



**HISTORICAL
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NEWSLETTER

No. 132

SEPTEMBER 2020



THERE ONCE WAS A CREEK

Connors Creek was one of the two main tributaries of the Yarra River in Kew, the other being Glass Creek that runs through Hays Paddock. Connors Creek originated in the grounds of Genazzano FJC Convent in the part of the site nearest Normanby Road.

Normanby Road was originally Connor Street, named after the creek, but there appear to be no records to indicate from whom the creek takes its name. It is possible that it is named after the holder of one of the £10 a year grazing licenses issued in the 1840s. The street name change in 1879 resulted from a petition by ratepayers in Connor Street, requesting that the name be changed to Normanby Road, commemorating the governorship of the 2nd Marquis of Normanby, 6th Governor of Victoria from 1879 to 1881.

From Normanby Road the creek meandered north, downhill through Kew until it reached the Yarra near the intersection of Willsmere and Kilby Roads. The watercourse ultimately became the underground Kew Main Drain that enters the Yarra about 100m west of the Kew Billabong.

Although out of sight, this watercourse nonetheless has a story. In the 1860s, gazetted news tells of the Kew Council Public Works committee recommending the widening of the Connors Creek bridge due to its dangerous state, repairing slip on the embankment at Connors Creek on Bulleen Road [High Street], and the erection of a stone culvert and embankment over Connors Creek, on Belford Road due to the impassable state of the road.

F.G.A Barnard in the *Jubilee History of Kew* (1910), comments that while strolling near the disused Willsmere station that:

'The Golf Club has its headquarters nearby, the links occupying all the northern portion of the Hyde Park Estate. Connor's Creek, now a deep sinuous gully, bisects them and proves a troublesome obstacle to the ardent golfers. The land now slopes away to the confluence of Connor's Creek with the Yarra, producing the sand bank well known to one or two generations of Kew swimmers.'

Cr William Vaughan in *Kew's Civic Century* (1960) recalls that when arriving in Kew in the early 1920s, the old creek bed cut across Victoria Park from the Argyle Road corner of Adeney Avenue to High Street nearly opposite Belford Road, and it being an unsightly rubbish dump.

CONTENTS

1

THERE ONCE WAS A CREEK

Connors Creek, its history and novel re-emergence

3

HISTORY NEWS

Coronavirus, Council grants, and the Michael Tuck Grandstand

4

THE MEN WHO BOUGHT KEW

Landowners of early Kew - Nicholas Fenwick, Fairfax Fenwick and Edward Bell.

6

A HENTY GARDEN AT TARRING

The legacy of the garden of Henry Henty at Ruyton Girls' School

8

PADDOCKS, PARKS AND BYE-LAWS

The impact of the first Local Government Act on by-laws

10

FROM THE COLLECTION

A significant donation to the collection as well as collection highlights

Front-page

SINKHOLE

Reserve, cnr of Childers Street & Park Crescent
Julie King, 30 April 2020

THERE ONCE WAS A CREEK *(from page 1)*

This eyesore was subsequently reclaimed and beautified, most likely as part of the Public Works that, in 1926 commenced construction of Connors Creek Drain; an underground drain. This may have been one of the Government Public Works projects in the Great Depression, providing unemployed men with sustenance work in Kew. Ultimately, the barrel drain was completed in 1941 at a cost of £14,000. It was a widely-spread occurrence in Kew for creeks and gullies to be rat-infested, public dumping grounds until Kew Council eventually provided formal rubbish tips for waste and rubbish!

The creek was significant to the local Indigenous people. This significance is commemorated in a plaque, erected in 1965 at the end of Bowyer Avenue; a street at the rear of Genazzano. The plaque commemorates a significant scarred canoe tree, an immense red gum, estimated at the time to be more than 1,000 years old. It had been felled at that site in the late 1950s when the land was subdivided. The plaque was a joint initiative of the Aborigines Advancement League - Kew Branch, and the Kew Historical Society and has the following inscription:

‘Commemorating the Aborigines and their craftsmanship. This district, formerly their meeting place, was known to them as Bark Hill. On this site grew an immense gum tree from which the Aborigines carved a large bark canoe. This canoe was probably launched on a passing stream which now flows underground to the river Yarra.’

More recently, on the afternoon of 29 April 2020, a gigantic hole opened in the reserve at the corner of Childers Street and Park Crescent. Wild weather conditions produced a heavy deluge which was responsible for the eventual failure of the buried stormwater drain that feeds into the Kew Main Drain. There was massive media coverage; local and overseas. This hole was caused by a broken brick and bluestone barrel drain, just before the junction of the two underground watercourses.

The 12-metre-wide and 7-metre-deep hole increased quickly in size so that the initial safety warning tapes erected by the State Emergency Services and Council, disappeared into the hole as it grew.

The grated stormwater pit has three outlets; a two-metre concrete pipe diverting water from the Eglinton Reserve underground watercourse that was placed about one metre below the surface about ten years ago and an older, pre-1940s drain about six metres below that. A powerful waterfall was created between the two ‘storeys’, eroding through the old mortar of the bricks and washing soil out from beneath them leading to structural collapse.

Following more than two months of extensive work, the repairs are almost complete, still requiring protective plastic lining to be installed both downstream and upstream. Most of the Boroondara underground drains have been relined, this is one of the last drains to be dealt with. Hopefully, another ‘sinkhole’ will never appear again in this parkland following any extreme weather event!

JULIE KING



CONNORS CREEK DRAIN. 2020

Reserve, cnr Childers Street & Park Crescent
Rosemary Lade, 19 May 2020

KEW HISTORICAL SOCIETY INC

PATRON

Sir Gustav Nossal AC, CBE

MANAGEMENT COMMITTEE

President: Judith Voce

Vice President: David White

Secretary: Desley Reid

Treasurer: Jerome de Almeida

Archivist/Newsletter editor: Robert Baker

Curator: Judith Scurfield

Members: Richard Bowen | Mary Kelleher | Julie King |
Debbie McColl-Davis | Felicity Renowden

MONTHLY MEETINGS

Due to the closure of the Phyllis Hore Room and the social distancing restrictions which are currently in place, any further meetings of the Kew Historical Society in 2020 will be held using Zoom Meetings software.

KEW COURT HOUSE

Members of the Society played a key role in the preservation of the historic Kew Court House. At present, the Court House and exhibition are closed due to COVID-19 restrictions. The current exhibition is available for viewing on the Kew Historical Society website. Please send any queries to info@kewhistoricalsociety.org.au

NEWSLETTER

This is published quarterly and distributed to all members. Additional copies are made available to the community. Past newsletters can be downloaded from the website.

WEBSITES

www.kewhistoricalsociety.org.au

victoriancollections.net.au/organisations/kew-historical-society

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HISTORY NEWS

CORONAVIRUS

COVID-19 has affected the normal activities of the Society in a number of ways.

The most recent exhibition, *On Parade: 46 Years of the Kew Festival*, officially opened on 6 March at the Kew Court House but was closed to the public from 13 March. As the exhibition was seen by few people before it was closed, the Society put the exhibition online, where it can still be viewed on our website.

Other events such as the National Trust - Australian Heritage Festival event, planned in conjunction with the Villa Alba Museum for April-May 2020, was also cancelled. A major source of income for the Society is the Quarterly Book Sale. The May and August sales were cancelled due to social distancing restrictions. This loss of income may have a significant effect on our future activities.

To date, the monthly member meetings have been suspended, however we hope to purchase a Zoom licence which will allow us to re-engage with our members.

While the collections and archiving working groups have suspended their meetings until restrictions are lifted a number of members attended a webinar aimed at archivists and curators which covered the care of a collection whilst physically distanced from it. A number of our members are also highly involved cataloguing new donations to the collection. The research group has continued its work, as much can be done online. We continue to fulfil commissions from local homeowners, businesses, researchers and historians.

Each July, when we normally conduct tours of the Kew Court House during Open House Melbourne, these were replaced by an online webinar supported by the City of Boroondara. In the webinar, our curator and archivist were able to provide a visual history of the complex, and how its use has changed over time.

In summary, we have made many changes to our manner of working to accommodate social distancing restrictions and I believe that we have managed these changes well. Hopefully will be in a good position to resume normal activities when possible.

DESLEY REID

FRIENDLY REMINDER

Annual member subscriptions to the Kew Historical Society were due on 1 July 2020. The renewal form is on the last page of this Newsletter. Where possible, please make your payment by EFT using the bank details on the last page and putting your last name and the word, 'membership', in the subject or reference line.

MICHAEL TUCK GRANDSTAND

As Members are aware our President, Judith Voce, wrote a submission to Council on behalf of the Camberwell, Hawthorn and Kew Historical Societies requesting that the Michel Tuck Grandstand project be reinstated as a community precinct in the 2020-2021 Budget. At the Council meeting to consider the Budget, Judith also made a verbal presentation.

Unfortunately, the Council decided not to make any changes to the Budget. Council stated, in its response to Judith's submissions, that it had taken note of the comments submitted. Council acknowledged that the Tuck Stand is an iconic building and that it is recognised as such throughout the State of Victoria. Council also recognised the need for its refurbishment. They referenced the current upgrade to the Canterbury Community Precinct, which will provide a facility for the Balwyn Historical Society, Canterbury History Group and Surrey Hills Historical Society, to reiterate their support for the future of all Boroondara's historical societies, which have an important role in maintaining an overall strong and sustainable historical presence in Boroondara.

Council justified the deletion of the Tuck Stand project from the Budget by stating that the foreshadowed years of the budget are provided to the community to indicate Council's future intentions and, where possible, Council endeavours to commence projects in the timeframe indicated in previous budgets. Furthermore, they advised that as sufficient capacity becomes available in future years, they will consider and review the timing of projects and determine priorities based on community need.

We will continue to strongly advocate to Council to revise its 2021-2022 budget forecasts to bring forward the Tuck Stand design stage from five years hence to commence closer to the timeline previously advised and adopted in the 2018-2019 Budget.

GRANTS

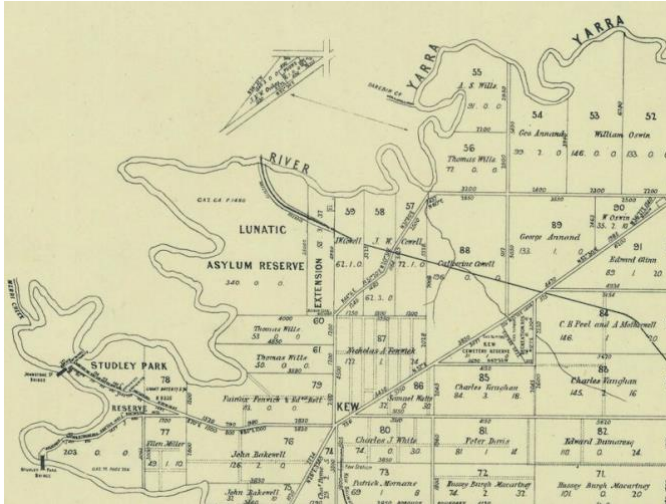
In March 2020, the Society applied for the first time to the City of Boroondara for a Triennial Operational Grant. The grant is paid annually in each of the next three financial years. The application sought funding of \$7,455 to support the delivery of our community programs. In July, we were advised that we had received part-funding of \$4,250 per annum. The reduced amount resulted from the increased number of requests by community groups for funding. We wish to acknowledge Council's funding of our core community activities. This year's funding will partly compensate for the loss of income resulting from the cancellation of a number of our Quarterly Book Sales.

Two further Community Strengthening Grant applications made to the City of Boroondara are yet to be announced.

THE MEN WHO BOUGHT KEW

THE FENWICKS AND EDWARD BELL

When I began research for this article my intention was to discover a little more background on Nicholas Alexander Fenwick who was described by F.G.A Barnard as 'practically the founder of Kew'. Barnard (1910) quotes from a list published by James Bonwick in *A Sketch of Boroondara* (1858), which identifies Nicholas Alexander Fenwick as purchaser of Portion 87, and Fairfax Fenwick and Edward Bell as purchasers of Portion 79, at the government crown land auctions on 16 October 1851.



BOROONDARA: COUNTY OF BOURKE

Department of Lands & Survey Melbourne, 1884

Brothers Nicholas and Fairfax Fenwick were born in Denmark in 1806 and 1820 respectively. They were the eldest and second youngest sons of Charles Fenwick and Susanne Johanne Fenwick née Berner's family of five sons and ten daughters. Their father, a successful merchant and shipbroker, was also the British Consul General in Helsingør, a position to which Nicholas appears to have been appointed following his father's death in 1832. The Fenwick family had been residents of Helsingør since the arrival from Stockholm in 1725 of Nicholas and Fairfax's great-grandfather David Fenwick, a commissioner for a London trading house and also a British diplomat.

The period between the birth of Nicholas and Fairfax was a tempestuous time in Denmark. Napoleon was on the march and Denmark's efforts to maintain its neutrality came to an end in 1807. The British, fearing that the French would form an alliance with Denmark, or invade it to take control of the Danish fleet, invaded Denmark and bombarded Copenhagen. The war was to last until 1813. During this time, Charles Fenwick moved his family across the Øresund, to Helsingborg in Sweden, where Nicholas and Fairfax's sister Susannah, was born.

Fairfax Fenwick arrived in Sydney in January 1838 aboard the *Marquis of Hastings*, travelling with a party of thirty-three immigrants from Helsingør, including his older brother George Fenwick, George's wife Melior and her father Edward Brown.

Their reports back to Helsingør from New South Wales were positive. Nicholas Fenwick, in London in July 1838, where he was staying to seek employment in New South Wales under the English Ministry of Colonial Affairs, wrote in a letter, 'The accounts we have received from my brothers and the Browns, since their arrival in the new world, are most satisfactory, and I would advise everybody who has only from hand to mouth in Europe to try their luck in that quarter'. In April 1839, he arrived in Sydney on the *Palestine* accompanied by three unmarried sisters, Susannah, Hester and Anne Fenwick; aged respectively twenty-eight, nineteen and seventeen.

By June 1839, Nicholas was appointed to act as Police Magistrate at Cassilis in the central west of New South Wales, during the absence on leave of the incumbent. In January 1840, he was appointed to the position of Police Magistrate in the recently established settlement at Geelong, and at around the same time, Fairfax Fenwick and Edward Bell independently arrived in the Port Phillip District after having brought stock overland from the settled area around Sydney.

Born in Bombay in 1813, Edward Bell was the youngest of four sons of Alexander Bell, then an East India Company civil servant and Sarah Bell, née Whitehall. By 1839, when he had arrived in Sydney, his father was the Judicial Commissioner for the Deccan and Candeish districts and acting Senior Judge for the civil and criminal courts in Bombay. In 1844, he married Susannah Fenwick at St James' Church in Melbourne, thus becoming Nicholas and Fairfax Fenwick's brother-in-law.

Nicholas and Fairfax Fenwick acquired extensive land holdings on the Bellarine Peninsula, including frontages to Swan Bay and at Shortlands Bluff, now Queenscliff. From 3 February until 3 April 1843, they provided holiday accommodation on their property for Superintendent Charles Joseph La Trobe's family. La Trobe enjoyed the arrangement so much that he built his own summer cottage there for the following hot season.

Nicholas Fenwick had named his timber mansion in Geelong, *The Hermitage*. The furniture of this house was auctioned under instructions from Edward Bell in August 1849. Following the arrival of Nicholas Fenwick back in Melbourne in March 1851, the house and surrounding land was auctioned in April 1851.



FAIRFAX FENWICK SQUATTER

Bassano, Alexander 1829-1913.

Alexander Turnbull Library, Wellington, New Zealand.

THE MEN WHO BOUGHT KEW (from page 4)

They were purchased by George Armytage, who subsequently demolished the timber house and built the stone mansion which would later become *The Hermitage* school.

In 1846, Nicholas Fenwick left Geelong, and in July 1847 he was married in Helsingør to his cousin Julia Octavia Benigna de Flindt, the widow of a Danish noble and cavalry officer, Jens Laurentius Bruun de Neergaard.



JULIA OCTAVIA BENIGNA FENWICK
Christian Ditlev Reventlow and Danish National Library

In July 1851, Charles La Trobe became Lieutenant Governor of the newly declared Colony of Victoria. Among his official appointments were Edward Bell Esq., Private Secretary and acting Aide-de-Camp, and Nicholas Alexander Fenwick, Esq., Commissioner of Crown Lands for the County of Bourke. July 1851 also saw Nicholas Fenwick and Edward Bell accompany Louis Michel to verify his claim to have discovered gold at Andersons Creek [Warrandyte].

In March 1854, Nicholas Fenwick resigned as Commissioner for Crown Lands for the County of Bourke, replaced in the position by Edward Bell, and departed from Melbourne.

Edward Bell was appointed Immigration Agent for the Colony of Victoria in May 1854, and in January 1855 he was appointed Special Commissioner for Victoria at the Paris Exhibition. The display in Paris, which included nuggets of gold from the Victorian goldfields, opened in May 1855. He then served as Emigration Agent for the Colony of Victoria before returning to Australia. During the passage on the Royal Mail steamer *Emeu*, his wife died at sea on 22 March 1858, leaving Bell to arrive alone in Melbourne with their servant on 6 June to take up a position as director of The Peoples Providence Assurance Society.

Fairfax Fenwick left Melbourne in April 1858, bound for New Zealand where he took up runs in north Otago in partnership with his brothers. He remained in New Zealand until his death in 1884 and is buried in the Otago Cemetery in Dunedin.

When Nicholas Fenwick died in London in 1863, his will referred to property in Victoria jointly owned with Fairfax Fenwick, and property in the Colony of Otago, New Zealand, jointly owned with his brothers William, Charles and Fairfax, which were to be sold and the proceeds invested to provide for his son, Nicholas Edward de Bernor Fenwick, and his wife Julia. He also left £60 per annum each for his sisters Hester and Anne, as long as they remained unmarried, and a legacy of £1,000 sterling for his stepson Henry Bruun Neergaard. Nicholas Fenwick is buried at Brompton Cemetery in London.

In August 1865, Edward Bell was appointed as the Fenwick executors' agent in Melbourne. Bell had married Annie Langford in Kew in June 1864, was managing director of the European Assurance Society and by 1869 was living on a two-acre property in Walpole Street, Kew. His name appears in the Kew Rate Books as the occupant and person to be rated of properties owned by the Fenwick executors and heirs.

In February 1871, Edward Bell collapsed and died in his front garden in Walpole Street during an argument with his former gardener. He is buried in the Presbyterian section of the Boroondara General Cemetery.

The history of the Fenwicks and Edward Bell in the Port Phillip District is one of young men making their way, taking part in the establishment of British systems of justice, local and colonial government and private land ownership, while building their assets. They also witnessed the dispossession of the Indigenous people from their land.

The Fenwick sisters, Susannah, whose marriage to Edward Bell linked the families, and Hester and Anne, who returned to England unmarried to look after their mother (supported by independent incomes from their brother's estate) are also interesting. Were they just taken along to look after their brothers or were they spirited young women sharing in the adventure?

Edward Bell's fenced plot in the Boroondara General Cemetery and the street layout of central Kew remain as their tangible heritage today.

DAVID WHITE, 2020



GRAVE OF EDWARD BELL
Boroondara General Cemetery, PRES A 0249.

A HENTY GARDEN AT TARRING

RUYTON GIRLS' SCHOOL

Tarring, Selbourne Road, now known by Ruyton Girls' School as *Henty House*, is one of four homes in Kew once owned by members of the pioneering Henty Family. Three homes remain - *Tarring*, *Roxeth* (now part of Trinity Grammar School), and *Field Place*.

In 1865, Henry Henty bought a little over 20 acres bounded by Glenferrie Road and Fitzwilliam Street (gazetted 1865), Edgevale Road and Wellington Street (both gazetted 1893). His acreage sat on parts of Lot 81 originally purchased by Peter Davis in October 1851, and on a section of Lot 72, purchased by Hussey Burgh Macartney in September 1851. These large original lots in Kew were inevitably subdivided and sold. Henry Henty's land sloped south to Fitzwilliam Street and east down to Edgevale Road. The latter was the lowest part of Kew and often subject to flooding.

Tarring was named after the birthplace of the family in West Sussex, England. Edward Henty was one of the five sons sent forth by their father Thomas to the Swan River Settlement in 1829. Henry, the owner of *Tarring* was Edward Henty's nephew. The home, an early and successful example of polychromatic brickwork, was designed by Albert Purchas in 1872 for Henry and his wife. The two-storey building sits on the elevated part of the land, offering commanding views, especially to the east and south.



TARRING FROM THE SOUTH. Rowland Chubb, c.1900-1920.
Courtesy State Library of Victoria

Let's explore the garden and land surrounding the main home and imagine how it was when Henry, Marion and their seven children (two died in infancy) lived there. As was the norm at that time, there were vegetable gardens and stables for horses and the carriage. On the Coleridge Street side, was the orchard with fruit and citrus trees, as well as a cacti garden. The Henty Family no doubt had poultry and a cow or two and a cow paddock. At the back of the main house was an aviary with canaries.

There was a lake big enough for boating at the corner of Wellington Street and Selbourne Road. Between the lake and the home was a fernery, also typical of the period. East of the fernery was a bamboo house. Just north of the house was a fishpond with an amorphous rock mass in the centre and a circular concrete surround in the middle of a lawn with flower beds.

There were two unusual features in the garden. 'Nestling in exotic splendour was an Indian/Burmese Summer Tea House, constructed of dark brown oiled wood, which Henry Henty acquired from the Melbourne Exhibition of 1880.



BURMESE TEA HOUSE

Dorothy Armstrong Papers c.1915-1970 MS Box 4410/11
Courtesy State Library of Victoria

The collecting of Chinoiserie during the Victorian era was popular: objects, fabrics and artefacts for the home and in this instance this 'curious structure' for the Henty garden.

'I do not know whether you would call it a temple, a pagoda or a summer house. It is a specimen of Burmese carving and interests the curious amongst my visitors.'
(*Punch*, 25 August 1904)

The pagoda was situated east of the main home near an old fence line and rested on a concrete base where the present Prue Gillies Building meets the Oval. A large pine tree shaded the pagoda, which was more intimately surrounded by buffalo grass, a standard rose garden, large shrubs and climbers on a high fence. A 1930 photograph, taken during Ruyton's early occupation of the property, depicts the pagoda within an extensively developed and mature treed landscape, with a maturing elm tree in the background, a gravel path and the original rose bed. The pagoda survived until 1940, when it was in a state of advanced decay. It was then demolished to make way for wartime trenches. The Ruyton Archives possess a few intricately carved remnants of the original 'Burmese Tea House'.

Another interesting feature of the Henty Garden was a Baptismal Stone Font, a treasured family possession rescued from the church at Tarring and brought to Australia. It was rumoured to have been used for baptising Saxon Kings.

A HENTY GARDEN AT TARRING (from page 6)

Mr Henty described it as a 'link, if you like between the Australian Commonwealth of today and the English Commonwealth of three hundred years back.' The font was located near the bamboo house and fernery. Unfortunately, it was later dropped by removalists, and disintegrated.



BAPTISMAL STONE FONT

Dorothy Armstrong Papers c.1915-1970 MS Box 4410/11
Courtesy State Library of Victoria

As was usual in gardens in colonial Victoria, most native vegetation was removed and replaced with what was familiar, or with trees that were considered exotic. However, Henry Henty was a little different. His decision, considered eccentric by some, was choosing to retain some eucalypts in the home garden as monuments to the rapidly retreating bushland around Melbourne. 'Close by in the grounds is a fine, old gumtree along whose trunk the English ivy has been trained by Mr Henty; another linking of 'Old England and the New.' (*Punch*, 1904)

Those associated with Ruyton Girls' School will be familiar with the magnificent Moreton Bay Fig Tree, one of two planted in 1875. A National Trust plaque indicates its significance. A similar tree grew at *Roxeth*, now Trinity Grammar School, maybe planted at a similar time or a little earlier. Ruyton girls, especially boarders, lived with the story of a tunnel linking the two trees and the Henty brothers! And then there were Miss Daniel's Henty ghost stories!

A gravel coach drive entered *Tarring* from the southern end of Selbourne Road, sweeping up to a turning circle at the entrance to the house.

Winding gravel paths, edged with scooped, open terracotta drains were features of the garden during the 1880s with dense planting and an element of wildness; resembling the popular style of William Guilfoyle, a pre-eminent gardener designer of the period.

The paths were bordered by shrubberies with plants generally higher than the garden fences. Garden beds on the western side of the property were ordered, progressing from small ornamental/perennial border plants and gladioli bulbs to larger shrubs, such as lavatera and trees. Flowering trees and shrubs, possibly camellia and rhododendron were interspersed and exotic palms (*cordyline australis*) were feature plants along the pathways. There were remnant red gums, a Norfolk Island pine and a young cypress. Peppercorn trees and Lebanese cedars were also planted. There was a strong European element and exotic plantings, as Australian native species disappeared. Lawns swept up to the verandah and climbing roses grew up its cast iron poles. Elms were planted along the Coleridge Street border.

When Henry Henty and family returned from a year's travel in England, he found that the family business had been so poorly managed during his absence, that he faced significant debt. He was obliged to sell most of the land on which *Tarring* stood during the boom years of 1885-86. In 1888, architect Frederick de Garis built his home *Mount View* on the Wellington Street / Selbourne Road corner of Henty's original land-holding. (Ruyton purchased *Mount View* in 1959, renaming it *Derham House*).

When Ruyton purchased *Tarring* in 1919 approximately four acres of the original 20 remained. Now, on the land bordered by Wellington, Fitzwilliam, Coleridge Streets and Selbourne Road, Ruyton has bought back all but two homes in private hands and its landholdings are now 6.1 acres or 2.47 hectares. The grace and charm of the home and its garden have been largely preserved and retain much of its original style. This year is the celebration of 100 years of Ruyton at *Tarring/Henty House*.

Bibliography and resources available from author. With special thanks to Suzanne McWha (KHS) and Cathy Dodson (Ruyton Archivist).

FELICITY RENOWDEN (née PIESSE), 2020



**RUYTON AND MORETON
BAY FIG TREE, c.1980s**
Courtesy Ruyton Archives

PADDOCKS, PARKS AND BYE-LAWS

REGULATING BEHAVIOUR BY AND WITHIN MUNICIPALITIES

The *Local Government Act 1874: Interleaved with Amending Acts to December 1883*, is not at first sight a prepossessing document. Its 148-plus pages are enclosed in what might originally have been a plum-coloured cloth with a rectangular label on the cover announcing its purpose and extent. Whether through use or negligence, the cover is well-worn with extensive water stains. These fortunately do not extend to its pages. The volume was produced by the Victorian Government and printed by Arnall & Jackson, General Printers & Publishers of Collins Street.

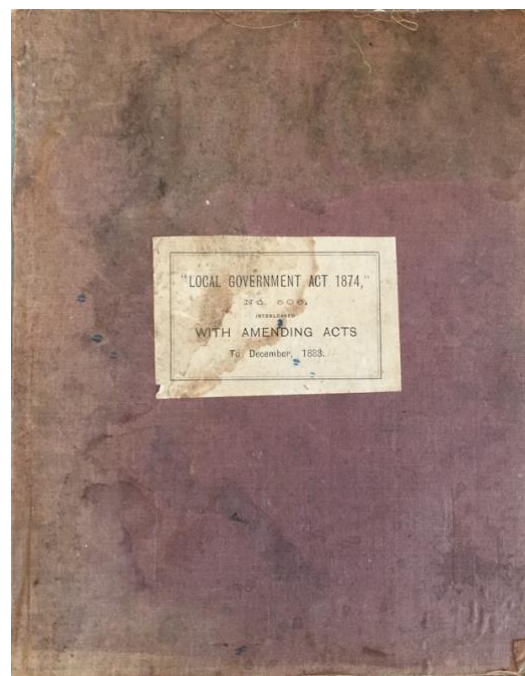
This first over-riding Act applicable to local government in Victoria, defining the nature and extent of its powers, was approved by the Governor in Council on 24 December 1874. It sought to regularise previous processes and by-laws made by local councils which had been promulgated in the years since their designation as shires or boroughs.

The Municipality of Kew had relished the authority provided by new-found independence from the Boroondara Road Board. The *South Bourke Standard* reported in August 1861 that Council had already passed four by-laws governing the levying of rates, the regulation of Council proceedings, a law preventing pigs and goats from roaming at large, and the prevention of damage to footpaths and the construction of bridges over water channels.

The 1874 Act, and the subsequent 1883 Amendments, defined a wide range of rights and responsibilities, including who could stand for councils and how they were to be elected; the management of local amenities such as streets, lighting, water and noxious trades; and how the law both supported and constrained the acts of shires and boroughs.

That the 1874 Act was important to the development of local government in Victoria is apparent in the printing of the Act with Amendments in 1883. The 1874 Act, originally published in the Victorian Gazette, was newly bound with the addition of small strips of paper floating above the original text. These strips used the same typography as that in the main document. Each was identified with printed handwritten and dated references to the relevant amending legislation. That the 1874 Act required revision is apparent in the number of interleaved amendments. These were expanded with additional dated amendments in 1884 by the owner of the volume, whose signature appears on the inside cover of the book. His name appears to be Edward Hewitt, although his impressively flourishing signature might conceal another interpretation.

An example of the amendments passed in the nine years since the promulgation of the 1874 Act, include the overturning of an over-ambitious requirement of local municipalities.



LOCAL GOVERNMENT ACT 1874, INTERLEAVED WITH AMENDING ACTS TO DECEMBER 1883 (KHS)

Whereas PART XXIX – STATISTICS had originally required every municipality to furnish statistics relating to its municipal district on or before the thirty-first day of March in each year, amendment No. 756, 3 November 1883, limited this requirement to Melbourne and Geelong. An absence of amendments to the qualifications to become a councillor, or to be added to the municipal Voter Roll, reveal no great change in attitudes to suffrage.

PART II – MUNICIPAL COUNCIL (1) Qualifications of Councillors, continued to assert that:

‘No female, no uncertified and undischarged bankrupt or insolvent, and no person attainted of treason or convicted of felony or perjury or any infamous crime, no person of unsound mind ... shall be capable of being or continuing a councillor of any municipality.’

The 1874 Act also re-iterated definitions of territory. The boundaries of Kew are described as:

‘Commencing at a point of the east bank of the Yarra Yarra river, being the centre of a road forming the northern boundaries of portions 28, 29, 35, and 69 in the Parish of Boroondara, looking east thence by a prolongation of the last line, being part of the northern boundary of the Hawthorn municipality, bearing east towards the centre of a road forming the east boundaries of portions 70, 71...’ [and so on].

> Page 9

PADDOCKS, PARKS AND BYE-LAWS (from page 8)

The 'portions' to which the Act refers are the original numbered crown land allotments, sold in Kew between 1845 and 1851. These numbered portions frequently appear on official maps and plans up until the end of the 1880s.

The rationale for the retrieval of this rare book from the archive was to access PART XXIV – Places of Recreation &c., s. 483. The Act states that:

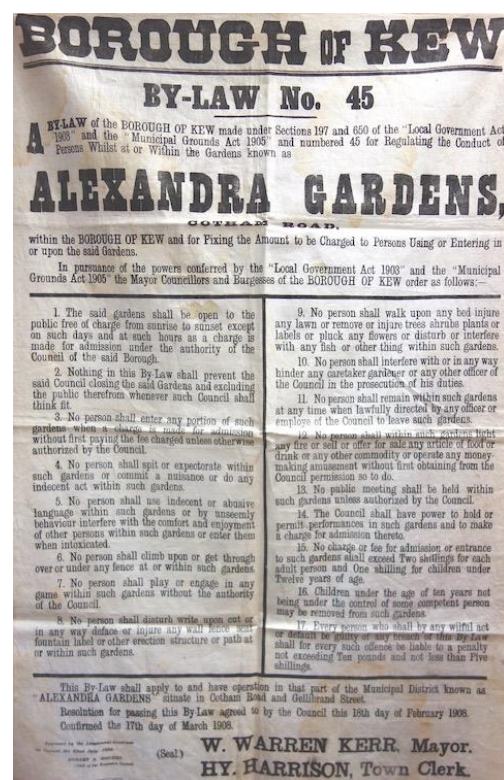
'The council may from time to time, make special order, purchase rent or otherwise provide lands grounds buildings or other places, either within the municipal district or at a reasonable distance therefrom not exceeding ten miles from the chief post-office, to be used as pleasure grounds public schools libraries museums gymnasiums gardens or places of public resort or recreation; and the council may from time to time level drain plant or otherwise layout and may repair or improve any such public lands grounds or buildings, for the more convenient use and enjoyment thereof, and may afford the use and enjoyment thereof to the inhabitants, subject to such bye-laws as the council may make in that behalf.'

The term 'by-laws' is now used in a range of circumstances. The Society's own constitution includes them, but in a broader sense, by-laws are understood to be rules made by a local authority. The etymology of the term is said to derive from an Old Norse word for a large settlement (býr TOWN + lög LAW). Crucially, existing bye-laws were, due to the 1874 Act, to become dependent on the laws of a higher authority.

It was inevitable that local government acts required redevelopment by successive Victorian governments. The new *Local Government Act 2020* supersedes one of 1989. One can appreciate that with changing local government regulations, council by-laws need constant amendment.

In a meeting in May 1861, the Shire of Boroondara [Camberwell] was urged by '... the Central Board of Health relative to the pollution of the Yarra by deposit of nightsoil, and recommending the making of a bye-law by the local board of health under the Local Government Act to suppress the nuisance'. An over-riding Act had its benefits for some parties. To others, such as *The Age* newspaper, the 1874 Act had been a disappointment to the 'friends of progress in municipalities'.

That by-laws continued to be made by municipalities after 1874 is evident in an artefact in the Society's civic collection – BOROUGH OF KEW, BY-LAW No. 45 – ALEXANDRA GARDENS COTHAM ROAD 1908 (above right), regulating the use by residents of the newly opened Gardens. The land on which the Gardens were developed was originally part of the grounds of *Madford*, Wellington Street, the home of the King family. The seventeen sections of By-Law No. 45 were agreed to by Council on the 18 February 1908 and confirmed by the Lieutenant Governor in Council on 17 March. They predated the official opening of the Gardens by the Governor on the 9 April by under a month.



BY-LAW NO.45 – ALEXANDRA GARDENS
KHS

The local by-laws, printed on linen, were produced by the same company that had printed the amended first local government Act. No job was apparently too small for Arnall & Jackson. The new regulations would have been displayed above ground level in a glass fronted frame; a warning to all potential users of the venue to avoid unseemly behaviour, or to not commit indecent acts.

The application of By-law No. 45 can be observed in a case before the Kew Court in July 1920, involving a dispute between George Pockett, the curator of the Gardens and Edward Holland. The latter had attempted to load pruned roadside branches in his cart and drive away with them. In an ensuing scuffle with the curator, which ended in fisticuffs, the latter '... received a deep cut on the top of his head, wounds about the eyes and other injuries'. Fines, damages and costs were awarded to the curator. The altercation breached Item 10 of the by-law where: 'No person shall interfere or in any way hinder any caretaker gardener or any other officer of the Council in the prosecution of his duties'.

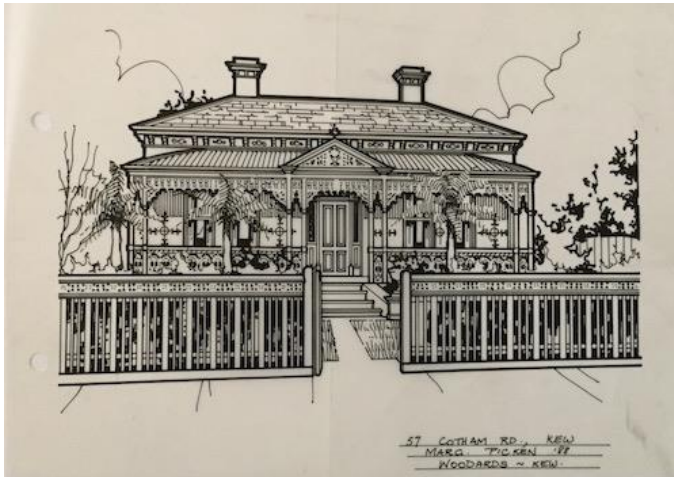
Laws, be they federal, state or local, may be contravened. *The Herald* in April 1908 reported that:

'The gates of Victoria Park have been broken. In the Alexandra Gardens, which were opened a few days ago, a quantity of gravel has been taken from the paths. The fish in the artificial lake were pelted with stones until some of them were killed.'

Predictably, the local constabulary were contacted to enforce By-Law No.45.

ROBERT BAKER, 2020

A SIGNIFICANT DONATION



At the end of June, the Society was contacted by Margaret Picken of Balwyn, who after training as a Cartographic Draftsman, was contracted as a property illustrator by a number of Melbourne real-estate firms during the period 1983-2005.

She wished to know whether we would like to accept a donation of her drawings of buildings in the district. An initial conversation established the extent of the drawings in her collection, which numbered in the thousands, mostly of properties in Boroondara, but also in other parts of Melbourne. After subsequent discussions, Marg agreed to sort the records and distribute relevant property illustrations to each of the historical societies in Boroondara. Apart from those that would be gifted to Heidelberg HS and Box Hill HS, I undertook, on behalf of Kew HS, to accept the remaining illustrations of buildings outside Boroondara.

While we have, since the 1980s, been collecting property advertisements, these cannot be published due to copyright constraints. In the case of the Picken Collection, the owner of the copyright of the drawings generously assigned this to the Society.

The property illustrations in the Picken Collection are invaluable assets for identifying the evolution of architectural features and styles. The year in which each was published is also a useful record for house historians, as a number of the buildings depicted have been altered or demolished since the illustration was created.

With the assistance of Brad Miles, Julie King and Margaret Robinson, we have been carefully cataloguing the drawings and adding each to Victorian Collections. We estimate that there are over 1,500 drawings in the collection gifted to the Society.

We are, like other members of the Boroondara Historical Societies Association, extremely grateful to Margaret Picken for her generous donation of these original drawings.

FROM THE COLLECTION

In addition to our extensive online presence on Victorian Collections, we occasionally highlight a particular item from our collection on our own website. Most items have a connection to Kew, either because they were created in this area or because they were owned and or donated by residents.

The item showcased below, is a *North Indian Scarf, embroidered with a needle, 1855-1879*. Donated by Janet Gibson, it is one of the finest textiles in our fashion and design collection.

Believed to be a scarf [or girdle], it was probably embroidered in Delhi. The base fabric is hand-loomed in fine wool, probably Kashmiri Pashmina and subsequently heavily embroidered by needle at the ends and sides with multicoloured silk thread surrounding the central rectangular black field. The highly detailed embroidery includes stylised images of foliage and flowers. There is old damage to parts of the textile, not unexpected due to the quality of the wool and the age of the garment.



A similarly embroidered scarf, with a green wool ground, is in the collection of the Victoria & Albert Museum, London. The V&A shawl had been transferred from the collection of the India Museum in 1879.

ROBERT BAKER

THE ALBUMS OF EVA GRANT

PHOTOGRAPHS AND DESCRIPTIONS OF HISTORIC HOUSES

The conventional wisdom shared among collecting organisations is that photographs, especially vintage ones, need to be individually housed in archivally-sound materials to prevent their deterioration. Typically, photographs are stored in mylar or polyethylene enclosures. Exceptions are sometimes made for albums, although there are risks involved in doing so, not least the capacity of photographs to be dislodged from original 'corners'.

The Society is fortunate to have in its collection a number of photographic albums compiled by former members. Three of these were created by Eva Grant of 64 Foley Street. What makes these albums significant is that they include photographs of historic buildings in Kew and more widely Victoria that are frequently annotated with detailed descriptions.

The pages of two of the scrapbooks have been photographed and can be viewed on Victorian Collections. Rather than digitise individual images, with the risk of their losing their original sequence, the principle of original order has been preserved. One of the three albums, which is devoted to historic built structures in Kew, includes photographs as well as illustrated newspaper articles. The album contains images of a number of buildings, often before and during demolition – Kew Railway Station in Denmark Street, *Ellesmere* in Princes Street, *Madford* in Wellington Street, and buildings in Kew Junction in 1958, taken during its widening.

Other pages include pictures and annotations of extant buildings such as *Field Place*, the former home of Francis Henty. Three photographs show its original gates, the front door, and a *Camellia Japonica* in the garden. After noting that Francis Henty bought the land in 1873, Eva Grant observes that the garden includes: 'Five camellias grafted at *Field Place*. Only three grafted specimens in the world. The others are in the Kew Gardens in London, and

Elsewhere in the newsletter (pages 7-8), Felicity Renowden describes the garden of Henry Henty, Francis Henty's nephew. While the grafted camellias might indicate a degree of horticultural competition between the occupants of the Henty houses, gardening and plant breeding was widespread among residents during the 19th century. G. Routley, the gardener of Francis Henty was awarded first prize for loquats at the Boroondara Horticultural Society's Annual Show in November 1880.

The second album, while including a number of photographs of houses in Kew, reveals that Eva Grant purposely toured to visit historic buildings in Victoria and interstate, or visited these as part of a wider itinerary. Some of these locations were close by, such as *Mayfield* in Abbotsford, built in 1841 and demolished in 1962. Five small but clear black and white photographs of this original McCrae house testify to what has been lost, and as such form a valuable record of the house.

The only colour photographs we have of Arthur Septimus King's house, *Madford*, are in these albums. The second of these, showing the grand and historic mansion being demolished, is especially poignant.

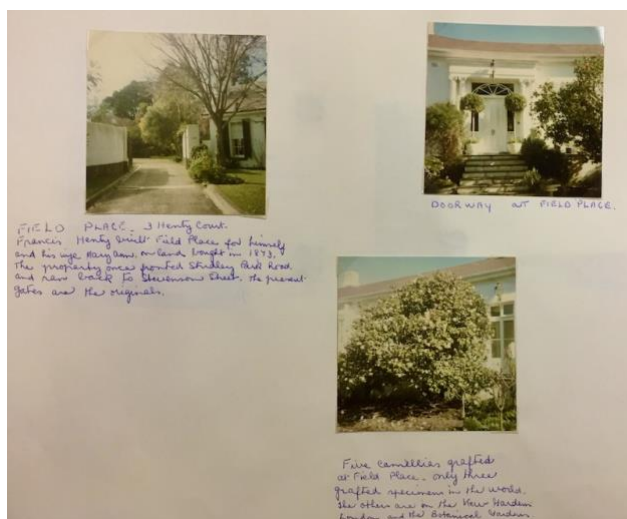


MADFORD (later St Anthony's Home for Babies) c.1977

In an era where the photographic album has largely been superseded by digital collections on personal computers, the physical permanence of the three Eva Grant albums guarantees that her interests and passions are preserved. Many of the structures she treasured have long since turned to dust.

Or, perhaps new remarkable edifices have been built where they once stood?

ROBERT BAKER



(Left) **FIELD PLACE**, Henty Court, Kew. c.1960

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MEMBERSHIP & DONATIONS

KEW HISTORICAL SOCIETY – KEEPING ALIVE KEW HISTORY FOR FUTURE GENERATIONS

The Society has operated continuously for over 60 years holding monthly meetings, conserving historical records and items, undertaking historical research, arranging public exhibitions and lectures, and giving guided tours. You can become involved and support the Society's work by becoming a member or renewing your membership and/or making a donation.

[Tick relevant boxes]

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- I/we agree to be bound by the rules of the society.
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