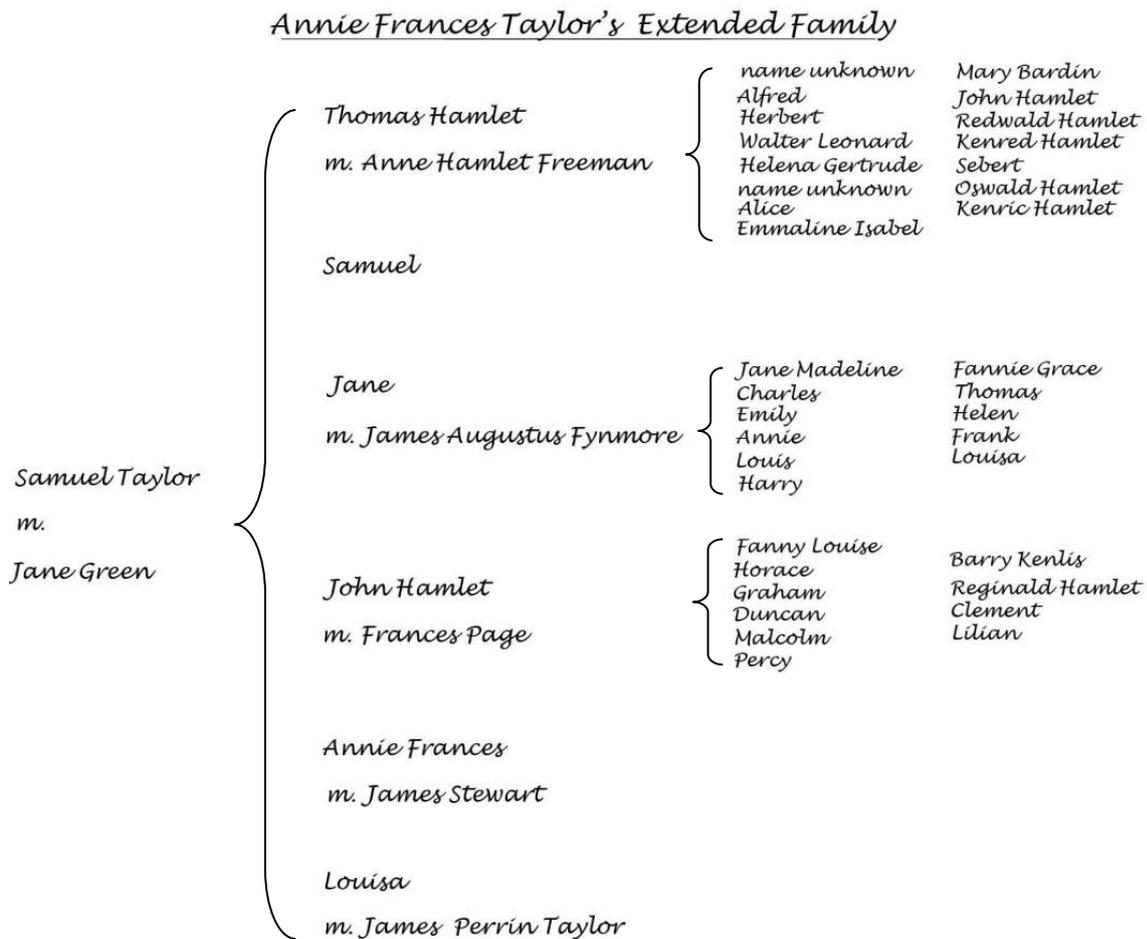
⁶⁰ Ballarat College Student Registers; Phil Roberts, *Golden Heritage: History of College and Clarendon 1864-2004*. Ballarat: Mud Group Pty Ltd, 2005, p. 29.

⁶¹ The College combined with Clarendon Presbyterian Ladies' College to become Ballarat and Clarendon College in 1974. Some of the Stewart and Proctor girls' names are remembered on the College Cloth which was created in 1924 for the sixtieth anniversary of the school to commemorate the brief stint girls had at Ballarat College. Personal Communication Heather Jackson, archivist Ballarat Clarendon College; Roberts, *Golden Heritage*, pp. 29, 42.

⁶² Roberts, *Golden Heritage*, p. 40.

James's extended family was growing back in Ireland too. His eldest sister, Jane, married Reverend Joseph Love of Killeter at the First Presbyterian Church, Donagheady on 27 April 1864.⁶³ Love was a widower who had four sons with his first wife but Jane was to have no children of her own.⁶⁴ James's sister Martha married Andrew Ramsay on 16 February 1865 at the Hill Street Presbyterian Church in Lurgan, County Armagh.⁶⁵ The couple moved to Londonderry where Andrew was working as a jeweller and watchmaker.

The Taylors



Annie's second oldest brother Samuel was born in Dublin in 1819 but died aged in Ypres, Belgium, in 1835.⁶⁶ She had the comfort of having four of her siblings living in the colony with their families. Her

⁶³ "Donagheady Parish Marriage Announcements 1860-1869." Transcribed by Len Swindley. Accessed 27 May, 2014. <http://cotyroneireland.com/marriages/donagheady3.html>.

⁶⁴ PRONI, Will of Joseph Love; "Rev. Joseph Love Obituary Notes." Accessed 7 October, 2015. <http://www.cotyroneireland.com/obits/love-joseph.html>.

⁶⁵ GRONI, Marriage Certificate Martha Stewart and Andrew Ramsay.

⁶⁶ John Gough Nichols, ed. *The Topographer and Genealogist*. Vol 2. London: John Bower Nichols and Sons, 1853. <http://www.archive.org>. Also available in print form, p. 147.

youngest sister, Louisa Taylor, was born in about 1830. After a stay in the colony she married James Perrin Taylor at Brighton, England, in 1871.⁶⁷ Annie's brother John Hamlet Taylor had emigrated to Australia from Dublin around 1850 with his wife Frances (née Page). The couple had ten children together.⁶⁸ John worked as a surveyor in Geelong before becoming the District Surveyor for Ballarat.⁶⁹ It was in Ballarat that he trained William John Wills (the explorer and son of Stewart's colleague Dr William Wills).⁷⁰ Wills worked for several months 'learning the intricacies of trigonometry, Euclid drawing and geometry'⁷¹ under John's instruction.

John and Frances's large family were diminished through disease and birth defects. Their seven-year-old daughter Fanny Louise died from typhus at Ballarat on 10 February 1856 and three-week-old Clement died from spina bifida complications at Sandhurst on 14 October 1866.⁷² According to Smith, treatments of spina bifida involved excision and aspiration of the sac and 'were disastrous due to sepsis'⁷³ until the late-nineteenth century when thickening fluids were injected into the sac. Stewart was their family doctor and Frances's accoucheur during their time in Ballarat.

John's residence in Wendouree Parade by Yuille's Swamp was extensive. Set on two to three acres, it had eight rooms, stables, a coachhouse, a servants' cottage, a piggery, fowl house and a large garden with fruit trees and vegetables and a paddock.⁷⁴ John and his family were clearly very settled in Ballarat but in 1860 news came that he was to be removed to the Sandhurst (Bendigo) District Survey Office.⁷⁵ The Western Council (of which James was a member) wrote to the Government objecting to the proposed removal but the decision had been made.⁷⁶ The family had to sell their house and move on, leaving John's siblings, Annie and Jane, and their families in Ballarat.

⁶⁷ *Daily Telegraph*, 19 October 1871, p. 6; GRO, Marriage Certificate Louisa Taylor and James Perrin Taylor.

⁶⁸ John and Frances Taylor's ten children were Fanny Louise, Horace, Graham, Duncan, Malcolm, Percy, Barry Kenlis, Reginald Hamlet, Clement and Lilian. BDM. Death Certificate John Hamlet Taylor; Julie Taylor, Taylor descendent, personal communication.

⁶⁹ Victoria. *Survey of the Mouth of the Barwon: Return to Address - Mr. Wills, 6th February 1855*. Melbourne: John Ferres, 1855.

⁷⁰ Wills, *A Successful Exploration*, p. 31.

⁷¹ Dave Phoenix, "'All Burke's Books &c have been Saved': The Burke and Wills Papers in the State Library of Victoria." *The La Trobe Journal* no. 86 (2010): 3-22, p. 9.

⁷² BDM Victoria. Death Certificates Fanny Louise Taylor and Clement Taylor.

⁷³ G. Keys. Smith, "The History of Spina Bifida, Hydrocephalus, Paraplegia, and Incontinence." *Pediatric Surgery International* 17, (2001): 424-432, p. 425.

⁷⁴ The property was bounded by Wendouree Parade, Sturt Street and approximately by present day Elliott Street extending past the eastern side of Tennis Street. PROV, VPRS 16171/P1 Regional Land Office Plans Digitised Reference Set, Item Plans A-B1, Plan 5030, Ballarat Township; *Star*, 19 February 1861, p. 3.

⁷⁵ *Star*, 22 November 1860, p. 2.

⁷⁶ *Star*, 13 December 1860, p. 4.

After 27 years in the Lands Department as District Surveyor, John became a casualty of ‘Black Wednesday’ in January 1878 when the Berry government slashed numerous jobs.⁷⁷ Bartlett suggests that some leading radicals (including Berry) publicly described it as ‘revenge upon the council through their friends’⁷⁸ and Bate contends that it ‘was thought to have taken Victoria to the brink of civil war’.⁷⁹ The personal cost to John was great, he told friends that he had never felt well again after Black Wednesday.⁸⁰ He suddenly had to compete with the many others who had lost their jobs and became insolvent within a year at the age of 52.⁸¹ John eventually returned to work leading the railway survey party for the extension of the Wodonga to Tallangatta line. He died in his tent at the survey camp at the Mitta Mitta bridge near Wodonga from ‘exhaustion due to disease of the liver’⁸² on 17 June 1882. Eight of Annie’s nieces and nephews were now fatherless, the youngest of whom was 12 years old.

Annie’s older sister Jane was born in Dublin in 1824 and married Englishman James Augustus Fynmore at Jersey in the Channel Islands.⁸³ Fynmore was a Lieutenant in the Royal Marines, following in the steps of his father who was considered the last surviving officer of the 1805 Battle of Trafalgar.⁸⁴ The couple emigrated to Australia in 1849 and had 11 children.⁸⁵ They settled in Geelong before moving to Ballarat.

⁷⁷ John was listed with 56 others from his department and many more from other departments in the *Government Gazette* supplement on 8 January 1878 as ‘disposed of’ in ‘Black Wednesday’. Those sacked included all Judges of County Courts, Courts of Mines and the Court of Insolvency, 3 Crown Prosecutors, all Police Magistrates and Wardens, all coroners and deputy coroners, 57 people from the Department of Crown Lands and Survey, 9 people from the Department of Mines, 10 people from the Department of Trade and Customs, 4 Inspectors of Licensed Premises and Liquors, 15 Inspectors of Mines, 2 people from the Victorian Water Supply Branch, 8 people from the department of Railways and Roads, 3 Wardens’ Clerks, 4 officers of the Marine Survey and 16 people from the Department of Public Works. In amongst all the sackings were a few new appointments, rubbing salt in the wounds of those who were no longer employed. *Victoria Government Gazette*, 8 January 1878, p. 71.

⁷⁸ Geoffrey Bartlett, "Berry, Sir Graham (1822–1904)", *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/berry-sir-graham-2984/text4355>, published first in hardcopy 1969, accessed online 17 August 2015.

⁷⁹ Weston Bate, "Why is Victoria Different?" *Victorian Historical Journal* 81, no. 1 (2010): 5-17, p. 10.

⁸⁰ BDM Victoria. Death Certificate John Hamlet Taylor.

⁸¹ John had £1287 4s 2d liabilities and only £224 assets. *Age*, 23 July 1879, p. 2; *Bendigo Advertiser*, 24 July 1879, p. 2; *Victoria Government Gazette*, 25 July 1879, p. 1891.

⁸² BDM Victoria. Death Certificate John Hamlet Taylor.

⁸³ BDM Victoria. Death Certificate Jane Fynmore.

⁸⁴ James Fynmore senior was midshipman on the ship *HMS Africa* at Trafalgar in 1805. He was a Volunteer First Class as a young boy where his father, also called James, was in command. BDM Victoria. Birth Certificate Annie Fynmore; Peter Hore, *Nelson's Band of Brothers: Lives and Memorials*. Barnsley, South Yorkshire: Seaforth Publishing, 2015, p. 167; William P.W. Phillimore, *Memorials of the Family of Fynmore*. London: William Phillimore, 1886. <http://archive.org/details/texts>. Also available in print form, p. 22.

⁸⁵ Jane and James Fynmore’s children were Jane Madeline, Charles, Emily, Annie, Louis, Harry, Fannie Grace, Thomas, Helen, Frank and Louisa.

Despite his connections in the colony and his famous family background, Fynmore struggled to find work as a land surveyor and became insolvent in 1861.⁸⁶ He was one of the 30 applicants to the Ballarat East Council for role of town surveyor in June 1861 but was unsuccessful.⁸⁷ The number of applicants for the town surveyor position indicates the difficulty these men had in finding work and how fortunate his brother-in-law J.H. Taylor was to have been employed as a Government District Surveyor. The *Star* felt that insolvencies such as Fynmore's did not indicate depression in the district, their hopes lay with the trade that would come from opening the railway.⁸⁸ These men did not have the same income or financial security as Stewart.

The Fynmores moved to Lennox Street in Richmond, Melbourne, before emigrating to New Zealand.⁸⁹ Fynmore took up the position of Government Road Surveyor in Dunedin before returning to Victoria where he became a surveyor in Sale and then a mining surveyor. The family then moved to South Melbourne when Fynmore became a custom-house officer in the Excise branch.⁹⁰ On 17 September 1878 the 58-year-old fell down steps at the Sandridge Distillery, hit the back of his head and died three days later.⁹¹ With James Fynmore's untimely death and John Hamlet Taylor thrown out of work, 1878 was truly a black year for the Taylor family. Jane Fynmore was left to look after their 11 children on her own and sometimes relied on Annie and James's assistance. Six of Jane's children had predeceased her when she died from heart failure at age 81 on 21 November 1909.⁹² James and Annie were fortunate to not suffer the accidents and misfortunes of her sister's family.

Annie's eldest brother, Thomas Hamlet Taylor, was born in about 1818 and emigrated to Australia from Dublin in March 1852 with his second wife, Anne Hamlet Freeman. They arrived in the colony in dramatic circumstances. Their ship, the *Isabella Watson*, was wrecked in a sudden squall after it entered Port Phillip Heads and hit the then uncharted Corsair Rock at sunset on 21 March 1852.⁹³ It was one of six passenger ships lost in the narrow and dangerous entrance into Port Phillip Bay during the nineteenth century.⁹⁴ Nine passengers perished when the ship's mizzen mast crashed onto the

⁸⁶ Fynmore had debts of £66 and assets of £16. *Age*, 20 August 1861, p. 7.

⁸⁷ *Star*, 19 June 1861, p. 1S; *Star*, 22 June 1861, p. 1S.

⁸⁸ *Star*, 23 August 1861, p. 1S.

⁸⁹ The Fynmores left Melbourne for Dunedin on 25 April 1863 on the *Benjamin Heape*. They had rough weather on the voyage which took 13 days and they arrived in Dunedin on 8 May 1863. Diary of James Augustus Fynmore 1863, Dunedin Public Library Heritage Collections.

⁹⁰ *Age*, 23 September 1878, p. 1; PROV, Will and Probate of James Stewart; *Victoria Government Gazette*, 22 December 1871, p. 2265.

⁹¹ *Argus*, 23 September 1878, p. 7.

⁹² BDM. Death Certificate Jane Fynmore.

⁹³ *Argus*, 23 March 1852, p. 4; *Geelong Advertiser and Intelligencer*, 24 March 1852, p. 2; Victorian Heritage Database. "Isabella Watson." Accessed 17 August, 2015. <http://vhd.heritage.vic.gov.au/shipwrecks/heritage/346>.

⁹⁴ Mark Staniforth, "Shipwrecks: Images and Perceptions of Nineteenth Century Maritime Disasters." *Sydney Studies in Society and Culture* 7, (1992): 45-63, p. 60.

lifeboat they were trying to escape the wreck in.⁹⁵ The Taylors and their two small children were safely landed at Point Nepean and Shortland Bluff the following morning with the rest of the ship's passengers and its crew. Staniforth asserts that there were 22 passenger ship wrecks in the nineteenth century on the voyage to Australia which resulted in deaths.⁹⁶ He also notes that wrecks usually occurred near land and had survivors. These wrecks were a gruesome reminder of the dangers of sea travel to emigrants who followed. Dr George and Martha Clendinning could see the wrecked *Isabella Watson* masts near the Heads when they arrived in Victoria some months later.⁹⁷ With knowledge of such experiences, the dangers of sea travel would not have been far from Stewart's mind when he was to take to the seas again.



James Stewart's brother-in-law, Thomas Hamlet Taylor
from 'Members of the Bread and Cheese Club' c.1880-1884
State Library of Victoria

⁹⁵ The passengers who drowned were Miss Allen, Miss Paterson, Mrs Derrick, Mrs Terry, Mrs Hall, Mr and Mrs Langford, Mr and Mrs Oliphant. *Courier*, 18 August 1852, p. 2; *Geelong Advertiser and Intelligencer*, 24 March 1852, p. 2; *Launceston Examiner*, 18 August 1851, p.2.

⁹⁶ Staniforth, "Shipwrecks", p. 57.

⁹⁷ Martha Clendinning, "Recollections of Ballarat: Lady's Life at the Diggings Fifty Years Ago." Clendinning-Rede Papers. State Library of Victoria.

Thomas and Anne had 15 children and lived in Geelong at 'Beaulieu' on the corner of Talbot and Noble Streets, Mercer's Hill (now Newtown).⁹⁸ He was a successful solicitor and became a partner with Joseph Martyr and later Stephen Vine Buckland in Geelong.⁹⁹ The family moved to Ackland Street, St Kilda by 1860 where they were very much a part of the Melbourne social scene.¹⁰⁰ Thomas became a senior partner in Taylor, Buckland and Gates at 55 Williams Street in Melbourne and was president of the Law Institute of Victoria in 1862-64 and 1875-76.¹⁰¹ He died of serous apoplexy in St Kilda on 24 October 1884.¹⁰² The wealthy Protestant Irish Taylor family arrived in the colony with the same family background and social class but it was their professions and those of their spouses that were a key factor in their success in the colony.

Leisure activities

Stewart's leisure activities in the 1860s included new activities reflecting the continued growth and development of Ballarat during the decade. The Regatta Club held rowing and sailing contests on Lake Burrumbeet and at Wendouree and was formed on 20 November 1861.¹⁰³ It later became the Ballarat Rowing Club. Stewart was proposed as a member of the Club on 14 February 1862.¹⁰⁴ Details of his involvement with the club are sparse but he was still involved in 1867 at the time of the Duke of Edinburgh's visit.

Although the married Stewart was involved in public life less than he had been during the 1850s, he was still a part of Ballarat's elite and attended important dinners, banquets and other functions. He attended a banquet with about 80 others at Craig's Hotel on 27 August 1866 for the Governor Sir John Henry Thomas Manners-Sutton where he responded to a toast to the medical profession.¹⁰⁵ The banquet was followed by a ball for the Governor at the Western Fire Brigade Hall which was attended by a few hundred people. Stewart would have taken a leading role at this kind of major event for the town in earlier years, even chaired the banquet, but now he had a more relaxed role. He could peacefully enjoy the fruit of his hard work without the public spotlight of earlier years.

⁹⁸ Thomas and Anne Taylor's children were (name unknown), Alfred, Herbert, Walter Leonard, Helena Gertrude, (name unknown), Alice, Emmaline Isabel, Mary Bardin, John Hamlet, Redwald Hamlet, Kenred Hamlet, Sebert, Oswald Hamlet and Kenric Hamlet. BDM Victoria. Death Certificate Thomas Hamlet Taylor; *Geelong Advertiser*, 13 January 1860, p. 1; Julie Taylor, personal communication.

⁹⁹ *Geelong Advertiser*, 4 January 1859, p. 3; *Victoria Government Gazette*, 29 August 1854, p. 1955.

¹⁰⁰ *Argus*, 21 June 1860, p. 4.

¹⁰¹ Law Institute of Victoria. "Presidents of the Law Institute of Victoria from 1859." Accessed 17 August, 2015. <http://www.liv.asn.au/About-LIV/History-Awards/Past-Presidents>; PROV, Will and Probate of Louisa Taylor.

¹⁰² BDM Victoria. Death Certificate Thomas Hamlet Taylor.

¹⁰³ Withers, *The History of Ballarat*, p. 255.

¹⁰⁴ *Star*, 15 February 1862, p. 3.

¹⁰⁵ *Ballarat Star*, 28 August 1866, p. 2.

A Prince in the Colony

Stewart was highly involved in the celebrations for Prince Alfred, the Duke of Edinburgh, who arrived for a five day visit to Ballarat on 9 December 1867.¹⁰⁶ The second son of Queen Victoria was Australia's first royal visitor. His arrival was celebrated with a procession and illuminations, fireworks and a torchlight procession in the evening. Stewart was one of many locals presented to the Prince at a levee held at the Alfred Hall on the second day. Afterwards the Prince visited some mining company claims then a banquet was held in the evening. On the third day the Prince attended a regatta at Learmonth which Stewart was involved in as a subscriber for the Prince's reception.¹⁰⁷ Stewart was one of nearly 100 stewards for a ball held in the evening at the Alfred Hall.¹⁰⁸

The Prince returned to the Alfred Hall on the fourth day to attend a children's festival followed by activities at the Ballarat Cricket Ground. James and Annie would have watched their young nieces and nephew take part in the festival along with his siblings. This was followed by a concert at the Alfred Hall in the evening performed by the Ballarat Harmonic Society which the couple most likely attended. The fifth day of the Prince's visit involved visits to the charitable institutions (the hospital, Benevolent Asylum and Orphan Asylum), followed by a visit to Buninyong then attendance at the Horticultural Society's Show at the Alfred Hall. Stewart would have mixed with the Prince during many of these activities, particularly the visits to the hospital and Benevolent Asylum where Stewart was honorary medical officer. Stewart might have been present with his brother Robert when a large group of farmers and Agricultural Society members met with the prince at the Ballarat Shire boundary.¹⁰⁹

The Prince later visited Sandhurst and opened the Volunteer Rifle Corps' orderly room which was designed by Annie's brother, John Hamlet Taylor.¹¹⁰ Taylor was Captain of the Bendigo Rifles. Annie and James might have travelled on to Sandhurst to join her brother in the celebrations. The Prince returned to Ballarat on 21 December as part of a private visit. He attended the Turf Club Races at Dowling Forest, as did James and Annie. With a white hat, blue veil, field glass, a cigar in his mouth and a whip and ribbons in his hand, Prince Alfred drove from Craig's Hotel to the racecourse in a carriage with four grey horses in 'orthodox Derby fashion'.¹¹¹ The Ballarat people 'came out in all

¹⁰⁶ *Ballarat Star*, 4 December 1867, p. 2; *Ballarat Star*, 9 December 1867, p. 3; *Ballarat Star*, 11 December 1867, p. 2; *Ballarat Star*, 12 December 1867, p. 3.

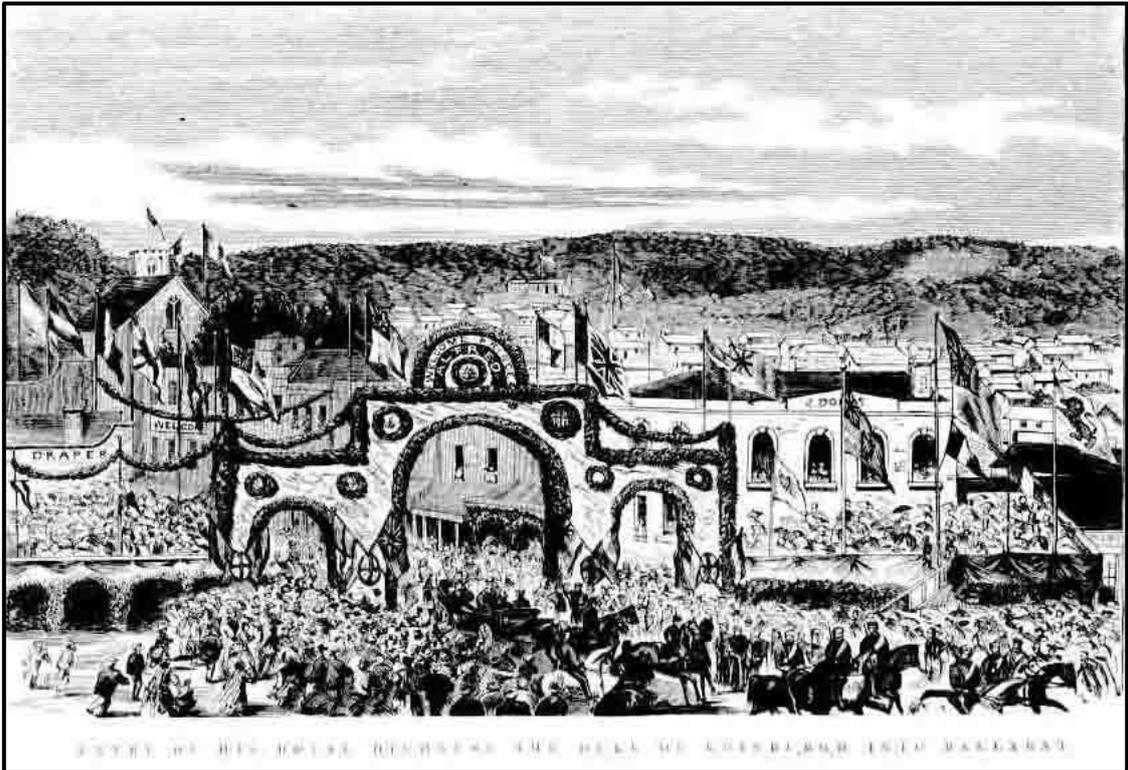
¹⁰⁷ *Ballarat Star*, 20 January 1869, p. 3.

¹⁰⁸ *Ballarat Star*, 25 October 1867, p. 3.

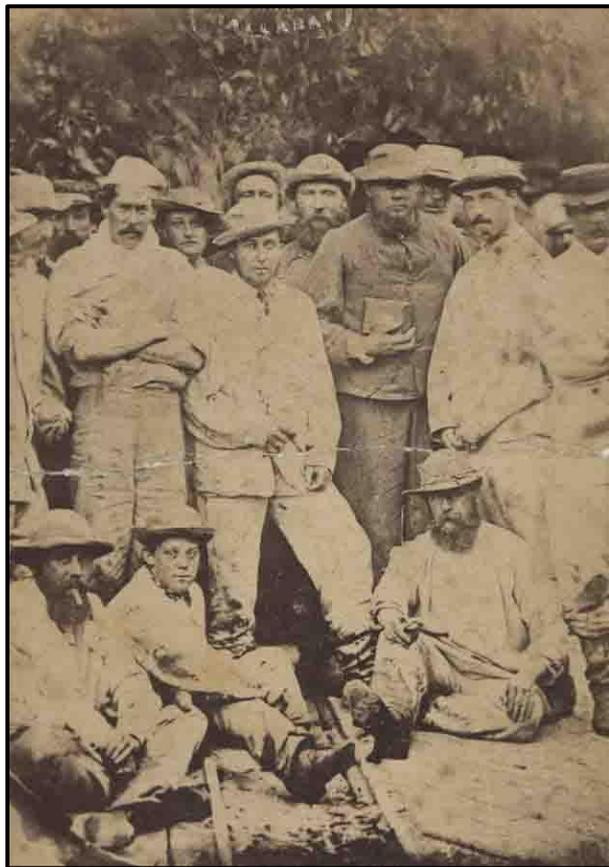
¹⁰⁹ *Ballarat Star*, 8 April 1867, p. 4; J.G. Knight, *Narrative of the Visit of His Royal Highness the Duke of Edinburgh to the Colony of Victoria, Australia*. Melbourne: Mason, Firth and Co., 1868. <http://archive.org/details/texts>. Also available in print form, p. 130.

¹¹⁰ *Ballarat Star*, 20 June 1882, p. 2; *Bendigo Advertiser*, 19 December 1867, p. 2.

¹¹¹ *Ballarat Star*, 21 December 1867, p. 2.



Entry of His Royal Highness the Duke of Edinburgh into Ballarat
Illustrated Australian News for Home Readers, 20 December 1867



H.R.H. The Duke of Edinburgh and Suite at the Band of Hope Gold Mine, Ballarat
State Library of Victoria

their luxuriance of beauty and fashion'¹¹² to hurrah and cheer him. Annie lost her mother of pearl opera glasses in the excitement of the day.¹¹³ Amongst all the family and social events Stewart managed to keep his medical practice running successfully.

Stewart's Second Decade of Medical Practice

In 1860 Stewart was well established in his Armstrong Street medical practice and was known for his remarkable skill as a surgeon and for his iron nerve.¹¹⁴ To many he was known as their family doctor. Stewart continued to engage assistants, indicating the ongoing success of his medical practice. In February 1862 he took on 23-year-old Dr Henry Robert Hunt as a new assistant. Assistants could be consulted in Stewart's surgery and went in Stewart's place if he was unavailable.¹¹⁵ It was a plum position for a young doctor in a new country to be placed with such a prominent, experienced and popular man as Stewart. Hunt was an Irishman who, like Stewart, held a licentiate from both the Royal College of Surgeons in Ireland and the Kings and Queens College of Physicians.¹¹⁶ These Irish educational institutions along with the Rotunda were, using Guteri's term, transnational nodes in the colonial network.¹¹⁷ As with other Irish doctors involved with Stewart's practice, Hunt's arrival in Ballarat may have been part of chain migration through these Irish medical school connections. At the very least, Stewart was encouraging other Irish doctors once they arrived in the colony.

Stewart's popularity as a doctor meant that he attended patients throughout the Ballarat district. It was customary for Ballarat doctors to charge a basic fee for service as well as a travel fee. Stewart charged ten shillings per mile and if he was detained with a patient for half a day he would charge for his time. He did not charge extra for applying blisters, leeches or lotions provided he was not required to stay as these applications could usually be left to 'sagacious attendants'.¹¹⁸ Similar rates were charged by Doctors Dimock, Mount, Hillas and Heise. The fee was doubled if the doctor had to attend a patient overnight. Multiple visits to out-of-town patients could lead to enormous medical bills as Thomas Ivey found in 1860 when he suffered a broken leg. Dr Mount's 31 visits to Ivey resulted in a horrendous bill of about £90!

¹¹² Ibid.

¹¹³ Ibid, p. 3.

¹¹⁴ *Ballarat Courier*, 14 June 1906, p. 6.

¹¹⁵ Stewart was sent for when Emily Trekardo was found hanging from a shower bath ring in the ceiling of her Sturt Street house in late 1862 but Hunt attended in his place. Unfortunately nothing could be done for Emily. *Star*, 6 December 1862, p. 3.

¹¹⁶ *Star*, 10 February 1862, p. 3.

¹¹⁷ Guteri "AHR Forum".

¹¹⁸ *Star*, 30 March 1860, p. 2.

Fees varied greatly over time. In November 1859 Dr George Wakefield felt that fees were reduced to next to nothing with some becoming cheaper than in England because there were so many medical men in competition with each other.¹¹⁹ The £1 charged by Ballarat doctors at this time was considered ‘extortionate’¹²⁰ by some compared to the 2s 6d charged by physicians in England. Stewart made a reasonable income from his medical practice but he, like many of the Ballarat doctors, also helped people who could not afford to pay, as was discussed in Chapter 3.

Some patients were much closer to home. Stewart was awakened during the early hours of 22 March 1861 and called to a mining accident at the Determination Company claim on the Inkerman Lead, right next door to his house.¹²¹ A portion of the mine roof and equipment fell on 27-year-old William Shiel’s back, breaking a dorsal vertebrae and paralysing his lower extremities. He was taken to the hospital but died less than a month later on 19 April.¹²² The dying miner would have suffered less than a miner in the same situation five years earlier because these kind of injuries had been refused at the hospital in the 1850s.

The cases attended by Stewart were many and varied. He restored dislocated shoulders, sewed up wounds, dealt with eye injuries and injuries from violence and vehicle accidents. Some were thrown from horses, buggies and drays, whilst others suffered internal injuries from being run over or being crushed between a vehicle and a wall. Then there were those who were injured whilst ‘drink-riding’. Whilst cases continued to include surgery, mining accidents, accouchements and vaccination of children, there were more accidents related to established populations including children’s accidents and diseases.

Not every injured person would accept the help offered by doctors. A heap of mullock fell on 27-year-old miner William Rickards on 4 December 1862 at the Old Canadian quartz Mining Company claim.¹²³ He suffered a severe compound comminuted fracture in his left leg but refused to let hospital surgeons amputate his leg to save his life. Stewart removed some loose bone pieces and Dr Whitcombe set the leg but it became inflamed in an erysipelatous manner and he died. Erysipalous was a highly contagious and sometimes fatal streptococcal skin disease and was common to hospitals, as Hyslop has established.¹²⁴

¹¹⁹ Letter from George Wakefield to his father, 5 November 1859 in Bowden, *Goldrush Doctors*, p. 93.

¹²⁰ *Star*, 30 January 1860, p. 3.

¹²¹ *Age*, 26 March 1861, p. 7; *Age*, 22 April, 1861, p. 6.

¹²² *Age*, 22 April, 1861, p. 6.

¹²³ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 118, File 1862/1051, William Rickards; *Star*, 22 December 1862, p. 2.

¹²⁴ Hyslop, *Sovereign Remedies*, p. 115.

Stewart was sent for when a lamp exploded and badly burnt William Davidson and his mother, Elizabeth, at the engine house of the Crocodile Quartz Mining Company at Black Hill in June 1862.¹²⁵ Stewart ‘prescribed the usual dressings and stimulants’¹²⁶ but the mother and son were too severely burnt to survive. Potter’s 1895 *Handbook of Materia Medica* defines stimulants as alcoholic preparations (true narcotics) and ‘any agent which excites the organic action of a part of the economy’.¹²⁷ The stimulants recommended for burns in Cooper’s *Dictionary of Practical Surgery* – a book with which Stewart was familiar – include essential oils, heat from cataplasms (poultices) and internal stimulants such as ether, spirits, opium, alcohol and wine.¹²⁸

The strength that the surgeons required for fast and swift operations was also useful in avoiding injury from drunk and violent members of the public. John Jungwirth was brutally assaulted by the miner William Moore on 29 May 1866.¹²⁹ The very violent and drunk Moore had beaten his wife and tried to assault anyone who came near him. He kicked Jungwirth hard in the lower abdomen causing serious internal injuries. He then violently struck Dr Nicholson in the eye while trying to prevent him from attending Jungwirth. The *Ballarat Star* reported that Nicholson ‘with true native pluck, very properly knocked the infuriated savage down, and having succeeded in keeping him on the ground, tied his arms and legs and stood guard over him until the arrival of the police, when he was taken into custody’.¹³⁰

Stewart and Nicholson attempted to relieve some of Jungwirth’s pain by inserting a catheter into his ruptured bladder to draw off his urine. An operation was performed to relieve his suffering but he died of ‘acute and intense peritonitis caused by effusion of urine from very extensive rupture of the bladder’.¹³¹ Stewart gave evidence at the inquest into his death and at Moore’s trial where Moore

¹²⁵ *Star*, 20 June 1862, p. 1S.

¹²⁶ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 120, File 1862/107, Elizabeth Davidson; PROV, VPRS 24/P0 Inquest Deposition Files, Unit 111, File 1862/334, William Davidson.

¹²⁷ In 1895 Potter classified stimulants as diffusible stimulants (alcohol, ammonia, camphor, etc.), spinal stimulants (strychnine, picrotoxin, ergo, atropine, phosphorus), cardiac stimulants (alcohol, atropine, morphine, strychnine, squill, convallaria, cimicifuga, digitalis), respiratory stimulants (ammonia, strychnine, apomorphine, belladonna, etc.), vaso-motor stimulants (alcohol, chloroform, ether, ammonia, strychnine, digitalis, squill, nitrites, belladonna, electricity, volatile oils, etc.), cerebral stimulants (alcohol, opium, belladonna, caffeine, cocaine, theine, cannabis, chloroform, ether, tobacco, etc.), renal stimulants, stomachic stimulants (aromatics, volatile oils, vegetable bitters, mineral acids, nux vomica, mustard, capsicum, etc.), hepatic stimulants (nitro-muriatic acid, nitric acid, podophyllum, jalap, leptandra, euonymin, iridin), intestinal stimulants (mercurials, elaterium, colocynth, jalap, scammony, podophyllum, belladonna, physostigma, nux vomica, rhubarb, senna, aloes, frangula, cascara) and cutaneous stimulants (mustard, capsicum, turpentine, ammonia, etc.). S.O.L. Potter, *Handbook of Materia Medica, Pharmacy, and Therapeutics*. 5th ed. Philadelphia: P. Blakiston, Son & Co., 1895, p. 23.

¹²⁸ Samuel Cooper. *A Dictionary of Practical Surgery*. Revised 6th ed. Vol. 1. New York: Harper & Brothers, 1838, pp. 211, 212.

¹²⁹ *Ballarat Star*, 1 June 1866, p. 2.

¹³⁰ *Ballarat Star*, 31 May 1866, p. 2.

¹³¹ *Ballarat Star*, 2 June 1866, p. 3.

pleaded not guilty to the charge of manslaughter.¹³² The public performance of medical treatment of such cases through newspaper reports kept the Ballarat public very well-informed of the medicine practised by the Ballarat doctors but this was to the detriment of patients' personal privacy.

To neglect the medical side of goldfields life is to overlook much of the violence, including self-harm, that existed. Stewart was sent for when Robert Cameron was found after a suicide attempt at the Victoria Hotel on 30 October 1860.¹³³ Cameron, the landlord of the Malmesbury Hotel, was found in a pool of blood with an empty two ounce bottle of laudanum beside him. Stewart dressed his arm and Cameron was fit enough to appear in the Police Court four days later facing charges of attempted suicide. Although attempted suicide was a punishable offence, the Ballarat courts showed some sympathy for suicidal people and Cameron was discharged to return to his very concerned friends.

With the increase in farming in the district Stewart attended many people injured in farming accidents. Thirty-year-old Samuel Birch was working on a steam threshing machine at Robert Keddie's farm at Cardigan (about 12 kilometres from Ballarat) in January 1862.¹³⁴ The thresher separated grain from its stalks through the spinning action of a drum. Birch's leg was torn off below the knee when he slipped on a straw covered iron platform and fell into the drum. He was taken to the hospital in a state of collapse and given stimulants. About three hours later Dr Whitcombe sought Stewart's agreement and the remainder of the leg stump was removed but Birch died an hour later. Despite the doctors' best efforts, they could not save everyone.

Horse vehicle accidents were so common that even Stewart did not avoid being involved in a mishap. On 4 March 1862 he was a passenger in a carriage when the horse drawing the carriage 'shied at a dead cow lying in a water hole'.¹³⁵ All the passengers were thrown from the vehicle, most were unhurt but Thomas Pigott suffered a fractured thigh. Pigott was fortunate that Stewart was on hand to offer immediate medical assistance. Dr Clendinning's only daughter, Geraldine, was thrown off her horse during a hunt on 5 September 1868.¹³⁶ The back of her head hit the ground and although she appeared not to be seriously hurt, her health deteriorated. Stewart attended and prescribed for her and her condition improved. It is an indication of the respect Stewart's colleagues had for his skill that he attended Geraldine instead of her father, Dr Clendinning.

¹³² The jury found Moore guilty but recommended mercy. *Argus*, 20 July 1866, p. 6.

¹³³ *Age*, 3 September 1860, p. 5; *Star*, 4 September 1860, p. 2; *Victorian Farmers Journal and Gardeners Chronicle*, 8 September 1860, p. 21.

¹³⁴ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 109, File 1862/89, Samuel Birch; *Star*, 7 February 1862, p. 2.

¹³⁵ *Star*, 7 March 1862, p. 2.

¹³⁶ *Ballarat Star*, 8 September 1868, p. 2.

Stewart's medical and municipal roles combined when the Western Council considered building baths and washhouses in 1861.¹³⁷ Ballarat doctors considered warm baths helpful for rheumatism, sciatica, colds, fevers and other health problems. Whilst not everybody wanted the baths, Stewart was well supported. 'Footpaths' complained to the *Star* about the funds being used for baths and washhouses instead of public works: 'how such men as Councillors Stewart and Campbell consent to so wild an investment I cannot conceive'.¹³⁸ Dr Allison wrote to the newspaper in reply and thanked the Council 'for their highly commendable consideration of the comfort and health of the community'.¹³⁹ 'Anti-Humbug' also acknowledged the health benefits and continued:

But I agree with "Footpaths," it is a wonder, considering that it might be the means, eventually, of Dr Stewart having some few less patients, owing to their being able to keep themselves in health by the use of the warm bath, instead of taking physic. But the fact of Dr Stewart voting for the baths, we must I suppose, attribute it to his being more of a philanthropist and less interested in the distribution of the municipal funds than "Footpaths" seems to be, from his desire that the money shall be laid out on "certain roads."¹⁴⁰

Stewart's cases provide insight into the status and health of women and children during the 1860s. For women in Melbourne and surrounding suburbs, the home of the 1860s had become a feminine haven from the masculine street and workplace.¹⁴¹ Women in 1850s Ballarat were in short supply and their influence on home life was in general less significant than their suburban counterparts, as Bate suggests.¹⁴² Yet this influence was changing as gender ratios became more balanced during the 1860s. Women's influence was particularly important in health care: the majority of care for children, parturient women and those suffering infectious diseases took place in the home in Ballarat during the 1860s. Stewart and his colleagues attended patients to treat and prescribe but the majority of patient care lay with other family members. In such cases family was, as Coleborne and Godtschalk suggest, 'the major social and cultural site for the management of illness'.¹⁴³ Good health outcomes required the assistance of doctors and strong networks of family and friends.

¹³⁷ *Star*, 3 December 1861, p. 1S.

¹³⁸ *Star*, 19 September 1861, p. 1S.

¹³⁹ *Star*, 21 September 1861, p. 2S.

¹⁴⁰ *Ibid.*

¹⁴¹ Jan Kociumbas, *Australian Childhood: A History*. St Leonards, N.S.W.: Allen & Unwin, 1997, p. 91; Kay Saunders and Raymond Evans, "No Place Like Home: The Evolution of the Australian Housewife." In *Gender Relations in Australia: Domination and Negotiation*, edited by Kay Saunders and Raymond Evans, 175-196. Sydney: Harcourt Brace Jovanich, Publishers, 1992, p. 179.

¹⁴² Bate, *Lucky City*, p. 51.

¹⁴³ Catharine Coleborne and Ondine Godtschalk. "Colonial Families and Cultures of Health: Glimpses of Illness and Domestic Medicine in Private Records in New Zealand and Australia, 1850-1910." *Journal of Family History* 38, no. 4 (2013): 403-421, p. 416.

The medical and social issues associated with pregnancy became more common with the increase in the number of females on the goldfields. Birth rates were high and it was common for women to have 10 to 12 children, as McCalman and Kippen have established.¹⁴⁴ This could weaken a woman's health and for those who were pregnant outside of marriage there were extra problems and risks. The great variation in treatments offered by different doctors could add to these risks. Unmarried woman Ellen Grant was four months pregnant and died soon after Dr Robert Fawell Hudson prescribed her stimulants (spirits of ammonia and lavender) on 3 December 1861. Hudson thought she was not pregnant and instead was suffering from English cholera (a term used for dysentery and diarrhoeal diseases). Upon being proved wrong, he claimed that any doctor would have made the same mistake because a woman dying and in a state of collapse had the same symptoms and, in any case, 'medical science was not a certainty'.¹⁴⁵ Stewart, who performed the post mortem on Grant's body, reported that:

On opening the abdomen I found between two and three quarts of clotted blood and serum in lower part of cavity ... and I also found a foetus in the cavity of peritoneum – and a rupture of the right fallopian tube – from which the foetus had escaped – all the other viscera within the abdomen were in a perfectly normal condition – The fallopian tube resembled a second uterus – and I consider that the cause of death was from rupture of the fallopian tube and the consequent excessive hemorrhage – It was a case of extra uterine pregnancy.¹⁴⁶

Hudson might have felt that medical science was not a certainty but haemorrhaging from an ectopic pregnancy was far from English cholera. Such a mistake suggests that Hudson was not a doctor one would choose to consult. He should have been able to feel the foetus during his examination of Grant's abdomen, particularly since Stewart had diagnosed the pregnancy when Grant had consulted him five weeks prior to her death. Grant would have died anyway but Stewart's diagnosis indicates he was a far more competent doctor than Hudson. This would have been clear to readers of the newspaper reporting on the matter.

Doctors could not always help even with a correct diagnosis. Isabella Wood suffered difficulties after giving birth to her twelfth child in her Humffray Street house on 3 September 1866 under the care of nurse Honora Archer.¹⁴⁷ There was great haemorrhaging during the birth and she was very weak. Her husband John called on several medical men, some of whom refused to help.¹⁴⁸ Unlike these doctors,

¹⁴⁴ McCalman and Kippen, "Population and Health", p. 304.

¹⁴⁵ *Star*, 6 December 1861, p. 2.

¹⁴⁶ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 107, File 1861/286, Ellen Grant.

¹⁴⁷ *Ballarat Star*, 5 September 1866, p. 2.

¹⁴⁸ Doctors Clendinning and Nicholson were out and Doctors Embling, Hudson and Hillas refused to help. Deposition of John Woods in PROV, VPRS 24/P0 Inquest Deposition Files, Unit 185, File 1866/278, Isabella Wood.

Stewart responded to emergencies at any time of the day or night. He immediately went to her aid when Wood called at his residence. Isabella had no pulse, her pupils were dilated and her eyes were glassy. Her heart had stopped but Stewart still applied heat and stimulants in a futile attempt to save her but she was already dead. Sadly, the baby also died soon after birth.

Stewart gave medical evidence at the County Court when Dr Hillas took R. Wynne to court for £6 medical services on 20 November 1866 in a case that was far more disturbing than unpaid fees. Hillas operated on Mrs Wynne who had an ovarian tumour and was almost suffocating from peritoneal dropsy (oedema).¹⁴⁹ She told the doctors she was pregnant but Hillas did not think she was. The tumour puncture ‘entered the head of a perfectly-formed child, and the patient was delivered of a *foetus*’.¹⁵⁰ Hillas admitted that a vaginal examination should have performed before the puncture but even if it had, the foetus would have been aborted. Mrs Wynne had been ill for 12 years since giving birth to her last child and had had one abortion prior to this occasion. Even the most personal details such as abortion were published in newspaper reports on medical court cases.

Stewart had attended Mrs Wynne for the tumour and dropsy five years earlier. He felt it good practice to attempt to cure the cause but did not puncture the small tumour because he was concerned about causing adhesions and believed she was not in danger. He would not have punctured the tumour if there was any chance she was pregnant unless she was in danger. He was fully aware that doctors and their medicine were not perfect and believed that when a medical man ‘has used all the skill and care [he] can, he is not liable for results’.¹⁵¹ But the doctors involved had not used all skill and care. Despite the dreadful circumstances of the case, the judge awarded Dr Hillas £4. It was far from the medical malpractice case it should have been.

Children’s accidents

Stewart saw more accidents and illnesses involving children during the 1860s as Ballarat’s population grew. As there was no children’s ward at the hospital until 1927, children’s medical conditions were almost entirely treated in the home.¹⁵² Prior to 1927 children under five years and those with infectious ailments were not admitted to the Ballarat Hospital though some serious child casualties were admitted, as Hyslop has established.¹⁵³ This was not the situation in all Australian hospitals at

¹⁴⁹ Two and three quarter gallons of fluid were removed from Mrs Wynne’s tumour.

¹⁵⁰ *Ballarat Star*, 21 November 1866, p. 2.

¹⁵¹ *Ibid.*

¹⁵² This was achieved under the leadership of Dr Harrie Pearce. Hyslop, *Sovereign Remedies*, p. 245.

¹⁵³ *Ibid.*, p. 52.

the time. For example, St Vincent's Hospital in Sydney was open to men, women and children when it was established in 1857.¹⁵⁴

Some of Stewart's cases attending children provide evidence of home remedies used until medical help arrived as well as the medical care he provided. The infant Anne Elizabeth Walters was found at the bottom of a large washing tub full of water in a house yard at Soldiers' Hill on 19 February 1866.¹⁵⁵ She had been left unattended with her three-year-old brother. Even though Anne was dead her body was rubbed with salt in a resuscitation attempt. Stewart was sent for and 'applied the usual means for recovery'¹⁵⁶ in vain. On 21 March 1860 two-year-old Wilhelmina Errington was severely scalded when a plate full of boiling water spilled onto her shoulder and back.¹⁵⁷ The child's injuries were dressed with oil, chalk and flour but no medical assistance was sought for five days. She was eventually taken to Stewart's surgery but it was too late and the girl died.

Stewart's high repute meant he was brought in to attend difficult cases. Two children from the Wilkie family died in 1861 from a mystery illness which caused collapse, vomiting and purging.¹⁵⁸ The jury at the inquest into two-year-old Eliza Wilkie's death found death was from congestion of the brain which was no help as to finding the cause of the illness. A third child was placed in Stewart's care as he and his colleagues tried to ascertain the cause of the illness. He was considered their best hope.

Mistreatment of children was a problem that Stewart would not let perpetrators get away with but he had to work within the laws and institutions available. A particularly nasty case involved seven-month-old Fanny Ryan. Fanny was born in the Benevolent Asylum on 4 August 1867 and moved with her mother to live with Mary Berrill. She became ill and was taken to Dr Wallace and then to Stewart but she died soon after. Stewart found Fanny 'very weak and greatly emaciated, suffering from vomiting and purging'.¹⁵⁹ He informed Berrill that Fanny was dying and had not been properly nourished. Hand-reared children were most at risk, as McCalman and Jaggs contend, and even with the best care they could still waste away, as Kociumbus suggests.¹⁶⁰ This was not the case with the

¹⁵⁴ Catherine O'Carrigan, "Australian Catholic Hospitals in the Nineteenth Century." *Journal of the Australian Catholic Historical Society* 7, no. 4 (1984): 20-36, p. 21.

¹⁵⁵ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 182, File 1866/36, Ann Elizabeth Walters.

¹⁵⁶ *Ballarat Star*, 21 February 1866, p. 2.

¹⁵⁷ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 90, File 1860/81, Wilhelmina Errington; *Star*, 5 April 1860, p. 2.

¹⁵⁸ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 105, File 1861/115, Eliza Wilkie; *Star*, 13 June 1861, p. 3; *Star*, 14 June 1861, p. 2; *Star*, 15 June 1861, p. 2.

¹⁵⁹ *Ballarat Star*, 24 February 1868, p. 2.

¹⁶⁰ Donella Jaggs, *Neglected and Criminal: Foundations of Child Welfare Legislation in Victoria*. Melbourne: Phillip Institute of Technology, 1986, p. 77; Kociumbas, *Australian Childhood*, p. 154; Janet McCalman, "The Past that Haunts Us: The Historical Basis of Well-being in Australian Children." In *No Time to Lose: The Well-being of Australia's Children*, edited by Sue Richardson and Margot Prior, 36-59 Carlton: Melbourne University Press, 2005, p. 38.

children under Berrill's care. Berrill also brought a two-week-old infant to Stewart who found it suffering the same complaint. She claimed that the baby's mother had no milk but Stewart examined the mother and found it was untrue. He refused to grant a death certificate for Fanny because of the children's treatment.

Stewart gave evidence at the inquest into Fanny's death held at the Boundary Hotel on 22 February 1868 where the jury found that Berrill 'was not a competent person to take the charge of children'.¹⁶¹ Five of the ten children she had taken into her care in three years had died. She wrote a letter to the newspaper furious at Stewart's medical evidence, claiming that he had refused to attend illegitimate children and that his deposition was 'most untrue'.¹⁶² The inquest depositions (including Berrill's) contradicted her claims. One reason that Berrill was so upset was because the story had been widely reported throughout the country and overseas as a case of 'baby farming'.¹⁶³

Swain describes baby farming as 'an economic exchange predicated on the vulnerability of single mothers'¹⁶⁴ and desperate poor women who saw nursing infants as a way to earn an income. Some were skilled and others were negligent but this was often from ignorance rather than wilful neglect, as McCalman and Jaggs assert.¹⁶⁵ According to McCalman, new specialist medical care for children (paediatrics) developed in New York by the 1870s, beginning a health transition.¹⁶⁶ She suggests that after the 1870s the social institutions of the school and the welfare state could intervene in a child's destiny significantly.¹⁶⁷ Until that time it was up to people in roles of power like Stewart to step in where they could. Attempts were made to regulate baby farming in the Public Health Amendment Act of 1883 and the Infant Life Protection Act of 1890.¹⁶⁸ Jaggs asserts that the laws following the 1890 Act and its 1907 amendment were resented by legitimate providers of care for infants and shady ones became more unscrupulous and avoided registration.¹⁶⁹

¹⁶¹ *Ballarat Star*, 24 February 1868, p. 2.

¹⁶² Letter to the *Ballarat Star* from Mary Berrill, 7 March 1868 in *Ballarat Star*, 9 March 1868, p. 3.

¹⁶³ *Argus*, 25 February 1868, p. 7; *Australasian*, 29 February 1868, p. 278; *Bendigo Advertiser*, 25 February 1868, p. 3; *Brisbane Courier*, 6 March 1868, p. 3; *Colonist*, 10 April 1868, p. 4; *Empire*, 29 February 1868, p. 3; *Illustrated Sydney News*, 25 March 1868, p. 11; *McIvor Times and Rodney Advertiser*, 28 February 1868, p. 3; *Mercury*, 5 March 1868, p. 3; *Queensland Times, Ipswich Herald and General Advertiser*, 10 March 1868, p. 4; *Sydney Mail*, 7 March 1868, p. 11.

¹⁶⁴ Shurlee Swain, "Toward a Social Geography of Baby Farming." *The History of the Family* 10, no. 2 (2005): 151-159, p. 151.

¹⁶⁵ McCalman, "The Past that Haunts Us", p. 46; Jaggs, *Neglected and Criminal*, p. 76.

¹⁶⁶ Janet McCalman, "Silent Witnesses: Child Health and Well-being in England and Australia and the Health Transition 1870—1940." *Health Sociology Review* 18, no. 1 (June, 2009): 25-35, p. 31.

¹⁶⁷ McCalman, "The Past that Haunts Us", p. 54.

¹⁶⁸ The 1883 Act required houses where infants stayed to be registered with the local board of health. The 1890 Act made it illegal for unregistered people to accept payment or reward to take into care infants under the age of two for nursing. Neglecting to provide adequate, food, clothing, medical care or lodging or wilful ill-treatment of a child carried a penalty of 12 months imprisonment. Victoria. *Infant Life Protection Act 1890*, pp. 2, 3; Victoria. *Public Health Amendment Act 1883*, p. 17.

¹⁶⁹ Jaggs, *Neglected and Criminal*, p. 84.

Infectious Diseases

Childhood diseases kept the Ballarat doctors busy during the 1860s. By March 1864 diphtheria and scarlatina were considered to be endemic in Ballarat because they were 'so continuously existent'¹⁷⁰ there. The diseases had already taken the lives of Stewart's niece and nephew. McCalman and Kippen assert that diphtheria became a major threat to children 'but it was the insidious Group A streptococcus that continued to wreak most damage on life-course health'.¹⁷¹

Dysentery, diarrhoea and cholera as a group were the leading cause of death in zymotic (infectious) diseases for the colony of Victoria in 1858 and remained so in Ballarat in 1870, as Bate has established.¹⁷² The next largest group was diphtheria, croup and quinsy followed by scarlet fever, measles and whooping cough and lastly typhoid and other fevers. In May 1866 there were 51 deaths in the Ballarat district, 34 of these were children under the age of six with the chief causes of death dysentery and whooping cough.¹⁷³ Whooping cough (pertussis) is caused by the *Bordetella pertussis* bacterium and is transmitted through droplets of saliva from infected individuals.¹⁷⁴ Antibiotics given in the incubation or early catarrhal stages of the disease can prevent or moderate the disease but antibiotics were not an option in the mid-nineteenth century.

In 1866 infants suffering whooping cough and similar conditions were taken to purifying chambers at gasworks throughout the colony.¹⁷⁵ Stewart had sent sick infants to the gasworks to inhale the 'healing' ammonia vapours as early as 1861. He was seen as a pioneer of this method in Ballarat long before it became popular in places such as Talbot and Clunes in 1866.¹⁷⁶ By 1866 about 50 babies a day were inhaling the purifying chamber vapours in Ballarat. Some parents would use pots of 'ammoniacal liquor'¹⁷⁷ in infants' sleeping quarters. Ballarat doctor William Macfarlane also found

¹⁷⁰ *Star*, 5 March 1864, p. 2.

¹⁷¹ Group A streptococcus conditions include skin infections, scarlet fever, rheumatic fever and puerperal fever. McCalman and Kippen. "Population and Health", p. 309.

¹⁷² Number of deaths from preventable diseases in Ballarat in 1870: Dysentery, diarrhoea and cholera (66); Diphtheria, croup and quinsy (15); Scarlet fever, measles and whooping cough (13); Typhoid and other fevers (5). Bate, *Lucky City*, p. 249; *Star*, 8 February 1858, p. 3.

¹⁷³ *Star*, 23 June 1863, p. 2.

¹⁷⁴ WHO. "Pertussis Vaccines: WHO Position Paper." *Weekly Epidemiological Record* 40, no. 85 (2010): 385-400, p. 386.

¹⁷⁵ The healing effect was considered greater when lime was used as the excitative agent by the gasworks rather than iron oxide. The gasworks treatment was still known well into the twentieth century in Victoria, Ireland and England and is mentioned in Joyce's *Ulysses* (first published in 1922). By mid-century the treatment was considered to be in the realm of folk remedies. *Ballarat Star*, 6 June 1866, p. 2; Ballard, "An Approach to Traditional Cures in Ulster", p. 26; *Geelong Advertiser*, 15 June 1918, p. 9; *Gippsland Times*, 14 August 1924, p. 1; J. McN. Dodgson, "A Survey of English Folk Medicine." *The British Journal of General Practice* 6, no. 3 (August, 1963): 462-467; James Joyce, *Ulysses*. Oxford: Oxford University Press, 1993, p. 87; J. M. McCloy, "In the By-Ways of Medicine." *The Ulster Medical Journal* 8, no. 1 (1 January, 1939): 1-13.

¹⁷⁶ *Cornwall Chronicle*, 6 June 1866, p. 2; *Empire*, 15 June 1866, p. 4.

¹⁷⁷ *Ballarat Star*, 6 June 1866, p. 2.

that oxide of silver shortened pertussis and was useful in treating asthma.¹⁷⁸ Ammonia was one of the stimulants recommended by doctors in Victoria 'to rouse the *languid* capillary circulation'¹⁷⁹ in cases of scarlatina.

When diphtheria arrived in Australia, as Cumpston asserts, 'it found an abundant susceptible population of the most suitable age and struck hard'.¹⁸⁰ He suggests that it was unknown in Australia prior to 1860 but it was present in Victoria by early 1859.¹⁸¹ Diphtheria is a highly infectious bacterial infection where a membrane forms in the throat and systemic toxins can develop. It is spread by droplets of saliva from infected people or carriers.

Diphtheria hit Ballarat families with young children hard. Bowden discusses a particularly nasty outbreak of diphtheria at Lake Learmonth in 1860 (he incorrectly states the year as 1856) which claimed nine of the 11 members of the Longmire family, including both parents.¹⁸² In September 1866 Owen Bowen of Bullarook lost four of his children to diphtheria in a period of two months.¹⁸³ The disease was so rife that Dr Nicholson had seen over 500 cases of it by 1872.¹⁸⁴

Stewart stressed the importance of nourishment in the treatment of diphtheria as Dr Bunce noted in 1873 when he described Stewart as 'a very experienced and thoughtful practitioner'.¹⁸⁵ Bunce asserted that it was Stewart's experience that 'generally, where the patients take sufficient nourishment they live, and where they do not, they die'.¹⁸⁶ This understanding would have been influenced by Stewart's Irish medical education, particularly the impact of Dr Robert Graves who noted the importance of nourishment in treating fever patients, as discussed in Chapter 1.

¹⁷⁸ Medical Association of Victoria. *The Australian Medical Gazette: A Journal of Medical Science, Literature, and News for 1869*. Melbourne: Clarson, Massina & Co., 1870. <http://archive.org/details/texts>. Also available in print form, p. 259.

¹⁷⁹ James Motherwell, "On Scarlatina." *Australian Medical Journal* (January, 1856): 42-47, p. 46.

¹⁸⁰ Cumpston, "Birth Rates", p. 307.

¹⁸¹ F.B. Smith contends that diphtheria arrived in Victoria and Tasmania in late 1858. J.W. Hadden, "Observations on Diphtheria, as it Appeared in Victoria, in 1859." *Australian Medical Journal* (April, 1860): 95-102; J. W. Mackenna, "The Late Epidemics of Diphtheria, Measles, and Scarlatina." *Australian Medical Journal* (1861): 95-102, p. 96; F.B. Smith, "Comprehending Diphtheria." *Health and History* 1, no. 2/3 (1999): 139-161, p. 1; *Star*, 20 May 1859, p. 2.

¹⁸² This incorrect year was most likely a transcription error in Bowden as his other details were accurate. Bowden, *Goldrush Doctors*, p. 64; *Star*, 9 August 1860, p. 3.

¹⁸³ *Ballarat Star*, 6 September 1866, p. 2.

¹⁸⁴ Victoria. *Diphtheria: Report of the Royal Commission Appointed by His Excellency the Governor, to Enquire into the Origin of the Disease Known as Diphtheria, the Best Mode of Treatment Thereof, etc.* Melbourne: John Ferres, Government Printer, 1872, p. 109.

¹⁸⁵ Bunce, "The Treatment of Diphtheria", pp. 136-137.

¹⁸⁶ *Ibid.*, p. 137.

Bunce and Clendinning were two of the six Ballarat doctors who gave evidence at a Royal Commission into Diphtheria in 1872.¹⁸⁷ They treated diphtheria by applying carbolic acid to the affected area of the throat.¹⁸⁸ Clendinning used it 'as a disinfectant and means of dissolving the membrane'¹⁸⁹ rather than as a caustic. The antiseptic properties of carbolic acid were known by the Ballarat doctors in 1867 as Joseph Lister, the pioneer of antiseptic surgery, had written about its use in British medical journals.¹⁹⁰ Sometimes the membrane blocked the poor sufferer's throat and a tracheotomy was required. Dr Richardson performed tracheotomies on two children on consecutive days in January 1866.¹⁹¹

The fear of smallpox outbreaks persisted in Ballarat during the 1860s and Stewart continued to play an important part in its prevention as the Public Vaccinator for Ballarat. By 1862 there were 144 Public Vaccinators in the colony.¹⁹² Stewart was asked to consult on a suspected smallpox case with Doctors Holthouse and Nicholson at the Benevolent Asylum in November 1862 but it was a false alarm.¹⁹³ The female patient had thick papular eruptions (pimples) on her face, arms and body that became pustular (pus-filled) but the doctors all agreed that it was not smallpox. Other suspected outbreaks in the colony contributed to the fear. A commission was appointed to investigate a suspected outbreak at the Immigration Hospital in Melbourne in January 1869.¹⁹⁴ Reminiscent of the issues faced by the Ballarat doctors in the Lecki case discussed in Chapter 3, the commission doctors could not agree as to whether cases were modified smallpox or chickenpox.

¹⁸⁷ The Ballarat doctors who gave evidence were Robert Fawell Hudson, George Nicholson, Thomas Hillas, Richard Bunce, George Clendinning, Richard Jones Owen and in the district were Thomas Furneaux Jordan, Robert Stewart and Thomas Foster at Smythesdale.

¹⁸⁸ Carbolic acid is phenol (also called phenic oil, phenic syrup and phenic acid) and is derived from petroleum and coal tar. It came in powder, liquid and soap form and was available as a deodoriser and disinfectant (known as Calvert's disinfecting powder). Bunce also used doses of tincture of iron, nitrate of silver solution, chlorate of potash. *Ballarat Star*, 25 April 1868, p. 4; *Ballarat Star*, 16 March 1869, p. 4; Bunce, "The Treatment of Diphtheria", pp. 136, 137.

¹⁸⁹ Dr George Clendinning's evidence in Victoria. *Diphtheria: Report of the Royal Commission*, p. xiv.

¹⁹⁰ Joseph Lister discussed his experiments with carbolic acid soaked bandages and putty in his early work on antiseptics in a paper in 1867. He built on Louis Pasteur's germ theory, noting that the antiseptic carbolic acid could guard against atmospheric germs entering into wounds. Dr Gillbee demonstrated Lister's method in operations at the Melbourne Hospital in November 1867. W. Gillbee, "On the Treatment of Abscess and Compound Fracture by Mr. Lister's New Method" in "Medical Society of Victoria." *Australian Medical Journal* (January, 1868): 20-24; Joseph Lister, "Antiseptic Principle in the Practice of Surgery." *British Medical Journal* 2, no. 351 (12 September, 1867): 246-248.

¹⁹¹ Dr Richardson was suffering from influenza at the time and it is not known if the children survived or succumbed to the diphtheria, the operation or the influenza caught from the doctor. Letter from Walter Lindesay Richardson to his wife Mary, 23 January 1866 in Probyn, *Marriage Lines*, p. 220.

¹⁹² Other local Public Vaccinators in the Ballarat district included Richard Jones Hobson at Ballarat East, Louis Saenger at Smythesdale, Henry Crossen at Carngham and J.A. Creelman at Lake Learmonth. Victoria. *Statistics of the Colony of Victoria for the Year 1862*. Melbourne: John Ferres, Government Printer, 1864, pp. 343-5.

¹⁹³ *Star*, 25 November 1862, p. 1S.

¹⁹⁴ The chief mate of the ship the *Avon Vale* died in the Immigration Hospital of variola (smallpox) and several suspected cases occurred in the neighbourhood but were reported as varicella (chickenpox). An article in the *Australian Medical Journal* suggested that some cases were incorrectly pronounced to be smallpox because the people involved had 'an inordinate craving after notoriety'. *Ballarat Star*, 11 January 1869, p. 3; "Variola Or Varicella." *Australian Medical Journal* (January, 1869): 27-30, p. 27.

Ballarat doctors were very aware that their medical knowledge was far from complete and they understood some of their limitations. This was exemplified in a case of child rape in February 1861. The sexual assault of eight-year-old Elizabeth Ellis was discovered after the girl developed symptoms of gonorrhoea. Elizabeth and her attacker, 35-year-old John Sullivan, were examined by a number of doctors including Stewart. The court case hinged on their medical evidence. Much to the annoyance of the legal men involved, Dr Wills deposed that the man's genital discharge was the same as the girl's and seemed to be gonorrhoea but he would not swear to it. Mr Aspinall, the Crown Prosecutor, questioned Wills:

Aspinall: Then you can't tell any more about it than any of us?

Wills: I can't swear. No scientific man can tell, though an ignorant man may.

Aspinall: Then the more a man knows of his profession, the less he knows?

Wills: The less he'll swear. ... An ignorant person would swear the disease was gonorrhoea, but as I am not ignorant I shall not swear it.¹⁹⁵

Dr Bunce also considered the child's infection to be gonorrhoea and deposed that 'the present state of medical science was such that a simple inflammation could not certainly be distinguished from gonorrhoea'.¹⁹⁶ Aspinall felt that the medical witnesses' evidence was useless and Judge Redmond Barry thought they were averse to giving an opinion from diffidence rather than ignorance. Sullivan was acquitted.

The doctors may not have been able to swear to gonorrhoea infections but they were making use of new scientific and medical inventions and knowledge. In 1861 Dr Macfarlane brought an ophthalmoscope and laryngoscope to Ballarat for use in the hospital. Both instruments provided greater accuracy for the doctors with the ophthalmoscope allowing doctors to see the internal structure of the eye in living individuals for the first time. The *Star* noted that 'diseases which formerly would only be guessed at by the ablest physicians can now be accurately determined'.¹⁹⁷ Lewis and MacLeod contend that Australians 'were impressed by the genuine advances of science and technology and were prepared to believe that scientific medicine would explain and cure diseases even before in fact it could do so'.¹⁹⁸ This may be true of the general public but the more competent Ballarat doctors appear to have been fully aware of both their limitations and their possibilities and worked ably with them.

¹⁹⁵ *Star*, 19 April 1861, p. 1S.

¹⁹⁶ *Ibid.*

¹⁹⁷ *Star*, 18 May 1861, p. 2.

¹⁹⁸ Lewis and MacLeod. "Medical Politics", p. 81.

The Health of Medical Men

Ballarat doctors suffered from some of the same health and social problems affecting the rest of the population. Their experiences reveal the precariousness of life on the goldfields and how fortunate Stewart was to maintain good mental and physical health. On 24 May 1860, 37-year-old Dr Augustus Rosemann 'destroyed himself whilst in a state of unsound mind'.¹⁹⁹ He cut his own throat with his three inch surgeon's knife, lacerating his superior thyroid artery after a failed attempt at cutting his jugular vein.²⁰⁰ Rosemann's many worries included the loss of a child and insolvency. He was a heavy drinker and had been unwell and confined to his house suffering from rheumatics.

Other mental health problems plagued some of the doctors. By the 1860s Dr A.Y. Carr had been admitted to the Yarra Bend Lunatic Asylum suffering from monomania (paranoid schizophrenia).²⁰¹ He was discharged from the Asylum and readmitted a few times and eventually transferred to the Ararat Asylum where he died of heart disease and pleurisy on 26 June 1894. Dr W.L. Richardson also became an inmate of the Yarra Bend Asylum. He suffered from mental deterioration, some of which Stoller and Emmerson attribute to syphilis.²⁰² They assert that his 'General Paralysis of the Insane' was evident in 1874 and incipient by 1879.²⁰³ Richardson was released into his wife Mary's care and died aged 53 at Koroit on 1 August 1879.²⁰⁴

Stewart attended many of his colleagues and they had great trust in him. Dr George Nicholson became seriously ill in June 1861 with a 'dangerous inflammation of his lungs'²⁰⁵ and was attended with unremitting attention from his friends Doctors Stewart and Heise. The disease yielded to their treatment after a few days and Nicholson recovered. Sadly, other doctors were not so fortunate. On 12 October 1861, 32-year-old Dr John Stewart Kyle died of pneumonia.²⁰⁶ Two weeks later, on 27

¹⁹⁹ *Star*, 24 May 1860, p. 3.

²⁰⁰ *Age*, 2 June 1859, p. 6; PROV, VPRS 24/P0 Inquest Deposition Files, Unit 81, File 1860/468, Augustus Roseman; *Star*, 24 May 1860, p. 2.

²⁰¹ Dr Carr was admitted to the Yarra Bend Asylum on 17 March 1857. He wrote to the *Age* suggesting that unknown people had administered hashish to him 'for the purpose of creating delirium and temporary madness in the person of one of peculiarly nervous sensibility'. He thought people were trying to poison him and he was placed under restraint with a strait-waistcoat in the Asylum. Chief Medical Officer Dr William McCrea considered Carr 'manifestly insane'. *Age*, 28 February 1857, p. 4; *Australian Medical Journal* (March, 1870), p. 95; Stoller and Emmerson, "Dr John Alfred Carr", pp. 190, 191.

²⁰² Alan Stoller and R. H. Emmerson. "The Fortunes of Walter Lindesay Richardson." *Meanjin Quarterly* (March, 1970): 21-33, p. 25.

²⁰³ Stoller and Emmerson suggest that Richardson suffered from personality changes, an organic cerebral paroxysmal attack, emotionally over-reacted, developed depressive and paranoid ideation and earlier life experience regression. As the disease progressed he had tremors, headaches, vertigo and 'his mental processes began to fail'. Richardson also attempted suicide with chloroform. Stoller and Emmerson, "The Fortunes of Walter Lindesay Richardson", p. 22; Stoller and Emmerson. "Richard Mahony", pp. 16, 19.

²⁰⁴ PROV, VPRS 28/P2, unit 96, item 19/677, Will of Walter Lindesay Richardson.

²⁰⁵ *Star*, 14 June 1861, p. 2.

²⁰⁶ *Star*, 17 October 1861, p. 2.

October, Stewart's old friend Dr Allison died at his Humffray Street home.²⁰⁷ The 68-year-old had been suffering from disease of the spinal cord for six months prior to death and 'received much attention from his medical brethren'.²⁰⁸

On 27 April 1865 Dr Richard Jones Hobson died on his way home from an accouchement case near Buninyong.²⁰⁹ The newspapers reported the death as apoplexy but Dr Clendinning gave the cause of death as syncope from over exertion. Hobson was just eight years older than Stewart and his sudden death was a shock to the community. Just five months later the Ballarat district lost another medical man in tragic circumstances. Dr Julius Herman Louis Saenger was murdered near the Wheal Kitty Company claim on 2 October 1865 after a house call to a patient.²¹⁰ James Jones, a Welsh miner from the North Grenville Claim, shot Saenger four times with a five-chamber revolver.²¹¹ One bullet passed into the stomach and lacerated his bowels. Saenger, who was about 38 years old, was taken to a nearby house where he was attended by Doctors Richard Bangay and Thomas Furneaux Jordan. They gave him opiates as palliatives because there was no hope for his recovery. As Saenger lay dying he prepared a will and between two and three hundred of his friends visited in the eight hours before his death.²¹² The doctor was immensely popular and the community was in shock. Whilst the Ballarat district mourners sought mementoes of Saenger in the form of over 200 portraits supplied by local photographer Henry Corinaldi, a macabre reminder of Jones was exhibited at the Waxworks in Bridge Street, providing both moral influence and amusement.²¹³

Dr Henry Leman was seriously ill in early September 1866 and there had been little hope of recovery but thanks to the unflagging attention of Doctors Stewart, Nicholson, Whitcombe, Hillas and

²⁰⁷ Dr Allison left his wife Mary and six adult children: James (40), Elizabeth (38), Forbes (36), Margaret (31), Christina (29) and Mary Ann (29). BDM Victoria, Death certificate Edward Duffin Allison; *Star*, 28 October 1861, pp. 2, 3.

²⁰⁸ *Star*, 28 October 1861, p. 2.

²⁰⁹ Details of how Hobson died vary greatly in newspaper accounts. On his way home he either dismounted his horse or was walking to his buggy after feeling faint and sat on a nearby stump. He either died of apoplexy after a few minutes sitting on the stump or was conveyed to a nearby half-way house, dying soon after arrival. Hobson left his wife of five years, Ann Bailey and no children. *Ballarat Star*, 28 April 1865, p. 2; *Ballarat Star*, 29 April 1865, p. 2; *Ballarat Star*, 1 May 1865, p. 2; *Ballarat Star*, 24 May 1865, p. 1S; *Age*, 29 April 1865, p. 5; *Argus*, 29 April 1865, p. 5; *Geelong Advertiser*, 1 May 1865, p. 3; *Sydney Morning Herald*, 5 May 1865, p. 4; BDM Victoria, Death certificate Richard Jones Hobson.

²¹⁰ Dr Saenger was from Weimar in Saxony. His father was a J.P. who worked on the estates of the Duke of Saxe Weimar. Newspaper reports suggest that Saenger's father was shot dead whilst riding his horse on a public road seven or eight years before Louis' grisly murder. *Argus*, 4 October 1865, p. 5; *Ballarat Star*, 4 October 1865, pp. 2,3; *Ballarat Star*, 24 February 1866, pp. 2, 3; *Geelong Advertiser*, 4 October 1865, p. 3.

²¹¹ According to newspaper reports, Jones placed the revolver close to the doctor's left side and fired the gun, then shot him in the neck. William Harris ran to help Saenger but Jones shot Saenger two more times in the belly. Jones claimed that Saenger had killed any Protestant children that he could and assisted Catholic wives to kill their Protestant husbands. There were also rumours that Jones was jealous that Saenger had been engaged to a young woman called Dorah from the Black Swan Hotel in Scarsdale. Jones was found guilty of murder and was hanged on 19 March 1866. *Ballarat Star*, 23 February 1866, p. 4; *Ballarat Star*, 24 February 1866, p. 2

²¹² *Argus*, 4 October 1865, p. 5; PROV, VPRS 7591/P1, unit 23, item 5/518, Will of Louis Saenger.

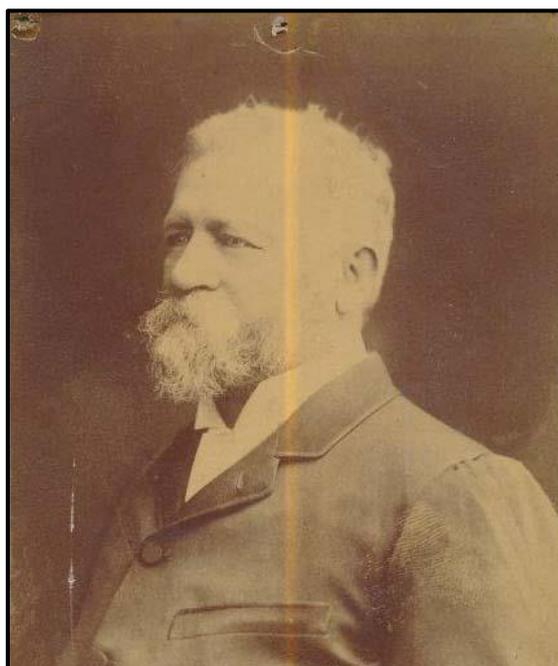
²¹³ *Ballarat Star*, 13 October 1865, p. 2; *Ballarat Star*, 23 April 1866, p. 3

Creelman his health improved.²¹⁴ Doctors Stewart and Whitcombe assiduously attended 44-year-old Dr Isaac Wallace in June 1868.²¹⁵ He suffered from heart disease and died on 21 June 1868. A very pious Scottish surgeon and physician, Wallace emigrated to Australia in 1864 to take up squatting after becoming ill. He found squatting tenure uncertain and returned to medicine in Ballarat. Wallace was only six years older than his friend Stewart.

Stewart was a constant influence in the changing face of Ballarat medicine. New doctors had arrived in the city but he had lost many of his colleagues and friends and others had left Ballarat. By 1870 Dr Kenworthy had left Australia and Doctors Leman, Sutherland, Hunt and Gibson had died.²¹⁶ Stewart was the last remaining doctor involved with Lalor's arm amputation at Eureka in 1854 and was the last of the original four honorary medical officers from when the Ballarat Hospital first opened in 1856. Stewart was very fortunate to have retained good physical and mental health and to have avoided disease and mishap when so many of his colleagues had not. Being a prosperous doctor had not been an automatic ticket to survival.



Dr Isaac Wallace, pre-1864, MHM02951
Medical History Museum, University of Melbourne



Dr Robert Fawell Hudson
Ballarat Historical Society, 276.79

²¹⁴ *Ballarat Star*, 6 September 1866, p. 2.

²¹⁵ Dr Wallace was a widower and left two orphan daughters, Margaret (11) and Elizabeth (7). His wife, Margaret Jane Barclay, had predeceased him in Perth, Scotland. Stewart and Wallace had been board members at the New North Clunes Quartz Mining Company and honorary medical officers at the Ballarat District Hospital together. *Ballarat Star*, 22 June 1868, p. 2; *Ballarat Star*, 17 July 1868, p. 2.

²¹⁶ Although Doctors Hunt and Kenworthy were removed from the Medical Board Register in May 1870 and marked as deceased, Kenworthy was still alive and practising medicine in Jacksonville, Florida in the 1880s. *Australian Medical Journal* (May 1870), p. 157; Charles J. Kenworthy, "Pulmonary Consumption, with References to the Climatology and Mortality of Florida." *Gaillard's Medical Journal* 33, (1882): 14-25; Papers of Keith Macrae Bowden, AMA Archives.

The Ballarat District Hospital



Ballarat District Hospital 1870-75

State Library of New South Wales

Stewart was elected as an honorary surgeon at the Ballarat District Hospital in January 1862.²¹⁷ It was the first time he offered himself as a candidate since his 1857 resignation after the Chalmers incident. The hospital had changed dramatically from its 1850s beginnings through its staff, committee, rules, equipment and buildings. William Pooley, who had resigned with Stewart in 1857, returned to the committee and J.H. Taylor, Stewart's brother-in-law, also became a member.²¹⁸ During the 1850s doctors at the hospital were honorary medical officers assigned weekly. In January 1860 the hospital committee decided to distinguish between physicians and surgeons in these highly coveted positions.²¹⁹ Medical officers continued to be assigned weekly and surgical officers were assigned monthly.

Stewart was more active at hospital committee meetings after his election, despite being busy with his many other commitments. He had meetings of the Western Council, joint meetings of the two municipal councils and meetings for all the mining and other companies of which he was a board and

²¹⁷ Doctors Nicholson and Hillas were elected surgical officers with Stewart and Doctors Richardson, McFarlane and Heise were elected medical officers. Doctors Kenworthy and Hobson were unsuccessful candidates. They, along with Stewart, had been the original honorary officers when the hospital first opened. *Star*, 1 February 1862, p. 1S.

²¹⁸ *Star*, 17 August 1860, p. 3; *Star*, 21 March 1862, p. 2.

²¹⁹ *Star*, 5 January 1860, p. 2.

committee member. These hospital meetings had a very different tone to those of earlier years. The doctors were receiving more respect and having more say in the running of the hospital, but there were still problems. Stewart continued to accumulate cultural capital from such public roles, it continued to put his name before readers of the city's newspapers and added to his strong reputation.

By mid-1861 the hospital had become overcrowded; there were beds made up on floors and waiting lists for admission.²²⁰ As Hyslop notes, beds in the hospital's old wards at this time provided patients with only 550 cubic feet per bed when English hospitals allowed three times as much space per bed.²²¹ Only nine women could be admitted at one time and some women died because they could not obtain hospital treatment. The old centre building of the hospital had become insecure and dangerous and a new centre building designed by Charles Cuthbert was to be erected by Messrs Francis and Buley in 1862.²²² Only cases of severe illness or accident were admitted to the hospital during the building period, all other cases were treated as out-patients.²²³ Patients who were considered not contagious or infectious stayed in the new wards of the Benevolent Asylum while the building was completed. Although improvements were being made, patients suffered from the overcrowding and disruption to services.

Francis Stewart's arm was crushed when his shirt sleeve caught in the governor cog wheels of the *Star* newspaper engine on 24 September 1862.²²⁴ The 44-year-old was attended at the hospital by Dr Whitcombe and Stewart amputated his arm. Whitcombe advised Francis to get out in the open air when his arm stump was nearly healed because 'the hospital was so over crowded that recovery was retarded by remaining in it'.²²⁵ Unfortunately Francis died after catching a chill on an outing.

At the inquest into Francis's death Dr Clendinning stressed that the overcrowding and impure air caused by the building alterations was 'positively inimical to the recovery of patients'.²²⁶ The Ballarat doctors were very aware of the need for good ventilation in the hospital and its relationship to their patients' recovery. Hyslop asserts that the death rate at the hospital steadily declined after ventilation and sanitary defects were improved and as new wards were created after 1862.²²⁷ Frustrated by their limitations, Clendinning felt that the hospital was kept over 20 years behind the knowledge and experience of the time because renovations were restricted by the other extant buildings.²²⁸ The

²²⁰ *Star*, 29 May 1861, p. 2.

²²¹ Hyslop, *Sovereign Remedies*, p. 75.

²²² *Star*, 23 May 1862, p. 2S.

²²³ *Star*, 13 September 1862, p. 4.

²²⁴ PROV, VPRS 24/P0 Inquest Deposition Files, Unit 116, File 1862/835, Francis James Stewart.

²²⁵ *Star*, 16 October 1862, p. 3.

²²⁶ *Ibid.*

²²⁷ Hyslop, *Sovereign Remedies*, p. 74.

²²⁸ *Australian Medical Journal* (October 1863), pp. 313, 314.

hospital increased its accommodation with a southern wing in April 1866 and included an ornamental facade on the Sturt Street end, all superintended by the architect Cuthbert.²²⁹

The Ballarat District Hospital had already made a distinction between physicians and surgeons in 1860 but the new medical Acts of the 1860s were also to impact on Ballarat medical practitioners including Stewart. This was part of important changes to the medical profession in the colony of Victoria during the 1860s.

Bills for the Healing Art

The Medical Practitioners Act of 1854 only allowed physicians and surgeons qualified in Great Britain or Ireland, London-qualified apothecaries and medical officers from Her Majesty's Sea or Land Service to be legally qualified in Victoria.²³⁰ Foreign qualified 'aliens' had to take an oath and prove they had studied for at least four years. An 1860 amendment extended the Act to include fellows and licentiates of the Faculty of Physicians and Surgeons of Glasgow.²³¹

The Medical Practitioners' Registration Bill went before the Victorian Legislative Council in May 1861 causing much debate in medical circles as to the value of medical qualifications.²³² Whilst some felt that it was 'a step in the right direction towards the suppression of quackery',²³³ others were concerned that invidious distinctions from cliques at the Melbourne and Lying-In Hospitals would be extended to other institutions through the Bill.²³⁴ They did not want registered medical practitioners to be limited to practising a branch of the profession. Homeopaths were some of the hardest hit by the Bill.²³⁵ One homeopath described it as 'an insidious attempt at persecution and monopoly – a trade union to keep in better employment a certain class of the medical profession, to the detriment of all those that are tainted with heresy, such as the homeopaths'.²³⁶ Some unqualified practitioners were charlatans but many were not. Competition from unqualified practitioners was reduced and the effectiveness and credibility of orthodox medicine increased, as Lewis and MacLeod contend.²³⁷

²²⁹ *Ballarat Star*, 23 April 1866, p. 3.

²³⁰ Victoria. *An Act to Extend the Provisions of the Acts Relating to Legally Qualified Medical Practitioners*. Melbourne: John Ferres, Government Printer, 1854, pp. 1, 2.

²³¹ Victoria. *An Act to Amend an Act Intituled "An Act to Extend the Provisions of the Acts Relating to Legally Qualified Medical Practitioners"*. Melbourne: John Ferres, Government Printer, 1860, p. 1.

²³² *Age*, 27 May 1861, p. 6.

²³³ *Star*, 29 March 1861, p. 1S.

²³⁴ *Age*, 27 May 1861, p. 6.

²³⁵ An attempt to get a Homoeopathic Medical Board established as part of the Medical Practitioners Registration Bill failed. Victoria. *Votes and Proceedings of The Legislative Assembly*. No. 48.11 April 1861, p. 143.

²³⁶ *Argus*, 1 April 1861, p. 7.

²³⁷ Lewis and MacLeod. "Medical Politics", p. 81.

The Bill formed the Medical Practitioners Act of 1862 which was enacted on 1 August 1862.²³⁸ Anyone not registered under the Act who used medical or surgical names or titles could be fined up to £50. No unregistered person could hold a medical appointment as physician, surgeon or medical officer in vessels leaving Victorian ports or in institutions such as hospitals, infirmaries, dispensaries, lying-in hospitals, lunatic asylums and gaols. Thus Stewart could continue practising as he had since his arrival in Australia but could not hold a position in any Ballarat institution as anything other than a surgeon or accoucheur. He required further qualifications if he wanted to hold the title of physician for the Ballarat Hospital, gaol or asylums.

The *Star* reflected a widely held view that the Act was actually to restrict medical practice 'round the privileged few, rather than exclude the really unworthy'²³⁹ and that it would not stop scandalous practices within the profession or protect the public. Much greater reform was required as it only drew a line between the qualified and unqualified.²⁴⁰ The editor of the *Australian Medical Journal* argued that there was a problem in a new country such as Australia because communities were often suddenly created and people had little opportunity to know the antecedents and character of those around them.²⁴¹ This had been a greater problem during the 1850s and was somewhat addressed by the earlier medical registration and Medico-Chirurgical societies. Some requirements of the profession took 70 years to be realised. The 1862 Medical Act did not include provisions to de-register practitioners for improper conduct or criminal acts; legislation for the former was enacted in 1908 the latter in 1933, as Lewis and MacLeod have established.²⁴² They contend that two key sources of professional power for medical men were 'special knowledge and a state-recognised monopoly over practice'.²⁴³ The Victorian medical profession was well on its way to achieving this as medical practice became more elite and professionalised.

The Medical Act of 1862 included an Anatomy Act which the *Australian Medical Journal* considered essential for the establishment of 'a complete and trustworthy Medical School'²⁴⁴ at the University of Melbourne. The Medical School opened on 3 March 1862 but the first medical degree had been

²³⁸ Victoria. *An Act to Amend the Laws Relating to the Registration of Legally Qualified Medical Practitioners*. Melbourne: John Ferres, Government Printer, 1862, p. 277.

²³⁹ *Star* 28 June 1862, p. 2.

²⁴⁰ The *AMJ* and Joseph Black, president of the *Medical Society of Victoria*, felt that the Act was far from meeting all of the requirements of the profession but did allow for better organization and drew a line between the qualified and unqualified. "The Medical Act." *Australian Medical Journal* (October, 1862): 286-288, p. 286; "The Medical Bill and the Anatomy Bill." *Australian Medical Journal* (July, 1862): 222-223, p. 222; "Medical Society of Victoria." *Australian Medical Journal* (January, 1863): 24-32, p. 28.

²⁴¹ "The Medical Act", p. 287.

²⁴² Lewis and MacLeod. "Medical Politics", p. 79.

²⁴³ Lewis and MacLeod incorporated Eliot Friedson's idea of these two key sources of professional power into their discussion on the professionalisation of medicine. Lewis and MacLeod. "Medical Politics", p. 69.

²⁴⁴ "A Medical School at Last." *Australian Medical Journal* (April, 1861): 129-133, p. 132.

conferred on Anthony Colling Brownless in 1856, six years before the School opened.²⁴⁵ It was an *ad eundem gradum* (*a.e.g.*) degree which was a degree granted when the study had been completed at another university.²⁴⁶ Stewart did not take up the option of studying at Melbourne or the *a.e.g.* degree as some of his Ballarat colleagues did, instead he returned to Ireland for further medical education and qualifications.²⁴⁷ He may have wanted qualifications that would be recognized in Great Britain and Ireland in case he returned to practise there. It was not until the late 1860s that the Melbourne degrees were recognized by some of the British medical examining boards.²⁴⁸

Donagheady-Bound

Stewart prepared for a visit to Ireland in 1863 with the sale of some personal goods including his Collard and Collard cottage piano.²⁴⁹ Dr James William King temporarily took over Stewart's medical practice and his Public Vaccinator role.²⁵⁰ King was an Irishman from Stewart's home county, Tyrone, and about seven years his senior. Apart from updating his medical qualifications, Stewart was taking his beloved Annie Frances to meet his family in Donagheady and he was to meet the rest of her family. He had far graver issues to deal with as his elderly father was in poor health.

James and Annie moved to a property in Learmonth Street, Buninyong, opposite the Crown Hotel while they prepared for their voyage.²⁵¹ James continued his civic and medical duties in Ballarat as late as 18 April 1863.²⁵² He advertised that his practice was continuing in his absence for more than

²⁴⁵ University of Melbourne. *The Melbourne University Calendar for the Year 1863-64*. Melbourne: John Ferres, Government Printer, 1864, p. 97; University of Melbourne Medical School. *University of Melbourne Medical School Jubilee, 1914*. Carlton: Ford & Son, 1914, pp. 3, 104.

²⁴⁶ Originally the *a.e.g.* was only conferred on students from universities in the British dominions but this rule was made more liberal in 1856 to include any university recognised by the university. Medical degrees from Melbourne were not recognised in the New Zealand Medical Act of 1867, much to the disgust of Victorian doctors and the *Australian Medical Journal*. "Colonial Degrees." *Australian Medical Journal* (January, 1868): 24-26, p. 24; Victoria. *Report of the Proceedings of the University of Melbourne*. Melbourne: John Ferres, Government Printer, 1857, p. 4.

²⁴⁷ Ballarat doctors who received *a.e.g.* medical degrees from Melbourne include R.F. Hudson in 1860, James Sutherland in 1863 and W.L. Richardson in 1866. University of Melbourne. *The Melbourne University Calendar*, pp. 100, 102; University of Melbourne Medical School. *University of Melbourne Medical School Jubilee*, pp. 104-5.

²⁴⁸ These British medical examining boards included the Royal College of Physicians of London, Royal College of Surgeons of England, Royal College of Surgeons of Edinburgh and King's and Queen's College of Physicians of Ireland. K.F. Russell, *The Melbourne Medical School 1862-1962*. Carlton: Melbourne University Press, 1977, p. 36.

²⁴⁹ *Star*, 7 April 1863, p. 1.

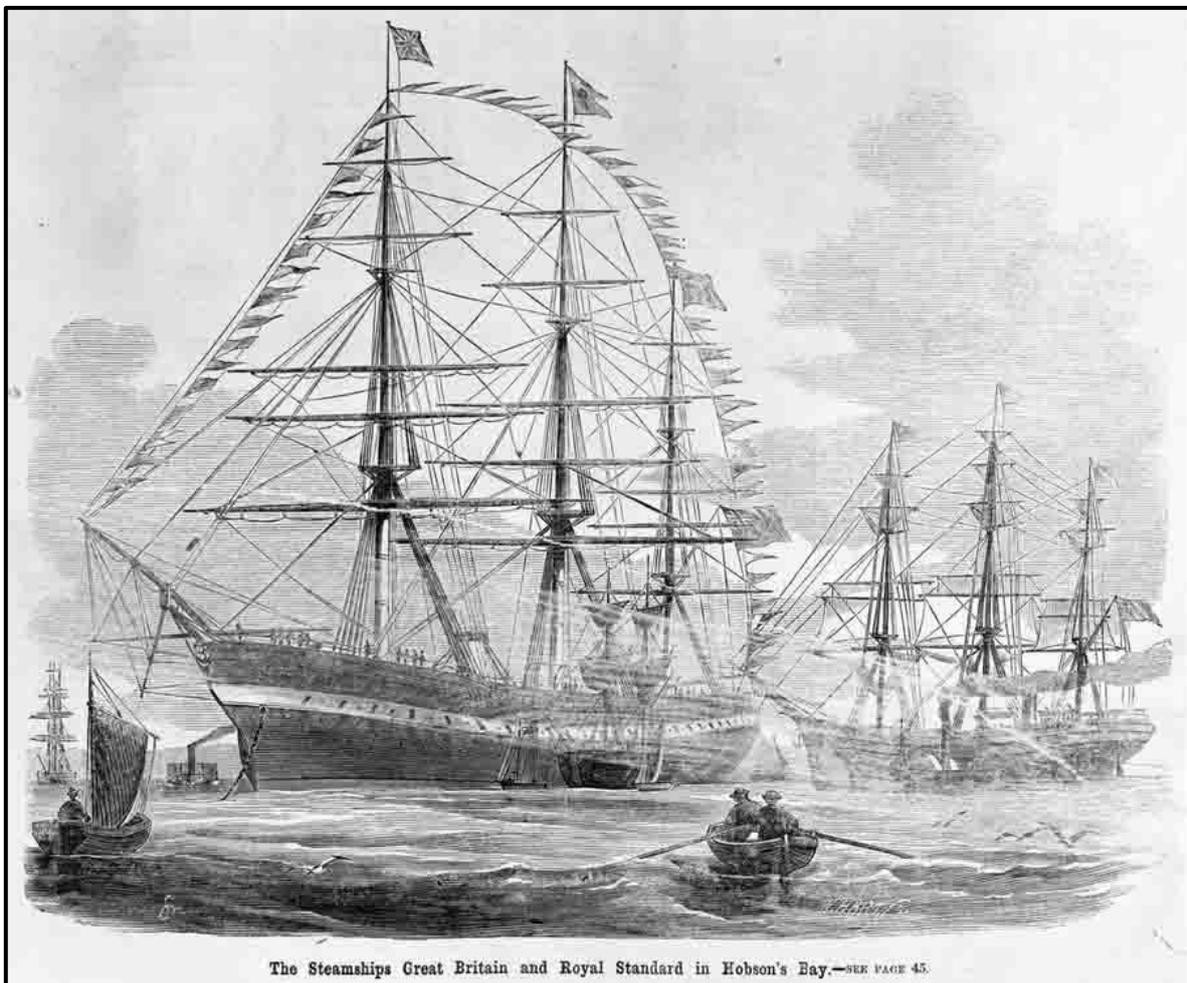
²⁵⁰ *Australian Medical Journal* (20 June 1895), p. 288; *Star*, 7 April 1863, p. 1; *Victoria Government Gazette*, 22 May 1863, p. 1125.

²⁵¹ *Star*, 9 April 1863, p. 3.

²⁵² *Star*, 20 April 1863, p. 4.

two months after he had left the country. Despite selling some of his personal goods, everything indicated that James and his wife planned to return to Ballarat.

James and Annie probably travelled to Melbourne by train via the Geelong junction and stayed with Annie's brother Thomas Hamlet Taylor and his family at St Kilda. They boarded the steamship the *Great Britain* on 1 May 1863.²⁵³ The *Great Britain* was a much more luxurious ship than any of the Stewarts or Taylors had travelled on to Australia. It was a great attraction with many people boarding it just to take a look and a band played while passengers boarded. Amongst its 600 passengers were Walter Craig (owner of Craig's Royal Hotel) and his son, Ballarat Chamber of Commerce Committee president Mr Lazarus and some miners from the Ballarat district.



The Steamships Great Britain and Royal Standard in Hobson's Bay

Illustrated Melbourne Post, 25 March 1865

State Library of Victoria

²⁵³ *Argus*, 25 April 1863, p. 4; *Star*, 2 May 1863, p. 2.



First Class Dining Saloon and Promenade Deck on the restored museum ship SS Great Britain, Bristol, UK

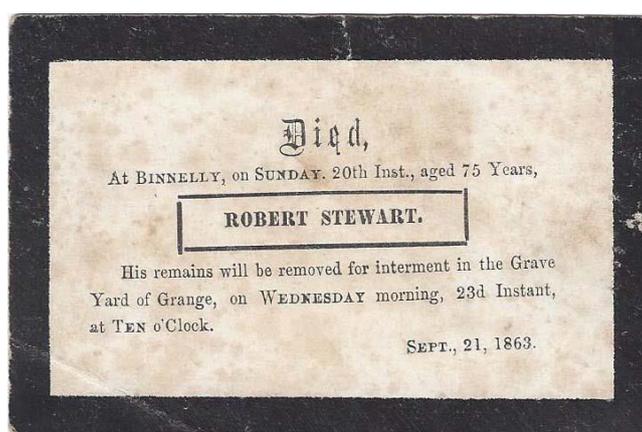
The reconstructed modern dining saloon and deck provide an indication of the spaces that James and Annie moved in during their 1863 voyage to England.

Courtesy of the SS Great Britain Trust

When James arrived back home in Donagheady his father Robert, his sister Mary Ann and her family, his sisters Jane and Martha, their neighbours (the Craigs and Alexanders) and other relatives would have gathered together to share his many tales of the early days on the goldfields. He would have told

them about the mining methods, the hot weather unknown to the Irish family members. Then there were the events of Eureka and how he removed the arm of Stockade leader and fellow Irishman Peter Lalor, the establishment of the hospital, becoming Municipal Council chairman and his investments in the gas company and mining companies. They would have been familiar with the stories from his letters but it was not the same as hearing him tell them in person. James probably brought them some gold but he also had the jewel of his Australian life with him – his wife Annie. The visit would have been a great comfort to the elderly Robert Stewart who was in decline.

James had been in Ireland for just two months when his father died at Binnelly House on 20 September 1863, aged 75.²⁵⁴ It would have meant a great deal to James to have had time with his father. Robert Stewart's body was laid to rest with James's mother in Grange graveyard in the townland of Grange Foyle, about seven miles from Binnelly.²⁵⁵ Although James was in Ireland he placed a death notice for his father in the Ballarat newspapers indicating the great importance of his father to him. Robert left the Binnelly farm to James's sisters Jane and Martha in his will. The sisters sold the farm to their neighbour Robert Craig and it remains in the hands of Craig's descendants.²⁵⁶



Funeral Card for James's father, Robert Stewart
Private Collection

On 18 April 1864 Stewart was awarded a Licence of the King and Queen's College of Physicians in Ireland (L.K.Q.C.P.I.) and in the same year was awarded a Fellowship of the College of Surgeons in Ireland (F.R.C.S.I.).²⁵⁷ To become a Fellow of the Royal College of Surgeons Stewart would have

²⁵⁴ *Star*, 17 November 1863, p. 2.

²⁵⁵ Bready and District Ulster-Scots Development Association. "Bready Ancestry." Accessed 23 August, 2015. <http://www.breadyancestry.com>.

²⁵⁶ Robert Craig and his son Robert James Craig were witnesses to Robert Stewart's will. Leslie Craig personal communication; PRONI, Will of Robert Stewart.

²⁵⁷ Subjects that Stewart had to study for the licence included anatomy, physiology, practical anatomy, chemistry, practical chemistry, materia medica and botany, medical jurisprudence, practice of medicine and pathology, surgery and midwifery. *The London & Provincial Medical Directory, Inclusive of the Medical Directory for Scotland and the Medical Directory for Ireland and General Medical Register*. London: John

been examined over two days on anatomy and physiology, pathology, therapeutics and the theory and practice of medicine and surgery.²⁵⁸ Both colleges required candidates to declare that they would not practise as apothecaries and the R.C.S.I. also required them not to practise as druggists or indirectly sell drugs or medicines. Stewart's dispensary in Ballarat may have come close to crossing this line. It might be the reason he had disposed of his dispensary to his brother-in-law in 1860.

The Return of the Physician



Great Victoria at Circular Quay in Sydney 1866
State Library of Victoria

Churchill and Sons, 1865, pp. 842, 843, 844; Private communication with Robert Mills, Librarian, Royal College of Physicians of Ireland.

²⁵⁸ Fellows had to have a pass certificate for Latin and Greek, have been studying medicine for at least four years, be over 25 and hold a Bachelor of Arts or have 'obtained a liberal preliminary education'. They had to prove that they had been acquiring professional knowledge for at least six years including three years studying in schools and hospitals recognised by the College council. Fellows had to have practical instruction in a recognised hospital as a house surgeon or dresser and write a thesis on a medical subject or clinical report with at least six cases they had taken. Alternatively, as it was ten years since Stewart had been awarded the College of Surgeons licence, he was eligible to be examined for the Fellowship by producing evidence that he had conducted himself 'honourably in the practice of their profession'. *The London & Provincial Medical Directory*, p. 845.

After a 19-month absence from the colony, James and Annie returned to Victoria on the screw steamship the *Great Victoria*. Travelling as saloon passengers, Annie and James departed from Liverpool on 10 September 1864 and arrived in Hobson's Bay 79 days later on 28 November.²⁵⁹ The voyage took longer than expected because the *Great Victoria* lost a blade from its screw propeller 11 days out from Liverpool and lost another blade 'in 4° north latitude, just where the services of steam are most required on the voyage to Australia'.²⁶⁰ The ship had to be quarantined off Queenscliff because there had been six deaths and 20 fever cases during the voyage.²⁶¹ Annie and James were fortunate to have avoided the illness.

Stewart resumed his role as Public Vaccinator three days after landing in the colony.²⁶² He temporarily used a brick building in Lyons Street as Dr King was still using his Armstrong Street premises.²⁶³ He now had the qualifications to comply with the 1862 Medical Act and in 1867, for the first time, offered himself as an honorary physician at the Ballarat District Hospital and was elected.²⁶⁴

Stewart included one of his medical qualifications in his candidate advertisements for the first time. He had not worked at the hospital for four years and there was more competition for the roles with new doctors in the district. His public profile was less prominent after retiring from the Municipal Council and his time in Ireland. He was still well known but needed to make his qualification for the position clear. Stewart was re-elected the following year with the highest number of votes.²⁶⁵ The increased competition was exemplified when all established doctors advertised together but newcomer George Sackville Cotter Butler had to advertise more extensively.²⁶⁶ It was very difficult to break into the system of which the other doctors were already part. Newly arrived Dr Francis Dennis Bullen was more adept at manoeuvring his way in. He was proposed by W.C. Smith at the annual hospital meeting held at the Mechanics' Institute on 24 January 1868 and was successfully elected.

Although Stewart was an honorary physician at the hospital he still performed surgery as he had always done, even though there were designated surgeons.²⁶⁷ This provides another indication of the

²⁵⁹ *Argus*, 12 November 1864, p. 4; *Argus*, 29 November 1864, p. 4.

²⁶⁰ *Argus*, 28 November 1864, p. 4.

²⁶¹ *Portland Guardian and Normanby General Advertiser*, 28 November 1864, p. 3.

²⁶² *Australasian*, 3 December 1864, p. 7; *Victoria Government Gazette*, 2 December 1864, p. 2703.

²⁶³ Stewart's services could be reached through Stokes the chemist during this time. *Ballarat Star*, 3 January 1865, p. 1; *Ballarat Star*, 10 January 1865, p. 3; *Ballarat Star*, 5 April 1865, p. 3.

²⁶⁴ *Ballarat Star*, 22 January 1867, p. 3; *Ballarat Star*, 28 January 1867, p. 4.

²⁶⁵ The voting results were as follows: Stewart (110), Heise (91), Bullen (88), Jakins (31), Butler (13). *Ballarat Star*, 28 January 1868, p. 3.

²⁶⁶ Stewart advertised with Dr Heise. Doctors Nicholson, Hillas and Whitcombe were seeking re-election as the honorary surgical staff and also advertised together. *Ballarat Star*, 7 January 1868, p. 3; *Ballarat Star*, 9 January 1868, p. 3.

²⁶⁷ George Budd struck John Edwards with a stirrup-iron to the forehead near the Crown Hotel in Creswick Road on 11 December 1867. Stewart and Doctors Radcliffe and Bunce operated on Edwards to remove bone

respect his colleagues had for his skills. In January 1867 Stewart offered himself as honorary medical officer to the Benevolent Asylum.²⁶⁸

The hospital was now accepting some incurable cases. The committee felt that patients suffering diseases such as cancer and phthisis were not always to be refused admittance because ‘the lives of incurables may be often prolonged by the comfort obtainable in a well-regulated institution’.²⁶⁹ Whilst some of this change in views was due to the different hospital committee, a large degree of it was due to its increase in size. In 1857 the hospital had 300 in-patients and 561 out-patients; by 1866 the hospital had 935 in-patients and 2,002 out-patients.²⁷⁰ Over the decade the yearly number of out-patients had nearly quadrupled and the in-patients more than trebled.

In early 1869 Stewart resigned from most of his public positions and company roles as he prepared for a trip to Europe.²⁷¹ The motives for this decision will be taken up in Chapter 7. He resigned as honorary physician and donated ten guineas to the hospital as a parting gesture.²⁷² Stewart chose Dr George Henry Hamilton to take over his Ballarat practice.²⁷³ Hamilton was also from County Tyrone. The Irish influence on Ballarat medicine, particularly the Ulster influence, continued with new friends and colleagues encouraged and supported by Stewart.

Reflecting the wider community trends of the settling community, Stewart had married and settled into a more rooted family life. His family remained important to him as they shared joys of a growing family and despair of losses of those dear to them in both Australia and Ireland. He successfully avoided suffering similar misfortunes to other family members who came to the colony from similar privileged beginnings. His medical work during the 1860s involved private practice and a return to honorary medical officer at the Ballarat District Hospital as surgeon then later as physician after updating his qualifications. The cases attended reflected the changing times of Ballarat and medicine in colonial Victoria. Further insight into Ballarat’s development and Stewart’s financial success will be revealed in the next chapter as his civic duty during the 1860s and his investments are examined.

fragments and small stones from his fractured skull and small pieces of stone from the brain surface. Edwards remained in a precarious state for three days but survived. *Ballarat Star*, 16 December 1867, p. 3.

²⁶⁸ *Ballarat Star*, 30 January 1867, p. 2.

²⁶⁹ *Ballarat Star*, 28 January 1867, p. 4.

²⁷⁰ *Star* 1 March 1858, p. 2; Ballarat District Hospital Annual Report for 1866 in *Ballarat Star*, 28 January 1867, p. 4.

²⁷¹ The honorary officer position was much sought after with Jakins, Butler and Henry Hayton Radcliffe offering themselves as candidates in place of Stewart. *Ballarat Star*, 28 January 1869, p. 3.

²⁷² *Ballarat Star*, 1 February 1869, p. 3.

²⁷³ Hamilton sold much of his household furniture, bedding and other household goods in an auction on 29 September 1868 at his residence in Sebastopol Road. It is unclear if he also took over Stewart’s house and goods or if the move was to the private apartments in Stewart’s shop. *Ballarat Star*, 24 September 1868; *Ballarat Star*, 9 October 1868, p. 1.

CHAPTER SIX

CONTINUED INVESTMENT IN THE BALLARAT COMMUNITY

Stewart continued to make important contributions to Ballarat life during his second decade there. He influenced the shape and tenor of the city through his civic duties, philanthropy and investments. During the 1850s many Ballarat civic institutions were created and established; by 1860 Ballarat had become a city and more public needs could be dealt with. The choices he made, the public roles he chose and the way he enacted these reflect the needs of his community and the possibilities available to liberal-minded men like Stewart. Examination of the work of the Municipal Council during Stewart's time as a councillor during the 1860s provides new insight into the development of Ballarat as its population became more settled as well as Stewart's influence on the city.

Stewart's contribution to the development of Ballarat and surrounding districts through financial investment consolidated his financial security. This chapter provides a comprehensive portrait of his investments which is by no means a complete list but demonstrates that his investment in the Ballarat area was extensive and wide-ranging. His choices offer insight into some investment opportunities available in Ballarat and Victoria during the 1850s and 1860s, the varying costs and dividends involved, the role of a capitalist in Ballarat's economic boom and the changing and particular needs of the Ballarat goldfields population through the influence of Stewart and his contemporaries. It also provides insight into the longevity of industries – some were ephemeral whilst others were to last for more than a century. The chapter concludes by considering Stewart's life and actions in terms of the influence of Anglo-Irishness and with regards to Patrick O'Farrell's claim that the Anglo-Irish were right wing conservatives.

Municipal Council

Stewart was chairman of the Ballarat Municipal Council from 18 January 1858 until 14 January 1860. After two years in the position, he declined nomination for a third term as Council chairman. William Collard Smith, who was just a few months younger than Stewart, was elected the new chairman. Smith felt that Stewart 'had set him a good example, and he would strive to follow in his footsteps'.¹ Smith was a land agent and became a long-serving member of the Legislative Assembly for Ballarat

¹ *Star*, 19 January 1860, p. 3.

West. He was described by Bate as a ‘pragmatic liberal democrat’² who was cool-headed, sincere and believed in social justice.³ Serle described him as a ‘masterly opportunist politician’ and an ‘indignant radical reformer’.⁴



William Collard Smith

Western Council Chairman (1860-61), Mayor (1874-75 and 1887-88),
M.L.A. for Ballarat West (1861-64, 1871-92 and 1894)
Reproduced with the permission of the Victorian Parliamentary Library

The chairmanship of the Anglican Smith differed from that of the previous chairmen from the beginning with his introduction of religion into his public speeches.⁵ Religion was important to the Wesleyan Oddie and the Presbyterian/Anglican Stewart and influenced their actions but it was not stressed explicitly in their council work. This reveals some of the ways in which religion was enacted in daily life in Ballarat. Stewart did not stress religion or mention God in any of his public speeches in other capacities. Secularism in the civic sphere was important to him and this may be a difference between someone who grew up in Ireland as part of a minority religious denomination which had suffered discrimination and one who grew up in England as part of the hegemonic cultural and religious group.

Stewart’s work as a councillor during the 1860s was characterised by his pragmatism, sharing the wisdom of his experience and by giving others a chance to prove themselves. He was the most experienced councillor as one of the two longest-serving members and an ex-Chairman. Thus the

² Weston Bate, "Smith, William Collard (1830–1894)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/smith-william-collard-4619/text7605>, published first in hardcopy 1976, accessed online 7 September 2015.

³ Bate, *Lucky City*, p. 137.

⁴ Serle, *The Rush to be Rich*, p. 103.

⁵ *Star*, 17 August 1860, p. 3.

achievements of the Council at this time carried the weight of his influence. The Council of the 1860s benefited from the strong foundations established by the councillors of the 1850s – their practices became more streamlined and facilitated faster results.

Stewart felt very strongly about the right place and the right way to do things. Respect, courtesy and manners were very important to him. At a Municipal Council meeting on 6 June 1860 he strongly protested against Councillor Tulloch's suggestion to request John Pascoe Fawkner M.L.C. move against the rejection of the Land Bill in the Legislative Council. Stewart stressed that 'the Council should confine itself to local politics'⁶ during Council meetings. He would state what he considered was appropriate but did not stand in the way of others. In this case he made his point and chose not to oppose Tulloch's motion. Both Stewart and W.C. Smith offered passive guidance and discussed matters as a group. They avoided clashes by not singling individuals out – traits missing from some earlier councillors.

Stewart and his fellow councillors continued to contribute to other institutions through their Council roles. In early 1859 the Council helped to establish a fire brigade for Ballarat West. The already established eastern brigade was not adequate for both municipalities. The Council contributed with equipment and inspected fire risks such as foundry furnaces, ensured that water carters attended fires and unsuccessfully sought insurance company coverage for pulling down highly combustible houses to stop the spread of fire to other buildings.⁷ As discussed in Chapter 4, Council chairmen including Stewart, Oddie and Smith were made Justices of the Peace and as such had the power to swear in special constables at fires to protect property.⁸

A provisional brigade committee of 13 members was elected in March 1859 with Stewart and his fellow councillors *ex officio* members.⁹ By August the brigade disbanded because the Council were unable to agree to their demands to pay all brigade expenses.¹⁰ The *Star* felt that the Council had been very generous with their contributions and blamed the ratepayers for the brigade disbanding.¹¹ The summer of 1859-60 saw many disasters from fire in colonial towns and in the agricultural districts of

⁶ *Star*, 7 June 1860, p. 2.

⁷ A fire spread in January 1860 because, although the fire brigade turned up, no water carters did. The Council paid for firefighting equipment such as grappling irons, ladders, buckets, an alarm bell and a fire engine that could throw a large jet of water 50 feet in the air. The brigade's two engines were the 'Yarrowee' (a small single horse drawn engine) and the 'Wendouree' (a large four horse drawn engine). *Star*, 6 January 1859, p. 2; *Star*, 23 February 1860, p. 2; *Star*, 22 March 1860, p. 2; *Star*, 31 March 1859, p. 3; Ballarat West Minutes, 23 March 1859.

⁸ *Star*, 11 April 1861, p. 2.

⁹ *Star*, 26 March 1859, p. 2.

¹⁰ *Star*, 7 July 1859, p. 3.

¹¹ *Star*, 27 September 1859, p. 2.

Ballarat and Buninyong.¹² By January 1860 the brigade had re-formed and held weekly meetings at the George Hotel.¹³ The foundation stone of the engine house was laid on 15 June 1860 by chairman W.C. Smith.¹⁴

Perhaps the greatest impetus for the permanent establishment of the fire brigade was the conflagration that destroyed the Council Chambers on 24 September 1859.¹⁵ The fire began in the premises of the wine, spirit, hay and corn merchants, the Williams Brothers. It spread to Bailey's china warehouse, then to Codlin the confectioner and to Wills the Sadler and Tarte the hay and corn merchants. Attempts to extinguish flames with buckets of water and soaked blankets failed as the buildings were wooden and their contents assisted the rapid spread of the fire. The Council Chambers soon caught ablaze but could have been saved had a western fire brigade existed as the eastern brigade arrived too late.¹⁶ The Council met at the Chamber of Commerce and Smith's building in Lydiard Street until new chambers could be built.¹⁷



Fire Brigade, Ballarat West 1861
State Library of Victoria

¹² *Star*, 2 March 1859, p. 2; *Star*, 28 January 1860, p. 4.

¹³ *Star*, 7 January 1860, p. 2.

¹⁴ *Star*, 16 August 1860, p. 3.

¹⁵ *Star*, 26 September 1859, p. 3.

¹⁶ There was a hose but it was not the property of the Council because it was a part of a litigation between the Council and A.K. Smith and could not be used. Walter Craig credited the Eastern Brigade with saving Craig's Hotel and assisting him when a mob rushed the hotel and there was no police protection. *Star*, 27 September 1859, p. 3.

¹⁷ *Star*, 27 September 1859, p. 2; Ballarat Council Minutes, 28 September 1859; Sandow, *The Town Hall Ballarat*, p.11.

In 1860 the Eastern councillors tired of what the *Star* described as Chairman Belford's obnoxious eccentricities. They deftly manoeuvred changes to the Council involving Belford's retirement and the two councils entered a new era of co-operation.¹⁸ Within months councillors attended both their own and joint council meetings for issues affecting both municipalities.¹⁹ Both councils were hesitant and untrusting at first and levels of co-operation fluctuated.

Stewart was part of a playfulness between the two councils in this new era of goodwill between them. Many of these men had a good sense of humour but it was a fine line. A deputation of Eastern ratepayers requested the assistance of the Western Council to open up Mair Street to continue it through both municipalities. Stewart thought that it was the street most in need of making and that the bridge over the Yarrowee was very necessary. The East would not co-operate but blamed the West for the lack of co-operation.

In an attempt to jolt the East into action Stewart moved for the Western Council to lend the East money for the bridge at ten per cent interest for six months.²⁰ This enraged the Eastern councillors who intimated that the West were not in a financial position to make such an offer. Charles Dyte suggested it was illegal, Henry Davies said the offer was meant as an insult because 'he knew the Western Council would rather annihilate than help Ballarat East'²¹ and William Scott and Dyte suggested that Stewart would not be caught lending his own money at the same rate. Scott was from Castlederg in County Tyrone (about 28 kilometres from where Stewart had grown up) but there was no home-county solidarity between the two northern Irishmen when it came to municipal clashes. Winter rendered the great need for the Mair Street bridge undeniable. According to the *Star*, inhabitants of the area had to navigate their way through mud and sludge holes with 'great probability of prostration in some pitfall, and certain befouling of legs and nether garments'.²² The East soon found the required money and the bridge was built.²³

In May 1861 Dyte boasted that the Eastern municipality was the most cheaply managed principal country municipality in the colony but in reality their six monthly expenditure was nearly double that of the West.²⁴ Residents of Soldiers' Hill, perhaps inspired by the escapades of the East, attempted to

¹⁸ Councillors Dyte and Young resigned from the Eastern Council. Dyte became a candidate at the ensuing election and won back his seat. This was seen as support from the ratepayers against Belford. Belford attacked Dyte after the poll, taking him by the throat and calling him a 'damned little scoundrel'. Belford 'threw up his office as chairman' then retired from the Council. *Star*, 13 February 1860, p. 3; *Star*, 16 February 1860, p. 1S.

¹⁹ *Star*, 19 May 1860, p. 2.

²⁰ *Star*, 9 May 1861, p. 1S.

²¹ *Star*, 15 May 1861, p. 1S.

²² *Star*, 29 May 1861, p. 2.

²³ About six months later part of Mair Street in East Ballarat was named in memory of the explorer William John Wills. *Star*, 11 July 1861, p. 1S; *Star*, 4 December 1861, p. 2.

²⁴ *Star*, 29 May 1861, p. 2; *Star*, 30 May 1861, p. 1S.

form a separate municipality in May 1862 but failed miserably.²⁵ They complained that the Western Council did not expend enough money on forming roads and other necessities but the municipal accounts revealed that more money had been spent there than should have been in relation to rates collected.

The Council fought hard to get a railway for Ballarat. An Act to construct a railway from Geelong to Ballarat was enacted on 24 November 1857 but the railway was not opened until over four years later.²⁶ Blainey contends that despite the early promise of railway construction in the 1850s, Australia's railway age effectively only began once the railways were built inland towards Ballarat and Bendigo.²⁷ He suggests that these country railways were the most expensive built in Australia. The Ballarat railway terminus plans included a station with a bluestone foundation, brick stuccoed walls, a slate roof and an arched corrugated iron roof with the station alone estimated to cost £25,000.²⁸

Bate asserts that prior to the opening of the railway Ballarat had natural protection allowing for diversity and self-sufficiency because of poor transport and no navigable river or railway.²⁹ Although the railway changed this, it also opened up new markets to the Ballarat industries and increased competition with goods arriving on the railway undercutting local prices, as Dingle asserts.³⁰ Bate posits that railway expansion from Ballarat in the latter quarter of the nineteenth century saved a crisis in the city's economy from reduced mining output by increasing the city's regional functions.³¹ Stewart encouraged the railway expansion with enthusiasm to assist Maryborough, Creswick, Clunes, Amherst and other localities.³²

The railway terminus in Ballarat was to be built at Soldiers' Hill but this did not stop the East and Humffray from trying to get it placed in their municipality.³³ Even arrangements for the opening of the railway were difficult and drawn out by the two councils including fights over who should chair the banquet.³⁴ Stewart avoided being brought into the argument and refused to vote on it because he

²⁵ *Star*, 23 May 1862, p. 1S.

²⁶ *An Act to Authorize the Construction of a Main Trunk Line of Railway from Melbourne to the River Murray and of a Main Trunk Line of Railway from Geelong to Ballarat*, 24 November 1857; *Star*, 15 March 1862, p. 1S.

²⁷ Geoffrey Blainey, *The Tyranny of Distance: How Distance Shaped Australia's History*. Sydney: Pan Macmillan Australia, 2010, p. 238.

²⁸ *Star*, 7 February 1862, p. 2.

²⁹ Bate, *Lucky City*, p. 122.

³⁰ Dingle, *The Victorians: Settling*, p. 156.

³¹ Bate, *Lucky City*, p. 207.

³² *Star*, 1 November 1860, p. 2.

³³ *Star*, 11 May 1860, p. 3.

³⁴ *Star*, 4 April 1862, p. 1S; *Star*, 7 April 1862, p. 1S; *Star*, 8 April 1862, p. 5; *Star*, 10 April 1862, p. 4; *Star*, 11 April 1862, p. 1S.

could see no point in it, or the bickering. His suggestion of using a neutral local chairman was not taken up.

The railway was officially opened on 10 April 1862 with celebrations in Geelong and Ballarat which did not go exactly to plan. Stewart and his fellow Ballarat councillors were meant to arrive in Geelong for breakfast with the Geelong Council and in time to receive the Governor, Sir Henry Barkly. The train left the Ballarat station late, the engine stalled at the Caledonian Bridge and had to be assisted to Warrenheip by a second engine. It stopped along the way 'to give the iron horse a drink'³⁵ and had to wait at the Geelong West Junction for another train to pass on the single line. They arrived in Geelong two and half hours late and after the Governor. The much delayed and hungry councillors managed to obtain a glass of sherry and a cigar at the Geelong station in the 20 minutes before they embarked on the return trip to Ballarat with the Governor.

Stewart, the Governor and the councillors attended a banquet with 400 to 450 guests at the Ballarat Mechanics' Institute. The hall was decorated with bannerets and streamers with mottoes, British ensigns, the royal coat of arms and 'the lately discarded federal flag of America'.³⁶ The American Civil War (1861-1865) had begun the previous year and ripples of its effects were reaching Ballarat. James Service M.L.A. thought 'that the American go-a-headism of Ballarat would be useful to stir up 'the antique dignity of Melbourne'.³⁷ Stewart, though no longer Council chairman, still played an important role in such celebrations and toasted the health of the Executive Council. Chief Secretary O'Shanassy joked that Ballarat had no more grievances left and Governor Barkly expressed his hope for the two councils uniting into one with a Lord Mayor. The problem of having two councils was clear to outsiders but it was to continue for much longer. The Governor's very sensible suggestion was not taken up until almost 60 years later in 1921.³⁸

The banquet was held while the Land Bill known as Duffy's Act was going through parliament.³⁹ Land reform was sought 'to make land rights subject to the operation of the market and replace squatterdom with the liberal ideal of equality of opportunity',⁴⁰ as Macintyre and Scalmer assert. Ireland contends that the Act achieved the opposite of its apparent intention by facilitating the acquisition of broad acres instead of facilitating the development of small block agriculture where

³⁵ *Star*, 11 April 1862, p. 1S.

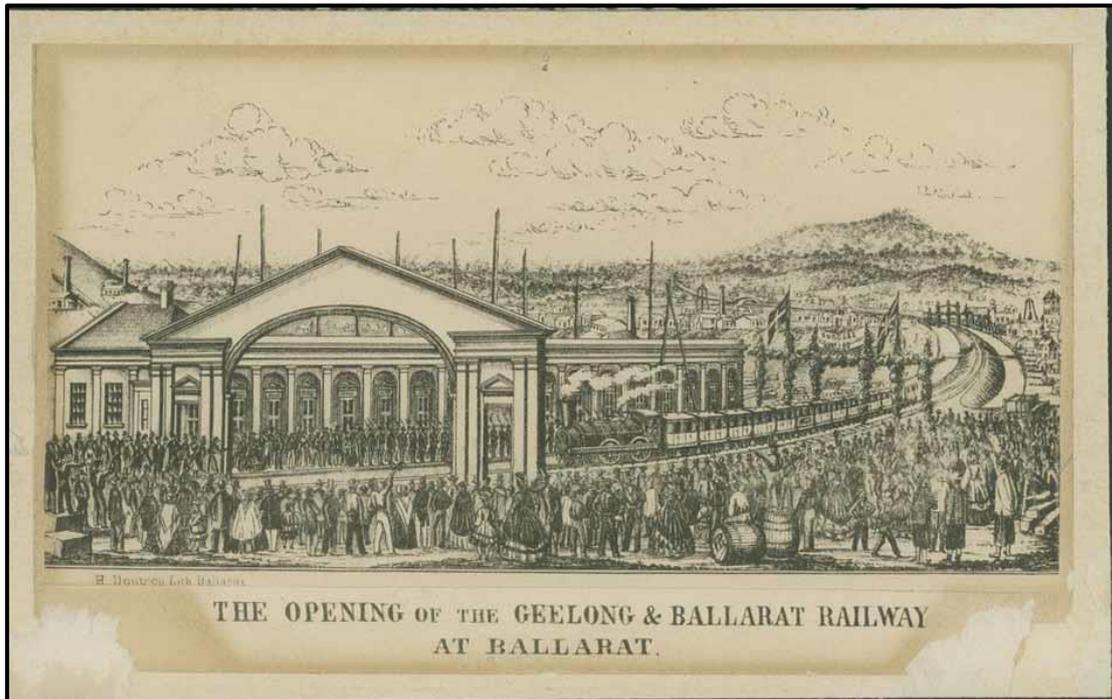
³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Argus*, 26 May 1921, p. 7.

³⁹ The Act to consolidate and amend the Laws relating to the Sale and Occupation of Crown Lands was assented to on 18 June 1862.

⁴⁰ Macintyre and Scalmer, "Colonial States and Civil Society", pp. 198-9.



THE OPENING OF THE GEELONG & BALLARAT RAILWAY
AT BALLARAT.

Opening of the Geelong and Ballarat Railway
Lithograph by Herman Deutsch
State Library of Victoria



Railway Station, Ballarat 1870-75
State Library of New South Wales

yeoman farmers owned the land.⁴¹ Annual pastoral licences were extended to 1870 and, as Parnaby notes, there was some genuine selection but the chief beneficiaries were Western District squatters.⁴² Humffray voted for a 10-year extension of squatting leases; John Cathie and Alfred Arthur O'Connor also voted for the Bill.⁴³ After the banquet the crowd outside heartily cheered Barkly but expressed their discontent with O'Shanassy, Humffray, O'Connor and Cathie. O'Shanassy was 'saluted by a lusty salvo of continuous groans', O'Connor escaped into the Unicorn Hotel, Humffray escaped into Bath's Hotel and Cathie and his wife made it to the Gaol Governor's quarters after being 'escorted along Lydiard street by about a thousand of the sovereign people hooting and groaning very vigorously'.⁴⁴ Stewart never caused such discontent.

Stewart continued to mix with colonial politicians and leaders at official functions and socially. There were two balls held after the banquet – one at the Mechanics' Institute and one at the Exchange Hotel.⁴⁵ Stewart was a member of the organising committee for the former which had about 300 people in attendance. This would have been an enjoyable end to a long and tiring day that had started off badly but unfortunately it also ended badly for Stewart. He returned home to find his house had been burgled and two gold watches worth £30 were stolen.⁴⁶

One of the many improvements the Municipal Council contributed to Ballarat was the Botanical Gardens. Plans were completed in November 1858 and the gardens were laid out the following month.⁴⁷ The Council formed a gardens management committee consisting of 'gentlemen ... conversant with the knowledge of botany'⁴⁸ and Council members including Stewart. The Council and botanical committee planted trees (including oaks and gums) along Sturt Street with seeds, plants and shrubs received from the Melbourne and Geelong botanical gardens and public donations.⁴⁹ They hoped to have created 'the nucleus of one of the most valuable institutions of the colony'.⁵⁰ As Bate notes, in 1860 little public or private planting existed and most of Ballarat looked 'as bare as a clay-

⁴¹ John Ireland, "The Victorian Land Act of 1862 Revisited." MA Thesis, University of Melbourne, 1992.

⁴² Joy E. Parnaby, "Duffy, Sir Charles Gavan (1816–1903)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/duffy-sir-charles-gavan-3450/text5265>, published first in hardcopy 1972, accessed online 11 April 2015.

⁴³ John Basson Humffray and John Cathie were M.L.A.s for East Ballarat and Alfred Arthur O'Connor was M.L.A. for Grenville. Diane Langmore, "Humffray, John Basson (1824-1891)", Australian Dictionary of Biography, Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/humffray-john-basson-3818>, published first in hardcopy 1972, accessed online 2 February 2014; *Star*, 24 March 1862, p. 2.

⁴⁴ *Star*, 11 April 1862, p. 1S.

⁴⁵ *Star*, 25 March 1862, p. 2S.

⁴⁶ *Star*, 11 April 1862, p. 2.

⁴⁷ *Star*, 4 November 1858, p. 2; *Star*, 23 December 1858, p. 2.

⁴⁸ *Star*, 18 August 1859, p. 3.

⁴⁹ *Star*, 1 December 1859, p. 2.

⁵⁰ *Star*, 18 August 1859, p. 3.

pan'.⁵¹ Only the gardens, Sturt Street, Victoria Street and the hospital grounds had been planted. He credits this beautifying of the city over the following decade to Council leadership and spurring on from the *Star*. The present-day Friends of the Ballarat Botanical Gardens acknowledge the foresight of the Ballarat councillors and benefactors who had the close relationship with the gardens.⁵²

McCracken suggests that the municipally-run Ballarat gardens belong to a group of Australian botanic gardens that were more than public parks but were not scientific gardens.⁵³ He contends that botanic gardens became integral parts of empire and epitomized the philosophy of the Enlightenment, combining scientific endeavour with aesthetic taste.⁵⁴ In Australia they were initially developed out of a desire for reminders of home and as a symbol of civilization. For Fennessy the gardens of the 1860s and 1870s were more than this – they were instruments of social control, civilising the masses and securing civil order where ‘people of all classes had opportunities for learning how to behave as a public’.⁵⁵



Lake Wendouree from the Botanic Gardens 1873
Illustrated Australian News for Home Readers, 9 September 1873
State Library of Victoria

Councillors like Stewart were giving more to the town than their time and effort; at times they even had to take personal financial risks for Council bank loans.⁵⁶ But not all councillors chose to or were able to. The Council continued to influence the aesthetics, institutions and civilizing influences of Ballarat throughout the 1860s. Irishman Charles Davenport Cuthbert’s design for a new Town Hall

⁵¹ Bate, *Lucky City*, p. 180.

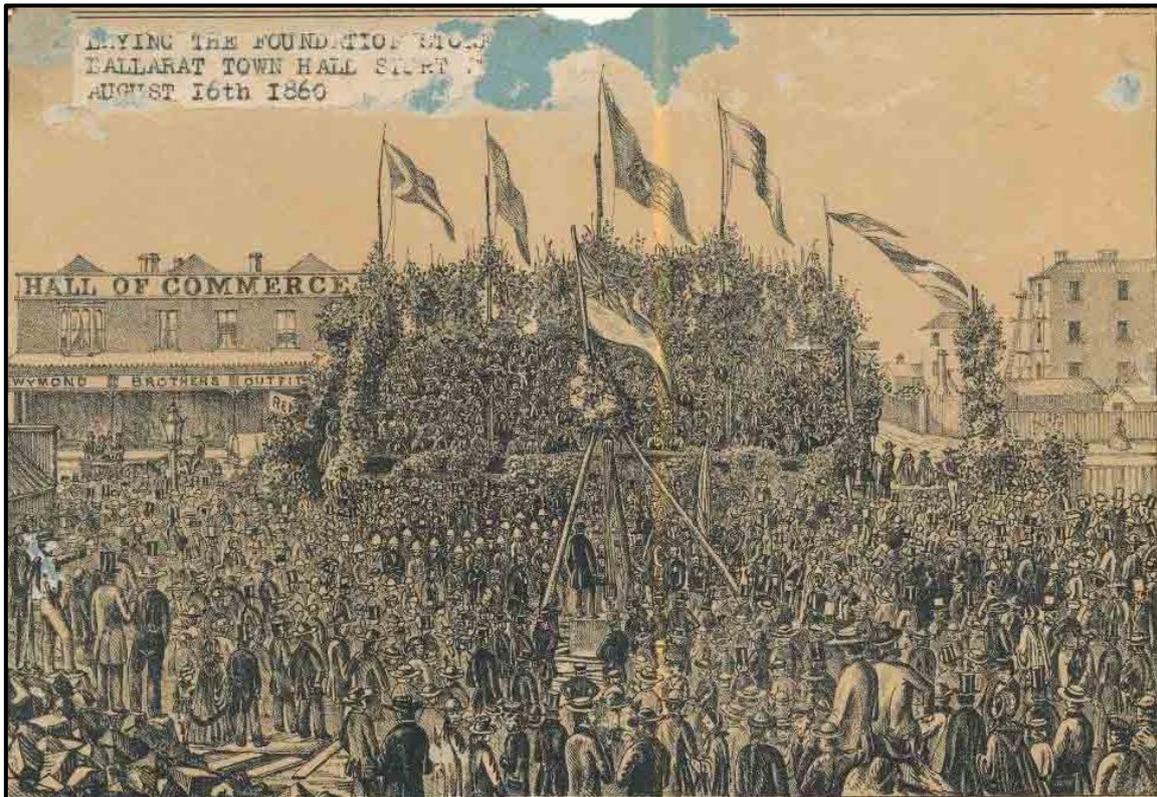
⁵² Friends of the Ballarat Botanical Gardens, *An Eden of Loveliness: Ballarat Botanical Gardens by Lake Wendouree*. Ballarat West: Friends of the Ballarat Botanical Gardens, 2012. p. 2.

⁵³ Donal P. McCracken, *Gardens of Empire: Botanical Institutions of the Victorian British Empire*. London: Leicester University Press, 1997, p. 31.

⁵⁴ McCracken, *Gardens of Empire*, pp. x, 1.

⁵⁵ Kathleen Fennessy, *A People Learning: Colonial Victorians and their Public Museums, 1860-1880*. North Melbourne: Australian Scholarly Publishing Pty Ltd, 2007, p. 167.

⁵⁶ *Star*, 15 April 1862, p. 1S.



Laying of the Foundation Stone Ballarat Town Hall, Sturt St., August 16th 1860

Lithograph by H. Deutsch

Ballarat Historical Society 373.79



Town Hall Ballarat West 1861

State Library of Victoria

and Police Court was chosen from six anonymous entries in January 1860.⁵⁷ His design included a public library upstairs, a museum downstairs and a great hall for public meetings and balls. Only his Police Court design was completed and Henry Richards Caselli won a second competition for the Town Hall in 1868.⁵⁸

The Town Hall foundation stone was laid on 16 August 1860 after a procession which included members of the western fire brigade, Caledonian Society, Oddfellows, Agricultural Society, Mining Board, Chamber of Commerce, mounted and foot police and the Municipal Council.⁵⁹ Chairman W.C. Smith justified expenditure on the building by suggesting that ‘public buildings did not help to make the laws obeyed, but the casket should be fitted for the jewel it contained’.⁶⁰ Stewart attended the celebratory dinner held at Bath’s Hotel after the ceremony. Eastern hostility continued with chairman Dyte markedly absent from the dinner and the eastern fire brigade absent from the celebrations.

The Council and Ballarat population continued to participate as members of the Empire. The Council contributed £20 to the Taranaki Relief Fund in November 1860 ‘to assist the sufferers caused by the rebellion of the Maoris in New Zealand’.⁶¹ These were the widows and orphans of soldiers from the 40th Regiment – a regiment that was involved in Eureka six years earlier. Stewart thought subscriptions should be raised and a public meeting called.⁶² His response to aiding sufferers of the war in New Zealand was markedly different to his response to the 1857 Indian Mutiny (see Chapter 4), possibly because this was closer to home both geographically and personally. Some of the Taranaki injured were taken to the Wanganui Hospital run by Dr George Henry Gibson who had worked with Stewart to amputate Peter Lalor’s arm after Eureka. These connections would have influenced the public’s decisions to contribute as would their desire to assist their fellow members of the British Empire. As with Anderson’s description of ‘nation’, empire might also be considered to be an imagined community involving a ‘deep, horizontal comradeship’.⁶³ Woollacott contends that such ‘wars of empire ... built a shared sense of investment in the expanding empire’⁶⁴ and that Australia and New Zealand ‘shared their regional location as well as their status as burgeoning British colonies’.⁶⁵ Ballarat’s small token of aid was a drop in the ocean compared to Australia’s contribution

⁵⁷ *Star*, 19 January 1860, p. 3; *Star*, 24 January 1860, p. 2; *Star*, 4 February 1860, p. 2.

⁵⁸ Sandow, *The Town Hall Ballarat*, p.18.

⁵⁹ Items placed inside the foundation stone included half-yearly reports from 1856 to July 1860, the burgesses list for 1859, the town surveyor’s report on the water supply from Fellmongers’ Creek, statistics from memorial to government, copies of *Star* and *Times*, coins of each denomination. *Star*, 17 August 1860, pp. 2, 3.

⁶⁰ *Star*, 17 August 1860, p. 3.

⁶¹ *Star*, 1 November 1860, p. 2.

⁶² *Star*, 20 September 1860, p. 1S.

⁶³ Anderson, *Imagined Communities*, p. 7.

⁶⁴ Angela Woollacott, *Settler Society in the Australian Colonies: Self-Government and Imperial Culture*. Oxford: Oxford University Press, 2015, p. 184.

⁶⁵ *Ibid.*, p. 194.

which, as Hopkins-Weise contends, played a considerable role in the 1863-66 New Zealand Wars through its geographical proximity and supplies of manpower, war materials and foodstuffs.⁶⁶

Stewart and Smith, as Council representatives, sent a letter of condolence to Queen Victoria after the death of her husband Prince Albert on 14 December 1861.⁶⁷ Smith felt that 'though the inhabitants of Ballarat were at the antipodes, ... their distance from the British dominions did not lessen the feeling which ought to actuate them'.⁶⁸

During 1860 Stewart only attended about two-thirds of Council meetings but was still re-elected in the January 1861 election along with Smith and Hassell.⁶⁹ The community appeared to be happy with the Council's work, however, Stewart's public popularity was beginning to wane. He received the lowest number of votes of the re-elected councillors and Mr O'Donnell had proposed a candidate after complaining of Stewart's absence from meetings. It was also a sign of a change in the community where some people who had lived in Ballarat during the 1850s had moved on and the more recent arrivals knew less about the extent to which people like Stewart had contributed to their community.

As a candidate in the election Stewart briefly spoke to a crowd of 150 ratepayers. He thought that 'the municipality would compare with any other in the colony, and that the expenditure of the municipal revenue had been done with a due regard to the general interest of the ratepayers'.⁷⁰ What often set Stewart apart from others (particularly candidates in earlier Council elections) is that he did not refer to his own deeds in his speech. He encouraged community achievements and discussed the deeds in terms of the body he was representing without claiming personal responsibility for its achievements. The exception to this was his medical role where he stood on his own reputation because of the nature of the profession.

Stewart became the longest serving member and the only remaining member of the first Municipal Council of 1856 after Tulloch lost his seat in the 16 January 1862 election.⁷¹ The dynamics of the Council changed with the election of Robert Lewis, Walter Craig and Gilbert Duncan.⁷² Stewart tended to support the newer councillors and guided them with extra advice.⁷³

⁶⁶ Jeff Hopkins-Weise, "Australia's Logistical and Commissariat Support in the New Zealand Wars, 1863-66." *Sabretache* 47, no. 4 (2006): 5-24, p. 24.

⁶⁷ *Star*, 25 March 1862, p. 1S.

⁶⁸ *Star*, 18 March 1862, p. 1S.

⁶⁹ *Star*, 16 August 1860, p. 3; *Star*, 21 March 1861, p. 3.

⁷⁰ *Star*, 16 January 1861, p. 2.

⁷¹ *Star*, 17 January 1862, p. 2.

⁷² *Star*, 21 January 1862, p. 1S.

⁷³ *Star*, 4 February 1862, p. 1S.

Stewart sometimes missed Council meetings because he was attending patients but for the half-year ending 16 January 1862 he had only attended 10 of the 26 meetings.⁷⁴ It was his worst attendance rate as a councillor ever and it could not all be accounted for by his medical work. ‘A Ratepayer’ wrote to the *Star* calling for Stewart to resign after missing six or seven meetings in succession and said that he was evidently not ‘the right man in the right place’.⁷⁵ He continued:

Really, this gentleman is so forgetful of our wants and the position we have placed him in, that one is apt to fancy that he performs his daily ablutions in the dark waters of Lethe. He may plead, in defence, that his numerous and pressing engagements hinder him from attending to the ailments of the body politic; but why does he encumber himself with a responsibility he cannot meet.⁷⁶

Stewart resigned from the Council ten days later on 14 July 1862.⁷⁷ His fellow councillors regretted his resignation and people approached to fill Stewart’s place declined to come forward. Many of them were Stewart’s friends, including Oddie, and their reaction indicates that the public (and his friends particularly) were not celebrating his resignation. The letter to the *Star* is unlikely to be the reason that Stewart resigned but it might have helped along a decision that he was already making.

Publicly it appeared that Stewart had overextended himself with all his public and personal roles in different companies, the Council, the hospital and his medical practice, but privately he had been suffering great loss. He was mourning the loss of his nephew and more recently his niece. As discussed in Chapter 5, both children died from highly contagious diseases and there would have been great fear for the safety of his siblings’ other children, especially his sister’s newborn baby. It was a very distressing time for Stewart and his family and heartbreaking for the doctor unable to save his sister’s young children. Stewart’s father’s failing health would also have been on his mind. He would have been torn between staying in Ballarat and returning to Ireland to be by his ailing father’s side.

The Council presented Stewart with a framed address congratulating him on his ‘manly and upright manner’.⁷⁸ They regarded his advice valuable for the advancement of Ballarat. Chairman Robert

⁷⁴ *Star*, 11 March 1862, p. 2; *Star*, 20 May 1862, p. 3.

⁷⁵ *Star*, 3 July 1862, p. 1.

⁷⁶ The Lethe was the river of unmindfulness and one of the five rivers of Hades. *Star*, 3 July 1862, p. 1.

⁷⁷ *Star*, 15 July 1862, p. 2.

⁷⁸ The Council’s address to Stewart:

‘To JAS. STEWART, ESQ., M.D., J.P.

SIR,-We, the undersigned, Chairman and Members of the Municipal Council of Ballarat, take this opportunity of expressing our sincere regret at your resigning your seat as a Member of the Municipal Council of this district.

Your having from the establishment of this local institution, upwards of six years, during two of which you held the office of Chairman, devoted so much of your valuable time in promoting the interest and prosperity of this important town, has not only gained the well merited regard of

Lewis said that words failed to express his feelings on the occasion. Stewart accepted the testimonial saying that:

it afforded him very great pleasure to receive their handsome testimonial. He could bear testimony to the very efficient manner in which he had at all times been assisted, as both chairman and councillor in promoting the good of the district. When there were so many independent citizens in the district he thought that it was not too much of them to expect to see them devoting a few years of their time to the good of the town and district. He thanked them cordially for the present evidence of their good wishes, and should at all times remember the courtesy that had been shown him in the council.⁷⁹

Stewart left the Council in a very different manner to which he began, particularly the éclat of the start to his chairmanship. Under traumatic circumstances he did it his way and his final Council speech concentrated on the kindness and contributions of others rather than personal achievements. He had set out to promote the good of the district with his fellow councillors and encouraged others to act similarly. It was a very sad time in his life and a turning point where, although he continued in other areas of civic duty, his focus shifted towards more private contributions.

Philanthropy

Stewart was a ready donor to local institutions including the Ballarat District Hospital, the Ballarat Benevolent Asylum, the Orphan Asylum, the Mechanics' Institute, the Agricultural Society and the Ballarat West Fire Brigade. His usual donation was two guineas (more in special cases and less for institutions of entertainment). He would donate as part of a group, such as the Council or a mining company, as well as substantially in a private capacity. The ways in which he enacted his benevolence and philanthropy were many: through monetary subscriptions and donations, donations of goods, as an instigator and contributor to many institutions from their inception, by providing his time and

every citizen of this district, but more particularly the esteem of the Members of this Municipal Council, with whom you have been associated, for the manly and upright manner in which you have discharged the office of Chairman and of Member of this Council.

Trusting at no distant period you may find leisure to assist with your counsel the future advancement of the town of Ballarat,
We have the honor to subscribe ourselves.

Sir,
Your most obedient servants,
(Signed by the Chairman and Members of the Council)

Star, 5 August 1862, p. 4.

⁷⁹ *Star*, 9 September 1862, p. 4.

services gratuitously and through encouraging others in leading by example. He also provided for his community outside of these institutions by providing medical care gratuitously to people who could not afford it, as did many of the early Ballarat doctors.

Many Ballarat men shared membership of numerous groups like Stewart and this has been stressed by Beggs-Sunter, Hazelwood and Wickham.⁸⁰ For example, Stewart's fellow councillors Caselli, Oddie, Lewis and W.C. Smith were also involved with the hospital and Benevolent Asylum and Caselli, Oddie and Lewis were involved with the Orphan Asylum. Ballarat's charities benefited from these networks of influential men and the men benefited from the social capital accumulated through membership of the networks. Stewart shared similar connections with fellow philanthropists through Freemasonry and with fellow parishioners of his church, as discussed in Chapter 4.

Mansfield attributes the motivations of those Ballarat residents involved in multiple local committees to a blend of 'personal wealth, civic pride and the pursuit of English cultural values'.⁸¹ These values were wider than English, encompassing Irish and Scottish values as part of Britain and the colonial versions of these. These men came together with different experiences, religious denominations, ethnic backgrounds and motivations – some shared, some vastly different – but they all sought to make their community better through civic duty and in response to human need. Stewart's Presbyterian background in rural Ireland and in Dublin would have influenced his view of the world, as did witnessing community needs through his medical and municipal council work in Ballarat. His views on philanthropy were also shaped by his experiences of Eureka and the vicissitudes of other individual and collective experiences on the goldfields.

The Municipal Council contributed to the needs of their community with funds for the formation and development of numerous Ballarat institutions. It donated £200 to the building fund of the Ballarat Benevolent Asylum in January 1859 which was matched by a similar donation from the Eastern Council.⁸² The Ballarat Benevolent and Visiting Association was formed at a public meeting at the Council Chambers on 30 November 1857 to 'alleviate the wide spread want and destitution which required the intervention of the hand of benevolence'.⁸³ It was prompted by the suicide of George Wright four days earlier.⁸⁴ Funds were raised for Wright's wife but she soon required relief from the Benevolent Association. Henry Foster, the Inspector of Police and a trustee for her money, withheld

⁸⁰ Beggs-Sunter, "James Oddie (1824-1911) "; Hazelwood, "A Public Want and a Public Duty", p. 199; Wickham, "Beyond the Wall", pp. 39, 40.

⁸¹ Mansfield, "Public Libraries in Ballarat", p. 67.

⁸² *Star*, 13 January 1859, p. 2.

⁸³ *Star*, 1 December 1857, p. 2.

⁸⁴ Wright had difficulty finding permanent employment and making enough money to maintain his wife and child. He was instantly decapitated when he placed his neck between the spur and pinion wheels of the Homeward Bound claim's engine. *Star*, 27 November 1857, p. 2.

the funds because he considered Mrs Wright's conduct was 'of an "improper" character'⁸⁵ after her husband's death. Benevolence was not always altruistic and could be imbued with social values and control but this conditional withholding of funds was not publicly supported. In an indication that Foster's behaviour was not the norm for other Ballarat civic leaders, the *Star* noted that in no circumstances would a woman and child starve 'because some people are peculiar in their notions of propriety'.⁸⁶

Stewart and the municipal councillors joined in the laying of the Benevolent Asylum foundation stone with Masonic honours on 17 March 1859 following a procession.⁸⁷ The object of the Asylum was 'to relieve the aged, infirm, disabled, and destitute, and to minister to their necessities, according to the ability of the institute'.⁸⁸ Hirst suggests that benevolent asylums and societies were the major source of outdoor relief in some states until they were superseded during the 1930s Depression when numbers of those in need became too large for them to handle.⁸⁹

Christian values and appearances were important for the success of the Asylum. Kinloch asserts that the Asylum was an altruistic non-sectarian institution developed from an organised poor relief model used by the industrial classes in England.⁹⁰ Whilst Bate contends that non-conformists were prominent on the Asylum's committee as part of their Christian duty to look after their neighbours, he considers it 'the most important and effective of Ballarat's charities, in which goldfields mateship was allied to traditional charity'.⁹¹ Orphans and neglected children in the Asylum received education which, according to Moore, 'promoted socially desirable attitudes and values'.⁹² Appearances also contributed to public feelings about the worth of the institution. Withers described it as a palace with well-kept grounds that 'the English poor, we may suppose, have never dreamt of in their wildest flights of fancy'.⁹³

By the 1860s the Benevolent Asylum suffered from some of the hospital's earlier problems with a committee that sometimes undervalued medical staff. In 1862 non-resident medical officer Dr Bunce was dismissed without reason after complaining that the master of the asylum interfered with his duties, did not follow prescriptions and called in other doctors for consultations on simple medical

⁸⁵ *Star*, 25 March 1858, p. 2.

⁸⁶ *Ibid.*

⁸⁷ *Star*, 3 March 1859, p. 2.

⁸⁸ Rules of the Ballarat Benevolent Asylum. Queen Elizabeth Centre, Ballarat.

⁸⁹ Hirst, *Sense & Nonsense*, p. 137.

⁹⁰ Kinloch, "Ballarat and its Benevolent Asylum", p. ii.

⁹¹ Bate, *Lucky City*, p. 176.

⁹² Moore, *The Other Rebellion*, p. 48.

⁹³ Withers, *The History of Ballarat*, 1887, p. 260.



Charity Never Faileth
Benevolent Asylum Foundation Stone in 2014
Nicola Cousen



Benevolent Asylum, Ballarat
First Annual Report 1859, QEC

matters.⁹⁴ The honorary medical officers of the asylum (Doctors Nicholson, Richardson, Kenworthy, Heise, Holthouse and Macfarlane) all resigned in support of Bunce.

Instead of dealing with the problem that was not going to go away, the committee called a meeting of subscribers to elect five new honorary medical officers in place of those resigned but the meeting had to be adjourned after much argument, confusion and personal attacks.⁹⁵ The committee eventually announced that it had lost confidence in Bunce for neglecting to call consultations with the honorary medical officers and for admitting other cases without properly isolating the patients.⁹⁶ Dr Clendinning believed that a medical man would be called an ass if he called on honorary staff in cases of diphtheria as the correct treatment was so well known. Dr Hobson agreed with him. ‘Anti-Humbog’ summed up the issue in a letter to the *Star*: ‘an honorable profession has been treated with contempt by a body of men who, being tradesmen of Ballarat mostly, have in addition to their usual callings come forth as oracles and authorities upon pregnancy, syphilis, and cutaneous diseases’.⁹⁷

Stewart became an honorary medical officer at the Asylum in January 1867.⁹⁸ In his first week working at the Asylum there were 110 males, 12 females and 63 children in the Asylum and 184 adults and 277 children received outdoor assistance.⁹⁹ By 1867 the asylum had accommodation for 274 inmates, a hospital ward and dormitory had been added and they were considering building a lazar-house for Chinese lepers. As Wickham points out, it was acting as several institutions combined – a benevolent asylum, lying-in hospital and chronic hospital.¹⁰⁰ Stewart resigned as honorary medical officer at the Asylum in January 1868. His limited time working at this institution might have been influenced by the committee issues and their similarity to the hospital committee issues of the 1850s. He donated ten guineas as a parting gesture and became a life governor of the Asylum.¹⁰¹

The Orphan Asylum in Victoria Street began with the impetus of the Oddfellows and Foresters and a fundraising garden party held on Boxing Day 1864.¹⁰² The foundation stone of the Asylum was laid on 8 December 1865 by the Chief Secretary of Victoria, James McCulloch.¹⁰³ The building was

⁹⁴ *Star*, 25 November 1862, p. 1S.

⁹⁵ *Star*, 26 November 1862, p. 2.

⁹⁶ *Star*, 3 December 1862, pp. 2-3.

⁹⁷ *Star*, 8 December 1862, p. 3.

⁹⁸ *Ballarat Star*, 30 January 1867, p. 2.

⁹⁹ *Ballarat Star*, 11 February 1867, p. 3.

¹⁰⁰ Wickham, "Beyond the Wall", p. 53.

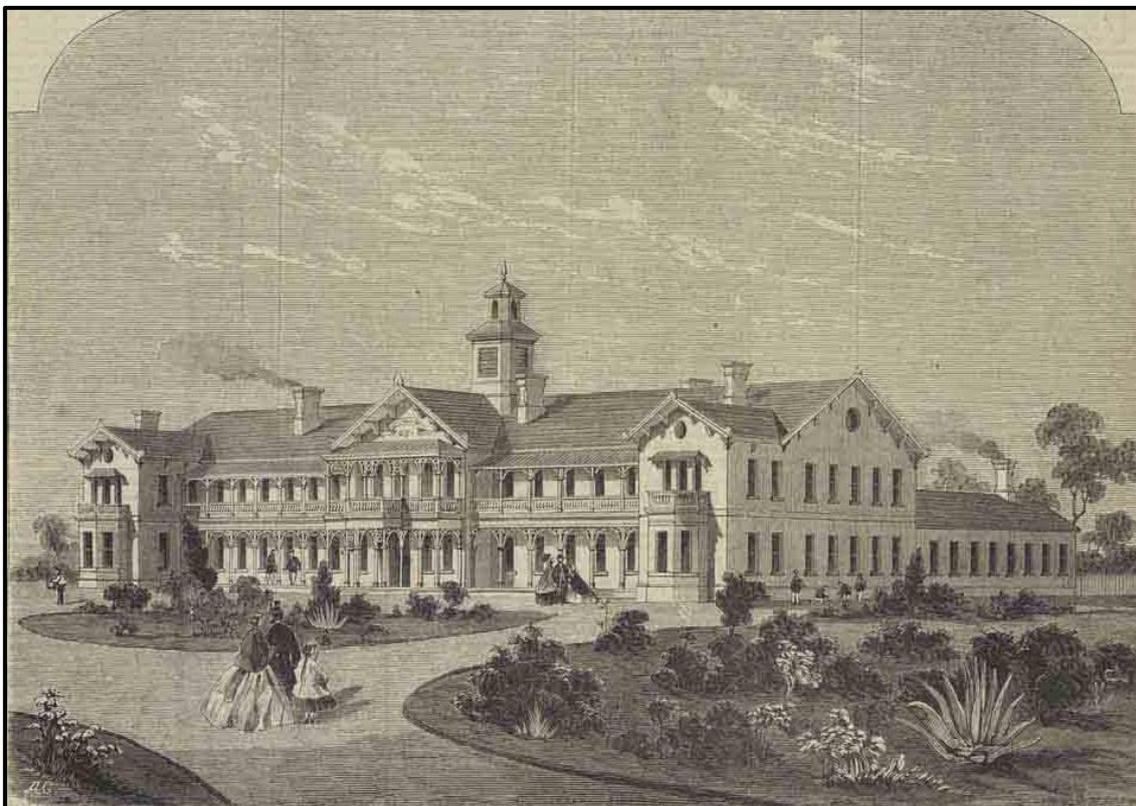
¹⁰¹ Life governors were donors who donated £10 or more, people who raised more than £20 in one year, any member of a society that had paid £20 and the first named executor of a will with a bequest of £20 or more. *Ballarat Star*, 30 January 1869, p. 4; *Ballarat Star*, 1 February 1869, p. 3; *The Thirteenth Annual Report of the Committee of Management of the Ballarat District Benevolent Asylum and Lying-In Hospital*, 1871. Queen Elizabeth Centre, Ballarat.

¹⁰² *Ballarat Star*, 7 July 1866, p. 2.

¹⁰³ *Ballarat Star*, 23 April 1866, p. 3.

designed by H.R. Caselli and provided accommodation for 150 children which was enlarged in 1886 to house 300 children.¹⁰⁴

Stewart was one of 100 men who subscribed two guineas to organise a ball in aid of the Orphan Asylum in June 1866 and again for a ball on 17 September 1868.¹⁰⁵ In earlier times Stewart would have been involved in the establishment of such an institution and a trustee, committee member or steward at the ball but it is a marked change that he held none of these roles. He was still contributing financially but more privately. He also donated goods to the Asylum including four of his camellia plants.¹⁰⁶ Stewart left money to both the Benevolent Orphan Asylum and the original Orphan Asylum in his will.¹⁰⁷



Orphan Asylum, Ballarat

The Australian News for Home Readers, 19 May 1866
State Library of Victoria

Leading by Example

In all aspects of public life and philanthropy Stewart led by example. At Council meetings it was often Stewart who moved a vote of thanks to other councillors for their efforts and introduced new

¹⁰⁴ Withers, *The History of Ballarat*, 1887, p. 262.

¹⁰⁵ *Ballarat Star*, 6 June 1866, p. 3; *Ballarat Star*, 28 August 1868, p. 3.

¹⁰⁶ *Ballarat Star*, 17 August 1868, p. 3.

¹⁰⁷ Final Account of the Estate of James Stewart, Esq., M.D.

members formally.¹⁰⁸ He was passionate about his work but never lost his temper publicly. He wanted to be chosen for roles based on the merit of his actions and never acted as if he were owed or deserved public positions. He wanted to know what people wanted when decisions were being made that affected them. This egalitarian and democratic stance was very important to him. He was happy to share the power of his public positions, his knowledge and experience and to provide people with the tools they required to achieve what they needed.

Stewart provided some influence on public roles through publicly supporting those who he thought would serve the community best. In April 1857 he spoke at some length to the Council about recommending the appointment of Chairman Oddie to the Government as Assistant Commissioner of Crown Lands within the district of Ballarat.¹⁰⁹ Whilst this might have been the best thing for the community and Council, as Stewart considered it to be, it is also an example of how the councillors and civic leaders could use their roles and power to help each other to more prestigious positions.

Stewart chaired a meeting of nearly 600 electors in the South-Western Province at the Western Council Chambers to hear candidate George Selth Coppin's statement of political views in the lead up to the 1858 Legislative Council election.¹¹⁰ Stewart guided the meeting by pointing out that Coppin's opponent Mr Cowie had never spoken before the people of Ballarat. He protected Coppin's right to privacy when the latter was asked his religious denomination. Stewart attempted to keep political discussions secular but allowed the people involved to make the choice for themselves.

Robert Richard Torrens, a Trinity-educated law reformer from County Cork, delivered a lecture about property laws at the Montezuma Theatre on 2 April 1860.¹¹¹ Torrens felt that the law was defective because land was bought assuming the deed of conveyance was correct but often it was not – 'one broken link in the chain would be fatal to the whole'.¹¹² He believed that land ownership should be independent of the previous owner and this was the principle of Coppin's land title law reform Bill. Stewart proposed a vote of thanks for him and wished Coppin's Bill a speedy passage through parliament, giving his personal approval and guiding the crowd. Torrens had met with strong opposition in South Australia but he was hopeful that the Victorian bar and bench would assist them because Justice Barry and Chief Justice William Stawell supported the Bill. Here Stewart was associating with Anglo-Irishmen influencing Victoria at different levels of society: Torrens, Barry and

¹⁰⁸ *Star*, 15 March 1860, pp. 2-3.

¹⁰⁹ *Star*, 9 April 1857, p. 2.

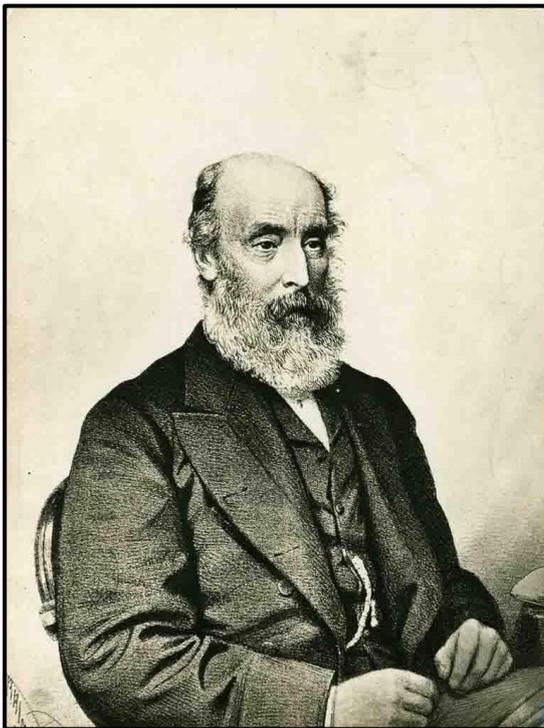
¹¹⁰ *Star*, 1 October 1858, p. 3.

¹¹¹ *Star*, 3 April 1860, p. 3; Douglas J. Whalan, "Torrens, Sir Robert Richard (1814–1884)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/torrens-sir-robert-richard-4739/text7869>, published first in hardcopy 1976, accessed online 13 May 2016.

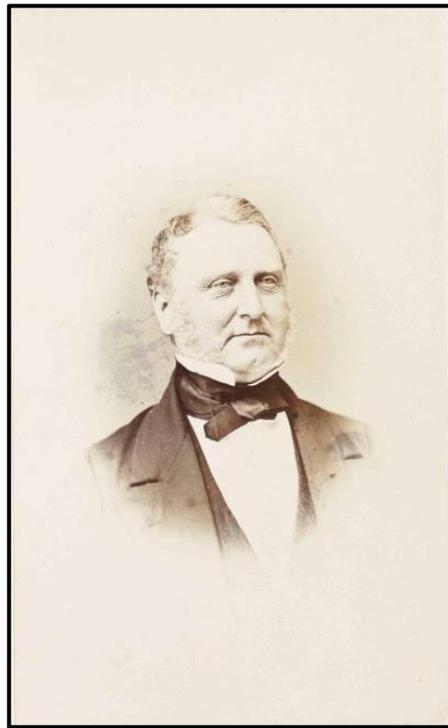
¹¹² *Star*, 3 April 1860, p. 2.

Stawell were all Trinity-educated Irish. The Torrens system was eventually introduced through the 1862 Real Property Act.

Stewart guided discussion at a meeting for Duncan Gillies and W.C. Smith, returning representatives of Ballarat West in the Legislative Assembly, at Bath's Hotel on 27 June 1861.¹¹³ He showed his friend Smith support during the meeting whilst adding his own influence to the crowd through questions that he already knew Smith's stance on. Both M.L.A.s were re-elected.¹¹⁴ Stewart's influence in Ballarat also carried over into his investments.



Sir Robert Richard Torrens
State Library of South Australia – B 8411



Justice Redmond Barry
*Reproduced with the permission of the
Victorian Parliamentary Library*

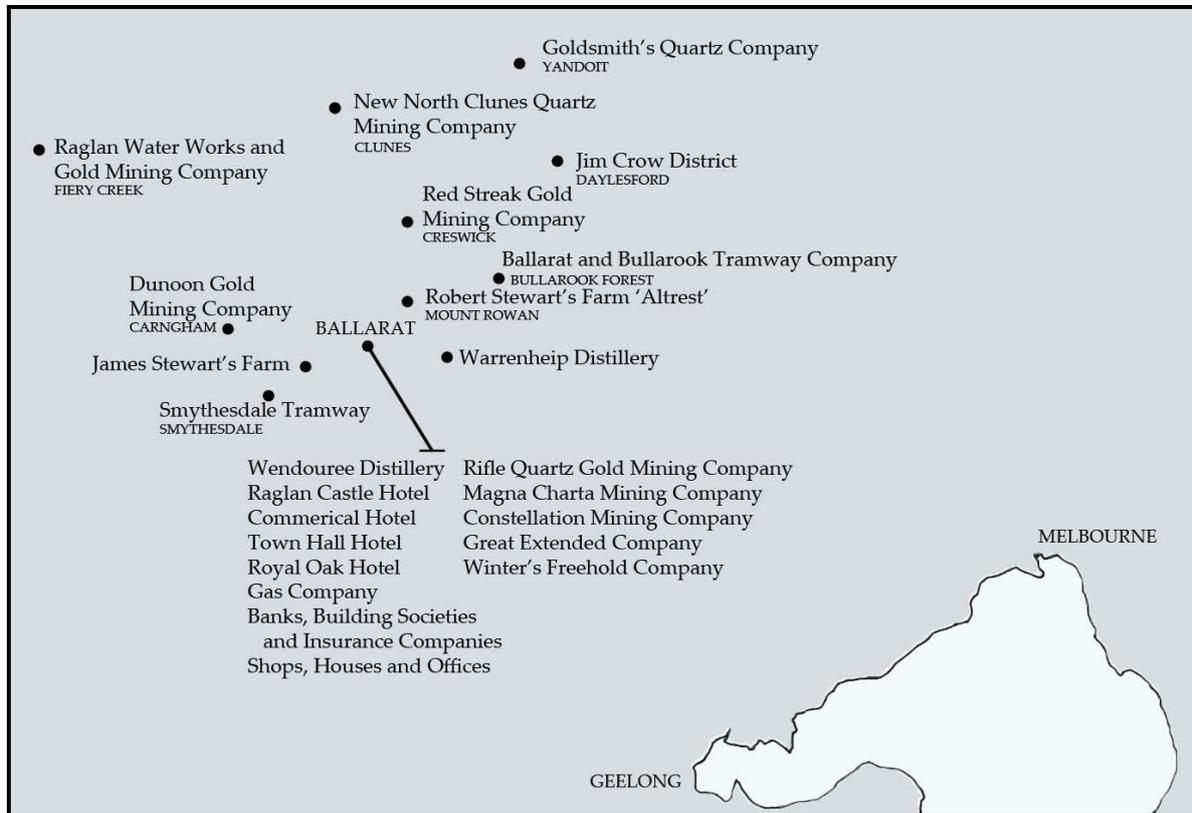
A Colonial Capitalist

It is unknown whether Stewart arrived in the colony with capital from his family or whether his initial income was solely derived from his profession. He developed a very reliable income from his busy medical practice and dispensary in Armstrong Street but such work was not a guarantee of financial success. Nor were his fortunate beginnings of status, class and networks of kith and kin, as has been demonstrated in the previous chapter. Such advantages had to be maintained and built on. He invested

¹¹³ *Star*, 28 June 1861, p. 2.

¹¹⁴ *Star*, 10 September 1861.

in property, farming, companies, banks and mining ventures. He was involved in many enterprises at their inception and continued his influence, often as a director or committee member.



Locations of some of James Stewart's investments

Money Lending

Whether or not Stewart arrived in Australia in a comfortable financial position, it is clear that he created a steady income soon after arriving at Ballarat. By mid-1855, George Dunmore Lang, manager of the Bank of New South Wales at Ballarat, considered Stewart, aged just 25, to be one of his two best customers.¹¹⁵ Some of Stewart's earliest investments involved money lending. Money lending could be risky and Stewart was not afraid to stand up for his rights, even if it meant taking a matter to court. He took his solicitor Adam Loftus Lynn to court for not using due diligence to protect his interest in November 1855.¹¹⁶ The case involved some of Victoria's top legal men. It was heard before Justice Redmond Barry and Stewart was represented by Attorney-General Mr Wright and Mr Rainey. Solicitor-General Archibald Michie and Thomas Howard Fellowes acted for Lynn. It was

¹¹⁵ According to Lang, Stewart preferred to use the Bank of Australasia rather than the Bank of New South Wales because the office of the latter was always full and the wait there was always too long. *Sydney Morning Herald*, 5 June 1855, p. 5.

¹¹⁶ *Argus*, 13 November 1855, p. 5.

something of an 'Irish affair' with Stewart from County Tyrone, Lynn from County Wexford and Barry from County Cork.

Stewart loaned £500 to Mr Morgan, proprietor of the Sir Charles Hotham Hotel, against real estate which Morgan had represented as unencumbered and his own. Lynn inspected the title, drew up the mortgage deed and loaned Morgan the money on Stewart's behalf. A further £200 was loaned against the bill of sale on the hotel buildings and furniture. This was found to be worthless because the real estate of the first mortgage had been conveyed to trustees for Morgan's wife in their marriage settlement and the building and furniture had already been assigned to someone else months earlier as security for similar advances. Stewart won the case and was awarded damages of £700 with £70 interest.

The case would have been damaging to Lynn's reputation and pocket – £770 was no small amount in 1855. If there was bad feeling between the two men they soon put it behind them as they were to work together in several capacities in the ensuing years.¹¹⁷ Stewart would have continued to lend money and the Stewart name appears in many court cases to retrieve monies loaned but it is impossible to know how many of these were this James Stewart.

Stewart had tried to ensure the continued functioning of the Union Bank by providing a £500 fidelity bond on behalf of Mr Kennelly, a bank clerk in the Ballarat branch. Kennelly was acting as an agent at Smythesdale when he was imprisoned for embezzlement from the bank. The Union Bank general manager sought to recover the bond from Stewart. Stewart appeared in the Circuit Court on 17 February 1865 before Justice Williams in the widely reported case.¹¹⁸ He was represented by Richard Davies Ireland, QC and Butler Cole Aspinall instructed by Mr Mitchell of Randall, Mitchell and Doward. Ireland was a leading criminal lawyer who had defended the Eureka defendants in 1855 and Cole had acted as junior counsel to some of the defendants.¹¹⁹ Stewart felt that he was not responsible for the amount, especially since the bank had recovered most of it, and that 'it had been obtained by

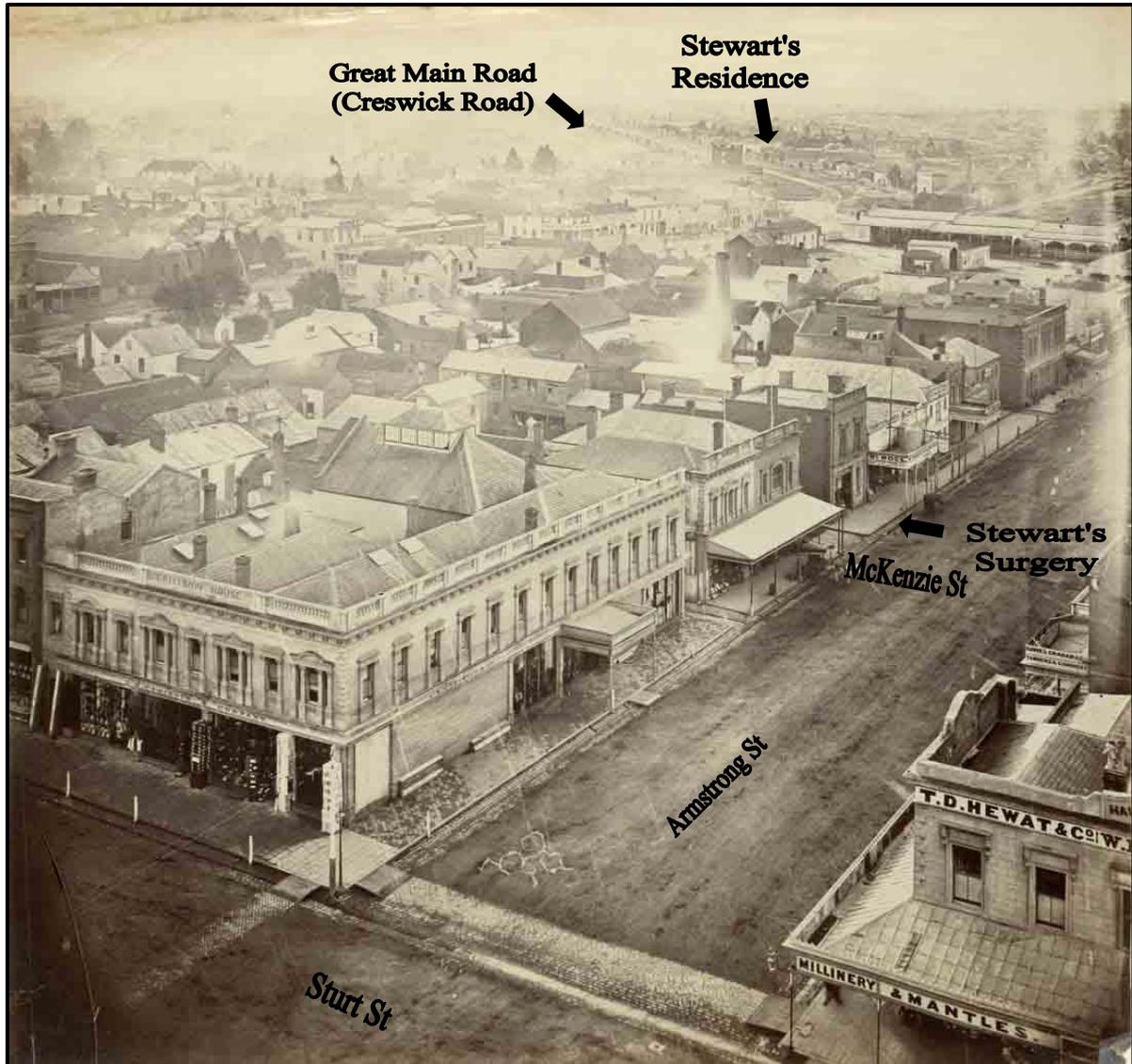
¹¹⁷ For example, both men were involved with Christ Church in Lydiard Street. Lynn became the municipal council solicitor when Stewart was a councillor. Lynn was on the hospital committee when Stewart was an honorary surgeon and both were trustees of the Ballarat Savings' Bank.

¹¹⁸ *Argus*, 20 February 1865, p. 5; *Ballarat Star*, 18 February 1865, p. 2; *Cornwall Chronicle*, 1 March 1865, p. 2; *Gippsland Times*, 25 February 1865, p. 5; *Launceston Examiner*, 28 February 1865, p. 2.

¹¹⁹ Janice Burns Woods, "Ireland, Richard Davies (1815–1877)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/ireland-richard-davies-3837/text6093>, published first in hardcopy 1972, accessed online 22 August 2015; Joanne Richardson, 'Aspinall, Butler Cole (1830–1875)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/aspinall-butler-cole-2905/text4173>, published first in hardcopy 1969, accessed online 22 August 2015.

fraud¹²⁰ but Justice Williams ordered him to pay the full amount. Stewart was well connected, having his choice of legal representation, but it was not to benefit him in this case.

Real Estate



Armstrong Street North from Sturt Street c.1870-75
State Library of New South Wales

Stewart invested heavily in real estate with properties including his house, medical rooms, shops, hotels and land. When he moved from Bakery Hill into the township in 1855 he lived and worked in Armstrong Street where he had a house, wooden medical surgery and stables.¹²¹ According to Withers, quarryman James Francis claimed that the door sill of Stewart's house at this site was the

¹²⁰ *Ballarat Star*, 18 February 1865, p. 2.

¹²¹ PROV, VPRS 7261/P1, Unit 1, Borough of Ballarat Rate Book 1863; PROV, VPRS 7260/P1, Unit 1, Borough of Ballarat Rate Assessment Book 1864.

first piece of tooled bluestone used for such a purpose in Ballarat.¹²² It was incorporated into the door sill of the shop when Stewart erected new premises in 1865. By 1857 he had purchased a wooden cottage and land previously owned by Robert Le Poer Trench on the corner of the Great Main Road (Creswick Road) and Holmes Street. This became his permanent residence in Ballarat and by 1863 he had added brick stables and a loft to the property.¹²³

Stewart's medical buildings in Armstrong Street included a medical hall that he leased to chemists and druggists, including his brother-in-law John Proctor.¹²⁴ In 1856 he purchased the Registrar's Office from William Pooley who thereafter leased the office from Stewart. In 1865 he employed Charles Cuthbert as his architect to build new stables, two shops and new property comprising a shop, surgery and private apartments in Armstrong Street.¹²⁵ The latter was a 46 feet high two storey building, its base and lower storey had bluestone dressings and the second storey was brick with stone dressings and a parapet.¹²⁶ New properties were added to his real estate portfolio and he owned some Armstrong Street property until his death.¹²⁷

Stewart was the landlord for many Ballarat people. By 1856 he owned two houses in Armstrong Street, one of which he leased to William O'Cock from 1857. By 1857 he owned a vacant lot in Dawson Street East, leased a building and land in Drummond Street East to William Whittlesea and leased a boarding house in Armstrong Street West to Arnold Duncombe (and later to William Dixon).¹²⁸ Boarding houses were numerous in Ballarat, as Bate has established, and varied between sleazy and very respectable.¹²⁹ In 1858 C. Lorenzen leased Stewart's brick cottage on the west side of the Great Main Road. By 1863 Stewart's properties included a brick cottage with wooden school rooms in Creswick Street that were occupied by John Victor and a brick cottage occupied by Mrs Davis Williams.¹³⁰ Victor, a Trinity College graduate, was principal of the Ballarat Collegiate School in Dana Street which moved to Holmes Street in 1869 and was renamed Grenville College.¹³¹ The following year Mrs Mill was leasing a brick house from Stewart in Creswick Street.¹³² At his death,

¹²² The bluestone came from a quarry at the west end of Eyre Street and cost £5. W.B. Withers, "Ballarat Chronicles and Pictures" in *Ballarat Star*, 9 July 1888, p. 4.

¹²³ Borough of Ballaarat Rate Book 1863; Borough of Ballaarat Rate Assessment Book 1864.

¹²⁴ Ballaarat Rate Book 1863; *Geelong Advertiser and Intelligencer*, 25 September 1855, p. 3; *Star*, 3 January 1860, p. 3.

¹²⁵ *Ballarat Star*, 16 August 1865, p. 3; *Ballarat Star*, 1 September 1865, p. 3; *Ballarat Star*, 25 September 1865, p. 3.

¹²⁶ *Ballarat Star*, 23 April 1866, p. 3.

¹²⁷ A right of way in Ballarat was in Stewart's name until 1976 when the Ballarat Municipal Council sold it and distributed the funds to descendants of his nieces in Australia. Letter to Helen Isabel Cousen, 24 September 1976. Robyn Cobb Personal Collection; PROV, Will and Probate James Stewart.

¹²⁸ Duncombe's name alternatively appears as James Duncombe Arnold.

¹²⁹ Bate, *Lucky City*, p. 46.

¹³⁰ Borough of Ballaarat Rate Book 1863.

¹³¹ *Ballarat Star*, 22 December 1869, p. 1; *Star*, 19 October 1860, p. 3.

¹³² Borough of Ballaarat Rate Assessment Book 1864.

Stewart held mortgages for J. Dimond (£2,300) and Dr Emil Gutheil (£2,000) and was receiving rent from 11 properties including the Phoenix Foundry Co. Ltd.¹³³

A variety of businesses benefited from Stewart's property investments and might not have existed if the capital-poor owners had to find the money to purchase land and build shops themselves. His Armstrong Street holdings in the 1860s included Robert William Holmes's law office, James Gray's saddlery shop, George Smith's seed shop, Carter and Maloney's brick stables (later leased by James Bull) and a wooden shop and outhouses leased by John Stokes.¹³⁴ In Doveton Street he owned Joseph Loney's Shoe Shop and another shop occupied by Loney, in Mair Street he owned James Riordan's shoe shop, George Wright's watchmaker shop, confectioner Richard Chapple's wooden shop and a Francis Brophy's wooden shop. In 1863 he owned Robert Moody's wooden shop in Doveton Street. He also owned offices in Lydiard Street which were converted to two storeys by May 1869.¹³⁵ The building was called Furnival Chambers and is the present-day Ansonia on Lydiard hotel.



Gray's saddlery shop 1861 (from 'Armstrong Street Ballarat') and recreated at Sovereign Hill
State Library of Victoria



Sovereign Hill Museums Association



Ansonia on Lydiard (formerly Furnival Chambers)
Nicola Cousen

¹³³ The other ten renters were R. J. Gribble, T.R. Jones, F.A. Tuthill, A.G. Troup, A.M. Acheson, J.A. Chisholm, E. Verrey, R.J. Miller, S. Spielvogel, W.E. Gribble. Will and Probate of James Stewart.

¹³⁴ Borough of Ballarat Rate Book 1863; Borough of Ballarat Rate Assessment Book 1864.

¹³⁵ *Ballarat Star*, 4 May 1869, p. 2; *Ballarat Star*, 23 June 1869, p. 2.

Hotels formed a large part of Stewart's real estate portfolio. He purchased the Raglan Castle Hotel (most likely at an auction on 1 September 1855) and leased it to Joseph Tait, Sam Williams and Alex Paul in 1856.¹³⁶ Situated at the corner of Armstrong and Mair Streets, the Raglan Castle was a small hotel compared to some others in the town. It was rated at just £450 compared with Bath's Hotel (£2,505) and the George Hotel (£2,000).¹³⁷ The hotel contained a large coffee room, two parlours for bar trade, six rooms for private trade, a kitchen, out-offices and stabling.¹³⁸

By 1861 Stewart had purchased the wooden Commercial Hotel in Armstrong Street (lessee Arnold Duncombe), the Town Hall Hotel in Armstrong Street (lessee William R. Watson), the wooden Royal Oak Hotel on the corner of Doveton and Mair Streets (lessee Robert Moody, then William Boyd in 1863) and a wooden hotel in Mair Street (lessee Mrs Brown).¹³⁹ The Royal Oak was later renamed the Royal Highlander. In the early hours of 15 December 1885 the very dilapidated (and heavily insured) wooden hotel was suspiciously burnt down after its lessee, P. McCormack, was notified that his licence would not be renewed unless he rebuilt the premises.¹⁴⁰ The hotel was rebuilt and for some years was named after Stewart's friend, Peter Lalor, but closed in January 2015.¹⁴¹



Royal Highlander Hotel in 1901
(originally the Royal Oak, later
the Peter Lalor Hotel)
Ballaarat and District in 1901



**Panorama of Ballarat taken from the
Town Hall Clocktower 1870-75**
(Armstrong Street between Sturt and Dana Streets)
The Town Hall Hotel at bottom right
State Library of New South Wales

¹³⁶ The terms of sale at the auction were one third cash, one third paid at six months and the final third paid at 12 months plus bank interest. *Age*, 28 August 1855, p. 8.

¹³⁷ Valuator's Report to Council, 15 March 1856, PROV, VPRS 2500/P0, Unit 1, Ballaarat Municipal District General Correspondence.

¹³⁸ *Age*, 28 August 1855, p. 8.

¹³⁹ Borough of Ballaarat Rate Book 1863; Borough of Ballaarat Rate Assessment Book 1864.

¹⁴⁰ The building and furniture had been insured for between £600 and £850 with the Victoria Insurance Company. *Age*, 17 December 1855, p. 6; *Argus*, 16 December 1885, p. 5; *Bendigo Advertiser*, 15 December 1885, p. 3; *Sydney Morning Herald*, 16 December 1885, p. 12.

¹⁴¹ *Courier*, 3 January 2015.

Bate contends that in the early years of Ballarat there was high demand for hotel facilities for meetings, entertainment and accommodation for ‘commercial men and well-to-do visitors’¹⁴² because no hotel licences were granted outside of the township. Bath’s Hotel was built in May 1853 and other hotels soon followed with 22 hotels in Ballarat by mid-1854 after hotels were allowed to be built on crown lands.¹⁴³ The hotels on the diggings, unlike in the west, had concert halls, theatres, rifle galleries, bowling alleys and Chinese restaurants attached to them, as Bate has established.¹⁴⁴ This was not to last and, as Beggs-Sunter points out, ‘many of the famous hotels and theatres of the fifties fell into decay, or moved to the booming west of Ballarat’.¹⁴⁵

Banks and Building Societies

Three years after his arrival in the colony the 25-year-old Stewart was involved in establishing banks for the people of Ballarat. He was unanimously appointed to a committee of nine to procure support for and promote the formation of a Commercial and Agricultural Bank at a meeting at Bath’s Hotel on 5 February 1856. It was designed to help the merchants, storekeepers and ‘struggling but rising farmers’.¹⁴⁶ They wanted a ‘free and liberal monetary system’¹⁴⁷ without the banks’ monopoly impeding advancement of an agricultural society that needed to be protected and fostered. Stewart supported a resolution that there would be no reliance on foreign capitalists as the colony was competent to manage and regulate its own monetary affairs because of its own internal wealth and resources. They felt that trade was taking twice the capital it should and a local bank based on the Scottish principle would help to remedy this. As Prentis asserts, Australian banking was predominantly shaped by the Scottish model and ‘that a disproportionate number – not a majority, of course – of bankers, actuaries and accountants were Presbyterian (or, largely of Scottish background)’.¹⁴⁸ Stewart’s Scots-Irish heritage as an Ulster Presbyterian places him in this category.¹⁴⁹

Banks in the colony provided a good investment because, as Buckley and Wheelright suggest, Anglo-Australian banking institutions could lend in Australia with returns of 8 to 10 per cent when deposits

¹⁴² Bate, *Lucky City*, p. 37.

¹⁴³ There were 4 hotels in the township and 18 on the diggings. Bate, *Lucky City*, p. 45.

¹⁴⁴ *Ibid.*, p. 101.

¹⁴⁵ Beggs-Sunter, "James Oddie (1824-1911)", p. 74.

¹⁴⁶ *Geelong Advertiser and Intelligencer*, 9 February 1856, p. 2.

¹⁴⁷ *Ibid.*, p. 3.

¹⁴⁸ Malcolm Prentis, "The Scots in Australia." *The Sydney Papers* (Winter, 2008): 164-173, p. 168.

¹⁴⁹ See Nicola Cousen, "Dr James Stewart: Ulster Man of the Scottish Diaspora." In *Scots Under the Southern Cross*, edited by Fred Cahir, Anne Beggs-Sunter and Alison Inglis, 97-107. Ballarat: Ballarat Heritage Services, 2015.

in Britain only offered interest of 3 per cent per annum.¹⁵⁰ Stewart was elected a trustee of the Ballarat Savings' Bank along with 19 other men at a meeting at the George Hotel on 5 July 1856.¹⁵¹ These were leading men in Ballarat and included wardens, clerics, Legislative Council members, a lawyer, police magistrate and the Chinese protector. The bank's actuary for many years was Stewart's friend, colleague and tenant William Pooley. Trustees such as Stewart had the power to 'meet special and very urgent cases'¹⁵² if customers wished to make large withdrawals.

There were four savings' banks in the colony in July 1854 and by September 1864 there were 11.¹⁵³ In 1857 the Ballarat Savings' Bank had just 65 depositors which more than doubled the following year to 140.¹⁵⁴ The number of depositors grew dramatically over the next decade and by 1868 there were 2,220 depositors. According to Withers, £2,075,023 7s 5d was paid into the bank in its first 30 years, £100,048 7s 1d was paid in interest to depositors and 40,000 accounts had been opened.¹⁵⁵

By September 1856 Stewart was also a local director of the Bank of Victoria, along with fellow municipal councillor James Oddie.¹⁵⁶ The bank was established in 1852 and had agencies in London, Victoria and other Australian colonies.¹⁵⁷ Stewart and Oddie's influence on bank decisions must not have been great since they were both municipal councillors and local directors of the bank when the bank declined to lend the Council £5,000 in 1858.¹⁵⁸

Bank buildings of the 1850s were what Bate describes as 'the most gimcrack of banks',¹⁵⁹ situated virtually in a swamp during winter and slow to become permanent buildings. Withers described the

¹⁵⁰ Ken Buckley and Ted Wheelwright. *No Paradise for Workers: Capitalism and the Common People in Australia 1788-1914*. Melbourne: Oxford University Press Australia, 1988, p. 100.

¹⁵¹ The original list of trustees in *Argus* in July 1856 consisted of 19 trustees but this list had changed two months later and the *Government Gazette* and the *Star* listed just 15 trustees, mostly from the original group. The *Government Gazette* and *Star* lists: John Basson Humffray, Peter Lalor, Charles Wale Sherard, William Turner, Henry Foster, William Henry Foster, Rev. John Baird, Rev. John Potter, Rev. Theophilus Taylor, John Cogdon, James Daly, Michael Elliott, Richard Ocock, James Oddie and Dr James Stewart. The *Argus* list added Rev. Smyth, Warden Smith, Green, Muir, Tulloch and Moor but did not include Ocock. *Argus*, 11 July 1856, p. 5; *Star*, 6 September 1856, p. 2; *Victoria Government Gazette*, 2 September 1856, p. 1465.

¹⁵² Commissioners of Savings' Banks in the Colony of Victoria. *Rules and Regulations of the Savings' Bank at Ballarat*. Melbourne: 1859, p. 6.

¹⁵³ The first four Savings' banks in Victoria were in Melbourne, Geelong, Portland and Belfast. Savings' banks were established later at Castlemaine, Sandhurst, Ballarat, Maryborough, Warrnambool, Kyneton and Hamilton. Victoria. *Savings' Banks: Statements and Returns*. Melbourne: John Ferres, Government Printer, 1864, p. 33.

¹⁵⁴ In 1858 there were just 6 depositors with a balance over £200 but by 1868 that number had increased to 46 depositors. Victoria. *Savings' Banks: Statements and Returns*. Melbourne: John Ferres, Government Printer, 1858, p. 20.

¹⁵⁵ Withers, *The History of Ballarat*, p. 302.

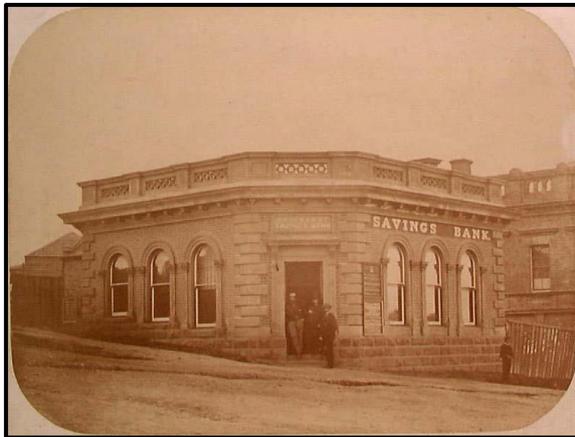
¹⁵⁶ *Star*, 13 September 1856, p. 3.

¹⁵⁷ There were agencies in Sydney, Hobart Town and Adelaide and branches in Melbourne, Geelong, Belfast (Port Fairy), Sandhurst, Castlemaine, Avoca, Maryborough, Raglan (Fiery Creek), Warrnambool, Port Albert and Beechworth (Ovens).

¹⁵⁸ *Star*, 7 January 1858, p. 3.

¹⁵⁹ Bate, *Lucky City*. p. 46.

Bank of Victoria at the time of Eureka as an ‘iron pot’¹⁶⁰ (a wooden framed building that was lined and covered with galvanised iron). The iron pot was abandoned for a stone building in Lydiard Street after a robbery in October 1854. By 1887 nearly all the banks were in Lydiard Street between Dana and Mair Streets and were elegant and expensive Italianate buildings.¹⁶¹

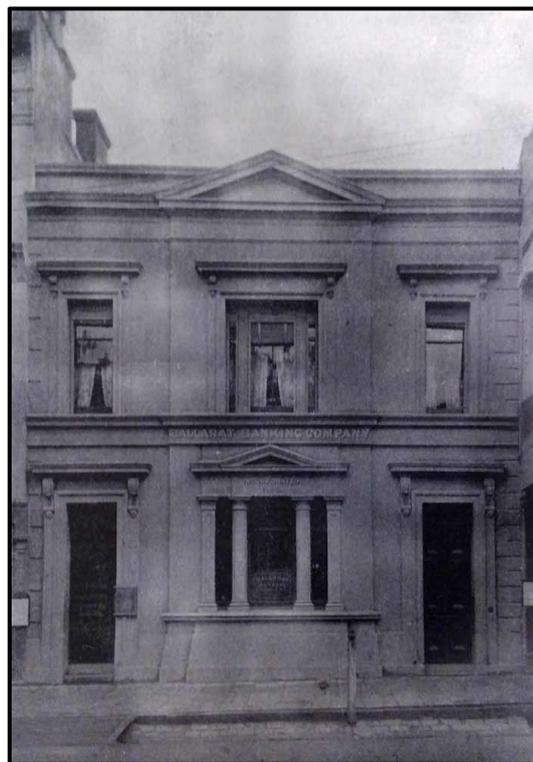


Ballarat Savings Bank, Sturt Street 1861



Bank of Victoria, Lydiard Street 1861

State Library of Victoria



Ballarat Banking Company, Lydiard Street

Ballarat and District in 1901

¹⁶⁰ Withers, *The History of Ballarat*, p. 121.

¹⁶¹ Other banks in Ballarat during the 1850s included the Oriental Bank, the Bank of Australasia, the Bank of New South Wales, the Union Bank and the Colonial Bank. *Star*, 27 December 1856, p. 2; *Star*, 15 January 1857, p. 3; *Star*, 2 April 1857, p. 2; *Star*, 12 November 1857, p. 2; *Star*, 7 January 1858, p. 3; Withers, *The History of Ballarat*, p. 302.

Stewart was a shareholder in the Ballarat Banking Company by 1866. The company began in 1865 near the Golden Fleece Hotel in Lydiard Street then moved into the premises of the Oriental Bank Corporation by February 1867.¹⁶² Stewart received a reasonable return on his shares with a 10 per cent half-yearly dividend declared in December 1866 and 12.5 per cent the following year.¹⁶³ Bank chairman, R.B. Gibbs, felt that the bank had met the varied local mining, agricultural and commercial industry requirements. These were the goals Stewart and his colleagues had set out to achieve a decade earlier in their attempt to establish the first local bank. Stewart continued to own shares in the bank, holding 800 shares worth over £5,242 at his death.¹⁶⁴

By April 1857 Stewart was a committee member for the Ballarat Benefit Building and Investment Society along with many of his Council colleagues.¹⁶⁵ Stewart was also a committee member of the Ballarat Permanent Building and Investment Society in 1867 and 1868.¹⁶⁶ It was formed in April 1866 by committee members of the earlier Ballarat and Suburban Building, Investment, and Loan Society.¹⁶⁷ By 1868 the society had 183 members.¹⁶⁸ Stewart most likely advised his family members to invest in the society as his sister Catherine held 100 shares valued at £500 at her death in 1893.¹⁶⁹

Insurance

Stewart provided local support to several insurance companies by acting as Ballarat agency director. He and James Moore were the two Ballarat agency directors of the Times Fire Assurance Company of London in October 1857.¹⁷⁰ As a local director, Stewart could accept risks without having to refer to Melbourne. The company advertised liberal fire rates and compensation for fatal mining accidents – a miner's family would receive £500 after paying £2 10s per annum for the insurance if the miner was involved in a fatal accident. There was certainly a need for such insurance with the large number of mining accidents on the goldfields, if miners could afford insurance in the first place. As McCalman

¹⁶² *Ballarat Star*, 9 March 1865, p. 3; Withers, *The History of Ballarat*, pp. 284, 302.

¹⁶³ *Ballarat Star*, 2 February 1867, p. 2; *Ballarat Star*, 8 February 1868, p. 2.

¹⁶⁴ PROV, VPRS 28/P2, Unit 778, Will and Probate of James Stewart.

¹⁶⁵ *Star*, 27 April 1857, p. 3.

¹⁶⁶ *Ballarat Star*, 26 June 1868, p. 2.

¹⁶⁷ The society's objective was 'to secure a safe and profitable means of investing money, without inconvenience or risk to investors', 'to enable its members to purchase or improve freehold or leasehold property, and build thereon, on easy and advantageous terms' and 'to grant loans on the security of the shares and scrip issued by the society, or on mortgage for the several terms of years stated in the rules'. *Ballarat Star*, 6 April 1866, p. 3.

¹⁶⁸ Victoria. Registrar-General's Office. *Statistics of the Colony of Victoria for the Year 1868, Part II Accumulation*. Melbourne: John Ferres, Government Printer, 1869, p. 27.

¹⁶⁹ PROV VPRS 28/P2, Will and Probate of Catherine Proctor, Unit 322; Will and Probate of James Stewart.

¹⁷⁰ *Star*, 31 August 1857, p. 3; *Star*, 29 October 1857, p. 3.

asserts, the health and well-being of children without a money-earning father or grandfather was particularly at risk.¹⁷¹

By February 1858 Stewart had also become a local agency director of the Melbourne Fire Insurance Company which had been established the previous year.¹⁷² In 1858 the company tendered for the Municipal Council insurance at a time when Stewart was both a local director of the company and Municipal Council chairman.¹⁷³ The Council did not show favour to the business as the Victoria Fire Assurance Company tender was chosen. It was through actions such as this that Stewart and his fellow councillors showed their fairness and integrity. Stewart's impartiality and integrity were important factors contributing to his popularity and trust in the numerous public and commercial positions he held. Had he been corrupt, his power would have affected judicial, municipal, commercial, medical, mining and investment areas – no part of Ballarat would have been unaffected. In 1861 Stewart disposed of his shares in the company and publicly announced that he was no longer associated with them in the Government Gazette.¹⁷⁴ He was not going to allow companies he no longer supported to use his name and social position to gain public trust.

Stewart presided over a meeting to form the Ballarat Fire and Life, Deposit, Loan and Guarantee Society at Bath's Hotel on 13 August 1859.¹⁷⁵ The company was renamed the Ballarat Insurance, Guarantee and Savings' Company later that month and Stewart became a provisional committee member.¹⁷⁶ They provided insurance for farmers out of concern that agricultural districts had previously been excluded from insuring their buildings, stockyards, implements and machinery. This was very important to Stewart and affected him and his brother Robert personally. He was a provisional committee member for the Ballarat Fire Insurance Company in March 1868.¹⁷⁷ The company's capital was divided into small shares to give people of the district a chance to share profits and recoup the amounts they paid as premiums. He was one of 25 local provisional committee members for the National Insurance Company of Australasia (Limited) in May 1868.¹⁷⁸ The company claimed that they were seeking to resolve the problem that although there were many insurance companies, charges were excessive and excellent risks were declined. Many wooden buildings in

¹⁷¹ McCalman, "Silent Witnesses", p. 27.

¹⁷² The company began as the Melbourne Fire and Marine Insurance Company but soon after dropped the 'Marine' from its name. *Star*, 18 August 1857, p. 3; *Argus*, 18 February 1858, p. 3.

¹⁷³ *Star*, 17 June 1858, p. 2.

¹⁷⁴ A year later the company was dissolved at shareholders' meetings held in late 1862 and was absorbed by the Australian Alliance Company. *Age*, 24 September 1862, p. 4; *Age*, 25 September 1862, p. 7; Melbourne Fire Insurance Company, *Declaration of Secretary re Resolutions of Shareholders to Dissolve Company*, 1862, UMA; *Victoria Government Gazette*, 21 June 1861, p. 1206.

¹⁷⁵ *Star*, 15 August 1859, p. 2.

¹⁷⁶ *Star*, 24 August 1859, p. 3.

¹⁷⁷ *Ballarat Star*, 26 March 1868, p. 3.

¹⁷⁸ *Ballarat Star*, 14 May 1868, p. 3.

Ballarat had been replaced by brick and stone buildings by this time, thus decreasing the risk. By July 1868 Stewart had become one of the five Ballarat directors of the company and remained a director until May 1869.¹⁷⁹

Tramways, Gas Company, Turkish Baths and Distilleries

Stewart was involved with attempts to start two tramway companies in the district. He was one of 15 provisional committee members of the Ballarat and Bullarook Tramway Company in August 1858.¹⁸⁰ Bullarook Forest supplied the diggings from Ballarat to Creswick with timber and, as Reeves, Frost and Fahey point out, 'miners were voracious consumers of timber'.¹⁸¹ There was also an increased demand for timber for building and domestic purposes, fuel for mining and industry steam engines. As Bate suggests, it is likely that the number of sawmills at Bullarook Forest and Warrenheip increased as engines became more powerful.¹⁸² The company proposed a nine mile long tramway from Ballarat to Bullarook Forest to cut the costs and increase the speed for conveying the timber – work that until that time required horse and bullock teams. They also felt it would promote settlement in the very fertile land that was well suited for cultivation.

Interest in the scheme died out but was 'resuscitated by a few adventurous promoters'¹⁸³ in April 1862 and the company obtained a temporary reservation of sale of land the following month.¹⁸⁴ At a public meeting on 2 April 1867 W.C. Smith claimed that the railway would reduce timber costs to businesses by 20 per cent.¹⁸⁵ A Bill to build the railway was introduced to the Legislative Assembly on 30 April 1867 by William Frazer (M.L.A. for Creswick, former member of the Ballarat local court and Buninyong mining board) and was opposed by Charles Dyte (M.L.A. for Ballarat East).¹⁸⁶ There was strong opposition from the Water-Supply Committee because they thought the railway might interfere with their title and pollute the water. Nathan asserts that the Water Committee denied access to the public water reserves because they were 'not available to 'private individuals for their own aggrandisement''.¹⁸⁷ The Eastern Council had vehemently opposed the scheme because it would

¹⁷⁹ *Ballarat Star*, 27 July 1868, p. 3; *Ballarat Star*, 19 May 1869, p. 1.

¹⁸⁰ *Star*, 13 August 1858, p. 3.

¹⁸¹ Keir Reeves, Lionel Frost and Charles Fahey. "Integrating the Historiography of the Nineteenth-Century Gold Rushes." *Australian Economic History Review* 50, no. 2 (2010): 111-128, p. 120.

¹⁸² Bate, *Lucky City*, p. 84.

¹⁸³ *Star*, 25 April 1862, p. 2.

¹⁸⁴ *Star*, 23 May 1862, p. 1S; *Victoria Government Gazette*, 7 May 1862, p. 798.

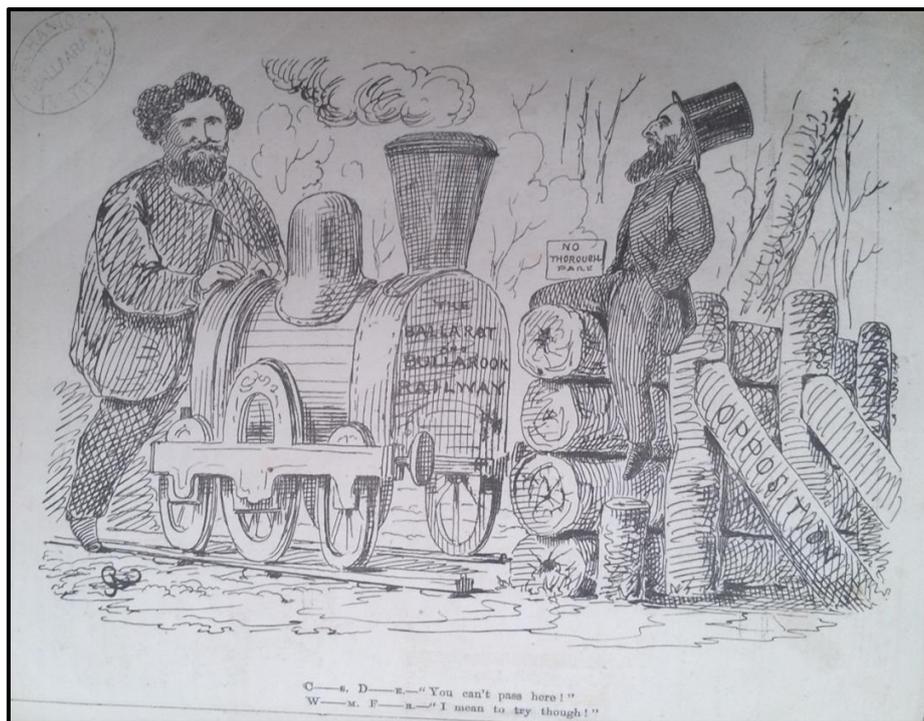
¹⁸⁵ *Ballarat Star*, 2 April 1867, p. 2.

¹⁸⁶ *Bendigo Advertiser*, 25 May 1867, p. 3; *Leader*, 4 May 1867, p. 20.

¹⁸⁷ Erica Nathan, *Lost Waters: A History of a Troubled Catchment*. Carlton: Melbourne University Press, 2007, p. 36.

traverse the water reserves but it was also part of the continuing east versus west fight as some of the western councillors were involved in the scheme.¹⁸⁸ The scheme was not successful.

Stewart was added to the provisional committee for the Smythesdale Tramway at a meeting of over 30 men at Craig's Royal Hotel on 13 August 1862.¹⁸⁹ The following month the company prospectus listed Stewart with 32 other men as provisional committee members for the Ballarat, Smythesdale, and Scarsdale Railway Company.¹⁹⁰ The company intended to build a single 16 mile railway line from Ballarat to Smythesdale and Scarsdale using wooden rails and improved engines and carriages patented by J.R. Davies at a cost of £8000. It was to service the mining localities of Smythesdale, Scarsdale, Browns, Linton, Carngham, Lucky Womans and Italians and increase traffic from the agricultural districts of Skipton, Emu Creek and westward to Portland. Mail coaches from Hamilton to Smythesdale bypassed Ballarat on their way to Geelong because of the poor condition of the roads, thus Ballarat was missing out on extra business. Land was reserved for the company by the Government in July 1862 but the project was abandoned just three months later due to lack of public support.¹⁹¹



The Ballarat Bullarook Railway
William Frazer and Charles Dyte pictured
Ballarat Punch, 1 June 1867, p. 249

¹⁸⁸ *Ballarat Star*, 27 May 1871, p. 2.

¹⁸⁹ The scheme was also referred to as the 'Ballarat, Smythesdale, and Scarsdale Horse Tramway'. *Star*, 14 August 1862, p. 4.

¹⁹⁰ *Star*, 4 September 1862, p. 3.

¹⁹¹ *Argus*, 13 September 1862, p. 7; *Star*, 23 October 1862, p. 1S; *Victoria Government Gazette*, 25 July 1862, p. 1282.

Stewart made investments for financial gain, and, by choosing to invest in his local community, he assisted the development of the district and provided much needed services. If his only interest was making money there were plenty of other investments he could have made both in Ballarat and elsewhere. He could have invested in established ventures in Ireland with no colonial investments at all. In 1857 he became a provisional committee member, director and shareholder of the Ballarat Gas Company and chaired some of its meetings.¹⁹² Company directors, including Stewart, pledged their own money to help the enterprise. They hoped to keep the majority of the shares within Ballarat to keep the profits in the community. According to Proudley, it was one of the earliest gas companies in Victoria and one of the longest surviving.¹⁹³ After 113 years it was absorbed into the Gas and Fuel Corporation of Victoria when Victoria changed to natural gas supplies in November 1970.

The company supplied coal gas which had to be brought by bullock wagon from Melbourne and Geelong until the railways came into use in 1862, as Barrett and Proudley have established.¹⁹⁴ Gas lighting was preferred to all other modes of lighting because it was at least 50 per cent cheaper than previous lights. The company claimed that it was less likely to cause fires, was cleaner, lowered insurance premiums and was being almost universally adopted.¹⁹⁵ The Ballarat Gas Company Incorporation Bill 1856-7 was passed on 24 November 1857 and the company was created in 100 days.¹⁹⁶ As Proudley suggests, 'things got done in Ballarat'.¹⁹⁷

The gasworks was on three and a half acres bounded by Albert, Dana and Grenville Streets and allotments in Lewis Street.¹⁹⁸ Excess government bullets left over from Eureka were melted down three years after Eureka and disposed of as solder for the company's gas pipes throughout the city.¹⁹⁹ Lime from the company's purifiers was given to farmers to trial as manure and was considered useful for destroying blight and noxious weeds and making heavy soil lighter.²⁰⁰ Ammonia in the gasworks was also inhaled by young whooping cough sufferers, as discussed in Chapter 5.

¹⁹² *Star*, 15 June 1857, p. 3; *Star*, 1 December 1857, p. 3; *Star*, 10 February 1858, p. 3; *Star*, 26 February 1859, p. 4.

¹⁹³ Ray Proudley, *Gas in Ballarat: An Illustrated History*. Melbourne: Gas and Fuel Corporation of Victoria, 1985, pp. 7, 15, 36.

¹⁹⁴ Gas production from gum leaves was considered but the company deemed the quality inferior to that produced by coal. Barrett, *The Civic Frontier*, p. 270; Proudley, *Gas in Ballarat*, pp. 7, 11, 12; Withers, *The History of Ballarat*, p. 301.

¹⁹⁵ Proudley, *Gas in Ballarat*, p. 13; *Star*, 15 June 1857, p. 3.

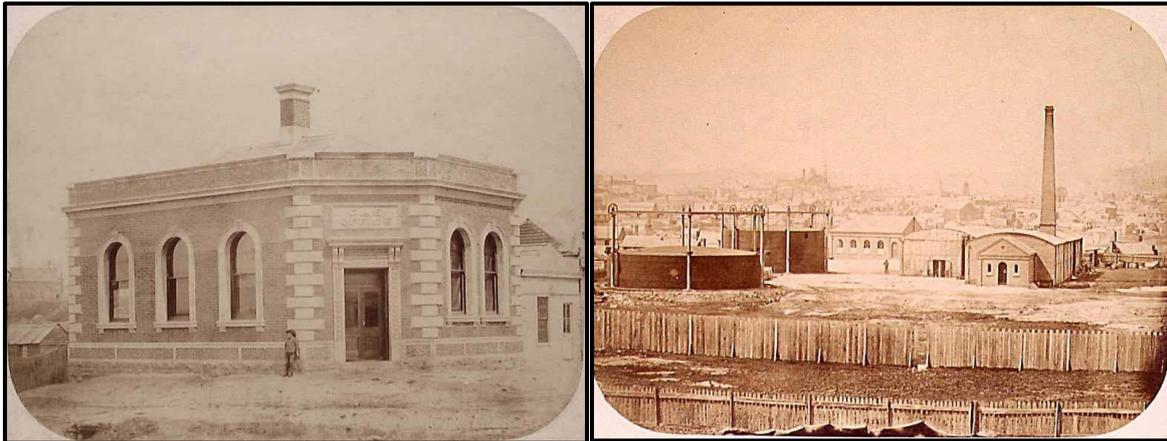
¹⁹⁶ Proudley, *Gas in Ballarat*, pp. 13, 16; Withers, *The History of Ballarat*, p. 301.

¹⁹⁷ Proudley, *Gas in Ballarat*, p. 16.

¹⁹⁸ Coal was shovelled into six D-Shaped ovens that had 12 retorts above them. The gas passed through the retorts through pipes to the purifying house where it passed through a series of eight-inch pipes into two condensers (large iron chambers with gratings covered with lime). It was then carried through water to the gasholder – a large case of sheet-iron that floated in a well that was 40 feet wide and 20 feet deep. *Star*, 30 April 1858, p. 2; Withers, *The History of Ballarat*, p. 301.

¹⁹⁹ According to Beggs-Sunter, James Oddie bought the bullets, buried the gunpowder from them and sold the casings to the company. Beggs-Sunter, "James Oddie (1824-1911)", p. 61; Proudley, *Gas in Ballarat*, p. 15.

²⁰⁰ *Star*, 30 September 1858, p. 2.



Gas Office and Gas Works, Ballarat 1861
State Library of Victoria

Barrett asserts that it was essential in Melbourne for city councillors to be involved in the private speculative venture of establishing a gas company because the municipality would be the largest consumer of gas.²⁰¹ In Ballarat nine of the 31 provisional committee members were municipal councillors. These men were acting as much more than councillors, they were community leaders and, as has been argued throughout this thesis, they were involved in many areas of the public arena and local businesses.²⁰²

In October 1859 a special meeting was called after some of the company directors took out a loan for £2,400 to keep the company running. They took personal responsibility for the loan but confusion over a bank account caused some discord between the directors.²⁰³ The following month Stewart resigned as a director of the company with four other directors.²⁰⁴ He was proposed as a director at the very next meeting but as he did not attend the meeting he was not elected.²⁰⁵ He became a director again on 28 February 1866 and held the position until February 1869 when he prepared for his return to the United Kingdom.²⁰⁶

²⁰¹ Barrett, *The Civic Frontier*, p. 267.

²⁰² The provisional committee of the Gas Company were politicians J.B. Humffray and P. Lalor; municipal councillors Dr James Stewart, W.C. Smith, W. Tulloch, R. Belford, W.B. Rodier, Dr G. Clendinning, William McCrea, J. Cummins and W.B. Robinson; Justices of the Peace Sherard, Daly, S. Irwin and J. Oddie; R.B. Gibbs, D. Oliver, E.A. Wynne, S. S. Lazarus, H. Harris, J.A. Huxtable, J. Jones, S. Wilson, T.P. Mitchison, D. O'Connor, A. Davies, H. Farley, A. Anderson and T. Wymond; and Doctors Hobson and Richardson. *Star*, 22 June 1857, p. 4.

²⁰³ *Star*, 8 October 1859, p. 2.

²⁰⁴ The other resigning directors were W.C. Smith, W. Tulloch, E.A. Wynne and A. Davies. *Star*, 24 November 1859, p. 4.

²⁰⁵ *Star*, 9 December 1859, p. 2.

²⁰⁶ *Ballarat Star*, 1 March 1866, p. 4; *Ballarat Star*, 26 February 1869, p. 4.

During 1865 the company introduced gas into some of the district's largest mines and was taken to a depth of 420 feet.²⁰⁷ By 1867 the price of gas in Ballarat had been reduced to 2s 6d per 1,000 feet which was nearly 20 times cheaper than the company's starting price of 40s 2d.²⁰⁸ The usual dividend for the company was six per cent but in February 1862 they declared a dividend of 13 per cent when the company was £4,681 9d in credit. This was another company that Stewart encouraged his siblings Catherine and Robert to invest in.²⁰⁹

Stewart continued to invest his time and money in enterprises to improve life for the Ballarat population. He was proposed as a provisional committee member at a meeting at Bath's Hotel on 10 January 1862 for the purpose of establishing Turkish baths in Ballarat with cold, plunge, swimming and warm baths.²¹⁰ Many locals were travelling to Melbourne to use the Turkish baths and it was preferable for that money to be spent locally.²¹¹ The foundation stone of the baths was laid on 20 October 1862 and they officially opened on 9 November 1863.²¹² The baths were open daily with Thursdays set aside for the ladies. The Turkish bath was to be taken under medical advice and the rest of the establishment was for general use.²¹³

The company was started with a philanthropic motive to relieve rheumatism and other ailments but there was also a strong religious motive for some. Mr McDermott felt that it was important that the population learned that 'cleanliness is next to godliness'.²¹⁴ He felt that 'a man must be clean outside before there would be much chance of his becoming clean inside'.²¹⁵ Moral influence was a part of the introduction of Turkish baths elsewhere. Breathnach contends that the establishment of Turkish baths in Ireland was considered 'a great step towards the purification of the mind and the achievement of moral superiority'.²¹⁶ Dr Barter of the Turkish baths at Blarney informed Dr W.L. Richardson that the baths were created for the poor and would ultimately 'remove the two great and prominent social ills

²⁰⁷ The Band of Hope and Hand-in-Hand companies united in September 1866 and also lit their mine with gas. *Ballarat Star*, 1 September 1865, p. 2; Croggon, "Strangers in a Strange Land", p. 134; Withers, *The History of Ballarat*, p. 221.

²⁰⁸ *Ballarat Star*, 1 March 1866, p. 4; *Ballarat Star*, 26 March 1867, p. 1S; Proudley, *Gas in Ballarat*, p. 22.

²⁰⁹ At his death Stewart owned 106 paid up shares valued at £2162 8s and 103 shares valued at £1339. Catherine held 88 shares valued at £1317 15s at her death in 1893 and Robert held 50 shares at his death in 1900 and £105 in dividends from the company. Will and Probate of Catherine Proctor; Will and Probate of James Stewart; PROV, VPRS 28/P2, Unit 563, Will and Probate of Robert Stewart.

²¹⁰ *Star*, 11 January 1862, p. 3.

²¹¹ *Star*, 17 February 1862, p. 3.

²¹² *Star*, 31 October 1862, p. 3.

²¹³ Community patients from the hospital and the asylum were admitted at half price in recognition of the baths' health benefits. *Star*, 15 January 1864, p. 2; *Star*, 28 January 1864, p. 4.

²¹⁴ *Star*, 10 November 1863, p. 2.

²¹⁵ *Ibid.*

²¹⁶ Teresa Breathnach, "For Health and Pleasure: The Turkish Bath in Victorian Ireland." *Victorian Literature and Culture* 32, no. 1 (2004): 159-175, p. 163.

of Ireland – drunkenness and dirt’.²¹⁷ For the Victorian era British, according to Bashford, ‘‘sanitising’ domestic space also meant ‘moralising’ it into middle-class values’.²¹⁸ Whilst the Ballarat baths shared some characteristics with those in Ireland and England, the health benefits were more to the fore in Ballarat because of the needs of the aching and injured members of the mining population. Stewart’s involvement with the company at its inception as a provisional committee member, as a councillor and as a doctor influenced a company that brought health benefits to Ballarat.

Despite promising early reports, the baths were not paying their way. The company was dissolved at a meeting on 29 July 1864 and a new company called the Ballarat Bath Company (Limited) was formed.²¹⁹ Architect Charles Cuthbert designed a new swimming bath but Henry Caselli took over its building when Cuthbert became ill.



‘Looking North from Town Hall 1871’

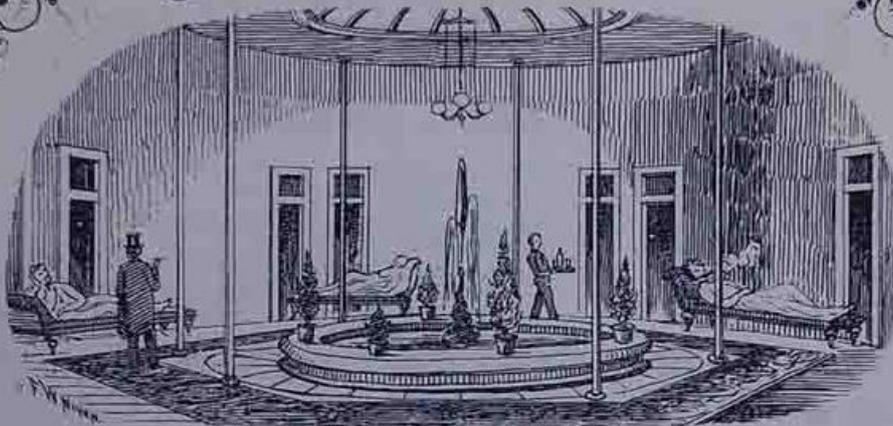
Turkish Baths at middle right, Market Square at bottom left
Max Harris Collection, Ballarat Mechanics’ Institute

²¹⁷ Richardson considered the Blarney Turkish baths to be misnamed but thought them an improvement on Eastern baths because ‘the air *is free from visible moisture*, does not raise the pulse, and is used by the sick, whether babes of two days or old people of ninety’. W.L.R. "A Letter from Home." *Australian Medical Journal* (August, 1867): 236-243, p. 262.

²¹⁸ Alison Bashford, *Purity and Pollution: Gender, Embodiment and Victorian Medicine*. Basingstoke, Hampshire: Macmillan Press Ltd, 1998, p. 2.

²¹⁹ The new swimming bath was 108 feet by 58 feet with a depth from 2 feet 6 inches to 7 feet 6 inches. *Star*, 23 July 1864, p. 1S; *Star*, 30 July 1864, p. 2; *Star* 22 September 1864, p. 2.

CITY OF BALLAARAT



COOLING ROOM

HYDROPATHIC, WARM, AND SWIMMING **BATHS**

ARMSTRONG STREET, *Opposite HAY MARKET.*

Hydropathic and Vapor Baths	...	...	2s. each (or 6 tickets for 9s.)
First-class Hot Bath	...	...	1s. 6d. each
Second-class Hot Bath	...	...	1s. 0d. "
Third-class Hot Bath	...	...	6d. "

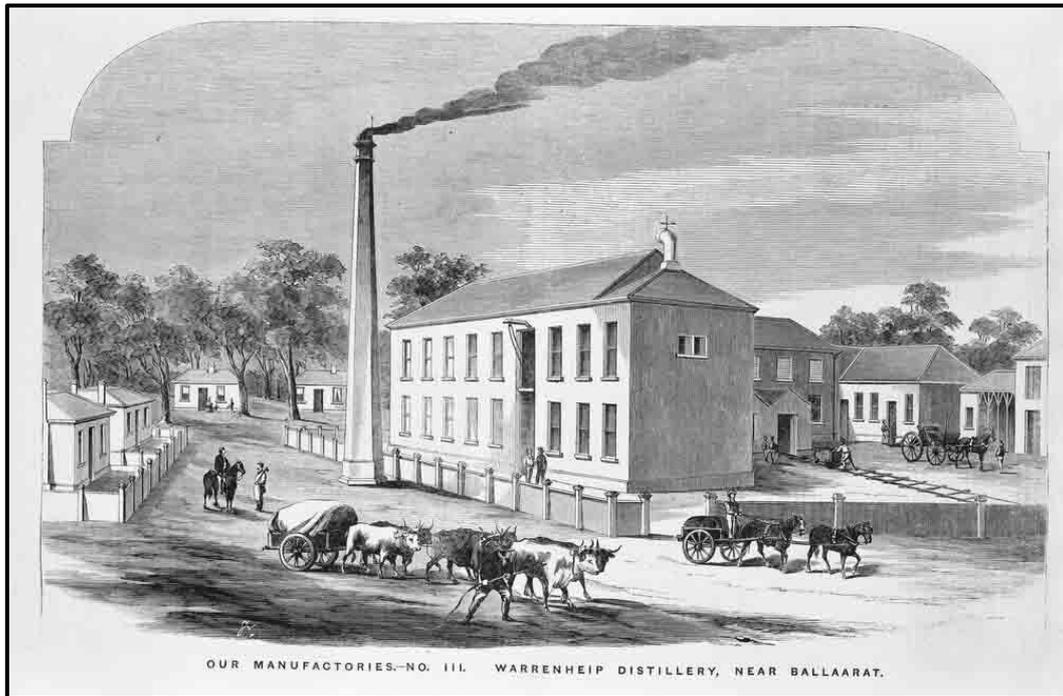
LADIES' BATHS.—Ladies can obtain Warm Baths upon any day in the week. On Fridays, from 10 a.m. to 3 p.m., Hydropathic, Vapor, Warm, and Swimming Baths are set apart for Ladies' use.

COLD BATHS—Swimming—

Men's Yearly	...	...	£1 0 0
" Half-Yearly, from 1st Oct. to 31st March	...	...	0 15 0
" " from 1st April to 30th Sept.	...	...	0 10 0
" Quarterly	...	...	0 7 6
" Monthly	...	...	0 5 0
Boys' Yearly	...	...	0 10 0
" Half-yearly, from 1st Oct. to 31st March	...	...	0 7 6
" " from 1st April to 30th Sept.	...	...	0 5 0
" Quarterly	...	...	0 5 0
" Monthly	...	...	0 2 6

These Baths are open for the use of the Public during the following hours in the months of October, December, January, February and March:—On Week-days, from 8 a.m. to 8 p.m.; on Sundays, from 8 a.m. to 9 a.m.; and for the remaining months of the year, the time for opening the Baths is at Daylight, and for closing them, is at 5 p.m., excepting Saturdays, when the Baths will be closed at 8 o'clock p.m.

Turkish Baths Advertisement
Niven's Ballarat District Directory, 1882.



Warrenheip Distillery, 1863

The Illustrated Melbourne Post, 20 October 1863

State Library of Victoria

Stewart invested in two distilleries in the Ballarat district in the mid-1860s. He became a shareholder in the Warrenheip Distillery Company in 1865 and was nominated to be a company director in November 1865 but was not elected.²²⁰ The company was formed to purchase the Warrenheip Distillery, which had been established in 1863, with its stock of spirits and grains and to extend distillery operations. The three-storey bluestone distillery was situated on 125 acres of land at Dunnstown.²²¹

The company felt that reduced freight charges meant that they could successfully compete with European distilleries. They planned to double production and their spirits were sold at the Ballarat and Melbourne markets. Barley and rye could be supplied from Dowling Forest, Learmonth, Smeaton and Bullarook and they received water from a pure spring.²²² There was a large market for alcohol in Ballarat if the production of illicit alcohol was any indication. According to J.B. Humffray, there were almost 40 illicit stills in one forest near Ballarat in October 1858.²²³ Demand in their first year considerably exceeded directors' expectations but the company was wound up at a meeting four years later on 5 April 1871 and a liquidator appointed.²²⁴

²²⁰ *Ballarat Star*, 15 March 1865, p. 3; *Ballarat Star*, 11 November 1865, p. 2.

²²¹ The distillery had a 25 horse power engine, boiler, 26 by 6 foot mill, a malt mill, a large mash tun, fermenting backs, a refrigerator, four copper stills and other accessories that could produce 2,000 gallons of spirits a week. *Ballarat Star*, 24 May 1865, p. 3; Withers, *The History of Ballarat*, p. 295.

²²² *Ballarat Star*, 24 May 1865, p. 3.

²²³ Victorian Parliamentary Debates, Legislative Assembly, vol. 4, 28 October 1858, p. 149.

²²⁴ *Ballarat Star*, 11 November 1865, p. 2; *Victoria Government Gazette*, 6 April 1871, p. 549.

Stewart became a provisional director of the Ballarat Distillery Company in July 1866.²²⁵ The company intended to purchase Eric Magnus Meyer's distillery and plant in Wendouree.²²⁶ The distillery was a wooden building on an acre of land with plant which included a still invented by Meyer that created 60 to 80 overproof spirit on a single running. The company proposed to produce 100,000 gallons of spirits a year for an outlay of £350. According to the company prospectus, there was a large demand in the colony for products which Meyer could produce: wine spirits, gin, old tom, British brandy, whisky, cordials, absolute alcohol, ether, chloroform, spirits of nitre, spirits of ammonia and perfumed spirits. Here Stewart could combine a commercial investment with the production of some products used in his medical practice such as chloroform. Although medical chemicals like chloroform and ether were being produced locally, the Ballarat District Hospital still sent to England for some drugs in 1867.²²⁷

Bate asserts that spirits were losing favour in Ballarat and the Wendouree and Warrenheip distilleries were both in trouble in 1870.²²⁸ The Warrenheip distillery was selling at only half of its yearly capacity and was caught with large stocks of rye because they had entered contracts with local farmers just prior to the market falling away. Henry Brind successfully revived the business with others and the distillery was the only manufacturer of pot-still whisky in Victoria in 1894, as Griffiths has established.²²⁹

Mining

Like many of his friends, Stewart had become a capitalist and invested in mines.²³⁰ By the 1860s goldmining was, as Goodman asserts, 'becoming regularised and proletarianised'.²³¹ The Ballarat goldfield was very mechanized and miners worked for wages in deep-lead mining companies. Bate

²²⁵ The distillery was also called the Ballarat Chemical Manufactory and Distillery Company and the Wendouree Distillery. *Ballarat Star*, 13 July 1866, p. 3; *Ballarat Star*, 11 October 1866, p. 2.

²²⁶ The company planned to fix their prices to 12 per cent below the Melbourne and Ballarat rates and make quarterly calls to raise an estimated £4,000 to buy land to build a distillery to produce 2,000 gallons of proof spirits per week.

²²⁷ *Ballarat Star*, 28 January 1867, p. 4.

²²⁸ Bate, *Lucky City*, p. 129.

²²⁹ Peter M. Griffiths, *Three Times Blest: A History of Buninyong and District 1837-1901*. Buninyong, Vic.: Buninyong & District Historical Society, 1988, p. 94.

²³⁰ For example, Doctors Holthouse and Wallace were directors and shareholders at New North Clunes. Doctors Richardson and Clendinning along with William Thomas Pooley, Peter Lalor, James Oddie and Henry Caselli were shareholders in New North Clunes. Dr Wills was involved with the Saracen's Head Gold Quartz Mining Company. Dr Clendinning held shares in the Ballarat Quartz Mining Company. Dr Kenworthy was involved with mining at Sebastopol and John Proctor (Stewart's brother-in-law) was a shareholder in the Queen of the South Quartz Mining Company. *Ballarat Courier*, 28 April 1873, p. 3; Beggs-Sunter, "James Oddie (1824-1911)", p. 71; *Star*, 28 February 1863, p. 3; *Star*, 27 July 1860, p. 3; *Star*, 6 February 1861, p. 4; *Victoria Government Gazette*, 4 November 1864, p. 2489.

²³¹ Goodman, "The Gold Rushes of the 1850s", p. 181.

contends that Ballarat had the potential to be a ghost town in 1861 had its rock-leads petered out because ‘the vast capital generated originally by the boom of the mid-fifties would have been squandered on empty shafts and drives, leaving a demoralized community’.²³² Ballarat now had a very liberal court, mining board and a flexible new mining code, the result, as Blainey argues, of the uprising at Eureka. Eureka had ‘thus paved the way for the rapid and orderly growth of capitalist mining and the accumulation of large fortunes in few hands’.²³³ Confirming this, Anglo-Irish lawyer Henry Cuthbert noted in 1860 that ‘there were comparatively few who had made fortunes’ out of gold; ‘therefore the majority would have to make their home in the colony’.²³⁴ He felt they could be as comfortable and cheerful in Ballarat as anywhere in the world.

Stewart was very involved with the mining community as an investor, director and a member of the Mining Institute.²³⁵ According to Fred Johnson, a local Ballarat mining expert in 1906, pioneers believed that Stewart had erected the first quartz crushing plant in the area.²³⁶ It was an eight-stamper head quartz crusher situated near where the Western fire brigade was later built. This claim is supported by the secretary of the Ballarat Mine Managers’ Association in 1907 who noted that Stewart’s battery in the township existed prior to 1857.²³⁷

Stewart’s knowledge and experience of mining was such that he was able to offer guidance to others. He was chairman of a three-hour public meeting at the Montezuma Theatre on 17 April 1858 about a capital scheme to assist miners proposed by the London financier Antonio Gabrielli.²³⁸ Stewart acknowledged that for some time miners had not been receiving a fair return for time and labour expended and he, like many, felt that it was a good idea to combine capital and labour. Mining had become so expensive on the deep leads that the miners did not have the capital required to fund it. If it was to continue on Ballarat they had to get capital. Gabrielli was offering unlimited capital, provided it was used profitably and provided that he profited from the investment.

Stewart was appointed to a committee with members of the Mining Board and Eastern Council, two barristers and others to assist Gabrielli to carry out his scheme. Stewart chaired a meeting on 24 April at the Montezuma Theatre where he announced the object of the meeting was:

²³² Bate, *Lucky City*, p. 92.

²³³ Blainey, *The Rush that Never Ended*, p. 58.

²³⁴ *Star*, 29 September 1860, p. 2.

²³⁵ Stewart joined the Mining Institute in 1860.

²³⁶ *Age*, 15 June 1906, p. 4.

²³⁷ This was on the occasion of William Baragwanath seeking details of mining history ‘from witnesses who were in charge of mining operations in early days’ in the area. Baragwanath did not make mention of Stewart in his later geological survey memoir for Ballarat. *Ballarat Star*, 25 February 1907, p. 6; W. Baragwanath, *Memoirs of the Geological Survey of Victoria. No. 14 The Ballarat Gold-Field*. Melbourne: Albert J. Mullett, Government Printer, 1923.

²³⁸ *Star*, 19 April 1858, p. 2.

to take into consideration the means of procuring capital, and its application to the development of the resources of our gold fields. ... labour, as hitherto applied in our mining operations, has not yielded its equivalent in the shape of remuneration, in the same manner that it would, if a combined system, on an extensive scale, had been in operation.²³⁹

The advantages of combining labour and capital through the scheme were explained to the meeting but eventually Gabrielli dropped the scheme. This was, according to Serle, because the government failed to guarantee the removal of leasing control from local mining boards.²⁴⁰ Stewart as a mining investor was very involved in the switch to large scale mining. The Gabrielli incident aroused discussion which marks a turning point in community attitudes to company mining and investment. It was the time when diggers became miners and had to join forces to protect their working conditions, as Beggs-Sunter has established.²⁴¹ They went from being joint-owners to being company employees with wages. As Beggs-Sunter suggests, the development of capitalist mining was necessitated because the geology of the goldfields made obtaining gold from the ores such as quartz so expensive.²⁴² Thus mining capitalists such as Stewart played an important role in Ballarat's economic boom.

Australian capitalism had its own distinctive form, as Wells suggests, and in Victoria the capitalist spirit was strong, as both Martin and Hirst assert.²⁴³ Bate suggests that small capitalists had unusually strong investments which continued the economic democracy from the early rushes.²⁴⁴ It was not just the local setting that made things profitable for Stewart. Gold was, according to Bate, 'the lubricator of world trade during a period of great industrial and commercial expansion'²⁴⁵ and its high price was maintained due to demand. According to Buckley and Wheelright, world trade more than doubled between 1850 and 1870.²⁴⁶

Stewart was elected a member of the Mining Institute on 18 December 1860.²⁴⁷ The Institute had been formed a year earlier at a meeting on 8 November 1859 with the purpose of gathering and diffusing 'scientific and general practical information upon mining'²⁴⁸ and with a view to amalgamate with the Mechanics' Institute. Bate asserts that the Institute was founded at the peak of a quartz boom and

²³⁹ *Portland Guardian and Normanby General Advertiser*, 28 April 1858, p. 2.

²⁴⁰ Serle, *The Golden Age*, pp. 223-4.

²⁴¹ Beggs-Sunter, "Eureka and the Transformation of the Mining Industry".

²⁴² Beggs-Sunter, "Birth of a Nation?", p. 240.

²⁴³ Hirst, *Sense & Nonsense*, p. 155; Martin, "Australia and the Hartz Fragment Thesis", p. 61; Andrew Wells, *Constructing Capitalism: An Economic History of Eastern Australia, 1788-1901*. Sydney: Allen & Unwin, 1989, p. ix.

²⁴⁴ Weston Bate, "Gold: Social Energiser and Definer." *Victorian Historical Journal* 72, no. 1-2 (September, 2001): 7-27, p. 13.

²⁴⁵ *Ibid.*, pp. 7-8.

²⁴⁶ Buckley and Wheelwright, *No Paradise for Workers*, p. 97.

²⁴⁷ *Star*, 19 December 1860, p. 2.

²⁴⁸ *Star* 7 November 1859, p. 3.

provided a forum for ideas about amalgamation, mining inventions, designs and experiments and was stimulated by quartz problems.²⁴⁹ Stewart's involvement with the Institute and interest in improving mining practice was partially for his own financial benefit but also for the benefit of the mining community. This would be emphasised later in his life with his benevolent contributions to and involvement with the School of Mines which was established in 1870 and will be discussed in Chapter 8.²⁵⁰ The Ballarat Mining Institute, like its Melbourne counterpart established in 1859, was short-lived. Its significance was that, as Bate asserts, it foreshadowed the School of Mines.²⁵¹

Allen suggests that Stewart invested in numerous mining ventures 'but his early speculations were mostly unfortunate'.²⁵² This included a £5,000 loss in a Jim Crow District (Daylesford) mine. He further claims that Stewart said 'he would have been much more wealthy if he had never touched mining'.²⁵³ The claims are from an article and notes that contain some inaccuracies but even if these claims are true, Stewart was to make large amounts of money from some of his mining investments.²⁵⁴

Bate contends that Ballarat was the quartz pioneer, particularly in regards to low-grade ores, and this was one area where Stewart's investments proved propitious.²⁵⁵ By November 1858 Stewart was a provisional committee member of the North Clunes Quartz Mining Company (Esmond's Grant).²⁵⁶ This grant belonged to James William Esmond who found gold at Clunes in 1851 and was trying to dispose of his interest in it.²⁵⁷ Despite early large costs, the company thought that the quartz was so rich that it would still create large dividends. They believed that the importance of mining at Clunes was likely to increase and they were right. Most of the gold at Clunes was in the quartz rock rather than alluvial gravels, as Blainey asserts, and Esmond's claim had provided some of the richest

²⁴⁹ The Mining Institute strongly condemned preventable mining accidents and called for safety legislation, the appointment of mines inspectors and for companies involved in preventable accidents to be fined. Bate, *Lucky City*, pp. 84, 89, 137.

²⁵⁰ Warren Perry, *The School of Mines and Industries Ballarat: A History of its First One Hundred and Twelve Years, 1870-1982*. Ballarat: The School of Mines and Industries Ballarat Limited, 1984, p. 4.

²⁵¹ Bate, *Lucky City*, p. 237; Birrell, *Staking a Claim*, p. 70.

²⁵² Harry Brookes Allen Papers, UMA.

²⁵³ University of Melbourne, *The University Review*, 1921, p. 70.

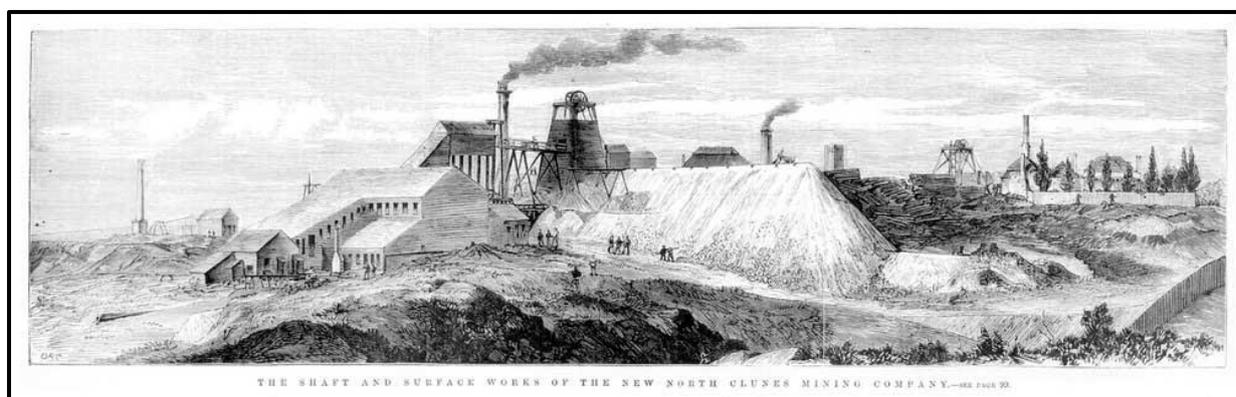
²⁵⁴ Allen's sources vary in accuracy. His information about Stewart's time in Ireland is mostly accurate but some of the details about Stewart's time in Australia are incorrect.

²⁵⁵ Bate, *Lucky City*, p. 84.

²⁵⁶ Other North Clunes Quartz Mining Company committee members were J.B. Humffray, Peter Lalor, R. Walsh, J. Victor, J. Dixie, J.H. Harris, A.D. Shepard, George Oakey, R. Belford, J. Baker, W.B. Robinson, J.J. Ham, R. Underwood, J. Cameron, J. Gibbs, Dr T.L.G. Holthouse and J.K. Baird. *Star*, 6 November 1858, p. 3.

²⁵⁷ Esmond sold his right, title and interest in the claim for £1,000, 2.5 per cent of the gross yield of gold from the claim and an *ex officio* seat and vote at the board of management of the New North Clunes Company. W.B. Withers lecture at the Mechanics' Institute in *Star*, 29 February 1860, p. 3.

prospects in the district.²⁵⁸ In 1887 Withers described it as one of the district's best mines.²⁵⁹ The company was reorganised in 1860 and became the New North Clunes Quartz Mining Company.²⁶⁰



New North Clunes Mining Company 1873

Illustrated Australian News for Home Readers, 17 June 1873
State Library of Victoria

Stewart had strong influence in the company. He chaired some of its meetings and was elected a Director on 5 November 1860, receiving the most votes.²⁶¹ He was nominated to be the legal manager of the company but withdrew to allow James Baker's election. He was the company's largest shareholder in 1860 with 15 of the available 1,000 shares.²⁶² James Oddie later claimed that he had advised Stewart to invest in the company. It is possible but may be a retrospective claim of influence because Stewart was already very involved with mining investment. According to Beggs-Sunter, Oddie advised his friends to invest in the company when he bought some of the 2,500 available shares. This amount of shares was not on sale until 1863 and Stewart had been involved in the company for five years by this time.²⁶³

There were calls to wind up the company by March 1862 because of unfounded fears that the claim would be jumped because of an incorrect title.²⁶⁴ The company had abandoned the original lease and applied for a new one in November 1860 to include extra land beside Esmond's original grant. The directors supplemented the title by registering for a miners' right in trust for the company on the claim on 24 July 1861. Stewart assured concerned shareholders that their title was perfect and this was

²⁵⁸ Blainey, *The Rush that Never Ended*, p. 71.

²⁵⁹ Withers, *The History of Ballarat*, p. 225.

²⁶⁰ *Star*, 19 September 1860, p. 3.

²⁶¹ Voting results for the eight directors elected were Stewart (95), Davies (93), Sutherland (90), Robson (90 votes), Holthouse (85), Foley (65), Glover (60) and Baker (58). *Star*, 23 October 1860, p. 2; *Star*, 6 November 1860, p. 3.

²⁶² Robert Bowman of Melbourne had ten shares, Dr Holthouse held seven, Esmond held just four shares and the other shareholders held five shares or fewer with most holding just one share. *Star*, 16 November 1860, p. 3; *Victoria Government Gazette*, 23 November 1860, p. 2263.

²⁶³ Beggs-Sunter, "James Oddie (1824-1911)", p. 71.

²⁶⁴ *Star*, 4 March 1862, p. 1S.

reiterated by his fellow company director Dr Holthouse.²⁶⁵ Holthouse was credited by some as being the person who stopped the company folding at this precarious point but Stewart's influence was also very important.²⁶⁶ Stewart's knowledge of the company's situation was sound, his ideas and comments were respected and matched the expectations of others present. Most of all, he gave people much needed confidence in the company – he would not be proposing anything that would cause him personal loss as the company's largest shareholder.

It was not unusual for mining companies to wind up, reorganise and issue new shares and in September 1862 Stewart, Holthouse, Dyte and McKenzie were appointed to a winding-up committee and a new company was formed.²⁶⁷ It was arranged for the company to be registered under Pyke's Act at a shareholder's meeting chaired by Stewart at the Buck's Head Hotel on 13 February 1863.²⁶⁸ Pyke's Act was the Partnerships with Limited Liability Act of 1860 and was considered to address the drawbacks of the Act for the Better Regulation of Mining Companies 1855 (Haine's Act) and the Mining Associations Act 1858 (Ireland's Act).²⁶⁹ Birrell asserts that few companies registered under Ireland's Act which sometimes burdened wealthy shareholders with all company debts when a company failed. Pyke's Act limited a shareholder's liability to the amount of shares they held and was 'an immediate success'.²⁷⁰

As Bate suggests, risk-taking shifted to gambling in the Ballarat and Victoria stock exchanges after the introduction of the no-liability act.²⁷¹ Withers attributes the depression around 1870 to this reckless gambling at the Corner.²⁷² The Corner was situated outside the Mechanics' Institute where 'brokers, agents and jobbers gathered to do business',²⁷³ as Beggs-Sunter has established. The emphasis on activity at the Corner can be seen in P.W. Welsh's witticism in 1868 that he knew of 'but three centres of business in the world – the Exchange in London, the Bourse in Paris, and the Corner in Ballarat'.²⁷⁴

²⁶⁵ *Star*, 10 March 1862, p. 1S.

²⁶⁶ *Ballarat Star*, 28 July 1868, p. 4.

²⁶⁷ *Star*, 11 September 1862, p. 2.

²⁶⁸ *Star*, 14 February 1863, p. 2.

²⁶⁹ Birrell, *Staking a Claim*, pp. 36, 68; Phillip Lipton, "A History of Company Law in Colonial Australia: Economic Development and Legal Evolution." *Melbourne University Law Review* 31, no. 3 (2007): 805-836; pp. 812-814; John Woodland, *Money Pits: British Mining Companies in the Californian and Australian Gold Rushes of the 1850s*. Farnham, England: Ashgate Publishing Limited, 2014, p. 282.

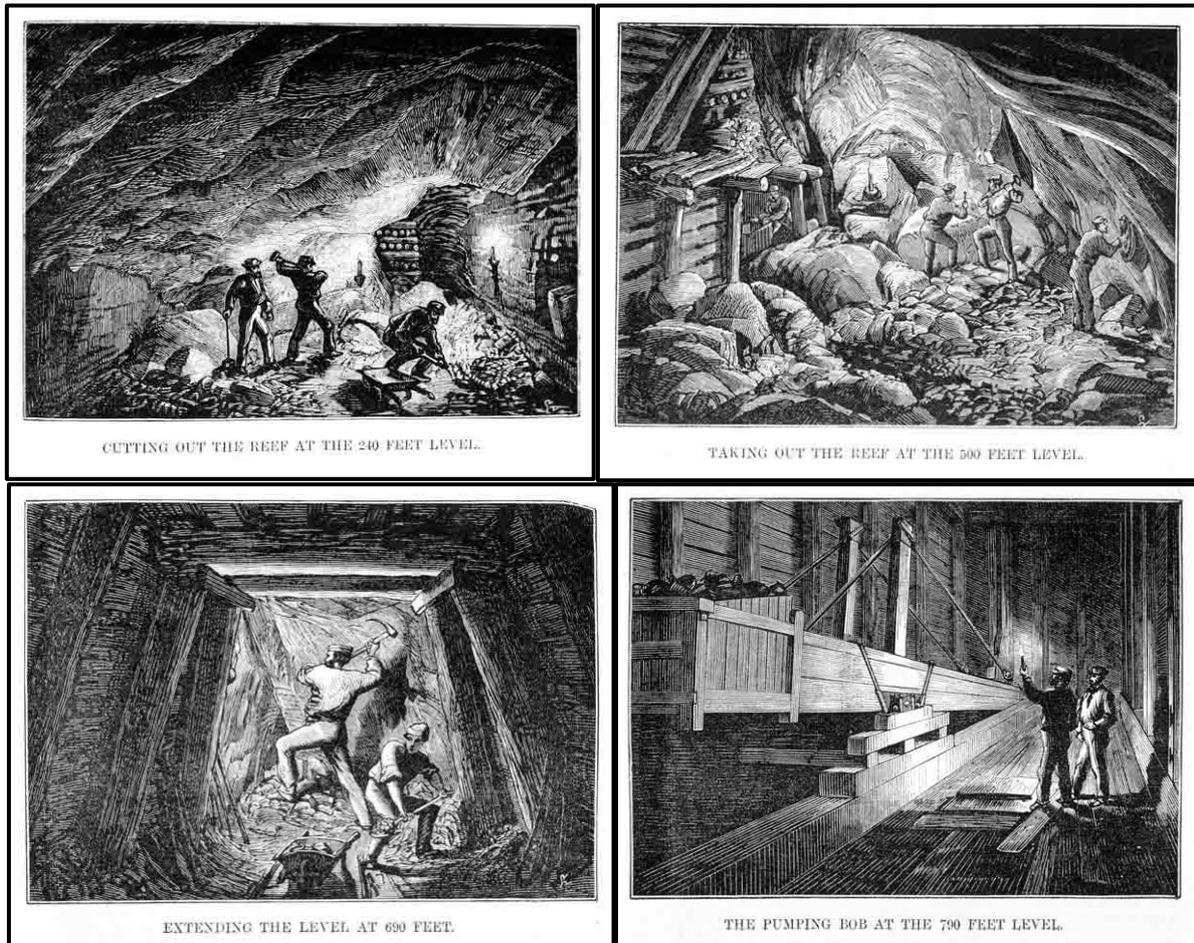
²⁷⁰ Birrell, *Staking a Claim*, p. 68.

²⁷¹ Bate, *Lucky City*, p. 197.

²⁷² Withers, *The History of Ballarat*, p. 241.

²⁷³ Beggs-Sunter, "James Oddie (1824-1911)", p. 73.

²⁷⁴ Welsh was a Ballarat man who gave evidence at the trial of Henry O'Farrell, the man who shot and wounded Prince Alfred in Sydney. *Ballarat Star*, 22 May 1868, p. 4.



Underground workings of the New North Clunes Mining Company, 1873

Illustrated Australian News for Home Readers, 17 June 1873

State Library of Victoria

The new company was launched and with the new security of the limited liability assured by Pyke's Act behind him, Stewart remained the largest shareholder owning 100 shares worth £2,000 (1/25 of the company).²⁷⁵ Most of the shareholders held 10 shares or fewer. By January 1866 Dr Richardson was calling the New North Clunes shares 'a certain fortune'²⁷⁶ and Holthouse considered it 'one of the best mines'.²⁷⁷ Many Ballarat doctors, like Stewart, supplemented their medical incomes with investments but even a successful doctor like Holthouse who invested in the same company as Stewart did not have his same fortunate results. Holthouse hoped this investment would clear his debts in a few months but a year later he still had not made his fortune.²⁷⁸ He had anxieties about his finances that the more secure Stewart did not share.

²⁷⁵ The next highest shareholders were Michael O'Malley of Redan and James Russell Thomson of Ballarat both with 80 shares and Dr Holthouse with 50 shares. *Star*, 28 February 1863, p. 3; *Victoria Government Gazette*, 3 March 1863, p. 526.

²⁷⁶ Letter from Walter Lindsay Richardson to Polly, 23 January 1866 in Probyn, *Marriage Lines*, p. 220.

²⁷⁷ Letter from Dr Thomas Le Gay Holthouse to his brother Henry, 15 April 1866. Northamptonshire Record Office, HOLT 391/3.

²⁷⁸ Letter from Dr Thomas Le Gay Holthouse to his sister Annie, 13 June 1867. Northamptonshire Record Office, HOLT 391/4.

Stewart was re-elected a company director at a meeting held at Craig's Hotel on 30 January 1865 just a month after returning from his visit to Ireland and remained in the position until he left Ballarat in 1869.²⁷⁹ His extensive mining investments would have meant numerous directors' and shareholders' meetings to attend every week including more than two meetings a month for the New North Clunes company. New North Clunes directors received no remuneration until the company began crushing quartz in October 1867, after which they were paid half a guinea per sitting.

A meeting at Craig's Hotel on 27 April 1868 brought the news shareholders had been waiting years to hear. They had about 20,000 tons of good payable quartz in view and hoped soon to be able to pay dividends. A branch of quartz struck at the 320 feet level was found to hold a good gold lode. All shareholders objected to sale of any more shares, wanting it all for themselves. Three months later the first dividend of the company was declared at £3 per share.²⁸⁰ Stewart's dividend would have been over £300.

Stewart resigned as director by the end of November 1868 and his friend Peter Lalor was elected in his place.²⁸¹ By 1874 there was a general depression in quartz mining in the Clunes district and, according to Woodland, by the end of that year New North Clunes was one of only two companies still in operation there.²⁸² It produced 253,373 ounces of gold and £750,000 in dividends, as Beggs-Sunter has established, making it one of the richest mines in the district.²⁸³ Water forced the mine to close in 1892.²⁸⁴ It was widely reported that Stewart drew £40,000 in dividends from the company after he left Australia.²⁸⁵

The New North Clunes was the most prosperous mining company that Stewart was involved with but he also invested in smaller and sometimes quite ephemeral mining ventures, many of which were some distance from Ballarat. He was a committee member of the Raglan Water Works and Gold Mining Company at Fiery Creek, Dunoon Gold Mining Company at Carngham and the Rifle Quartz Gold Mining Company at Ballarat.²⁸⁶ He was a provisional director at Red Streak Gold Mining Company at Creswick and the Magna Charta company (which re-emerged as the Constellation

²⁷⁹ *Ballarat Star*, 31 January 1865, p. 2.

²⁸⁰ This dividend money had come from just three weeks of crushing. *Ballarat Star*, 28 July 1868, p. 4.

²⁸¹ *Ballarat Star*, 1 December 1868, p. 4; *Ballarat Star*, 11 December 1868, p. 2.

²⁸² The other company was the Port Phillip company. John George Woodland, "R.H. Bland and the Port Phillip and Colonial Gold Mining Company." MA thesis, La Trobe University, Victoria, 2002, p. 139.

²⁸³ Beggs-Sunter, "James Oddie (1824-1911)", p. 71.

²⁸⁴ *Ibid.*

²⁸⁵ For example, *Argus*, 14 June 1906, p. 5; Harry Brookes Allen papers, UMA; *Morning Bulletin*, 28 July 1906, p. 7; *Sydney Morning Herald*, 14 June 1906, p. 7.

²⁸⁶ *Star*, 24 November 1859, pp. 3, 4; *Star*, 8 March 1861, p. 1.

Company after just four months of operations).²⁸⁷ He was elected to the board of management of the Goldsmith's Quartz Company at Yandoit.²⁸⁸

Mining ventures could be financed through banks with high interest rates, through the use of company machinery and directors' personal guarantees as security and through foreign investment, as Woodland asserts.²⁸⁹ Stewart held shares in the Great Extended Company in 1866 and chaired some of its shareholders' meetings.²⁹⁰ According to Woodland, the Victoria Mining Company of London was specifically set up to invest in mining and the Great Extended Company was one of 36 mining companies they invested in during the 1860s in Victoria.²⁹¹ Reeves, Frost and Fahey suggest that the reef (deep lead) mining companies were mostly financed from Britain but, as Blainey asserts, eastern Australian gold mines were mainly owned by local residents until the mid-1880s.²⁹²

Stewart became a provisional committee member for the Winter's Freehold Company in February 1867.²⁹³ The company leased 1,359 acres 3 roods 25 perches of land owned by John 'Jock' Winter, a wealthy squatter and Ballarat's first millionaire.²⁹⁴ Winter allowed the company to test 1,350 acres of land for mining for a period of six months from 25 November 1866 for £50,000.²⁹⁵ Mining was so depressed towards the end of the six months that they were afraid they would not have the £50,000 to pay Winter. A deputation consisting of shareholders Stewart, Bath and Gibbs and directors W.C. Smith, Whelan and Brennan requested a time extension from Winter which was granted to 25 May 1867.

The old company was made defunct at a meeting just five months later on 31 July 1867 and restructured.²⁹⁶ They planned to purchase the freehold property, lease it, mine it and continue mining, sheep farming or agricultural pursuits.²⁹⁷ The directors wanted to launch the entire property on the English market where it was considered they could make more money but Stewart wanted the decision postponed for three months.²⁹⁸ He did not want to rush into anything before plans for future

²⁸⁷ *Ballarat Star*, 25 June 1866, p. 4; *Ballarat Star*, 17 October 1866, p. 4; *Star*, 1 April 1861, p. 4; *Victoria Government Gazette*, 30 October 1866, p. 2376.

²⁸⁸ *Star*, 8 November 1860, p. 4.

²⁸⁹ Woodland, *Money Pits*, pp. 232-233.

²⁹⁰ *Ballarat Star*, 14 July 1866, p. 1S.

²⁹¹ Woodland, *Money Pits*, pp. 232, 236.

²⁹² Blainey, "The Momentous Gold Rushes", p. 211; Reeves, Frost and Fahey, "Integrating the Historiography", p. 118.

²⁹³ *Ballarat Star*, 20 February 1867, p. 4.

²⁹⁴ Griffiths, *Three Times Blest*, p. 38.

²⁹⁵ *Ballarat Star*, 9 August 1867, p. 2.

²⁹⁶ *Ballarat Star*, 12 August 1867, p. 3.

²⁹⁷ Leasing the land to farmers and graziers brought in income of between £800 and £900 per annum. *Ballarat Star*, 15 August 1867, p. 3.

²⁹⁸ *Ballarat Star*, 23 January 1868, p. 2.

operations had been properly considered. It was recommended to purchase the land for £50,000 and to begin mining straight away to prevent encroachment from neighbouring mining companies. Two shafts were to be sunk driving north and south to protect their eastern boundary. This was purely to defend the property rather than to create income. As Serle asserts, the undermining of claims was quite common.²⁹⁹

Stewart was a scrutineer for the election of company directors at a meeting at the George Hotel on 6 May 1868. The meeting was also to decide whether to put the company on the English market or dispose of it completely. Non-shareholders had questioned whether the company should sacrifice their own interests for the good of the colony by not sending gold profits to England but the chairman of the meeting, W.C. Smith, felt 'it was their duty to do the best they could for themselves'.³⁰⁰ Robert Malachy Serjeant thought they should get capital for machinery to get the gold for themselves instead of going so slowly that it would reward their children or grandchildren instead. Smith travelled to England in 1868 with Charles Ligar (ex-Surveyor General of Victoria) and Thomas Carpenter (a mining engineer) in an attempt to raise funds for the company but had little success.³⁰¹ He felt that his success was retarded by the size of shares he was allowed to sell because smaller scrip was in vogue in England.³⁰² Hunt asserts that this was the only notable fundraising attempt in London by Ballarat promoters and that the London brokers' support for Ballarat came later, thus supporting Blainey's assertion.³⁰³

Winter's Freehold was one of three companies that Bate asserts put their money on the theory that El Dorado lay westward – a view which 'implied a much greater length of unworked gutter and therefore a more spectacular future for Ballarat'.³⁰⁴ The company stopped mining in 1877 with a debt of £33,000 to the Bank of Victoria which foreclosed on them, took possession of the mine and abandoned it 18 months later.³⁰⁵ Whilst Stewart and his fellow shareholders would have lost money on the mine, Jock Winter profited nicely from the whole scheme. He was paid the large amount of money for land he had bought for next to nothing.

²⁹⁹ Serle, *The Golden Age*, p. 75.

³⁰⁰ *Ballarat Star*, 7 May 1868, p. 3.

³⁰¹ Some of that small success involved investment from the Victoria Mining Company of London. Withers, *The History of Ballarat*, p. 218; Bate, "Smith, William Collard (1830–1894)"; Woodland, *Money Pits*, p. 236.

³⁰² *Ballarat Star*, 13 October 1869, p. 4.

³⁰³ Fred Hunt, *Ballarat A Golden Past: A Shining Future Built on Gold*. Ballarat: Art Gallery of Ballarat, 1992, p. 21.

³⁰⁴ The other two companies were the City of Ballarat and Bonshaw. Bate, *Lucky City*, p. 193.

³⁰⁵ The company had taken gold from the mine worth £89,518 14s 8d but the bank took comparatively very little gold in the mine's last 18 months. Withers, *The History of Ballarat*, p. 218.

Company Name	Total Shares Available for Sale	Cost per Share	Date
Dunoon Gold Mining Company	500	£10	November 1859
Goldsmith's Quartz Company, Yandoit	50	£150	November 1860
Magna Charta Mining Company	2,000	£4	June 1866
Constellation Company	3,000	£3	October 1866
North Clunes Quartz Mining Company	1,000	£10	November 1858
New North Clunes Quartz Mining Company	2,500	£20	February 1863
Raglan Water Works and Gold Mining Company	2,000	£10	November 1859
Red Streak Gold Mining Company	50	£50	April 1861
Rifle Quartz Gold Mining Company	100	£30	March 1861
Winter's Freehold Company	10,000	£20	February 1867
	1,080	£50	July 1867
Bank of Victoria	20,000	£50	September 1856
Ballarat Banking Company	20,000	£10	March 1865
Ballarat Benefit Building and Investment Society		£100	April 1857
Ballarat Permanent Building and Investment Society		£50	April 1866
Ballarat Fire and Life, Deposit, Loan and Guarantee Society	140,000	£5	August 1859
Ballarat Fire Insurance Company (Limited)	50,000	£5	March 1868
National Insurance Company of Australasia (Limited)	100,000	£2 10s	May 1868
Ballarat and Bullarook Tramway Company	2,500	£10	August 1858
Smythesdale Tramway	16,000	£5	August 1862
Ballarat Gas Company	5,000	£10	June 1857
Turkish Baths Company	500	£5	January 1862
Ballarat Distillery Company	1,000	£10	July 1866
Warrenheip Distillery	2,500	£20	November 1865

Table 6: Share prices for some companies in which Stewart invested

Stewart and the Anglo-Irish in Victoria

Although born into an Ulster Presbyterian family, Stewart gained very strong Anglo-Irish connections. For example, some of his Foyle College classmates had Anglo-Irish connections such as Robert Wallen who was later his shipmate on the voyage to Australia. Stewart attended classes amidst the Anglo-Irish culture of the Ascendancy institution of Trinity College, Dublin. In Ballarat Stewart had ongoing associations with Anglo-Irish lawyers, judges and members of the Melbourne cousinage through his own court cases and when providing medical evidence in other cases, through his role as a J.P. and through social, business and personal associations. Amongst them were Robert Holmes, Richard Ireland, Arthur Wrixon, Robert Le Poer Trench and Redmond Barry. Some of his medical colleagues were Anglo-Irish including Doctors Clendinning and Richardson. Some of these men were also members of the Yarrowee Freemasons with Stewart and socialised together.

Just as Anglo-Irish society has been noted by J.C. Beckett for its fluidity, the label and interpretations of it are also malleable; it is essentially a construct of modern historians, as Beckett, Forth and Bolton suggest.³⁰⁶ O'Farrell suggests that terms defining the Anglo-Irish in Victoria between 1850 and 1880 'must be broad and flexible'.³⁰⁷ He describes them as a 'mixed breed' marked more by class than religion as some were Presbyterians, Methodists and even Catholic. Some adopted Protestantism to gain entry to the Trinity College and others through intermarriage. Forth has a similar contention for the Irish in Australia noting that central to Anglo-Irish identity in both colonial Australia and Ascendancy Ireland was the possibility of advancement on merit within a flexible social structure where class, status and achievement were more important than lineage and religious denomination.³⁰⁸

Although he did not come from an Anglo-Irish background, at the very least Stewart was part of strong Anglo-Irish cultural, professional and social networks but if he can be considered to have joined the Anglo-Irish in colonial Victoria, he fits into O'Farrell's broad and flexible definition of the Anglo-Irish. O'Farrell has posited that the Anglo-Irish professional classes in Australia consisted mainly of graduates of the liberal and innovative Trinity College, Dublin, who took 'a lead in all aspects of the Victorian professional and cultural scene, generating intellectual life, founding diverse organisations and institutions'.³⁰⁹ But O'Farrell also claims that the Anglo-Irish were right-wing conservatives. This political position may be more applicable to the Anglo-Irish landowners rather

³⁰⁶ J.C. Beckett, *The Anglo-Irish Tradition*. London: Faber and Faber Limited, 1976, pp. 58, 65; Bolton, "The Anglo-Irish and the Historians", pp. 239, 240; Forth, "The Anglo-Irish in Australia", pp. 51-62.

³⁰⁷ O'Farrell, *The Irish in Australia*, p. 94.

³⁰⁸ Forth, "The Anglo-Irish in Australia", p. 53; Forth, "No Petty People", pp. 130, 139.

³⁰⁹ O'Farrell, *The Irish in Australia*, p. 97.

than the professional class who had such a large impact on the colony since he acknowledges there was a big difference between the views and motives of these two groups.³¹⁰

Ronayne suggests that these highly educated gentlemen led in the promotion of ‘religious tolerance, secular education, universal suffrage, land reform, and democratic institutions’³¹¹ in efforts to not repeat the mistakes they had witnessed in their home country. Forth contends that the generation of Anglo-Irish that arrived in Australia prior to 1860 were ‘better educated and more liberal-minded’³¹² than the preceding and succeeding generations. These were the Anglo-Irish with whom Stewart was strongly involved. Macintyre’s discussion of colonial liberalism also appears more applicable to these Anglo-Irish in Victoria than O’Farrell’s assertion.³¹³ Holmes and Biagini note that historians have struggled to describe the complexity of Irish Protestants due to the group’s ‘often bewildering variety’.³¹⁴ This allows space for overlapping interpretations and broad and flexible definitions, such as O’Farrell’s, can be both beneficial and detrimental for understanding such a complex group. Although Stewart may fit into O’Farrell’s definition, he is best understood as an Ulster Presbyterian Irishman whose flexible identity also accommodated Anglicanism in colonial Victoria.

Stewart was far from being a right-wing conservative. He shared a similar version of colonial liberalism with the men of Macintyre’s history, particularly Higinbotham. He led by example in his public roles, he held liberal views and tried to make sure the voices of all were heard. He promoted secular education in his involvement with establishing schools in Ballarat. He was involved with democratic institutions, he promoted religious tolerance and promoted land reform in his role as a councillor as well as in a private capacity. His County Tyrone background was influenced by the democratic nature of the Presbyterianism of his family and of their farming community where those more fortunate helped the less fortunate. Stewart was a prominent contributor and had strong influence in the hotbed of liberalism of Ballarat through his public positions. When his fellow Irishman Peter Lalor fell foul of the Ballarat community with his conservative stance on land ownership, Stewart and his fellow liberals remained strong and kept acting with their community’s best interests in mind. His beliefs and actions were egalitarian and democratic and this is demonstrated throughout this thesis.

³¹⁰ Ibid., p. 95.

³¹¹ Ronayne, *The Irish in Australia*, p. 8.

³¹² Forth, "No Petty People", p. 140.

³¹³ Macintyre, *A Colonial Liberalism*.

³¹⁴ Andrew R. Holmes and Eugenio F. Biagini. "Protestants." In *The Cambridge Social History of Modern Ireland*, edited by Eugenio F. Biagini and Mary E. Daly, 88-111. Cambridge: Cambridge University Press, 2017, p. 88.

Stewart skilfully fortified his financial holdings through a variety of investments in the Ballarat area during the 1850s and 1860s to such an extent that he left Ballarat in a very comfortable financial position. Where others struggled, Stewart flourished. He had a wide-ranging influence on the companies, banks, businesses, agriculture and mining companies during his time there and remained a shareholder of some of the area's more successful companies for some time after leaving Australia. The way that Stewart built on his wealth was heavily tied to his desire to improve his community. Considering Bourdieu's definitions, Stewart's cultural and economic capital were interconnected in that his public roles on committees and his professional connections assisted his financial advances and his financial success advanced his cultural capital accumulation.³¹⁵

The French Comte de Beauvoir described Ballarat in 1866 as having 'fine houses and fine streets; by day it is filled with carriages, by night lit by gas; it is full of clubs, theatres, libraries, and banks'.³¹⁶ When Englishman Anthony Trollope visited Ballarat in 1873 he was amazed 'that a town so well built, so well ordered, endowed with present advantages so great in the way of schools, libraries, hotels, public gardens, and the like, should have sprung up so quickly with no internal advantages of its own other than that of gold'.³¹⁷ The 'internal advantages' of Ballarat were men like Stewart who contributed to the creation of all the desirable features listed by Trollope. Stewart and his wife Annie left Ballarat in 1869. Their reasons for leaving and their life beyond Australia will be discussed in the following chapter.

³¹⁵ Simon Gunn, "Translating Bourdieu: Cultural Capital and the English Middle Class in Historical Perspective." *The British Journal of Sociology* 56, no. 1 (2005): 49-64.

³¹⁶ John Melville-Jones, ed. *Ludovic De Beauvoir's Visit to Australia*. Carlisle, W.A.: Hesperian Press, 2016, p. 102.

³¹⁷ Anthony Trollope, *Victoria and Tasmania*. London: Chapman and Hall, 1875. <http://archive.org/details/texts>. Also available in print form, p. 46.

PART III: RETURN TO THE UNITED KINGDOM

CHAPTER SEVEN

A NEW COIGN OF VANTAGE IN THE EMPIRE

**'Had we never lov'd sae kindly'¹
Robert Burns**

Stewart spent the majority of the 1850s and 1860s contributing to the Ballarat community with a very public life but from 1869 he stepped away from public life completely. As discussed in Chapter 6, Stewart believed that independent citizens should devote 'a few years of their time to the good of the town and district'² – he had devoted nearly two decades of his time. His wife Annie Frances had to share him with the rest of Ballarat for the first decade of their marriage and finally the couple had time for themselves and with their extended family. They were both 39 years old and their life was moving into a new phase. This chapter provides insight into the life of the doctor in Britain. Tracing the family connections that were so important to him on his return to the United Kingdom, it examines the power of his family networks, the mutual support they provided and what happened when they failed.

Now financially secure, James and Annie left Victoria for England by April 1869. Evidence of their departure is particularly scant. It is strange to find no reference in the *Star* to his departure after he made such important contributions to his community. This may have been a calculated move by Stewart to avoid fuss or perhaps the couple were not considering a permanent move. After all, he had not sold his practice. After the excitement of the early gold rush years and Stewart's role in establishing the city and so many of its institutions, it is possible that life had become too quiet for him and he was seeking new challenges. Perhaps he had achieved all that he had planned to; perhaps he was worn out; possibly he had never planned to stay in Australia permanently. The doctor's social circle had changed in Ballarat, with a number of colleagues having died or left the district. With his portfolio of handsome investments, Stewart no longer needed to work and was in a position to seek new challenges. The issue of Stewart's health perhaps holds the key. There had been a suggestion that he initially came to Australia because of health problems, and perhaps ill health still plagued him. If so, he certainly achieved a great deal for someone with poor health.³

Annie would have contributed to the decision to return to the United Kingdom, but there is little evidence of her reason. It may be that the couple's inability to have children had become very difficult

¹ Robert Burns, *Ae Fond Kiss, And Then We Sever*.

² *Star*, 9 September 1862, p. 4.

³ Allen, "The Founder of the Stewart Bequest.", p. 69.

and heartbreaking. They were surrounded by nieces and nephews, some of whom were named after Annie. McCalman and Kippen contend that Australian women during the mid-nineteenth century 'had an average of six children each over their lifetimes'⁴ and families of 10 to 12 were common. Jane Stewart had nine children and fits into this pattern, as do the Taylor women: Anne Hamlet Taylor had 15 children, Frances Taylor had 10 children and Jane Fynmore had 13 children. Catherine Proctor had only four children but this would have been a decision influenced by the painful loss of two of her children. These general and family statistics make the fact that James and Annie had no children an even starker contrast.

Probably the strongest reason was the couple's desire to be closer to their family members who had not emigrated to Australia. Annie's aging mother, Jane Freeman, was living in Plymouth, England. Jane had become a widow for a second time with the death of her husband Nathaniel Freeman in 1866.⁵ Annie's youngest sibling Louisa was living with their mother but she would soon leave the home to get married.⁶ Perhaps James and Annie were stepping in to allow Louisa the freedom to marry.

Stewart resigned from his public positions (leaving a donation of 10 guineas to each institution with which he was involved) and set Dr George Henry Hamilton up in his practice in late 1868.⁷ Stewart is likely to have known Hamilton, another Irishman from County Tyrone, prior to this as Hamilton only became a registered practitioner in Victoria when he took over the practice.⁸ Following the pattern set on his earlier visit to Ireland in 1863, Stewart's resignation letter to the Ballarat Mechanics' Institute indicated that he was returning to Europe for a visit rather than leaving the colony for good.⁹ As did Hamilton's advertisements which referred to Stewart's 'temporary absence'.¹⁰ Stewart left his affairs in Victoria in the hands of James Oddie, his friend and former fellow municipal councillor.¹¹ Despite hints of a return with continued financial and familial connections, there was a feeling of permanence to their departure.

⁴ McCalman and Kippen. "Population and Health", p. 304.

⁵ Principal Probate Registry England, Probates Nathaniel Freeman 1866, Jane Freeman 1874.

⁶ GRO, Marriage Certificate Louisa Taylor and James Perrin Taylor.

⁷ *Ballarat Star*, 24 September 1868, p. 3.

⁸ Hamilton was registered and practising in New South Wales prior to this. He was registered in Victoria on 2 October 1868 with the qualifications of M.D. Giessen, L.S.A. London 1859 (Licentiate of the Society of Apothecaries, London). *Ballarat Star*, 12 October 1868, p. 2; The Medical Board of Victoria. *The Medical Register for the Year 1875*. Melbourne: John Ferres Government Printer, 1875. <http://www.archive.org>. Also available in print form, p. 7.

⁹ Meeting Book of Ballarat Mechanics' Institute, 9 April 1869, p. 272

¹⁰ *Ballarat Star*, 9 October 1868, p. 1.

¹¹ In April 1869 Stewart made Oddie his attorney and agent. *Ballarat Star*, 1 April 1869, p. 3.

Return to the United Kingdom

De Serville notes that too often it was ‘the best-educated rich colonists who left’¹² Australia and thus, conversely, that it was these colonists who strengthened Britain, bringing riches and the benefits of new experiences with them. Stewart, although one of these well-educated and rich colonists, maintained financial and benevolent ties with the colony. As an Irishman and colonist he was part of the global story of the history of Britain because, as Vernon suggests, it was the world that made Britain rather than ‘that old imperial conceit that Britain made the world’.¹³ Thus the importance of considering the ways that ‘imperialism inflected culture in Britain as much as it did in its outposts’¹⁴, as Boucher and Fullagar note. De Serville contends that although Australia was the place that colonists lived, Britain remained ‘Home’ as ‘the centre of one’s imagination, culture, and spirit’.¹⁵ He further suggests that when the sick and old colonists returned to Britain for their final years ‘it was a tacit admission that the colony was not home, but a young man’s sphere of action; fortunes were made there, but one did not end one’s days there’.¹⁶ Stewart’s journey suggests there is more to this story. When he left the colony for Britain he was not returning ‘Home’, for he and Annie were to settle in England rather than Ireland. For them ‘Home’ was the place they lived within the British Empire whether it be Ireland, Australia or England. They were attached to people living in all three countries and were connected to each country in different ways relating to different times in their lives.

The Stewarts’ choice to live in England rather than Ireland was influenced by the change in themselves as well as the places they had known after their time in colonial Victoria. Ireland of the 1870s was very different from the Ireland in which they had grown up. There was no family home for James or Annie to return to. His parents were both dead and his sister had sold the Binnelly farm.¹⁷ Annie’s father and step-father were dead and her mother had emigrated to England. Like James and Annie, many members of both the extended Stewart and Taylor families remained relatively mobile. London was a central base for the couple to share their lives with their relatives in both England and Ireland.

Moving from a rural Presbyterian community to Ascendancy Dublin and on to an Antipodean goldfield were jolting changes for Stewart and involved adjustments to his mindset. To help build a thriving community in Ballarat and achieve so much then return to County Tyrone, a place that in

¹² de Serville, *Pounds and Pedigrees*, p. 236.

¹³ James Vernon, "The History of Britain is Dead; Long Live a Global History of Britain." *History Australia* 13, no. 1 (2016): 19-34. p. 19.

¹⁴ Leigh Boucher and Kate Fullagar. "Introduction: Modern British History from the Antipodes." *History Australia* 13, no. 1 (2016): 6-18, p. 6.

¹⁵ *Ibid.*, p. 228.

¹⁶ *Ibid.*, p. 234.

¹⁷ PRONI, Valuation Revision Book. VAL/12/B/42/19B (1864 - 1879)

some ways appeared to have physically changed little but in many ways was distinctly and forever different, would have profoundly affected Stewart. His experience of colonial religious denominations would have made it difficult to return to the narrow theological world of Ulster Presbyterianism or to live in his former Presbyterian community as an Anglican. There was increasing unionist and nationalist sentiment in Ireland and perhaps Stewart had seen enough disruption and loss in the fight for change at Eureka. He may have wanted a quieter life for himself at this time of his life and to protect his wife from the political ferment in Ulster.

Ireland went through rapid social change and an image adjustment impelled by politics, as O'Farrell contends, and Agrarian reform was a central issue.¹⁸ The Irish Tenant League fought for key demands of Irish tenants of fair rent, fixity of tenure (the tenant right or Ulster custom) and free sale. The Ulster custom was made statutory throughout Ireland under Gladstone's 1870 Land Act and other concessions made in later Acts.¹⁹ In Stewart's home parish of Donaghedy, farms began to be transferred from landlords to tenants from the 1870s as the estate system dramatically changed. Most farms had been transferred to tenants in the parish in the early twentieth century and two-thirds of Irish farmers owned their land by 1914.²⁰

Whilst Stewart returned to Ireland and Britain prior to the first Home Rule crisis of 1885-86, he was witnessing the lead up to it and the growing sectarian antagonism between Ulster Presbyterians and Catholics, fuelled by the Celtic Revival. From earlier in the century, according to Holmes, conservative Presbyterians were encouraged to unite with Anglicans against Catholic nationalism.²¹ Ulster was the only province where Protestant conservatives were in the majority in the 1880s; its upper class was predominantly Anglican and the middle classes were largely Presbyterian.²² As Miller points out, through famine mortality and emigration Ulster's population became more Protestant and this Protestant population became more Anglican 'and thus more "Orange," loyal, and Unionist'.²³ The Orange Order, according to Curtis, 'had become an important mechanism for upholding landlord power and British rule'.²⁴ The Anglo-Irish were leaning towards their Anglo side and the Ulster Protestants towards their Protestant side, as O'Farrell asserts.²⁵

¹⁸ Douglas, Harte and O'Hara, *Ireland since 1690*, p. 51; O'Farrell, *The Irish in Australia*, p. 94.

¹⁹ These were partially achieved in Gladstone's second Land Act of 1881 and concessions made with the Kilmainham accord of 1882. Douglas, Harte and O'Hara, *Ireland since 1690*, pp. 51, 55, 63, 64; Holmes, "Covenanter Politics", p. 353; Kerby A. Miller, "Belfast's First Bomb, 28 February 1816: Class Conflict and the Origins of Unionist Hegemony." *Éire-Ireland* 39, no. 1 (2004): 262-280, p. 273.

²⁰ Douglas, Harte and O'Hara, *Ireland since 1690*, p. 64; Roulston, *Three Centuries of Life*, p. 196.

²¹ Holmes, "Covenanter Politics", p. 348.

²² Douglas, Harte and O'Hara, *Ireland since 1690*, p. 69; Miller, "Belfast's First Bomb", p. 271.

²³ Miller, ""Heirs of Freedom"", p. 29.

²⁴ Curtis, *The Cause of Ireland*, p. 36.

²⁵ O'Farrell, *The Irish in Australia*, p. 94.

The Celtic Revival began in the 1880s and O'Farrell suggests that the celebration of Irish culture was part of 'an escape from sordid Irish politics'.²⁶ Through the Irish National League Parnell transformed Home Rule into a national movement, as Douglas, Harte and O'Hara assert.²⁷ Holmes posits that it was during this first Home Rule crisis that the Ulster Presbyterians were transformed to unionists.²⁸ The electorate of North Tyrone of which Donaghedy was a part was, like the rest of Ulster, fairly evenly divided in a Protestant/unionist and Catholic/nationalist split in the latter half of the nineteenth century.²⁹

During the nineteenth century a sense of British identity had grown and Ulster Protestant cultural identity was overlaid with emotional attachment to the British crown.³⁰ Whilst Stewart shared facets of this identity he had lived away from the strong nationalist sentiment, the Irish Catholic nationalism and events in Ireland. His mindset and British identity were flavoured with life in Victoria rather than life in Ireland and he could only relate to disparate parts of the Ulster Protestant identity. As O'Farrell suggests, 'efforts to generate Australia's own 'Gaelic revival' went against the character of Irish Australia as it had evolved'.³¹ The Irish in Australia were subjected to different events and forces, to different glues and solvents. Not only was it not part of Stewart's heritage, it was out of touch with the other Irish he had shared life with on the goldfields. The Ireland he had left, the Ireland of his memories as he lived as an Irishman in Australia, was not the Ireland he could return to.

At a more personal level Stewart had been so involved in events in Ballarat, such as Eureka and the establishment of much needed institutions, that he felt rooted to the place. As Kiddle suggests of George Russell in Victoria, 'the country ... had insensibly taken possession of him'.³² Ballarat and its people had in many ways taken possession of Stewart. His place in society had also changed. In the different and jumbled goldfields society he sat in its highest echelons but simultaneously shared attributes with other classes such as the farmers and miners. In England he joined a gentry lifestyle.

People are linked to class relations through both their involvement in productive resources and social relations, as Wright asserts.³³ Locality as a defining factor in class location takes on a new meaning in the new colonial space and over time.³⁴ Stewart was linked to the class relations of the gentry through

²⁶ Ibid., p. 179.

²⁷ Douglas, Harte and O'Hara, *Ireland since 1690*, p. 66.

²⁸ Holmes, "Covenanter Politics", p. 340.

²⁹ Douglas, Harte and O'Hara, *Ireland since 1690*, pp. 72-73; Roulston, *Three Centuries of Life*, p. 291.

³⁰ Douglas, Harte and O'Hara, *Ireland since 1690*, p. 69.

³¹ O'Farrell, *The Irish in Australia*, p. 179.

³² Kiddle, *Men of Yesterday*, p. 178.

³³ Erik Olin Wright, "Foundations of a Neo-Marxist Analysis." In *Approaches to Class Analysis*, edited by Erik Olin Wright, 4-30. Cambridge: Cambridge University Press, 2005, p. 18.

³⁴ Ibid., p. 17.

social relations including those of family and kinship and the cultural capital transmitted across generations. As Thompson suggests, class is a historical phenomenon, something which happens in human relationships.³⁵ Stewart fitted into the different societies of three different countries with ease because he could not be defined as confined to one social class, one social group, one occupation or one religious denomination. He moved easily within multiple areas of society whilst maintaining the strength of membership of the hegemonic groups through the relationships he had in each place and time. He fitted in to rural Ulster, urban Dublin, goldfields Victoria and urban London as a farmer's son, a medical student, a doctor, a civic leader, a husband and a retired private gentleman.

Stewart shared some components of Irishness with his fellow Irish-born colonial Victorians who retired to England. Sir Samuel Wilson was also a son of an Ulster farmer who enhanced his fortune in the colony and retired to England. He was just a few years younger than Stewart but the way he lived in Australia and England was very different. Wilson had sought and received a knighthood in 1875 and sought a political career in England. Stewart, however, did not seek public acknowledgement and opted for a quiet and private life after leaving Australia. Governor Sir George Bowen described Wilson's 'position and style of living as similar to an 'opulent country gentleman' in England'.³⁶ Stewart was to live as an affluent city gentleman in London and this could be perceived as aspiring to be 'Anglo-Irish' with his wife and moving away from being 'Ulster Protestant' but really Stewart lived comfortably in each place that he inhabited and moved easily between and within each society through his fluid identity and membership of multiple groups.

Making an English Home

James and Annie spent their first years in England in a two-storey house called *Eston Lodge* at 148 Tulse Hill in Surrey.³⁷ *Eston Lodge* was built in 1843 on the Tulse Hill estate, a flourishing residential suburb that had developed from Tulse Hill Farm.³⁸ Their preference for employing married couples as

³⁵ Edward P. Thompson, "Preface to the Making of the English Working Class (1963)", p. 1.

³⁶ L. J. Blake, "Wilson, Sir Samuel (1832–1895)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wilson-sir-samuel-1052/text8141>, published first in hardcopy 1976, accessed online 18 June 2016.

³⁷ The couple were living at *Eston Lodge* by 21 October 1869 and it was still their address two years later. The General Council of Medical Education and Registration of the United Kingdom, *The Medical Register*. London, 1871. <http://www.bodleian.ox.ac.uk/dbooks>. Also available in print form, p. 449; England and Wales Census 1871; *The Medical Directory for 1872, and General Medical Register*. London: J. and A. Churchill, 1872. www.bodleian.ox.ac.uk/dbooks. Also available in print form, p. 165; Personal Communication with Robert Mills, Royal College of Physicians of Ireland.

³⁸ London County Council. *Survey of London: The Parish of St. Mary Lambeth. Part Two Southern Area*, edited by F. H. Sheppard Vol. XXVI. London: The Athlone Press University of London, 1956, pp. 156, 160.

servants continued in England. Their servants at *Eston Lodge* included 37-year-old groom James Stonnard, 33-year-old cook Ann Stonnard and 21-year-old housemaid Margaret Hooper.



Eston Lodge. 148 Tulse Hill in 1956

James and Annie's house 1869-c.1873

Survey of London: The Parish of St. Mary Lambeth. Part Two Southern Area, London Metropolitan Archives

The couple most likely chose this location so that they could live in London but visit Annie's mother and sister Louisa who had moved to Brighton, Sussex, and were just a train trip away.³⁹ Other kith and kin were not far away. Colonel Fynmore, the father of Annie's brother-in-law James Fynmore, lived at Blenheim Grove in Surrey just four kilometres away, and the couple were to have many house guests.

James's close involvement with Annie's family at this time is revealed in some of their life documents. In 1871 Annie's mother Jane made James an executor for her will and he was a witness for Louisa's marriage to James Taylor in Brighton, East Sussex, that same year.⁴⁰ He was also with Jane when she died from pneumonia just three years later on 11 December 1874.⁴¹ The Taylor/Freeman family relied on James for important roles of trust rather than choosing other members of their own family. It is a sign of closeness between him and his wife's family but also may have been related to the social capital associated with his medical title.⁴²

Perhaps the most dramatic change in Stewart's life was that after two very busy decades as a physician and surgeon he stopped practising medicine. He had retired at age 39 with a successful and illustrious career behind him. He had enough earnings and investments for himself and Annie to live comfortably for the rest of their lives. Retirement from the career that had previously defined his life, into which he had put so much time and energy, adds weight to the suggestion that he left Australia because of poor health. After all, it had only been six years since he had updated his medical qualifications. Yet it is also possible that this had been his plan all along. To have the title of surgeon and physician added an aura of 'gentleman' to the social space Stewart would inhabit after his retirement. Stewart's success as a doctor and as a capitalist was proof of successfully doing his duty in pursuing his calling which, according to Weber, can be considered an essential element of the social ethic of capitalist culture.⁴³ This added to the more tangible indications of his moral and financial probity which were, according to Davidoff and Hall, family and household behaviours and their material setting.⁴⁴ They contend that the key to survival was personal reputation. Now living in London away from a community where he was very well known he had to rely on his reputation and portable social capital. The networks of kith and kin remained important as both he and Annie had relatives living in London. Their reputation and social capital were also useful with other returned colonials of class and means in their London network.

³⁹ The nearby Tulse Hill railway station was part of the London, Brighton and South Coast Railway. England and Wales Census 1871.

⁴⁰ GRO, Marriage Certificate Louisa Taylor and James Perrin Taylor; Principal Probate Registry England, Probate Jane Freeman 1874.

⁴¹ GRO, Death Certificate Jane Freeman.

⁴² Principal Probate Registry England, Probate Jane Freeman 1874.

⁴³ Weber, *The Protestant Ethic*, p. 13.

⁴⁴ Davidoff and Hall. *Family Fortunes*, p. 208.

Magee and Thompson suggest that there are three types of co-existent social capital that connect groups where homogeneous groups are held together (bonding), brought together horizontally (bridging) and vertically united with heterogeneous groups (linking).⁴⁵ Stewart used all of these: his Irishness, his colonialness, his medical profession, his Freemasonry, his family, kinship and class. As Gunn suggests, the discursive components of class in the nineteenth century were cultural and moral as well as political, social or economic.⁴⁶ Women, according to Gunn, 'represented embodied cultural capital' and were 'arbiter and proof of distinction'.⁴⁷ Annie embodied the cultural capital of wealthy middle class Protestant Irish distinction.

James and Annie did not stay stationary for long and soon visited Europe. They were most likely accompanied by family members and friends throughout their travels. These trips were part of the taste for cultural pursuits which Gunn suggests were a recognized part of English middle class status by the 1830s.⁴⁸ By April 1872 James (and most likely Annie) had visited Rome, Syracuse, Catania, Messina and Palermo in Italy.⁴⁹ News of the well-known Ballarat identity's continental trip was reported in the *Ballarat Star*. James spent much time exploring Syracuse which he found at least as interesting as ancient Pompeii. He explored houses chiselled from rocks and viewed bones of antediluvian animals found at Syracuse and the Greek and Roman burial grounds. From Catania he watched smoke and fire billowing from the top of the snow-capped Mount Etna. In Rome he met Cornelius Lister, an ex-patient from Ballarat, and noted that Lister's health had much improved – James was no longer practising but he was still a doctor at heart.

It was not uncommon for former colonials to meet acquaintances from Victoria in England, Ireland and Europe and colonial networks remained strong. When Ballarat man Henry Glenny travelled to England and Ireland in 1888 he met with some other Ballarat men including Stewart's friend James Oddie, former Ballarat East municipal chairman William Scott and Dr William Wills.⁵⁰ Both Glenny and Scott were Ulstermen, the former from Newry in County Down and the latter from Castlederg in Stewart's home county Tyrone. Glenny noted that 'you cannot go up Ludgate Hill, down the Strand, or along Cheapside without brushing up against someone you knew at Ballarat or Melbourne'.⁵¹

By 1874 James and Annie had moved closer to the centre of London and their large house remained a busy place full of extended family members. They lived at 12 Westbourne Street, Hyde Park, where

⁴⁵ Magee and Thompson. *Empire and Globalisation*, p. 49.

⁴⁶ Gunn, "Translating Bourdieu", p. 54.

⁴⁷ *Ibid.*, p. 55.

⁴⁸ *Ibid.*, p. 52.

⁴⁹ *Ballarat Star*, 10 April 1872, p. 2.

⁵⁰ Glenny was a prolific contributor to the Ballarat newspapers under the pseudonym 'Silverpen'. *Ballarat Star*, 21 April 1888, p. 1; *Ballarat Star*, 7 July 1888, p. 2; *Ballarat Star*, 29 November 1888, p. 4.

⁵¹ *Ballarat Star*, 29 November 1888, p. 4.

they remained until at least 1880.⁵² The house is currently a six-storey guest house with 18 bedrooms called Andrews House Hotel.⁵³ This move was most likely for the couple to be closer to Annie's ailing mother who was living at 7 Park Place, Clarence Gate, Regent's Park. Her mother died on 11 December 1874. Annie's widowed sister Louisa Taylor was also living with the couple by 1876 and her cousin Frederica Sophia Joy Snow had joined them by 1877.⁵⁴ Louisa's husband James Taylor had died in 1873, less than two years into their marriage.⁵⁵ Annie's niece Louisa Fynmore stayed with the couple on a visit from Australia.⁵⁶ The couple may not have had any children but they appear to have rarely been alone.



James and Annie's address from c.1874-1880

12 Westbourne Street, Hyde Park

www.fleurets.com

⁵² *London Gazette*, 28 February 1874, p. 1418; *London Gazette*, 25 February 1880, p. 1235; *The Medical Directory for 1876*. London: J. and A. Churchill, 1876. www.bodleian.ox.ac.uk/dbooks. Also available in print form, p. 192; Personal communication with Robert Mills.

⁵³ "Andrews House Hotel." Accessed 29 September, 2015. <http://www.andrewshousehotel.co.uk>.

⁵⁴ *London Gazette*, 26 February 1876, p. 1552; *London Gazette*, 28 February 1877, p. 1170.

⁵⁵ GRO, Death certificate James Perrin Taylor.

⁵⁶ PROV, Will and Probate Louisa Taylor; PROV, VPRS 7666 United Kingdom Ports, *Iberia*, November 1885, Passenger List.

De Serville further notes the loneliness and isolation felt by returning colonists who had experienced a life 'which separated them from people who had stayed at home'.⁵⁷ Although the geographic distance had not stopped James remaining close to his Ireland-bound kith and kin, he did maintain some distance from them by living in England. His fortunate financial position meant they could visit 'home' whenever they wanted. It is unknown how often the couple travelled to Ireland but they most likely attended family events such as James's niece Martha McLaughlin's wedding at Leckpatrick Presbyterian Church in County Tyrone on 8 July 1880.⁵⁸ James was able to see some of the Irish part of the next generation of the Stewart family growing up as Martha and her husband Robert Lauden Porter had 11 children between 1881 and 1899, two of whom were named Annie Frances and James.⁵⁹

Ballarat was to linger in Stewart's mind and in his heart. Though residing in London he continued to contribute to Ballarat institutions through generous donations and he continued to add new properties in the city to his investment portfolio. His name was common in subscription lists, as it always had been.⁶⁰ He continued to donate to the Ballarat District Hospital, Ballarat District Orphan Asylum and Ballarat District Benevolent Asylum as well as to the newly-formed School of Mines, the Female Home and the Bible Society. Much to Stewart's delight, his family in Ballarat were benefiting from some of these institutions. In 1879 his niece Mary Proctor received her recommendation certificate in telegraphy from the School of Mines.⁶¹

Stewart continued to influence the lives of his nieces and nephews and later generations. His nephew John McLaughlin followed in his footsteps to become a surgeon and physician. McLaughlin received a Licence of the Royal College of Surgeons in Ireland (L.R.C.S.I.) in 1879, a Licence of Midwifery of the Royal College of Surgeons of Ireland (L.M.) in 1880 and his Doctor of Medicine (M.D.) at the Queen's University in Ireland the same year.⁶² As discussed in Chapter 2, the British armed forces were a popular choice for Irish medical graduates and McLaughlin became a Surgeon Captain in the Royal Army Medical Corps (R.A.M.C.).

A year after McLaughlin received his medical qualifications another of Stewart's nephews was to become a doctor. Robert Stewart of Mount Rowan in Victoria was awarded Bachelors of Medicine

⁵⁷ de Serville, *Pounds and Pedigrees*, p. 237.

⁵⁸ Porter was from Gortmason and the son of Presbyterian minister Francis James Porter. "Leckpatrick Presbyterian Church Marriages 1845-1930." Transcribed by Faye Logue. Accessed 20 July, 2013. <http://www.cotyronaireland.com/churchrecord/leckpresmar1845-1930.html>.

⁵⁹ "Donagheady Second Presbyterian Church Baptisms".

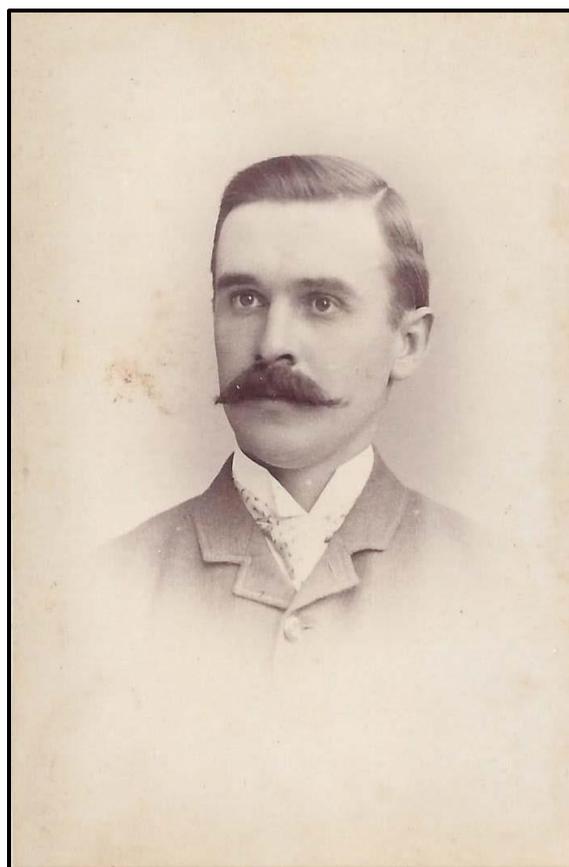
⁶⁰ *Ballarat Courier*, 1 March 1870, p. 3.

⁶¹ *Ballarat Star*, 11 October 1879, p. 2.

⁶² McLaughlin became a recruiting Medical Officer at Bradford in England and at Belfast in Ireland after expeditions to Africa and joining the Boer War as part of the R.A.M.C. "Deaths in the Services." *British Medical Journal* (1 April, 1933), p. 589; Personal communication Caroline Montgomery, Royal College of Physicians of Ireland.



**Lieutenant-Colonel John McLaughlin
M.D.**



Robert Stewart M.D.

Private Collection

Stewart's nephews followed in his footsteps in Ireland and Australia

and Surgery (M.B. and M.S.) in 1881 and a Doctorate of Medicine (M.D.) in 1887 from the University of Melbourne.⁶³ According to Allen, Stewart greatly appreciated Robert's successful medical education achievements.⁶⁴ Stewart most likely visited Robert at the university in 1885. He would have taken great interest in how medical education had developed since his early years in the colony, as well as the great needs of the medical department. These will be discussed in the next chapter in the context of Stewart's legacy. Robert Stewart set up medical practice at Hindmarsh in South Australia.⁶⁵

By 1883 James and Annie had moved to *Mount View* at Richmond Hill in Surrey. James may have been keeping his options open for a return to medical practice but the decision was made final the following year as his name no longer appeared in the annual Medical Register and Medical

⁶³ University of Melbourne. *The Melbourne University Calendar for the Academic Year 1881-82*. Melbourne: Robert S. Brain, Acting Government Printer, 1881, p. 211.

⁶⁴ Allen, "The Founder of the Stewart Bequest", p. 70.

⁶⁵ *South Australian Government Gazette*, 23 February 1888, p. 489.

Directory.⁶⁶ *Mount View* was on the corner of Lansdowne Road (now called Cardigan Road) at 66-70 Hill Rise.⁶⁷ The house overlooked terrace gardens that led down to the Thames River and was within walking distance of the Royal Botanic Gardens Kew, Richmond Palace and Richmond Park. The thoroughfare was known locally as the Terrace and the view of the Thames from the hill has been celebrated in paintings by artists including Sir Joshua Reynolds and J.M.W. Turner. The area had been home to royalty, aristocracy, artists and authors.⁶⁸ There are no rate books or tax records surviving for Richmond at this time but Stewart's name remained in the street directories for that address until 1887. The couple had many servants working for them at *Mount View* including their butler Arthur Wallis.⁶⁹

Magee and Thompson claim that 'a variety of social networks oiled the wheels of imperial migration and shaped migrants' responses to the world around them'.⁷⁰ Stewart's social networks remained interconnected for him as he moved from Ireland to Australia then to England. In Australia he dined with and had access to the Queen's representatives, Governors Barkly and Manners-Sutton (Lord Canterbury), politicians and many of the leading men in Victoria of the time, as discussed in Chapters 3 to 6. In London his social networks were primarily family networks involving his immediate and extended family relationships as well as relationships that he had been born into. Once living at Richmond Hill Stewart was comfortably living amongst the British aristocracy and gentry. He was linked by how he interacted and acted with others and the choices he (and they) made because, as Wright asserts, the social relations of family and kinship were important links to class relations.⁷¹ Stewart's life in London was not that far removed from what he had always been used to: in many ways, it was a continuation of a particular way of living and interacting but one which had been maintained through imperial networks which bridged the British world. O'Farrell contends that the Anglo-Irish felt increasingly alien in their own country and perhaps this had been the place where Annie felt most at home.⁷² The Dublin of her formative years was not to be found on her return from the colony. James's identity and needs were perhaps more malleable than Annie's as his experiences were wider-ranging.

Magee and Thompson point out that the British world was held together by the 'cultural glue' of imperial networks, a glue which, according to Bridge and Fedorowich, also involved 'sentiment and

⁶⁶ Personal communication Robert Mills.

⁶⁷ Personal communication Felix Lancashire, Archivist Richmond Local Studies, Richmond, Surrey.

⁶⁸ H. E. Malden, ed. *The Victoria History of the Counties of England: Surrey*. Vol. 3. London: Constable and Company Limited, 1911. www.archive.org/texts. Also available in print form, pp. 533-539.

⁶⁹ PROV, Will and probate Louisa Taylor.

⁷⁰ Magee and Thompson. *Empire and Globalisation*, p. xiv.

⁷¹ Wright, "Foundations of a Neo-Marxist Analysis", p. 18.

⁷² O'Farrell, *The Irish in Australia*, p. 94.

shared institutional values'.⁷³ But, as argued earlier in this thesis, with the cultural and ethnic glues were also solvents and the man who had retained his British world social networks had also changed through his life and interactions in the colony and joined London gentry life a different man. The 'continuing sense of cultural identity in new circumstances'⁷⁴ and a common identity within the British world suggested by Magee and Thompson was beneficial within Stewart's imperial networks as was the space for great variation in this common identity. He had retired but also had the social capital and cachet of his kinship, his former profession and his network of fellow ex-colonials in London. He also maintained his colonial liberalism and this is seen through his continued support for Ballarat, its people and its institutions. He did not leave his ideals behind in the colony.

Heartbreak for Annie and James

Little is known of the couple's life in these years but a period of great loss began for Annie Stewart in June 1882 with four of her siblings dying within just three years. Her 56-year-old brother John Hamlet Taylor died in his tent at the survey camp near Wodonga in Victoria on 17 June 1882.⁷⁵ Two years later, her sister Louisa died from a sarcomatous tumour of the uterus and peritonitis.⁷⁶ Louisa had been living with Annie and James for some time, first at Hyde Park and then at Richmond, with Annie caring for her.

Louisa's trust and fondness for James is revealed in her will: she made him an executor of the will and left him £50 which she described as 'a small token of my gratitude to him'.⁷⁷ Her will also provides indications of the connectedness of James and Annie's families and the extent of travel between Ireland and England. For example, Louisa left jewellery to James's nieces Mary Jane Thompson and Martha McLaughlin, both living in Londonderry. The family's sadness continued as Annie's brother Thomas Hamlet Taylor died in Melbourne from serous apoplexy just nine months after Louisa in October 1884.⁷⁸

Less than six months later Annie Frances herself became dangerously ill. She was 55 years old and had been suffering from lymphadenoma for six years. She developed acute pneumonia and died three

⁷³ Carl Bridge and Kent Fedorowich. "Mapping the British World." In *The British World: Diaspora, Culture and Identity*, edited by Carl Bridge and Kent Fedorowich, 1-15. London: Frank Cass Publishers, 2005, p. 6; Magee and Thompson, *Empire and Globalisation*, p. 28.

⁷⁴ Magee and Thompson, *Empire and Globalisation*, p. 57.

⁷⁵ Death Certificate John Hamlet Taylor; PROV, Inquest John Hamlet Taylor, VPRS 24/P0.

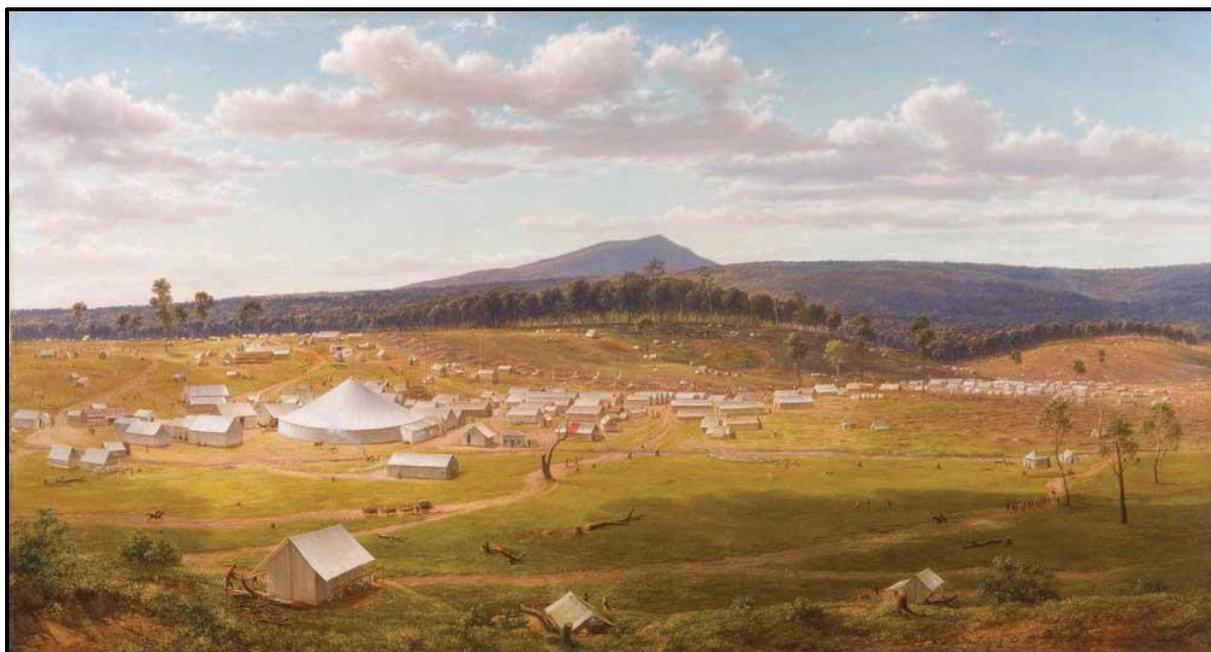
⁷⁶ *London Gazette*, 4 March 1884, p. 1086; GRO, Death Certificate Louisa Taylor.

⁷⁷ PROV, Will and Probate Louisa Taylor. file 3 p 4

⁷⁸ BDM Victoria. Death Certificate Thomas Hamlet Taylor.

days later on 9 April 1885 with James by her side.⁷⁹ The couple had been married for nearly 25 years, 15 of which had been in Great Britain. With no children of their own they had shared so much love with their families, with their many nieces and nephews. The fast succession of the deaths of Annie's siblings and then Annie left a large hole in James's life. His house, once so full of people and love was now almost empty. The couple's plans of growing old together were gone.

James announced the loss of his dear wife in both the London *Morning Post* and the *Ballarat Star*.⁸⁰ Ballarat was still very important to him and he began making plans to visit the city. On 30 September 1885, five and a half months after Annie's death, James boarded the *R.M.S. Iberia* with Annie's niece Louisa Fynmore and set sail for Victoria.⁸¹ The *Iberia* arrived in Melbourne on 17 November, just 48 days after leaving London.⁸² This was less than half the time it had taken James to reach Australia on the *Rip Van Winkle* back in 1852. The voyage for steamships from Britain to Australia had become much shorter after the opening of the Suez Canal in 1869.⁸³ The mail carried on the *Iberia* reached Ballarat by train on the night of the ship's arrival in Melbourne but it is unclear if James travelled to Ballarat as quickly.⁸⁴



Eugene von Guerard, Old Ballarat as it was in the summer of 1853-54, 1884

oil on canvas

Art Gallery of Ballarat, Gift of James Oddie on Eureka Day, 1885

⁷⁹ GRO. Death Certificate Anne Frances Stewart.

⁸⁰ *Ballarat Star*, 15 June 1885, p. 2; *Morning Post*, 13 April 1885, p. 1.

⁸¹ PROV, *Iberia*, Passenger List.

⁸² *Age*, 16 November 1885, p. 5; *Launceston Examiner*, 18 November 1885, p. 2.

⁸³ J. Forbes Munro, *Maritime Enterprise and Empire: Sir William Mackinnon and His Business Network, 1823-93*. Woodbridge, Suffolk: Boydell Press, 2003, p. 121; Christopher Sichko, "The Influence of the Suez Canal on Steam Navigation." Honours Thesis, University of Colorado, 2011, p. 1.

⁸⁴ *Ballarat Star*, 18 November 1885, p. 2.

James would have stayed with his sister Catherine and her family and at the *Altrest* farm with his brother Robert and his family. His nephew and nieces were growing up and he was meeting some of the younger nieces for the first time. He would have caught up with old friends and been shown around Ballarat. One new institution was the Ballarat Art Gallery which had been founded just a year earlier in 1884. James would have viewed Eugene von Guérard's painting 'Old Ballarat as it was in the Summer of 1853/54'. The painting was donated by his friend, James Oddie, on Eureka Day 1885 and it remains an important part of the Gallery's collection today.⁸⁵ One can only imagine the memories it would have brought back for him. Stewart donated £50 to the gallery during his visit and a further £50 for the gallery and the establishment of a gallery building.⁸⁶ After his 16 year absence from the colony, Stewart's visit was only briefly reported in the local newspapers and this was only to mention his donations to the Gallery. Details about the man and his visit were not reported.

Oddie had acted as Stewart's agent and attorney during his absence from the colony but in February 1886 Stewart appointed the Trustees, Executors and Agency Company Limited (T.E.A.) to be his Victorian power of attorney.⁸⁷ William Little and Co. were the company's local Ballarat representatives. Later Mayor of West Ballarat (1889-1890), Little was a family friend, a real estate agent, auctioneer, J.P. and poet. From this time on Stewart's annual donations to local Ballarat institutions were made available for beneficiaries to collect at Little and Co.'s offices.

The T.E.A. acted as executor, trustee, administrator, receiver, attorney or agent for people.⁸⁸ The company was established by William Templeton who had found it difficult to find 'competent persons to act as executors and trustees'.⁸⁹ There was also concern about what would happen when an appointed trustee died and this may have been Stewart's concern with his agent Oddie (although Oddie was to outlive Stewart). The T.E.A. was the first trustee company in Australia and, after just over 100 years, it was also the first to fail, as Sykes has established.⁹⁰

⁸⁵ Beggs-Sunter, "James Oddie (1824-1911)", p. 122.

⁸⁶ *Ballarat Star*, 22 December 1885, p. 2; *Ballarat Star*, 13 March 1886, p2.

⁸⁷ *Ballarat Star*, 13 February 1886, p. 2; *Ballarat Star*, 25 February 1901, p. 6.

⁸⁸ *Ballarat Star*, 22 June 1878, p. 3.

⁸⁹ Minutes of evidence 2 September 1879 in Victoria. *Select Committee Upon the Trustees Executors and Agency Company (Limited) Bill Report from the Select Committee of the Legislative Assembly Upon the Trustees Executors and Agency Company (Limited) Bill*, p. 1.

⁹⁰ The T.E.A. company was floated in 1879 after a special act of parliament to incorporate it because existing laws for administering deceased estates had been difficult to use. Sykes contends that the restriction placed on the number of shares that shareholders could own meant that the shareholders were held powerless in the company, the board tended to be self-perpetuating and the company's investment in speculative property developments in 1980 took them down the fast track to ruin, collapsing three years later in 1983. The trustee business was taken over by the ANZ Banking Group after the company's collapse. Trevor Sykes, *The Bold Riders: Behind Australia's Corporate Collapses*. St. Leonards, NSW: Allen & Unwin, 1994, p. 33, 34, 36, 40, 54; Minutes of evidence 2 September 1879, *Trustees Executors and Agency Company*, p. 2.

Stewart's stay in the colony was brief at just four months. It may have been too painful to stay in Ballarat without his dear Annie. His swift return to Britain might have been influenced by his concern for his two sisters in Ireland who had become widows. He left Melbourne on 19 March 1886 on the Orient Company's *R.M.S. Austral* with two of Annie's Fynmore nieces who were 26 and 27 years old.⁹¹ They arrived at Plymouth on 27 April 1886 after a 39 day voyage.⁹² The years after losing Annie must have been hard on James and it was during this difficult time that he must have decided that the rest of his years would not be in Ballarat. He instructed his agents in Ballarat to auction his medical surgery in Armstrong Street in early 1888.⁹³

The Best-Laid Schemes ...

Traces of Stewart's life during the 1890s are very scarce. By 1893 he was again living in Richmond, Surrey, but most likely not in the house that he had shared with his beloved Annie.⁹⁴ He spent much of his time between England and Ireland visiting his remaining family and travelling. It is possible that he spent winters in Algiers and in later years in the Canary Islands, as Allen has suggested.⁹⁵ He might have visited family and friends in North America and ventured to Canada. Some people he knew from Donagheady had emigrated to the United States including some of his McCrea relatives who were involved in establishing the Pennsylvania Railroad.

Stewart had developed diabetes by his later years.⁹⁶ How the disease affected him and the level of debility it caused him are unknown but he may have become too unwell to travel. Some of his contemporaries also suffered from the disease including Peter Lalor. Lalor took a 12 month leave of absence from his position as Speaker of the Legislative Assembly after 'a severe attack'⁹⁷ of the disease in 1886. He became confined to his house and lost all strength for a few weeks and on 9 February 1889 he fell into a coma and died.⁹⁸

Whilst James's extended family grew with many of his nieces and nephews marrying and having children during the 1880s and 1890s, he also lost some close family members. His sister Catherine Proctor died on 8 October 1891 at age 64.⁹⁹ She died at her house in Eyre Street, Ballarat, from cancer

⁹¹ PROV, VPRS 3506 United Kingdom Ports, *Austral*, March 1886; *Argus*, 20 March 1886, p. 8.

⁹² *Argus*, 3 May 1886, p. 7.

⁹³ *Ballarat Star*, 27 February 1888, p. 3.

⁹⁴ PROV, Will and probate James Stewart.

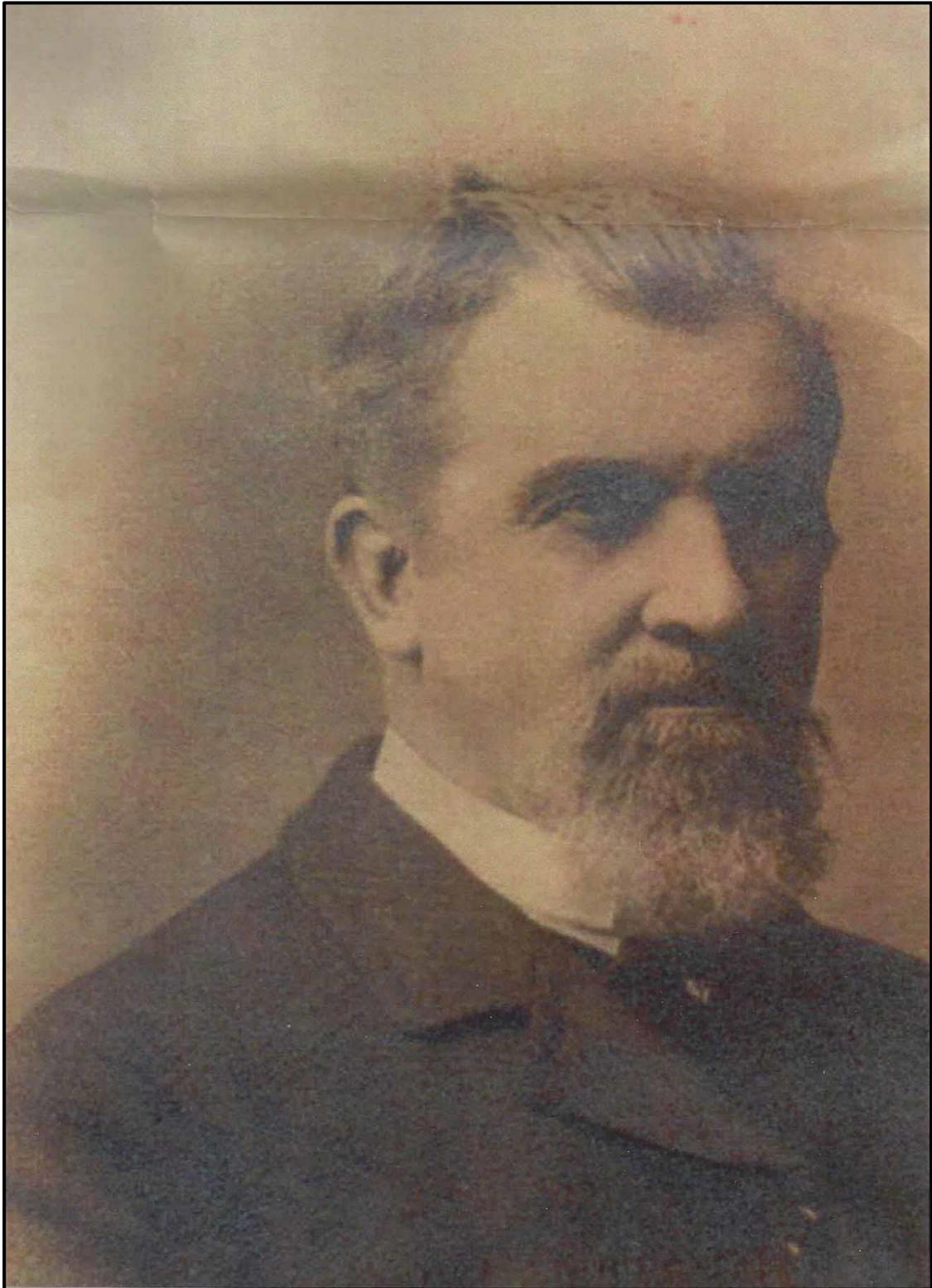
⁹⁵ Allen, "The Founder of the Stewart Bequest", p. 70; *Ballarat Courier*, 14 June 1906, p. 6.

⁹⁶ GRO, Death Certificate James Stewart.

⁹⁷ *Geelong Advertiser*, 13 October 1886, p. 2.

⁹⁸ *Australian Town and Country Journal*, 16 February 1889, p. 10; *Goulburn Herald*, 12 February 1889, p. 2.

⁹⁹ BDM, Death Certificate Catherine Proctor.



James Stewart
City of Ballarat

of the uterus and exhaustion. Some three years later his sister Jane Love died in Castlederg in County Tyrone on 27 February 1895.¹⁰⁰ Jane had suffered from fatty degeneration of the heart. James was slowly losing his siblings and the next generation were forming new roots where they had settled with their growing families. With his health in decline, James may have seen less of these relatives than he had in earlier years.

In 1899 Stewart was residing at Castlerock in County Londonderry, about 55 miles from his family's old Binnelly farm in Donaghedy. He was probably staying with his sister Martha Ramsey or his niece Mary Jane Thompson (daughter of his sister Mary Ann McLaughlin). They lived in the townland of Bogtown, Castlerock, in the parish of Dunboe. Like James, both women were independently wealthy.¹⁰¹ There was plenty of room for family in Martha's seven-room house. She had lived at Mountjoy Terrace, Londonderry but moved to Bogtown in the 1890s after her husband Andrew died in 1894.¹⁰² During Stewart's time at Castlerock he visited Londonderry and on 9 September 1899 he wrote out a very extensive will, the details of which will be discussed in the following chapter.¹⁰³ It is not known where he went from Castlerock or what happened during the next year of his life.

By 1900, 70-year-old James was living in England at 58 Mount Ephraim in Tunbridge Wells, Kent. This was a three-storey building with Turner and Thornton wine and spirit merchants on the lowest level.¹⁰⁴ On 27 August 1900 James's youngest brother Robert died at his *Altrest* farm at Mount Rowan in Victoria.¹⁰⁵ Robert was 66 years old and died from syncope, thrombosis of the saphenous vein and cardiac degeneration. It is not known if James had heard news of his brother's death but if he had, his mourning may have influenced his next decisions. Just two weeks later on 11 September 1900 James married Gertrude Daisy Lavender at St John's Church in Tunbridge Wells, Kent.¹⁰⁶

¹⁰⁰ Jane Love's death certificate has her year of death as 1895 but the headstone on her grave has the year of her death as 1897. Jane was buried in a grave with her husband Rev. Joseph Love, his first wife Mary and their son Alick. GRONI, Death Certificate Jane Love; "Rev. Joseph Love Obituary Notes".

¹⁰¹ The National Archives of Ireland, Census of Ireland 1901.

¹⁰² PRONI, Will Andrew Ramsay; PRONI VAL/12/B/30/3E, Valuation Revision Book. (1894 - 1901).

¹⁰³ PROV, Will and probate James Stewart.

¹⁰⁴ *Kelly's Directory of Kent, Surrey & Sussex, 1891. Part 1. Kent: County & Localities*. 3rd ed. 1891. specialcollections.le.ac.uk. Also available in print form, p. 659; Kelly and Co. *Kelly's Directory of Kent, 1903. Part 2: Private Resident & Trade Directories*. 6th ed. London: Kelly's Directories Ltd, 1903. specialcollections.le.ac.uk. Also available in print form, p. 1065.

¹⁰⁵ BDM Victoria. Death Certificate Robert Stewart.

¹⁰⁶ GRO. Marriage Certificate James Stewart and Gertrude Daisy Lavender.



58 Mount Ephraim, Tunbridge Wells

Stewart's residence c.1900

David Bartholomew / www.thetunbridgewellsproject.co.uk

Gertrude, one of five children of boarding-house keeper Thomas Lavender and Susannah Dixon, was just 26 years old.¹⁰⁷ She was born at 46 Mount Ephraim, a few doors away from the building that would later become James's residence. Her mother was widowed in 1885 and by 1891 was running a boarding house at Eden Glen in Limehill Road, about 300 metres away from James's residence.¹⁰⁸ How James came to be residing in Tunbridge Wells is not known. He may have been there seeking relief from his health problems at Turkish Baths at Bishop's Down Grove Spa Hydropathic Sanatorium. It is possible that he had stayed in the Lavender's boarding house during his travels and may have known them for some time.

¹⁰⁷ Gertrude's mother Susannah was born in Blakeney, Norfolk, England and her father Thomas was born in Hemingford Abbots, Huntingdonshire, England. She had five siblings: Alice, Allen David, Kate Mary, Dora and Olive. GRO. Birth Certificate Gertrude Daisy Lavender; "England and Wales Census 1881: PRO RG 11/915 / 41, the National Archives, Kew, Surrey; FHL Microfilm 1,341,218." Accessed 6 May, 2015. <http://www.familysearch.org>; "England and Wales Census 1901: Tunbridge Wells Subdistrict, PRO RG 13, the National Archives, Kew, Surrey." Accessed 6 May, 2015. <http://www.familysearch.org>.

¹⁰⁸ Marriage Certificate Thomas Lavender and Susannah Dixon. Blakeney, Norfolk, England, Record Office, Norwich; FHL Microfilm 1,951,372." Accessed 10 October, 2015. <http://www.familysearch.org>; England and Wales Census 1871; *Hastings and St. Leonards Observer*, 8 August 1885, p. 8; Kelly and Co. *Kelly's Directory of Kent, Surrey & Sussex, 1891. Part 2. Kent: Court & Trade Directories*. 3rd ed. 1891. specialcollections.le.ac.uk. Also available in print form, p. 902.

Little is known about the circumstances leading to the marriage. However, what is known suggests some cause for concern. The marriage certificate, for example, lists James's father Robert as a clerk in holy orders – a role in the Established Church, not the Presbyterian Church of which Robert had been a member in Donaghedy. Records created in Robert's lifetime and many after his death include his occupation as 'farmer'. The use of 'farmer' would have left his religious affiliation unknown, thus the Established Church position stands out as peculiar. This suggests that the wedding occurred without any people who knew Stewart in attendance. The marriage was witnessed by Gertrude's mother and her sister Kate's fiancé, Septimus Wilfred Moore.

The couple may have been in love. It is possible that the only unusual circumstance was their difference in age. However, it is also possible that the Lavenders were taking advantage of a lonely, rich old man; a vulnerable man in poor health who was nearing the end of his life and most likely mourning the loss of his siblings. Perhaps he needed assistance and was trying not to burden his other family members? It is possible that the Lavenders were caring for him, providing a service which he repaid by marrying Gertrude thereby ensuring that she would be looked after. According to an obituary for Stewart in the *Ballarat Courier* based on information provided by James Oddie, Stewart had married a widow with a child.¹⁰⁹ Yet there is no evidence to support either claim. To the contrary, Gertrude is listed as a spinster on the marriage certificate and James made no provision for a child nor mentioned one in his will or codicils. Moreover, the 1911 census lists Gertrude as having no children.¹¹⁰ Stewart may have told Oddie that he was helping Gertrude's widowed mother by marrying her daughter, and the story became confused. While it is possible that Gertrude was the vulnerable one, this seems unlikely as she was surrounded by family. Stewart, by contrast, appears to have been left entirely alone, unsupported by family when he needed them most.

Although Stewart's health was failing, his mind was not. He added a codicil to his will on 27 September 1900, 16 days after marrying Gertrude. He desired to 'ratify and confirm'¹¹¹ his extensive will of 1899 but added one change: he bequeathed his faithful valet Emil Grandlack £100 on the condition that Grandlack was still in his service at his death. This suggests that Stewart did not completely trust those around him. He stated in the codicil that he had made other provisions for his new wife Gertrude. Stewart acted in the same manner that he had acted all his life as the codicil was witnessed by a bank accountant and a bank teller in London. He was not, at this stage at least, being duped of his entire fortune.

¹⁰⁹ *Ballarat Courier*, 14 June 1906, p. 6.

¹¹⁰ "England and Wales Census 1911: PRO RG 14, the National Archives of the UK, Kew, Surrey." Accessed 10 October, 2015. <http://www.familysearch.org>; GRO, Marriage Certificate James Stewart and Gertrude Daisy Lavender; PROV, Will and probate James Stewart.

¹¹¹ PROV, Will and probate James Stewart.

James purchased a property called *Morningside* in Uxbridge Road, Rickmansworth, Hertfordshire where he moved with Gertrude. It appears that Gertrude's family did not move to *Morningside* with the couple as her mother Susannah and two sisters were still living in Tunbridge Wells at the time of the 1901 census.¹¹²

Three years into the marriage Stewart wrote a new will. In this one, dated 23 October 1903, he left Gertrude his house, contents and land in Rickmansworth; all his Argentine Republic bonds worth £1,730; and all his money held in the Birkbeck Bank and in the London and County Bank branch at Rickmansworth. He also appointed Gertrude his sole executrix. The will was witnessed by his valet Emil Grandlack and his groom and gardener George Snaad. This was very out of character for Stewart. All previous important documents throughout his life had been witnessed by professional people in positions of trust thus making this document's contents and the circumstances surrounding its creation cause for suspicion.

The 1903 will is at odds with the wishes of all of Stewart's other codicils and wills. Protective of his legacy, in 1899 he set out in great detail which institutions and family members he wanted his money to go to, and how it was to be spent. Like the institutions he had helped to establish in Ballarat, he wanted the money to remain useful for many years. It was a plan for his estate that he had formulated over a lifetime of experiences in gold rush Ballarat and in England and Ireland. When he married in 1900 he did not want any of these plans changed. Yet, three years later, he undid them all. It is the lack of professional outside witnesses to the changed will that raises questions, for had Stewart been too ill to travel, his previous behaviour suggests he would have arranged for official witnesses to come to his house. It is quite possible that Gertrude and the servants had no idea of Stewart's past, the extent of his massive fortune and, most importantly, the contents of his 1899 will. The new will also brings into question how well Stewart was cared for in his later years. It is likely that by 1903 he was still of sound mind but his body was failing to an extent that he was relying on his young wife and servants who may also have been failing him.

A few months earlier, in July 1903, James had lost his sister Martha Ramsey, leaving him particularly vulnerable.¹¹³ Three years later his 82-year-old sister Mary Ann McLaughlin died from vascular disease of the heart at Thornhill, Burndennet (Milltown) in County Tyrone.¹¹⁴ Very little is known of

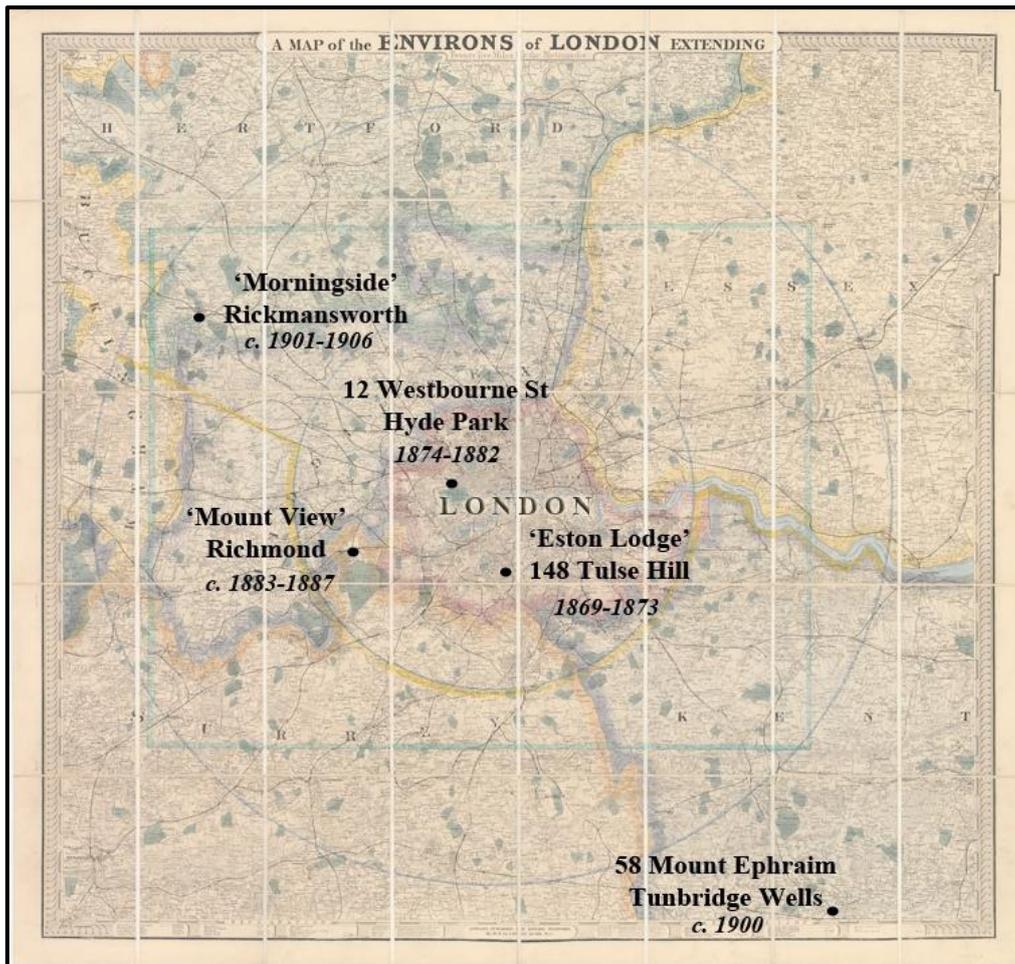
¹¹² England and Wales Census 1901.

¹¹³ Martha had died on 21 July 1903 at Castlerock, County Londonderry. PRONI, Will Martha Ramsay.

¹¹⁴ Mary Ann McLaughlin died on 6 April 1906. Her death certificate has her age as 81 but her gravestone in the Old Leckpatrick Graveyard near the village of Ballymagorry in County Tyrone has her age as 82. Bready and District Ulster-Scots Development Association. "Old Leckpatrick Graveyard." Accessed 18 June, 2013. <http://www.breadyancestry.com>; GRONI, Death Certificate Mary Ann McLaughlin; PRONI, Will Mary Ann McLaughlin.



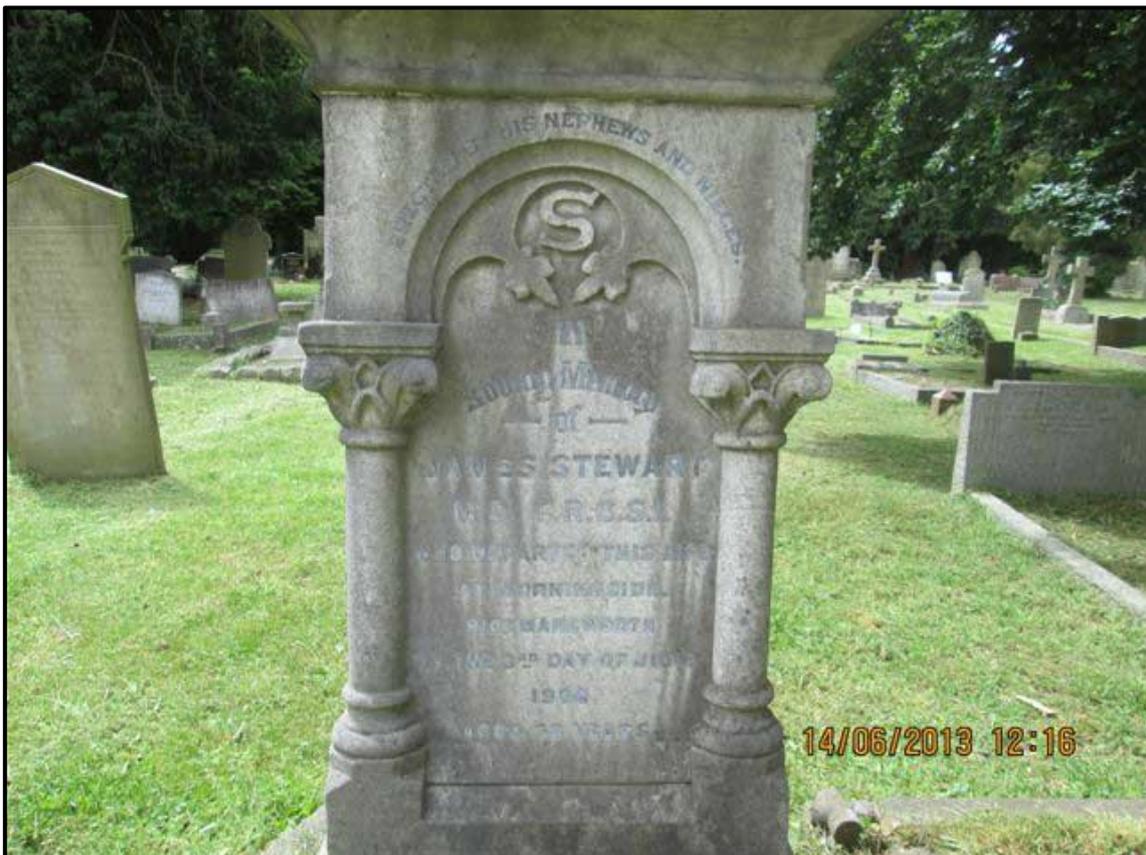
Morningside Rickmansworth
 James and Gertrude's house c.1903-1906
Rickmansworth Historical Society / Geoff Saul



Stewart's known addresses in England (1870-1906)
A map of the environs of London extending 25 miles fr. the metropolis by Edward Stanford 1890
National Library Australia

James's brother Daniel who emigrated from Ireland to America but based on his inclusion and exclusion in family life documents, he probably died before 1899. Thus James had outlived all of his siblings. Mary Ann's son Lieutenant Colonel John McLaughlin was a surgeon stationed at the R.A.M.C. recruiting department in Bradford in Yorkshire, England. He most likely visited his uncle James to tell him of Mary Ann's death and perhaps found the ailing doctor in less than satisfactory circumstances.

On 2 June 1906 Dr James Stewart collapsed from syncope (a loss of blood supply to the brain) and died at *Morningside*, aged 76.¹¹⁵ Like many of his siblings, he suffered from coronary heart disease. He may have had a stroke but it is most likely that he suffered a heart attack. It is unknown whether Gertrude was still living with him or if she had left after his 1903 will was written. She claimed that she was with him to receive his gift of bonds shortly before his death.¹¹⁶ His 'faithful valet' Grandlack appears to have unfaithfully parted company with him too. He was not alone, though, for his nephew John McLaughlin was with him when he died.



Stewart's grave at Chorleywood Road Cemetery, Rickmansworth

'Erected by his nieces and nephews. In Loving Memory of James Stewart M.D. F.R.C.S.I. who departed this life at Morningside Rickmansworth the 3rd day of June 1906. Aged 76 years.'

Alison Crowley, Cemeteries Officer, Three Rivers District Council

¹¹⁵ GRO, Death Certificate James Stewart.

¹¹⁶ *Times*, 29 May 1908, p. 22.

Stewart's funeral in Rickmansworth would have been a vastly different commemoration to the large funerals for popular doctors in Ballarat discussed in earlier chapters. Public recognition of his death was on the other side of the world: as a tribute of respect the flag at Ballarat City Hall was placed at half-mast.¹¹⁷ Stewart was buried at Chorleywood Road Cemetery, Rickmansworth. At the top of his gravestone are the words 'erected by his nieces and nephews'. There is no mention of either of his wives on his gravestone and the date of his death is incorrect (it has 'the 3rd day of June' instead of the '2nd'). He and his first wife Annie had been adored by their nieces and nephews and they had adored them but the gravestone inscription provides little evidence of this closeness to Annie. The entire contents of *Morningside* were sold at auction on 18 November 1906, five months after his death.¹¹⁸

The exact circumstances of Stewart's final years remain unknown and open to speculation. Reconstructing an individual's story is risky when there is little evidence 'beyond the bare bones of genealogy', as Davison notes.¹¹⁹ Speculation based on scant extant data and knowledge of characteristic behaviour provides something other than the alternatives of silence and invention which Davison successfully avoided in his family history *Lost Relations*.

One interpretation is that the doctor made a foolish decision to re-marry following Annie's death, thereby risking his fortune and legacy, and a skeleton that was written out of the family's history has been unearthed. But it is not just the skeletons that have been omitted from the family's history, it is the whole history of the Stewart family – the good, the bad and everything in between. This has been through the dominance of other family lines, the masculine dominance of family trees where only male lines are followed, the lack of interest of later generations and other influences on family histories and identity. Davison suggests that genealogy is essentially about identity, that 'we tend to draw from the family past only as much of their story as we find confirming of our own sense of self'.¹²⁰ The Stewarts were out of mind and out of sight and offered no past confirming the later generations' sense of self.

It is certainly the case that Stewart's philanthropic plans were *nearly* overturned by his young second wife in a manner that was at odds with the actions, beliefs, wishes and planning of his lifetime. But James Henry McLaughlin (Stewart's nephew, a druggist in Strand Road, Londonderry), Samuel and William John Donnell (house and land agents in Londonderry) and London bank manager Alfred Edwin Wallis became the executors of Stewart's estate; not Gertrude. These were the four people

¹¹⁷ *Age*, 15 June 1906, p. 4

¹¹⁸ Personal Communication Geoff Saul, Rickmansworth Historical Society.

¹¹⁹ Graeme Davison, *Lost Relations: Fortunes of My Family in Australia's Golden Age*. Crows Nest: Allen and Unwin, 2015. p. xii.

¹²⁰ Davison, *Lost Relations*, p. 109; Graeme Davison, presentation at the Royal Historic Society of Victoria for CRCAH, 23 September 2015.

designated by Stewart in 1899. He had meticulously created the earlier will and secured its administration by choosing a relative, two friends and the ‘Manager at the time of my death of The Bank of Victoria 28 Clements Lane London’.¹²¹ Stewart had attempted to limit the chance of corruption of his wishes and this precision appears to have saved his estate from Gertrude’s other plans, but only just.

Soon after Stewart’s death the size of his estate and his bequests were extensively reported in newspapers across Australia as well as in England, Ireland and New Zealand. This may have been a strategic move by McLaughlin, the Donnells and Wallis in preparation for Gertrude’s attempt to take the entire estate. The number of people with a vested interest in the estate increased as soon as it was announced that many institutions in Victoria and one in Ireland were going to benefit handsomely from Stewart’s philanthropy. Thus Gertrude had a more difficult fight on her hands and risked losing social status along with the fortune.

Stewart’s will of 1903 was recognised as a codicil and probate was granted to the four men named in the original 1899 will by the Principal Probate Registry in England on 18 July 1906 with the estate calculated to be £135,604 8s 9d.¹²² Power was reserved for Gertrude to prove the second codicil (1903) and she was also listed as an executrix but she did not administer the will. Nearly a year later Gertrude successfully applied for probate and on 11 May 1907 was awarded the estate of £121,551 19s 5d.¹²³ Fortunately, this decision was overturned and Stewart’s wishes from the will of 1899 were carried out by the four executors without Gertrude.¹²⁴

Why Gertrude waited a year after James’s death before claiming probate was as unclear to observers at the time as it is now. When Gertrude took the other executors to court for further claims in 1908 Justice Neville pointed out that ‘by a codicil to Dr. Stewart’s will the plaintiff was appointed sole executrix of his will, but for some reason not quite clear to me the executors named in the will were admitted to probate, the plaintiff herself not proving the will until later on’.¹²⁵ That she allowed the other executors to prove the will but then fought it in court suggests that she was not around at the time of James’ death and cared little for his wishes. The legacy of Dr James Stewart was very nearly thwarted by the desires of one individual.

¹²¹ PROV, Will and probate James Stewart.

¹²² The effects were re-sworn to three other totals with the lowest being £133, 515 16s 6d. Principal Probate Registry England, Probate James Stewart 1906; PROV, Will and probate James Stewart.

¹²³ Principal Probate Registry England, Probate James Stewart 1907.

¹²⁴ Final Account of Estate James Stewart. Private Collection.

¹²⁵ *Times*, 29 May 1908, p. 22.

If Gertrude was in mourning it was not to last for long because three years after James died she married musician and organist John Stuart Archer. The couple married on 18 October 1909 at St Gabriel's Church in Willesden, Middlesex.¹²⁶ The age difference was not so great this time as John was just ten years older than Gertrude (she was 32 and he was 42). She became a widow for the second time on 21 March 1954 and only received £376 from this husband – indicating a very different lifestyle to her first marriage. Gertrude died three years later on 18 March 1957 at age 82.¹²⁷ She had been living in Devon at 'Branstead', in Higher Erith Road, Torquay.

Stewart had left Ballarat with a loving wife and strong family network but his final years were very different. The family network was weakened through deaths, generational change and what appears to be an unfortunate second marriage. For over 30 years after leaving Ballarat Stewart continued to contribute to the city he loved, despite living afar in England. His influence and contributions to Ballarat and Victoria and his legacy have continued for more than a century since his death, despite being put at risk by his second wife. His legacy and how he has been remembered and forgotten will be discussed in the final chapter.

¹²⁶ GRO, Marriage Certificate John Stuart Archer and Gertrude Daisy Stewart.

¹²⁷ Principal Probate Registry England, Probate Gertrude Daisy Archer 1957.

CHAPTER EIGHT

THE STEWART LEGACY

Stewart's death was widely reported. The reason for this and how the focus on his estate and bequests eclipsed details of the man himself are examined in this final chapter. Stewart's philanthropy and his bequests are examined as examples of colonial nineteenth century philanthropy. The ways that Stewart has been remembered and forgotten and his influence on his own remembrance are also considered. It concludes with an assessment of his legacy in 2017.

The Death of a Doctor

The first Australian newspaper announcement reporting Stewart's death appeared in Perth's *Daily News* on 13 June 1906, 11 days later after his death.¹ In the following months over 200 reports of Stewart's death appeared in newspapers. The majority of these were in Australia and New Zealand with only a few in Ireland, England and Scotland.² They appeared in three main waves: the original announcements in June, news of his educational bequests in July and in August came extra details about Stewart from his will and probate. Brief family notices of his death appeared in Australian newspapers a month and a half after his death on 14 July 1906.³ The *Australian Medical Gazette* reported Stewart's death and bequests but he received no mention in the *Intercolonial Medical Journal of Australasia*.⁴

The first reports announced the death of Dr James Stewart, formerly of Ballarat, who left an estate in England valued at £200,000 from which bequests to charitable and religious institutions were made. Over the next fortnight some errors began to appear, for example: that his estate was entirely in Victoria (not England); that he lived in Melbourne; that he had died in Ballarat (not Rickmansworth); and that he was 82 years old (not 76). Few of these notices included details of Stewart's life or personal details. Those that did had very sparse personal details: he was a pioneer of Ballarat; a pioneer medical man; a municipal councillor; a council chairman and had amassed great wealth or competency. Some mentioned that he attended Peter Lalor after Eureka, was the first medical officer

¹ *Daily News*, 13 June 1906, p. 4.

² There were at least 150 reports in Australia, 30 in New Zealand and some in Ireland, England and Scotland.

³ *Argus*, 14 July 1906, p. 11; *Australasian*, 21 July 1906, p. 60; *Ballarat Star*, 14 July 1906, p. 6.

⁴ *Australasian Medical Gazette*, 20 August 1906, p. 429; *Australasian Medical Gazette*, 20 November 1906, p. 614.

at the Ballarat Hospital, was one of the first to practise his profession in Ballarat, had a tent hospital at Black Hill and drew £40,000 from the New North Clunes Mining Company. Few mentioned that he had married. Notices appearing from 17 July 1906 contained details of his educational bequests. Again, very few mentioned personal details, though occasionally there was an ‘old practitioner’, ‘medico’ or ‘pioneer Ballarat doctor’ to give his name some context.

The variety of identities assigned to Stewart illustrate the fluid nature of colonial identity as well as appropriation and attempts to make him more relevant to particular newspaper audiences. The Irish called him a Derryman (he was from Tyrone).⁵ Where he was not described as ‘formerly of Ballarat’ he was referred to as a colonial (in New Zealand), as an Australian and an absentee Australian (in New South Wales and Victoria) and as a Victorian (in Queensland and Tasmania). Although many reports noted that he lived in England for 40 years (more than half his lifetime), he was never described as an Englishman.

Denzin considers obituaries to be ‘a public statement of a life’s end’⁶ that includes a narrative from birth to death, filling the space with the person’s accomplishments and achievements. He argues that ‘unnoteworthy lives seldom get such coverage’.⁷ Stewart’s life, although noteworthy, received little coverage; it was his fortune, estate and bequests that were deemed noteworthy. Indeed without the bequests his death might have passed unknown outside of Ballarat and his family circles. As argued in the previous chapter, the original emphasis on his bequests may have been a calculated attempt by his nieces, nephews and executors to protect his estate from his second wife’s designs.

Thomson points out the need for the researcher to consider the qualitative elements of what has been included, as well as what has been left out and why.⁸ Most reports came from cable news reports published in places where nobody knew Stewart personally. Extra details came through after probate was granted and those who wrote the majority of the notices had never met Stewart nor knew anyone that did. Some biographical details were provided by James Oddie and these were sometimes overshadowed by Oddie’s own achievement of outliving Stewart. For example, Oddie made it known that it was he who had drawn the large sum from the New North Clunes mine on Stewart’s behalf. To find a second person so prominent in a subject’s obituaries is very telling, especially when that person is also the source of information. An obituary written from information provided by Stewart’s nephew Harry Fynmore (discussed in Chapter 4) contained many incorrect details and appears to have been creatively elaborated on by its author to make a good story ‘better’.

⁵ *Donegal News*, 28 July 1906, p. 6; *Fermanagh Herald*, 28 July 1906, p. 6; *Ulster Herald*, 28 July 1906, p. 6.

⁶ Denzin, *Interpretive Biography*, p. 79.

⁷ *Ibid.*

⁸ Thomson, "Life Stories and Historical Analysis", p. 114.

Stewart's Bequests

The figures for Stewart's estate in newspaper reports ranged from £134,000 to £264,000. The final figure for his estate after expenses were taken out was £154,743 8s 2d.⁹ The majority of Stewart's fortune at his death was in the form of stocks and shares (£123,581 16s 6d) and his Australian assets were valued at £17,256 5s 7d.

Stewart bequeathed money to his siblings but, as they all predeceased him, their shares were distributed to their children. Each niece and nephew received a one-twentieth share (£7,107 8s 8d).¹⁰ The University of Melbourne received one-fifth of the estate (£28, 429 14s 8d). Trinity, Ormond and Queen's Colleges in Melbourne, Magee Presbyterian College in Londonderry and the Ballarat School of Mines each received a one-fortieth share (£3,553 14s 4d). In Ballarat the Mechanics' Institute, District Hospital, Benevolent Orphan Asylum, original Orphan Asylum, original Female Refuge and the Bible Society each received a one-eightieth share (£1,776 17s 2d).¹¹

In passing on economic benefits to his family Stewart also passed on cultural capital and thus helped them to maintain their social position. As Bourdieu suggests, 'every material inheritance is, strictly speaking, also a cultural inheritance'.¹² Stewart left very detailed instructions on exactly how he wanted his non-family bequests to be used. He wanted the money invested so that it would continue to fund the institutions in perpetuity.

University of Melbourne

The University of Melbourne received £25,656 11s from Stewart's estate in 1909.¹³ This was the largest benefaction to the university after Samuel Wilson's 1875 donation of £30,000 to build Wilson

⁹ Final Account of Estate James Stewart.

¹⁰ Stewart's nieces and nephews also received a share of half his sister Martha's inheritance since she predeceased Stewart. The other half of Martha's share (£3,553 14s 4d) was awarded to Stewart's second wife, Gertrude Daisy Stewart. The bequest amounts are the value prior to legacy duty being taken out.

¹¹ The executors delegated the Trustees Executors and Agency Company Limited to disburse the money to colonial beneficiaries at a charge of one-eighth per cent for their services to save the beneficiaries from having to travel to England to collect their entitlement. Letter from James Borrowman, Manager of the Trustees Executors & Agency Company Limited, to the Registrar, University of Melbourne, 17 December 1908. UMA.

¹² Pierre Bourdieu in Gunn, "Translating Bourdieu", p. 56.

¹³ The original bequest amount was £28,429 14s 8d but the figure was reduced by £2,2773 3s 8d legacy duty and a further 1/8% to £25,624 10s by Trustees Executors & Agency Company Limited charges. Final Account of Estate James Stewart; Letter from James Borrowman, Manager of the Trustees Executors & Agency Company Limited, to the Registrar, University of Melbourne, 5 January 1909, UMA; 'Report on the Stewart Bequest. Adopted by the Faculty of Medicine, 23 August, 1909', p. 1, UMA.

Hall and until 1927 when Sidney Myer donated £50,000.¹⁴ As the largest benefaction to the medical school it provided a large impetus to the struggling school. According to the medical students' magazine *Speculum*, students wanted scholarships to be allocated to the Medical School as there was a paucity of them in comparison with other schools but there were also complaints that the conditions of the will were not 'sufficiently elastic'.¹⁵

The money was placed in a permanent fund (the Stewart Fund) and income from the fund was used to found the Stewart Scholarships in anatomy, medicine and surgery with the remaining balance used for 'the advancement of these Sciences'.¹⁶ Scholarship holders were named 'Stewart Scholars', received £50 per year and held office for two years with a possible extension to three years. The Stewart Scholar in Anatomy was also the demonstrator of anatomy and the Stewart Scholars in Medicine and Surgery acted as assistants to the lecturers in those fields. The three medical departments received a share of £150 a year from the Stewart Fund to finance apparatus, fittings and upkeep. The surplus fund income usually went towards apparatus for anatomy, pathology and physiology.¹⁷ In 1916 the surplus was £317 3s 10d which was added to with £125 from the university, thus the university was providing less than half the amount that the Stewart Fund provided.¹⁸ Savings to the university from the bequest were used to create the Stewart Lecturers and, according to Harry Brookes Allen, former Dean of the Faculty of Medicine, the medicine and surgery lectureships were largely funded by the Stewart Fund by 1921.¹⁹

Stewart Scholars

The first Stewart Scholarships were awarded in March 1910 to H.B. Devine (surgery), R.M. Downes (anatomy) and S.P. Sewell (medicine).²⁰ Early use of the Stewart bequest was heavily influenced by Professors Allen and R.J.A. Berry. Allen was on the committee for the appointment of Stewart Scholars in all three fields in 1916 and Berry was on the medicine and surgery committees.²¹

¹⁴ University of Melbourne Calendar 1949, p. 576-579.

¹⁵ *Speculum*, July 1909, p. 17; *Speculum*, October 1909, p. 75.

¹⁶ 'Report on the Stewart Bequest', p. 1.

¹⁷ Letter from the Registrar to Professor Berry, 4 October 1923, UMA.

¹⁸ 'Stewart Fund for 1916', UMA.

¹⁹ Harry Brookes Allen papers, 1921, UMA; 'Report on the Stewart Bequest', pp. 2, 4.

²⁰ 'Report on the Stewart Bequest'.

²¹ Letter from Fred D. Bird, H.B. Allen, G.C. Rennie, 1 March 1910, UMA; Letter from Konrad Hiller, H.B. Allen, 5 March 1910, UMA; Melbourne University Calendar 1912, p. 610.

There were complaints in the 1920s and 1930s that the Stewart Scholars had little to do and that the strict rules of the will were restricting usage of the money.²² In 1934 the registrar felt that, if it was not for their inclusion in the will, ‘the positions would have been cut out altogether’.²³ More use was found for the scholars and by 1949 the Stewart Scholar in surgery acted as assistant to the lecturer in surgery and the Guy Miller Tutor.²⁴

In 2002 the Attorney General of Victoria made an order that the three Stewart scholarships would have a value of one third of the net annual income of the fund.²⁵ They were awarded to students undertaking coursework and research in their field who received the highest aggregate mark in the preceding semester. This was for students entering the Advanced Medical Science year but changed to those entering Scholarly Selective 2 in the Doctor of Medicine degree. Stewart scholarships continue to be awarded to three students each year.²⁶ Selleck argues that ‘for the most part Stewart’s money had been used to support existing positions not scholarships’.²⁷ Stewart’s money has supported both.

Stewart Lecturers and Demonstrators

The Stewart Lecturers in Surgery and Medicine and the Stewart Lecturer and Demonstrator in Anatomy were full time positions with tenure of five years.²⁸ Their role was to give instruction, conduct examinations and perform other work in the subject as the faculty determined. The first Stewart Lecturers were Henry Maudsley (medicine), Frederic Dougan Bird (surgery), John H. Anderson (anatomy) and Gilbert Lamble (Stewart Lecturer and Demonstrator in Pathology).²⁹ In 1914 Professors Allen and Berry were unhappy that progress was being hampered because they were ‘forced to start afresh with any imperfectly trained assistants’³⁰ each time a Stewart Lecturer’s term ended and a new one was appointed. These lecturers were mostly busy surgeons who returned to surgical practice, as Jones points out.³¹ To alleviate this problem Allen wanted the salaries of permanent assistants to be raised, even though they would still be far behind those of the anatomy and

²² Letter from Basil Kilvington, 24 June 1926; Memo. regarding the Stewart Scholars, 1934, UMA.

²³ Letter from Registrar to Dr K.D. Fairley, 29 August 1934. UMA.

²⁴ Advertisement written by F.H. Johnston to appear in the *Age and Argus* on 12 February 1949, UMA.

²⁵ Stewart Bequest Recitals (R.625), University of Melbourne, p. 38.

²⁶ Personal communication Jennifer Henry, Bequests Manager, University of Melbourne Advancement.

²⁷ R.J.W. Selleck, *The Shop: The University of Melbourne 1850-1939*. Carlton: Melbourne University Press, 2003, p. 484.

²⁸ Stewart Lecturer & Demonstrator in Anatomy Conditions of Appointment. UMA; Stewart Lectureship in Surgery Conditions of Appointment, 2 November 1946, UMA; Stewart Lectureship in Medicine Conditions of Appointment, 2 November 1946, UMA.

²⁹ Melbourne University Calendar, 1911, pp. xxix, 596,597.

³⁰ Letter from H.B. Allen to Dr Wilson, Chairman of the Finance Committee, 26 March 1914, UMA.

³¹ Ross L. Jones, *Humanity's Mirror: 150 Years of Anatomy in Melbourne*. Melbourne: Haddington Press, 2007, p. 171.

pathology departments at the University of Sydney at £275 each year. By 1921 'other Stewart Lecturers' were also appointed and they received £5 per lecture.³² Russell asserts that they were named 'other Stewart Lecturers' to receive recognition from the university.³³

Those appointed Stewart Lecturers, such as Frederick George Middleton in 1917, considered it a privilege to hold the post.³⁴ The Department of Pathology, in their history that tends towards hagiography, considered E.S.J. King's appointment as Stewart Lecturer in 1928 very significant and described his contribution to research as prodigious.³⁵ Russell asserts that the debt owed to the outstanding work and 'unstinting service of a succession of lecturers, later called Stewart lecturers ... can never be accurately measured'.³⁶

In 1946 the Dean of the Faculty of Medicine, R.D. Wright, complained that the honorarium for the Stewart Lecturers in Medicine and Surgery had been 'most inadequate'.³⁷ From 1909 to 1944 a Stewart Lectureship was a full time position with a salary of £250 per annum.³⁸ It became a part time position in 1945 with a salary of £350 which was augmented to £400 in 1950. In 1954 the Stewart Lecturer in Pathology (John Victor Hurley) received £400 per annum and the Stewart Lecturers in Medicine and Surgery (John Gerald Hayden and Albert Ernest Coates) received £600 per annum.³⁹ In 1960 it reverted to a full time position with a salary of £1600.⁴⁰ Some of this was due to the Murray Commission and its emergency fund. The Murray Commission was an inquiry into Australian universities in the late 1950s which, according to Martin, 'heralded a revivification and expansion of Australian universities on a scale hitherto unimaginable'.⁴¹ The Murray Committee recommended a third senior lectureship and in 1959 Nancy J. Hayward became Stewart Lecturer in Pathology.⁴²

³² Letter from Registrar to Dr Hiller, 7 July 1921, UMA; Letter from Registrar to Dr S.V. Sewell, 7 July 1921, UMA; Letter from Registrar to Dr M.D. Silberberg, 7 July 1921, UMA; 'Memorandum by Professor R.D. Wright, July 1943. Application of Funds of the Stewart Bequest', p. 2, UMA.

³³ Russell, *The Melbourne Medical School*, p. 132.

³⁴ Letter from F. G. Middleton to the Registrar University of Melbourne, 10 October 1917, UMA; R.D. Wright, "Cohnheim Comes to Melbourne." In *The Melbourne School of Pathology: Phases and Contrasts*, edited by Department of Pathology University of Melbourne, 187-191. Carlton: Melbourne University Press, 1962, p.189.

³⁵ Department of Pathology, *The Melbourne School of Pathology*, p. 111.

³⁶ Russell, *The Melbourne Medical School*, p. 117.

³⁷ Letter from R. Douglas Wright, Dean of the Faculty of Medicine, to Mr J.D.G. Medley, Vice Chancellor, 21 October 1946, UMA.

³⁸ Letter from E.S.J. King, Professor of Pathology, to Vice Chancellor, 29 July 1960, UMA.

³⁹ Letter from J.S. Rogers, Acting Registrar, to Dr John V. Hurley, 15 December 1952, UMA; Letter from F.H. Johnston, Registrar, to Mr. A.E. Coates, 2 October 1953, UMA; Letter from F.H. Johnston, Registrar, to Dr J.G. Hayden, 28 September 1954, UMA.

⁴⁰ Letter from G. W. Paton, Vice Chancellor to Professor E.S.J. King, 3 August 1960, UMA.

⁴¹ A. W. Martin, "R.G. Menzies and the Murray Committee." In Martin, ed. *The Whig View*, 176-205, p. 177.

⁴² Department of Pathology, *The Melbourne School of Pathology*, p.142.

It was not until 1955 that Professors of Medicine and Surgery were appointed at the University. The faculty stated that for nearly half a century the University depended on the Stewart Lecturers in Medicine and Surgery ‘for leadership and direction in the field of clinical instruction’⁴³ and that:

the University, the Faculty of Medicine, the Medical School and the graduate body owes to a long line of distinguished Stewart Lecturers. ... Two world wars, the post-graduate examinations of the British Royal Colleges of Physicians and Surgeons and overseas medical opinion have provided, and continue to provide, abundant evidence of the high public and professional esteem in which this School and its graduates are held. They would not stand in such high repute if it were not for the high standard of teaching set in the medical school and in this regard the outstanding contributions of the Stewart Lecturers are worthy of the highest commendation and call for a special expression of gratitude on our part.⁴⁴

In 1955 the Professors of Medicine and Surgery were styled the James Stewart Professor of Medicine and the James Stewart Professor of Surgery. Professor Richard Lovell was the inaugural James Stewart Professor of Medicine and held the position from 1955 to 1984 and Professor Maurice Ewing was the inaugural James Stewart Professor of Surgery.⁴⁵

The Stewart Lectures

After the suggestion of Professor Berry, ‘a biennial course of three Stewart lectures on some problem or problems in Medical Science of national importance to Australia’⁴⁶ was established. These lecturers received an honorarium of £50 and their lectures were published and reported in journals including the *British Medical Journal* and the Royal Society of Victoria’s Proceedings.⁴⁷ Professor Osborne presented the first three Stewart lectures on the climatology of Australia from a physiological and medical standpoint in April and May 1911.⁴⁸ The second series of Stewart Lectures was presented by

⁴³ Faculty of Medicine statement, 13 December 1955, UMA.

⁴⁴ Ibid.

⁴⁵ Department of Surgery (RMH), University of Melbourne, "Department History", Accessed 23 November, 2015, <http://www.surgeryrmh.unimelb.edu.au/History.html>.

⁴⁶ ‘Report on the Stewart Bequest’, p. 1.

⁴⁷ Harry Allen, "A History of the Medical School." In *University of Melbourne Medical School Jubilee*, 3-42, p. 37; William Lowe, "The Tropics and Pigment: The Physical Properties of Pigment, and its Physiological Importance in the Protection of Living Organisms, especially Man." *Proceedings of the Royal Society of Victoria* XXIV, (March, 1912): 353-366, pp. 354-355; "The Stewart Lectures in Melbourne." *British Medical Journal* (7 January, 1922): 28, p. 28.

⁴⁸ Allen, "A History of the Medical School", p. 37; R.J.A. Berry, *The Stewart Lectures, 14th, 18th and 21st November 1921 by Professor R.J.A. Berry, M.D., F.R.C.S., F.R.S. Edin on Modern Psychology*, Melbourne, Sydney, Adelaide and Brisbane: Robertson & Mullens Limited, c.1921. <http://archive.org/details/texts>. Also available in print form, p. 1.

Dr Anton Breinl in 1913.⁴⁹ Breinl was the director of the newly formed Australian Institute of Tropical Medicine in Townsville. His lectures were on 'the Geography and spread of infective diseases in the East', 'Protozoa and disease' and 'Climate, Disease and surroundings in relation to the settlement of Tropical Australia by the white race'.⁵⁰ After a break due to the First World War the Stewart Lectures resumed in 1921 with Professor Berry's lectures on 'The New Psychology'.⁵¹

O'Brien asserts that there were new intellectual and political movements in Australia around the turn of the twentieth century.⁵² These involved social Darwinism and new liberalism, where understandings of 'race' altered and there was an enmeshing of scientific racism and eugenics as part of holistic solutions to problems. Concerns about heredity and race had been apparent in the empire before the turn of the century, as both Dawson and Coleborne assert.⁵³ These concerns were apparent in the Stewart Lectures and, as Jones contends, the lectures were used by Berry to forward his ideas on eugenics.⁵⁴

Impact of the Stewart Bequest

Medical students made up about one third of the total student population of the University of Melbourne by 1908, as Russell has established.⁵⁵ The second largest bequest to the university before 1927 and the largest bequest to the medical school was thus to impact on the university. The Stewart Lecturers have made a significant contribution to Australian medicine and the biographies of 17 Stewart Lecturers are included in the *Australian Dictionary of Biography*.⁵⁶

⁴⁹ Letter from Anton Breinl to the Registrar, University of Melbourne, 17 April 1910. UMA.

⁵⁰ H.B. Allen, "The Founder of the Stewart Bequest" 1921, p. 4, UMA.

⁵¹ Berry's three lectures were titled 'The evolution of a brain as the physical organ of mind', 'Brain growth and education' and 'The psychological failures of life'.

⁵² O'Brien, *Philanthropy and Settler Colonialism*, pp. 87, 88, 114.

⁵³ Catharine Coleborne, "Insanity, Gender and Empire: Women Living a 'Loose Kind of Life' on the Colonial Institutional Margins, 1870-1910." *Health and History* 14, no. 1 (2012): 77-99, p. 89; Maree Dawson, "Halting the 'Sad Degenerationist Parade': Medical Concerns about Heredity and Racial Degeneracy in New Zealand Psychiatry, 1853-99." *Health and History* 14, no. 1 (2012): 38-55, p. 50.

⁵⁴ In his Stewart Lecture in November 1921, Professor Berry compared the cubic capacity of the human noting 'the lowly place taken by the evolutionary backward Australian aboriginal, who is seen only to have the cerebral development of the 13-year-old schoolboy'. In 'the psychological failures of life', Berry argued that the only effective manner to grapple with the problem of the enormous financial cost to the community due to amentia (severe mental disability) was 'early diagnosis and segregation' and he refers to mentally disabled people as 'the rubbish heap', 'mental defective' and 'social inefficient'. The efficient process of reducing wasteful human material, he argues, creates a saving that 'is not merely one of money, but, what is vastly more important, human souls'. Harry Brookes Allen notes, 1921; Berry, *The Stewart Lectures*; Jones, *Humanity's Mirror*, p. 170.

⁵⁵ Russell, *The Melbourne Medical School*, pp. 102, 172, 173.

⁵⁶ The biographies are of Ewen Thomas Taylor Downie, Sir Gordon Roy Cameron, Sir Wilberforce Stephen Newton, William Allan Hailes, Sir Albert Ernest Coates, Sir Thomas Ernest Victor Hurley, Leslie Everton Hurley, Leonard Bell Cox, Basil Kilvington, Edgar Samuel John King, Frederick Grantley Morgan, John Gerald Hayden, Sir Hibbert Alan Stephen Newton, Balcombe Quick, Sir Sidney Valentine Sewell, Sir Edward Ford and Sir William George Dismore Upjohn. <http://adb.anu.edu.au>.

Stewart's bequest to the university arrived at a time when it was in great financial need, particularly after it was discovered in 1901 that the university's accountant had embezzled £23,839, and there was scant financial support from the community.⁵⁷ According to Blainey, the university's finances had been neglected but were being restored by Thomas Bent who became premier of Victoria in 1904.⁵⁸ Insufficient facilities, funds and staff in the medical school at the university were common complaints in the early years of the school. Jones suggests that things would have been worse for the Anatomy Department if not for Stewart's bequest.⁵⁹ It may also be the case that such large bequests allowed the government to avoid its responsibility for providing the full funding for the medical school, as the History of the University Unit (HUU) contend.⁶⁰ Professor R.D. Wright, Stewart Lecturer in Pathology from 1932 to 1934 and Chancellor of the University of Melbourne from 1980 to 1989, notes that:

The difference of outlook which the Stewart Bequest must have given to the people at that time can be also judged from the fact that at the Medical School Jubilee in 1914 every full time teacher of the Medical School devoted some part of his oration to this land-mark in the progress of the School and the extreme penury of the Departments almost certainly accounts for the terms of the first regulations dealing with the Stewart Bequest.⁶¹

In the university's jubilee year of 1914, just five years after the bequest had been received, its impact was already being felt. Berry asserted that the Medical School 'more than holds its own' in regards to equipment and that 'this gratifying state of affairs has only been brought about by the munificent foresight of the late Dr. James Stewart'.⁶² He felt that all parts of the medical school were profiting from the bequest, that professors had a reasonable chance of acquiring costly modern scientific apparatus and that students were benefiting from increased efficiency in teaching.

In the same year Allen asserted that the bequest fund was an important step towards the creation of a proper staff in the anatomy, pathology and physiology departments, a point also stressed by Russell in 1977.⁶³ Allen claimed that it promoted medicine through provision for apparatus and:

⁵⁷ Geoffrey Blainey, *A Centenary History of the University of Melbourne*. Carlton: Melbourne University Press, 1957, p. 119; Ernest Scott, *A History of the University of Melbourne*. Melbourne: Melbourne University Press in association with Oxford University Press, 1936, p. 174; R.R. Stawell, "The Upbuilding of the Medical School of the Melbourne University." In *University of Melbourne Medical School Jubilee*, 66-72, p. 70.

⁵⁸ Blainey, *A Centenary History*, p. 126.

⁵⁹ Jones, *Humanity's Mirror*, p. 170.

⁶⁰ Personal communication, James Waghorne, History of the University Unit, University of Melbourne.

⁶¹ 'Memorandum by Professor R.D. Wright, July 1943. Application of Funds of the Stewart Bequest', p. 2, UMA.

⁶² R.J.A. Berry, "The Present Needs and Future Requirements of the Medical School of the University of Melbourne." In *University of Melbourne Medical School Jubilee*, 78-82, pp. 78-79.

⁶³ Allen, "A History of the Medical School", p. 37; Russell, *The Melbourne Medical School*, p. 109.

Indirectly the Bequest has enabled the University to make further large provision for the benefit of the Medical School. In fact the smooth running of the School is very largely due to the Stewart Bequest.⁶⁴

Despite his importance to the university, biographical details of Stewart in its various publications and websites are usually brief and often incorrect. The biographical note accompanying Berry's Stewart Lecture had Stewart's time in Ballarat and the date and place of his death incorrect.⁶⁵ Historian of the medical school K.F. Russell claimed that Stewart died in Castlerock in County Londonderry.⁶⁶ Russell gives little indication of who Stewart was or about his bequest, yet Stewart Lecturers fill the pages of his 1977 history of the medical school, indicating their prominence in the school during its first 50 years. Similarly, the history of the Pathology Department brushes over Stewart after providing a brief biography of Dr J.G. Beaney whose 1892 bequest led to the Beaney Scholar of Pathology.⁶⁷ Although the HUU recognises Stewart as an important benefactor to the university, to many Stewart had become just a title and occasionally not even this is correct: the university website refers to Chancellor R.D. Wright as a 'Steward Lecturer'.⁶⁸

Historians of the university only mention Stewart's name in lists of bequests, if at all. Scott's 1936 history only briefly mentions Stewart's bequest in a list of the chief bequests during the 'somewhat lean'⁶⁹ first decade of the twentieth century. Scott considered Scottish-American philanthropist Andrew Carnegie's donation of £1,000 notable during this period but completely neglects to point out that Stewart's was the largest bequest of the time, nearly 5 times more than the next highest bequest. Nor did Scott include Stewart in his discussions of the development of the medical school. Stewart was already being forgotten. Blainey's 1957 history mentions Stewart's bequest as possibly the first in response to a public appeal by the university at this time but Stewart's bequest had been laid down before this in 1899.⁷⁰ Poynter and Rasmussen's 1996 history points out that the Chairs in Medicine and Surgery were filled in 1955 but not that they were called the James Stewart Professors.⁷¹ They also suggest that medicine was always the most powerful faculty in the university and 'had long

⁶⁴ Harry Brookes Allen notes, 1921.

⁶⁵ It stated that Stewart practised in Ballarat from 1853 to 1875-76 (he was there from 1852 to 1869), that he died on 30 June 1906 (he died on 2 June 1906) at Rickmanshurst (Rickmansworth). Berry, *The Stewart Lectures*, p. 1.

⁶⁶ Russell, *The Melbourne Medical School*, p. 109.

⁶⁷ Department of Pathology, *The Melbourne School of Pathology*, p. 137.

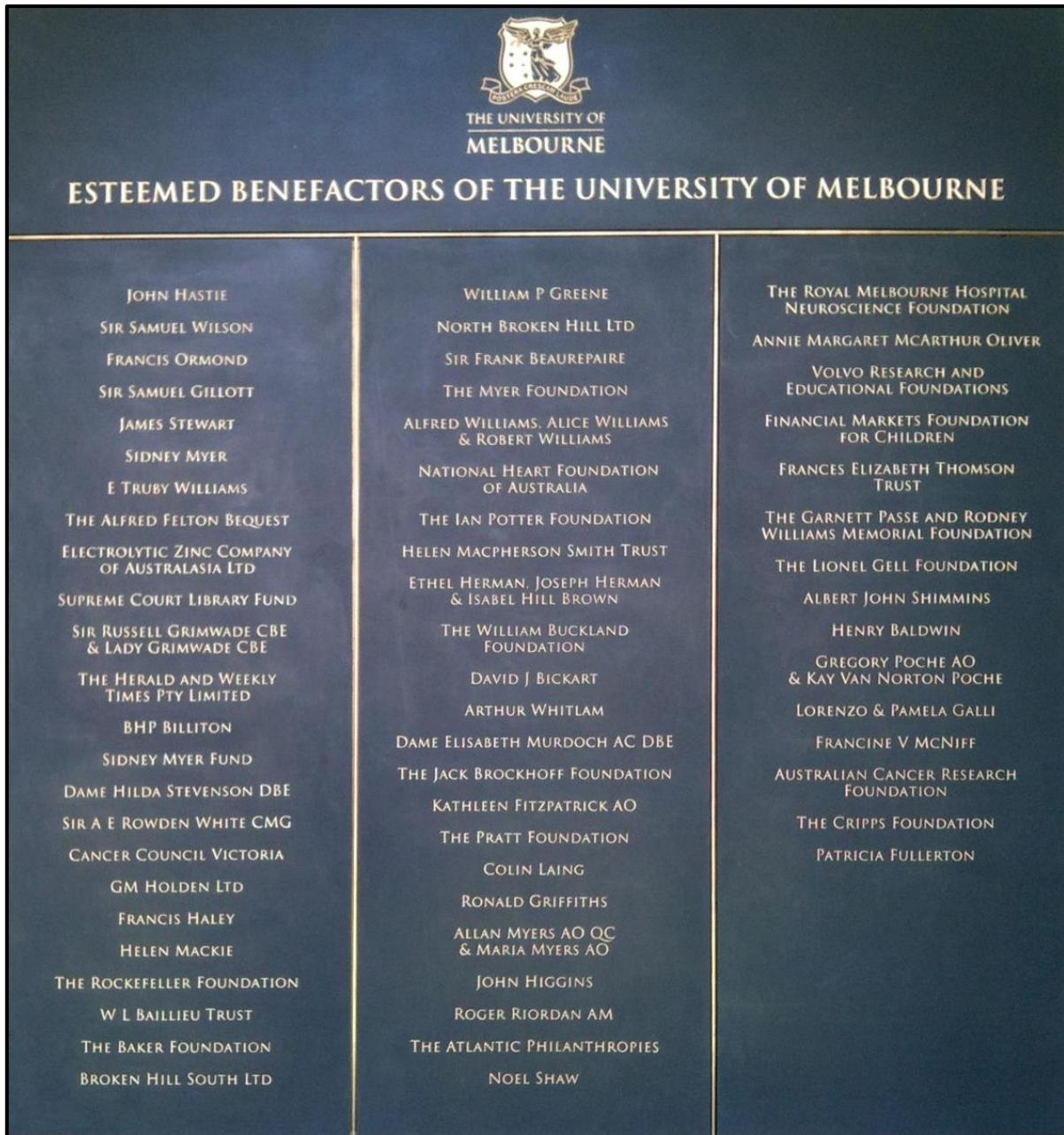
⁶⁸ University of Melbourne, "History of Philanthropy". Accessed 25 September, 2016. <http://our-history.unimelb.edu.au/exhibitions/history-of-philanthropy>; University of Melbourne Archives, "University Chancellors: Roy Douglas Wright, Professor Emeritus, Sir (1907-1990)," Accessed 23 November, 2015. <http://www.lib.unimelb.edu.au/collections/archives/collections/chancellors/wright.html>; Personal communication, James Waghorne, History of the University Unit, University of Melbourne.

⁶⁹ Scott, *A History of the University*, p. 65.

⁷⁰ Blainey, *A Centenary History*, p. 127.

⁷¹ John Poynter and Carolyn Rasmussen, *A Place Apart: The University of Melbourne: Decades of Challenge*. Carlton: Melbourne University Press, 1996, p. 153.

attracted substantial private benefactions⁷² but Stewart rates no mention other than as part of Sir Albert Coates's title of 'Stewart Lecturer'.⁷³



James Stewart: Esteemed Benefactor of the University of Melbourne
 Plaque in the Old Quadrangle, University of Melbourne
Nicola Cousen

At 31 December 1994 the sum of the 'Stewart Bequest' fund was \$45,316.⁷⁴ The Stewart Scholarships in anatomy, medicine and surgery were valued at \$40 annually. The Stewart scholar in anatomy acted

⁷² Ibid., p. 55.

⁷³ Ibid., p. 152.

⁷⁴ Stewart Bequest Recitals (R.625).

as demonstrator of anatomy whilst the medicine scholar acted as an assistant to the James Stewart Professor of Medicine. The surgery scholar acted as assistant to the James Stewart Professor of Surgery and the Guy Miller tutor in Operative Surgery. In 2017 Professor Terence John O'Brien is the James Stewart Chair of Medicine and Academic Lead in Medicine at Royal Melbourne Hospital and Professor Andrew Kaye is the James Stewart Professor of Surgery and Head of the Department of Surgery at the University of Melbourne.⁷⁵ Stewart is remembered on a plaque which celebrates the universities 'Esteemed Benefactors of the University of Melbourne'.

Theological Bequests

Stewart bequeathed £3553 14s 4d each to three colleges of the University of Melbourne (Trinity, Ormond and Queen's) and Magee College in Londonderry, Ireland, for theological scholarships. He wished to establish a permanent fund to found and endow in perpetuity an annual scholarship in theology of up to £50 in value to be called the 'Stewart Prize'. The surplus income from the fund was to be used 'for the advancement of the Study of Theology'.⁷⁶ The Anglican Trinity College was opened 1872, the Presbyterian Ormond College opened in 1881 and the Methodist Queen's College opened in 1888.⁷⁷ There was no Catholic college at the university at the time of Stewart's death so it is unknown whether his bequests would have extended to non-Protestant education.

Stewart's bequest to Trinity College has been the most actively used of the three Melbourne colleges and the only one of these that remains in use. From 1909 the salaries of the Chaplain, organist and librarian had been paid from the Stewart Fund. This was considered improper by the College's counsel and the £1,372 was restored to the fund in June 1928 from the accumulated income of the College's Manifold Bequest.⁷⁸ The College was very strict about the prize being awarded only to theological students who were communicant members of the Church of England who intended to serve within Victoria.⁷⁹ By 1925 the 'Stewart Prize in Theology' was awarded to the theological

⁷⁵ Department of Medicine and Radiology, University of Melbourne. "Medicine at Royal Melbourne Hospital." Accessed 7 April, 2017. <http://medicine.unimelb.edu.au/school-structure/medicine-and-radiology/about-us/department-sections/medicine-royal-melbourne-hospital>; Department of Surgery, University of Melbourne. Introduction." Accessed 7 April, 2017. <http://medicine.unimelb.edu.au/school-structure/surgery/about-us/introduction>.

⁷⁶ Will of James Stewart.

⁷⁷ University of Melbourne Calendar, 1990, 13 Residential Colleges of the University, p. 1.

⁷⁸ The Manifold Bequest was left to Trinity College by pastoralist and philanthropist William Thomson Manifold in 1922. 'Extracts Respecting the Reinstatement of the Stewart Fund Taken from Minutes, 28/6/1928', Trinity College archives, University of Melbourne (hereafter TCA); Extracts Respecting the Reinstatement of the Stewart Fund Taken from Minutes, 10/8/1928', TCA.

⁷⁹ 'The "Stewart Prize" Conditions and Regulations', 8 June 1912, TCA; Letter from Behan to Crowther & Herring, 12 March 1927, TCA.

student who placed first in the Australian College of Theology examination for the licentiate in theology, provided the student obtained first class honours.⁸⁰

A new deed of trust was executed on 1 October 1924 which allowed for the surplus income from the fund to be used to pay for a lecturer in divinity to be called the ‘Stewart Lecturer in Divinity’ once the income could produce £360 per year.⁸¹ Stewart’s bequest provided the largest endowment for theological stipends at Trinity which had three theological stipend endowments by 1968.⁸² The Bromby and Gavan endowments together produced about \$400 and the Stewart endowment provided \$1,100 a year.

Accommodation was built at the college for the Theology School’s Stewart Lecturer in Divinity, Rev. John Garden, and opened in April 1978.⁸³ This was named Stewart House and later became the college’s centre for administration. It was demolished in 2014 to make way for new college buildings. In 2017 Rev. Dr Stephen Burns is the Stewart Associate Professor in Liturgical and Practical Theology.



Opening of Stewart House, Trinity College, 9 April 1978

Trinity College Archives (MM-001091)

⁸⁰ ‘Regulation Governing the Award of the Stewart Prize in Theology’, 20 May 1925, TCA; Harrington C. Melbourne, ‘Regulation Governing the Award of the Stewart Prize in Theology’, TCA.

⁸¹ ‘The “Stewart Fund” Deed of Trust’, 1 October 1924, TCA.

⁸² R.L.S., ‘A Proposal for the Stewart Lectureship in Divinity’, 15 May 1968, TCA.

⁸³ Personal Communication Ben Thomas, Curator of Cultural Collections, Trinity College, University of Melbourne.

Stewart's bequests to the Presbyterian Ormond College and the Wesleyan Queen's College are no longer in use and little is known of what became of them.⁸⁴ In 1910 the Queen's College offered the £50 per annum Stewart Prize to students in the College's Theological Hall.⁸⁵ It was to be awarded each November to a matriculated theological student who was resident in the College for at least one year. In reality the prize winner received less than £20 as the college required him to 'pay at least £30 to the Theological Institution Fund towards the cost of his training'.⁸⁶ The inaugural winner of the prize was N. Webster.⁸⁷

Stewart's bequest at Ormond College provided for a theological prize as well as a travelling scholarship. R.D. Watson was awarded the first Stewart Prize in theology in 1910 which was valued at £50.⁸⁸ The travel scholarships were used by students for purposes including missionary work and further studies overseas.⁸⁹

Histories of the residential colleges do not recognise that Stewart's bequest was originally for scholarships and thus is not included in discussions of scholarships. They reveal that his bequests were quickly absorbed into other areas and that his wishes were not completely followed. For example, Grant, historian of Trinity College, only acknowledges Stewart's bequest in financing the Stewart Lectureship in Divinity.⁹⁰ Parnaby, historian of Queen's College, describes Stewart's bequest as the first endowment that provided funds to support the full cost of a theological tutor.⁹¹ He suggests it was designed for teaching theology and assisting theological students but Stewart is missing from his discussion of scholarships. He mentions that the two highest bequests to the college for buildings in its first 35 years were both of £1,000. Stewart's bequest for scholarships was over three times larger than these and provided a much-needed boost. Stewart appears to have had no champions or well-known family in Melbourne to keep the colleges adhering to the rules of his bequest.

⁸⁴ Jenny Bars, Archivist at Queen's College, University of Melbourne; Personal Communication Leslie den Hartog, Curator of Cultural Collections, Ormond College, University of Melbourne.

⁸⁵ Melbourne University Calendar 1910, p. 830.

⁸⁶ Melbourne University Calendar 1911, p. 766.

⁸⁷ *Bendigo Advertiser*, 19 December 1910, p. 3.

⁸⁸ *Age*, 4 November 1910, p. 7.

⁸⁹ R.D. Watson was to be ordained a missionary to Korea at the Presbyterian Assembly the week after he received the award. Henry Gwynne Jones won the Stewart travelling Scholarship Ormond in 1911 and used it to travel to Scotland to continue his studies at the Glasgow University. *Age*, 4 November 1910, p. 7; *Age*, 6 January 1912, p. 12; *Barrier Miner*, 21 August 1912, p. 4.

⁹⁰ James Grant, *Perspective of a Century: A Volume for the Centenary of Trinity College, Melbourne 1872-1972*. Melbourne: The Council of Trinity College, 1972, p. 110.

⁹¹ Owen Parnaby, *Queen's College University of Melbourne: A Centenary History*. Carlton: Melbourne University Press, 1990, p. 146.

Magee Presbyterian College was opened in Londonderry in 1865 and offered literary, scientific and theological education.⁹² In 1846 Martha Magee bequeathed £20,000 for the building and endowment of a Presbyterian college 'for the education of young men in preparation for the ministry in connection with the General Assembly'.⁹³ Brooke contends that Magee College was created as part of what began 'in a mood of spirited Presbyterian sectarian pride'⁹⁴ and, according to Holmes, the college 'came to represent the cantankerousness of rural Presbyterians who despised the Tories for upholding landlord ascendancy'.⁹⁵

Stewart would have been aware of Magee and her bequests. Magee was the widow of Rev. William Magee of Lurgan in County Armagh. Her maiden name was Stewart but it is unknown if she and Stewart were related. His bequest to Magee College was at least partially influenced by her philanthropy. He would have drawn on his own rural Presbyterian experiences in supporting such an institution and is perhaps an indication that deep down, he remained an Ulster Presbyterian.

Stewart's bequest of £3,207 to Magee College was the second largest donation to the college between 1896 and 1910.⁹⁶ The largest donation was a 1907 bequest from Basil McCrea of about £70,000 which led to the renaming of the college to McCrea Magee College for some of its history. Stewart Prizemen received £30 in their sixth year (this changed to fourth year in 1935).⁹⁷ By 1952 it was the equal largest of the annual prizes awarded and the largest of three fourth year prizes awarded.⁹⁸ The first Magee College Stewart Prizeman was sixth-year student Thomas S. Reid in 1909 and it was last awarded to W.H. McLees in the academic year of 1952-1953.⁹⁹

In July 1953 the theological department of Magee College was removed from control of the college when the constitution was changed in the Magee University College (Northern Ireland) Act. The department became the Magee Theological College and merged with the Presbyterian Theological College in Belfast in 1978 to form the Union Theological College. The Stewart Prize is no longer

⁹² Thomas Hamilton, *History of the Irish Presbyterian Church*. 2nd ed. Edinburgh: T & T Clarke, 1887. <http://archive.org/details/texts>. Also available in print form, p. 171; Clarke H. Irwin, *A History of Presbyterianism in Dublin and the South and West of Ireland*, London: Hodder and Stoughton, 1890. <http://archive.org/details/texts>. Also available in print form, p. 145.

⁹³ Magee left her entire estate of £60,000 to the Irish Presbyterian Church. Martha Magee's will in Irwin, *A History of Presbyterianism*, p. 143.

⁹⁴ Brooke, *Ulster Presbyterianism*, p. 171.

⁹⁵ Holmes, "Covenanter Politics", p. 362.

⁹⁶ *The M'Crea Magee College Calendar for the Year 1914-15*. Londonderry: The Booksellers, 1914, p. 60

⁹⁷ *Ibid.*, pp. 80-81; *Magee University College Calendar for the Year 1935-36*. Londonderry: The Booksellers, 1935, p. 50.

⁹⁸ *Magee University College Londonderry Calendar 1953-54*. Belfast: Mayne, Boyd & Son, Ltd., 1953, p. 70.

⁹⁹ *The M'Crea Magee College Calendar for the Year 1914-15*, p. 81; Personal Communication Sarah O'Deorain, Archives and Business Support Co-ordinator, Ulster University; Personal Communication Fionnuala Carlin Assistant Librarian, Magee Library, Ulster University.

awarded but the Stewart Bequest Fund continues to exist at Union Theological College.¹⁰⁰ A portion of the fund is used for small assistance grants to theological colleges around the world.

Ballarat Bequests



Ballarat School of Mines from Lydiard Street, c.1909
Geoffrey Blainey Research Centre, Federation University

Stewart left Ballarat before the School of Mines existed but he still contributed to the institution from its inception through donations including two guineas in 1876.¹⁰¹ The school was established in 1870 and had been foreshadowed by the Ballarat Mining Institute, with which Stewart was involved, as discussed in Chapter 6. The mines of the district were considered ‘one vast permanent object lesson for the School’s use, and an ever active source of inspiration to the student’.¹⁰²

According to the School of Mines Calendar of 1906, ‘the School has always concentrated its entire resources and energies upon mining education, aiming to do this one thing well, rather than to risk loss of efficiency through diffuseness of effort’.¹⁰³ But this was not the case. The school taught pharmacy, civil engineering, telegraphy and art. As Beggs-Sunter asserts, art education supported the school when the mining industry rapidly declined in the early years of the twentieth century.¹⁰⁴

In 1913 £399 2s 1d of salaries, wages and sundry accounts were taken from two funds – the Stewart Bequest which was worth £3201 11s 3d and the Serjeant Scholarship which was worth £337 17s 11d.¹⁰⁵ R.M. Serjeant, a Cornishman just a year older than Stewart, contributed the school’s first

¹⁰⁰ Personal Communication David Kerry, Librarian, Union Theological College, Belfast.

¹⁰¹ Donations May 1876, 66/5488, SMB Invoice Book, Geoffrey Blainey Research Centre, Federation University (hereafter GBRC); The Ballarat School of Mines, Industries, and Science, in the University of Melbourne. *Annual Report 1887*. Ballarat: School of Mines, 1888, pp. 60, 82.

¹⁰² The School of Mines and Industries, Ballarat, *Calendar 1906*, p. 6. GBRC.

¹⁰³ *Ibid.*, p. 5

¹⁰⁴ Anne Beggs-Sunter, "The Institute's Role in Evoking a Taste for Art." In Blee and Roberts, eds. *Under Minerva's Gaze*, 28-41, pp. 34, 36, 41.

¹⁰⁵ The School of Mines and Industries, Ballarat, *Balance Sheet. 30 September, 1913*, GBRC.

scholarship. He had been a mine manager and an original member of the School of Mines Council. Perry, historian of the School of Mines, stresses that ‘the School lost two friends and supporters’¹⁰⁶ in 1902 with the loss of Serjeant and Dr Robert Denholm Pinnock but neglects to acknowledge the loss of Stewart just four years later.

By 1968 the bequest had accumulated income of nearly \$13,000 and it was to continue through the many incarnations of the School of Mines.¹⁰⁷ On 29 May 1968 it was decided that the School of Mines and Industries would become the Ballarat Institute of Advanced Education, the trade section would become the Ballarat School of Industries and the secondary section would become the Ballarat Technical School.¹⁰⁸ The Stewart Bequest was passed on to the Ballarat College of Advanced Education when the School of Mines assets were divided up.¹⁰⁹ By 1981 part of the head of the Geology Department’s salary was paid from the Stewart Fund and in 1989 part of the mineralogy lecturer’s salary was paid from the fund (approximately \$4,500). By this time the fund account contained \$27,047 plus the capital sum of \$6,542. The allocation of funds from the Stewart Fund allowed operating funds to shift to mining, geology and materials for geology excursions and increased technical staff support. The institution became the University of Ballarat which then became Federation University in 2014. There is no record of the bequest continuing to this time.¹¹⁰

Stewart’s bequest of £1,776 17s 2d to the Ballaarat Mechanics’ Institute was to establish a permanent fund for ‘replenishing, purchasing and adding new books’.¹¹¹ This assisted the institute with their object of offering intellectual and moral improvement, as has been discussed in Chapter 6. Stewart’s contributions were recognised in the Institute’s 1909 Jubilee Souvenir pamphlet which described him ‘as wise as he was generous’.¹¹² The Institute continues to this day as one of 12 institute libraries still operating in their original buildings in Victoria.¹¹³ It remembers Stewart in a photographic portrait which hangs prominently on a second-floor landing.

¹⁰⁶ Perry, *The School of Mines*, p. 182.

¹⁰⁷ The School of Mines and Industries, Ballarat, Minutes, 15 May 1968, *Minute Book May 1961 to July 1968*, GBRC.

¹⁰⁸ The School of Mines and Industries, Ballarat, Minutes, 29 May 1968, GBRC.

¹⁰⁹ Memo to Members of the Finance Committee from R.M. Hook, Finance Manager Ballarat University College, 22 March 1990, GBRC.

¹¹⁰ Personal Communication Michelle Langley, Manager, Records, Archives and Policy Services, University Registrar’s Directorate, Federation University.

¹¹¹ Will of James Stewart.

¹¹² Ballaarat Mechanics’ Institute. *Jubilee Souvenir*. Ballarat: Ballaarat Mechanics’ Institute, 1909.

¹¹³ Pam Baragwanath and Ken James, *These Walls Speak Volumes: A History of Mechanics’ Institutes in Victoria*. Ringwood North, Vic.: Pam Baragwanath, and Ken James, 2015, p. 15.



Ballarat Mechanics' Institute Jubilee Souvenir pamphlet 1909

Stewart bequeathed £1,776 17s 2d to the Ballarat District Hospital to be invested and for the annual income of the investment to be applied for the purposes of the hospital. The hospital is currently called the Ballarat Base Hospital and is operated by Ballarat Health Services. Hyslop, whose history of the hospital has neglected Stewart's important contributions, makes no mention of his generous bequest in her discussion of public contributions to the hospital.¹¹⁴ She established the importance of bequests to the hospital's financial status as private contributions to the hospital dropped off around 1903. This was due to a general depression in the district and because the younger generation was not coming forward with donations as the older generation was dying off. Hyslop acknowledges the usefulness of the 'noble £5000 from the estate of Francis Ormond'¹¹⁵ in the 1890s and the way in which the £5,000 bequest of R.W. Holmes in 1908 replenished the endowment fund but completely ignores Stewart's bequest two years earlier. This is an extraordinary oversight given that Stewart had contributed to the development of the hospital from its inception, was both an honorary surgeon and physician there, consistently contributed to it through regular donations throughout his life and left it a generous bequest. No record exists of how the bequest was used by the hospital.

Stewart bequeathed £1,776 17s 2d each to the 'Benevolent Orphan Asylum' and the 'Original Ballarat Orphan Asylum situate at Ballarat East'.¹¹⁶ There was no 'Benevolent Orphan Asylum' at this time and this bequest was most likely for the orphans at the Benevolent Asylum. These were both institutions that Stewart contributed to financially during his lifetime and were discussed in Chapter 6.

¹¹⁴ Hyslop, *Sovereign Remedies*, p. 191.

¹¹⁵ *Ibid.*, p. 169.

¹¹⁶ Will James Stewart



Ballarat Mechanics' Institute 2016



Ballarat Base Hospital 2016

Nicola Cousen

Stewart devised £1,776 17s 2d to the 'Original Ballarat Female Refuge' and had contributed to the refuge during his lifetime.¹¹⁷ The refuge was originally in Grant Street but later moved to Scott's Parade where a maternity ward was added in 1897.¹¹⁸ Bate contends that the refuge, which was established in 1867, was a way of tackling prostitution in the city.¹¹⁹ He considers the homing of 47 women in the refuge in under two years a modest achievement but noted that many were tempted by old habits. As Wickham suggests, the exercising of social and moral authority played a significant role in its running of the refuge as well as in the society within which it existed.¹²⁰

On 24 June 1909 the Alexandra Babies' Home was opened with accommodation for 50 children and was attached to the Female Refuge. It was funded by both Stewart's bequest and the bequest from Anglo-Irish solicitor Robert William Holmes, although the *Bendigo Advertiser* attributed the total funding to Holmes.¹²¹ The home was built on land donated by James Oddie and cost £1,500. Oddie claimed influence on Stewart's decision to contribute to the Babies' Home, as Beggs-Sunter has established, but in Stewart's will the bequest that assisted the Babies' Home was to be 'applied for the purposes'¹²² of the Female Refuge with no mention of the Home.¹²³ The two institutions came under the control of the Ballarat Town and City Mission in 1921; the refuge continued until 1941, the Babies' Home until 1974.¹²⁴

As discussed in Chapter 4, Stewart was involved with the Ballarat Bible Society. Its work was important enough to him to leave them a bequest for continuing their purposes in their efforts to distribute the Bible and holy scriptures. Whilst evidence of Stewart's church involvement is scant, it is very clear from his contributions to different Protestant churches and the Bible Society throughout his life and his large theological bequests that religion was very important to him, that he considered it an important part of society. Wood asserts that the differentiation of faith across Christian denominations lies mainly in emphasis and that choice of a church relies more on family tradition, habit, ethnicity and convenience.¹²⁵ These influences shaped Stewart's religious choices in different ways throughout his life, as has been discussed throughout this thesis.

¹¹⁷ *Ballarat Star*, 1 May 1901, p. 2.

¹¹⁸ Wickham, "Beyond the Wall", p. 3.

¹¹⁹ Bate, *Lucky City*, p. 176.

¹²⁰ Wickham, "Beyond the Wall", pp. 136, 138.

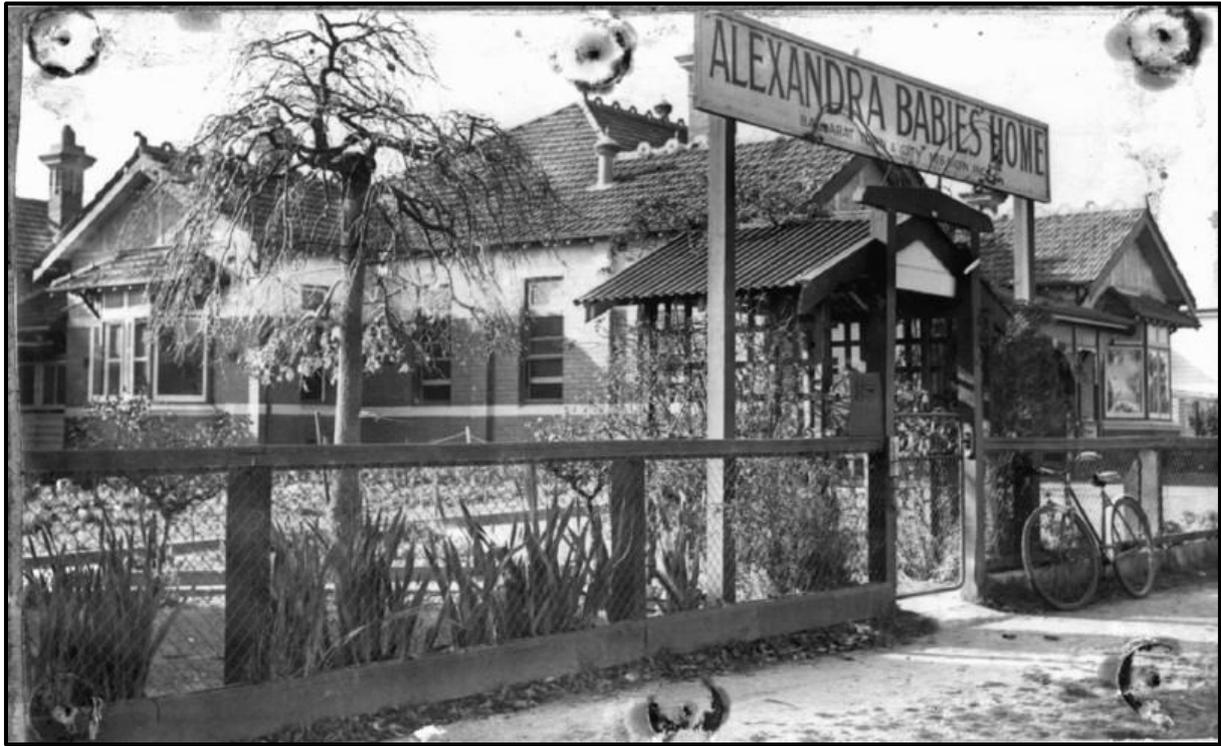
¹²¹ *Ballarat Courier*, 25 June 1909, p. 5; *Bendigo Advertiser*, 25 June 1909, p. 7; *Leader*, 3 July 1909, p. 45; PROV, Will of Robert William Holmes.

¹²² Will James Stewart.

¹²³ Beggs-Sunter, "James Oddie (1824-1911)", p. 90.

¹²⁴ Wickham, "Beyond the Wall", p. 4.

¹²⁵ Malcolm Wood, *Presbyterians in Colonial Victoria*. North Melbourne, Vic.: Australian Scholarly Publishing, 2008, p. 22.



Alexandra Babies' Home

Ballarat Historical Society Photograph Collection, Gold Museum, 079.81



Remembrance Plaque at the Women's Refuge

Dot Wickham, Dinah and Terry McCance

Nineteenth Century Philanthropy

Nineteenth century philanthropy in colonial Victoria was influenced by the places from where its population had originated and from where its institutions had developed. Thus philanthropic tastes from Great Britain and Ireland were a strong influence. As Poynter asserts, charity involved the religious influences of benevolence and Christian love of fellow man and philanthropy involved the eighteenth century Enlightenment influences of practical benevolence and love towards mankind.¹²⁶ This love of mankind was still part of philanthropy at the beginning of the nineteenth century, the century that Geary and Walsh describe as the century of philanthropy.¹²⁷ They attribute this to the development of voluntary organizations in a way that had not existed before. A wide range of needs were addressed and developed in the setting of 'the rapid social development wrought by the Industrial Revolution, and the creation of more complex urban as well as rural societies'.¹²⁸ Similar forces were acting in goldfields Ballarat and Stewart was very much a part of these colonial developments.

Nineteenth century philanthropists are not easily classified because their social origins, sources of wealth, motives and charitable interests varied greatly, as Owen has established.¹²⁹ Historians have argued a myriad of motives for philanthropists. These include good intent and sentiment, generosity, altruism, civic duty, Christian duty and the satisfaction from fulfilling this duty, religious discourse, social control, moral responsibility and culturally specific responses to historical situations.¹³⁰ It could also be a part of addressing social problems and poverty, a desire to justify wealth, converting wealth into cultural capital, preserving class interests, opportunism, articulating class identity, a desire to serve others and perpetuating the memory of a philanthropist.

¹²⁶ John Poynter, *Mr Felton's Bequests*. Carlton: The Miegunyah Press, 2003, p. 534.

¹²⁷ Geary and Walsh. "Introduction", p. 13.

¹²⁸ Ibid.

¹²⁹ Owen, *English Philanthropy*, p. 4.

¹³⁰ Chanin, "Cultural Philanthropy", pp. 10, 105; Jenny Coleman, "Benevolent Ladies and Irrepressible Busybodies: Contesting the Bounds of 'Genuine' Philanthropy." *Gender, Place & Culture* 21, no. 9 (2014): 1071-1089, p. 1071; Hugh Cunningham, *Leisure in the Industrial Revolution c.1780-c.1880*. New York: St. Martin's Press, 1980, pp. 76, 94; Geary and Walsh. "Introduction", p. 15; Himmelfarb, "The Age of Philanthropy"; Conor McNamara, "'The Monster Misery of Ireland': Landlord Paternalism and the 1822 Famine in the West." In Geary and Walsh, eds. *Philanthropy in Nineteenth-Century Ireland*, p. 82; Lucas Rieppel, "Museums and Botanical Gardens." In *A Companion to the History of Science*, edited by Bernard Lightman. Wiley: New Jersey, 2016 [forthcoming], pp. 20, 21; Marguerita Stephens, "White without Soap: Philanthropy, Caste and Exclusion in Colonial Victoria 1835-1888: A Political Economy of Race." PhD thesis, University of Melbourne, 2003, p. 37; Shurlee Swain, "Negotiating Poverty: Women and Charity in Nineteenth-Century Melbourne." *Women's History Review* 16, no. 1 (2007): 99-112, p. 101; Shurlee Swain, "Religion, Philanthropy and Social Reform: Meanings, Motivations and Interactions in the Lives of Nineteenth Century Australian Women." *Women-Church: An Australian Journal of Feminist Studies in Religion* no. 23 (1998): 29-35, p. 30; Wickham, "Beyond the Wall", pp. 28, 61.

One type of philanthropic social control involved the funding of leisure or recreational activities and public spaces: parks, gardens, museums and art galleries. By mid-nineteenth century British leisure patterns had changed and it became a way for the mid-Victorian middle class to be judged, as Bailey, Billinge and Cunningham assert.¹³¹ Leisure became a favourite form of charity and provided a large audience for philanthropists to be understood in public places through visual displays of wealth, kindness and other motives, as Cunningham and Rieppel suggest.¹³² Not all such efforts were successful and, as August contends, participants did not necessarily embrace the goals of their sponsors during such activities.¹³³ To leave money for a public park or space was to leave a memorial that would allow a donor to remain in the community's memory.¹³⁴ Stewart did not bequeath any money to leisure or recreational institutions as some of his colleagues had.

The view of the reciprocal relationship between donors and recipients in Ballarat was expressed by Robert Smith, president of the Benevolent and Visiting Association, when he stated in 1859 that 'the inestimable value of that great virtue charity, which, like its sister, mercy, blesses him who gives as well as him who receives'.¹³⁵ This relationship, like philanthropists' motives, varied greatly and, as Coleman asserts in her discussion of Melbourne between 1860 and 1880, 'the relationships between wealth, status and social position were in flux'.¹³⁶ Similarly, Swain notes the fluidity of class structures in nineteenth century Australia.¹³⁷

Lambert and Lester suggest that 'colonial philanthropy was intimately associated with domestic concerns', that colonial philanthropists saw imperialism as 'something more principled than the pursuit of military glory, personal riches or power'.¹³⁸ Chanin argues that, along with Christian duty, the application of humanitarian sensibilities and an egalitarian ethos were considered to demonstrate the new colony's civilised nature.¹³⁹ Such discussions often refer to English philanthropy and do not include Irish philanthropic contributions but, as Stewart and his Irish contemporaries reveal, Irish colonials also made important philanthropic contributions to Victoria and Australia.

¹³¹ Peter Bailey, *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885*. London: Routledge & Kegan Paul, 1978, p. 4; Mark Billinge, "A Time and Place for Everything: An Essay on Recreation, Re-Creation and the Victorians." *Journal of Historical Geography* 22, no. 4 (1996): 443-459, p. 447; Cunningham, *Leisure in the Industrial Revolution*, p. 178.

¹³² Cunningham, *Leisure in the Industrial Revolution*, p. 185; Rieppel, "Museums and Botanical Gardens", p. 21.

¹³³ Andrew August, *The British Working Class 1832-1940*. Harlow, UK: Pearson Longman, 2007, p. 135.

¹³⁴ Cunningham, *Leisure in the Industrial Revolution*, p. 94.

¹³⁵ *Star*, 27 January 1859, p. 2.

¹³⁶ Coleman, "Benevolent Ladies", p. 1078

¹³⁷ Swain, "Negotiating Poverty", p. 102.

¹³⁸ David Lambert and Alan Lester. "Geographies of Colonial Philanthropy." *Progress in Human Geography* 28, no. 3 (2004): 320-341, p. 323.

¹³⁹ Chanin, "Cultural Philanthropy", p. 112.

Stewart consistently contributed to his community philanthropically throughout his life, as did many of his contemporaries. Where they differ is in how they bequeathed their estates. Examination of the bequests of some of Stewart's contemporaries in Victoria provides insight into the distinctiveness of Stewart's bequests amongst the groups to which he belonged including Ballarat doctors, municipal councillors and colonial Anglicans and Presbyterians.

As Beggs-Sunter points out, many of the great benefactors in Ballarat were childless.¹⁴⁰ Stewart's contemporaries and colleagues with family generally left their entire estates to their wives, children and siblings. These included Anglican Reverend John Potter, Anglo-Irish Judge Robert Le Poer Trench, Anglican mining manager R.M. Serjeant, Scottish Presbyterian Thomas Livingstone Learmonth and hotel owner Walter Craig; councillors H.R. Caselli, Charles Dyte and William Bickham Rodier; Doctors George Clendinning, George Nicholson, T.L.G. Holthouse, Louis Saenger, Isaac Wallace and W.L. Richardson.¹⁴¹ Even the great benefactor Sir Redmond Barry only remembered his family in his will as his benefactions were made during his lifetime.¹⁴² These men were born in different countries, were from different religious denominations, were members of different professions and the value of their estates varied greatly. Not everyone was fortunate enough to have money left to bequeath. Stewart's medical partner in his early years on the Ballarat goldfields, Dr James Sutherland, died in Ballarat in 1870 in penury and intestate and J.B. Humffray was dependent on charity in his final years.¹⁴³

Scottish grazier and philanthropist Francis Ormond, who was just two weeks younger than Stewart and possibly an influence on Stewart when writing his will, left large bequests to many charitable, medical, educational and religious institutions in Melbourne and Geelong as well as making sure his family was looked after.¹⁴⁴ Cornishman Thomas Bath's will is remarkably similar to Stewart's (which was written just a year earlier) in the way it was divided into parts and shared amongst Ballarat institutions and family.¹⁴⁵ It differs in that Bath bequeathed money to a leisure institution (the Ballarat

¹⁴⁰ Beggs-Sunter, "James Oddie (1824-1911)", p. 162; Anne Beggs-Sunter, "An Eminent Victorian: James Oddie and His Contribution to Ballarat." *Victorian Historical Journal* 72, no. 1-2 (2001): 105-116, p. 111.

¹⁴¹ PROV, VPRS 7591. Wills P2, Unit 100 Henry Richards Caselli; P2, Unit 25 George Clendinning; P1, Unit 39 Walter Craig; P2, Unit 223 Charles Dyte; P2, Unit 328 Thomas Le Gay Holthouse; P2, Unit 12 Thomas Livingstone Learmonth; P2, unit 233 Robert Le Poer Trench; P2, Unit 56 George Nicholson; P2, Unit 65 Rev. John Potter; P2, Unit 50 Walter Lindesay Richardson; P2, Unit 319 William Bickham Rodier; P1, Unit 23 Louis Saenger; P2, Unit 343 Robert Malachy Serjeant.

¹⁴² PROV, VPRS 7591/P2, Unit 60, Will Sir Redmond Barry.

¹⁴³ Langmore, "Humffray, John Basson (1824-1891)".

¹⁴⁴ PROV, VPRS 7591/P2, Unit 154 Will Francis Ormond; Don Chambers, "Ormond, Francis (1829-1889)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/ormond-francis-4340/text7045>, published first in hardcopy 1974, accessed online 18 November 2015.

¹⁴⁵ After taking out bequests for some of his family, Bath divided the residuary trust funds into parts to be shared amongst the Ballarat Hospital, Ballarat Benevolent Asylum, Ballarat Agricultural Society, Ballarat Fine Art Gallery, the Ballarat School of Mines and larger parts for a number of his and his wife's relatives.

Fine Art Gallery) and Stewart's bequests were wider than Ballarat (Melbourne and Londonderry). Both Bath's and Stewart's estates were large, the final balance of Bath's estate was £103,981 2s 2d. In 1907 Anglo-Irish solicitor Robert William Holmes similarly left money to family and divided the residue of his £39,000 estate amongst some Ballarat institutions.¹⁴⁶ Stewart's fellow municipal councillor W.C. Smith left small bequests to his family and friends and left half of his estate for the purchase of statues for the Ballarat Botanic Gardens or pictures at the Ballarat Fine Art Gallery but, as Bate asserts, his estate was not large enough to fulfil the bequest.¹⁴⁷ James Oddie died with a very meagre estate after contributing much to charity during his lifetime. He still remembered more than just his family in his will by leaving artworks to the Ballarat Fine Art Gallery and £100 in trust for Ballarat charities and for maintaining the Eureka Stockade Miners' graves.

In stark contrast was pastoralist, politician and Ulsterman Samuel Wilson – a man with some similarities to Stewart. Wilson was the son of a County Antrim farmer, an Anglican, a miner at Ballarat, a pastoralist, the M.L.A. for Wimmera (1861-1864) and M.L.C. for Western Province (1875-1881) and donated to numerous charitable and religious bodies during his lifetime.¹⁴⁸ Where the two Ulster men differ greatly is in their wills: Stewart shared his estate benevolently, Wilson left his entire estate worth over £574,622 to his family. As Kidd suggests, 'some lives are characterized by charitable acts while others in the same economic circumstances, with the same social and cultural background, and subject to the same normative pressures, give little or nothing'.¹⁴⁹

Stewart's Philanthropy

Stewart's philanthropic contributions were not part of an attempt to receive a hereditary baronetcy or knighthood as Macintyre and Selleck suggest of Samuel Wilson's contribution to the University of Melbourne.¹⁵⁰ They were not to have a building filled with his personal collections and named after him such as the Mitchell Library in Sydney after David Scott Mitchell's bequest and endowment.¹⁵¹

¹⁴⁶ PROV, VPRS 7591/P2, Unit 405 Will Robert William Holmes.

¹⁴⁷ Bate, "Smith, William Collard (1830–1894)"; PROV, VPRS 7591/P2, Unit 231 Will William Collard Smith.

¹⁴⁸ University of Melbourne Calendar 1949, p. 576-579; Frank Strahan, "Campbell, William (1810–1896)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/campbell-william-3158/text4719>, published first in hardcopy 1969, accessed online 18 November 2015; Parliament of Victoria, "Re-Member: Wilson, Sir Samuel." Accessed 25 November, 2015. <http://www.parliament.vic.gov.au/re-member>.

¹⁴⁹ Alan J. Kidd, "Philanthropy and the 'Social History Paradigm'." *Social History* 21, no. 2 (May 1992): 180-192, p. 185.

¹⁵⁰ Stuart Macintyre and R. J. W. Selleck, *A Short History of the University of Melbourne*. Carlton: Melbourne University Press, 2010, p. 12.

¹⁵¹ G. D. Richardson, "Mitchell, David Scott (1836–1907)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/mitchell-david-scott-4210/text6781>, published first in hardcopy 1974, accessed online 3 November 2015.

He did not leave money for leisurely pursuits of art, botanic gardens or museums as Englishman Alfred Felton did.¹⁵² Stewart's bequest was not about seeking or maintaining status, nor rising up the social ladder, he had no need for that.

In his life and in his bequests Stewart exhibited what Kidd refers to as the conceptual territory of 'giving behaviour'¹⁵³ through sharing networks, 'mutual aid between kin and neighbours'.¹⁵⁴ His giving is not part of the collectivist tradition, he was not seeking status or honour.¹⁵⁵ Nor does he fit with the individualist tradition where charitable giving accumulates status as a capital return and is a self-interested activity.¹⁵⁶ His bequests were altruistic. They were to encourage and further education and to support charitable institutions – to benefit communities for the betterment of mankind. He sought an active and continuing legacy to benefit many, not a tangible memorial to himself. The bequests that he put his name to held his family name only as he continued the Stewart family legacy, honouring it as something greater than himself.

As with his actions in life and his medical career, Stewart's bequests were very much about a desire to improve people's lives. This was rooted in the Enlightenment influences, his egalitarianism, his liberalism, his evangelical Protestantism and his role as a doctor. His philanthropy developed through his life experience and the cultural processes affecting the groups to which he belonged, infused with sentimentality, and deep connections and pragmatism. His contributions were those of a man born into farming and grown into medicine and expressed through civic duty and colonial liberalism. He set up his bequests as trusts using what Owen describes as 'the major instrument of Tudor-Stuart philanthropy'¹⁵⁷ where the bequest would provide income in perpetuity. He wanted his benevolent contributions to continue to help through time and he achieved this goal.

Stewart's giving behaviour was most likely influenced by previous generations of his family but there was little example for him to follow in his immediate family. His benevolence was distinctive amongst them. His father Robert left his money and farm to some of his children and grandchildren.¹⁵⁸ His siblings all left their estates to family, including his childless sister Martha Ramsay. His sister

¹⁵² Half of the £378,000 Felton Bequest went to charities and half went to works of art for the Melbourne National Gallery. J. R. Poynter, "Felton, Alfred (1831–1904)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/felton-alfred-3508/text5393>, published first in hardcopy 1972, accessed online 3 November 2015; Gwenyth Rankin, "No Flowers, or Trustees, by Request: Bernard Hall and the Felton Bequest." *Journal of Australian Studies* 30, no. 88 (2006): 125-133, p. 125

¹⁵³ Kidd, "Philanthropy and the 'Social History Paradigm'", p. 182.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid., p. 183.

¹⁵⁶ Ibid., p. 184.

¹⁵⁷ Owen, *English Philanthropy*, p. 5.

¹⁵⁸ PRONI, Will of Robert Stewart.

Jane, the widow of a Presbyterian minister, left just £20 of her £482 18s estate to the Presbyterian Church at Castlederg.¹⁵⁹ Amongst Stewart's influences would have been the Presbyterian philanthropy of Martha Magee and his own experience of Richard Carmichael's medical bequest through the Carmichael medical school in Dublin where he received some of his education. His nephew Robert's experiences at the University of Melbourne Medical School during the 1880s would have provided Stewart with an awareness of the university's needs and contributed to his desire to help the school. He was a trailblazer amongst his Ballarat colleagues in leaving bequests to the university. His view was much wider than his family and 'home'.

As discussed in earlier chapters, Stewart felt that people should contribute to the place where they had made their money before asking others to contribute and that those who were in the position to contribute, that is colonial capitalists, should do so. He made some of his fortune in Ballarat but his fortune grew much larger in the 37 years after he left Ballarat. All but one of his bequests went to Ballarat and Melbourne. The absence of any bequest in England might reflect a feeling that Stewart was not as connected with the spaces and places there. He did not set down the roots that he had in Australia and Ireland. Stewart's attachment to Ballarat was much deeper than its lucky soil; he had invested widely in the city, its institutions and people. His heart remained in the Ballarat that he had helped to create. It is likely that he donated both out of a connection with place but also with a long-term view of which institutions were most in need.

¹⁵⁹ PRONI, Will of Jane Love.

CONCLUSION

A lithograph of Stewart hangs on a landing at the top of a staircase in the Ballarat Mechanics' Institute. It celebrates him as one of the Institute's founding trustees but remains a solitary public trace of the doctor in Ballarat, the city which he so generously endowed.

This thesis has taken me on a voyage into the world of my great-great-great uncle. After a great deal of research, I have learned much about his contribution to the foundation of the city of Ballarat and to medical practice in Victoria. But who was James Stewart? What values motivated his life and his philanthropy? In some senses he remains an enigma, but in the concluding chapter I will highlight his key contributions. These are in the areas of medicine, local government, philanthropy, agriculture and community engagement. His 'flexible identity' is a key to understanding who Stewart was and his contributions to Australian history. As discussed in the introduction, his relationship to me has served as a starting point to my research and, although I now know much more about him, it has been the study of a stranger. I have considered him with the distance and objectivity that I would for someone with no familial connection.

This first in-depth biography of Dr James Stewart places Stewart in the historical context of his life and times from rural County Tyrone in Ireland to goldfields Ballarat in Victoria through to his final years in urban England. It provides evidence of who he was and demonstrates the extensive influence he had on Ballarat and Victorian history. This thesis has thrown light on a leading actor in Ballarat's development and an important benefactor who has been almost entirely ignored in the historical record. From his early years through to his visionary and generous bequests, this biography has demonstrated Stewart's influences and his values through his actions. This thesis also contributes to an increased understanding of goldrush and post-goldrush life in Ballarat gleaned through an investigation of Stewart's work, particularly colonial medical practice.

Remembering Stewart

I believe if Stewart wanted to be remembered he would have wanted it to have been for the example he set, for the intentions behind his bequests, for the possibilities they made available – but not to have his life worth defined by a monetary value. He and his bequests have largely been forgotten. His name continues in the James Stewart Professors of the medical faculty at the University of Melbourne, the Stewart Scholarships, the Trinity College Stewart Professor of Theology and in the Union Theological College Stewart Fund but knowledge of the man behind the name has largely disappeared from public awareness.

History and memory are subject to remembering and forgetting, of salvaging, selecting and culling, manipulation, appropriation, legitimisation and can be warped, deformed, problematic, incomplete, evolving and are indispensable for human functioning, as Nora, Attwood, Lowenthal and Beiner have argued.¹ Within these processes can be legend creation, revival and dormancy. Attwood contends that legend creation can involve a great deal of work and attraction to a person's qualities by their champions, along with a desire to immortalise them.² These can acquire more significance over time and gain new interest with a growing nostalgia. As Hamilton suggests, we interpret and negotiate the past through a 'memorial culture ... characterised by the dominance of memory and commemoration'.³ When Stewart died he had outlived many of his friends, colleagues and all of his siblings. He had no children of his own. There were few people left in Ballarat who knew the man. There were few left to commemorate, remember or champion him and his contributions to his community. The secrecy of the Lalor amputation after Eureka left Stewart out of popular accounts of the story and historians' retelling of the event has influenced his inclusion and exclusion from the story, as discussed in Chapter 3. Stewart was not one of the people whom Bate chose to champion in *Lucky City*, although he did champion Stewart's friends James Oddie and W.C. Smith.⁴

Historians of Ballarat have also omitted Stewart from their discussions of philanthropists. Withers and Bate importantly stress the atmosphere and value of benevolence particular to Ballarat throughout their histories of Ballarat but neither includes Stewart in his discussions.⁵ Bate's comparative discussion of the development of East and West Ballarat is particularly valuable but this is another area that should have included Stewart as it involved many of the institutions with which he was heavily and influentially involved. Eureka histories contain significant oversights of Stewart. Ballarat Reform League's *Eurekapedia* entry for him only briefly touches on a small number of his achievements outside of being a doctor; the *Eureka Encyclopaedia* entry for him also misses his role in the establishment of many Ballarat institutions, incorrectly suggests that he and Annie lived at

¹ David Lowenthal, "Memory and Oblivion." *Museum Management and Curatorship* 12, no. 2 (1993): 171-182, pp. 171, 178; Bain Attwood, *Possession: Batman's Treaty and the Matter of History*. Carlton: The Miegunyah Press, 2009, p. 106; Guy Beiner, "Disremembering 1798?: An Archaeology of Social Forgetting and Remembrance in Ulster." *History & Memory* 25, no. 1 (2013): 9-50, p. 9; Guy Beiner, "Irish Studies and the Dynamics of Disremembering." In *Irish Studies and the Dynamics of Memory: Transitions and Transformations*, edited by Marguérite Corporaal, Christopher Cusack and Ruud van den Beuken, 297-321. Oxford and Bern: Peter Lang, 2017, p. 315; Pierre Nora, "Between Memory and History: Les Lieux De Mémoire." *Representations* no. 26 (Spring, 1989): 7-24, p. 8.

² Attwood, *Possession*, pp. 105, 107, 117, 229, 236, 241, 252, 253.

³ Paula Hamilton, "Memory Studies and Cultural History." In *Cultural History in Australia*, edited by Hsu-Ming Teo and Richard White, 81-97. Sydney: UNSW Press, 2003, p. 83.

⁴ Bate, *Lucky City*.

⁵ Bate, *Lucky City*; Withers, *A History of Ballarat*.

Morningside in Rickmansworth and has his birth year incorrect.⁶ There is no *Australian Dictionary of Biography* entry for him despite his contributions to Australian history. This is despite his inclusion in the ADB Biographical Register created by Jim Gibbney and Ann Smith. The Register has been important in the writing of ADB entries, as Melanie Nolan and Christine Fernon acknowledge.⁷ These biographical gaps can now be filled, biographical details corrected and Stewart placed back into the places from which he is missing.

Stewart's tremendous contributions have been obscured by Withers and by other historians' reliance on Withers as the first historian of Ballarat. He only mentions Stewart's name in lists in his original *History of Ballarat*.⁸ This is despite Withers being involved with institutions with Stewart including the Mechanics' and Mining Institutes. This has been a conscious choice, possibly through a personal grudge as Stewart was popularly elected to roles which Withers sought but did not get.

A cabinet portrait exists somewhere in the collections of the Art Gallery of Ballarat but is not on display.⁹ It was one of 66 paintings of leading Ballarat pioneers by Thomas Price commissioned by James Oddie around 1884.¹⁰ A decade later when Oddie became a founding member of the Australian Historical Record Society and was involved in collecting accounts of early Ballarat history from old pioneers there was no mention of Stewart. Lowenthal suggests that efforts to discard memory can vary in motive, form and intensity and can involve attempts to obliterate or substitute.¹¹ Oddie appeared to be more concerned about being remembered himself than to enlarge on Stewart's considerable contributions. Oddie, like Withers, has had an influence on the remembering and forgetting of Stewart. William Little also provided some details in Stewart's obituaries but the people who knew him best – his nieces and nephews – do not appear to have contributed personal details of him. Their grieving and remembrance of him remained as private as the life they had shared with Stewart. This left little detail or reminder of who James Stewart was for anyone to champion with continuing memory of him. The lack of tangible heritage, monuments and memorials to the doctor, has also helped him to slip from the collective memory. Stewart did not seek to be memorialised, he

⁶ Ballarat Reform League Inc. "James Stewart." Accessed 26 September, 2016.

http://eurekaopedia.org/James_Stewart; Corfield, Wickham and Gervasoni, *The Eureka Encyclopedia*, p. 486.

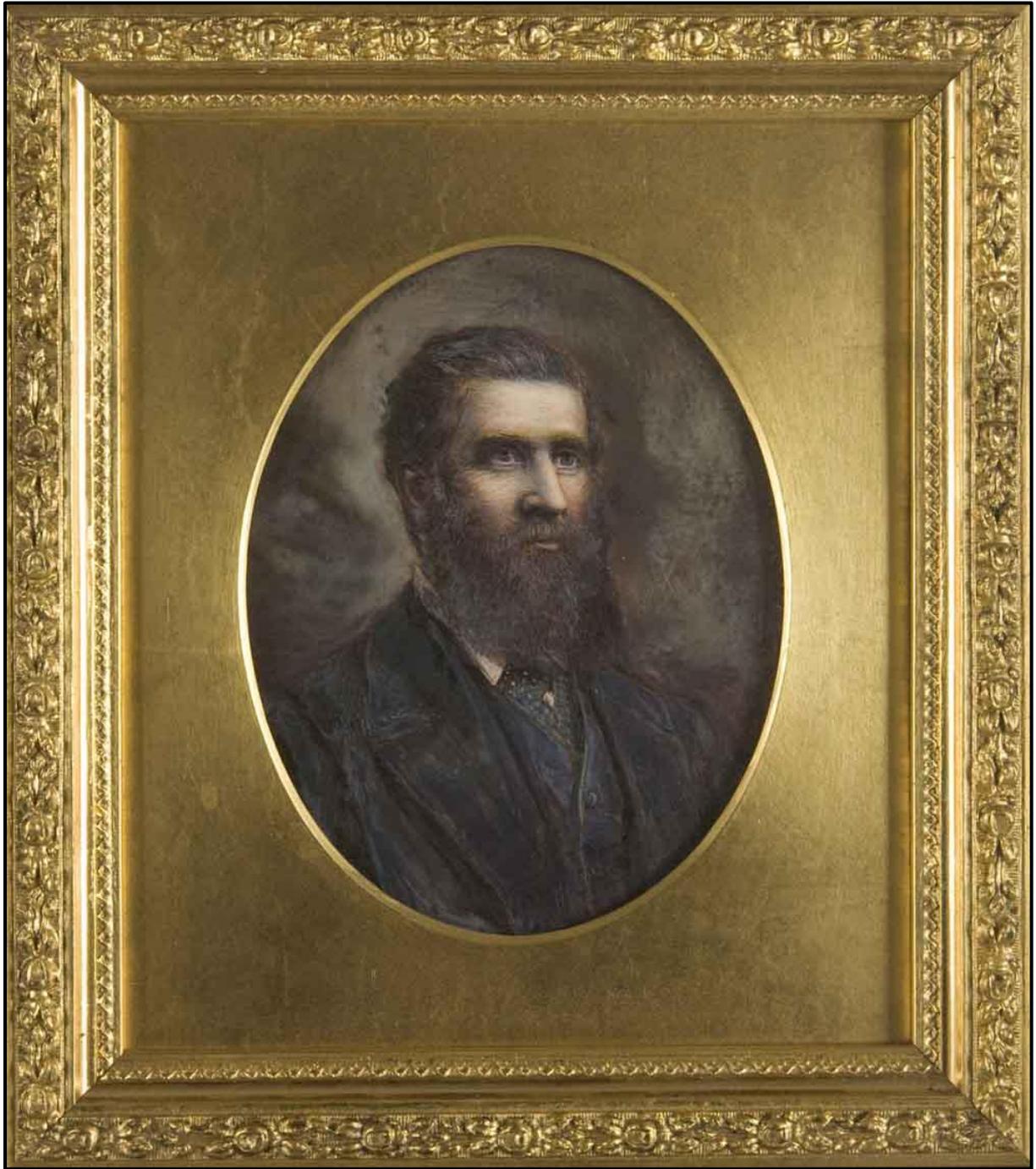
⁷ H.J. Gibbney and Ann G. Smith, eds. *A Biographical Register 1788-1939: Notes from the Name Index of the Australian Dictionary of Biography*. Vol. 2. Canberra: Australian Dictionary of Biography, Australian National University, 1987, p. 7; Melanie Nolan and Christine Fernon, eds. *The ADB's Story*. Canberra: ANU E Press, 2013, pp. 122, 135.

⁸ Withers lists Stewart as one of the first councillors, a name on the mayoral chain, as a first staff officer of the Ballarat Hospital, Mechanics' Institute trustee, Ballarat Agricultural and Pastoral Society first meeting attendee and Gas Company director. Withers, *A History of Ballarat*, pp. 243, 258, 287, 290, 301.

⁹ The portrait and the Mechanics' Institute lithograph are both copied from the same photograph of Stewart.

¹⁰ *Ballarat Star*, 18 December 1886, p. 4; Beggs-Sunter, "James Oddie (1824-1911)", p. 107.

¹¹ Lowenthal, "Memory and Oblivion", p. 177.



Thomas Price, Dr. Stewart, Member of first Municipal Council, circa 1885

oil on board

Art Gallery of Ballarat, Gift of James Oddie, 1887

did not ensure his memory. I believe that he wanted his actions to speak for themselves: his ultimate motivations were to help and improve his community, to create lasting institutions to benefit others in perpetuity, to lead by example in life and in death. And this he has achieved admirably.

Despite Stewart's wide-ranging contributions to Ballarat, those who championed him were in the field of medicine and its history, but only in Victoria. He is a notable omission from the extensive 2013 directory of Ulster doctors who graduated before 1901.¹² Harry Brookes Allen wrote in 1921 that 'Dr. Stewart, who had gained a wide reputation as a bold and skilful surgeon'¹³ was described as 'a delightful companion; kind, helpful, of a joyous buoyant temperament, and abounding in anecdote'.¹⁴ Bowden, himself a Stewart Lecturer at the University of Melbourne during the mid-twentieth century, stated in *Goldrush Doctors* that:

It was quite surprising to find, that, like so many of the other doctors who have been mentioned, very little was known about Dr James Stewart who was very prominent in the early days of Ballarat. He was a public benefactor of note, and the Medical School of the Melbourne University owes much to his generosity.¹⁵

Like the public remembering of Stewart, our family story of him is very limited and contains errors of ignorance, apathy and assumption. The story of the bachelor doctor who lived at Ballarat and left a large amount of money is now changed forever. I have benefited indirectly from Stewart's bequest to his niece Isabella Stewart, my great grandmother. It is because of Stewart that my great-great grandfather Robert emigrated to Australia from Ireland. It is through his bequest to Isabella that my grandfather and his brothers bought farms at Sea Lake in the Mallee region of Victoria – the place where I grew up. I have also benefited from using some of the institutions which he helped to establish such as the Ballarat Mechanics' Institute. I am very grateful for James Stewart's influence in my life, however convoluted and unrealised until now.

Contribution to Colonial Medicine

Stewart qualified as a surgeon and received his education in Dublin during the Dublin Medical School's heyday at a time when medicine was becoming more scientific. He travelled to Victoria working as a ship's surgeon where his medical skills were tested and strengthened. The well-loved,

¹² Clarke, *A Directory of Ulster Doctors*. Vol. 2.

¹³ Allen, "The Founder of the Stewart Bequest", p. 2.

¹⁴ *Ibid.*, p. 3.

¹⁵ Bowden, *Goldrush Doctors*, p. xi.

good-natured, highly-respected, skilled and compassionate surgeon set up practice on the Ballarat goldfields in the early years of the goldrush. He built on his medical skills and qualified as a physician in 1864.

Stewart contributed first and foremost to the public health and care of his goldfields community through his extensive medical care and benevolence during his 17 years there. He helped families at all stages of life from babies through to the elderly. From the richest to the poorest, members of all social classes were attended by Stewart. He provided for the public health of his community extensively through private practice, gratuitously as he helped to establish a public hospital, as an accoucheur, as an honorary surgeon and physician at the hospital and charitable institutions, as founding member of the Medico Chirurgical Society, as a member of the Local Board of Health and as Public Vaccinator. He sought to improve medical education in Victoria so that later generations of doctors could be the best trained professional men.

Stewart's work provides a powerful insight into colonial medical practice, public health and the experiences of goldfields doctors. Investigation into the circumstances of medical care at Eureka has revealed the use of chloroform anaesthesia and pain relief and offers insight into amputation operations and medical emergencies on the early goldfields. The young doctor courageously and honourably gave evidence against corruption in the government Camp in the lead up to the events of Eureka. He came to the aid of George Scobie who wanted a trusted person to perform a post mortem on the body of his murdered brother, James Scobie. He put his own safety at risk to provide medical care for the injured rebel leader Peter Lalor. After Eureka Stewart was popularly voted one of the first honorary surgeons of the Ballarat Hospital. He was part of the strong Irish influence in the establishment of the hospital. Stewart's professional trajectory reveals how the professionalisation of medicine in Victoria led him to update his qualifications.

Contribution to Civic Life

Stewart contributed generously to his community at many levels in a variety of ways in educational, civic, benevolent, religious and secular forms. His leadership skills were enhanced by his experiences as a doctor and as a ship's surgeon where he was responsible for the health and well-being of a community for months at sea. This formative experience was a key factor in the medicine that he and many of his fellow Ballarat doctors practised in the colony.

This thesis shines new light on the development of early colonial municipalities in the context of the hard-won fight for miners' rights through the example of Ballarat and Stewart's significant work as

councillor and chairman. This involved the rapid development of a municipal council, the interplay of two competing councils and the positive and negative effects of such competition. Earning the respect of his goldfields community the young Stewart was popularly voted a member of the first Municipal Council and exerted a powerful influence on the city in his role as its second chairman. His impact on the Ballarat community through his public work was immense. He helped to secure a safe water supply, to light the streets with gaslights and was part of the Council that made by-laws to address the needs and protect the people of Ballarat as the goldfield became a city.

Stewart's public prominence reached its greatest heights during his term as municipal chairman and maintained its apogee for some time. This was assisted by his reputation, class, courage and honourable behaviour. Within these roles his civic duty was charged with his colonial liberalism and democratic beliefs and influenced by his goldrush surroundings as well as his Irish background. He had the advantages of status, class and public positions but he comfortably mixed with people from all levels of society. He was equally at home asking for more for the Ballarat miners from the Governor of Victoria as exhibiting his farm produce with the farmers of the district and entertaining politicians and dignitaries. As a key contributor to the development of numerous Ballarat institutions his impact on the city was comprehensive. Stewart's power at the height of his public life and his influence on the lives of the people of Ballarat in such a vast array of domains is unmatched by any other person in the city during this period.

Insight into the way Stewart enacted his philanthropy has been provided through understanding the powerful influences throughout his life. Early influences included the democratic ideas of Ulster Presbyterianism, particularly his father's Presbyterianism, the Enlightenment and life in a rural community. Dublin influences were important during his medical education. The importance of his family networks and connections demonstrated throughout this thesis affected his decision to leave Ireland, and chain migration reinforced these networks. Whilst only spending 17 of his 76 years in Ballarat, it was the longest time he spent in one place. It was the time of his greatest work and his greatest achievements in the city that was forever a part of him. It was a connection that could not be broken by oceans or time. His benevolence in Victoria stemmed from his understanding of the needs of this community.

Insight into the impact of Stewart's benevolence has been provided through examination of the meticulous instructions in his will through which he devised generous bequests to benefit communities in Australia and Ireland. He led the building of a city with lasting institutions and sought to fortify institutions important to him through funds in perpetuity, for the communities to continue to grow and for further education. He built a legacy that continues in many ways a century after his

death despite the risk posed by his ill-intentioned second wife. This risk demonstrates some of the effects of weakened family networks.

Building on his rural upbringing, agriculture remained an important part of Stewart's life and an area in which he had influence in the Ballarat district. He grew produce, farmed land in Victoria and contributed to the Agricultural and Horticultural Societies. It was another sector where he was at the inception of community groups, helped a young industry get on its feet and encouraged others to build on shared knowledge. Through agriculture, horticulture and the Ballarat Botanic Gardens Stewart influenced changes in the goldfields landscape. He was part of the transformation of the community's reliance on Geelong and overseas imports to independent local production.

Stewart's contribution to community engagement was considerable. He led at the inception of very diverse institutions that have helped to shape Ballarat as a founding member, board member, trustee, patron and benefactor. These included the Ballarat Hospital, the Medico-Chirurgical Society, Benevolent and Orphan Asylums, the Municipal Council, the Mechanics' Institute, the Turf Club, the Agricultural Society, the Philharmonic Society, schools, banks, the Gas Company, Turkish Baths, insurance agencies and mining companies. His care for many of these institutions continued throughout his life and for over 50 years until his death he contributed to the Ballarat community through his munificent annual donations and subscriptions. He liberally contributed to and supported many community celebrations including balls, benefits and celebrations with governors and politicians.

Stewart worked tirelessly, invested shrewdly and extensively, assisted those in need, and contributed financially to local institutions consistently and generously. His success was not guaranteed, his financial situation not assured. Others sharing his advantages had died young, in penury, without fortune or without public success. His siblings in Australia did not have the same financial success, thus indicating that Stewart did not rely on family wealth alone. As a capitalist, Stewart provided the structures for small businessmen to run their businesses. His investments gave others confidence in the mining companies, businesses and other ventures which he supported. He advised the mining population of mining and investment opportunities as production styles changed and was part of the establishment of the School of Mines and its antecedent institutions. His influence was particularly important at the turning point moment when mining changed from individual pursuits to companies requiring capital.

A Flexible Identity

Stewart was able to take on many public roles with ease because of his flexible identity. This allowed him to contribute in many areas: through his success in professional and business life, as well as contributions to his community. The colonial setting allowed space for Stewart's flexible identity: parts of his Irish background could come to the fore when required, as did other elements of his identity that he gained throughout his life, in the places where he lived and through his personal and collective experiences.

This thesis has revealed how Stewart's Ulster Presbyterian background strongly influenced his public life in Ballarat and his philanthropy. His particular expression of colonial liberalism was rooted in his Ulster Presbyterianism and augmented by his colonial experiences. This shines new light on the way in which he committed himself to civic duty and the betterment of his community. His religious connections were not limited to one church as he was involved with numerous denominations through philanthropy, social and cultural connections.

Stewart's influence and that of his fellow Ulster Presbyterians in the colony has been obscured not only by considerations of the non-Catholic Irish as one group – a perception of the Irish diaspora shaped by Patrick O'Farrell's dominance in telling the story of the Irish in Australia – but also because the Anglo-Irish and Ulster Presbyterians blended in easily with other members of the establishment in the British Empire. This biography contributes to revealing the important impact that Ulster Presbyterian Irish people had in Victoria through the example of one individual.

Stewart's identity evolved with his many life experiences. He retained his Ulster Presbyterianism but also gained Anglicanism after leaving County Tyrone. Both affected his life choices and he remained connected to both through kith and kin. This was an accommodation rather than the upgrading that O'Farrell suggests of Presbyterians-turned-Anglicans in Australia.¹⁶ Stewart did not stop being Irish or an Ulster Presbyterian but he gained being colonial British. These accommodations allowed him to advance in the colony, providing him with extra advantages.

Anglicanism could provide Stewart with opportunities for advancement in the communities of Dublin and Ballarat. His involvement with the Anglican Church in Victoria allowed him to maintain connections important to his civic duty and capitalist activities. His Protestantism may have even advanced his capitalist ventures, adding to the moral and financial probity that Weber suggests is

¹⁶ O'Farrell, *The Irish In Australia*, p. 116.

gained by pursuing one's calling.¹⁷ Some Protestant theological features encouraged the capitalist spirit but being an immigrant also played a part in his capitalist success, as Trevor-Roper has argued of the development of capitalism.¹⁸ Stewart's experiences as an immigrant, the places and spaces that he inhabited, certainly influenced his investment choices and opportunities. His experience only partially fits into such theories. As O'Sullivan suggests, the existing prejudices in Weber's Protestant work ethic thesis might be 'simply dealing with stereotypes' as 'yet another sub-department of post-colonialism'¹⁹ in Irish circumstances. There are, of course, other important influences. Stewart sustained similar association through his involvement with Freemasonry and as a board member and trustee of numerous groups in Ballarat, as demonstrated throughout this thesis.

Irish Protestants' cultural and political identities were, argues Ireland, shaped as much by the country they settled in as the country was shaped by them; they were fluid, multiple and malleable.²⁰ This certainly reflects Stewart's experience. There was also space for identity adjustments because Irish migration and Irish immigrants' lives in new worlds were incredibly diverse and complex, as Mac Énrí and Campbell have importantly noted.²¹ The Irish could blend in to varying degrees in Victoria and, as Davis notes, Irish and British attitudes may be found 'combined in a single individual'.²² But it is important to note that they were also still different from the British and English. Stewart's identity adaptations were not just related to his Irishness; his identity accommodated and reflected the experiences of what Kenny describes as 'the fluid and interactive processes at the heart of migration history'.²³ As Miller contends of ethnicity, identity is about 'individual and collective identification, which in turn is subjective and variable, shaped by a multitude of shifting social, cultural, political and psychological circumstances'.²⁴

One of the groups Stewart's flexible identity allowed him to comfortably mix with in colonial Victoria was the Anglo-Irish. Stewart's interactions with his Anglo-Irish networks, as a man of Presbyterian background with his colonial liberalism, democratic and Enlightenment-influenced ideals, bring me to disagree with O'Farrell's claim that the Anglo-Irish in Australia were right-wing conservatives. Such claims are also weakened by the diversity of the Irish experience over the period

¹⁷ Weber, *The Protestant Ethic*, p. 13.

¹⁸ O'Sullivan, "Introduction to Volume 5", p. 6.

¹⁹ Ibid.

²⁰ Ireland, "Irish Protestant Migration and Politics", p. 276.

²¹ Piaras Mac Énrí, "Introduction." In Bielenberg, ed. *The Irish Diaspora*, 1-15, p. 7; Campbell, *Ireland's New Worlds*, p. 185.

²² Richard Davis in Noone, "Irish-Australian Conference Publications".

²³ Kevin Kenny in Angela McCarthy, "Introduction." In *Ireland in the World: Comparative, Transnational, and Personal Perspectives*, edited by McCarthy, Angela, 1-14. Taylor and Francis, 2015. Accessed September 28, 2016. ProQuest Ebook Central, p. 6.

²⁴ Kerby A. Miller, "'Scotch-Irish', 'Black Irish' and 'Real Irish': Emigrants and Identities in the Old South." In Bielenberg, ed. *The Irish Diaspora*, 139-157, p. 141.

of time and space, their beginnings in Ireland and their time of arrival in Australia and their experiences of colonial life.

Stewart dearly loved and was dearly loved by his first wife Annie Frances and by his family. They formed a very strong kinship network which extended outside national boundaries but within the British Empire. Retiring at the age of 39, Stewart left Ballarat in 1869 but remained forever linked to the city. His reasons for leaving Australia can only be speculated about and perhaps the reasons lie more with his beloved wife Annie Frances and the couple's inability to have children. The couple were able to make a stronger connection with their family and friends in Ireland and England after spending years with the colonial members of their families. The Ireland Stewart had grown up in had changed by the time he and Annie returned from Australia and, whilst often spending time there, the couple chose to live in England. They were members of the British Empire and people of the Irish diaspora, moving with ease within both.

The dearth of primary source data for some parts of Stewart's life has left some large gaps in his life story that will hopefully be filled in time, particularly for the years after he left Australia. His and Annie's reasons for leaving Ballarat and his reason for marrying the younger Gertrude who nearly overturned his philanthropic plans remain enigmas. This has meant that some questions remain unanswered, new questions have arisen and speculation based on understandings of Stewart's motivations and actions can only suggest possibilities. Much of what has been discovered about Stewart is his public side. Details of the private side of his life remain wanting, particularly details of his wives and his relationships with them. Letters Stewart might have written home to family and friends would have helped to fill this gap, as would the letters of his wives to their families. The quandary of having no personal papers has meant that Stewart's actions and motives have had to be interpreted when his private thoughts or those thoughts he shared with family would have enlarged on his deeper feelings. Clearly this would make a biography of Stewart more full but even without such papers important new insights have been revealed about Stewart and the areas of colonial life with which he was involved. Newspaper data has been triangulated with other sources, where possible, but with the dearth of information about Stewart sometimes the newspaper data is the only trace of his actions and has been included as, at best, what happened and, at the very least, a trace of a moment.

The illustrative capacity of Stewart's biography shows the functioning and processes of the larger societies in Ireland and in Ballarat through his life. This is an important facet of biography that Caine has emphasised.²⁵ The social forces, structural and cultural variables that Rotberg has stressed as important to history can be seen happening through Stewart, thus highlighting the importance of

²⁵ Caine, *Biography and History*.

biography in making history more informed.²⁶ It has offered the valuable learning potential about the world suggested by Evans and Reynolds through connections between Stewart's public and private lives.²⁷ His actions and motives have highlighted elements of his identity which provide insight into the numerous groups of which he was part. The importance of these motives is highlighted by Tosh.²⁸ This is one interpretation of Stewart's life but I acknowledge that other interpretations and meanings can be constructed and diffused by other people. This understanding is influenced by Geertz, Fish, Gasset and Schwandt.²⁹ I also acknowledge the possibility of multiple interpretations and understandings of historical documents as part of the 'linguistic turn' which is influenced by the ideas and descriptions of Foucault, Crotty, Curthoys and Docker.³⁰ Stewart's turning point events and leitmotifs have been considered through the interpretive biographical method described by Denzin and Palmer and influenced by Wright Mills, Sartre and Derrida.³¹ Speculative biography has been engaged to help identify and fill gaps, particularly in relation to Stewart's later years, following Ambrosius, Nasaw and Rotberg's recommendations.³²

I have found out a great deal about who Dr James Stewart was, the world from which he came, the places he inhabited, the people and events that influenced him and that he influenced, his (and my) family, his friends and colleagues, some of his turning point moments and traumatic experiences. I have also discovered much about his substantial impact on Ballarat and Victoria and the place these had within historical processes. It has been an immense pleasure to learn about his life and to discover the histories of Ireland and Australia and indeed the influences on my own life through his experiences and the context in which they occurred. We now have insight into James Stewart's life, his motivations, the things that were important to him – understanding of the man who was missing from the historical record. Reasons for Stewart being ignored by the historical record have been considered and speculated about.

Stewart invested in his new country financially, emotionally and physically. From schools to universities, medicine to mining, agriculture to theology, his influence in Victoria was wide and the example he set profound. It is an example that remains as relevant today as it was during his lifetime. His extensive contribution to the development of medical education in Victoria through the University

²⁶ Rotberg, "Biography and Historiography", p. 305.

²⁷ Evans and Reynolds. "Introduction to this Special Issue".

²⁸ Tosh, *The Pursuit of History*.

²⁹ Crotty, *The Foundations of Social Research*.

³⁰ Curthoys and Docker, *Is History Fiction?*, pp. 182-183.

³¹ Denzin, *Interpretive Biography*; Palmer, "The Importance of Leitmotifs".

³² Ambrosius, ed. *Writing Biography*; Nasaw, "AHR Roundtable", p. 576; Rotberg, "Biography and Historiography", p. 317.

of Melbourne Medical School is one such area where I am seeking to rescue Stewart ‘from the enormous condescension of posterity’.³³

Tom Griffiths argues that when we visit the past ‘we never return to exactly the same present from which we left’.³⁴ With Stewart returned to the historical record his impact is more meaningful in the rich tapestry of the past and the present. The caring doctor made his family, patients and community’s world a better place, not for a brief moment but for their future and for future generations. A generous and visionary pioneer, healer, leader, founding father of Ballarat, philanthropist and man influenced by the Enlightenment, Dr James Stewart has left his mark on Victoria where the Stewart Legacy continues to have an impact more than 160 years after he first set foot in Victoria.

³³ E.P. Thompson, *The Making of the English Working Class*. Ringwood: Penguin Books, 1977, p. 13.

³⁴ Tom Griffiths, *The Art of Time Travel: Historians and their Craft*. Carlton: Schwartz Publishing Pty Ltd, 2016, p. 321.

BIBLIOGRAPHY

Primary Sources

AUSTRALIA

Australian Medical Association (AMA) Archives, Medical History Museum, University of Melbourne

Papers of Keith Macrae Bowden

Ballarat Clarendon College archives

Ballarat College Student Register

Ballarat Diocesan Historical Commission

John Stewart, 'On Eureka' (BDHC 122/1/29)

Letter from Nathan Spielvogel of the Ballarat Historical Society to Father T. J.

Linane (BDHC 122/1/18)

Michael Canny, 'I Fought at Eureka' (BDHC 122/1/28)

Ballaarat Mechanics' Institute

Ballarat Agricultural and Pastoral Society. *Report for the Year Ending on May 1, 1875.*

Ballarat Agricultural Society. *Report for the Year Ending on 1 April, 1861.*

Meeting Book of Ballaarat Mechanics' Institute

Births, Deaths and Marriages Victoria (BDM)

Birth Certificates

Fynmore, Annie

Fynmore, Louis

Fynmore, Thomas Hamlet
Proctor, Mary Anne Frances
Proctor, Robert Daniel
Stewart, Catherine Elizabeth
Stewart, Ellen
Stewart, Isabella Emily
Stewart, Jane
Stewart, Mary Ann
Stewart, Robert
Taylor, Percy

Death Certificates

Allison, Edward Duffin
Fynmore, Jane
Fynmore, Louis
Hobson, Richard Jones
Proctor, Catherine
Proctor, Isabella Elizabeth
Proctor, Robert Daniel
Stewart, Catherine Alice
Stewart, Robert
Taylor, Clement
Taylor, Fanny Louise
Taylor, John Hamlet
Taylor, Percy
Taylor, Thomas Hamlet

Marriage Certificates

Catherine Stewart and John Proctor
James Stewart and Annie Frances Taylor
Robert Stewart and Jane McLean

Christ Church, Ballarat Archives

Register of Title Deeds Church Lands

Geelong Heritage Centre

"Transactions of British Ships in the Melbourne Trade (Biddle Index)", Year 1852, Book 1.

Geoffrey Blainey Research Centre, Federation University

Memo to Members of the Finance Committee from R.M. Hook, Finance Manager Ballarat University College, 22 March 1990.
The School of Mines and Industries, Ballarat, *Balance Sheet. 30 September, 1913.*
The School of Mines and Industries, Ballarat, *Calendar 1906.*
The School of Mines and Industries, Ballarat, Minutes.

Mitchell Library, State Library of New South Wales

Jewkes, Joseph. *Reminiscences of Ballarat, Victoria, its Goldfields and the Eureka Stockade*, 1854-1900.
Journal of Alpheus S. Boynton, 23 December 1852-26 February 1856.
Robert Rede papers, 1854-1858.

Parliamentary Publications, Victoria

Additional Rule of the Commissioners of National Education. Melbourne: John Ferres Government Printer, 1854

An Act to Amend an Act Intituled "An Act to Extend the Provisions of the Acts Relating to Legally Qualified Medical Practitioners" 1860

An Act to Extend the Provisions of the Acts Relating to Legally Qualified Medical Practitioners 1854

Ballaarat Outbreak: Petition. Melbourne: John Ferres, Government Printer, 1855

Board of National Education. *Sixth Report of the Commissioners of National Education for the Colony of Victoria for the Year 1858*. Melbourne: John Ferres, Government Printer, 1859

Census of Victoria – 1854. Melbourne: John Ferres, Government Printer, 1855

Census of Victoria, 1861. Melbourne: John Ferres, Government Printer, 1862

Colonial Secretary's Office. *Claims for Compensation for Injuries and Losses Sustained during the Ballaarat Riots*. Melbourne: John Ferres, Government Printer, 1856

Compulsory Vaccination Act 1854

Council on the Ballaarat Outbreak Petition: Together with the Proceedings of the Committee and Minutes of Evidence. Melbourne: John Ferres, Government Printer, 1856

Diphtheria: Report of the Royal Commission Appointed by His Excellency the Governor, to Enquire into the Origin of the Disease Known as Diphtheria, the Best Mode of Treatment Thereof, etc. Melbourne: John Ferres, Government Printer, 1872

Gold Fields Act 1857

Gold Fields Commission of Enquiry. *Report of the Commission Appointed to Enquire into the Condition of the Gold Fields and Victoria*. Melbourne: John Ferres, Government Printer, 1855

Gold Mining Regulations: Under the Act of Council 18 Vic. No. 37. Melbourne: John Ferres, Government Printer, 1855

Governor. *Claims for Compensation, Ballaarat*. Melbourne: John Ferres, Government Printer, 1856

Hospitals for the Insane Branch. *Report of the Inspector of Lunatic Asylums on the Hospitals for the Insane for the Year Ended 31st December 1877*. Melbourne: John Ferres, Government Printer, 1878

Immigration: Return to Address - Mr. O'Shanassy, 25th November 1852. Melbourne: John Ferres, Government Printer, 1852

Infant Life Protection Act 1890

Legislative Assembly. *Select Committee Upon the Trustees Executors and Agency Company (Limited) Bill*

Legislative Council. *Second Report from the Select Committee of the Legislative Council on the Ballaarat Outbreak Petition.* Melbourne: John Ferres, Government Printer, 1856.

Legislative Council. Select Committee on the Lunatic Asylum. *Progress Report from the Select Committee upon the Lunatic Asylum.* Melbourne: John Ferres, Government Printer, 1861

Lieutenant Governor. *Disturbances at Ballaarat.* Melbourne: John Ferres, Government Printer, 1854

Main Trunk Line Act 1857

Mr. B. S. Hassall: Claim for Compensation with Copies of Evidence &c. Melbourne: John Ferres, Government Printer, 1856

Medical Practitioners Act of 1862

Office of the Chief Commissioner of Goldfields. *Gold Fields: Return to Address Mr. Fawkner 10th December 1852,* Melbourne: John Ferres, Government Printer, 1853

Parliament Legislative Assembly. *Report from the Select Committee upon Ballaarat Riots - Bentley's Hotel.* Melbourne: John Ferres, Government Printer, 1858

Public Health Amendment Statute 1883

Registrar-General's Office. *Statistics of the Colony of Victoria for the Year 1868, Part II Accumulation.* Melbourne: John Ferres, Government Printer, 1869

Report of the Proceedings of the University of Melbourne. Melbourne: John Ferres, Government Printer, 1857

Riot at Ballaarat. Report of the Board Appointed to Enquire into Circumstances Connected with the Late Disturbance at Ballaarat. Melbourne: John Ferres, Government Printer, 1854

Sanitary Station (Hobson's Bay, Vic.). *Return of Diseases Most Prevalent on Board Ships Performing Quarantine during the Half-Year Ending on the 31st December 1852.* Melbourne: John Ferres, Government Printer, 1854

Savings' Banks: Statements and Returns. Melbourne: John Ferres, Government Printer, 1858

Savings' Banks: Statements and Returns. Melbourne: John Ferres, Government Printer, 1864

Statistics of the Colony of Victoria for the Year 1862. Melbourne: John Ferres, Government Printer, 1864

Survey of the Mouth of the Barwon: Return to Address - Mr. Wills, 6th February 1855. Melbourne: John Ferres, 1855

The Electoral Act of 1856

The Justices of the Peace Statute 1865

Victorian Parliamentary Debates, Legislative Assembly, vol. 3 1858.

Victorian Parliamentary Debates, Legislative Assembly, vol. 4, 1858.

Victorian Parliamentary Debates, Legislative Council, vol. 4, 1859.

Victorian Parliamentary Debates, Legislative Assembly, vol. 6, 1860.

Votes and Proceedings of the Legislative Assembly. No. 48. Thursday, 11 April 1861

Public Records Office of Victoria (PROV)

Diggers Inquest List 1840-1985

VA 2839, Yarra Bend (Asylum 1848-1905; Hospital for the Insane 1905-1925), Agency Description.

VPRS 14/P0. Register of Assisted British Immigrants 1839-1871, Star of the South, August 1857.

VPRS 24/P0 Inquest Deposition Files

VPRS 28 Probate and Administration Files

VPRS 2500 General Correspondence Files, Ballarat (Municipal District 1855-1863; Borough 1863-1870; City 1870-1994)

VPRS 2500/P0, Unit 1 Ballarat Municipal District General Correspondence

VPRS 3506, Outwards Passengers to Interstate, U.K. and Foreign Ports United Kingdom Ports, Austral, March 1886

VPRS 3654, Registers of Vaccinations.

VPRS 5527 Eureka Stockade - Historical Collection P0, Unit 1, Petition from Ballarat miners at Eureka sent to Governor Hotham regarding James Scobie's murder investigation Registered with Governor's Office Petitions and letters, Unit 1. October 1854 Letters, No.81.

VPRS 5527/P0, Unit 1, Item 1, Eureka Stockade - Historical Collection

VPRS 5527/P Unit 1, Item 2, Statement of Michael Welsh, includes covering letter from Police Magistrate to the Crown Prosecutor Case No. 10 November Supreme Court of Criminal Sessions, Melbourne Queen V James Francis Bentley, Catherine Bentley, William Henry Stance, John Farrell

VPRS 5527/P Unit 1, Item 5, Brief for the Prosecution relating to the case Queen V James Francis Bentley, Catherine Bentley, William Henry Stance & John Farrell Case No. 10 November Supreme Court of Criminal Sessions, Melbourne Queen V James Francis Bentley, Catherine Bentley, William Henry Stance, John Farrell Scobie

VPRS 7260/P1, Unit 1 Borough of Ballarat Rate Assessment Book 1864

VPRS 7261/P1, Unit 1 Borough of Ballarat Rate Book 1863

VPRS 7591 Wills

VPRS 7666 Microfiche copy of Inward Overseas Passenger Lists

Iberia, November 1885

Lightning, November 1855

Rip Van Winkle, November 1852

VPRS 13007, Council Minutes, Ballarat (Municipal District 1855-1863; Borough 1863-1870; City 1870-1994)
VPRS 13008, Index to Council Minutes, Ballarat (Municipal District 1855-1863; Borough 1863-1870; City 1870-1994)
VPRS 16171/P1, Regional Land Office Plans Digitised Reference Set, Item Plans A-B1, Plan 5030, Ballarat Township

Queen Elizabeth Centre, Ballarat

Rules of the Ballarat Benevolent Asylum.
The Thirteenth Annual Report of the Committee of Management of the Ballarat District Benevolent Asylum and Lying-In Hospital, 1871.

State Library of Victoria

Clendinning-Rede Papers.
Collections Held by the National Library of Ireland Relating to Australia and New Zealand, Papers of Lalor Family.
Diary of Charles Evans, 24 September 1853 – 21 January 1855.
Letter from Father Patrick Smyth to W.H. Archer, 13 December 1854.
State Trials. Queen v. Hayes, Queen v. Joseph; Proceedings on the Trials of these Informations in the Supreme Court of the Colony of Victoria.
Melbourne: John Ferres, 1855.

St Mary of the Angels Catholic Parish, Geelong

Marriage Certificate Peter Lalor and Alicia Dunne

Trinity College Archives, Melbourne

Stewart Fund papers
Stewart Lectureship in Divinity papers
Stewart Prize papers

University of Melbourne Archives

Harry Brookes Allen papers

Melbourne Fire Insurance Company, *Declaration of Secretary re Resolutions
of Shareholders to Dissolve Company*, 1862

Melbourne University Calendars

Registrar's Correspondence

Stewart Bequest Recitals (R.625)

The Melbourne Medical Students' Society, *Speculum*.

The University Review, 1921

ENGLAND

General Register Office England (GRO)

Birth Certificate

Lavender, Gertrude Daisy

Death Certificates

Freeman, Jane

Stewart, Anne Frances

Stewart, James

Taylor, James Perrin

Taylor, Louisa

Marriage Certificates

James Stewart and Gertrude Daisy Lavender

John Stuart Archer and Gertrude Daisy Stewart

Louisa Taylor and James Perrin Taylor

House of Commons Parliamentary Papers (HCPP)

*Return of Emigration Officers and Medical Inspectors at Ports in United
Kingdom*, 1854. Paper 255, Volume XLVI.1

*Return of Vessels Belonging to United Kingdom Cleared Outwards with
Passengers under Inspection of Emigration Officers, June-December 1852.*
Paper 113, Volume XCVIII.315

The National Archives (UK)

Medical Journal of the *Anna Maria* (ADM 101/3/2/2)

Northamptonshire Record Office

Letter from Dr Thomas Le Gay Holthouse to his brother Henry, 15 April 1866
(HOLT 391/3)

Letter from Dr Thomas Le Gay Holthouse to his sister Annie, 13 June 1867
(HOLT 391/4)

Principal Probate Registry England

Probate

Archer, Gertrude Daisy 1957

Archer, John Stuart 1954

Freeman, Nathaniel 1866

Freeman, Jane 1874

Stewart, James 1906

Stewart, James 1907

IRELAND

Documenting Ireland: Parliament, People and Migration (DIPPAM)

Enhanced Parliamentary Papers on Ireland (EPPI)

Commission on Relief. *Distress (Ireland.) Supplementary Appendix to the
Seventh, and Last, Report of the Relief Commissioners, 1848.*

*Fifth General Report on the District, Criminal, and Private Lunatic Asylums
in Ireland:* H.M. Stationery Office, 1851.

*Statement of Application of Sum Voted for Non-Conforming Ministers in
Ireland,* 1833.

General Register Office Northern Ireland (GRONI)

Death Certificates

Love, Jane

McLaughlin, Mary Ann

Marriage Certificate

Martha Stewart and Andrew Ramsay

The National Archives of Ireland

Census of Ireland 1901

Public Record Office of Northern Ireland (PRONI)

Abercorn Correspondence and Miscellaneous Papers T2541

Abercorn Papers D623

Adams documents 1847-1849 (T 1555)

Journal of a voyage from England to Australia starting October 1884 in the
form of a letter from "Charlie" [Barton] to his mother (D718/4)

Letter from Hugh C Andrews, Echuca, Victoria, Australia to his sister
Susanna, 1888 (D2608/1/A/137)

'Mr John Patterson was born near Strabane' (T1280/1)

Sample family emigrant papers 1855-1945 (T 2722)

Valuation Revision Book. VAL/12/B/30/3E (1894 - 1901)

Valuation Revision Book. VAL/12/B/42/18E (1894 - 1908)

Valuation Revision Book. VAL/12/B/42/19B (1864 - 1879)

Wills

Love, Jane
Love, Joseph
McLaughlin, Mary Ann
Ramsay, Andrew
Ramsay, Martha
Stewart, Margaret
Stewart, Robert

University of Ulster Archives

Magee University College Calendar for the Year 1935-36. Londonderry: The Booksellers, 1935.

Magee University College Londonderry Calendar 1953-54. Belfast: Mayne, Boyd & Son, Ltd., 1953.

The M'Crea Magee College Calendar for the Year 1914-15. Londonderry: The Booksellers, 1914.

NEW ZEALAND

Parliamentary Papers

House of Representatives. *Return of Officers Connected with the Native Minster's Department, on the 1st October, 1863.* Auckland, 1863.

Dunedin Public Library Heritage Collections

Diary of James Augustus Fynmore 1863.

Newspapers, Magazines and Gazettes

(many accessed via TROVE)

AUSTRALIA

The Age (1855-1912)

The Argus (1852-1924)

The Australasian (1864-1906)

Australian Town and Country Journal (1889)

The Ballarat Courier (1870-1909)

The Ballarat Star (1865-1906)

The Ballarat Times (1854-1856)

The Ballarat Times, Buninyong and Creswick Advertiser (1854-1855)

The Ballarat Times and Southern Cross (1856)

Barrier Miner (1912)

Bell's Life in Sydney and Sporting Reviewer (1854)

Bendigo Advertiser (1856-1910)

Brisbane Courier (1868)

The Catholic Press (1912)

The Cornwall Chronicle (1852-1866)

The Courier, Ballarat (2015)

The Courier, Hobart (1852-1858)

The Daily News, Perth (1906)

Daily Telegraph, Launceston (1906)

Empire (1852-1868)

Freeman's Journal (1858)

Geelong Advertiser (1859-1918)

Geelong Advertiser and Intelligencer (1852-1856)

Gippsland Times (1865-1924)

Goulburn Evening Penny Post (1906)

Goulburn Herald (1889)

Illustrated Sydney News (1868)

Launceston Examiner (1847-1885)

Leader (1867-1909)

McIvor Times and Rodney Advertiser (1868)

Mercury (1868)

The Miner and Weekly Star (1856)

Morning Bulletin, Rockhampton (1906)
Mount Alexander Mail (1854)
Portland Guardian and Normanby General Advertiser (1858-1864)
Queensland Times, Ipswich Herald and General Advertiser (1868)
South Australian Register (1853-1855)
The Star, Ballarat (1855-1864)
Sydney Mail (1864-1868)
The Sydney Morning Herald (1848-1906)
The Victorian Farmers Journal and Gardeners Chronicle (1860)

South Australian Government Gazette (1888)
Victoria Government Gazette (1852-1893)

ENGLAND

Freemasons Magazine and Masonic Mirror (1859-1864)
Hastings and St. Leonards Observer (1885)
The British Banner (1852)
The Daily Telegraph (1871)

The London Gazette (1867-1884)

IRELAND

Donegal News (1906)
Fermanagh Herald (1906)
The Belfast-Newsletter (1842)
The Cork Examiner (1852)
The Freeman's Journal and Daily Commercial Advertiser (1821)
The Waterford News (1857)
Ulster Herald (1906)

NEW ZEALAND

Colonist (1868)

Books – Contemporary Sources (published before 1910)

Ballarat and District in 1901: A Concise History of its Rise and Progress and Present Prosperity in its Mining, Engineering, Agriculture, Architecture, Art, Trade and Manufactures. Melbourne: Periodicals Publishing Company, 1901.

Ballarat City Council. *Copy of a petition of householders of Ballaarat, Praying for Incorporation Under the 'Act for the Establishment of Municipal Institutions in Victoria' Presented to His Excellency Sir Charles Hotham: From the Mayor's Special Report 1881 25th Anniversary City Council of Ballarat.* Ballarat, 1881.

Ballaarat Mechanics' Institute. *Jubilee Souvenir.* Ballarat: Ballaarat Mechanics' Institute, 1909.

The Ballarat School of Mines, Industries, and Science, in the University of Melbourne. *Annual Report 1887.* Ballarat: School of Mines, 1888.

Browne, George. *The History of the British and Foreign Bible Society, from its Institution in 1804, to the Close of its Jubilee in 1854.* Vol. 1. Temple Bar, Dublin: W.M. Watts, 1859. www.archive.org/texts. Also available in print form.

Buninyong Presbyterian Church, *Subscriptions to the Building of the Buninyong Church,* 1860.

Carboni, Raffaello. *The Eureka Stockade.* Melbourne: J.P. Atkinson and Co., 1855. <http://archive.org/details/texts>. Also available in print form.

Commissioners of Savings' Banks in the Colony of Victoria. *Rules and Regulations of the Savings' Bank at Ballaarat.* Melbourne: 1859.

Cooper, Samuel. *A Dictionary of Practical Surgery.* Revised 6th ed. Vol. 1. New York: Harper & Brothers, 1838. <http://archive.org/details/texts>. Also available in print form.

The Gardeners' Chronicle for 1843. London: Bradbury and Evans, 1843. <http://archive.org/details/texts>. Also available in print form.

“Garryowen”. *Chronicles of Early Melbourne 1835 to 1852.* Melbourne: Fergusson and Mitchell, 1888. <http://arrow.latrobe.edu.au>. Also available in print form.

Geelong Infirmary and Benevolent Asylum. *The Eighth Annual Report of the Committee of Management*. Geelong: Heath and Cordell, 1860.

———. *The Sixth Annual Report of the Committee of Management*. Geelong: Heath and Cordell, 1858.

The General Council of Medical Education and Registration of the United Kingdom. *The Medical Register*. London, 1871. <http://www.bodleian.ox.ac.uk/dbooks>. Also available in print form.

Hamilton, Thomas. *History of the Irish Presbyterian Church*. 2nd ed. Edinburgh: T & T Clarke, 1887. <http://archive.org/details/texts>. Also available in print form.

Irwin, Clarke H. *A History of Presbyterianism in Dublin and the South and West of Ireland*. London: Hodder and Stoughton, 1890. <http://archive.org/details/texts>. Also available in print form.

Kelly and Co. *Kelly's Directory of Kent, 1903. Part 2: Private Resident & Trade Directories*. 6th ed. London: Kelly's Directories Ltd, 1903. specialcollections.le.ac.uk. Also available in print form.

———. *Kelly's Directory of Kent, Surrey & Sussex, 1891. Part 1. Kent: County & Localities*. 3rd ed. 1891. specialcollections.le.ac.uk. Also available in print form.

———. *Kelly's Directory of Kent, Surrey & Sussex, 1891. Part 2. Kent: Court & Trade Directories*. 3rd ed. 1891. specialcollections.le.ac.uk. Also available in print form.

Kerr, A.C. and F.W. Niven. *Niven's Ballarat District Directory*. Ballarat: F.W. Niven, 1882.

Knight, J. G. *Narrative of the Visit of His Royal Highness the Duke of Edinburgh to the Colony of Victoria, Australia*. Melbourne: Mason, Firth and Co., 1868. <http://archive.org/details/texts>. Also available in print form.

Lang, John Dunmore. *The Convicts' Bank; Or A Plain Statement of the Case of Alleged Embezzlement*. Melbourne: Robert Barr, 1855. <http://www.slv.vic.gov.au>. Also available in print form.

Lewis, Samuel. *A Topographical Dictionary of Ireland: Comprising the several Counties, Cities, Boroughs, Corporate, Market, and Post Towns, Parishes, and Villages, with Historical and Statistical*

Descriptions. London: S. Lewis & Co., 1837. <http://www.libraryireland.com/topog>. Also available in print form.

The London & Provincial Medical Directory, Inclusive of the Medical Directory for Scotland and the Medical Directory for Ireland and General Medical Register. London: John Churchill and Sons, 1865. www.bodleian.ox.ac.uk/dbooks. Also available in print form.

The Medical Board of Victoria. *The Medical Register for the Year 1875*. Melbourne: John Ferres Government Printer, 1875. <http://www.archive.org>. Also available in print form.

The Medical Directory and General Medical Register for Ireland 1860. London: John Churchill, 1860. www.bodleian.ox.ac.uk/dbooks. Also available in print form.

The Medical Directory for 1872, and General Medical Register. London: J. and A. Churchill, 1872. www.bodleian.ox.ac.uk/dbooks. Also available in print form.

The Medical Directory for 1876. London: J. and A. Churchill, 1876. www.bodleian.ox.ac.uk/dbooks. Also available in print form.

The Medical Directory for Ireland for 1852. London: John Churchill, 1852. www.bodleian.ox.ac.uk/dbooks. Also available in print form.

Medico Chirurgical Society Victoria. *Rules of the Medico Chirurgical Society of Victoria*. Melbourne: 1854. AMA Archives.

The National Cyclopaedia of American Biography. Vol. 14. New York: James T. White & Company, 1910. <http://archive.org/details/texts>. Also available in print form.

Nichols, John Gough, ed. *The Topographer and Genealogist*. Vol 2. London: John Bower Nichols and Sons, 1853. <http://www.archive.org>. Also available in print form.

Phillimore, William P. W. *Memorials of the Family of Fynmore*. London: William Phillimore, 1886. <http://archive.org/details/texts>. Also available in print form.

Potter, S. O. L. *Handbook of Materia Medica, Pharmacy, and Therapeutics*. 5th ed. Philadelphia: P. Blakiston, Son & Co., 1895. <http://archive.org/texts>. Also available in print form.

Royal College of Surgeons in Ireland. *Charters and Bye-Laws, Ordinances of Council, and Educational Regulations; Together with the Roll of Fellows & Licentiates of the College*. Dublin: J. Atkinson & Co., 1886. <http://archive.org/details/texts>. Also available in print form.

Steggall, John. *A Text Book of Materia Medica and Therapeutics*. London: John Churchill, 1837. <http://archive.org/details/texts>. Also available in print form.

Thomas, J. Davies. *A Consideration of the Respective Merits of Chloroform and Vinic Ether as General Anaesthetics (Read before the Medical Society of Victoria, May 1875)*. May 1875.

Trinity College (Dublin, Ireland). *Admission Records, 1825-1846*. <http://www.digitalcollections.tcd.ie>. Also available in print form.

Trollope, Anthony. *Victoria and Tasmania*. London: Chapman and Hall, 1875. <http://archive.org/details/texts>. Also available in print form.

United States Department of Agriculture. *Monthly Reports of the Department of Agriculture for the Year 1873*. Washington: Government Printing Office, 1873. <http://books.google.com>. Also available in print form.

University of Melbourne. *The Melbourne University Calendar for the Academic Year 1881-82*. Melbourne: Robert S. Brain, Acting Government Printer, 1881.

———. *The Melbourne University Calendar for the Year 1863-64*. Melbourne: John Ferres, Government Printer, 1864.

Watson, B.A. *A Treatise on Amputations of the Extremities and their Complications*. Philadelphia: P. Blakiston, Son & Co, 1885. <http://archive.org/details/texts>. Also available in print form.

Wills, William John. *A Successful Exploration through the Interior of Australia from Melbourne to the Gulf of Carpentaria. From the Journals and Letters of William John Wills*, edited by Wills, William. London: Richard Bentley, 1863. www.gutenberg.org. Also available in print form.

Withers, William Bramwell. *History of Ballarat and some Ballarat Reminiscences*, edited by Ballarat Heritage Services. Ballarat, Vic.: Ballarat Heritage Services, 1999 (originally published 1870).

———. *The History of Ballarat: From the First Pastoral Settlement to the Present Time*. 2nd ed. Ballarat: F.W. Niven and Co., 1887. <http://archive.org/details/texts>. Also available in print form.

Articles – Contemporary Accounts

"A Medical School at Last." *Australian Medical Journal* (April, 1861): 129-133.

Australian Medical Journal (October 1863)

Australian Medical Journal (March, 1870)

Australian Medical Journal (May 1870)

Australian Medical Journal (20 June 1895)

Berry, R. J. A. "The Present Needs and Future Requirements of the Medical School of the University of Melbourne." In *University of Melbourne Medical School Jubilee, 1914.*, 78-82. Carlton: Ford & Son, 1914.

———. *The Stewart Lectures, 14th, 18th and 21st November 1921 by Professor R.J.A. Berry, M.D., F.R.C.S., F.R.S. Edin on Modern Psychology*. Melbourne, Sydney, Adelaide and Brisbane: Robertson & Mullens Limited, c.1921. <http://archive.org/details/texts>. Also available in print form.

Bunce, Richard. "The Treatment of Diphtheria by Carbolic Acid." *The Australian Medical Journal* (May 1873): 135-137.

Carr, Alfred Yates. "Poisoning by Opium. its Treatment." *The Australian Medical Journal* (July, 1858): 178-183.

"Colonial Degrees." *Australian Medical Journal* (January, 1868): 24-26.

Gillbee, W. "On the Treatment of Abscess and Compound Fracture by Mr. Lister's New Method" in "Medical Society of Victoria." *Australian Medical Journal* (January, 1868): 20-24.

Hadden, J. W. "Observations on Diphtheria, as it Appeared in Victoria, in 1859." *Australian Medical Journal* (April, 1860): 95-102.

Kenworthy, Charles J. "Pulmonary Consumption, with References to the Climatology and Mortality of Florida." *Gaillard's Medical Journal* 33, (1882): 14-25.

Lister, Joseph. "Antiseptic Principle in the Practice of Surgery." *British Medical Journal* 2, no. 351 (12 September, 1867): 246-248.

Lowe, William. "The Tropics and Pigment: The Physical Properties of Pigment, and its Physiological Importance in the Protection of Living Organisms, especially Man." *Proceedings of the Royal Society of Victoria* XXIV, (March, 1912): 353-366.

Lynch, John. "The Story of the Eureka Stockade: VI - The Fight." In *Austral Light. A Catholic Magazine*. Vol. III, 100-105. Melbourne: The Catholic Publishing Company LTD., 1894. Ballarat Diocesan Heritage Centre.

———. "The Story of the Eureka Stockade: VII - Character Sketch: Hon. Peter Lalor." In *Austral Light. A Catholic Magazine*. Vol. III, 130-135. Melbourne: The Catholic Publishing Company LTD., 1894. Ballarat Diocesan Heritage Centre.

Mackenna, J. W. "The Late Epidemics of Diphtheria, Measles, and Scarlatina." *Australian Medical Journal* (1861): 95-102.

"The Medical Act." *Australian Medical Journal* (October, 1862): 286-288.

Medical Association of Victoria. *The Australian Medical Gazette: A Journal of Medical Science, Literature, and News for 1869*. Melbourne: Clarson, Massina & Co., 1870.
<http://archive.org/details/texts>. Also available in print form.

"The Medical Bill and the Anatomy Bill." *Australian Medical Journal* (July, 1862): 222-223.

"Medical News." *The Australian Medical Journal* (October, 1856): 306-307.

"Medical Society of Victoria." *Australian Medical Journal* (January, 1863): 24-32.

Motherwell, James. "On Scarlatina." *Australian Medical Journal* (January, 1856): 42-47.

"Ovariectomie Chez une Femme Enceinte. Opération Césarienne. – Guérison, par le Dr Thomas Hillas." *Annales de Gynécologie* (1875): 384-385.

"Progress of Medical Science." *The British Medical Journal* (1866): 334-336

"Public Hospitals of Melbourne." *The British Medical Journal* (May 1935): 991-994.

"The Stewart Lectures in Melbourne." *British Medical Journal* (7 January, 1922): 28.

"Variola Or Varicella." *Australian Medical Journal* (January, 1869): 27-30.

Waller, Augustus D. "Remarks on the Dosage of Chloroform." *British Medical Journal* 1, no. 1947 (23 April, 1898): 1057-1061.

W.L.R. "A Letter from Home." *Australian Medical Journal* (August, 1867): 236-243.

Secondary Sources

Books

Akenson, Donald Harman. *Small Differences: Irish Catholics and Irish Protestants, 1815-1922 an International Perspective*. Kingston and Montreal: McGill-Queen's University Press, 1988.

———. *The Church of Ireland: Ecclesiastical Reform and Revolution, 1800-1885*. New Haven and London: Yale University Press, 1971.

———. *The Irish Diaspora: A Primer*. Toronto: P. D. Meany Co.; Belfast: Institute of Irish Studies, Queen's University of Belfast, 1993.

Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Revised ed. London: Verso, 2006.

Attwood, Bain. *Possession: Batman's Treaty and the Matter of History*. Carlton: The Miegunyah Press, 2009.

August, Andrew. *The British Working Class 1832-1940*. Harlow, UK: Pearson Longman, 2007.

Bailey, Peter. *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885*. London: Routledge & Kegan Paul, 1978.

Ballarat Water Commissioners. *A Century of Permanent Water Supply* 1962.

Baragwanath, Pam and Ken James, *These Walls Speak Volumes: A History of Mechanics' Institutes in Victoria*. Ringwood North, Vic.: Pam Baragwanath, and Ken James, 2015.

Baragwanath, W. *Memoirs of the Geological Survey of Victoria. No. 14 The Ballarat Gold-Field*. Melbourne: Albert J. Mullett, Government Printer, 1923.

Barrett, Bernard. *The Civic Frontier: The Origin of Local Communities and Local Government in Victoria*. Carlton: Melbourne University Press, 1979.

Bashford, Alison. *Imperial Hygiene: A Critical History of Colonialism, Nationalism and Public Health*. Basingstoke, Hampshire: Palgrave Macmillan, 2004.

———. *Purity and Pollution: Gender, Embodiment and Victorian Medicine*. Basingstoke, Hampshire: Macmillan Press Ltd, 1998.

Bate, Weston. *Lucky City: The First Generation at Ballarat, 1851-1901*. Carlton South, Vic.: Melbourne University Press, 1978.

Beckett, J.C. *The Anglo-Irish Tradition*. London: Faber and Faber Limited, 1976.

Birrell, Ralph W. *Staking a Claim: Gold and the Development of Victorian Mining Law*. Carlton South: Melbourne University Press, 1998.

Blake, L. J., ed. *Vision and Realisation: A Centenary History of State Education in Victoria*. Vol. 2. Melbourne: Education Department of Victoria, 1973.

Blainey, Geoffrey. *A Centenary History of the University of Melbourne*. Carlton: Melbourne University Press, 1957.

———. *The Rush that Never Ended: A History of Australian Mining*. Parkville: Melbourne University Press, 1963.

———. *The Tyranny of Distance: How Distance Shaped Australia's History*. Sydney: Pan Macmillan Australia, 2010.

Bowden, Keith Macrae. *Goldrush Doctors at Ballaarat*. Mulgrave, Vic.: Magenta Press, 1977.

British and Foreign Bible Society, Victoria Auxiliary. *British and Foreign Bible Society, Victoria, Established 100 Years Ago, 1840-1940*. Melbourne: The British and Foreign Bible Society, Vic., 1940.

Brooke, Peter. *Ulster Presbyterianism: The Historical Perspective 1610-1970*. Dublin: Gill and Macmillan, 1987.

Broome, Richard. *The Victorians: Arriving*. McMahons Point, NSW: Fairfax, Syme & Weldon, 1984.

Buckley, Ken and Ted Wheelwright. *No Paradise for Workers: Capitalism and the Common People in Australia 1788-1914*. Melbourne: Oxford University Press Australia, 1988.

Burkitt, H. G., C. R. G. Quick, and J. B. Reed. *Essential Surgery: Problems, Diagnosis and Management*. 4th ed. Edinburgh: Churchill Livingstone, 2007.

Burtchaell, George Dames and Thomas Ulick Sadleir, eds. *Alumni Dublinenses: A Register of the Students, Graduates, Professors and Provosts of Trinity College in the University of Dublin (1593-1860)*. Dublin: Alex. Thom & Co., Ltd., 1935. <http://www.digitalcollections.tcd.ie>. Also available in print form.

Caine, Barbara. *Biography and History*. Basingstoke; New York: Palgrave Macmillan, 2010.

Campbell, Malcolm. *Ireland's New Worlds: Immigrants, Politics, and Society in the United States and Australia, 1815-1922*. Madison, Wisconsin: The University of Wisconsin Press, 2008.

Charlwood, Don. *The Long Farewell: Settlers Under Sail*. Ringwood, Vic.: Allen Lane, 1981.

Christopher, Maureen, Eileen Mount, and Judith Riscalla. *Castleconnell to Corio: The Story of Patrick Carroll and His Family*. Victoria?: Maureen Christopher, Eileen Mount, Judith Riscalla, 2012.

Clark, Manning. *History of Australia Abridged by Michael Cathcart*. Carlton: Melbourne University Press, 1995.

Clarke, R. S. J. *A Directory of Ulster Doctors (Who Qualified before 1901)*. Vol. 1. Belfast: Ulster Historical Foundation, 2013.

———. *A Directory of Ulster Doctors (Who Qualified before 1901)*. Vol. 2. Belfast: Ulster Historical Foundation, 2013.

Coakley, Davis. *The Irish School of Medicine: Outstanding Practitioners of the 19th Century*. Dublin: Town House, 1988.

Connolly, Sean. *Religion and Society in Nineteenth-Century Ireland*. Dublin: The Economic and Social History Society of Ireland, 1987.

Corfield, Justin, Dorothy Wickham, and Clare Gervasoni. *The Eureka Encyclopedia*. Ballarat: Ballarat Heritage Services, 2004.

Crosbie, Barry. *Irish Imperial Networks: Migration, Social Communication and Exchange in Nineteenth-Century India*. Cambridge: Cambridge University Press, 2012.

Crotty, Michael. *The Foundations of Social Research: Meaning and Perspective in the Research Process*. London: Sage Publications Ltd, 2012.

Cumpston, J. H. L. *The History of Small-Pox in Australia, 1788-1908*. Melbourne: Albert J. Mullett, Government Printer, 1914.

Cunningham, Hugh. *Leisure in the Industrial Revolution c.1780-c.1880*. New York: St. Martin's Press, 1980.

Curthoys, Ann and John Docker. *Is History Fiction?* 2nd ed. Sydney: University of New South Wales Press, 2010.

Currey, C. H. *The Irish at Eureka*. Sydney: Angus and Robertson, 1954.

Curtis, Liz. *The Cause of Ireland: From the United Irishmen to Partition*. Belfast: Beyond the Pale Publications, 1994.

Darian-Smith, Kate, Patricia Grimshaw, and Stuart Macintyre, eds. *Britishness Abroad: Transnational Movements and Imperial Cultures*. Carlton, Vic.: Melbourne University Press, 2007.

Davidoff, Leonore and Catherine Hall. *Family Fortunes: Men and Women of the English Middle Class, 1780-1850*. London: Routledge, 1998.

Davies, Norman. *The Isles: A History*. Oxford: Oxford University Press, 2000.

Davison, Graeme. *Lost Relations: Fortunes of My Family in Australia's Golden Age*. Crows Nest: Allen and Unwin, 2015.

———. *The Use and Abuse of Australian History*, Sydney: Allen & Unwin, 2000.

Day, Angélique and Patrick McWilliams, eds. *Parishes of County Tyrone I: 1821, 1823, 1831-36, North, West & South Tyrone*. Ordnance Survey Memoirs of Ireland. Vol. 5. Antrim: The Institute of Irish Studies, The Queen's University of Belfast & The Royal Irish Academy, 1990.

Deacon, Desley, Penny Russell, and Angela Woollacott, eds. *Transnational Lives: Biographies of Global Modernity, 1700-Present*. Basingstoke: Palgrave Macmillan, 2010.

Denzin, Norman K. *Interpretive Biography*. Newbury Park, California: Sage Publications, 1989.

Department of Pathology University of Melbourne. *The Melbourne School of Pathology: Phases and Contrasts*. Carlton: Melbourne University Press, 1962.

de Serville, Paul. *Pounds and Pedigrees*. Melbourne: Oxford University Press, 1991.

Dingle, Tony. *The Victorians: Settling*. McMahons Point, NSW: Fairfax, Syme & Weldon, 1984.

Douglas, Roy, Liam Harte and Jim O'Hara. *Ireland since 1690: A Concise History*. Belfast: The Blackstaff Press, 1999.

Dowling, Martin W. *Tenant Right and Agrarian Society in Ulster 1600-1870*. Dublin: Irish Academic Press, 1999.

Farmar, Tony. *Patients, Potions and Physicians: A Social History of Medicine in Ireland*. Dublin: A. & A. Farmar, 2004.

Fennessy, Kathleen. *A People Learning: Colonial Victorians and their Public Museums, 1860-1880*. North Melbourne: Australian Scholarly Publishing Pty Ltd, 2007.

Fitzpatrick, David. *Descendancy: Irish Protestant Histories since 1795*. Cambridge: Cambridge University Press, 2014.

———. *Irish Emigration 1801-1921*. Dublin: Economic and Social History Society of Ireland, 1984.

———, ed. *Oceans of Consolation: Personal Accounts of Irish Migration to Australia*. Carlton, Vic.: Melbourne University Press, 1995.

Foxhall, Katherine. *Health, Medicine, and the Sea: Australian Sea Voyages c.1815-1860*. Manchester and New York: Manchester University Press, 2012.

Freckelton, Ian and David Ranson. *Death Investigation and the Coroner's Inquest*. South Melbourne: Oxford University Press, 2006.

Friends of the Ballarat Botanical Gardens. *An Eden of Loveliness: Ballarat Botanical Gardens by Lake Wendouree*. Ballarat West: Friends of the Ballarat Botanical Gardens, 2012.

Gibbney, H.J. and Ann G. Smith, eds. *A Biographical Register 1788-1939: Notes from the Name Index of the Australian Dictionary of Biography*. Vol. 2. Canberra: Australian Dictionary of Biography, Australian National University, 1987.

Goodman, David. *Gold Seeking: Victoria and California in the 1850s*. St Leonards, N.S.W.: Allen & Unwin, 1994.

Griffin, Patrick. *The People with No Name: Ireland's Ulster Scots, America's Scots Irish, and the Creation of a British Atlantic World, 1689-1764*. Princeton: Princeton University Press, 2001.

- Griffiths, Peter M. *Three Times Blest: A History of Buninyong and District 1837-1901*. Buninyong, Vic.: Buninyong & District Historical Society, 1988.
- Griffiths, Tom. *The Art of Time Travel: Historians and their Craft*. Carlton: Schwartz Publishing Pty Ltd, 2016.
- Guérard, Eugène von. *An Artist on the Goldfields: The Diary of Eugène Von Guérard*. Carlton: Melbourne University Press, 1992.
- Haines, Robin. *Doctors at Sea: Emigrant Voyages to Colonial Australia*. Basingstoke, UK: Palgrave Macmillan, 2005.
- Hartz, Louis. *The Founding of New Societies*. New York: Harcourt, Brace & World, Inc., 1964.
- Hassam, Andrew. *Sailing to Australia: Shipboard Diaries by Nineteenth-Century British Emigrants*. Carlton: Melbourne University Press, 1995.
- Hill, Jacqueline and Mary Ann Lyons, eds. *Representing Irish Religious Histories: Historiography, Ideology and Practice*. Springer International Publishing, 2017.
- Hirst, John. *Sense & Nonsense in Australian History*. Collingwood, VIC: Black Inc. Agenda, 2009.
- Hore, Peter. *Nelson's Band of Brothers: Lives and Memorials*. Barnsley, South Yorkshire: Seaforth Publishing, 2015.
- Hunt, Fred. *Ballarat A Golden Past: A Shining Future Built on Gold*. Ballarat: Art Gallery of Ballarat, 1992.
- Hunter, Robert J., ed. *Strabane Barony during the Ulster Plantation 1607-1641*. Belfast: Ulster Historical Foundation, 2011.
- Hyslop, Anthea. *Sovereign Remedies: A History of Ballarat Base Hospital 1850s to 1980s*. Sydney: Allen & Unwin, 1989.
- Jaggs, Donella. *Neglected and Criminal: Foundations of Child Welfare Legislation in Victoria*. Melbourne: Phillip Institute of Technology, 1986.

Johnson, Laurel. *Women of Eureka*, edited by Holgate, Mark. Ballarat: Historic Montrose Cottage and Eureka Museum, 2006.

Jones, Ross L. *Humanity's Mirror: 150 Years of Anatomy in Melbourne*. Melbourne: Haddington Press, 2007.

Kiddle, Margaret. *Men of Yesterday: A Social History of the Western District of Victoria 1834-1890*. Carlton: Melbourne University Press, 1967.

Kingston, George C. *James Madison Hood: Lincoln's Consul to the Court of Siam*. North Carolina: McFarland & Company, Inc, 2013.

Kirkpatrick, T. Percy C. *The Book of the Rotunda Hospital: An Illustrated History of the Dublin Lying-in Hospital from its Foundation in 1745 to the Present*. London: Adlard & Son, Bartholomew Press, 1913.<http://archive.org/details/texts>. Also available in print form.

Kirkup, John. *A History of Limb Amputation*. London: Springer, 2007.

Knoblock, Glenn A. *The American Clipper Ship, 1845-1920: A Comprehensive History, with a Listing of Builders and their Ships*. North Carolina: McFarland & Company, Inc., 2014.

Kociumbas, Jan. *Australian Childhood: A History*. St Leonards, N.S.W.: Allen & Unwin, 1997.

Lang, W. R. *Visions and Realities: A History of the Geelong Infirmary and Benevolent Asylum*. Belmont, Vic.: Neptune Press, 1980.

Lloyd, David. *Domestic Comforts they had None: A Pictorial History of the Bendigo Hospital*. Melbourne: Australian Scholarly Publishing, 2003.

London County Council. *Survey of London: The Parish of St. Mary Lambeth. Part Two Southern Area*, edited by Sheppard, F. H. Vol. XXVI. London: The Athlone Press University of London, 1956. www.archive.org/texts. Also available in print form.

Lowenthal, David. *The Past is a Foreign Country*. New York: Cambridge University Press, 2011.

Macintyre, Stuart. *A Colonial Liberalism: The Lost World of Three Victorian Visionaries*. South Melbourne: Oxford University Press, 1991.

Macintyre, Stuart and R. J. W. Selleck. *A Short History of the University of Melbourne*. Carlton: Melbourne University Press, 2010.

Magee, Gary B. and Andrew S. Thompson. *Empire and Globalisation: Networks of People, Goods and Capital in the British World, c.1850-1914*. Cambridge: Cambridge University Press, 2010.

Malden, H. E., ed. *The Victoria History of the Counties of England: Surrey*. Vol. 3. London: Constable and Company Limited, 1911. www.archive.org/texts. Also available in print form.

Martyr, Philippa. *Paradise of Quacks: An Alternative History of Medicine in Australia*. Paddington, NSW: Macleay Press, 2002.

McCracken, Donal P. *Gardens of Empire: Botanical Institutions of the Victorian British Empire*. London: Leicester University Press, 1997.

McMahon, Sean, ed. *A View of the Foyle Commanding: A Portrait of Foyle College*. London: Third Millennium Publishing, 2013.

Melville-Jones, John, ed. *Ludovic de Beauvoir's Visit to Australia*. Carlisle, W.A.: Hesperian Press, 2016.

Merrill, Barbara and Linden West. *Using Biographical Methods in Social Research*. London: Sage Publications, 2009.

Molony, John. *Eureka*. Ringwood, Vic.: Penguin Books Australia Ltd, 1989.

Moore, Keith. *The Other Rebellion: Attacking Ignorance and Vice on the Ballarat Goldfield*. Frankfurt: Peter Lang, 2004.

Morrison, Elizabeth. *Engines of Influence: Newspapers of Country Victoria, 1840-1890*. Carlton, VIC.: Melbourne University Press, 2005.

Munro, J. Forbes. *Maritime Enterprise and Empire: Sir William Mackinnon and His Business Network, 1823-93*. Woodbridge, Suffolk: Boydell Press, 2003.

Nathan, Eric. *Lost Waters: A History of a Troubled Catchment*. Carlton: Melbourne University Press, 2007.

Neale, Ralph P. *Racers of the Deep: The Yankee Clippers and Bluenose Clippers on the Australian Run 1852-1869*. Melbourne: Australian Scholarly Publishing, 2007.

Nolan, Melanie. *Kin: A Collective Biography of a Working-Class New Zealand Family*. Christchurch: Canterbury University Press, 2005.

Nolan, Melanie and Christine Fernon, eds. *The ADB's Story*. Canberra: ANU E Press, 2013.

Noone, Val, ed. *Nicholas O'Donnell's Autobiography*. Ballarat: Ballarat Heritage Services, 2017.

O'Brien, Anne. *Philanthropy and Settler Colonialism*. Basingstoke, UK: Palgrave Macmillan, 2015.

O'Farrell, Patrick. *The Irish in Australia: 1788 to Present*. Cork: Cork University Press, 2001.

———. *Vanished Kingdoms: Irish in Australia and New Zealand a Personal Excursion*, edited by O'Farrell, Richard. Kensington, N.S.W.: New South Wales University Press, 1990.

O'Kane, Willie. *Heather, Peat and Stone: The Parishes and Townlands of County Tyrone*. Dungannon, County Tyrone: Irish World, 1992.

Owen, David. *English Philanthropy 1660-1960*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1964.

Parnaby, Owen. *Queen's College University of Melbourne: A Centenary History*. Carlton: Melbourne University Press, 1990.

Pensabene, T. S. *The Rise of the Medical Practitioner in Victoria*. Canberra: Australian National University, 1980.

Perry, Warren. *The School of Mines and Industries Ballarat: A History of its First One Hundred and Twelve Years, 1870-1982*. Ballarat: The School of Mines and Industries Ballarat Limited, 1984.

Poynter, John. *Mr Felton's Bequests*. Carlton: The Miegunyah Press, 2003.

Poynter, John and Carolyn Rasmussen. *A Place Apart: The University of Melbourne: Decades of Challenge*. Carlton: Melbourne University Press, 1996.

Probyn, Meg, ed. *Marriage Lines: The Richardson Family Letters 1854-1877*. Melbourne: Australian Scholarly Publishing, 2000.

Proudfoot, L. J. and Dianne Hall. *Imperial Spaces: Placing the Irish and Scots in Colonial Australia*. Manchester, England: Manchester University Press, 2011.

Proudley, Ray. *Gas in Ballarat: An Illustrated History*. Melbourne: Gas and Fuel Corporation of Victoria, 1985.

Ranelagh, John O'Beirne. *A Short History of Ireland*. 3rd ed. Cambridge: Cambridge University Press, 2012, p. xvii.

Richards, Eric. *Britannia's Children: Emigration from England, Scotland, Wales and Ireland Since 1600*. London and New York: Hambledon and London, 2004.

Roberts, Phil. *Golden Heritage: History of Colleege and Clarendon 1864-2004*. Ballarat: Mud Group Pty Ltd, 2005.

———. *Golden Showtime: The History of the Ballarat Agricultural and Pastoral Society 1856-2006*. Geelong: Mud Group Pty Ltd, 2006.

Robinson, Victor. *Victory Over Pain: A History of Anesthesia*. New York: Henry Schuman, 1946.

Ronayne, Jarlath. *The Irish in Australia: Rogues and Reformers, First Fleet to Federation*. Camberwell, Vic.: Viking, 2003.

Ross, Robert Samuel. *Eureka Freedom's Fight of '54*. Melbourne: Fraser & Jenkinson, 1914.

Roulston, William J. *Three Centuries of Life in a Tyrone Parish: A History of Donagheady from 1600 to 1900*. Letterkenny: Strabane History Society, 2010.

Russell, K.F. *The Melbourne Medical School 1862-1962*. Carlton: Melbourne University Press, 1977.

Rutherford, John. *Donaghedy Presbyterian Churches and Parish*. Belfast: McCaw, Stevenson and Orr, 1953.

Sandow, Mary Josephine. *The Town Hall Ballarat 100 Years*. Ballarat: Ballarat City Council, 1970.

Selleck, R. J. W. *The Shop: The University of Melbourne 1850-1939*. Carlton: Melbourne University Press, 2003.

Serle, Geoffrey. *From Deserts the Prophets Come: The Creative Spirit in Australia 1788-1972*. Melbourne: Heinemann, 1973.

———. *The Golden Age: A History of the Colony of Victoria, 1851-1861*. Parkville: Melbourne University Press, 1963.

———. *The Rush to be Rich: A History of the Colony of Victoria, 1883-1889*. Carlton: Melbourne University Press, 1971.

Spooner, John. *The Golden See, Diocese of Ballarat: The Anglican Church in Western Victoria*. Surry Hills, NSW: John Ferguson, 1989.

Stratmann, Linda. *Chloroform: The Quest for Oblivion*. Stroud: Sutton Publishing Limited, 2003.

Sweetman, Edward, Charles R. Long, and John Smyth. *A History of State Education in Victoria*. Melbourne: Critchley Parker, 1922. <http://archive.org/details/texts>. Also available in print form.

Sykes, Trevor. *The Bold Riders: Behind Australia's Corporate Collapses*. St. Leonards, NSW: Allen & Unwin, 1994.

Taffe, Michael. *Growing a Garden City: Ballarat Horticultural Society 1859-2009*. Ballarat: Ballarat Heritage Services, 2014.

Tasmanian Branch of the British Medical Association. *The Centenary of the Introduction of Surgical Anaesthesia to Australia: Proceedings of a Commemorative Meeting Held by the Tasmanian Branch of the British Medical Association on Saturday, June 7th, and Sunday, June 8th, 1947*. Launceston: "The Examiner" Press, 1947.

Thompson, E.P. *The Making of the English Working Class*. Ringwood: Penguin Books, 1977.

Tosh, John. *The Pursuit of History: Aims, Methods and New Directions in the Study of Modern History*. 3rd ed. Harlow, England: Longman, 2000.

University of Melbourne. Medical School. *University of Melbourne Medical School Jubilee, 1914*. Carlton: Ford & Son, 1914.

Weber, Max. *The Protestant Ethic and the "Spirit" of Capitalism and Other Writings*, edited by Baehr, Peter and Gordon C. Wells. London: Penguin Books, 2002.

Wells, Andrew. *Constructing Capitalism: An Economic History of Eastern Australia, 1788-1901*. Sydney: Allen & Unwin, 1989.

Wickham, Dorothy. *Deaths at Eureka*. Ballarat: D. Wickham, 1996.

———. *Freemasons on the Goldfields: Ballarat and District 1853-2013*. Ballarat: Ballarat Heritage Services, 2013.

Wood, Malcolm. *Presbyterians in Colonial Victoria*. North Melbourne, Vic.: Australian Scholarly Publishing, 2008.

Woodland, John. *Money Pits: British Mining Companies in the Californian and Australian Gold Rushes of the 1850s*. Farnham, England: Ashgate Publishing Limited, 2014.

Woollacott, Angela. *Settler Society in the Australian Colonies: Self-Government and Imperial Culture*. Oxford: Oxford University Press, 2015.

Wright, Clare. *The Forgotten Rebels of Eureka*. Melbourne: Text Publishing, 2013.

Articles and Essays

Akenson, Donald Harman. "Irish Migration to North America, 1800-1920." In *The Irish Diaspora*, edited by Bielenberg, Andy, 111-138. Harlow, England: Longman, 2000.

Allen, Harry. "The Founder of the Stewart Bequest. A Biographical Sketch." *University Review* (August, 1914): 68-71.

Ambrosius, Lloyd E. ed. *Writing Biography: Historians and their Craft*. Lincoln & London: University of Nebraska Press, 2004.

Ballantyne, Tony. "Mobility, Empire, Colonisation." *History Australia* 11, no. 2 (2014): 7-37.

Ballard, Linda-May. "An Approach to Traditional Cures in Ulster." *Ulster Medical Journal* 78, no. 1 (2009): 26-33.

Barker, Donald. "Funding Communal Culture: Opportunism and Standardisation of Funding for Mechanics' Institutes in Colonial Victoria." *The Australian Library Journal* 51, no. 3 (2002): 247-257.

Bate, Weston. "Eureka: Still Contested." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 11-16. Perth, W.A.: Network Books, 2006.

———. "Gold: Social Energiser and Definer." *Victorian Historical Journal* 72, no. 1-2 (September, 2001): 7-27.

———. "Why is Victoria Different?" *Victorian Historical Journal* 81, no. 1 (2010): 5-17.

Baxby, Derrick. "Smallpox Vaccination Techniques; from Knives and Forks to Needles and Pins." *Vaccine* 20, no. 16 (2002): 2140-2149.

Beattie, James. "Imperial Landscapes of Health: Place, Plants, and People between India and Australia, 1800s-1900s." *Health and History* 14, no. 1 (2012): 100-120.

Beddoe, Joan. "Mechanics' Institutes and Schools of Arts in Australia." *Australasian Public Libraries and Information Services* 16, no. 3 (2003): 123-130.

Beggs-Sunter, Anne. "An Eminent Victorian: James Oddie and His Contribution to Ballarat." *Victorian Historical Journal* 72, no. 1-2 (2001): 105-116.

———. "Eureka and the Transformation of the Mining Industry in Mid-Nineteenth Century Australia." In *Transforming Labour; Work, Workers, Struggle and Change* Proceedings of the 8th

National Labour History Conference, Brisbane, September 2003, edited by Boyden, Bradley and John Kellett, 29-33: Brisbane Labour History Association, 2003.

———. "Genesis of the Friendly Society Movement." unpublished. Paper presented at AHA Conference, Ballarat, 2016.

———. "Lalor, Peter (1827-1889)." In *International Encyclopedia of Revolution and Protest*, edited by Ness, Immanuel, 2043-2044. London: Blackwell Publishing, 2009.

———. "The Ballarat Benevolent Asylum." unpublished.

———. "The Early Churches in Ballarat." unpublished. Address Given at the Lydiard Street Uniting Church December 1999.

———. "The Institute's Role in Evoking a Taste for Art." In *Under Minerva's Gaze: 150 Years at the Ballarat Mechanics' Institute*, edited by Blee, Jill and Phil Roberts, 28-41. Ballarat: Ballarat Mechanics' Institute, 2010.

Beiner, Guy. "Disremembering 1798?: An Archaeology of Social Forgetting and Remembrance in Ulster." *History & Memory* 25, no. 1 (2013): 9-50.

Beiner, Guy. "Irish Studies and the Dynamics of Disremembering." In *Irish Studies and the Dynamics of Memory: Transitions and Transformations*, edited by Corporaal, Marguérite, Christopher Cusack and Ruud van den Beuken, 297-321. Oxford and Bern: Peter Lang, 2017.

Bielenberg, Andy. "Irish Emigration to the British Empire, 1700-1914." In *The Irish Diaspora*, edited by Bielenberg, Andy, 215-234. Harlow, England: Longman, 2000.

Billinge, Mark. "A Time and Place for Everything: An Essay on Recreation, Re-Creation and the Victorians." *Journal of Historical Geography* 22, no. 4 (1996): 443-459.

Birrell, Ralph. "Eureka and the Redefinition of Company Mining in Australia." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 175-200. Perth, W.A.: Network Books, 2006.

Blackstock, Allan. "The Knoxes of Dungannon and the Irish Yeomanry." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 489-510. Dublin: Geography Publications, 2000.

Blainey, Geoffrey. "The Momentous Gold Rushes." *Australian Economic History Review* 50, no. 2 (2010): 209-216.

Blee, Jill. "The Mechanics' Institute Movement." In *Under Minerva's Gaze: 150 Years at the Ballarat Mechanics' Institute*, edited by Blee, Jill and Phil Roberts, 12-27. Ballarat: Ballarat Mechanics' Institute, 2010.

Bolton, G. C. "The Anglo-Irish and the Historians, 1830-1980." In *Irish Culture and Nationalism 1750-1950*, edited by MacDonagh, Oliver, W. F. Mandle and Pauric Travers, 239-257, 1983.

Boucher, Leigh and Kate Fullagar. "Introduction: Modern British History from the Antipodes." *History Australia* 13, no. 1 (2016): 6-18.

Bourdieu, Pierre. "The Forms of Capital." In *Education: Culture, Economy, Society*, edited by Halsey, Albert H., Hugh Lauder, Phillip Brown and Amy Stuart Wells, 46-58. Oxford: Oxford University, 1997.

Brady, Ciaran. "'Constructive and Instrumental': The Dilemma of Ireland's First 'New Historians'." In *Interpreting Irish History: The Debate on Historical Revisionism 1938-1994*, edited by Brady, Ciaran, 3-31. Dublin: Irish Academic Press, 1994.

Breathnach, Teresa. "For Health and Pleasure: The Turkish Bath in Victorian Ireland." *Victorian Literature and Culture* 32, no. 1 (2004): 159-175.

Bridge, Carl and Kent Fedorowich. "Mapping the British World." In *The British World: Diaspora, Culture and Identity*, edited by Bridge, Carl and Kent Fedorowich, 1-15. London: Frank Cass Publishers, 2005.

Brunton, Deborah. "The Problems of Implementation: The Failure and Success of Public Vaccination Against Smallpox in Ireland, 1840-1873." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 138-157. Cork: Cork University Press, 1999.

Campbell, Malcolm. "Ireland's Furthest Shores: Irish Immigrant Settlement in Nineteenth-Century California and Eastern Australia." *Pacific Historical Review* 71, no. 1 (2002): 59-90.

Caulley, Darrel N. "Turning Points in Qualitative Research: Tying Knots in a Handkerchief [Book Review]." *Qualitative Research Journal* 4, no. 2 (2004): 187-190, p. 190.

Christopher, Emma. "Steal a Handkerchief, See the World: The Trans-Oceanic Voyaging of Thomas Limpus." In *Connected Worlds: History in Transnational Perspective*, edited by Lake, Marilyn and Ann Curthoys, 77-88. Canberra: Australian National University, 2005.

Coleborne, Catharine. "Insanity, Gender and Empire: Women Living a 'Loose Kind of Life' on the Colonial Institutional Margins, 1870-1910." *Health and History* 14, no. 1 (2012): 77-99.

Coleborne, Catharine and Ondine Godtschalk. "Colonial Families and Cultures of Health: Glimpses of Illness and Domestic Medicine in Private Records in New Zealand and Australia, 1850-1910." *Journal of Family History* 38, no. 4 (2013): 403-421.

Coleman, Jenny. "Benevolent Ladies and Irrepressible Busybodies: Contesting the Bounds of 'Genuine' Philanthropy." *Gender, Place & Culture* 21, no. 9 (2014): 1071-1089.

Collins, Michael. "The Mechanics' Institute - Education for the Working Man?" *Adult Education* XXIII, no. 1 (1972): 37-47.

Coolahan, John. "The Daring First Decade of the Board of National Education, 1831-1841." *The Irish Journal of Education* xvii, no. 1 (1983): 35-54.

Coughlan, Neil. "The Coming of the Irish to Victoria." *Historical Studies: Australia and New Zealand* 12, no. 45 (1965): 68-86.

Cousen, Nicola. "Dr James Stewart: Ulster Man of the Scottish Diaspora." In *Scots Under the Southern Cross*, edited by Cahir, Fred, Anne Beggs-Sunter and Alison Inglis, 97-107. Ballarat: Ballarat Heritage Services, 2015.

Crawford, E. Margaret. "Typhus in Nineteenth-Century Ireland." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 121-137. Cork: Cork University Press, 1999.

Croggon, Jan and Joan Hunt. "The Scots at Springdallah." *Provenance, the Journal of Public Record Office Victoria* no. 13 (2014). Accessed 22 February, 2016.

<http://www.prov.vic.gov.au/publications/provenance/provenance2014/scots-at-springdallah>.

Cumpston, J. H. L. "Birth Rates and their Possible Association with the Prevalence of Infectious Disease." *Journal of Hygiene* 31, no. 3 (1931): 291-308.

Curthoys, Ann. "Thinking about History." *Australian Historical Association Bulletin* (Dec, 1996): 14-28.

Curthoys, Ann and Jessie Mitchell. "The Advent of Self-Government." In *The Cambridge History of Australia: Indigenous and Colonial Australia*, edited by Bashford, Alison and Stuart Macintyre. Vol. 1, 149-169. Port Melbourne: Cambridge University Press, 2013.

Curthoys, Ann and Marilyn Lake. "Introduction." In *Connected Worlds: History in Transnational Perspective*, edited by Lake, Marilyn and Ann Curthoys, 5-20. Canberra: Australian National University, 2005.

Davey, Christopher J. "The Origins of Victorian Mining Technology, 1851-1900." *The Artefact* 19, (1996): 52-62.

Davy, Daniel. "'A Great Many People I Know from Victoria': The Victorian Dimension of the Otago Gold Rushes." In *Rushing for Gold: Life and Commerce on the Goldfields of New Zealand and Australia*, edited by Carpenter, Lloyd and Lyndon Fraser, 41-53. Dunedin: Otago University Press, 2016.

Dawson, Maree. "Halting the 'Sad Degenerationist Parade': Medical Concerns about Heredity and Racial Degeneracy in New Zealand Psychiatry, 1853-99." *Health and History* 14, no. 1 (2012): 38-55.

"Deaths in the Services." *British Medical Journal* (1 April, 1933): 589.

Doggett, Anne. "Beyond Gentility: Women and Music in Early Ballarat." *History Australia* 6, no. 2 (2009): 37.1-37.17.

Dodgson, J. McN. "A Survey of English Folk Medicine." *The British Journal of General Practice* 6, no. 3 (August, 1963): 462-467.

Doolin, William. "Dublin Surgery 100 Years Ago." *Irish Journal of Medical Science* 24, no. 3 (1949): 97-111.

Evans, Tanya. "Working Towards the 'Welfare of the World': British Imperial Networks of Philanthropy in the Nineteenth Century." *History Australia* 13, no. 1 (2016): 109-123.

Evans, Tanya and Robert Reynolds. "Introduction to this Special Issue on Biography and Life-Writing." *Australian Historical Studies* 43, no. 1 (2012): 1-8.

Fitzgerald, Patrick. "From the Flight of the Earls to the Famine: Tyrone's Migration History 1800 to 1845." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 461-488. Dublin: Geography Publications, 2000.

Fleetwood, John. "Dublin's Private Medical Schools." *Irish Journal of Medical Science* 23, no. 1 (1948): 20-31.

Forth, Gordon. "The Anglo-Irish in Australia: Old World Origins and Colonial Experiences." In *Irish-Australian Studies: 6th Irish-Australian Conference 1990*, edited by Bull, Philip, Chris McConville and Noel McLachlan, 51-62. Melbourne: La Trobe University, 1991.

———. "No Petty People!: The Anglo-Irish Identity in Colonial Australia." In *The Irish Worldwide. History, Heritage and Identity. Vol 2. The Irish in the New Communities*, edited by O'Sullivan, Patrick, 128-142. London and Washington: Leicester University Press, 1992.

Friedman, Lawrence J. "Philanthropy in America: Historicism and Its Discontents." In *Charity, Philanthropy, and Civility in American History*, edited by Friedman, Lawrence J. and Mark D. McGarvey, 1-22, Cambridge: Cambridge University Press, 2003.

Froggatt, Peter. "Competing Philosophies: The 'Preparatory' Medical Schools of the Royal Belfast Academical Institution and the Catholic University of Ireland, 1835-1909." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 59-84. Cork: Cork University Press, 1999.

Fyfe, Aileen. "Commerce and Philanthropy: The Religious Tract Society and the Business of Publishing." *Journal of Victorian Culture* 9, no. 2 (2004): 164-188.

Geary, Laurence M. "Australia Felix: Irish Doctors in Nineteenth-Century Victoria." In *The Irish Worldwide. History, Heritage and Identity. Vol 2. The Irish in the New Communities*, edited by Patrick O'Sullivan, 162-179. London and Washington: Leicester University Press, 1992.

———. "Prince Hohenlohe, Signor Pastorini and Miraculous Healing in Early Nineteenth-Century Ireland." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 40-58. Cork: Cork University Press, 1999.

———. "'The Most Illiberal and Monopolising Corporation in Existence'. The Royal College of Surgeons in Ireland and Professional Appointments to Irish County Infirmaries." In *Borderlands: Essays on Literature and Medicine in Honour of J.B. Lyons*, edited by Coakley, Davis and Mary O'Doherty, 106-114. Dublin: Royal College of Surgeons in Ireland, 2002.

———. "The Scottish-Australian Connection, 1850-1900." In *The History of Medical Education in Britain*, edited by Nutton, Vivian and Roy Porter, 51-75. Amsterdam, Atlanta GA: Rodopi, 1995.

Geary, Laurence M. and Oonagh Walsh. "Introduction." In *Philanthropy in Nineteenth-Century Ireland*, edited by Geary, Laurence M. and Oonagh Walsh, 13-22. Dublin: Four Courts Press, 2015.

Goodman, David. "Eureka and Democracy." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 107-122. Perth, W.A.: Network Books, 2006.

———. "The Gold Rushes of the 1850s." In *The Cambridge History of Australia: Indigenous and Colonial Australia*, edited by Bashford, Alison and Stuart Macintyre. Vol. 1, 170-188. Port Melbourne: Cambridge University Press, 2013.

Grant, James. "The Great Famine in County Tyrone." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 587-616. Dublin: Geography Publications, 2000.

Grant, Jim. "The Famine in County Tyrone." In *The Famine in Ulster: The Regional Impact*, edited by Kinealy, Christine and Trevor Parkhill, 197-222. Belfast: Ulster Historical Foundation, 1997.

Green, Dorothy. "Anti-Vaccination and Syphilis." *The Medical Journal of Australia* (March 7, 1970): 500-501.

Gunn, Simon. "Translating Bourdieu: Cultural Capital and the English Middle Class in Historical Perspective." *The British Journal of Sociology* 56, no. 1 (2005): 49-64.

Guteri, Matthew Pratt. "AHR Forum: Comment: The Futures of Transnational History." *American Historical Review* (February, 2013): 130-139.

Hall, Catherine. "Epilogue: Imperial Careering at Home; Harriet Martineau on Empire." In *Colonial Lives Across the British Empire: Imperial Careering in the Long Nineteenth Century*, edited by Lambert, David and Alan Lester, 335-359. Cambridge: Cambridge University Press, 2006.

Hall, Dianne and Elizabeth Malcolm. "Diaspora, Gender and the Irish." *Australasian Journal of Irish Studies* 8, (2008/9): 3-29.

Hamilton, Paula. "Memory Studies and Cultural History." In *Cultural History in Australia*, edited by Teo, Hsu-Ming and Richard White, 81-97. Sydney: UNSW Press, 2003.

Harland-Jacobs, Jessica. "All in the Family: Freemasonry and the British Empire in the Mid-Nineteenth Century." *Journal of British Studies* 42, no. 4 (2003): 448-482.

———. "'Hands Across the Sea': The Masonic Network, British Imperialism, and the North Atlantic World." *Geographical Review* 89, no. 2 (1999): 237-253.

Harte, Liam. "Immigrant Self-Fashioning: The Autobiographies of the Irish in Britain, 1856-1934." In *Ireland Abroad: Politics and Professions in the Nineteenth Century*, edited by Walsh, Oonagh, 47-61. Dublin: Four Courts Press, 2003.

Hill, Jacqueline. "Laying the Nineteenth-Century Foundations: Contributions from a Catholic and a Protestant Scholar in the 1820s." In *Representing Irish Religious Histories: Historiography, Ideology and Practice*, edited by Hill, Jacqueline and Mary Ann Lyons, 53-67. Springer International Publishing, 2017.

———. "The Language and Symbolism of Conquest in Ireland, c.1790-1850." *Transactions of the Royal Historical Society* no. 18 (December, 2008): 165-186.

Hill, Myrtle. "Expressions of Faith: Protestantism in Nineteenth Century Tyrone." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 637-664. Dublin: Geography Publications, 2000.

Himmelfarb, Gertrude. "The Age of Philanthropy." *The Wilson Quarterly* 21, no. 2 (1997): 48.

Hoffmann, Stefan-Ludwig. "Democracy and Associations in the Long Nineteenth Century: Toward a Transnational Perspective." *The Journal of Modern History* 75, no. 2 (2003): 269-299.

Holmes, Andrew. "The Shaping of Irish Presbyterian Attitudes to Mission, 1790-1840." *The Journal of Ecclesiastical History* no. 4 (October, 2006): 711-737.

Holmes, A.R. "Covenanter Politics: Evangelicalism, Political Liberalism and Ulster Presbyterians, 1798-1914." *The English Historical Review* 125, no. 513 (2010): 340-369.

Holmes, Andrew R. and Eugenio F. Biagini. "Protestants." In *The Cambridge Social History of Modern Ireland*, edited by Biagini, Eugenio F. and Mary E. Daly, 88-111. Cambridge: Cambridge University Press, 2017.

Hopkins-Weise, Jeff. "Australia's Logistical and Commissariat Support in the New Zealand Wars, 1863-66." *Sabretache* 47, no. 4 (2006): 5-24.

Hunter, R. J. "Style and Form in Gravestone and Monumental Sculpture in Co. Tyrone in the Seventeenth and Eighteenth Centuries." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 291-326. Dublin: Geography Publications, 2000.

Ireland, Patrick R. "Irish Protestant Migration and Politics in the USA, Canada, and Australia: A Debated Legacy." *Irish Studies Review* 20, no. 3 (2012): 263-281.

Jones, Greta. "The Campaign Against Tuberculosis in Ireland, 1899-1914." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 158-176. Cork: Cork University Press, 1999.

———. "'Strike Out Boldly for the Prizes that are Available to You': Medical Emigration from Ireland 1860-1905." *Medical History* 54, no. 1 (January, 2010): 55-74.

Jones, Greta and Elizabeth Malcolm. "Introduction: An Anatomy of Irish Medical History." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 1-17. Cork: Cork University Press, 1999.

Kelly, Laura. "Irish Medical Student Culture and the Performance of Masculinity, c.1880-1930." *History of Education* 46, no. 1 (2017): 39-57.

———. "Migration and Medical Education: Irish Medical Students at the University of Glasgow, 1859-1900." *Irish Economic and Social History* 39, (2012): 39-55.

Kidd, Alan J. "Philanthropy and the 'Social History Paradigm'." *Social History* 21, no. 2 (May 1992): 180-192.

Kinealy, Christine. "Introduction." In *The Famine in Ulster: The Regional Impact*, edited by Kinealy, Christine and Trevor Parkhill, 1-14. Belfast: Ulster Historical Foundation, 1997.

Kelly, James. "The Context and Course of Thomas Orde's Plan of Education of 1787." *The Irish Journal of Education* xx, no. 1 (1986): 3-26.

———. "The Emergence of Scientific and Institutional Medical Practice in Ireland 1650-1800." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 21-39. Cork: Cork University Press, 1999.

Lambert, David and Alan Lester. "Geographies of Colonial Philanthropy." *Progress in Human Geography* 28, no. 3 (2004): 320-341.

———. "Introduction: Imperial Spaces, Imperial Subjects." In *Colonial Lives Across the British Empire: Imperial Careering in the Long Nineteenth Century*, edited by Lambert, David and Alan Lester, 1-31. Cambridge: Cambridge University Press, 2006.

Leigh, Andrew and T.W. Gibbings. "'A Victory Won by a Lost Battle': What Eureka Means to Australians Today." In *Eureka: Australia's Greatest Story*, edited by Headon, David and John Uhr, 11-26. Annandale, NSW: The Federation Press, 2015.

Lewis, Milton and Roy MacLeod. "Medical Politics and the Professionalisation of Medicine in New South Wales, 1850-1901." *Journal of Australian Studies* 12, no. 22 (1988): 69-82.

Levine, Philippa. "States of Undress: Nakedness and the Colonial Imagination." *Victorian Studies* 50, no. 2 (2008): 189-219.

Lipton, Phillip. "A History of Company Law in Colonial Australia: Economic Development and Legal Evolution." *Melbourne University Law Review* 31, no. 3 (2007): 805-836.

- Love, Peter E. D. "Melbourne Celebrates the 150th Anniversary of its Eight Hour Day." *Labour History* no. 91 (2006): 193-196.
- Lowenthal, David. "Memory and Oblivion." *Museum Management and Curatorship* 12, no. 2 (1993): 171-182.
- MacAuley, Ambrose. "Catholicism in Nineteenth Century Tyrone." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 617-636. Dublin: Geography Publications, 2000.
- MacDonagh, Oliver. "The Irish in Victoria, 1851-91: A Demographic Essay." In *Historical Studies: Papers Read before the Irish Conference of Historians VII*, edited by T. D. Williams, 67-92. Dublin: Gill and Macmillan, 1971.
- . "The Regulation of the Emigrant Traffic from the United Kingdom 1842-55." *Irish Historical Studies* 9, no. 34 (Sep, 1954): 162-189.
- Mac Énrí, Piaras. "Introduction." In Bielenberg, ed. *The Irish Diaspora*, 1-15, p. 7; Campbell, *Ireland's New Worlds*.
- Macintyre, Stuart and Sean Scalmer. "Colonial States and Civil Society, 1860-90." In *The Cambridge History of Australia: Indigenous and Colonial Australia*, edited by Bashford, Alison and Stuart Macintyre. Vol. 1, 189-217. Port Melbourne: Cambridge University Press, 2013.
- MacKenzie, John M. "Empire and National Identities: The Case of Scotland." *Transactions of the Royal Historical Society* 8, (1998): 215-231.
- Mageean, Deirdre M. "From Irish Countryside to American City: The Settlement and Mobility of Ulster Migrants in Philadelphia." In *Migrants, Emigrants and Immigrants: A Social History of Migration*, edited by Pooley, Colin G. and Ian D. Whyte, 42-61. London: Routledge, 1991.
- Malcolm, Elizabeth. "'The House of Strident Shadows': The Asylum, the Family and Emigration in Post Famine Rural Ireland." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 177-191. Cork: Cork University Press, 1999.
- . "'What would People Say if I Became a Policeman?': The Irish Policeman Abroad." In *Ireland Abroad: Politics and Professions in the Nineteenth Century*, edited by Walsh, Oonagh, 95-107. Dublin: Four Courts Press, 2003.

Martin, A. W. "Australia and the Hartz Fragment Thesis." In *The Whig View of Australian History and Other Essays*, 53-73. Carlton, Vic.: Melbourne University Press, 2007.

———. "R.G. Menzies and the Murray Committee." In *The Whig View of Australian History and Other Essays*, edited by Martin, A. W., 176-205. Carlton, Vic.: Melbourne University Press, 2007.

Mayne, Alan. "Introduction." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 1-7. Perth, W.A.: Network Books, 2006.

McCalman, Janet. "Silent Witnesses: Child Health and Well-being in England and Australia and the Health Transition 1870—1940." *Health Sociology Review* 18, no. 1 (June, 2009): 25-35.

———. "The Past that Haunts Us: The Historical Basis of Well-being in Australian Children." In *No Time to Lose: The Well-being of Australia's Children*, edited by Richardson, Sue and Margot Prior, 36-59. Carlton: Melbourne University Press, 2005.

———. "To Die without Friends: Solitaries, Drifters and Failures in a New World Society." In *Body and Mind: Historical Essays in Honour of F.B. Smith*, edited by Davison, Graeme, Pat Jalland and Wilfrid Prest, 173-194. Carlton: Melbourne University Press, 2009.

McCalman, Janet and Rebecca Kippen. "Population and Health." In *The Cambridge History of Australia: Indigenous and Colonial Australia*, edited by Bashford, Alison and Stuart Macintyre. Vol. 1, 294-314. Port Melbourne: Cambridge University Press, 2013.

McCalman, Janet and Ruth Morley, "Inequalities of Gender and Health 1857-1985: A Long-Run Perspective from the Melbourne Lying-in Hospital Birth Cohort." *Australian Journal of Social Issues*, the 43, no. 1 (2008): 29-44.

McCalman, Janet, Ruth Morley and Gita Mishra. "A Health Transition: Birth Weights, Households and Survival in an Australian Working-Class Population Sample Born 1857–1900." *Social Science & Medicine* 66, no. 5 (2008): 1070-1083.

McCalman, Janet, Ruth Morley, Len Smith, and Ian Anderson. "Colonial Health Transitions: Aboriginal and 'Poor White' Infant Mortality Compared, Victoria 1850-1910." *The History of the Family* 16, no. 1 (2011): 62-77.

McCarthy, Angela, "Introduction." In *Ireland in the World: Comparative, Transnational, and Personal Perspectives*, edited by McCarthy, Angela, 1-14. Taylor and Francis, 2015. Accessed September 28, 2016. ProQuest Ebook Central.

McCloy, J. M. "In the by-Ways of Medicine." *The Ulster Medical Journal* 8, no. 1 (1 January, 1939): 1-13.

McConville, Chris, Keir Reeves and Andrew Reeves. "'Tasman World': Investigating Gold-Rush-Era Historical Links and Subsequent Regional Development between Otago and Victoria." In *Rushing for Gold: Life and Commerce on the Goldfields of New Zealand and Australia*, edited by Carpenter, Lloyd and Lyndon Fraser, 23-40. Dunedin: Otago University Press, 2016.

McDowell, Andrea G. "From Commons to Claims: Property Rights in the California Gold Rush." *Yale Journal of Law and the Humanities* 14, no. 1 (2002): 1-72.

McGeachie, James. "'Normal' Development in an 'Abnormal' Place: Sir William Wilde and the Irish School of Medicine." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 85-101. Cork: Cork University Press, 1999.

McNamara, Conor. "'The Monster Misery of Ireland': Landlord Paternalism and the 1822 Famine in the West." In *Philanthropy in Nineteenth-Century Ireland*, edited by Laurence M. Geary and Oonagh Walsh, 82-96. Dublin: Four Courts Press, 2015.

Meenan, F.O.C. "The Georgian Squares of Dublin and their Doctors." *Irish Journal of Medical Science* 41, no. 4 (1966): 149-154.

Miller, Kerby A. "'Heirs of Freedom' Or 'Slaves to England'? Protestant Society and Unionist Hegemony in Nineteenth-Century Ulster." *Radical History Review* no. 104 (Spring 2009): 17-40.

———. "'Scotch-Irish', 'Black Irish' and 'Real Irish': Emigrants and Identities in the Old South." In *The Irish Diaspora*, edited by Bielenberg, Andy, 139-157. Harlow, England: Longman, 2000.

Milne, Kenneth. "Irish Charter Schools." *The Irish Journal of Education* viii, no. 1 (1974): 3-29.

Nasaw, David. "AHR Roundtable: Historians and Biography Introduction." *The American Historical Review* 114, no. 3 (June, 2009): 573-578.

Noone, Val. "Irish-Australian Conference Publications: Content and Context." In *Ireland and Australia 1798-1998: Studies in Culture, Identity and Migration*, edited by Bull, Philip, Frances Devlin Glass and Helen Doyle, 349-366. Sydney: Crossing Press, 2000.

Nora, Pierre. "Between Memory and History: Les Lieux De Mémoire." *Representations* no. 26 (Spring, 1989): 7-24.

O'Brien, Gerard. "State Intervention and the Medical Relief of the Irish Poor, 1787-1850." In *Medicine, Disease and the State in Ireland, 1650-1940*, edited by Jones, Greta and Elizabeth Malcolm, 195-207. Cork: Cork University Press, 1999.

O'Carrigan, Catherine. "Australian Catholic Hospitals in the Nineteenth Century." *Journal of the Australian Catholic Historical Society* 7, no. 4 (1984): 20-36.

O'Neill, Kevin. "Revisionist Milestone." In *Interpreting Irish History: The Debate on Historical Revisionism 1938-1994*, edited by Brady, Ciaran, 217-221. Dublin: Irish Academic Press, 1994.

O'Sullivan, Patrick. "Introduction to Volume 5: Religion and Identity." In *The Irish Worldwide. History, Heritage and Identity. Vol 5. Religion and Identity*, edited by O'Sullivan, Patrick, 1-24. London and Washington: Leicester University Press, 1996.

Palmer, Sheridan. "The Importance of Leitmotifs and Distance in the Biography of Bernard Smith." *Australian Historical Studies* 43, no. 1 (2012): 28-44, p. 29.

Parrino, Janie and Barney S. Graham. "Smallpox Vaccines: Past, Present, and Future." *The Journal of Allergy and Clinical Immunology* 118, no. 6 (2006): 1320-1326.

Pearn, John. "Surgeon-Superintendents on Convict Ships." *Australia and New Zealand Journal of Surgery* 66, (1996): 253-256.

Perry, Adel. "Whose World was British? Rethinking the 'British World' from an Edge of Empire." In *Britishness Abroad*, edited by Darian-Smith, Kate, Patricia Grimshaw and Stuart Macintyre, 133-152. Melbourne University Press, 2007.

Phoenix, Dave. "'All Burke's Books &c have been Saved': The Burke and Wills Papers in the State Library of Victoria." *The La Trobe Journal* no. 86 (2010): 3-22.

Pooley, Colin G. and Ian D. Whyte. "Introduction: Approaches to the Study of Migration and Social Change." In *Migrants, Emigrants and Immigrants: A Social History of Migration*, edited by Pooley, Colin G. and Ian D. Whyte, 19-41. London: Routledge, 1991.

Prentis, Malcolm. "The Scots in Australia." *The Sydney Papers* (Winter, 2008): 164-173.

Proudfoot, Lindsay. "Landscape, Place and Memory: Towards a Geography of Irish Identities in Colonial Australia." In *Ireland Abroad: Politics and Professions in the Nineteenth Century*, edited by Walsh, Oonagh, 172-185. Dublin: Four Courts Press, 2003.

———. "Place and *Mentalité*: The 'Big House' and its Locality in County Tyrone." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 511-542. Dublin: Geography Publications, 2000.

Quinlan, Michael, Margaret Gardner, and Peter Akers. "A Failure of Voluntarism: Shop Assistants and the Struggle to Restrict Trading Hours in the Colony of Victoria, 1850- 85." *Labour History* no. 88 (2005): 165-182.

Racine, Karen. "Commercial Christianity: The British and Foreign Bible Society's Interest in Spanish America, 1805–1830." *Bulletin of Latin American Research* 27, (2008): 78-98.

Rankin, Gwenyth. "No Flowers, Or Trustees, by Request: Bernard Hall and the Felton Bequest." *Journal of Australian Studies* 30, no. 88 (2006): 125-133.

Reeves, Keir, Lionel Frost, and Charles Fahey. "Integrating the Historiography of the Nineteenth-Century Gold Rushes." *Australian Economic History Review* 50, no. 2 (2010): 111-128.

Reid, Kirsty. "Ocean Funerals: The Sea and Victorian Cultures of Death." *Journal for Maritime Research* 13, no. 1 (May, 2011): 37-54.

Richards, Eric. "Voices of British and Irish Migrants in Nineteenth-Century Australia." In *Migrants, Emigrants and Immigrants: A Social History of Migration*, edited by Pooley, Colin G. and Ian D. Whyte, 19-41. London: Routledge, 1991.

Rieppel, Lucas. "Museums and Botanical Gardens." In *A Companion to the History of Science*, edited by Bernard Lightman. Wiley: New Jersey, 2016 [forthcoming].

Rivers, Isabel. "The First Evangelical Tract Society." *The Historical Journal* 50, no. 1 (2007): 1-22.

Robinson, Philip. "The Ulster Plantation and its Impact on the Settlement Pattern of Co. Tyrone." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 233-266. Dublin: Geography Publications, 2000.

Rotberg, Robert I. "Biography and Historiography: Mutual Evidentiary and Interdisciplinary Considerations." *Journal of Interdisciplinary History* XL, no. 3 (2010): 305-324.

Roulston, William. "The Ulster Plantation in the Manor of Dunalong, 1610-70." In *Tyrone: History and Society*, edited by Dillon, Charles and Henry A. Jefferies, 267-290. Dublin: Geography Publications, 2000.

Saunders, Kay and Raymond Evans, "No Place Like Home: The Evolution of the Australian Housewife." In *Gender Relations in Australia: Domination and Negotiation*, edited by Saunders, Kay and Raymond Evans, 175-196. Sydney: Harcourt Brace Jovanich, Publishers, 1992, p. 179.

Schurer, Kevin. "The Role of the Family in the Process of Migration." In *Migrants, Emigrants and Immigrants: A Social History of Migration*, edited by Pooley, Colin G. and Ian D. Whyte, 106-142. London: Routledge, 1991.

Sharkey, Heather J. "The British and Foreign Bible Society in Port Said and the Suez Canal." *The Journal of Imperial and Commonwealth History* 39, no. 3 (2011): 439-456.

Smith, F. B. "Comprehending Diphtheria." *Health and History* 1, no. 2/3 (1999): 139-161.

Smith, G. Keys. "The History of Spina Bifida, Hydrocephalus, Paraplegia, and Incontinence." *Pediatric Surgery International* 17, (2001): 424-432.

Staniforth, Mark. "Shipwrecks: Images and Perceptions of Nineteenth Century Maritime Disasters." *Sydney Studies in Society and Culture* 7, (1992): 45-63.

Stawell, R. R. ""The Upbuilding of the Medical School of the Melbourne University"." In *University of Melbourne Medical School Jubilee, 1914.*, 66-72. Carlton: Ford & Son, 1914.

Steer, Philip. "Gold and Greater Britain: Jevons, Trollope, and Settler Colonialism." *Victorian Studies* 58, no. 3 (2016): 436-463.

Stoller, Alan and Roma Emmerson. "Dr John Alfred Carr: A Psycho-Historical Study." *The Medical Journal of Australia* (27 January, 1973): 188-193.

———. "Richard Mahony, Walter Lindesay Richardson and the Spirochaete." In *Henry Handel Richardson 1870-1946: Papers Presented at a Centenary Seminar*, edited by National Library of Australia, 9-22. Canberra, 1972.

———. "The Fortunes of Walter Lindesay Richardson." *Meanjin Quarterly* (March, 1970): 21-33.

Swain, Shurlee. "Negotiating Poverty: Women and Charity in Nineteenth-Century Melbourne." *Women's History Review* 16, no. 1 (2007): 99-112.

———. "Religion, Philanthropy and Social Reform: Meanings, Motivations and Interactions in the Lives of Nineteenth Century Australian Women." *Women-Church: An Australian Journal of Feminist Studies in Religion* no. 23 (1998): 29-35.

———. "Toward a Social Geography of Baby Farming." *The History of the Family* 10, no. 2 (2005): 151-159.

Thomson, Alistair. "Life Stories and Historical Analysis." In *Research Methods for History*, edited by Gunn, Simon and Lucy Faire, 101-117. Edinburgh: Edinburgh University Press, 2012.

Underwood, E. Ashworth. "The History of Cholera in Great Britain." *Proceedings of the Royal Society of Medicine* 41, no. 3 (1947): 165-173.

Vernon, James. "The History of Britain is Dead; Long Live a Global History of Britain." *History Australia* 13, no. 1 (2016): 19-34.

Walshe, Bob. "Eureka is so Significant." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 17-41. Perth, W.A.: Network Books, 2006.

Ward, Nicki. "Complicating Actions and Complicated Theory through an Exploration of Lesbian Lives." In *Biography and Turning Points in Europe and America*, edited by Karla B. Hackstaff, Feiwel Kupferberg and Catherine Negroni, 187-206. Bristol: The Policy Press, 2012.

Weber, Thomas A. "The Origins of the Victorian Magistracy." *Australian and New Zealand Journal of Criminology* 13, no. 2 (1980): 142-150.

Weinbren, Dan and Bob James. "Getting a Grip: The Roles of Friendly Societies in Australia and Britain Reappraised." *Labour History* no. 88 (2005): 87-103.

WHO. "Pertussis Vaccines: WHO Position Paper." *Weekly Epidemiological Record* 40, no. 85 (2010): 385-400.

WHO Advisory Committee on Variola Virus Research. *Report of the Fifteenth Meeting*. Geneva: World Health Organization, 2013.

Widdess, J. D. H. "The Introduction of Ether and Chloroform to Dublin." *Irish Journal of Medical Science* 21, no. 10 (1946): 649-655.

Wright, Clare. "Labour Pains: Towards a Female Perspective on the Birth of Australian Democracy." In *Eureka: Reappraising an Australian Legend*, edited by Mayne, Alan, 123-141. Perth, W.A.: Network Books, 2006.

Wright, Erik Olin. "Foundations of a Neo-Marxist Analysis." In *Approaches to Class Analysis*, edited by Wright, Erik Olin, 4-30. Cambridge: Cambridge University Press, 2005.

Wright, R. D. "Cohnheim Comes to Melbourne." In *The Melbourne School of Pathology: Phases and Contrasts*, edited by Department of Pathology University of Melbourne, 187-191. Carlton: Melbourne University Press, 1962.

Theses

Beggs-Sunter, Anne. "Birth of a Nation? Constructing and De-Constructing the Eureka Legend." PhD thesis, University of Melbourne, 2002.

———. "James Oddie (1824-1911) His Life and the Wesleyan Contribution to Ballarat." MA thesis, Deakin University, Australia, 1989.

Campbell, Dianne P. "Anglo-Irish Lawyers in Post-Goldrush Ballarat." MA Thesis, University of Ballarat, 2002.

Chanin, Eileen. "Cultural Philanthropy: David Scott Mitchell and the Mitchell Library." PhD thesis, University of New South Wales, 2012. Published as Eileen Chanin, *The Life and Times of David Scott Mitchell*, Melbourne: Australian Scholarly Publishing, 2011.

Coon, Katherine E. "The Sisters of Charity in Nineteenth-Century America: Civil War Nurses and Philanthropic Pioneers." MA thesis, Indiana University, 2010.

Croggon, Janice. "Strangers in a Strange Land: Converging and Accommodating Celtic Identities in Ballarat 1851-1901." PhD thesis, University of Ballarat, 2002.

Curran, Daragh Emmett. "A Society in Transition: The Protestant Community in Tyrone 1836-42." PhD thesis, National University of Ireland Maynooth, 2010.

Doggett, Anne. "'And for Harmony Most Ardentlly We Long' Musical Life in Ballarat, 1851-1871." PhD thesis, University of Ballarat, 2006.

Gibbs, Desmond Robert. "Victorian School Books; A Study of the Changing Social Content and use of School Books in Victoria, 1848-1948, with Particular Reference to School Readers." PhD thesis, University of Melbourne, 1987.

Hazelwood, Jennifer. "A Public Want and a Public Duty: The Role of the Mechanics' Institute in the Cultural, Social and Educational Development of Ballarat from 1851 to 1880." PhD thesis, University of Ballarat, 2007.

Hunt, Joan E. "Mining a Rich Lode: The Making of the Springdallah Deep Lead Goldfield Communities." PhD thesis, Federation University, 2015.

Ireland, John. "The Victorian Land Act of 1862 Revisited." MA Thesis, University of Melbourne, 1992.

Kinloch, Helen W. "Ballarat and its Benevolent Asylum: A Nineteenth-Century Model of Christian Duty, Civic Progress and Social Reform." PhD thesis, University of Ballarat, 2004.

Lake, Elizabeth Mary. "Medicine and Publishing in Early Nineteenth Century Ireland: Production and Consumption 1801-1858." PhD Thesis, The University of Ulster, 2010.

Mansfield, Peter Gerald. "Public Libraries in Ballarat: 1851-1900." PhD thesis, Deakin University, 2000.

McWhirter, Rebecca. "'Lymph or Liberty': Responses to Smallpox Vaccination in the Eastern Australian Colonies." PhD thesis, University of Tasmania, 2008.

Stephens, Marguerita. "White Without Soap: Philanthropy, Caste and Exclusion in Colonial Victoria 1835-1888: A Political Economy of Race." PhD thesis, University of Melbourne, 2003.

Wickham, Dorothy Glennys. "Beyond the Wall: Ballarat Female Refuge: A Case Study in Moral Authority." MPhil thesis, Australian Catholic University, 2003.

Woodland, John George. "R.H. Bland and the Port Phillip and Colonial Gold Mining Company." MA thesis, La Trobe University, Victoria, 2002.

Novels

Joyce, James. *Ulysses*. Oxford: Oxford University Press, 1993.

Websites

"1st Donaghedy Presbyterian Church Financial Statement 1857.", accessed November 11, 2013, [http:// www.cotyronaireland.com](http://www.cotyronaireland.com). Transcribed by Doreen Edgar.

"Andrews House Hotel." Accessed 29 September, 2015. <http://www.andrewshousehotel.co.uk>.

Ballarat Reform League Inc. "James Stewart." Accessed 26 September, 2016. http://eurekaedia.org/James_Stewart.

Bartlett, Geoffrey. "Berry, Sir Graham (1822–1904)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/berry-sir-graham-2984/text4355>, published first in hardcopy 1969, accessed online 17 August 2015.

Bate, Weston. "Smith, William Collard (1830–1894)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/smith-william-collard-4619/text7605>, published first in hardcopy 1976, accessed online 8 March 2015.

Blake, L. J. "Wilson, Sir Samuel (1832–1895)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wilson-sir-samuel-1052/text8141>, published first in hardcopy 1976, accessed online 18 June 2016.

Bready and District Ulster-Scots Development Association. "Bready Ancestry." Accessed 23 August, 2015. <http://www.breadyancestry.com>.

———. "Old Leckpatrick Graveyard." Accessed 18 June, 2013. <http://www.breadyancestry.com>.

Burns Woods, Janice. "Ireland, Richard Davies (1815–1877) ", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/ireland-richard-davies-3837/text6093>, published first in hardcopy 1972, accessed online 22 August 2015.

Chambers, Don. "Ormond, Francis (1829–1889)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/ormond-francis-4340/text7045>, published first in hardcopy 1974, accessed online 18 November 2015.

Department of Medicine and Radiology, University of Melbourne. "Medicine at Royal Melbourne Hospital." Accessed 7 April, 2017. <http://medicine.unimelb.edu.au/school-structure/medicine-and-radiology/about-us/department-sections/medicine-royal-melbourne-hospital>.

Department of Surgery (RMH), University of Melbourne, "Department History", Accessed 23 November, 2015, <http://www.surgeryrmh.unimelb.edu.au/History.html>.

Department of Surgery, University of Melbourne. Introduction." Accessed 7 April, 2017. <http://medicine.unimelb.edu.au/school-structure/surgery/about-us/introduction>.

"Donagheady Parish Marriage Announcements 1860-1869." Transcribed by Len Swindley. Accessed 27 May, 2014. <http://cotyroneireland.com/marriages/donagheady3.html>.

"Donagheady Second Presbyterian Church Baptisms 13 April 1838 to 3 July 1901." Transcribed by Faye Logue from PRONI Film MIC: 1/P/459. A/1 - G/2. Accessed 26 August, 2015.

http://www.cotyroneireland.com/births/Donagheady2ndPresbyterianBaptisms1838_1901.pdf.

"England and Wales Census 1871." Accessed 11 October, 2015. <http://www.familysearch.org>.

"England and Wales Census 1881: PRO RG 11/915 / 41, the National Archives, Kew, Surrey; FHL Microfilm 1,341,218." Accessed 6 May, 2015. <http://www.familysearch.org>.

"England and Wales Census 1901: Tunbridge Wells Subdistrict, PRO RG 13, the National Archives, Kew, Surrey." Accessed 6 May, 2015. <http://www.familysearch.org>.

"England and Wales Census 1911: PRO RG 14, the National Archives of the UK, Kew, Surrey." Accessed 10 October, 2015. <http://www.familysearch.org>.

"First Donagheady Presbyterian Church Marriages 1845-1928." Transcribed by Faye Logue and Len Swindley from LDS films of Civil registration of Marriages in Ireland and Marriage Certificates. Accessed 26 August, 2015. <http://www.cotyroneireland.com/marriages/1st-Donagheady-Presbyterian-Church-Marriages-1845-1928.html>.

"Griffith's Valuation.", accessed November 19, 2013, <http://www.askaboutireland.ie/griffith-valuation>.

Hall, A. R. "Wallen, Robert Elias (1831–1893)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wallen-robert-elias-4793/text7983>, published in hardcopy 1976, accessed online 18 April 2014.

Hogg, William E. "Old Mills of Ireland." Ulster Historical Foundation, accessed November 16, 2013, <http://www.ancestryireland.com>.

Langmore, Dianne. "Humffray, John Basson (1824-1891)", Australian Dictionary of Biography, Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/humffray-john-basson-3818>, published first in hardcopy 1972, accessed online 2 February 2014.

Law Institute of Victoria. "Presidents of the Law Institute of Victoria from 1859." Accessed 17 August, 2015. <http://www.liv.asn.au/About-LIV/History-Awards/Past-Presidents>.

"Leckpatrick Presbyterian Church Marriages 1845-1930." Transcribed by Faye Logue. Accessed 20 July, 2013. <http://www.cotyroneireland.com/churchrecord/leckpresmar1845-1930.html>

Library and Museum of Freemasonry. "John Lane's Masonic Records 1717-1894: Yarrowee Lodge." Accessed 1 August, 2015. <http://www.hrionline.ac.uk/lane/record.php?ID=2242>.

"Marriage Certificate Thomas Lavender and Susannah Dixon. Blakeney, Norfolk, England, Record Office, Norwich; FHL Microfilm 1,951,372." Accessed 10 October, 2015. <http://www.familysearch.org>.

Parliament of Victoria. "Re-Member: Lalor, Peter." Accessed 3 February, 2016. <http://www.parliament.vic.gov.au/re-member>.

———. "Re-Member: Wilson, Sir Samuel." Accessed 25 November, 2015. <http://www.parliament.vic.gov.au/re-member>.

Parnaby, Joy E. "Duffy, Sir Charles Gavan (1816–1903)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/duffy-sir-charles-gavan-3450/text5265>, published first in hardcopy 1972, accessed online 11 April 2015.

Poynter, J. R. "Felton, Alfred (1831–1904)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/felton-alfred-3508/text5393>, published first in hardcopy 1972, accessed online 3 November 2015

"Presentment Sessions Co. Tyrone, Lent Assizes 1843." Transcribed by Len Swindley from the *Londonderry Sentinel*, 24 September 1842. Accessed 5 April 2016. <http://cotyroneireland.com/misc/presentment1843.html>.

Qureshi, Shahab. "Clostridial Gas Gangrene." *Medscape*, 18 January 2017. Accessed 1 April 2017. <http://emedicine.medscape.com/article/214992-overview>.

"Rev. Joseph Love Obituary Notes." Accessed 7 October, 2015. <http://www.cotyroneireland.com/obits/love-joseph.html>.

Richardson, G.D. "Mitchell, David Scott (1836–1907)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/mitchell-david-scott-4210/text6781>, published first in hardcopy 1974, accessed online 3 November 2015.

Richardson, Joanne. 'Aspinall, Butler Cole (1830–1875)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/aspinall-butler-cole-2905/text4173>, published first in hardcopy 1969, accessed online 22 August 2015.

Rotunda Hospital Dublin. "History of the Hospital.", accessed December 29, 2013, <http://www.rotunda.ie>.

Roulston, William J. "The Parishes of Leckpatrick and Dunalong.", accessed December 1, 2013, <http://www.breadyancestry.com>.

"Spinning Wheel Bounty Lists (Flaxseed Premiums), Donagheady Parish - 1796.", accessed November 19, 2013, <http://www.cotyroneireland.com/flax/spinning-wheel-donagheady.html>.
Transcribed by Len Swindley.

Strahan, Frank. "Campbell, William (1810–1896)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/campbell-william-3158/text4719>, published first in hardcopy 1969, accessed online 18 November 2015.

Turner, Ian. "Lalor, Peter (1827-1889)." Australian Dictionary of Biography, National Centre of Biography, Australian National University, accessed April 1, 2013, <http://adb.anu.edu.au/biography/lalor-peter-3980>.

Ulster Historical Foundation. "Civil Parishes of County Tyrone.", accessed November 24, 2013, <http://www.ancestryireland.com/civil-parish-maps-for-ulster/civil-parishes-of-county-tyrone>.

University of Melbourne. "History of Philanthropy". Accessed 25 September, 2016. <http://our-history.unimelb.edu.au/exhibitions/history-of-philanthropy>.

University of Melbourne Archives. "University Chancellors: Roy Douglas Wright, Professor Emeritus, Sir (1907-1990)." Accessed 23 November, 2015. <http://www.lib.unimelb.edu.au/collections/archives/collections/chancellors/wright.html>.

Victorian Heritage Database. "Isabella Watson." Accessed 17 August, 2015. <http://vhd.heritage.vic.gov.au/shipwrecks/heritage/346>.

Whalan, Douglas J. "Torrens, Sir Robert Richard (1814–1884)", Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/torrens-sir-robert-richard-4739/text7869>, published first in hardcopy 1976, accessed online 13 May 2016.

Poems and Songs

Burns, Robert. *Ae Fond Kiss, And then We Sever*.

Howard, Shane. "Silvermines."... *Other Side of the Rock*. Goanna Arts, 2012. CD.