

# Wine, women and flags — The birth of a colonial ensign

*Ralph G. C. Bartlett*

## Abstract

In July 2002 I was contacted by Melbourne publishing house, Five Mile Press, to pre-check a planned book which was about to be published, on the social history of Australia's national flag, *The Australian Flag – The First 100 Years*, by LaTrobe-Bendigo University Lecturer, Geoff Hocking. Together with a number of errors I found there was a sentence claiming that: "1867 – the Australian Federation League Flag was first raised at a function held in Melbourne to honour the Royal visit of Prince Alfred, Duke of Edinburgh." This lecture will investigate this new claim, together with a mislabelled photograph, and reveal the farcical circumstances surrounding this function, and examine various documentary reports and related material to do with the early development of a flag for the then Colony of Victoria. To this date it is not known why Victoria, together with its neighbouring colonies of New South Wales and South Australia, initially adopted a Badge and Flag containing the Southern Cross. Victoria is the only Colony, now State, in Australia to continue to use the Southern Cross as its principal symbol. This lecture will shed new light on the Southern Cross's adoption in Victoria. The resulting investigation of this previously little known event in Victoria's colonial history, will not only add to the general depth of vexillological knowledge, but reinforce the never ending need for accuracy, and where necessary, the qualification of information being published.

In July 2002 I was contacted by Melbourne publishing house, Five Mile Press, to pre-check a planned book which was about to be published, on the social history of Australia's national flag, *The Australian Flag – The First 100 Years*, by LaTrobe-Bendigo University Lecturer, Geoff Hocking. Together with a number of errors I found there was a sentence claiming that: "1867 – ...the Australian Federation League Flag was first displayed at a function held in Melbourne to honour the Royal visit of Prince Alfred, Australia's first royal visitor. ..." (Fig. 1b), although this book incorrectly shows the "Australian Ensign" (Fig. 1a).

As a result of my investigations into this claim, together with a later discovered mislabelled photograph in the same book, I am able to reveal the farcical factual circumstances surrounding this flag raising function, and shed some new light on to the early development of a flag for the then Colony of Victoria. To this date it is not known why Victoria, together with its neighbouring colonies of New South Wales and South Australia, initially adopted a Badge and Flag containing the Southern Cross. Victoria is the only Colony, now State, in Australia to continue to use the Southern



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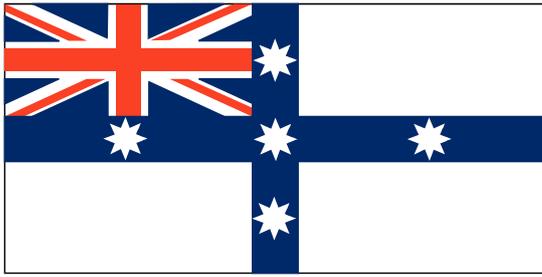


Figure 1a "Australian Ensign"  
1832-83.

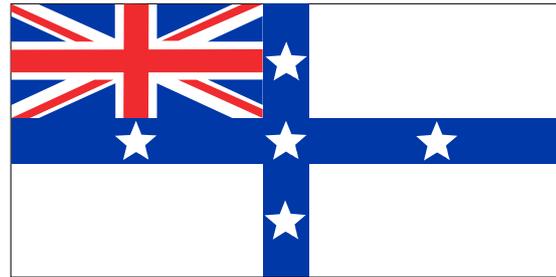


Figure 1b "Federation League"  
Flag 1891-1901.

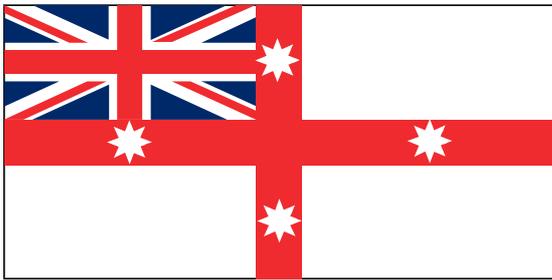


Figure 2 Victorian Colonial / State Shield.

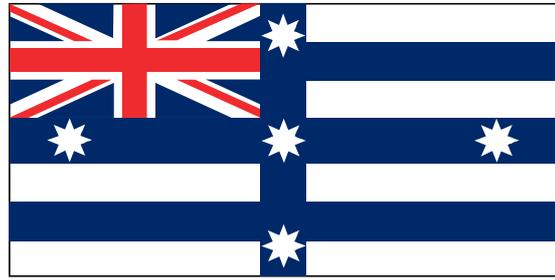
Cross as its principal symbol (Fig. 2).

Since the early days of European occupation and administration, *Crux Australis*, the Southern Cross, has been the principal symbol of both Victoria and Australia as a whole. In a continent as large if not slightly larger than Europe, containing a wide variety of physical features and wildlife, this constellation of stars is the only unitary geographical, all be it celestial, feature which can be seen from all parts of the continent. So it is not surprising that the Southern Cross has featured and still does feature on flags flown within and to represent Australia. Prior to the achievement of self-government for the Colony of Victoria on the 22<sup>nd</sup> May 1855, which had previously separated from the Colony of New South Wales on the 1<sup>st</sup> July 1851, the Southern Cross is known to have appeared on six flags within Australia. These were: The National Colonial flag of Australia (John Bingle's design 1823-24) (Fig. 3), the N.S.W. Merchant Ships (John Nicholson's Chart - 1831) (Fig. 4), the N.S.W. "Australian" Ensign 1832-1883 (Fig. 5), the Anti-Transportation League 1851-1868 (Fig. 6), the Murray River Flag – March 1853 (Fig. 7), and the Eureka Stockade – 3<sup>rd</sup> Dec. 1854 (Fig. 8).

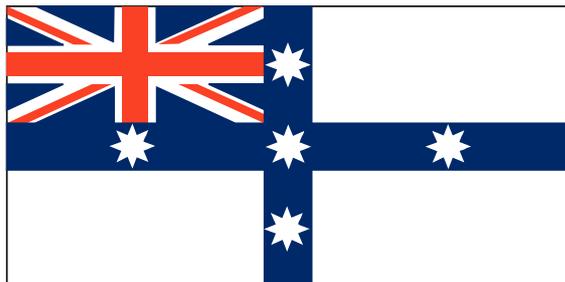
As can be seen by these flags the Southern Cross is now well established as a popular symbol by different groups, establishing a sense of local colonial identity. It is interesting to note that in all but one of these flag designs the stylised rendition of the Southern Cross is virtually identical. It is certainly possible that the basic design concept was carried south to Victoria for eventual use in the Eureka Flag in the minds of



*Figure 3 National Colonial flag of Australia (John Bingle's design 1823-24).*



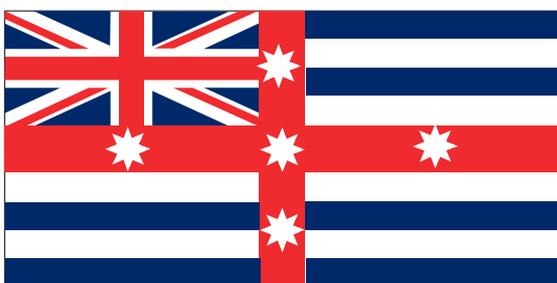
*Figure 4 N.S.W. Merchant Ships (John Nicholson's Chart - 1831).*



*Figure 5 N.S.W. "Australian" Ensign 1832-1883.*



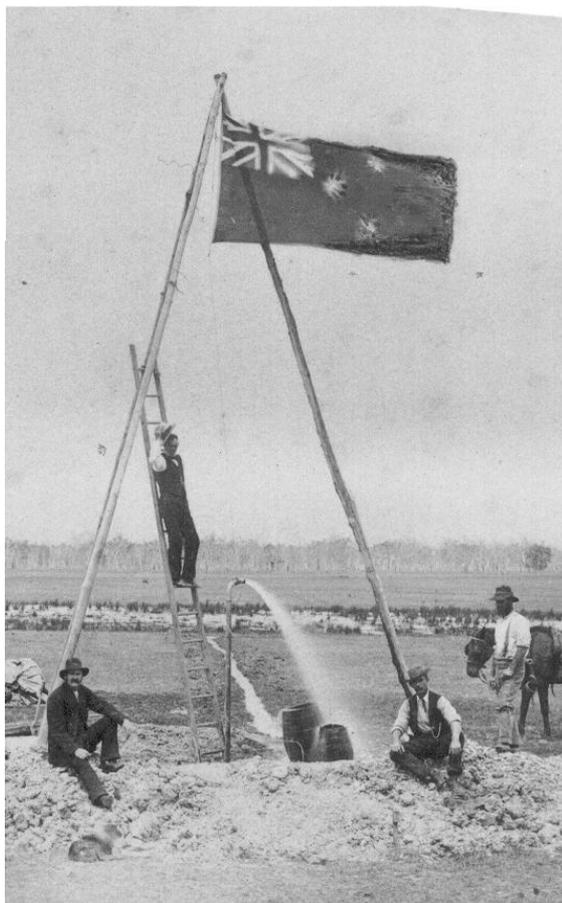
*Figure 6 Anti-Transportation League 1851-1868.*



*Figure 7 Murray River Flag - March 1853.*



*Figure 8 The Eureka Stockade - 3<sup>rd</sup> Dec. 1854.*



*Figure 9 Victorian Flag over an artesian bore near Sale in east Gippsland, Victoria, c. 1875-77.*

newly arrived settlers in Sydney, before heading for the gold fields around Ballarat in central Victoria.

On page 14 of Geoff Hocking's book, *The Australian Flag – The First 100 Years*, he shows a photograph of a flag which is very similar to Victoria's first colonial flag flying over an artesian water bore near Sale in south-eastern Victoria (Fig. 9). The photograph is dated c.1855 with the photographer being a Frederick Cornell. Taken on first viewing this would mean that the Victorian flag was adopted and in use at least 15 years earlier than when officially adopted in February 1870. This surprised me greatly, so much so, that I decided to verify this fact myself. Upon investigating for about 10 minutes in the Photo Library of the State Library of Victoria, during which I viewed the original photograph, I discovered that the photographer, Frederick Cornell lived in this part of Victoria between 1875-91, thus proving the inaccuracy of the caption of this photograph. This inaccuracy could have been easily averted.

This photograph, together with another I have come across during my researching for this lecture, shows the Southern Cross overall in the fly of a Red Ensign, which was allowed to be flown on land by the public. This design was in fact submitted to the authorities in London in Despatch No. 30 dated the 28<sup>th</sup> February 1870 by the Victorian Colonial Government in both Blue and Red Ensign versions (P.R.O. ref. CO 325 / 54 ) and became the Colony's first flags. On more mystery solved !

In the same book, *The Australian Flag – The First 100 Years*, the author states on pages 6 and 27 that the flag now known to history as the “Australian Federation League” flag (Fig. 1b), although this book incorrectly shows the “Australian Ensign” (Fig. 1a), was to have been raised and unfurled by Prince Alfred, Duke of Edinburgh, Queen Victoria’s second son, in Melbourne – 1867, during his 5 month (30<sup>th</sup> October 1867 – 6<sup>th</sup> April 1868) royal tour of the southern and eastern colonies of Australia. This was the first royal tour to Australia. As the pre-publishing consultant to this book I asked the author for proof of evidence that this flag was indeed raised. His reply was that he relied solely on a similar claim in Frank Cayley’s book, *Beneath the Southern Cross*, which states “... *Efforts to create a distinctively Australian national flag continued, and in 1867 it was arranged that a blue silk Southern Cross ensign made by some Melbourne women should be unfurled by Australia’s first royal visitor, ...*”. Unfortunately Frank Cayley has been deceased for quite a long time, so I decided to try to investigate this flag and event for myself. According to Melbourne newspapers of the day, a “Free Banquet”, originally intended for the poor people of Melbourne, was held in the Zoological Reserve of Richmond Paddock (Fig. 10), adjacent to the Botanical Gardens (Fig. 11). This event was in honour of the visit to Melbourne, of the Colony’s first royal visitor, H.R.H. Prince Alfred, Duke of Edinburgh (Fig. 12), with the actual event being chaired by a then well known Melbourne entrepreneurial medical Doctor and Victorian politician, Dr. Louis Lawrence Smith, M.D (Fig. 13). Dr. Smith ran a practice in the centre of Melbourne dispensing medical advice to newly weds, “professional ladies”, and the general public on all aspects of good health and its relationship to human interaction. He was also the first medical practitioner in Victoria to advertise his services, which all resulted in him becoming quite wealthy. Together with his medical activities he also found time to become involved in politics. He served three terms in the Victorian Legislative Assembly (1859-65, 1871-74 and 1877-83), as a “people’s independent Liberal”, or a social conservative in today’s terminology. The day of the event, Thursday, 28<sup>th</sup> November 1867, was very hot and a massive crowd of between 60,000 to 100,000 people turned up in the park land to greet the Prince, indulge themselves on about 1 mile of food covered tables and approximately 1,100 gallons of free wine. His Royal Highness was due to arrive in the early afternoon, but by 2.00 p.m. he had not arrived. By this time many women and children were fainting due to the heat and the general crush of humanity in the park. Shortly after this time the official dais was made ready for the Prince’s arrival. Twenty young ladies all uniformly dressed in blue and white (Fig. 14) were introduced to present the new flag they had made to the Prince for him to raise. Together with the flag raising, the Prince was to declare open the public banquet and turn on two “fountains of wine” containing approximately 600 and 500 gallons each. At about this time the Prince and his entourage did approach the entrance of the Zoological Gardens, however Police advised him not to proceed due to the great number of people and possible risk of injury caused by any resulting crush of people trying to view H.R.H. The Prince apparently reluctantly agreed and turned away from the Park. By 2.30 p.m. the massed crowd could not wait any longer and rushed the mile long tables of food and of course the wine fountains. At 3.00 p.m. in the middle of what must have been general chaos Dr. Louis L. Smith declared open the Banquet and raised this new “*blue silk Southern Cross ensign*”. Believing that the Prince was again about to arrive this ensign was lowered after only a few minutes. It is not known if this ensign has been seen again.

The question is now what was the design of this “new ensign” which was to have



Figure 10 Richmond Paddock near central Melbourne, c. 1865.



Figure 12 H.R.H. Prince Alfred, Duke of Edinburgh.

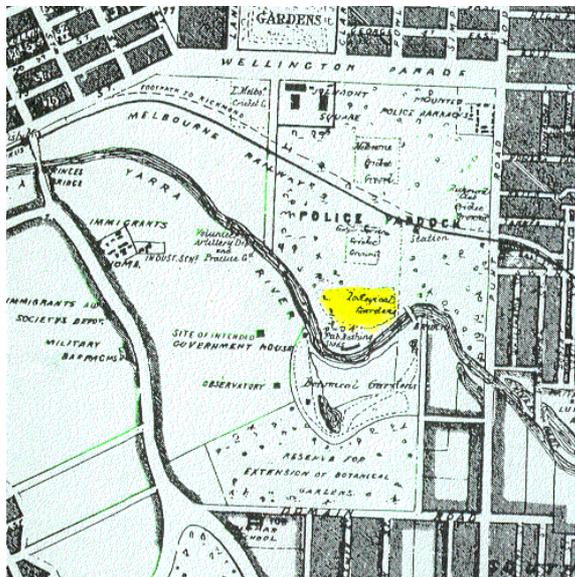


Figure 11 Zoological Gardens north of the Yarra River and Botanical Gardens (1866).



Figure 13 Dr. Louis Lawrence Smith, M.D., c. 1870.



*Figure 14 Sample dress.*



*Figure 15 Australian arms.*

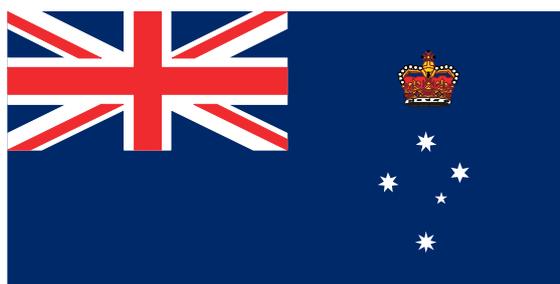
been sanctioned by royalty. The raising of this flag occurred just as the various Colonies of the then British Empire were starting to adopt local Ensigns following the passing of the *Colonial Naval Defence Act* of 1865, which amongst other things directed Colonial administrations to adopt Ensigns for vessels maintained by each Colony. The Secretary of State for Colonies sent out a direction on the 22<sup>nd</sup> December 1865 to Victoria, together with other Colonies, to implement the contents of this Act. In Victoria, the Governor's Office wrote to the Secretary of State for Colonies on the 25<sup>th</sup> July 1867, saying in part: "Respecting the measures to be taken by this Colony in connection with Vessels of War to be maintained under the Colonial Naval Defence Act."

To date no one has been able to find the original 1860's documentation or art work concerning the adoption of the first Victorian Colonial Ensign. As part of my researching I have been able to trace a descendent of one of Dr. Louis Smith's 15 children, from two wives, in the hope that this grandson may have documentation about the flag raised or even possibly the actual flag itself. Unfortunately, it has not been possible to gain access to the material known to be held by the family concerning their grandfather, which may be of use to this research. Despite this great frustration, I believe that I can be reasonably confident in presenting a credible circumstantial case on the flag design briefly raised on that hot day in late November 1867. The only small amount of information that I was able to obtain from the Smith family was a photograph and extract of a letter written by Dr. L. L. Smith to his mother back in England.

The photograph shows an Ointment container (Fig. 15) sold from Dr. L. L. Smith's medical practice showing an "Australian" arms above his name. Variations of these arms were appearing all over colonial Australia during the second half of the 19<sup>th</sup>



*Figure 16 First Victorian Flag – 1870-77.*



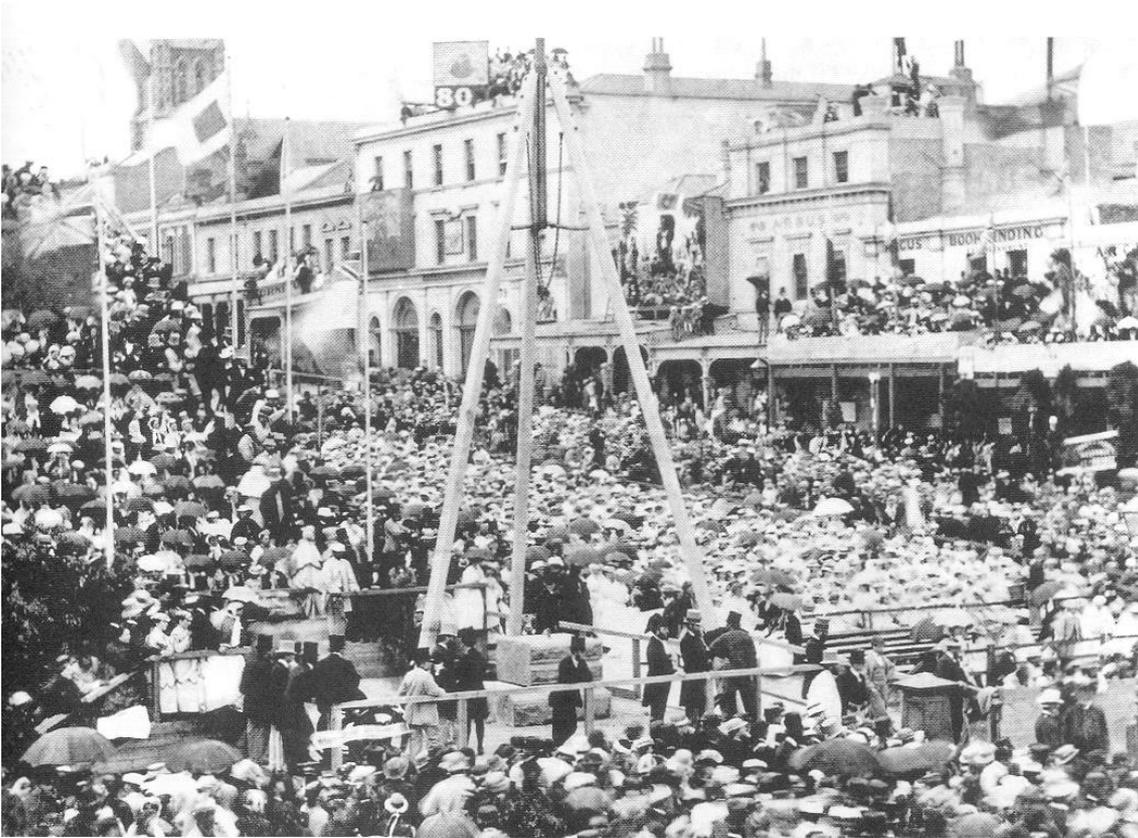
*Figure 17 Second Victorian Flag – 1877-1901.*

century and were adopted in the 1890's as arms of the Federation League. Elements of these arms were later incorporated into the first national Coat-of-Arms of the Australia (1908-12). The letter to his mother, written between October 1856 and January 1857, says; "...Do not quarrel if he wants a little more for the Australian Arms it its [sic] not much. ..."

Unfortunately, I do not know who "he" is or whether Dr. L. L. Smith designed these arms or had them designed. What is known is that after his Parliamentary career Dr. Smith became involved in the Federation movement's campaign and unsuccessfully stood as a delegate to the Federation Conventions in the 1890's. Despite this he received official invitations to attend various Federation celebrations of the new Commonwealth of Australia on the 1<sup>st</sup> January 1901. During his three terms as a Victorian Parliamentarian, Dr. Louis L. Smith, was a political ally of a well known Liberal reformer and fellow Parliamentarian, Peter Lalor, the former leader of the December 1854 Eureka Stockade Gold Miners. I believe, and I am not the first person to come upon this possible theory, that Peter Lalor, may well have used his political influence, possibly indirectly, to resurrect the Southern Cross from the Eureka Flag to be accepted as the principal symbol of the Colony of Victoria in its natural celestial form. As a Parliamentarian Peter Lalor became a Minister of the Crown, as the Commissioner of Trade & Customs, and as such signed the 12<sup>th</sup> November 1877 Proclamation adopting the second colonial blue ensign for Victoria, which placed the Imperial Crown above the Southern Cross on the fly of the blue ensign (Figs. 16, 17).

The following day, 29<sup>th</sup> November 1867, H.R.H. Prince Alfred, did attend the laying of the foundation Stone of the Melbourne Town Hall. A photograph taken at this event shows 3 "British Ensigns" flying above the ceremony, together with some

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*Figure 18 Melbourne Town Hall “Foundation Stone” Ceremony – 29<sup>th</sup> Nov. 1867.*



*Figure 19*



*Figure 20*



*Figure 21*

*Enlargements of the “British Ensigns” flying above the Foundation Ceremony.*

other maritime signal flags – presumably for extra festive colour (Figs. 18-21). Two of these ensigns are the Red Ensign, with the third being the White Ensign. There is also a Union Flag flying from a pole on a street balcony across the road from the ceremony. No where is there any flag resembling the then existing “Australian Ensign”, which was later resurrected to be the first of several variations of the “Australian Federation League” flag between 1893-1901.

While I cannot conclusively state that the Victorian colonial flag proclaimed on the 3<sup>rd</sup> February 1870, and the flag that was briefly raised, all be it without Royal attendance, are in fact the one and the same flag design, and despite the shown involvement of Dr. Louis L. Smith in the preparation of the “Australia Arms”, I believe that there is a strong probability that the Colonial authorities in Victoria, in accordance with the Admiralty / Colonial Office directions, was going to commemorate the Royal visit of H.R.H. Prince Alfred, Duke of Edinburgh, to the Colony by raising and unfurling the new (1<sup>st</sup>) colonial flag of Victoria.

My researching for this lecture reveals yet again how important it is to record flag events accurately when they occur, and also how precarious vexillological researching is when you can not obtain the full co-operation of people who know they have items, etc. which may well solve the mystery of a particular flags origins.

## **Acknowledgements**

In particular I should like to make special thanks to the following people without whom this lecture and presentation would not have been possible.

Fiona Jeffrey, Photographic Librarian, State Library of Victoria.

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Judy Scurfield, Senior Map Librarian, State Library of Victoria.

## **Illustrations**

Figs. 1a, 1b and 3 Graphics Ralph D. Kelly – *Changing Flags*, Flag Society of Australia, 1997/98.

Fig. 2 Victorian Coat-of-Arms Shield (1910-73).

Figs. 4, 5 and 6 Insert – *Once Upon an Ensign*, *Crux Australis*, Vol. 13, No. 4/56, p. 157. Graphics Ralph D. Kelly, Flag Society of Australia, 1999.

Fig. 7 Murray River Flag, March 1853: Image created and supplied by Ralph D. Kelly (Flag Society of Australia), E-mail attachment, 7 & 10 September 2003.

Fig. 8 Graphics: Ralph D. Kelly – *Changing Flags*, Flag Society of Australia, 1997/98.

Fig. 9 Flag and artesian bore near Sale in east Gippsland, Victoria. Photographer: Frederick K. Cornell – c.1875-77. Ref.: LTAF 304 / H87.1616, p. 58. Reproduced with permission. Photographic Library, State Library of Victoria.

Fig. 10 *Australia's Heritage* – The Making of Nation – Part 46, p. 1081. Paul Hamlyn Pty. Ltd. (Sydney, N.S.W., Aust.) 1971.

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Fig. 11 Extract: *Plan of the Parishes in and around Melbourne*, Degruchy & Leigh, c.1865. LaTrobe Map Library of the State Library of Victoria.

Fig. 12 Extract: *Plan of Melbourne & Suburbs*, Degruchy & Leigh, revised 1866. LaTrobe Map Library of the State Library of Victoria.

Fig. 13 Dr. Louis L. Smith. Photographer (Unknown). Ref.: LTPI / H29569. Reproduced with permission. Photographic Library, State Library of Victoria.

Fig. 14 *Australia's Heritage – The Making of Nation – Part 57*, p.1356. Paul Hamlyn Pty. Ltd. (Sydney, N.S.W., Aust.) 1971.

Fig. 15 Photographed by Ralph G. C. Bartlett, with permission of the Smith Family (25<sup>th</sup> April 2003).

Fig. 16 Insert – “Once Upon an Ensign,” *Crux Australis* Vol.13, No. 4/56, p. 157. Graphics: Ralph D. Kelly, Flag Society of Australia, 1999.

Fig. 17 Victorian Flag image created and supplied by Ralph D. Kelly. (Flag Society of Australia), E-mail attachment, 23<sup>rd</sup> May 2003.

Figs. 18, 19, 20 and 21 *Melbourne – The City's History and Development – Photograph\** p. 51. Miles Lewis – City of Melbourne – Second Edition: November 1995. \*The text below this photograph has been swapped with another photograph on Page 60 in this book.

## **Sources**

*The Argus* newspaper, Friday, 29<sup>th</sup> Nov. 1867, P.5 and Thursday, 5<sup>th</sup> Dec. 1867, p. 5.

*The Herald* newspaper, Friday, 29<sup>th</sup> Nov. 1867, p. 3.

*The Illustrated Melbourne Post* newspaper, No. 105, 27<sup>th</sup> December 1867, p. 179.

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E-mail from David Prothero to Ralph Bartlett dated the 11<sup>th</sup> February 2003.

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*Victorian Government Gazette* No. 10 – Friday, 4 February 1870, p. 225.

*Victorian Government Gazette* No. 119 – Friday, 30 November 1877, p. 2288.

## **Further Reading**

For more information on the actual adoption of Victoria's and the other Australian Colonial / State Flags; please see: Ralph D. Kelly's 13<sup>th</sup> I.C.V. lecture: "Australian state flags 1865-1904: A British Admiralty Legacy," Published in: *Crux Australis* Vol. 8, No. 4 -36, October-December 1992, *Report of the 13<sup>th</sup> International Congress of Vexillology – Melbourne 1989* (Flag Society of Australia – August 1993) .

## **About the author**



Ralph G. C. Bartlett is Director of Vexventures and Secretary of the Flag Society of Australia. He has been interested in flags since childhood, when he also became interested in maps, political geography, politics, and travelling. After reading a newspaper article about a local (Melbourne) man also interested in flags, he and six other people established the Flag Society of Australia in August 1983. Since then Ralph has been able to combine all his other interests to raise the standard of vexillology within Australia and then expand this knowledge to the rest of the world. During the ensuing 20 years he has written many articles for *Crux Australis*, the journal of the Flag Society of Australia, has edited and/or published eight flag charts, one book, one commercial flag internet site, and presented lectures to six of the ten I.C.V.s he has attended since the 11<sup>th</sup> I.C.V. in Madrid, Spain – 1985. Throughout these years he has also served continuously on the Executive Board of the Flag Society of Australia, and eight years on F.I.A.V.'s Board as Congress Secretary-General, as well as being host Congress Co-Ordinator for the 13<sup>th</sup> International Congress of Vexillology in Melbourne, Australia in September 1989.

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