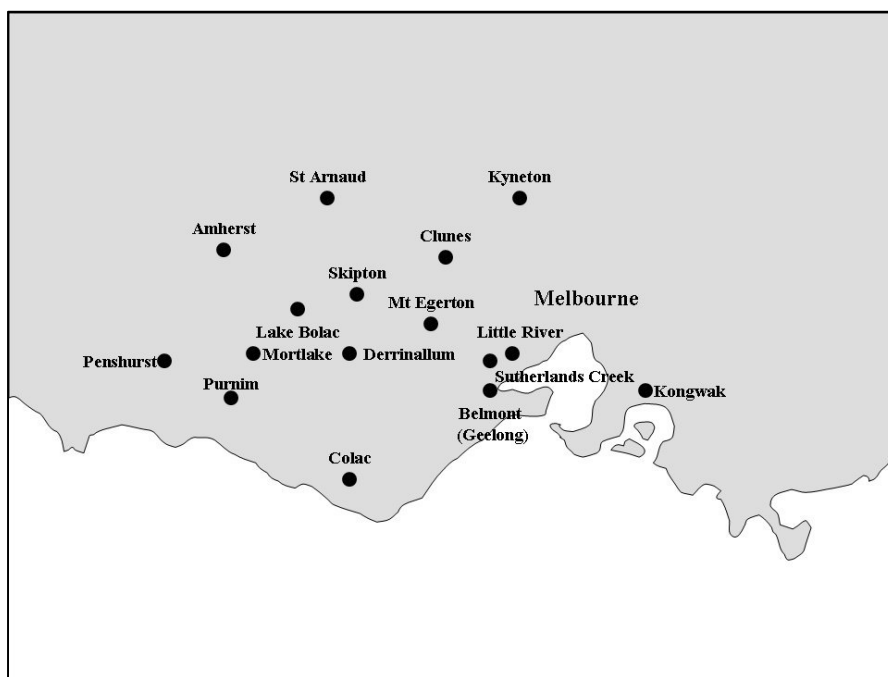


The struggle for land

4.1 General introduction

This chapter will establish the degree to which the Moidart Households were able to overcome the many obstacles and hardships encountered as they sought to obtain and retain a home, allotment or selection of their own in Victoria. It will follow individual Households as they strove to select land in rural Victorian counties or to purchase township allotments in Geelong and establish how the social and economic circumstances of the local communities in which they settled either assisted or hindered these endeavours. Members of the first and second generations of the Households settled individually or in clusters in various locations within the Colony as shown in the following map.



MAP 4.1: Settlement locations of many Moidart Households in Victoria.

By focusing on the 42nd Clause of the Amending Land Act 1865 and Section 49 of the Land Act of 1869 in particular, the chapter will demonstrate that few of these Households were able to select land, however, before the 1860s and for reasons that will be explained. The chapter will examine their struggles to hold the land successfully beyond the life of the original selector and test the conclusions drawn by Jane Beer in her research on the Portland Bay Highlanders that:

Numbers strove to acquire land but few sustained viable land holdings, the object of their early hopes. Few left property to pass to descendants.¹

Don Watson also supports this finding arguing that:

Small farmers would have to wait almost two decades for the *Selection Acts* to grant them access to the land; and few of them ever saw a return on the great labour they put into clearing marginal hill country. Nor, for the most part, did the succeeding generation.²

Evidence surrounding the possible transplantation of farming practices from the Highlands to Victoria will also be examined. Geoffrey Serle suggests that

¹ J. Beer, 'Land and inheritance' in Jane Beer, Charles Fahey, Patricia Grimshaw and Melanie Raymond *Colonial Frontiers and Family Fortunes - Two studies of Rural and Urban Victoria* University of Melbourne, 1989. p. 64.

² D. Watson, *Caledonia Australis. Scottish Highlanders on the frontier of Australia*, Random House Australia Pty Ltd, New South Wales, 1997. p. 176.

ownership of land contributed to an improved social status; “Land, more than anything else, signified new social status, was the hallmark of success;...”³

Therefore the chapter will determine whether or not the evidence is sufficient to draw any conclusions about the Moidart settlers regarding improvements to their economic and social status through the ownership of a home and land.

In order to set this enquiry into the context of the time, the chapter will begin by briefly summarising the history of occupation and settlement of land in Victoria by the early squatters and pastoralists between the late 1820s and 1855, the year when the Colony of Port Phillip was granted constitutional government.

4.2 Early Scottish settlement in the Colony of Port Phillip

Scots were amongst the early pastoralists in Port Phillip. George Russell was appointed manager of the Clyde Company in 1837 and was one of the early settlers from Van Diemen's Land.⁴ He brought a large amount of capital with him and selected his run at Leigh (Shelford) after exploring the lands around Geelong by foot and which he named ‘Golfhill’.⁵

Another Scot by the name of Aeneas Ranaldson MacDonnell arrived in Gippsland in 1841 having been forced to sell his inherited estate at Inverie, Knoydart in Scotland because of debt. He arrived with the expectation of

³ Serle, *The Golden Age*, p. 133.

⁴ *Ibid*, p. 39.

recreating the traditional clan system and way of life in Australia and bringing with him:

...a number of Clansmen, shepherds and agriculturalists, as well as a splendid stock of Scottish sheep and cattle and farm implements. The Chief's intention was to found a settlement and return to Scotland to arrange for the whole of his Clan and dependants to join him.⁶

He and his labourers worked hard to create a flourishing dairy herd and to establish a butter and cheese-making industry in Gippsland.⁷ But this endeavour failed, as, according to Watson, "Glengarry and his clansmen failed to transplant"⁸ and he returned home to Scotland in 1842.

By the mid-1840s there were 282 pastoral runs in the Western District alone.⁹ In 1850 the Separation Bill was passed in Britain. This Bill proclaimed Port Phillip a colony in its own right, separate from New South Wales. Port Phillip had prospered during the preceding years due largely to the expanding wool industry.

As Serle has noted:

⁵ Margaret Kiddle provides a detailed description of the family life of George Russell prior to his emigration to Van Diemen's Land in *Men of Yesterday* chapter 2, 'Men of the Old Country', pp. 14-27.

⁶ G. A. McCallum, 'Under the Southern Cross' in *Clan Donald Magazine*, Number 1, 1959. Online, <www.clandonald.org.uk/cdm01/cdm01a07.htm> (accessed 30.9.05).

⁷ Watson, *Caledonia Australis*, pp. 174-175. See also E. Richards, 'The Last of the Clan and Other Highland Emigrants', in T. Brooking and J. Coleman (eds), *The Heather and the Fern, Scottish migration and New Zealand settlement*, University of Otago Press, Dunedin, 2003. pp. 39-42.

⁸ Watson, *Caledonia Australis*, p. 175.

...almost the whole district was divided into nearly one thousand runs whose boundaries were unfenced and unsurveyed. Wool and wool products, worth almost one million pounds a year, amounted to more than 90 per cent of Port Phillip's exports.¹⁰

Much of this income was derived from the wool industry in the Western District and exported via the port at Geelong. David Wild notes that "In 1851 the wool exported from Geelong was valued at £150,000."¹¹ According to Wild the first sheep were brought to Geelong from Van Diemen's Land by Thomas Manifold in 1836.¹² The Manifolds were one of many Scottish farming families who took up land in the Western District. Kiddle maintains that "...at least two thirds of the pioneer settlers of the Western District were Scottish. Nearly all these were Lowland farmers,"¹³ Prentis, however, disagrees noting that Victorian squatters of Scottish origin came from both the Lowlands and Highlands of Scotland with evidence of squatters from Highlander backgrounds employing other Highlanders on their runs.¹⁴

This study confirms the research of Prentis in relation to the Scottish geographic origins of the squatters in Victoria. By 1852 there were a number of Scottish pastoralists and landowners living in the Geelong district including George Armytage on the Barwon River, Thomas Manifold on the Moorabool

⁹ Kiddle, *Men of yesterday*, p. 44.

¹⁰ Serle, *The Golden, Age* p. 2.

¹¹ D. Wild *The tale of a city Geelong 1850-1950* F. W. Cheshire, Melbourne, 1950. p. 29.

¹² *Ibid*, p. 27.

¹³ Kiddle, *Men of Yesterday*, p. 14.

¹⁴ Prentis, *The Scots in Australia*, pp. 94-5.

River and Thomas Chirnside at Werribee.¹⁵ An examination of the surnames of those who engaged Moidart immigrants includes the Scottish surnames of McCallum, Wallace, Cameron and Campbell. Other surnames of Scottish origin recorded on Disposal Lists include those of McLean and McPherson.¹⁶ Care must be taken, however, in assuming that these names were necessarily those of the actual employer as many squatters sent their pastoral run managers to the ports to hire labour on their behalf. Additional research is therefore required on these lists to accurately identify and separate the name of the squatter from that of his manager as well as his Scottish background including his Highlander or Lowlander origins.

4.3 The impact of the various proposals and Land Acts on land selection 1855-1864

On the 23 November 1855 the Colony of Port Phillip was given its new constitution and the following year elections were held to form the first representative government in the history of the Colony. The first parliament was opened on 21 November 1856 and wasted little time in addressing the question of land ownership. The demand for land by small selectors soon became the downfall of successive governments as they strove to ensure that the ownership of land was equitable for all. Several schemes were developed in an attempt to address this inequity.

¹⁵ See the 'Marco Polo', nominal passenger and disposal lists for examples of names and home locations of Western District squatters and landowners. VPRS 7666 Inward passenger lists-British ports, PROV, North Melbourne. Book 8, pp. 166-190.

¹⁶ See the Disposal Lists for the emigrant ships 'Araminta', 'Marco Polo' and 'Allison' in VPRS 7666, Inward Passenger Lists British Ports, PROV, North Melbourne. 250

The first was developed in December 1856 by the Surveyor General, Captain Andrew Clarke, who brought forward a new proposal following the 1847 Orders-In-Council. The main elements of this proposal included a division of Crown Lands into the three classes of town, suburban and country. The land in each class was to be sold by auction only and at a set minimum price of eight pounds for town land, one pound ten shillings for suburban and one pound for country acreages. Where there was an authorised occupant of country land, the occupant would be able to rent the land at two pence an acre. The Governor could issue leases for other land but only at public auction where all interested selectors could openly compete for the lease. An annual licence could also be given to selectors to occupy Crown Lands for purposes other than pastoral or mining and licences could also be given for the purposes of mining minerals other than gold and silver. These licences were to be issued at public auctions only. Squatters or 'pastoral occupants' were to be given a seven-year lease of their lands with the right to renew the lease automatically for another period of seven years.¹⁷

There was an immediate outcry against this proposal from both the squatters and selectors with selectors condemning the idea of sale of land by auction as they were without the means to buy land using this method. They demanded that the land be sold without prior surveying and that deferred payment for the land be introduced.

¹⁷ The term 'pastoral occupants' was used in the book, *Victoria the first century*, p. 127 as an alternative term for 'squatters', perhaps alluding to the writers' respect and admiration for the achievements of this group of settlers.

The Nicholson Act was passed by both Houses of Parliament in September 1860 and operated between November 1860 and June 1862.¹⁸ This was the first of a succession of Land Acts in Victoria and under this Act the selector could purchase up to 640 acres each year at auction and was required to build and reside in a residence on the land. As Kiddle notes, although selectors had the opportunity to acquire holdings of up to 640 acres, these small grants were not sufficient in acreage in the Western district to extract the profits needed to offset the costs associated with the required improvements to the land:

In these areas large acreages were necessary – not the 640-acre blocks actually granted. If the hypothetical Hamilton sheep farmer who was able to make a precarious profit of seventeen pounds, ten shillings on his 640 acres had instead been given a few thousand acres, his costs of fencing and other improvements would not have been greatly increased.¹⁹

This Land Act failed in its attempts to unlock the lands as most land put up for sale under this Act was bought by the squatters.

The Duffy Land Act followed in 1862.²⁰ Ten million acres were to be designated for agricultural purposes and at least four million of the ten were to be surveyed and made available for selection in allotments that varied from

¹⁸ For an outline of the conditions and debates surrounding this Act see J. M. Powell, *The Public Lands of Australia Felix* Oxford University Press, Melbourne, 1970. pp. 76-88, M. Cannon, *Life in the country*, Viking O'Neil, South Yarra, 1988, p. 129 and G. Serle, *The Golden Age*, pp. 296 - 300.

¹⁹ Kiddle, *Men of Yesterday*, p. 266.

²⁰ For a list of the obstacles for small selectors created by the government in relation to

between 40 to 640 acres. This Act failed disastrously for two reasons. The Duffy Act only prescribed the erection of a house or hut on the land and not residency. The squatters circumvented this requirement by erecting portable houses on the land and then moving these houses from one holding to the next. The squatters also used ‘dummies’ to bid on their behalf. ‘Dummies’ were often the employees of the squatter, friends of the squatter or family members. ‘Dummies’ were used to make a bid on behalf of the squatter for a selected acreage. In this way, the squatters ensured that their current acreage was retained.²¹

4.4 The struggle between squatter and small selector

The inequity of the land selection process between the squatter and small farmer can be seen clearly in the case of the district of Rothwell (later renamed Little River) near Geelong. In 1861 the population was said to be four persons and one inhabited dwelling but by 1865 the population of Rothwell was dramatically increased due to the fact that the “...the sale and leasing of land in the vicinity led to the establishment of a farming community, and by 1865, the population of the area was said to be 1,500, and the number of dwellings 160.”²² This sizeable population, however, was largely unable to secure any land of their own. Through the land sales and leasing arrangements, the small selectors and farmers held only 10,000 acres collectively while five squatters held 80,000 acres between them in the area.²³

this Act see Kiddle, *Men of Yesterday*, pp. 264-273 and Powell, *The Public Lands of Australia Felix*, pp. 88-118..

²¹ Ibid pp. 243-5.

Many Highlander families settled in this district and so it is of no surprise that with so many small farmers from Moidart and Lochaber living in the Rothwell district agitation for the establishment of commonage or common grazing land in Victoria began in this area. The designation of a common area of land for grazing purposes was part of the traditional crofting practices of the Highlands. The small farmers argued that the farming land at Little River was of such poor quality that the income made through cropping was insufficient and that common land was necessary to raise animals for sale to provide a supplementary income. As in the Highlands these farmers were faced with the difficult task of cultivating inferior quality soil and reliant on access to common grazing land to acquire additional income from the sale of their stock. This was not possible if the squatters in the district continued to run their flocks of sheep on the commons thereby forcing the farmers' cattle to starve. A Land Convention held in July 1857 supported the move by the Rothwell farmers to create areas of commonage. Three conditions related to future land sales were put forward by the participants. Firstly, they demanded that there be free selection of land in all districts at one uniform price without auction. Secondly, all unsold land should be amalgamated to create an open pasturage for the people to use free of cost and, finally, "no new pastoral tenancies be created when the land occupied under licence was resumed by the Crown."²⁴ By September 1857 the Bill was ready to be read for the third time. The Bill, however, failed to open up the land to the selectors as the squatters manipulated the details to ensure that they retained ownership of the land.

²² Wynd, *So Fine a Country*, p. 126.

²³ *Ibid.*

²⁴ The Historical Sub-Committee of The Centenary Celebrations Council, *Victoria the first century*, Robertson and Mullens, Melbourne, 1934. p. 128.

In 1858 farmers in the Little River district formed the 'Little River Farmers' Association' to "protect farmers' commons from the depredations of Squatters Grant and Chirnside".²⁵ The Association was actively involved in fighting for the rights of farmers over pastoral tenants in relation to the use of gazetted land set aside for commonage purposes. At the same time a new proposal which included commonage rights was developed for consideration by the next Parliament by John O'Shanassy in 1859. Its main elements included the creation of farm lots of no more than 320 acres to be made available for sale at one pound an acre. All town land was to be sold by auction and, once again, it was proposed that all unsold land was to be used as free commonage. Towns and goldfields were to be given use of any adjoining crown land as common pasturage and, importantly, all pastoral tenants were to receive an annual licence only, to hold their land.²⁶ These proposals were rejected.

Writing about the appropriate use of commonage in 1861 the *Geelong Advertiser* noted that a meeting had been called at Little River in order to protest about re-leasing of commonage land in the Counties of Bulban and Wordi Youang back to the previous occupiers Messrs Grant and Chirnside.²⁷ The government official who re-leased these lands argued that Grant and Chirnside had a right to the land as it was not part of the Farmer's Common. The assertion that the land had been re-leased was later proven to be incorrect and the right of access to commonage by the local farmers was acknowledged and confirmed. This was achieved by referring firstly to information provided

²⁵ Wynd, *So fine a country*, p. 80 and *Geelong Advertiser and Intelligencer* 23 October 1858 and 26 April 1861 (no page numbers recorded) for references to the Little River Farmers' Association.

²⁶ See The Historical Sub-Committee of The Centenary Celebrations Council, pp. 128-9.

by the Government Surveyor Mr Skene and secondly, through a meeting held between a deputation sent by the Little River Farmers' Association and the President of the Government Department of Land and Works. The deputation included two Lochaber Scots by the names of McMaster and Macintosh.²⁸ Their political activism was indicative of a new awareness and willingness to fight issues of perceived injustice via government authorities and to overcome the resistance of the pastoralists. Their actions may have been perceived as foolhardy, as several of the people involved were employed by the Chirside family at Werribee.²⁹

In contrast to the situation in Scotland, the Little River farmers were not prepared to put up with the actions of the landowners and they fought for rightful access to the land. Their determination to win demonstrates that the former crofters of Moidart and Lochaber no longer saw themselves as 'victims' and dependent on the goodwill of the proprietors. Victoria provided a new sense of autonomy and independence free of the traditional Highlander relationship between small tenant and landowner. The resistance continued and in 1859 the farmers met to "recommend the cessation of further licensing of Crown lands to squatters, so that the farmers could use the unsold or waste-lands to graze their cattle."³⁰

²⁷ Correspondent un-named for article titled 'Little River Farmers' Association' *Geelong Advertiser and Intelligencer* 26 April 1861. Page number not recorded.

²⁸ *Ibid.*

²⁹ See list of employees entered in the Wages Book (Box 2417) by Robert Chirside. Three members of the McIntosh family from Little River are included amongst the names. R. Chirside, *Papers and records*, Manuscript 11127, Boxes 9, 25/4, 3/1, 24/9 and 24/10. Australian Manuscripts Collection, State Library of Victoria, Melbourne, 1830-1902.

³⁰ K. N. James (ed), *Werribee: The first one hundred years*, The Werribee District Historical Society, Werribee, 1985. p. 37.

Finally the Government responded to the agitation of the farmers and on 8 March 1861 proclaimed the Little River Farmers' Common. The Common consisted of 20,000 acres of unsold land and was available for the grazing of animals of farmers living within five miles of the boundary of the Common. The successful outcome resulted in additional commons being established at the You Yongs and at Fyansford. Each common was governed by a committee of management who decided the rate of the fees to be paid for use of the common. The creation of the official, government sanctioned Common at Little River, however, did not end the conflict between the farmers and squatters. The squatters continued to graze their sheep on the common land and increased the anger of the farmers by impounding their cattle.

On one occasion the cattle were impounded by Donald McDonald, a Highlander who worked on behalf of Robert Chirside to impound cattle he found trespassing on Chirside land:

...114 of Mr Lascelles' cattle being found trespassing on Mr Chirside's river I hereby release said cattle by giving an order on Mr Lascelles for one shilling p. head.

Witness my mark

Donald McDonald

R. Chirside Witness³¹

³¹ Ibid. 1862 Diary, 11 August 1862, Werribee. Diaries of Robert Chirside, Box 2/9. In this case, however, I am unable to identify Donald McDonald as a Moidart Householder. 257

The agitation of the farmers increased and the government finally prohibited the pasturing of the squatters' sheep on the Common in August 1861. The difficult relationship between farmer and squatter at Little River and ensuing struggles continued well into the next decade further provoked by the action of the Chirnside family to enclose public roads on their Run thus preventing local access to the roads. The long struggle and agitation eventually resulted in the granting of common land as part of the land reform that occurred through the Duffy Act of 1862.

One important similarity between the Colony and Scotland may be found in the understandings demonstrated by the farmers as to how best to farm and use the land for maximum production. According to Kiddle, many people in the Colony lost the lease of their land because they did not understand how to manage the land, especially in times of severe drought or in areas where the soil was deficient in minerals:

Many bitter years passed before those who granted the lands realized that not only larger acres were often needed, but that farmers had to be told how best to use their land.³²

At the same time the farmers, recognising the deficiency of the soil on many of the acreages, utilised skills and knowledge to improve their substandard soil. One Highland agricultural practice cited by Wynd refers to farmers incorporating seashell into the soil as fertiliser (as they did in the Highlands and at Moidart). According to Wynd, a farmer by the name of Michael

Cummins was the first to use seashell from Corio Bay as fertiliser on his land.³³ Other farmers at Duck Ponds (today known as Lara) supplemented their incomes by baling seaweed and selling it to upholsterers in Melbourne thereby recognising the value of a product once gathered on the shores of the Highlands as a new source of potential income in Victoria. Although there is no evidence to support the claim that these practices were directly transplanted from the Highlands, the presence of many farmers of Highland origins farming in these localities lends weight to this possibility. Once again this demonstrated the resourcefulness of the Highlanders:

In 1874 thirty-five bales were despatched from the Duck Ponds station (the consignment fetched two pounds, ten shillings a bale) while someone else was using a small vessel to take seaweed direct to the capital.³⁴

These actions demonstrate that the farmers did not acquire land holdings in ignorance and are an example of the adaptability and resourcefulness of these farmers in their new environment.

Selected land in Australia could be paid off under conditions related to residency and improvement unlike the situation in Scotland where land was continually rented regardless of how well the crofter may have improved the productivity of his croft. The small selector in Australia had to bear all the costs himself if he chose to make swamp areas, or other unproductive parts of

³² Ibid.

³³ Wynd, *So fine a country*, p. 56.

³⁴ Ibid, p.84. See also the *Geelong Advertiser and Intelligencer* 5 March 1874 and 3 September 1874.

his selection, productive. All this increased the costs and financial burden.

4.5 Household settlement in the County of Grant

Of all the counties in the Colony in which land was selected by the Moidart Households, the County of Grant is possibly the most important. The County contains approximately 50 parishes of which the three rural parishes of Yowang, Kerrit Bareet and Ballark and the urban parish of Barrabool (covering Belmont in Geelong) are the most significant for this research. Eleven Households either lived at some point or eventually settled in this County – seven in Barrabool, two in Kerrit Bareet and two in Yowang. The Orders-in-Council signed in 1847 divided all the lands of the Colony of New South Wales (including the District of Port Phillip) into three types of districts; settled, intermediate and unsettled.³⁵ The county of Grant fell into two district types; settled and intermediate, as part of Grant lay within Geelong and part outside the township.

The strong kinship networks that continued to exist in Australia can also be seen in the many Household members who chose to return to Grant following the death of a partner to live out the remaining years of their lives close to relations and friends. Mary McDonald (daughter in Household 23), for example, returned to live in Geelong residing firstly in Waterloo Street and later in Wellington Street for a total of 37 years following the death of her

³⁵ For a comprehensive description of the contents and effects of The Orders-in-Council, see Chapter 1, 'The Orders-in-Council' in Billis and Kenyon *Pastures new* pp. 8-14. 260

husband Archibald (son in Household 21) at Burrumbeet in 1889 where they were living.³⁶

The analysis of the experiences of the Moidart Households in the County of Grant will be undertaken in two parts: firstly the experiences of those Households who settled in the urban parish of Barrabool followed by the experiences of those who chose to settle in the rural parishes of Yowang, Kerritt Bareet and Ballark.

4.6 Settlement in the urban Parish of Barrabool (Belmont) Geelong

Geelong, as the major port serving both residents and industry in the Western District, was in the midst of a population explosion at the time of the arrival of the Moidart Households in 1852. According to Wild, 'Geelong's population...increased from less than 9,000 in 1851 to more than 23,000 by 1854.'³⁷ This increase resulted in the erection of 2,000 houses in Geelong in 1854 alone bringing the total number of houses to 5,949 of which it was estimated that 865 were empty.³⁸ Wild concludes that this population growth and the accompanying increase in the construction of buildings, was largely due to employment generated by the wool industry:

³⁶ In the Will and Codicil of Mary McDonald late of Wellington Street Geelong West in the State of Victoria Widow deceased, VPRS 28/P3, Unit 1620, File 206/635, PROV., Melbourne.

³⁷ Wild, *The tale of a city Geelong 1850-1950*, p. 16.

³⁸ *Ibid*, p. 26.

If Geelong had not been the centre of a wool growing district, the end of the first gold fever would probably have reduced our town to the dimensions of a fishing village.³⁹

Within two years of their arrival several Moidart Households were in the position to purchase land and a ready-built house in Belmont. In 1852 the area known as Belmont was part of the Parish of Barrabool. A significant proportion of the land in Belmont was privately owned by Dr. Alexander Thomson.⁴⁰ In 1854 much of his land at Belmont was offered for public sale. The land had been subdivided into lots and was described in the following way by the auctioneer, J. B. Hutton:

Firstly, the township of Belmont, on which 24 cottages have recently been erected, the greater number having four rooms and a hall, and others of two rooms each; also 150 building allotments fronting the principal street of the same town, through the centre of which runs the main Government road to Colac.⁴¹

The description in the newspaper continued by stating; “all the new houses erected thereon are on good sized allotments of ground.”⁴²

³⁹ Ibid.

⁴⁰ See R. H. Croll, *Dr Alexander Thomson - a pioneer of Melbourne and founder of Geelong*, Robertson and Mullens, Melbourne, 1937 and C. Cumming 'Vision and Covenant-Scots in Religion, Education and Politics in Port Phillip 1838-51' Unpublished PhD Thesis, Deakin University, 1988. p. 56.

⁴¹ W. R. Brownhill, *The History of Geelong and Corio Bay*, The Geelong Advertiser Pty. Ltd., Geelong, 1990. p. 62.

⁴² Ibid.

Entries in the 1854-5 rate books for the Kardinia Ward, Borough of South Barwon, reveal that five Moidart Households bought allotments and homes in Regent and Church Streets in Belmont. Both streets were part of the Thomson estate. All were weatherboard cottages comprising one, two or four rooms.⁴³ An analysis of the descriptions of these dwellings described in wills and probate documents, reveals that most dwellings comprised two or four rooms suggesting that they were most likely to have been purchased as part of this sale.

According to rate book entries many of the original owners were still resident in these streets 20 years later demonstrating their ability to both find and hold ongoing employment with sufficient levels of income to support family members as well as pay rates.⁴⁴ Maning and Bishop described Belmont and Marshalltown in 1882-3 as 'small townships on the River Barwon, the residents of which find employment chiefly in the industries located on the river.'⁴⁵ The rateable value of each house was calculated according to the number of rooms. The rates on the home of John and Mary McDonald (Household 16) of Regent Street, a weatherboard house of one room, were assessed at £16 annually.⁴⁶ John was required to pay this amount in two instalments of eight pounds each. John and Mary lived at this same address for approximately 50 years managing to pay annual rates during this time. Allan

⁴³ Ibid.

⁴⁴ See the Borough of South Barwon *Rate Books 1863/4 - 1872/3* Film box 767, Geelong Heritage Centre, Geelong for evidence of the continuing ownership and occupation of homes beyond 1854-5.

⁴⁵ F. B. Maning and W. Bishop, *Geelong and Western District Directory for 1882-83* Self Published, 1883. p. 4.

⁴⁶ Ward number 2087, Regent Street, Belmont. *Rate Book for the Kardinia Ward* Borough of South Barwon 1854-5, Film 34, Reel box 981, Geelong Heritage Centre, Geelong, 1854-5.

and Mary McDonald's (Household 19)⁴⁷ home of two rooms was assessed at £26. They too, lived at this address until their deaths in the mid-1890s. If these Households did purchase their homes in Belmont at the 1854 sale this would suggest that Household members had worked hard managing to achieve financial stability within two years of their arrival suggesting that home ownership was a high priority.

In 1898 the Roslyn Estate at Belmont was subdivided into six-acre blocks and offered for private sale. The accompanying map for this sale recorded allotments three, four and five as being owned by a John McDonald.⁴⁸

Whilst the above examples of household ownership demonstrate a degree of stability other Households were more mobile and moved addresses several times in Geelong during their lives. In 1854-5 Michael and Mary McDonald (Household 20) purchased and settled in a two roomed, weatherboard house in Marshall Street, Chilwell. This was a significant achievement for a man who had emigrated as a cotter from Scotland and therefore without financial means. In addition he and Mary arrived with a family of seven children aged from one year to sixteen years in age. Unlike many of the other males Michael was aged 50 years on arrival. According to the Kardinia rate records Michael was paying annual rates on this property of £26.⁴⁹ At the time of Michael's death in 1874 the family was living in Austin Street, Chilwell. Mary was still living at Austin Street when her daughter Flora died in 1877. When Mary died in 1898 she was

⁴⁷ Ibid, Ward number 2125, Church Street, Belmont, 1854-5.

⁴⁸ A. L. Campbell Roslyn Estate, Belmont. *Plan of subdivision* part of crown portion 9, Parish of Barrabool, 1898.

⁴⁹ Ibid, Ward number 1881, Marshall Street, Chilwell, 1854-5.

living at 42 Kilgour Street, Geelong.⁵⁰ Her daughter Catherine remained at this address until her death in 1925. This mobility may have been due to Michael's occupation as a carpenter and difficulty in obtaining ongoing, secure employment owing to his age.

An analysis of the pattern of settlement in Belmont demonstrates that two Households who lived next door to each other in the crofting township of Scardoise purchased allotments next door to each other in Church Street.⁵¹ Other Households settled in the same street or in adjoining streets. Eight households named McDonald settled in Regent Street, six in Church Street and four in Belmont Street all between 1854 and 1861. Those who settled in Church Street included Households 14, 18, 19 and 29. Regent Street became the home of Households 16 and 20 whilst Households 11 and children from Household 29 moved into Belmont Street.⁵² There are several reasons that may explain this settlement pattern. The Households had only been in Geelong for two years to this point. Close, familial relationships were still seen as an important source of cultural and linguistic support. The opportunity for Households to select and purchase ready built homes and to live in close proximity to each other replicated the organisation of dwellings in crofting townships and the opportunity to continue to live in this way must have been a great enticement to settle together. Of further interest is the fact that, apart from

⁵⁰ Births, deaths and marriage entries, *The Geelong Advertiser* 26 September 1898, Geelong.

⁵¹ Adjoining Wards 2124 and 2125 in Church Street were owned by Allan 'Cliff' McDonald and his wife Mary and Allan 'Ban' McDonald and his wife Isabella. Both Households were originally from Scardoish, Moidart although they left at different times and travelled separately to Australia. It is unclear from the rate book entries as to which Household lived at which Ward number.

⁵² See, Borough of South Barwon 1854-5, *Rate Book for the Kardinia Ward*, Film 34, Reel box 981, Geelong Heritage Centre, Geelong as well as probate documents and Wills for each Household.

the Moidart homes, many of the other residents in these streets were most likely of Highlander descent. Residents with the surnames Robertson, McLean, McKenzie, Cameron and McKinnon were also living in Church Street in 1854-5.⁵³ An examination of Wills and probate / administration documents confirms that these close familial relationships extended over a period of years with the majority of Household members leaving both real and personal estates to parents, siblings or children. The home at 42 Kilgour Street in Geelong was occupied first by the widow of Michael McDonald, Mary, and following her death, then by her daughter Catherine, her granddaughter Maggie and finally by grandson Archibald. However, this familial sequence of occupation was not always the case. Allan McDonald (Household 11) left his home in Church Street, a block of land and personal estate to the parish priest of St Mary's Catholic Church in Geelong "to be distributed by him in charity as he in his own unfettered discretion shall deem advisable".⁵⁴

Not all Households were able to settle with financial security and independence. For one Household in particular, life in Belmont was difficult and lived out in poverty. Archibald and Catherine McDonald (Household 17) settled in Hovell Street, Belmont. Thirteen years after their arrival Archibald died leaving a young family in destitution:

Senior Const. Harkins No. 544 reports for the information of the Superintendent that a man named Archibald McDonald aged 45 died at

⁵³ Borough of South Barwon 1854-5, *Rate Book for the Kardinia Ward*, Film 34, Reel box 981, Geelong Heritage Centre, Geelong, 1854-5.

Belmont this morning destitute [and] his family are unable to defray his funeral expense. They have been receiving aid from the poor box at South Barwon for some time past. The Deceased is a Scotchman and a Roman Catholic.⁵⁵

This appears to be a different situation in the case of their children. In 1887 Donald Thomas McDonald, a son of Archibald and Catherine who was employed as a currier, died at aged 28 leaving an allotment of land at Lorne and a personal estate to be shared amongst his mother and siblings.⁵⁶ Two other sons, Alexander and John, acquired freehold land in Belmont and Lorne, the Belmont allotment containing a seven-roomed weatherboard home owned by John. At the time of his death in 1910, John left three properties (including two houses) in Belmont to his widow including a mortgage on one home and a bank overdraft. His brother Alexander lived in one property rent-free as did a son of John in the other. John was living in McKillop Street at the time of his death but curiously this residence was not listed as part of his estate. This evidence of incurred debt (£376 in total) alongside rent-free residency for family members suggests that ensuring familial security remained a high priority for this Household 58 years after their arrival.⁵⁷

⁵⁴ In the Will and unadministered Estate of Allan McDonald late of Church Street Belmont in the Colony of Victoria, Labourer deceased, VPRS 28/P, Unit 895, File 70/366, PROV, North Melbourne.

⁵⁵ S. C. Harkins, *Applications to the Superintendent Geelong Police Department for Pauper Burials December 1856-February 1892*, Volume 1, Numbers 1-160, Geelong Family History Group, Geelong, 1865.

⁵⁶ In the Estate of Donald Thomas McDonald late of Belmont near Geelong, in the Colony of Victoria Currier deceased intestate, VPRS 28/P/0002, Unit 000431, File 35/395, PROV, North Melbourne.

⁵⁷ In the Will of John McDonald late of McKillop Street, Geelong, in the Colony of Victoria, Wool-classer, deceased, VPRS 28/P/3, Unit 148, File 116/798, PROV, North Melbourne.²⁶⁷

This may have been of greater importance to the second generation who had greater earning capacity. Investment in real estate became a practice that was evident in several Households. Ownership of real estate represented security, a state of independence free from landlords and permanence, something that was not possible in Moidart. It also provided a means by which individual members could invest their finances to provide for elderly parents and siblings at a later stage.

By 1863 the entries in the Kardinia Ward rate books began to include the occupation of the owner of each dwelling. In the case of the Moidart Households the main occupation listed was that of 'labourer'.⁵⁸ Other residents in these streets included a quarryman, cowkeeper, contractor and carpenter. In the main the Highlanders continued to work in unskilled occupations unable to change this to any great extent but managing to achieve economic security for themselves and their children. It is interesting to recognise that the male heads of seven Households managed to adapt to employment in an urban rather than rural setting.

The evidence suggests that successive generations in the one extended family were often financially successful. John's nephew Alexander (son of Donald and Anne – Household 29) also acquired land which he held as three vacant allotments; two in George Street, Belmont and one in Belmont Street,

⁵⁸ See entries for seven Moidart Households in Hovel, Church, Belmont and Regent Streets Belmont where all occupations listed for each owner is that of "labourer". Borough of South Barwon, *Rate Books 1863/4 - 1872/3*, Film box 767, Geelong Heritage Centre, Geelong. pp 1-19.

Belmont.⁵⁹ He was employed as a wool classer and left a real and personal estate valued at £1,637 reflecting a life of hard work and thriftiness in savings. Upon his death all assets were distributed within his family amongst his siblings, nieces and nephews.

4.7 Settlement in urban parishes in Geelong other than

Barrabool

Other Households settled in neighbouring areas to Belmont. John and Isabella McDonald (Household 1) lived across the Barwon River from Belmont in Bellerine Street, South Geelong. Bellerine Street was also the home of Angus McDonald. It is not clear whether or not there was any relationship between these two Households and whether the two families lived at the same address. John McIver, a teacher at the Gaelic schools in Ballarat and Geelong lived in Geelong.

Single females from Moidart Households also acquired property and financial security of their own as the following example demonstrates. It also shows the degree to which women were concerned about the security of younger female members of their extended family by the way in which real estate was passed on between female family members on occasions avoiding the patriarchal mode of inheritance usually present amongst these Households. For example, Flora McDonald left two four-roomed weatherboard houses to her mother on her death; one in Fyans Street and the other in Waterloo Street. As mentioned

⁵⁹ In the Will and Estate of Alexander Joseph McDonald late of Belmont Street, Belmont near Geelong in the State of Victoria Woolclasser deceased, Probate Jurisdiction and Consent of

earlier Mary McDonald (daughter of Household 23 and married to son of Household 21), returned to live in the Parish of Moorpanyal, Geelong, following her husband's death. Mary lived in Waterloo Street with her daughter Flora and then later moved to Wellington Street in West Geelong. This move may have been precipitated by her daughter's death in 1916. Mary left this inheritance from her daughter Flora in two equal parts; one half to her sister Catherine Kennedy and the second half to her seven nieces. Her sister predeceased her and so the Will was altered to give Catherine's share to her three children Sarah, Annie and John Kennedy in three equal parts. To do this the properties in Waterloo and Fyans Streets were both sold with Catherine's children each receiving £115. Mary's nieces each received £57 from the estate. The estate was sold and the two properties moved out of the family's ownership. It is not clear how Flora acquired this real estate or why her mother Mary was living at a third address when she died. Mary's niece was renting the Waterloo Street house and the other home was also being rented as the Inventory for Mary's estate records the collection of outstanding rents on both properties. Of interest is the fact that Mary's estate paid outstanding nursing fees for her niece renting the Waterloo Street house.

Several members of the Moidart Households became licensees of hotels in Geelong. Donald McDonald (Household 14) was also a Licensee and held the license of two hotels in Geelong before he took up farming at Connewarre. He held the license of the Belmont hotel (later called the Racecourse hotel) from 1894 to 1901 and then took over the license of the Caledonian hotel (later

known as the Good Woman hotel) in Little Ryrie Street between 1902 and 1906 when he moved to the farm.⁶⁰ A relation by the name of Allan McDonald (Household 14) was living as a resident in the hotel at the time of his death in 1906 again showing the strong kinship relationships that existed well after the arrival of the Households in 1852. No doubt these two licenses provided Donald with the financial means to purchase land. At the time of his death Donald left a farm of 240 acres with an eight roomed, weatherboard home, stock, machinery and sheds. His estate also contained three allotments of land, two of which were in Belmont (including one in Church Street) and the other in O'Farrar Place, Geelong.⁶¹ Roderick McDonald (Household 18) was the licensee of the Star hotel (Rising Sun hotel) in 1889-90 when the license was transferred to a Rose McDonald. It is possible that the Licensee of this same hotel between 1860 and 1863 by the name of Allan McDonald was Roderick's father.⁶²

Many of the Households elected to remain in Geelong and purchase an allotment and dwelling in an urban setting. The following section of the chapter will demonstrate how those who settled in rural parts of the Colony and selected land under the Grant Land Acts encountered many hardships as they strove to generate sufficient income from their minerally deficient and inadequate acreages.⁶³

⁶⁰ I. Wynd and W. J. Morrow, *Geelong hotels and their licensees*, Geelong Historical Society, Geelong, 1996. pp. 45 and 29.

⁶¹ In the Will of Donald McDonald late of "Oaklands Farm" Conewarre, in the State of Victoria. Farmer deceased, VPRS 28/P/3, Unit 312, File126/233, PROV., North Melbourne.

⁶² Wynd and Morrow, *Geelong hotels and their licensees*, p. 49.

⁶³ Twenty Moidart Households owned one or more dwellings either on their selected land or in Geelong by the mid-1860s.

4.8 Land settlement by the Moidart Households under the 1865 and 1869 Land Acts

Application documents to select land were completed by the members of at least thirteen Households under both of the Grant Land Acts of 1865 and 1869.⁶⁴ A search of the original applications made by members of Moidart Households for crown selections reveals that the majority of the applications, however, were made in the late 1860s to early 1870s under the 1865 Land Act. No doubt many of the younger men involved had made small fortunes on the goldfields or in other fields of employment and were eager to use the money to purchase a small holding of their own.

An examination of the contents of these applications shows that by the time they were able to purchase the land as freehold, many had met the fencing requirements, erected a dwelling, dug wells and cleared and cultivated part of their acreage as required by the 1865 Act. Several holdings also increased dramatically in size and value when the selections of the second generation were added to the initial Household grant.

4.9 Land settlement within the rural parishes of the County of Grant

The members of several Households managed to select land in parishes within

⁶⁴ The Households for which I have found evidence of Crown Grant applications are: Households 5 (4 individual applications), 6 (4), 11 (1), 14 (2), 15 (1), 17 (2), 18 (1), 20 (1), 21 (2), 22 (2), 25 (4), 29 and 31 (1). Many of these same Households also had erected a dwelling in compliance with the Act.

the County of Grant some under both the 1865 and 1869 Grant Land Acts whilst others took up land solely through the 1869 and later Acts. Their experiences, the difficulties encountered and resultant outcomes are described in relation to the legislated conditions imposed by both Acts in the following section of the chapter. As can be seen in the following table, land or housing was obtained within nineteen parishes with the majority of purchases taking place in Belmont, Geelong.

Table 4.1: Moidart Household land selections or real estate purchases by Parish, number of selections and Land Acts.

Number of selectors	Parish	Number under the 1865 Land Act	Number under the 1869 Land Act	Total number of selections or home purchases in parish
4	Moorpanyal			5
3	Kerrit Bareet			5
3	Yowang			3
1	Darriwell			1
12	Barrabool			17
2	Lorne			1
1	Wonthaggi North			1
1	Connewarre			1
1	Yalimba			1
1	Darkbonee			1
1	Toorak			1
1	Parupa			1
1	Corio			1
1	Benalla			1
1	Murtcain			1
2	Learmonth			2
1	Hampden			1
1	Clunes (find parish name)			1
1	Ballark			1

Source: Municipal council rate books, parish maps, wills and probate records.

Several of the heads of Households were advanced in age on their arrival in Port Phillip and so taking up a selection of their own was only possible when labour was shared between members of the Household. This was the position for Donald McDonald (Household 6), his wife Anne and their sons Ewen, John, Donald and Angus who arrived on board the Allison. Father and sons were successful applicants under the two Land Acts of 1865 and 1869.⁶⁵

A crown grant of 20 acres was obtained by Donald McDonald at the age of 59 at Mt Wallace, between Mt. Egerton and Gordon, in the Parish of Kerrit Bareet, on 7 June 1865, (allotment 17 of section 13) under the 1865 Act.⁶⁶ Application forms reveal that sons John and Ewen also selected adjoining allotments 15 and 16 to their father's on the same day with all three allotments totalling approximately 60 acres. Hellier claims that "Donald and his sons worked the land as it had been worked back in Scotland, sharing common grazing lands and supporting unmarried sisters."⁶⁷ Ewen and an Angus McDonald (see footnote 55) selected three additional allotments at Mt Wallace the following year, possibly adding a further 58 acres of land to the estate.

⁶⁵ Donald and Anne also had a son named Angus who was a twin of Ewen. Their sister Margaret married an Angus McDonald (son of Household 17). An Angus McDonald also selected land at Mt Wallace (allotment 25, section 13, Parish of Kerrit Bareet) adjoining that selected by Ewen (allotments 26A and 26B, section 13, Parish of Kerrit Bareet). Both selected their land in 1866. I am not able to determine from the correspondence files whether the Angus involved is the brother or brother-in-law of Ewen. See pages 290-291 in this chapter for further information related to Angus and Margaret McDonald.

⁶⁶ Application under the 42nd section of the Amending Land Act 1865, correspondence file 65/1276, Donald McDonald, 7/6/1865, VPRS 624 Land Selection Files, Section 42, Land Act 1865, PROV., North Melbourne.

⁶⁷ D. Hellier, 'The Humblies: The emigration of Highland Scots to Victoria in the 1850s via the Highland and Island Emigration Society', Unpublished MA Thesis, The University of Melbourne, 1983. p. 184.

In 1865, in an effort to thwart the squatters, James MacPherson Grant, the Minister for Lands, introduced a new Land Act. Thirty-six Land Offices were set up across the Colony to deal with the applications. The plans of each area opened for selection were published and 140,000 copies were sold at sixpence per copy by December 1865.⁶⁸ It was doomed to failure because the conditions placed on the poorer selectors were too demanding. These conditions included five-year leases with an annual rent of two shillings an acre, residency by the selector on the land for a period of three years and improvements to the land in the form of the clearance of vegetation or fencing for example, to the value of one pound per acre. At the end of three years, however, the lessee had the right to purchase the land at the price of one pound per acre.

By the time Donald McDonald applied to purchase his selection as freehold in 1871 he had built a house and resided on his land for the required three years, erected three chains of three-railed fencing and 25 chains of log fencing and built stock yards. He had also managed to clear and cultivate 15 of his 20 acres thus fulfilling the requirements of the 1865 Act. At the time of his death in 1876, eleven years after selecting land and at the age of 70, his land and chattels were valued at £170 in total.⁶⁹ This was a great achievement for a man who had arrived in Australia aged 46 and with a wife and eight children all under the age of 18 to care for.

Donald's son, Duncan also selected land in 1865 and followed up this selection with a further application in 1873 under the 1869 Act. Duncan's experience is

⁶⁸ Quoted in Powell, *The Public Lands of Australia Felix*, p. 122.

of interest as it involved difficulties faced by many selectors in relation to the original surveying of the land and the quality of the soil and illustrates why so many selectors abandoned their land shortly after taking it up.⁷⁰

Firstly Duncan was able to place posts with the notice of intent to select on this allotment of land in 1873 because the original selectors (Thomas Herring and Margaret Scott) did not pay the survey fee and declined to take up the selection. Their selection application was therefore cancelled providing Duncan with this opportunity. Secondly, Duncan's application to purchase the land was held up as he refused to pay the survey fee as well, believing that the survey itself was defective and the fee excessive. Correspondence attached to his file states that, following a meeting with himself, the contract surveyor and a Land Office official at Geelong in November 1874, the surveys undertaken on this and adjoining allotments were indeed found to be defective and, accordingly, the survey fee was returned to Duncan McDonald.

The diagram of the land selected by Duncan showed that most of it was swamp, suitable only for grazing and unsuitable for cultivation of any kind. Duncan was successful, however, in turning his swampy selections into land suitable for grazing sheep but others were not so fortunate:

In the case of inferior land selected people soon abandoned it – unable to cultivate it and the squatter's sheep and cattle feed over it. He has no

⁶⁹ In the Will of Donald McDonald late of Egerton in the Colony of Victoria (Statement of Assets and Liabilities), VPRS 07591/P/002, Unit 000038, File 17/210, PROV, North Melbourne.

⁷⁰ See correspondence and notes attached to Schedule 1, Application for License under Part 11 of "The Land Act 1869" by Duncan McDonald, VPRS 625/P/0000, Unit 000012, Correspondence file 74/608/19.20, December 1874, PROV, North Melbourne.

rent to pay and chances are it will never be selected again.⁷¹

Like Duncan, many selectors fell victim to the impoverished condition of the soils. Such was the degree of concern about the selection of inferior land that a suggestion was put forward to Victoria's legislators in 1870 to partition off the inferior parts and to reserve these as commonage until all superior lands had been selected.⁷² Perhaps this Household was successful in obtaining and holding land because of the number of working age sons within the family and the fact that labour was pooled enabling the Household to overcome difficulties and to enable the large tract of land to be fenced, grazed and cultivated. Their skills and experience in working with sheep no doubt assisted them to manage this form of farming. Eldest son Duncan applied later for another selection at Kongwak (near Mornington) whilst retaining his Mt Wallace selection. This application will be examined in the next section of the chapter.

Individual Household members became financially successful in other work earning the means to either select an initial grant or add further acreage to land already held under earlier Acts. This was the case for John McDonald (Brother of Donald McDonald - Household 29) who was the Licensee of the Royal Crown Hotel in Ballarat when he applied for a License in 1866 for 42 acres in the Parish of Ballark, under the Land Act of 1865. He made a further application in 1871 under the 1869 Act for 31 acres of unsurveyed land. This second application was for an allotment adjoining land he already held under

⁷¹ Author unknown, Settlement under the 42nd Clause of the Amending Land Act 1865 by a special reporter of the *Argus* LT 824.V66 (V.83) Rare Books Section, State Library of Victoria, Melbourne. p.3.

⁷² Powell, *The Public lands of Australia Felix*, pp. 152-153.

license under the 1865 Act and was granted in 1873.⁷³

In May 1869 Grant brought in an amending Act which came into force on 1 February 1870. The major difference between the two Acts was that under the 1869 Act the maximum holding size was reduced from 640 acres to 320 acres. Powell suggests that this decision was deliberately taken by the squatters and other members of the Legislative Council in order to perpetuate what he calls 'the agrarian myth'.⁷⁴ The worth of any selector was to be judged by his ability to plough the land rather than to use it for grazing purposes. The squatters hoped that many would be dissuaded from selecting if hard, physical labour was required in order to retain ownership of the selection. A permanent residence had to be constructed on the land whilst the land had to be cultivated and improved. If these conditions were met, the selected land could become freehold after three years on payment of 14 shillings, or after seven years, on the payment of two shillings an acre.⁷⁵ Any monies paid were deducted from the standard purchase price of £1 per acre.

John McDonald clearly met the conditions of the 1869 Act as by 1876 he had cultivated 25 acres of his land growing wheat and oats and harvesting 16 bushells to the acre. He had built a five roomed weatherboard home valued at £150, erected 15 chains of post and wire fencing along with 66 chains of log fencing and had dug a well. In addition he had planted trees and a hedge on the

⁷³ See VPRS 624 Land Selection Files, Section 42, Land Act 1865, VPRS 627/P/0000, J McDonald, File (Lease number) 11891/31, PROV, North Melbourne.

⁷⁴ Powell, *The Public Lands of Australia Felix*, p. 154.

⁷⁵ See *Victoria the first century* pp. 132-133, for the effects of this Act, its failure and the need for further amendments. Overall, the Land Acts failed to unlock the land and it was not until the end of World War One that many large properties were opened up with 1,750,000 acres settled by 10,000 returned soldiers.

land. All these improvements were valued at approximately £320. John appears to have been very successful as he also held 13,000 acres under a squatting license between Cobden and Warrnambool and a further 48 acres as freehold at Mt Wallace that was also under cultivation.⁷⁶ John McDonald typifies farmers in the 1860s in so far as most cultivated land in the Western District was being used for producing grain crops and fodder for stock as "...four basic crops had then reached substantial significance. These were wheat, oats, hay and sown grasses."⁷⁷

Sutherlands Creek, in the Parish of Yowang, became the home of several McDonald families although not all families were related.⁷⁸ The evidence suggests that initially two brothers, John and Angus McDonald from Kylesmore Moidart, settled here together with their families. John and his wife Marjory arrived on the 'Marco Polo' whilst it appears that Angus was already settled. James, a married son of Angus, arrived separately with an infant daughter having lost his wife during the journey on the 'Araminta'. He also settled in the district.⁷⁹ All of these Households raised several children, many of whom later married and also settled in the area.

The Household of Angus and Mary McDonald (Household 5) arrived on the 'Allison' adding a fourth but unrelated McDonald Household to the district. This case is important for this study as it contains the land selection details for

⁷⁶ See VPRS 625 Selection Files, Sections 19 and 20, Land Act 1869, VPRS 625/P/0000, Unit 000419, J. McDonald, File (Lease number) 30824/19, PROV, North Melbourne.

⁷⁷ Powell, *The Public Lands of Australia Felix*, p. 155.

⁷⁸ Letter dated 30 May 1949 and written by J. McDonald in reply to an unnamed priest who wrote to enquire about the McDonald families of Little River. Rev. Father Linane's Priest Files A-Z, Archives, Catholic Archdiocese of Melbourne, Melbourne.

two generations of male members of the Household. The achievements of the various members of the Household serve to illustrate the degree to which the work of two generations brought financial security to the members of a third generation. It also demonstrates the extent to which the composition of the familial Household changed as the children married and left the Household and district in search of their own economic security.

Angus and Mary McDonald raised four sons and two daughters on a small selection in this area with sons John, Roderick, Ronald and Donald all acquiring holdings of various acreages of their own. Daughter Kate lived in Kilgour Street, Geelong. John and Margaret McDonald (a daughter from Household 20) purchased 35 acres in the Parish of Yowang (portions 37 and 40) and raised ten children. On his death, John left 14 acres to his brother, seven acres to his sister and 14 acres to his son Alexander, all valued at five pounds per acre.⁸⁰ He also left a personal estate of £62.⁸¹ Arrangements made for the financial security of his widow and other members of the family are not recorded.

Son Roderick and daughter-in-law Mary spent many years living and working in many different parts of the Colony. Marrying in Geelong in 1857 their children were born in Geelong (1858), New South Wales (1860), Sutherlands Creek near Geelong (1861-1865), Lake Bolac (1868-1872) and Berrigan, New South Wales in 1874 where they eventually settled naming their property 'Glen

⁷⁹ See the three passenger lists and membership of Households 5, 34, 38 and 41 in the Appendix.

⁸⁰ In the Will of John McDonald late of Sutherlands Creek in the Colony of Victoria farmer deceased – Account, Affidavit of Executor and Statement and Affidavit, Document 49/4, PROV, North Melbourne.

Moidart' after that part of Moidart where Roderick had lived.⁸² Roderick and Mary gradually acquired large acreages of land spread across different parts of New South Wales. On his death Roderick left several thousand acres within the Parishes of Warragubogra, Berrigan, Gereldery, Osbourne in the County of Denison, as well as land situated on the Bygalore Station near Condobolin, to his children and to the Catholic Church.⁸³

Ronald and Susan McDonald selected 308 acres in the Parish of Darriwell.⁸⁴ Prior to this Ronald had also spent some time in New South Wales possibly working with his brother Roderick. On his return he married Susan, daughter of James McDonald. Both were living at Sutherlands Creek. At the time of Ronald's death Susan was left to raise three infant daughters. She also became the Executrix of the estates of her uncle, Roderick and her father, James. James left an estate of a half share in 37 acres of land in the Parish of Yowang. This land was left firstly to his brother Roderick and then, on his death, to Susan.⁸⁵

The remaining son Donald also held land at Sutherlands Creek where he farmed. His holdings consisted of approximately 157 acres held in three allotments and valued at the time of his death at approximately £1,000. His occupation was listed as 'grazier' rather than farmer indicating a perceived

⁸¹ Ibid.

⁸² Both Roderick McDonald (Household 5) and Duncan McDonald (Household 6) named their respective properties "Glen Moidart." Both Households originated from the same crofting township of Kylesmore, Moidart which was located on the Glen Moidart Estate.

⁸³ In the Will and Codicil of Roderick McDonald late of Berrigan in the State of New South Wales Grazier deceased., Copy Probate 23 No.2145 Folio 401 1909, Harold P. Whitty, Berrigan. Eggleston and Eggleston, Bank Place, Melbourne, VPRS 7591/P/2, Unit 433, File 111/519, PROV, North Melbourne.

⁸⁴ In the Estate of Ronald McDonald late of Sutherlands Creek in the Colony of Victoria Farmer deceased. Intestate, VPRS 28/P/2, Unit 448, File 63/56, PROV, North Melbourne.

⁸⁵ In the Estate of James McDonald late of Sutherlands Creek in the Colony of Victoria, Farmer deceased. Intestate, VPRS 28/P/2, Unit 540, File 74/576, PROV, North

social and economic shift. In addition he held bank savings of £357. The property was left to his wife Flora and on her death to his nephew Donald.

4.10 Rural settlement outside the County of Grant

Several members of the Households also took advantage of the opportunity to acquire land through the application and ballot process settling outside the boundaries of the County of Grant.

Through the land sale at Ararat in August 1866 twenty-two agricultural areas were opened up containing 19,490 acres in 1,878 allotments. Eighty-five people selected land whilst a further 531 took out leases on land in the district.⁸⁶ James Murray, a Highlander from Sutherlandshire, and his wife Catherine McDonald (daughter of Household 21) selected five crown land allotments of two acres each at Lake Bolac in the Parish of Parupa, County of Ripon at this sale. At the time of her marriage in 1854 Catherine was a domestic servant whilst James had previously worked for the Clyde Company, as a miner on the Ballarat goldfields, a publican in a Skipton Hotel and as a carrier.⁸⁷ Before selecting land in Lake Bolac James had worked as a fencer in the district thereby earning the capital needed for their application. Following the initial grant James made three further selections in 1876 when a further 45 acres were leased, another twelve in 1882 and a further four in 1884 totalling approximately 70 acres. James and Catherine were a part of a large Scottish

Melbourne.

⁸⁶ Author unknown. Settlement under the 42nd Clause of the Amending Land Act 1865 by a special reporter of *The Argus* page unrecorded.

and Irish settlement in Lake Bolac. An *Argus* reporter made the following comments on settlement at Lake Bolac in the mid 1860s:

In the Ararat district and around Lake Bolac, for instance, I found agricultural settlement going on briskly, substantial fencing accomplished, houses in course of erection, and crops giving a promise of abundance – for the season, fortunately, has been favourable to the farmer. These settlers were, for the most part, men who had been farming on their own account, either as tenants or as owners of their own land, who preferred to let their own acres, and to create new homes for themselves under the Land Act; or they were diggers, who had been very lucky in mining; or tradesmen, who had done well in business. It was curious, too, to note how the Celtic passion for the possession of land showed itself in the numerical predominance of Scotchmen and Irishmen among the selectors over their English and Welsh cousins.⁸⁸

George, a son of James and Catherine, worked the farm with his father and continued to add further acres when he inherited the farm with his sister Mary in 1912. Catherine's two brothers Ewen and Archibald and her sister Sarah lived at Learmonth where James and Catherine also lived for some years. Archibald worked as a labourer whilst Ewen worked as a carpenter.⁸⁹ Sarah's

⁸⁷ See register number 81 in the marriage register for St Mary's Catholic Parish, Geelong, 1842-1865.

⁸⁸ In Settlement under the 42nd Clause, op. cit., page unrecorded.

⁸⁹ I. Booth, Lake Learmonth General Cemetery, Number 12, Instructions for the burial of Hugh McDonald, 1881 and also J. McWilliams, Lake Learmonth General Cemetery, Number 19, Instructions for the burial of Archibald McDonald, 1889. 283

husband Patrick McGrath worked as a blacksmith.⁹⁰

Following his employment with the Clyde Company at Terrinallum, Roderick McDonald (Household 22) selected land as leasehold at Mortlake in the Parish of Toorak, County of Hampden. His daughter Jane lived in Mortlake, son Michael worked as a Station Manager at Darlington whilst his eldest son Duncan also farmed in the Mortlake district. It is possible that this Household had a certain connection to the Scottish district of Lochaber as Jane's Will was witnessed by brother and sister Donald and Eliza McMaster from Lake Bolac whose parents emigrated from Roybridge near Fort William.⁹¹ This provides a further insight into the close Highland connections between families that continued to exist in these small Western District townships. Roderick left his property to sons Michael and Duncan.

The Parish of Darkbone in the County of Kara Kara lies near St Arnaud. Michael Kennedy (son of Household 25) and Catherine McMaster (daughter of Household 23) selected 20 acres for which he applied to purchase as freehold under the 1869 Land Act.⁹² The License was originally granted in 1879 and his application to purchase was approved in 1885. Michael stated that his reason for wanting to convert his land from leasehold into a freehold was "That I may raise a sum of money on the above to carry me through until next harvest".⁹³ His request illustrates the financial burden carried by many selectors as they

⁹⁰ Lake Learmonth General Cemetery, Number 184, Instructions for the burial of Patrick McGrath (brother-in-law of Hugh and Archibald McDonald of Learmonth), 1902.

⁹¹ L. McMaster, 'The McMaster Family' in K. McIntyre (ed), *Legends of the Lake - the pioneer histories of eight Lake Bolac families*, published by the Lake Bolac and District Historical Society, 1999, p. 17.

⁹² Michael Kennedy, Land Selection Files, Land Act 1869, Section 49, VPRS 439/P, Unit 256, File 466/49, PROV, North Melbourne.

waited for their selections to return a financial reward. Unfortunately many were unable to wait from one harvest to the next for this return to occur and lost their selections in the process.

Apart from the financial outlay required to fence and make improvements on the land selectors like Michael were required to outlay significant amounts of capital throughout the selection process. Firstly he had to pay to have his selected piece of land surveyed and a plan drawn up at a cost of two pounds and thirteen shillings. Secondly, he had to pay one pound for his Certificate of Registration required before a selector could legally forward his application to purchase the land. Thirdly, he was required to sign a declaration to say that he was prepared to relinquish his selection at a later stage if his land was required for mining purposes. In Michael's case his selection did lie within a designated mining reserve. This meant that in 1879 he had to apply for a Goldfields Residence and Cultivation License.⁹⁴

According to his file, Michael paid his annual rent from August 1879 to August 1885. Although he had fulfilled all the fencing conditions on three sides of his land and enclosed the fourth with a shared fence with his neighbour, his application to purchase was held up because a rental installment of two pounds two shillings and sixpence had not been paid in June 1884. He was officially recorded as in arrears. Following payment of the rental arrears, further rent totalling ten pounds, the purchase money of ten pounds, the Certificate of Registration fee of one pound, the Grant fee of one pound and

⁹³ Ibid.

⁹⁴ Ibid.

one shilling and the Assurance fund fee of ten shillings, the land finally became the freehold of Michael and Catherine in September 1885 owing to Michael's determination and savings.⁹⁵ Later the family moved to Little River where they again selected land and Michael continued to farm.

Catherine Kennedy's sister Anne (daughter of Household 23) married Norman McDonald and together they applied for an 80 acre selection at Spring Hill, a small settlement five miles east of Skipton in the Parish of Skipton, County of Hampden in 1871.⁹⁶ Their first rent of four pounds plus the one pound application fee was paid in January and the lease was drawn up in May. Norman was employed as a shepherd when the application was made. To their great credit the couple were in a financial position to apply to convert their lease to freehold ten years later which they did at Smythesdale in 1881 where they paid the outstanding balance of four pounds. Added to the £76 they had paid in rent over the ten years their selection cost them £80 or one pound per acre, this being the standard price.

One requirement necessary to convert leasehold to freehold was for a mounted constable to visit the allotment and write a report on the improvements made and the residency requirement.⁹⁷ In the case of this couple the mounted constable's report noted that over the ten years, the land had successfully been enclosed by 100 chains of fencing made up of 60 chains of top rail and two wire, 20 of post and four wires and 20 of log and brush. In addition, twelve acres of land had been cleared by grubbing trees, eight acres had been

⁹⁵ Ibid.

⁹⁶ Norman MacDonald, VPRS 625/P/0000, Unit 123, File 6751/19.20, Selection Files,

cultivated and a dam had been constructed. It was noted that no buildings had been erected, however the constable explained that Norman was now employed as a boundary rider on a nearby station located one and a half miles from his land. The family was poor and Norman was not able to leave this employment to reside on his land.⁹⁸ It might also be assumed from this that, as a boundary rider, Norman would have spent long hours if not days away from his land and therefore much of the physical work in planting and harvesting would have been undertaken by Anne, while also caring for a large family. The report also noted that no cultivation had been undertaken in the first year, however in the second year, three acres had been prepared to grow carrots, potatoes and a third crop (undecipherable in the original document). This had cost the couple 20 shillings per acre but had returned 25 bags of carrots and one ton of potatoes. In the third year they had sown eight acres of wheat.⁹⁹ The achievements of this Household are noteworthy and indicative of the range of skills that these Highlanders possessed and of their ability to cultivate the ground in such a way as to receive good harvests as a result of their hard work. As Claude Notman notes in reference to Spring Hill:

...most of the blocks were of eighty acres, which on second class country were not nearly sufficient to sustain the occupants. In the course of time each farmer sold out and gradually the population of the district dwindled until few traces of the old settlement remained.¹⁰⁰

Sections 19 and 20, Land Act 1869, PROV, North Melbourne.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

Duncan McDonald (Household 6) whose selections in the County of Grant are mentioned on pages 275-7 in this chapter also selected land outside the County of Grant. This selection comprised 700 acres at Kongwak, in the Parish of Wonthaggi North on the Mornington Peninsula and was taken up under the Land Act of 1884.¹⁰¹ The history of this selection is again of particular interest for two reasons. Firstly, Duncan also named his property 'Glen Moidart' after the land he had left in Scotland thus creating and maintaining an important link for himself and his family with his former home in Moidart.¹⁰² Secondly, this selection experience is important as it illustrates the precarious nature of holding land under these Land Acts and how easily land could be forfeited by not fulfilling the requirements of these Acts. Firstly, McDonald applied for a License under the Land Act of 1884 at Geelong for 750 acres at Kongwak.¹⁰³ In this case there was another late applicant, David Henry McDonald who successfully argued against Henry being considered as an applicant and against a proposal to split the allotment into two halves thereby becoming the successful lessee.¹⁰⁴ His problems, however, were not over.

By 1886 this selection was under forfeiture because only 15 acres had been cleared, no one was residing on the land and the land was not being used in any way. In April 1890 Henry Batley of Korrumburra applied by letter for

¹⁰⁰ G. C. Notmam, *"Out of the Past" The story of Skipton 1839-1939*, Skipton Progress Association, 1978, p. 25.

¹⁰¹ Duncan McDonald, VPRS 5357/P/0000, Unit 003336, File 10626/42.44 in VPRS 624 Land Selection Files, Section 42, Land Act 1865, PROV, North Melbourne.

¹⁰² See footnote 82 on page 281 for information about the two properties named "Glen Moidart".

¹⁰³ See correspondence containing details of possible forfeiture of this land in VPRS 5357/P/0000, Unit 003336, File 10626/42.44 in VPRS 624 Land Selection Files, Section 42, Land Act 1865, PROV, North Melbourne.

¹⁰⁴ Ibid. See letter dated 22/10/1885 on file 10626/42.44.

forfeiture of the selection.¹⁰⁵ McDonald appealed against the claim by letter in July 1890, where he explained that he had cut 25 acres of grass and had employed labourers to do this work for him. He received £50 for the grass but the wages of the labourers had cost him £112. In addition the failure of crops (presumably on other allotments that he owned) meant that he did not have the finances to make the necessary improvements.¹⁰⁶ McDonald managed to successfully claim against the forfeiture and to retain ownership of the Lease. The correspondence file for Duncan McDonald states that in 1893 Duncan was a farmer at Mt Wallace (Parish of Kerrit Bareet) leasing 222 acres for cultivation and dairying and, under the Land Act 1890, was leasing a further 500 acres for grazing purposes in the Parish of Ballark.¹⁰⁷ By all accounts Duncan McDonald was a very successful land-owner.

This example also highlights the levels of literacy in English required in order to argue by letter. In Duncan's case he arrived in Victoria aged 17 years. He therefore completed his education in Scotland. His ability to communicate in written and spoken English with government officials and agents about complex issues such as these demonstrates that he had acquired a relatively high level of competency in written as well as spoken English.¹⁰⁸ It is highly probable that an inability to maintain written communication with government officials on the part of selectors contributed to the loss of some selections.

Whilst many Households established a stable home environment in which to

¹⁰⁵ Ibid. See letter dated 16/4/1890 on file 10626/42.44.

¹⁰⁶ Ibid. See letter dated 16/7/1890 on file 10626/42.44.

¹⁰⁷ Ibid. See examples of his letters in File 10626/42.44.

¹⁰⁸ Unfortunately the abilities of passengers to read or write in English are not recorded in the 'Allison', nominal passenger and disposal lists, VPRS 7666 Inward passenger lists 289

raise families, the lives of other Households were characterised by high mobility with families moving constantly to secure employment opportunities. Many of the males tried their hand at whatever work was available demonstrating that they were not the idle and lazy figures the Colonial government feared. Their abilities to learn new skills and their willingness to travel great distances made them in fact ideal employees. When one source of work ceased they were only too ready to move on in search of an alternative and were keen to establish themselves with the necessary tools and resources to work for either themselves or for others. The two Households of Angus and Mary McDonald (Household 15) and Archibald and Catherine McDonald (Household 17) are typical of those who journeyed to several locations before finally settling on selections of their own. Within days of their arrival in the Colony both Households journeyed with their respective families to Colac to accept their first employment on Australian soil with a Mr Lyons who may have contracted them to work for a squatter in the district.¹⁰⁹ Angus and Mary McDonald (Household 15) later moved to settle at Peshurst where their daughter Ann married John Cameron, a member of a well-established family who had settled on the land in that district. Sons Allan and Angus took on labouring and farming work in the district.

The following example of Angus McDonald (brother of Archibald of Household 17) well illustrates the high degree of mobility endured by many men as they strove for economic independence. Angus led an itinerant life accepting employment in different parts of Victoria. After working for a short

-British ports, PROV, North Melbourne. Book 9, pp. 10-19.

¹⁰⁹ Disposal List of the 'Araminta' VPRS 7666, Inwards Passenger Lists-British Ports

time at Colac with his elder brother Alexander and sister Marjory, he left for the goldfields in 1853 fossicking at Ballarat, Daylesford, Geelong, Frenchman's Gully, Rokewood and Smythe's Creek. He then worked building the Melbourne to Geelong railway line followed by a year shepherding for a butcher at Clunes. He left Clunes for Happy Valley but later returned to work bullock teams that he owned in the Clunes district. He then selected 20 acres of land at Mt Egerton and in 1878 selected 262 acres in the Goulburn Valley.¹¹⁰ Eventually the farm fell into debt, however, and was lost to the family.¹¹¹ Like many of the men in this study he married another member of a Moidart Household, Margaret McDonald (Household 6) at Little River in 1862.

Much of the evidence in this chapter has been derived from probate documents and wills. I have been able to successfully locate the wills or probate documents for 31 members of 12 Moidart Households. This largely excludes those women who married post arrival and whom I have not been able to trace. There appears to be a pattern associated with the making of wills within particular Households. In Household 5 for example I have identified wills from five members, in Household 6 from three members and in Household 17, four members. The existence of such documents is evidence of the desire of those with land and possessions to ensure that these are passed into the safekeeping of other family members.

The contents of such documents also testify to the economic success of many individuals in overcoming a range of obstacles and barriers to achieve

1852-923, Book 6, PROV, North Melbourne, pp. 35-47.

¹¹⁰ R. P. Whitworth, *Victoria and its metropolis: past and present, Volume 2: The Colony* 291

economic security in Victoria and elsewhere. Most of the assets listed in the Inventories, however, relate to land. In some cases substantial bank savings were left to descendants or family members. In isolated cases farming implements and stock constituted the only things of value remaining. Few homes contained any furniture of substance with most furnishings valued at less than ten pounds. Only one will bequeathed the assets of the owner to be distributed outside the family.¹¹² As mentioned earlier, Allan McDonald directed that all personal and real estate be left to the Parish Priest of St. Mary's Church Geelong for distribution at his discretion. In all other cases beneficiaries included spouses, children, siblings and nieces and nephews.

4.11 Conclusion

In many ways the findings of this chapter are paramount in determining the degree of economic and social success or otherwise of the Moidart Households in Victoria. Evidence of land selection and the ability to hold land and pass it on to the next generation were strong indicators of a 'shift' in the economic standing of members of the Households.

Government land records examined in this study have shown that many members of the first generation were successful in selecting small acreages of land or a township allotment and house. As shown in the chapter members of the second generation were also able to purchase selections with examples of two or three brothers successfully selecting adjoining allotments in order to

and its people, 1888. p. 308.

¹¹¹ Information documented and first cited in Hellier, 'The Humblies', p. 186.

create a farm with sufficient acreage to make it economically viable. No doubt they also pooled their labour to work the land as a Household.¹¹³ In the case of urban allotments there were examples of strong kinship relationships at play with parents in the financial position to purchase additional properties for children and siblings who often inhabited the dwelling rent free. This indicates that the Household was financial and not dependent on rent. Nor did it have to place members of the Household in a position of owing money to support the Household or repay the mortgage. These Households were, however, in the minority. Evidence exists for eleven Households who managed to purchase one or more urban allotments in Geelong.

Other Households provided this study with evidence of two generations with the financial means to invest in real estate. Father and son Angus and Donald McDonald (Household 14) eventually owned three houses and two vacant blocks of land in the two parishes of Barrabool and Corio in Geelong as well as a farm of 240 acres in the parish of Conewarre.¹¹⁴

The living arrangements of people at the time of their death were also not indicative of their economic successes in life. Allan McDonald, for example, died as a boarder at the Caledonian Hotel in Geelong leaving both real estate

¹¹² See In the Will and unadministered Estate of Allan McDonald late of Church Street Belmont in the Colony of Victoria, Labourer deceased, VPRS 28/P, Unit 895, File 70/366, and VPRS 7591/P/2, Unit 286, File 70/366 PROV, North Melbourne.

¹¹³ See brothers Ewen File 4579/31, John File 4519/31 and Donald McDonald File 4518/31 (Household 6) in the Parish of Kerritt Bareet, County of Grant, VPRS 627/P/0000, Unit 00045, PROV, North Melbourne.

¹¹⁴ See the Will of Angus McDonald late of Belmont in the State of Victoria, labourer deceased - Inventory. VPRS00028/P/0002, Unit 000634, File 85/540, PROV., North Melbourne and In the Will of Donald McDonald late of "Oaklands Farm" Conewarre in the State of Victoria Farmer deceased. VPRS 28/P/3, Unit 312, File 126/233, PROV, North Melbourne, 1902.

and a bank account containing over £900 to nieces and nephews.¹¹⁵

The research has shown that those who settled in Geelong, however, were able to obtain a dwelling and an allotment within two years of arrival possibly due to the regular wages received as labourers and opportunity to purchase at an earlier date compared to rural land sales.

The research has also uncovered the struggles of many of the Households both to select land and to turn their selections into Freehold. As shown in the examples included in the chapter much of the land selected was unsuitable for cultivation forcing selectors to pursue grazing activities which, in the case of the Moidart people, was a familiar form of farming and land use. Others struggled to retain their selections under the weight of repayments to banks, meeting the requirements of the Land Acts and because of poor seasons as in the case of Michael Kennedy on pages 283-4. For single males the opportunity to save financially by shepherding, labouring or via the goldfields prior to applying for a selection may account for why so many of this cohort were in a financial position to bid at auction at land sales in the mid-1860s. Records of land ownership, including Applications for Licenses, wills, probate documents and rate records, exist for at least 40 individuals from 21 of the 37 Households. Given that it has not been possible to trace the members of nine Households following their arrival, evidence of land ownership at some point exists for approximately 75 per cent of the Households. Further examination of the records, however, is necessary to ascertain the length of time that the land

¹¹⁵ In the Will of Allan McDonald late of the Caledonian Hotel, Little Ryrie Street, Geelong, retired labourer deceased. VPRS 28/P3, Unit 2108, File 235/792,

remained in the hands of the original selector and its subsequent fate.

The acquisition of land became an important symbol and indicator of economic success in the new land. In some cases land also played a cultural role whereby owning and working the land together became a means through which the traditional Household unit of the Highlands remained cohesive. In other situations the composition of the Household unit was changed as younger members left to obtain work and ultimately to select land of their own.

Land, however, was not the only means through which the Highlanders sought to preserve their identity and cultural traditions. The transmission and transplantation of culture occurred on many levels. The next chapter will examine the numerous ways in which the broader Scottish community in Victoria attempted to maintain and preserve its cultural identity and traditions.