

Edmund Barton

(1849–1920)

Australia's first Prime Minister

His Own Particular Harvest



David Headon

Australian Parliamentary Library

Department of Parliamentary Services

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Foreword

On 1 January 1901 the six Australian colonies joined together to form the Commonwealth, charged with making laws for the peace, order, and good government for Australia.ⁱ The legal birth of the nation was complete, but the job of nation-building had just begun. This Herculean labour was led by the first Prime Minister, Edmund Barton, whose devotion to the Federal cause earned him the moniker ‘Australia’s noblest son’. Another Australian Prime Minister, Malcom Fraser, observed that ‘it is a measure of Barton’s quality that he has such regard from the outstanding men in the Federal movement that he was regarded as the logical and obvious man to lead the new nation’.ⁱⁱ

His fervent belief in the cause of Federation was captured during the lead-up to the Constitutional Conventions: he barnstormed the country with over 300 meetings and was ‘the acknowledged leader of the federal movement in all Australia’.ⁱⁱⁱ Indeed, during those conventions he remarked that there ‘is one great thing which ranks above any others in my political life, and will activate me until it is accomplished, and this is the question of the union of Australian colonies’.^{iv} Once Federation was attained, Barton gathered around him a cabinet of kings, and held the fledgling, minority government together ‘by force of a capacity for attracting personal affection and trust such as few men possess’.^v

Barton’s ambitious program of legislation in that first Parliament included the old age pension, transcontinental railway, establishment of the High Court, establishment of the Commonwealth Public Service, and proposed universal suffrage. While not all of these proposals were enacted in the first Parliament, they are the lasting triumphs of the ‘visionary movement for a single Australian nation’^{vi} held by Barton and his Cabinet.

Barton never aspired to power and a common refrain about his life was that he was lazy, and yet he rose to become the youngest Speaker in the pugnacious New South Wales Colonial Parliament. It is said that as a politician Barton lacked political nous, and yet he led Australia as its first prime minister. As a barrister he spent too little time with the law, and yet he was appointed a senior puisne judge on the first High Court of Australia.^{vii} He believed ‘in rational and sound argument rather than emotive displays of the platform orator’.^{viii} His ‘charm was his generosity, even temper and ability to keep silent’ yet his ‘conversation rarely lacked humour or wit’.^{ix} He was a voracious reader, ‘he loved the theatre – especially Shakespeare and opera – and appreciated music and art’.^x

Mark Twain once observed that Australian history 'does not read like history, but like the most beautiful of lies; and all of a fresh new sort, no mouldy old stale ones. It is full of surprises and adventures, and incongruities, and contradictions, and incredibilities; but they are all true, they all happened'.^{xi} Twain may well have been writing Edmund Barton's autobiography: his life story unfolds full of those incongruities, surprises, contradictions and adventures.

Dianne Heriot

Dianne Heriot
Parliamentary Librarian



"Town Hall at Night," Sydney.

Sydney Town Hall, alive with fireworks, 1 January 1901. Note the wording in lights, 'One People One Destiny', a phrase popularised in a poem of that name written by the Countess of Jersey, wife of the NSW Governor, Lord Jersey, in the early 1890s.

About the author

Dr David Headon is a Canberra-based historian and cultural consultant. A regular commentator on cultural, political and social issues on ABC radio, he is a Foundation Fellow at the Australian Studies Institute (Australian National University) and an Associate in the Parliamentary Library. He was awarded the Centenary Medal in 2001.

Acknowledgements

Writing this monograph – the third instalment in the *First Eight* project of early Australian prime ministers – has, if anything, been even more rewarding than its two predecessors. One of the reasons for this is the several discoveries made on the way of some surprising, incidental connections between the background story of Australia's first prime minister and my own. Not for a moment am I comparing the scale of Barton's achievements and my own modest career pursuits. Rather, it was a series of family and geographic coincidences that emerged which made the research so enjoyable. I touched on a few of these in a recent Barton lecture for the National Archives of Australia.

For assistance received during the writing of this volume, I would like to acknowledge the dedicated team at the Parliamentary Library. Leo Terpstra and several other staff members have responded with speed and efficiency to all my requests, while Carlene Dunshea and Matt Harris have ensured that the book's appearance and its array of photographs are presented to maximum effect. A treat for the eyes. My reliable, knowledgeable long-time research assistant and proof-reader, Barbara Coe, did her usual impeccable job, keeping me honest, as well as tracking down leads and unearthing others.

A number of the photographs used in the book were sourced after I had attended a Barton exhibition, splendidly curated by Anne Sanders, in the Commonwealth Parliament over the Christmas period, 2020–21. I was able to cherry-pick from the large suite of photographs and images on show, the selections effectively complementing other original material located. The collections of the national institutions were essential, and I have to thank the National Library of Australia, the National Archives of Australia, the National Portrait Gallery and the Museum of Australian Democracy, as well as the Dixson Library (State Library of NSW), the Museum of Applied Arts and Sciences and the Victorian Parliamentary Library.

Individuals were also very helpful, and big thanks must go to two descendants of Edmund, Anne Barton (in Melbourne) and Bill Barton (in England); Ron Cardwell in Sydney; Fran O'Flynn, Linda Cooper and Heather West in Goulburn; Robyn Howard, Tricia and Les Lewis in Hay; Huong Nguyen at the Hydro Majestic Hotel; and Joy and Bill Headon in Port Macquarie.

The continuing support of a number of individuals and institutions for the *First Eight* project, as it has evolved, has been gratifying. Once again, I need to single out Dianne Heriot, the Parliamentary Librarian, for her unwavering enthusiasm from the beginning, and Professor Paul Pickering, Director of the Australian Studies Institute at the Australian National University. Paul's grasp of the wider possibilities of the original concept has produced a flagship enterprise for each of those institutions and organisations now on board – the National Museum of Australia, the National Archives of Australia, the Victorian Parliamentary Library, the Australian High Commission (London) and the Britain–Australia Society.

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Edmund who?

In the lead-up to the centenary year of Australian Federation in 2001, the Commonwealth Government established a bi-partisan national council to run a program of commemorative events. The Council's brief, though it was never expressed in such terms, was to stimulate the public's engagement with the federation story of a hundred years before. This was no easy task. How to spark interest in a cohort of white blokes, almost all of them heavily be-whiskered, a number of them old, lawyers, and all of them resolute in their determination to not smile for the camera? To young 21st century eyes, they presented as a bunch of remote and boring old farts, in old-fashioned suits.

Conscious of the problem, the Council ran a very effective television advertisement that many will remember: a young, bright-eyed boy surprises his newspaper-reading father with a question: 'Who was the first prime minister of Australia?' Scrambling to avoid the innocent inquiry, father replies, 'Go ask your mother'. The boy does, returning to inform his dad ... that it was Edmund Barton! The advertisement was bookended with a question, one that resonated to good effect throughout 2000 and 2001: 'What sort of country doesn't know the name of its own first prime minister?' Plenty of Australians at the time learnt that name, but not much else about Edmund Barton (and his peers), or for that matter, the turn-of-the-century period in which he emerged as the most prominent promoter of the federation cause.

The widespread public apathy confronting the Federation Centenary Council in the lead-up to 2001 was not a recent phenomenon. Fifty years before, in November 1947 when Robert Menzies wrote his Foreword to the first biography of Barton written by historian Henry Reynolds' father, John Reynolds, Menzies quizzically observed that we Australians 'somewhat lack pride in our predecessors'.¹

This disconnect with our past has continued to drift pervasively into the present day. A few months ago I visited Barton's gravesite at Vacluse's South Head Cemetery, in Sydney. A small cemetery of obvious historic significance, the South Head facility has little information on any of its illustrious inhabitants, including the country's first prime minister. More recently I drove up to the Blue Mountains, to the Hydro Majestic Hotel in Medlow Bath where Barton died in early January 1920. Our inaugural prime minister gets no mention in the hotel's history brochure, and only a few fleeting seconds on a DVD loop in the Hydro shop. And that's it. No plaque, no dedicated commemorative space in the hotel, no nothing.

To be fair, this neglect of the past is part of a wider global tendency. We do live in a more self-absorbed era driven by social media, gaming, apps, phones, Facebook, emojis and memes. Yet there is so much of value to be recovered in Edmund Barton's

culturally and politically sophisticated narrative. In seeking to understand him, and to recognise the breadth of his contribution, it is only appropriate in the aftermath of the centenary year of Barton's death that we re-visit him, to locate his story within the turbulent social climate of the federation era.

Once fully immersed in politics, Barton refused to be distracted from what he described in 1903 as 'the true line of public duty'.² Together with Alfred Deakin and George Reid, Australia's second and fourth prime ministers, Barton is a member of a distinguished triumvirate of essential federation founders. Without the individual and joint contributions of these three, Australian Federation quite simply would not have occurred in 1901. The self-effacing Barton played his crucial part.

When one of his younger contemporaries, the immensely talented Robert Randolph Garran, was asked in 1940 to comment on Barton's federation contribution, decades after his death, he left us with an invaluable first-hand insight. Writing to biographer John Reynolds, Garran stated:

*My feeling is that Barton was a field kept fallow for a particular harvest; that he was set aside, dedicated, for a special task. He devoted to that task all his pent-up energies; he completed it. What more can we ask of any man?*³

In this account, I will explain why I think Garran's telling reflection, from such a respected friend and professional colleague, underpins an understanding of our country's first prime minister. But there is far more to it. Barton was driven by a perceived call to national duty, yes, and for this a number of historians have heaped him with praise: for the eminent Sir Ernest Scott, writing in 1939, he was 'a masterly leader'; a decade later, John Reynolds was happy to repeat the 'extravagant phrase' that federation newspapers regularly used, Barton as 'Australia's Noblest Son'; and, in 1962, the formidable if prickly MH Ellis referred to Barton as 'a man of destiny'. Later still, a Chief Justice of the High Court, Sir Garfield Barwick, perhaps spoke for his generation when eulogising the 'almost evangelical efforts' of the country's first prime minister, 'the giant of the Federation movement'.⁴

Yet triumphalist descriptions of this kind fail to represent fully the rich tapestry of Barton's cultural background, and the number of demanding character examinations he faced during his steady emergence into the public life of his colony, especially in the notorious bearpit of colonial NSW politics in the 1880s. They fail to reflect Barton's willingness to get his hands dirty with hard work when, in the tumult of the 1890s and time and again as prime minister, he had to apply with patience and skill the art of political compromise across a contested political divide. And they tend to skate over Barton's 17 years as a judge on the first Commonwealth High Court, when he and his fellow justices were constantly faced with the challenge of interpreting a new and imperfect Constitution in a community atmosphere, continent-wide, that was at best curious, at worst openly hostile.

The kernel of Barton's full story does prove elusive beyond the catch-phrases and the formal, posed photographs with sepia tones.

When John Williams and I edited a book in 2000 entitled *Makers of Miracles – the Cast of the Federation Story*, we asked Barton's second major biographer, historian Geoffrey Bolton, to contribute a piece for the volume. Despite the request being made in the same busy year that he had published his Barton biography, Prof Bolton obliged with a chapter he called 'Edmund Barton: Some Mysteries'. His opening sentences need quoting in full:

*Not the least of the miracles that went into the fashioning of the Australian Federation was the process by which Edmund Barton came to be seen as leader of the movement and eventually first prime minister of the Australian Commonwealth. Less eloquent than Deakin, less politically adept than Reid, less purposeful than [Charles] Kingston or [John] Forrest, less brilliant as a lawyer than [Samuel] Griffith, he was seen by his critics as too lazy and too fond of his food and drink to make an impression equal to his abilities.*⁵

The historian interested in researching the more detailed background of our first prime minister has to come to terms with Barton the conundrum, the politician cast from a different mould. He was a young man of precocious ability at school and university who felt just as contented playing cricket, drinking and hanging out with his close friends as he did with his head buried in the Greek and Roman classics. He was the sometimes reluctant leader, whose habits of generosity and unsteady financial management at home and in public life created serious problems that his opponents, including the reprobate John Norton in his *Truth* newspaper, exposed with relish. Even as a mature and dominant politician in the Commonwealth parliament, Barton was not remotely interested in retaining power for its own sake and, after three years in the new nation's top job, he pivoted to the relative anonymity of the High Court rather than continue to be caught up in the egos and intrigues of intense party politics. Barton was never a political animal.

If Alfred Deakin had lofty visions, staying in politics beyond his use-by date because he was convinced that his career was an expression of the Divine Will of God, and George Reid was in some way diminished by his weakness for affectation and his resolute determination to be prime minister at any cost, then unlike both of them, Edmund Barton appeals as a sort of accidental prime minister, the man whose life evolved towards the prime ministership, rather than him relentlessly pursuing it. Once signed up, he stayed the course. He felt that he had a job to do for the new nation, he got it done and he moved on, content to leave the field to others more driven, more motivated by the demands of ambition – men more at home in an increasingly combative federal parliament.



Roots and role models



Edmund 'Toby' Barton in 1866, aged 17, a student at Sydney University.

Edmund Barton was born in Hereford Street, Glebe, in Sydney, on 18 January 1849, the 11th child of 12, and fourth son, of William Barton and Mary Louisa Whydah. Along with the Victorian Alfred Deakin, he was one of only two of Australia's first seven Prime Ministers (all members of the first Commonwealth parliament) to be born in Australia – a 'native-born' in the commonly used phrase of the era. As he grew older, Deakin fell into the habit of mythologising aspects of his modest Melbourne childhood, and his relationship with his mother and father. Barton had no need for embellishment. His parents were an active part of an expanding middle class in New South Wales, the 'Mother Colony' as it liked to describe itself. Both William and Mary Barton were prominent migrant citizens in a colony on the rise.

They had married in England in 1827, William nearly 32 years of age and the well-educated Mary only 18, young enough for the match to require the permission of Mary's widowed mother. An accountant from his teenage years on the London Stock Exchange, William was prepared to explore a new future. Within two months of their marriage, the couple had boarded a ship in Portsmouth, the *Frederick*, and were on their way to the adventure of far-off Sydney. It is unlikely that either of the Bartons was at all unsettled when sharing the ship's deck with eight French Merino rams and 312 French Merino ewes. All that mattered was safely reaching their destination, a place William's older brother described in a letter as a 'land flowing with milk and honey'.⁶

Edmund Barton's father had a combustible personality that at times got him into trouble. He fell out with his first employer in NSW, the Australian Agricultural Company during a first stint at Port Stephens, where isolation in the bush for a time unhinged him. The Company's new Commissioner, renowned Arctic explorer Sir William Parry, took exception to the behaviour of his resident accountant, Mr Barton, in correspondence referring to him as 'troublesome', 'arrogant' and, on one occasion, 'violent and offensive'.⁷ When Parry suspended him, an incensed Barton impetuously uprooted his family and headed back to England in order to sue Parry for 'malicious prosecution'. He won, but an unsympathetic court awarded him the grand sum of one farthing in damages.

Lessons were learned. Barton brought his growing family back to NSW in 1833, and for the rest of his long working life he pursued a variety of business options where he was his own boss. The year following the return to Sydney, William advertised himself as an agent for the transfer of bank shares and other companies, a daring initiative which over the following decades would see him recognised as the colony's first stockbroker and co-founder of the Sydney Stock Exchange. In fact, a recent General Manager of Sydney's Exchange acclaimed him as 'the doyen of stockbroking in Australia'. Bankruptcy during the severe economic depression in the early 1840s only hardened his resolve to be successful in the colonies.⁸

William was extremely lucky to have Mary. In his several periods of financial stress over the decades, she opened schools for young ladies at a few inner city Sydney addresses, perhaps the most successful at 100 Macquarie Street (wedged between a milliner's shopfront and a chimney sweep), and later in nearby Woollahra, where the Bartons lived for a number of years. When the family needed money, Mary calmly hung out her shingle, and was soon instructing the young women of some of Sydney's foremost families. In one of her newspaper advertisements, she assured parents wanting the best for their offspring that 'the greatest attention is paid ... to the comfort and intellectual improvement of [my] Pupils'.⁹

About the time Edmund was born, Mary and her husband joined the Australian Anti-Transportation League, an organisation established to oppose penal transportation to eastern Australia, its goal achieved in 1853.¹⁰ The League attracted a number of leading lights of the community, including some individuals later to play a part in the first meaningful discussions of a federation in the late 1880s and early 1890s, not the least of them the irrepressible Henry Parkes. The political journeys of Edmund and an ageing Henry would, some decades later, converge.

As the young Edmund grew up, there is no doubt that he was influenced by both of his parents. His mother was always a rock of reliability, affection guaranteed. Her own education and passionate interest in education had a powerful effect on her children, in particular Edmund – whom she affectionately called 'Toby', a name that stuck – and one of his older brothers, George, about whom we will learn more. The husband of one of the Barton daughters in later life said that Mary was 'the most intelligent woman he ever met'.¹¹

William's impact on Toby was of a different sort. Though Barton senior was a devoted writer of religious poetry, this enthusiasm did not engage the interest of his children, and certainly not Toby. Yet William's manner, his patrician demeanour in later life, did. An anonymous obituary for him appeared in the *Brisbane Courier* several days after his death in 1881, written by someone who must have known him personally. Entitled 'Obituary of an Old Colonist', it begins: 'Eighteenth century men are getting scarcer and scarcer amongst us ... [so] the death of the pioneer stock and share broker of Australia forms an event worthy of note'.¹² We learn that when William started work as a 15-year old in London, in 1810, his boss still wore the cocked hat, powdered pigtail, knee breeches and silver buckles of George II's era. William was moulded by the 'knickerbocker' generation. He was, the obituary writer nostalgically observed, 'essentially one of the old school, with a strong element of the eighteenth century "backbone" of [Lord] Palmerston's era in his character'. We can safely conclude that William's son Edmund, destined to lead an infant Australian nation into the newness of the twentieth century, had a smattering of old-school traits to his character, just like his father.



Portrait of Mary Louisa Barton (nee Whydah), Edmund's mother, in her early 60s. One of Mary's sons-in-law said that she was 'the most intelligent woman he ever met'. For this photograph, she made sure books were prominently displayed.



Portrait of William Barton, Edmund's enigmatic father, in 1876, aged 81. Said to be 'the doyen of stockbroking in Australia', he was also an avid writer of religious verse.



Miles Building, Gloucester Street, Sydney – The Rocks – where Barton was born in 1849. He lived there in his childhood and teen years, enjoying the freedom it gave him in such a vibrant part of the inner city.



Gloucester Street today.



Toby Barton's first school as a child was located in the Garrison Church, Argyle Street, The Rocks. The site is heritage-listed.



Toby Barton, aged 19, after graduating with a Bachelor of Arts from Sydney University in 1868, with First Class Honours in the Classics, for which he was awarded a £20 university prize.

Young Toby was something of a prodigy from his first school days at the Garrison Church at St Philip's, in the Rocks area of Sydney, and after that at the Upper Fort Street Primary School. From 1857 to 1864 he attended Sydney Grammar. His habit of practising his signature on any available blank page of his classics textbooks belied an agile, inquisitive mind. After matriculating at the tender age of 16, he was off to Sydney University. At school and at university he was fortunate to be exposed to some of colonial Australia's most inspiring educators. In Barton's years at Grammar, the school had a shabby 'goat walk' physical appearance which did no justice to the teaching quality within its walls, especially from the headmaster, Oxonian William Stephens, an individual of 'wide attainments' we are told.¹³ Stephens' scholarly knowledge of science and the arts resulted in him later in life being offered the Chair in Natural History at Sydney University, a position he occupied for eight years until his death in 1890.

During Barton's university years in the later 1860s, he was again the recipient of expert tutelage, this time from a man of established international renown: Charles Badham, the self-described 'Badham of Wadham', another Oxonian and an individual regarded by no less than Cardinal John Henry Newman as 'the first Greek scholar of the day' and described by the famed historian of Greece, George Grote, as 'the greatest of living scholars'.¹⁴ It was remembered by someone who knew both of them at the university that 'Barton had an unbounded love and enthusiasm for old Badham'.¹⁵

Barton's best teachers challenged him. At Grammar he was dux, school captain for two years and the recipient of a University Senate special prize; at university he won prestigious scholarships in his second and third years, and graduated BA in 1868 with First Class Honours in Classics, for which he was awarded a special university prize of £20, a large sum at the time.

Within two years he had added a Masters degree to his CV, impressing his instructors as that rare student who absorbed, retained and responded knowledgeably to the great literary and philosophical works of the past. At school he often carried a well-thumbed volume of Thucydides around with him; he dug deeply into Herodotus' *Histories*, evidenced by his own heavily annotated copy, now in the safe-keeping of the National Library of Australia (NLA); he had a lifelong passion for Shakespeare's plays, long passages of which he could quote at length throughout his life; and he was an avid student of the writing of celebrated contemporaries such as Thomas Carlyle.¹⁶ Edmund's oldest son, Judge Edmund Alfred Barton, many years later recalled that his father reserved special praise for the seminal essays of renowned English social commentator, critic and philosopher, William Hazlitt.¹⁷

Such a brilliant scholarly record might tempt us to typecast Barton as a highly talented swat, an impressionable young man locked into the world of the ancients, the Elizabethans and the contemporary English masters. However, his interests drew just as enthusiastically from his vibrant, living and breathing community, and his wide circle of friends. He loved cricket and fishing his whole life, and two of the close friends he made early on would have an important place in Barton's federation story ahead. At Sydney Grammar he befriended a student a couple of years younger than himself,

Richard O'Connor, probably because of their mutual love of sport. Now fast-forward to 1903, when the three members of the Commonwealth's first High Court were announced. Sir Samuel Griffith was the new nation's Chief Justice, and the other two Judges joining him were the Grammar schoolmates of old, Ted Barton, as O'Connor always called him, and Dick O'Connor, grandson of one of the 1798 Irish Rebellion leaders.¹⁸

When dangling a lazy line in Sydney Harbour, near his home in the Rocks, Toby befriended a young chap named George Reid, another local with political aspirations as well as sharp eye for a black bream. Jovial George had been in the workforce since he was 13, and by his 20s he had worked his way swiftly through the grades of the NSW Civil Service. Barton and Reid fished together, sometimes into the early hours of the morning, enjoyed many a day at the races together, and they often picnicked with a large group of friends who, for recreation, liked to explore their harbour's most attractive locations, from Circular Quay to Woolloomooloo Bay, and all the way to Bradley's Head. The group had fun, drinking, going to the theatre, singing the popular songs of the era, attending Government House balls and, on occasion, attending moonlit concerts in the Domain. As Barton noted in his diary in 1869, his late teens were a 'very jolly' period in his life.¹⁹

The older Reid introduced his companion to the debating society at the Sydney Mechanics' School of Arts, many years later recalling that he had 'never met a more diffident beginner as a speaker than [Barton] was'.²⁰ The younger man got much better. He would never have his mate George's spontaneity, charm and wit, his effortless ability to win over a crowd, but in the contested later 1890s it was to be Barton's distinctive blend of earnestness, elevated purpose and diligent speech preparation that received the ultimate endorsement from federation era voters.

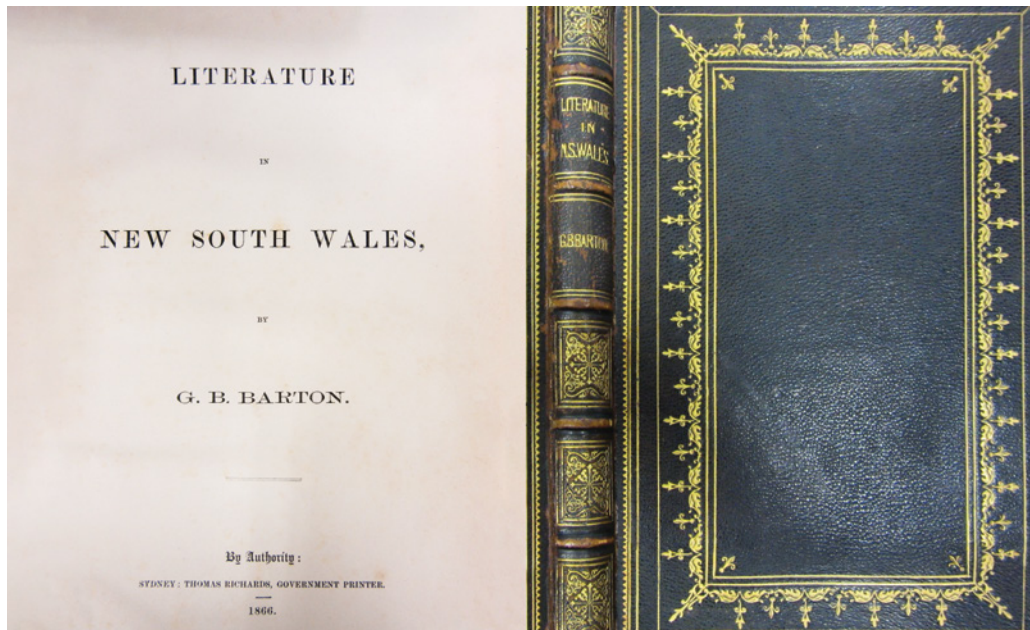
One other likely influence on Toby in his formative years was his brother, George Burnett Barton, older by some 12 years. The enigmatic George also began attending Sydney University at age 16, and he did so well that his parents packed him off to England to study law. He was admitted to the Middle Temple in 1857, when younger brother Toby was 8, and after graduating from Oxford in 1859 he was admitted to the English Bar in 1860. Ernest Scott, in an article for the *Sydney Morning Herald* in 1939, noted that he had 'heard men who knew both [of the Barton brothers] well, maintain that George Barton was the abler of the two'.²¹ His erratic working life, however, was punctuated by numerous feuds of consequence – with family, with respected university professors and employers, and, on several occasions in later life, with senior government officials in NSW and New Zealand. Mostly, he came off second best.

George Barton battled his whole life with incurable deafness and bouts of depression, and he fought constantly with his father, who had decided quite unreasonably that his son was squandering his talents. This festering issue culminated in George writing what he called 'An Apology for My Life', a 40-page letter in which he accused his father of the neglect of his moral training, of never giving him any affection at all while lauding his 10-year old brother Edmund's success in primary school. In the letter, also held in the archives of the NLA, George reserved this advice for his father:

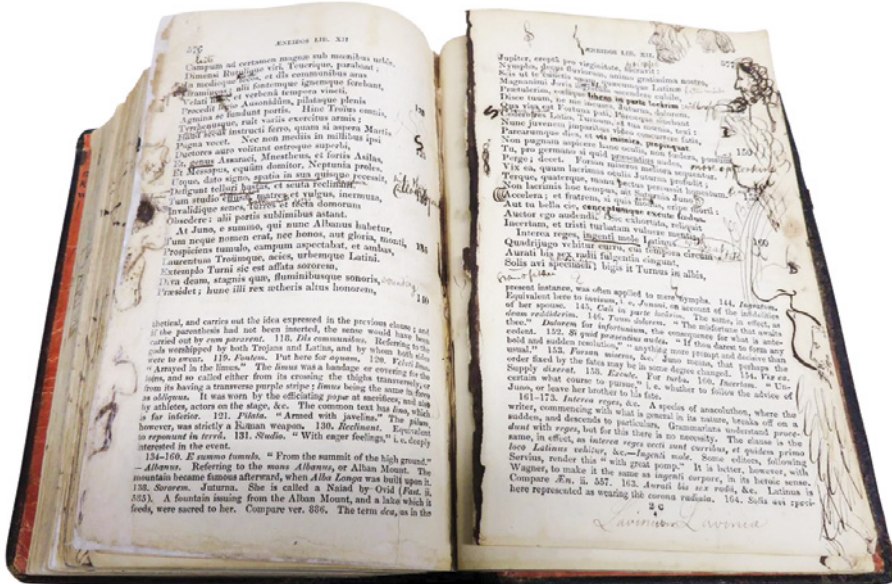
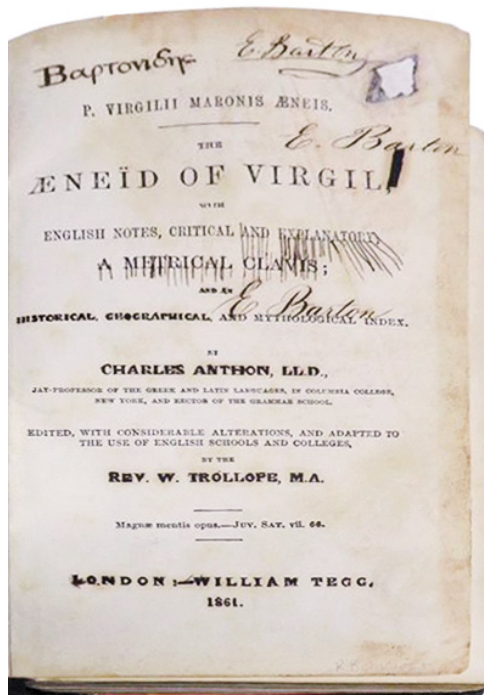
Let [Edmund] learn early what I have learned late. Do not allow him, the Benjamin of your heart, to remain in ignorance of those things which his welfare, for Time and Eternity, entirely depend. Cultivate his Body – Cultivate his Mind – Cultivate his Soul.²²

There is no evidence to suggest that William attended to any of these character-building maxims when keeping watch on Edmund's educational progress, but it is likely that brother George may have done so, at least indirectly. When George eschewed the law on his return from England, he embarked on a wholly different career path, a road much less travelled, stimulated by the diverse range of his cultural interests, defiantly home-grown cultural interests. Collectively, they dominated the rest of his working life. In 1864, he was one of the founders of Sydney's *Punch* magazine. In 1866 he produced two extraordinary volumes, *Literature in New South Wales* and *The Poets and Prose Writers of New South Wales*.²³ Decades in advance of the limited horizons of his colonial community, these two works remain unique landmarks in early Australian literature and, indeed, early Australian society. There was more to come.

George spent over 10 years in New Zealand, 1868–79, in several jobs including editor of the *Otago Daily Times*. Toby regularly corresponded with him, sharing his older brother's mixed fortunes as George's big family with his first wife, Margaret, swelled to eight children.



In 1866, George Burnett Barton, one of Edmund's older brothers, wrote two works of seminal cultural significance for his home colony, *Literature of New South Wales* and *Poets and Prose Writers of New South Wales*.



Barton's copies of an assortment of Greek and Roman texts from his school years at Sydney Grammar are full of detailed margin notes, as these representative pages from his copy of Virgil's *Aeneid* indicate. Many of these notes sit side by side with his various doodles and, whenever space permitted, numerous versions of his signature – just in case he got famous?



Play up and play the game



The dashing figure of Toby Barton in his university cricket gear, Christmas 1870. In the same year the team visited Newcastle for an intervarsity game, where he met his future wife and life partner, Jane 'Jeanie' Ross. It was love at first sight for both.

In contrast to his gifted if wayward brother George, Toby Barton made a more pragmatic career choice. With his MA almost completed and conscious of the likelihood of not finding employment in the humanities, much less classical studies, he opted to begin training in the law in the office of Mr Burton Bradley, a Sydney solicitor. Later, he read with a well-known Sydney barrister, Gateward Coleridge Davis.²⁴ Few details of these first years in the legal profession remain, though we do know that Barton was the junior counsel on a well-known murder trial. Exposure to the grizzly details of the case convinced him that criminal law was not to his liking. He was far better suited, once admitted to the NSW Bar in 1872 as its youngest member, to the travelling work of the Supreme Court country circuit (and the development of his own practice), which took him to a number of his home colony's more remote regions. City-born and bred, Barton got on well with the many bush folk he met. He liked chatting about sheep, cattle, shearing and cricket. And besides, back then the inland rivers of NSW were teeming with Murray cod.

A more independent lifestyle for Toby began in May 1872 when he lost his 63-year old mother to heart trouble. His unpredictable father sold the family home in Woollahra, resulting in his son living in a succession of boarding houses for the next several years of what proved to be a momentous decade, the 1870s – the fulcrum decade that redefined colonial life, especially in the eastern states, and in the process galvanised Edmund Barton's political future. This was the decade when the white, male, adult, locally-born population for the first time outnumbered residents born overseas. For many of these young colonials the tenets of 'muscular Christianity' appealed, especially the idea that a British man's moral and spiritual fibre were stiffened by athletic endeavour.²⁵ When NSW Governor Sir Hercules Robinson delivered his end-of-year speech to the boys of Sydney Grammar in 1877, only a few years after Barton's time at the school, the Governor encouraged his audience to resist boasting, to be modest, to 'play up, play up and play the game' since the Iron Duke himself, the Duke of Wellington, had once famously remarked that 'Waterloo was won on the playing fields of Eton'.²⁶

Toby Barton was a representative product of the era. He loved all outdoor activity, rowed in the university's fours crew and played a handy game of cricket. Frank Iredale, an admired Australian representative cricketer of Barton's generation, many years later recalled Australia's first PM in Sydney grade cricket as quite fair with the bat though a wretched fielder.²⁷ His batting was good enough to hold down the #7 position in a student team that regularly played against some of the best colonial cricketers in the country – indeed, in the international cricketing world – including Fred 'the Demon' Spofforth, Alec and Charlie Bannerman, Billy Murdoch and Dave Gregory. This famous five was the core of the triumphant, initially unheralded Australian team that went to England in 1878 and won so convincingly at Lords in what is now regarded as the second-ever Ashes test match. The fast bowling of Spofforth and the Victorian Harry Boyle, the 'very devil' according to the British press, twice destroyed a much-touted MCC batting line-up that included the great Doctor himself, WG Grace. There was a total of 13 English ducks.²⁸

Now wind the clock back five years to 1873, to Sydney cricket, when ‘the Demon’ in one Saturday afternoon game got his regulation bag of opposition wickets, nine out of 10 Sydney University wickets. Seven were clean bowled. One of only two batsman he failed to dismiss that day was the pudgy-faced, sandy-haired fifth drop, Australia’s future first Prime Minister. It was a statistic that must have given Toby boasting rights in the sheds after the game but it was becoming clear to his team mates that Barton’s special talent lay beyond the field, in sport administration. He was appointed to the university’s grounds committee while still an undergraduate. Shortly after graduating, he was chosen as the club’s delegate on the prestigious New South Wales Cricket Association (NSWCA) Board and, by the end of his first year in that role, he was chairing the Board’s meetings. In 1873, he was made a selector for NSW representative cricket and, in 1874 in his mid-20s, he was chosen to umpire first-class matches, including the prestigious intercolonial match between NSW and Victoria held at the Melbourne Cricket Ground.²⁹

One Australian sport historian has suggested that Barton was also a proficient rugby player. He was not. However, his sporting stature at university was such that, in August 1874, he was appointed as an inaugural office-bearer for the Southern Rugby Football Union, Australian rugby’s most senior organisation, at an infant stage in the code’s history in this country. Later, he was elected Vice-President of the Union and, in that role, it was Edmund Barton who officially greeted the first-ever British Lions rugby team to Australia in 1888. The biographies make no mention of these rugby connections at all.³⁰

But back to cricket. It was Barton’s main sporting and cultural interest from an early age and, not surprisingly, we find miscellaneous cricket information sprinkled throughout his diary for 1869, including statistical data on important games, standout performances and sometimes complete innings scores, batsman by batsman. He liked to add his own assessments of the action and the players he had watched.

By 1879, as one of the most experienced umpires in NSW cricket, in spite of his relatively young age, Barton was selected by his colony in February to officiate in a game destined to be regarded by sport historians as nineteenth-century Australian colonial cricket’s most controversial. The match pitted a talented English team of mostly ‘gentlemen amateurs’, as they were called, against a NSW team which included no less than four of the 1878 stars: Spofforth, the Bannerman brothers and the brilliant Billy Murdoch, who was fast confirming a reputation as the best batsman in Australia, probably the cricketing world. The English side was captained by the pucker, privileged 28-year old George Robert Canning Harris, the fourth Lord Harris, Eton and Oxford-educated. Oozing with talent, the NSW side was expected to win easily.

Certainly the mass of local fans thought so, and the weight of their betting money was wagered on the colony’s favourite sons. However, with the Englishmen doing far better than expected, crowd favourite Billy Murdoch, top scorer in the first innings with a majestic 82 not out, was given ‘run out’ in a second innings already under




Toby, aged 21 in 1870, in his Master of Arts gown from Sydney University. He was about to begin studies in the law, a change of direction which would eventually lead him into a political career.



Portrait shots and signatures of the Sydney University cricket team, December 1871, in the lead-up to the side's victory over arch-rivals, the University of Melbourne. Barton batted at number seven, and sometimes kept wickets.

Sydney University Team
December 1871.

1. N. M. Faithfull... Captain
2. J. H. Iceton 57/1255
3. E. A. Iceton
4. R. M. Sly. 
5. A. Yeomans (Hon. Treas.)
*MR. & MRS. A. CARLISLE
Photographers.*
6. J. J. Yeece
*324, George Street.
SYDNEY.*
7. Ed. Barton
*FROM
OSWALD ALLEN'S*
8. Richard Yeece (Hon. Sec.)
9. J. Powell
10. J. M. Purves
11. J. Coates
12. F. J. Plomley... Score
13. A. P. Airey... Umpire

over Sandons. Bookseller
Won 2nd Match against University of Melbourne,
at Sydney Dec. 28, 29, 30. 1871.

pressure by the other match umpire: George Coulthard, an inexperienced 23-year old from the arch-rival colony of Victoria and, worse, known to have been hand-picked by Lord Harris. Coulthard's questionable call, coming on top of his decision in the English first innings to give Lord Harris 'not out', caught at the wicket (when many at the ground heard the nick and Harris himself later said that he touched the ball), caused the large crowd instantly to dispute the call. Loud protest erupted. In the blink of an eye, thousands of 'larrikins' invaded the ground, among them an impressionable 15-year old who never forgot the experience and wrote about it in later life, Andrew Barton Paterson, the 'Banjo'.³¹

Amidst the fracas, a member of the visiting team was heard to remark that such behaviour was all you could expect from the 'sons of convicts'.³² The duplicitous Lord Harris, after stating that he had accepted the apology of the NSW Cricket Association for the entire incident, leaked the story – his slant on the story – to the British press. He and his men, he stated, had been confronted by a 'howling mob', the behaviour of which constituted 'a desecration' of the 'manly' art of cricket. Harris' spurious version of events produced a flood of supportive London tabloid outrage, typified by the *Pall Mall Gazette*, thrilled to reproduce the hoary old Botany Bay slur that a 'Sydney mob has hereditary qualifications for blackguardism'.³³

In another monograph in the First Eight Prime Ministers series, *George Houstoun Reid—forgotten founder: Australia's fourth prime minister*, I discussed Reid's leading role in the aftermath of the 'Sydney Riot' match. The son of Scottish Presbyterian parents, free migrants, Reid was defensive about Australia's convict past, its gulag reputation that would not go away. Throughout the 1870s he took every opportunity in print to argue for the rapid cultural advancement of the southern colonies, an evolution which had demonstrated, as he put it in a *Sydney Morning Herald* article in October 1878, that 'the parent stock had not degenerated when transplanted to the Southern Hemisphere'. When the details of Lord Harris' London story made it back to NSW, in June 1879, Reid set about dismantling Harris' 'unfounded' charge, satirising the peer's childish antics and expressing his utter disdain for the overbearing, supercilious behaviour of far too many English visitors to Australian shores.³⁴

Reid knew what he was doing. He had become a leading NSWCA administrator and spokesperson by the later 1870s, and his bold comments generated considerable partisan publicity, undoubtedly contributing to his election to the NSW Legislative Assembly in 1880 – and to the long and distinguished political career that followed.

Edmund Barton chose a different course in response to the controversy post-match. A few days after the conclusion of the 'Sydney Riot' match, he wrote a letter to the *Sydney Morning Herald* in defence of Lord Harris and the actions of his team: 'But for his forbearance under peculiarly aggravating circumstances the action of the mob on Saturday would have brought the match to a sudden end, and given victory to Lord Harris' team without further trouble. I saw no trace of unfairness in the decision given by Coulthard ...'.³⁵ Barton also addressed the accusation that one of two named English players had 'uttered grossly insulting expressions to the crowd when the riot

was in progress'. For him, their denial of the charge was sufficient to absolve them of the charge. It is noteworthy that the *Herald*, perennial upholder of conservative values and opinions, on this occasion saw fit to print a response to Barton's remarks by their 'Cricket Reporter'. Adamant that the insulting comment was made, he cited a letter he had received from 'a well-known citizen' in which the informant wrote: 'I can only tell you that I heard the remark, and that it spread like wildfire around the ground'.³⁶

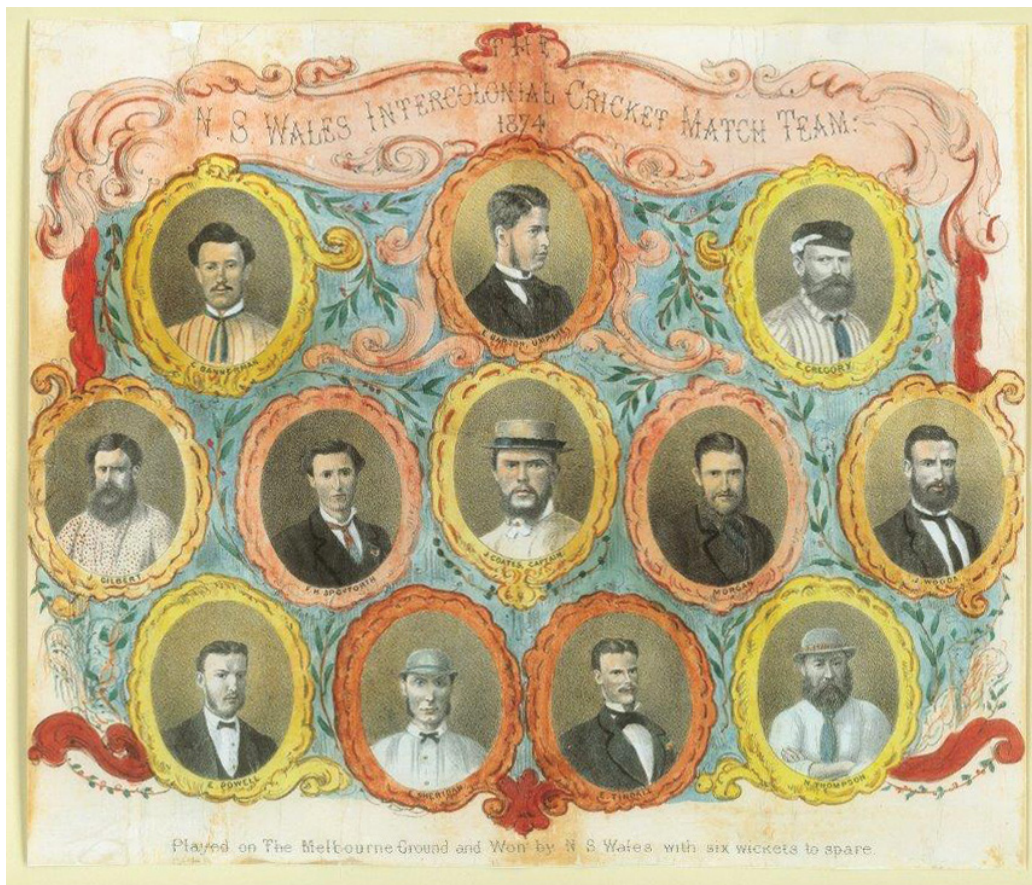
As unpopular as Barton's stance on the issue may have been with some in the community, like his fishing mate Reid he too gained much from the drama of the match, and its postscript. Barton had first presented himself for election to the NSW Legislative Assembly in 1876, aiming to be the member for the specially designated Sydney University seat (with its 100 or so voters). His opponent then, the experienced lawyer and liberal William Windeyer, won the contest narrowly. In the weeks preceding the vote, the *Sydney Morning Herald* admitted that 'Of MR. BARTON we know nothing'.³⁷ What occurred at Moore Park's Association Ground (to become the Sydney Cricket Ground) in February 1879 erased Barton's anonymity overnight. In the colony's next election, only a few months after the 'Sydney Riot', he won the University seat comfortably, his community star firmly in the ascendant. The public's overall impression, and that of his university alumni friends who cast their votes for him, was that Barton had kept a cool head when all about him were losing theirs, and this image of reliability, coolness in a crisis, affixed itself to him.

Cricket did Edmund Barton one other life-changing favour. As a member of a Sydney University team that played an intervarsity match in Newcastle in 1870, he met a young woman named Jane Mason Ross, 'Jeanie'. The 19-year old daughter of a Scottish-born engineer, Jeanie had lost her mother when she was 16, prompting her father David to ask his unmarried sister Ellen to travel out to Australia and help him parent Jeanie and her siblings. Family tradition remembers the dour Ellen as 'a very terrifying disciplinarian and stern, unbending Presbyterian'.³⁸ For Jeanie, the attentions of the rather dashing Sydney cricketer swept her off her feet. For the besotted Toby, Jeanie was simply 'beautiful ... she sings and is a dear'.³⁹ He made sure he saw her every day for the duration of the intervarsity week, and romance blossomed from there.

Engaged in 1872 despite Toby's less than imposing career prospects, the couple married on 28 December 1877 in the Watt Street manse of Jeanie's family church, Presbyterian St Andrew's, in Newcastle. The partnership proved to be forever a happy one, able to absorb the stresses and strains of Toby's long political and judicial career. Biographer Geoffrey Bolton is right when he points out that Jeanie remains someone about whom we know little from the extant sources, but she was a loving and intelligent woman, someone entirely at ease as a mother in the background and content to play the primary role in raising the couple's children.

It is certain that the stability Jeanie provided was important to her husband. When Toby was only 11, he and his family were plunged into an awful period of grief when they went through the trauma of losing one of his older sisters, Ellen. In her early teens, she was the victim of an accident which resulted in burns so severe that she

died four months later.⁴⁰ The shock of this loss was made so much worse when Toby lost his favourite sister, Alice, in 1875. After marrying Edward Hamersley (after whom the Hamersley Ranges in Western Australia are named) in Sydney in 1865, she and her husband returned to his native Oxfordshire a couple of years later. He was heir to the Hamersley property in Pyrton, and the couple lived in elegant Pyrton Manor. The English climate, however, was too much for Alice's delicate constitution and she died of a lung condition in 1875. In England, she had regularly corresponded with both Toby and her father, and in her last letter to William she said that she was a little miffed that her younger brother had not 'told me a word of the young lady he is engaged to. [Sisters] Sarah and Mary told me by her photo she was very pretty – and I hope sensible too'.⁴¹ She was. Alice would have approved of Jeanie.



Superb tinted poster produced to coincide with the cricket match between NSW and Victoria, at the Melbourne Ground, Victoria, 1874. Within a few years, Australian cricket would come of age with resounding victories over English Xis in what are now regarded as the first test matches between the two countries. In 1874, Edmund Barton, aged 25, was given control of the big game between the two most populous, archrival colonies. Note the person given top billing on the poster.



Barton in his lawyer's attire, probably in the late 1870s.



Knight of the round table



NSW parliament building c. 1870s.

So we have Toby Barton heading into the important 1880s decade a happily married, newly minted MLA, with one child, Edmund Alfred, one on the way, Wilfred Alexander, and a secure base of popular support among Sydney's upwardly mobile young professionals and law-makers. Embarking on a political career, he did so with the aim of wanting to make a difference. Ability and longevity gave him the chance to do so. Over a 21-year period in the colonial parliament, 1879–1900, he was Attorney-General twice, Leader of the Opposition a few times, Acting Premier once, briefly, and either a member of the Legislative Assembly or the Legislative Council throughout the two decades to federation (except for the period from 1894 to 1897).

Delivered just over 140 years ago, Barton's maiden speech in the Legislative Assembly, on the Public Education Act, seemed to announce him as an independent liberal. Drawing on his knowledge of the Greek classics, a trifle pretentiously, he quoted from Homer in support of the principle of secular education, free and compulsory. At one point in the speech, when he took exception to the divisive, anti-secular education comments of Sydney's Catholic Archbishop at the time, Roger Bede Vaughan, Barton launched a spirited defence of the religious and ethical soundness of his own colonial education:

... I object that those who were educated with me under a system [which the Archbishop stigmatises] as producing infidelity, immorality and lawlessness, should have it imputed to them that they are other than ... upright and God-fearing citizens.⁴²

The new member finished off his speech with a quotation from Swiss theologian, Johan Lavater, to support his social views: 'There are three classes of men, the retrograde, the stationary and the progressive'. While Barton made it clear to the Assembly that he located himself in its progressive camp (with Archbishop Vaughan at the opposite end of the political spectrum), in another speech the following year, when defending the right of the Legislative Council – the perennially obstructive, reactionary Upper House – to enact and amend a tax policy, he made it equally apparent that he was not going to be readily categorised as a rising democrat either.

The jury was out, yet Barton did display more than enough in his first years of full immersion in the roughhouse of NSW politics to impress many of his Assembly colleagues with his unruffled temperament and common sense. By late 1882 it was apparent that he had learned useful tactical lessons from his old friend Reid, by then comfortably entrenched in the Assembly himself and conscious of the electoral appeal of those politicians determined to prioritise local issues and value the social and cultural importance of the home-grown product. In one of his speeches, Barton declared that 'it needed no apology from *an Australian* to come forward and propound what he believed to be intelligent views'.⁴³ Calculated use of the 'cooe' for a home-grown constituency would serve this 'native-born' well in the future.

Barton's early political education continued in other forums as well, not least as a result of his membership of the prestigious, inner-city Athenaeum Club. A colourful contributor to the eccentricity of nineteenth-century Sydney folklore, the

Athenaeum cohort was a 'gentlemen's club' in the British mode. Its members were often described with epithets such as 'clubbable' and 'companionable', sparkling conversationalists partial to mixing with others of similar interests. Foundation members in 1881 included JR Fairfax, proprietor of the *Sydney Morning Herald*; the *Herald's* editor, Andrew Garran; editor of the *Daily Telegraph*, Lachlan Brient; successful businessman and federation politician of influence, William McMillan; aged liberal, 'native-born' politician William Bede Dalley; and legendary *Bulletin* proprietor, JF Archibald.

Barton joined the Athenaeum Club in 1882, in the same year as other notables such as *Bulletin* cartoonist Livingston 'Hop' Hopkins, Julian Ashton (the 'father of art in Australia') and Sydney University's Latin professor, Tom Butler.⁴⁴ It was a gathering of talent, power, influence and intellectual weight, and during some of the more troubled times that lay ahead of him, Barton retreated for succour either into the arms of his wife and children, or into the club's deep and comfy leather lounge chairs, surrounded by like-minded peers. As one member reminisced many years later, the club was 'a haven of rest from the workaday world – a second home'.

A few of the Athenaeum stalwarts, Barton among them, even formed themselves into a jocular sub-branch, the 'Knights of the Round Table'.⁴⁵ Who knows, after a libation or two Barton might well have fancied himself as Lancelot. AB Piddington, whose revealing snapshot of his friend, George Reid, assisted later biographers to understand the fascinating relationship between his private and public lives, also gave us an insider's reaction to Barton. Piddington regarded him as a quality politician, but he did not recoil from the warts in his warts-and-all assessment, mischievously recalling Barton's plea to his fellow-Athenaeum Club members, when the club was experiencing financial difficulties, to put their collective shoulder to the wheel and drink the place 'out of debt'. Piddington also reproduced the recollection of one of Barton's acquaintances during his hectic years as Assembly Speaker. It was suggested that Barton's day started with a rum-and-milk before breakfast, moved to sherry mid-morning, beer or stout at lunch, an afternoon whisky, then a surfeit of wine at dinner. While in his biography Geoffrey Bolton questions this story's precise accuracy, there is ample evidence to suggest that excessive alcohol consumption had its place in Barton's early political career.⁴⁶ Who knows? It might well have helped him to get on.

Barton's rapid political advancement was aided by his circle of friends at the Athenaeum Club, but he had done more than most on the floor of the Assembly to have his credentials promoted by George Reid to become the parliament's Speaker. After Reid had shrewdly assembled the required numbers, Barton was elected – unanimously – to become the youngest ever Speaker, and the youngest Presiding Officer in any of the colonial legislatures. He occupied the position for more than four years, a record term. It was an initiation by fire, yet one that the dapper and always clean-shaven MLA handled, often under extreme pressure, with consummate diplomacy and skill in the notorious 'bearpit'.

There was one contentious issue in the Mother Colony's affairs, an international issue, which played out in the early months of 1885, and in which Barton played a small yet important part. Anxious to throw off the last vestiges of its convict past, NSW received information at the end of January 1885 that the Mahdi had taken control of Khartoum, the capital of Sudan, on 26 January. Seventeen days later, a cable despatched from Cairo confirmed that England's General Charles Gordon had been killed on 26 January. The 'swordless conqueror' as the *Sydney Morning Herald* called him, 'a true disciple of the Divine Master', the revered Gordon was dead.⁴⁷ As all the Australian colonies went into mourning, NSW's Acting Colonial Secretary, William Bede Dalley, telegraphed London with the offer of 'instant and practical help to the Empire in an emergency' – military assistance.⁴⁸ The colonial chest expanded.

At a monster meeting in the Exhibition Building of Sydney's Botanic Gardens on 20 February 1885, attended by over 12,000 people, Chief Justice Sir James Martin expressed the mood of the multitude when he declared that at such a historic moment the loyal citizens of NSW 'would raise themselves from colonial to Imperial rank'.⁴⁹ Nothing less than the 'heart of Australia' was at stake. The roar of approval that greeted the two main speeches at the meeting, from Martin and high-profile MLA Sir Patrick Jennings, with their messages of unqualified support for the Empire, set the agenda for the forthcoming months of patriotic drum-beating in the newspapers and on Sydney's streets. It made no difference when the popular *Bulletin*, with its large circulation, called out the Dalley decision as culpably 'lusting after slaughter'. The community's views, drunk with patriotic fervour, were fixed.⁵⁰

Edmund Barton also addressed the overflowing Botanic Gardens crowd. He moved a second resolution, a courageous one given the crackling atmosphere of the day. While acknowledging the need for loyalty to the Crown and 'the integrity of Empire', Barton did not give the crowd what it so obviously craved, impassioned appeal to emotion, instead choosing to consider the likely result of military involvement: its impact on vulnerable 'widows and orphans', the families of the soldiers involved, their loved ones at home bound to suffer the long-term effects of a political decision made in haste. He asked the meeting to accept the principle of a Patriotic Fund to assist the families of the casualties in the Sudan, and the motion passed.⁵¹ Once again, Barton had remained calm in a crisis, resolute, and achieved a better outcome than seemed possible in the circumstances.

When Barton was chosen for a second term as Speaker in late 1885, Reid praised his friend's knowledge, ability and what he called his 'finer sense of impartiality'.⁵² A cricket umpire's impartiality perhaps? A clear majority of members endorsed the assessment. Biographer John Reynolds regards Barton's record-long stint as Speaker as 'one of the most successful phases of his public career'. This is fair comment, though it must also be assessed in the context of the toll it took on Barton's health. The constant pressure of the job, together with his enjoyment of the manifold attractions of the Athenaeum Club – and its culture of heavy drinking and late nights – caused Barton's weight to balloon. The fit, 60-kilogram teenage rower and cricketer bulged into a man in his mid-30s tipping the scales at more than 105 kilograms. He had become a politician with a public profile, but he was overweight and worn out.



Edmund Barton, c. 1879–80, at the beginning of his political career. The sideburns soon disappeared, making him one of the few politicians of his hirsute era who favoured a clean-shaven appearance.



Portrait of Barton in his attire as the (youngest-ever) Speaker of the NSW Legislative Assembly, 1883.



Federation's call



Barton in the mid-1880s. Already a fixture in colonial politics, is he imagining a role in a future Australian national government?

It was during his years as Speaker that Barton established a friendship that effectively began his federation journey. In December 1883, he chaired a state banquet in honour of visiting English politician and dignitary, Archibald Primrose, Lord Rosebery, a Liberal whose party was back in power after William Gladstone's election victory in 1880. Barton and Rosebery were about the same age and got on splendidly during the Englishman's three-month Australian sojourn. They remained friends for the remainder of Barton's life. When Alfred Deakin met Rosebery in England in 1900, he found him to be a man of 'nervous instability', 'poses perpetual' and 'vanity colossal'.⁵³ Not so Barton, and this might explain why Barton was the most effective networker and popular after-dinner speaker in London when the Australian party, led by Barton and Deakin, finessed the Federation Bill through the House of Commons. On Barton's visits to England in the years ahead he felt right at home as a loyal and companionable citizen of Australia and Empire.

At the gala banquet to welcome Rosebery, where he and Barton were noticed as being 'very merry at dinner after a strenuous game of rounders', the English peer's speech to a full house of local dignitaries with influence had an impact.⁵⁴ He invited his audience to consider their southern continent's beckoning future, its potential national destiny as the trustee of the Pacific: 'If you have any sort of federation', he challenged, 'we have some sort of a united voice to answer ... the broad voice of united Australia which is entitled to respect not merely in Great Britain but in the civilised world'.⁵⁵ The crowd cheered as one. Lord Rosebery's clarion call gave his friend Barton plenty to ponder.

When he resigned as the Assembly's Speaker in January 1887, Barton shortly after was nominated to the Legislative Council, remaining in the upper chamber for the next four years. During this period his political horizons broadened as he contemplated what he had praised in his final Speaker's speech as 'representative institutions, the noblest inheritance of our British race'.⁵⁶ Barton had also started to reassess his position on the contentious issue of free trade, slowly but surely favouring the opposite view – that local jobs should be protected by government law. He read more widely as well, pouring over the writings of the respected Tasmanian historian and later *Sydney Morning Herald* editor, John West, who produced a masterclass in his newspaper articles concerning the American Constitution and its principal authors. Barton began corresponding with another Tasmanian, Andrew Inglis Clark, the historian and jurist now regarded as the principal author of the Australian Constitution.⁵⁷ Justice Clark had a deep knowledge of American precedents, and he was set to work closely with Barton in the first-wave federation activity of the early 1890s.

A symbolically significant measure of Barton's evolving political interests, along with his growing cultural awareness, is the fact that on no less than three separate occasions (in 1887, 1891 and 1899) in the build-up to an Australian Federation he refused the offer of a knighthood because he felt it might damage the colonial public's perception of his larger purpose. He had developed into a politician of substance, well-recognised and respected, and he was not willing to compromise achievement of the final goal.

When Henry Parkes' speech in the northern NSW town of Tenterfield on 24 October 1889 reignited ailing federation discussion, Barton was one of the first public figures to congratulate him and to offer his full support. The two men did line up on opposite sides of the economic divide – Parkes the Free Trader, Barton a born-again Protectionist – but they had in common the national cause. Barton's response to the Parkes initiative was bound to be news.

A week after the Tenterfield oration, Barton visited the Blue Mountains coal town of Lithgow. His speech on the night was largely concerned with outlining the case for the protection of local industry, a policy position virtually all the miners of the town supported. At first Barton enjoyed himself with a few humorous barbs directed at prominent Free Traders, including his old friend-turned-sparring-partner, the Free-Trading George Reid, but he later shifted emphasis to play the reliable patriotism card. Speaking as a proud 'native of the country', he contrasted the Free Trader's devotion to one thing only, wealth accumulation, with the Protectionist's loftier priorities, 'love of country' and 'attachment to the soil'.⁵⁸ For Barton, people had to be more than merely 'money-making animals'. Quality of life demanded that other considerations be included, and he proposed 'honour, patriotism [and] sentiment'. It was a clever tug on the 'Advance Australia' inclinations of his mining audience, both men and women.

In Lithgow, Barton had created the ideal opportunity to come out, for the first time in public, as a vocal advocate of an Australian Federation. The *Australian Star* newspaper reported the last section of his historic speech with a relish that reflected its own partisan position:

Great as the question of Protection and Free-trade [is], there [is] no question in the field of Australian politics which [is] so great and important as the question of the federation of Australia. (Cheers.) [We] must rise above all selfish and party considerations of all kinds, and endeavour to bring about an Australian Union ... Do not let any question interfere with the question of federation ... This [I] promise, that whatever [I do] in regard to this question [I will] not be actuated by any idea of the advancement of any person, or body of persons, or party, but [I will] look solely to the best means of helping to secure, not merely for NSW, but for Australia, the dependency that awaits her. (Hear, hear.)

The Lithgow miners roared their approval, including a relatively new arrival among their number, a young English coal miner named Joseph Cook – destined to become Australia's sixth Prime Minister. The sooty-faced Cook cheered; all the sooty faces cheered. Barton was given a taste of the popular 'national' sentiment out there in the backblocks waiting to be harnessed.

A few days later he delivered a speech at a well-attended Australian Natives' Association gathering at the Sydney Town Hall, which biographer John Reynolds incorrectly records as the 'first public declaration of [Barton's] support for Federation'.⁵⁹ In fact, in Sydney he was one of a few speakers on the podium, including Henry Parkes, the wily old political campaigner who made sure he arrived intentionally late for

maximum theatrical effect. Barton did not get to say too much at the Town Hall event, other than declaring federation to be ‘a question so fraught with the future destinies of the country’, and invoking his American reading to proclaim that nationhood was Australia’s own ‘manifest destiny’.⁶⁰ In Lithgow, he not only had the opportunity to be far more expansive, he was even prepared to flag his caution about likely ‘obstacles’. History records that he had a right to be worried. As the unpredictable 1890s decade loomed, he could not possibly have anticipated the troubles that lay ahead.

Barton had readied himself to play a leading part in the agitation for a federation, but in the first half of the 1890s there were more retrograde steps than advances. For some of these reverses Barton himself must take some responsibility, but the obstructive role played by the so-called ‘Grand Old Man of Federation’, Sir Henry Parkes GCMG, has to be called into question as well.

In the early part of the 1890s decade, Parkes’ behaviour actually retarded the momentum for a federation due to a combination of his ego, age and wilfully spiteful behaviour. He died in 1896, his last years tainted by an embarrassing refusal to consider the possibility of anyone else being viewed as federation’s leader – and that included Barton, the rising star of the movement in NSW. Parkes’ best biography, the authoritative 1980 study by Allan Martin, details his decline in old age.⁶¹ In a chapter on Parkes that he contributed to the *Makers of Miracles* volume referred to earlier, Martin tells a revealing story. The Australian Mint in 1996 contacted him about its intention to produce a \$1 Parkes coin, complete with text calling him the ‘Father of Federation’. Martin supported the wording, but only on the condition that the word ‘Father’ was printed with inverted commas.⁶² His biography conclusively shows that, in the 1890s, Henry Parkes ‘disintegrated’.⁶³ Amongst his peers, his stocks as the sometime leader of the federation movement plummeted. The penetrating eye of Alfred Deakin captured Parkes as accurately as anyone of his generation when he wrote that ‘[Parkes] had always in his mind’s eye his own portrait as that of a great man, and constantly adjusted himself to it’.⁶⁴

We are told that at one point in late 1891, according to one of federation’s most enduring stories, Parkes bequeathed the federation leadership to Barton in a meeting between the two. ‘You are young and strong’, Parkes is reported to have said, ‘you must take up Federation’.⁶⁵ Geoffrey Bolton sums up the scene with biblical creativity:

*To a generation brought up on the Old Testament – probably to Parkes himself – the scene suggested the aged Moses, within sight of the Promised Land which he was destined not to enter, handing over the leadership of Israel to the vigorous young Joshua. But Barton’s credentials as a leader of the federation movement did not depend on Parkes’ blessing.*⁶⁶

Predictably, Parkes later furiously denied the validity of the story’s content, adamant that ‘bodily pain and ‘mental anguish’ had let the words inadvertently slip out.⁶⁷ It hardly mattered to Barton; he needed nothing from Parkes in order to expand his federation role. He had set his own course.



Barton enjoyed a day at the races his entire life. He and good friend, George Reid (Australia's fourth Prime Minister), were regular visitors to the AJC's Sydney racecourses, before the constraints of their political careers made life more difficult. Even then, they attended when time allowed.

The Bulletin

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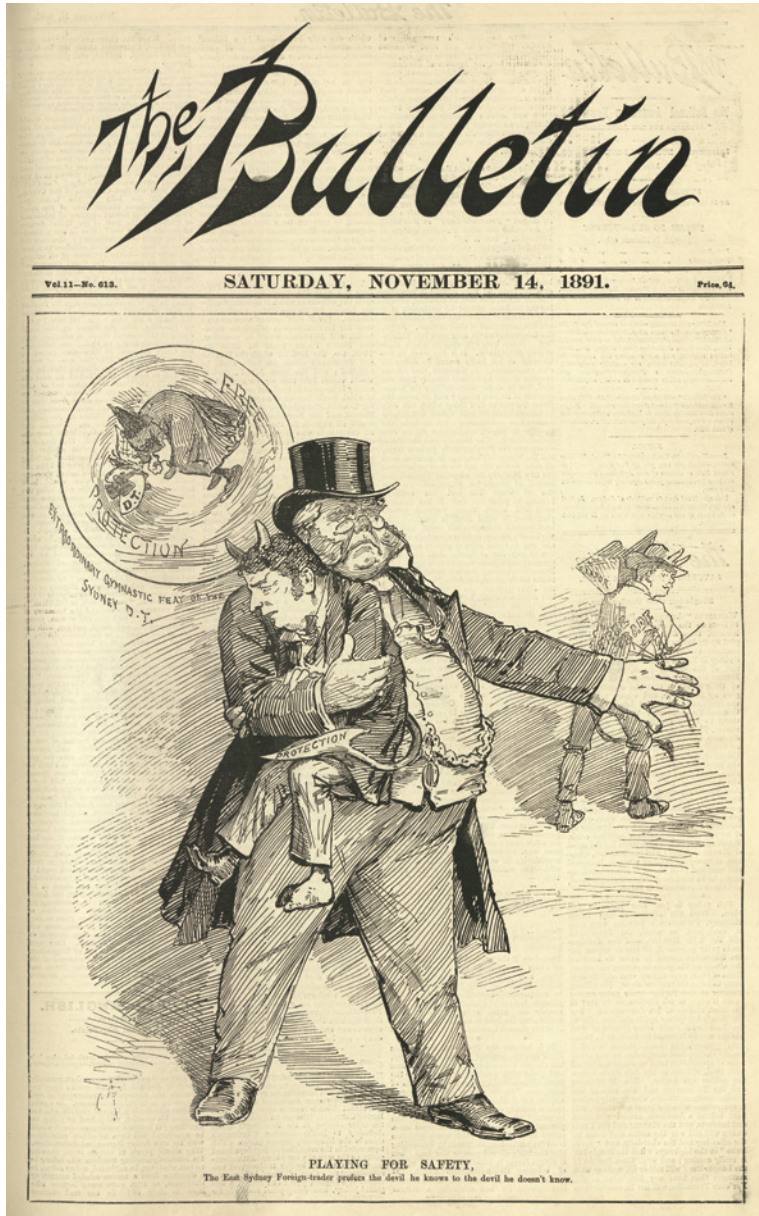


The Man of Destiny—If he only Liked.

Classic *Bulletin* cartoon, 10 March 1888, by Phil May (1864–1903), a comment on Barton's rapidly expanding girth and his predilection for evenings spent with his companionable Athenaeum Club friends.



Boom and bust



Bulletin cartoon, 14 November 1891, by an unknown cartoonist. The unflattering devil-like figure of Barton, complete with horns and a tail, is being carried like a baby. The depiction refers both to his lack of convincing commitment to protection of local industry and to the undue influence on him of big business interests.

At the first major intercolonial gathering on federation, the National Australasian Convention in Sydney at the beginning of March 1891, Barton's mature performance made the politicians and powerbrokers of the other colonies sit up and take notice. While he showed little interest in routine committee work (something the Victorian Alfred Deakin at first interpreted as laziness), he was fully engaged when discussing the larger and more contentious questions such as States' rights, the power and composition of the Senate and appeals to the Privy Council. On these issues Barton played a prominent part, impressing the entire gathering – including the influential former Premier of South Australia, Sir John Downer, a conservative democrat whose son, Alexander ('Alick'), and grandson Alexander, would both become federal parliamentarians. Downer and Barton struck up a cross-colonial friendship that lasted.

On the floor of the Convention, Barton's years of experience in the trenches as his colony's House Speaker enabled him to emerge as something of a 'fixer' when debates intensified. The *Sydney Morning Herald* reporter observed that one Barton speech, 'temperate and conciliatory in its tone, had a marked effect in quieting the atmosphere of the Convention'.⁶⁸ He eased tempers, stroked egos, and he knew how to wrinkle out effective results. Barton was the one to move for the formation of three Convention committees: a main, constitutional committee, and lesser finance and judiciary groupings. This division of roles and responsibilities served the proceedings well.

The three members of the constitutional committee were Queensland's best legal mind, Samuel Griffith; South Australia's controversial liberal democrat, Charles Cameron Kingston, the brilliant if unpredictable Kingston, who had once nearly fought a duel on the sleepy streets of Adelaide; and the peerless Tasmanian Andrew Inglis Clark. But Clark had a dose of the flu and Barton was chosen to replace him. The Pittwater and Hawkesbury River cruise undertaken by the three lawyers, on board Griffith's Queensland government yacht *Lucinda*, is another part of federation folklore. They got to work preparing a draft Australian Constitution, armed with detailed preliminary drafts from Inglis Clark and Kingston. Chairman Griffith, hard to please and notoriously parsimonious with compliments, later singled out Barton's contribution: 'Mr Barton ... devoted himself to that work as strenuously and industriously as any man with whom I ever had the pleasure of working'.⁶⁹

By the time the Convention had wound up, Barton had become a genuine 'national figure', according to historian MH Ellis, 'a personality whom everybody could visualise through cartoon and story'.⁷⁰ For a brief honeymoon period he and a majority of the other delegates congratulated themselves, heartened by an unlikely camaraderie in Sydney and, on the face of it, validated by the results of their exertions. Later referred to as 'Ultras', a number of the Convention delegates wanted to introduce a federation without delay. At any cost. They felt they had done their job delivering on a draft Bill to constitute the Commonwealth of Australia; the document was there, ready to be sent to all the colonial governments for approval and signatures. At this important moment in the history of the federation story, Edmund Barton was one of the country's most visible 'Ultras'.

Two weeks after the Convention conclusion, he gave a speech at the Aquarium Hall in Manly. Alfred Deakin called it a 'masterly' oration at the time, and Geoffrey Bolton regards it as 'one of his best speeches'.⁷¹ The federation mountain top looked tantalisingly close. Community excitement in Sydney was so tangible that Barton made the decision to resign from the Legislative Council and stand once again for election to the Legislative Assembly in order to smooth the passage of the federation legislation through the people's house. He contested his old seat of East Sydney in June 1891 and topped the poll. With the support of the new labour movement members in the Assembly, Free Trader Henry Parkes was Premier one more time, and he tried to entice Barton into his cabinet. Barton said 'no'. However, only a few months later, in the musical chairs of NSW politics, George Dibbs became the new Premier. A Protectionist, soft republican and at best ambivalent about federation, Dibbs invited Barton to be his Attorney-General. Fatefully, the new member for East Sydney agreed.



Delegates at the National Australasian Convention, Sydney, 1891, the first significant gathering of inter-colonial representatives to discuss the 'burning question' of federation. Barton is the shorter figure, centre of the back row, clean-shaven in a light suit. The 'father of federation', Henry Parkes, is seated slightly to the left of the middle, with light trousers and flowing white beard.

And here is where things get more complicated, and where we must call Barton's political judgement into question. He was starting to get rattled by the uncertainty of the times. His colony – and all of Australia – was lurching into a deep and prolonged depression, industrial unrest continued to fester, drought was devastating huge sections of the continent, and George Reid (a persuasive advocate of his thoroughly researched Free Trade views⁷²) had begun to craft a core, personal voter base. Reid's forensic dissection of the 1891 draft Constitution drew the public's attention to a number of anti-democratic, potentially anti-NSW clauses. Unhappily, Barton's decision to join the Dibbs ministry coincided with a sudden loss of federation energy in NSW, and all the other colonies. Across the country pragmatic politicians reverted to the safety net of local issues, particularly those nervous about their own re-election. Was federation too big an issue to pursue at this precarious point? Senior NSW politician and former Premier Sir John Robertson's words in the end did not prove to be accurate, but in the early 1890s they were often repeated. 'Federation', he said, 'was as dead as Julius Caesar.'⁷³

Barton was caught out by the unexpected halt in the community's federation engagement. Worse, critics accused him of being a hypocrite. How, they asked, could the same politician who in the lead-up to the 1891 election disparaged George Dibbs as a 'daily conundrum' and asked the question, 'What can we do but give him up?' – how could this same man join the same daily conundrum's cabinet a matter of a few months later?⁷⁴ Andrew Garran, Barton's Athenaeum Club colleague, in the *Sydney Morning Herald* attempted to put the best spin on the surprise decision when he speculated that, located within the colony's Cabinet, Barton might give the federation movement some 'valuable intellectual and moral aid'.⁷⁵ Barton pitched the same argument himself, adopting the position that it was better, to apply a current idiom, to be inside the tent pissing out. The people of NSW felt let down. Some felt betrayed. Garran's *Herald* changed its tune, soon referring to the move as 'a calamitous mistake', while the *Daily Telegraph* condemned the Dibbs/Barton agreement as 'an unholy alliance'.⁷⁶

Barton's political fortunes only got worse. The republican Premier Dibbs went to London for five months in 1892, where he was lavishly wined and dined by the London political establishment. Then gratefully, fawningly, he accepted a knighthood. The labour movement was disgusted. In Dibbs' absence, Barton took over as Acting Premier and, again unluckily, it was on his watch that an ugly industrial dispute erupted in the western NSW town of Broken Hill. The miners went on strike. Although Barton refused to dispatch the military to the town, he did send in 50 policemen. Later, when the strike leaders were charged with conspiracy, he accepted advice to shift the trial to the Riverina town of Deniliquin on the basis that no jury made up of Broken Hill residents would ever convict those accused. When more violence broke out, the Acting Premier sent a further 100 policemen to the town.

Country-wide, the labour movement was appalled and Broken Hill's local newspaper, the *Barrier Daily Truth*, maintained a bitter attack on the government's actions, Barton's actions, supported by all the labour dailies. As the decade wore on, the

forces of labour never forgot the treatment meted out to its Broken Hill unionists. Even when his popularity was restored in the second half of the 1890s, Barton still had to contend with many public meetings where he was taunted with questions such as ‘Who defended the blacklegs?’⁷⁷

Barton did manage to pilot the federation proposals through the Legislative Assembly early in the new year, 1893, after protracted debate, but both his motives and his actions in government drew widespread condemnation. Some of the criticism he took personally. When he engaged in a tense correspondence with Henry Parkes, in June 1893, the old man’s provocative words sparked some uncharacteristically emotional retorts from Barton. He was offended by what he called Parkes’ ‘veiled taunts’, conveyed by someone who had ‘not lost an opportunity of publicly misrepresenting me against your better and absolute knowledge of facts’. For Barton, any deference to Parkes’ seniority was gone. As he wrote:

*Federation must necessarily suffer so long as its advocates permit themselves to express evil opinions of each other’s actions in its service. You are not inclined to the abandonment of your evil course, and I shall continue to pursue my clearly good course.*⁷⁸

Growing unease with his conflicted role in the Dibbs government, together with the relentless bad press to which he was subjected, finally caused Barton to crack in a speech he gave in the western NSW town of Narrabri in April 1893. The government of which he was a part, he spat out, had never been given ‘a shadow of fair play’ and had been subjected to ‘a Saturnalia of Slander, the Latitude of Libel and the Demonology of Defamation’.⁷⁹

Barton might well have had one particular article in mind which had appeared in the *Bulletin* in February 1893, a withering catalogue of assaults on his character written by ‘Price Warung’, the journal’s outstanding writer of short stories on the infamous transportation system, the stain of convictism in Australia. ‘Price Warung’ was the pseudonym of William Astley, born in Liverpool, England, in 1855, whose family had migrated to Australia in 1859. Astley’s analysis of Barton, entitled ‘The Fat Lord Justice of the Federation’, started with an attack on the high-profile federationist for reneging on his commitment to the principle of ‘one-man-one-vote’. Astley compared Barton in the present to the outstanding promise of his leadership potential only 12 months earlier:

*You were then glowing with enthusiasm, and possessed of an exaltation of mind at being among the nation-makers – at being one of the elect spirits to whom fortune had granted the supreme boon of carving the matrix of destinies which might outleap in splendour and glory the farthest limit of poetic vision. That was your position – and now?*⁸⁰

It was a devastating critique, made even more potent with the accusation that Barton had thrown his lot in with ‘blundering and unintelligent provincialists’ and was now manifesting ‘acute Tory symptoms’.

The erudite Astley cast his creative net widely, referencing everyone from John Stuart Mill and the Victorian liberal George Higinbotham, to Thackeray, Heine, Voltaire and Lemuel Gulliver. Edmund Barton was Astley's Gulliver, bound 'limb by limb' by Lilliputians until his strength had been 'stolen'. We know Barton read the *Bulletin*, with its staunch commitment to showcasing local writers, and that he was also exposed to the main currents in Australian literature through the interests of his brother George. Who knows? Toby might well have admired 'Price Warung' himself. Yet here was the same writer suggesting that Barton had divorced himself from 'the true ideal of Australia'. Then, most personal of all, the spectre of his place in a parade of shame:

Look you at Parkes; look you at Griffith! Would you today change your comparatively spotless name for their position with their fame? Parkes long ago sold himself to Imperialism – Griffith has of late sold himself to Caste and Privilege and Monopoly; and today they are already enrolled among the Iscariots of history. Before it is too late, take warning. Public opinion is not voiced by your toadies in the 'Service' and your parasites of the Athenaeum Club. The public of Australia demand a Free Federation; and your one chance of enduring fame is to become the mouthpiece of that demand ...

*With much respect, dear sir, I remain, yours very truly, Price Warung.*⁸¹

The prospect of posterity failing to remember his name is unlikely to have worried Barton in the least; the vitriol directed at his political associates and allies, as well as his Athenaeum Club friends, surely did. Like Lord Rosebery a decade before, William Astley had given Barton much to consider. Rosebery's songs of innocence and a bright future sharply contrasted Astley's invocations of experience in the here-and-now. What federation role could Barton play in the future? What could he contribute in the present? Colonial politics was tough enough. How, then, the far greater challenges of life on a national stage?

By the middle of 1893 Barton was so physically and emotionally drained by his ordeal as Attorney-General that he had to take time off. He travelled to Canada for a few months to recuperate. In a mean-spirited letter to Lord Jersey, the NSW Governor, Premier Dibbs attributed the collapse of his Attorney-General to far too much food and alcohol, instancing a recent bout of Barton's drinking at his favourite recreation spot, the Athenaeum Club, where 'it took a team of bullocks to move him'.⁸²

The year 1893 was Barton's *annus horribilis*, and the damage spilled over into 1894. Pressures of government at a difficult time threatened to unstitch his political career entirely, especially when he and his old friend, and now fellow cabinet minister in the Dibbs government, Dick O'Connor, were forced to resign from cabinet just weeks before Christmas 1893. Both had accepted legal briefs in the course of their private professional careers on behalf of a railway contracting firm in litigation proceedings with a statutory body, the Railway Commissioners. The corporation had been a government department. Accepting the brief at all was another example of Barton's poor decision-making at this time – though ill-judged rather than corrupt – and when a motion to condemn the 'conflict of interest' went to an Assembly vote, it passed

comfortably. This was arguably the lowest point in Barton's political life, given the stance that he had adopted on matters of integrity and his unbending commitment to probity in public office.⁸³

When he nominated for the inner Sydney seat of Randwick in the July 1894 NSW election, he was defeated. It was a crushing blow. In the same election, voters resoundingly endorsed George Reid's ascendancy to the position of colonial Premier. Free Trade government was back in NSW, Protection relegated to the margins, and federation feeling had all but disappeared. Barton's own finances were in a 'disastrous' state, to use his own word.⁸⁴ Six years before, he had moved the family to the northern side of Sydney Harbour, first renting a house close to the water in Balgowlah, 'Calahla', and a few years later further down the road in the beach suburb of Manly. Toby and Jeanie had to have a home capable of accommodating their growing family and, necessarily, available at a price that Barton could manage. Ironically, at the time of the Broken Hill debacle he had invested what little savings he had in some mining investments that failed. He came perilously close to bankruptcy. For a number of years during the 1890s he had to rely on the efficiency of the harbour's ferry services to maintain his business in the city, and keep afloat.

According to those who knew him well, Barton was generous to a fault, to his family, friends, those in need, and on occasion some of his law clients unable to pay his service fees during the prolonged financial crisis. As a result, daily life in the Barton home was a constant juggling act for Jeanie. She did her best to manage a household ledger that too often contained more outgoings than incomings, especially when the fees were due for eldest son, Edmund, at the prestigious King's School, his siblings Wilfred and Arnold at Barton's own Sydney Grammar, and daughter Jean Alice, 'Muffie', being privately schooled.⁸⁵

Fortunately, mum and dad never lost their sense of humour in testing times. This was evident in the whimsy of Toby's 'Mock Advertisement' for his ideal rental property for the family. Jeanie evidently liked it so much that she made sure she held on to it in the family papers. According to father's modest proposal, the Bartons required 'an elegantly furnished villa residence', 'a sheltered nook' nicely situated in the country with 'extensive panoramic views from all windows', not less than 20 rooms, proximity to the GPO and easy access to public transport. Of course, the villa had to have facilities for lawn tennis, riding, shooting, boating and fishing facilities for 'plenty of leisure'. For such an unpretentious dwelling, the advertisement concluded, the 'Rent [was] not to exceed £75 per annum, taxes paid'.⁸⁶

Family fun was never far away, but nor were the stringencies of tight family budgeting. Conscious of his financial vulnerability, Barton did not even consider nominating for a Legislative Assembly seat in his colony's 1895 elections, voluntarily consigning himself to the political wilderness from 1894 for the best part of three full years during the federation decade. He was nearly broke, out of parliament, drinking too much, too fat, and a committed Protectionist in a period when George Reid's Free Trade views held sway in NSW. On the upside, he had begun an enforced sabbatical freed from the daily machinations of NSW politics. He used the time to recalibrate his goals.



Barton's Balgowlah home, which he named 'Calahla'. It was a seven-room Victorian villa on seven acres of land, with stables, out-buildings, a small waterfall and creek. The family leased it for three years from 1888 (as rents were cheaper on the north side of the harbour) and then moved to Manly.



Postcard advertisement for the Hydro Majestic Hotel, Medlow Bath, Blue Mountains, one of the Barton family's favourite holiday spots. If Toby had to pick a place to die, perhaps the Hydro would have been that place.

Mrs Barton's Model Advertisement

Wanted: an elegantly furnished
^{built of stone and marble,}
Villa Residence, Cottage style
^{square-built but of the Swiss Stone or det, with a}
^{touch of Elizabethan and a dash of Swiss.}
preferred. Must contain not less
than 20 rooms, but must at the
same time be quite compact. Must
be in a sheltered nook, but must
at the same time have extensive
panoramic views from all
windows, and be in an elevated
~~high position~~ & perfectly
flat and level situation with
an ample fall for drainage
will be indispensable. Must
be well in the country, but
not more than 10 minutes' walk
of the General Post office, and
 handy to all trams, omnibuses,
trains and ferries. No place
with less than half a mile of
water frontage will be looked at,
but the everesting sea breeze
must be entirely absent. Facilities
for lawn tennis, riding, shooting,

Financial difficulties and a growing family forced the Bartons to seek suitable accommodation on the cheaper, north side of Sydney Harbour in the later 1880s. Toby produced a mock advertisement for his ideal property, much to Jeanie's amusement despite their straightened circumstances.

boating and fishing must be
combined. A steam launch,
a yacht,
a carriage and pair and
an assortment of bicycles
must be part of the
furniture. There must be
a tower, but no stairs, and
the dangerous appliance called
a lift will not be entertained,
while the roof must be flat
and easily accessible.

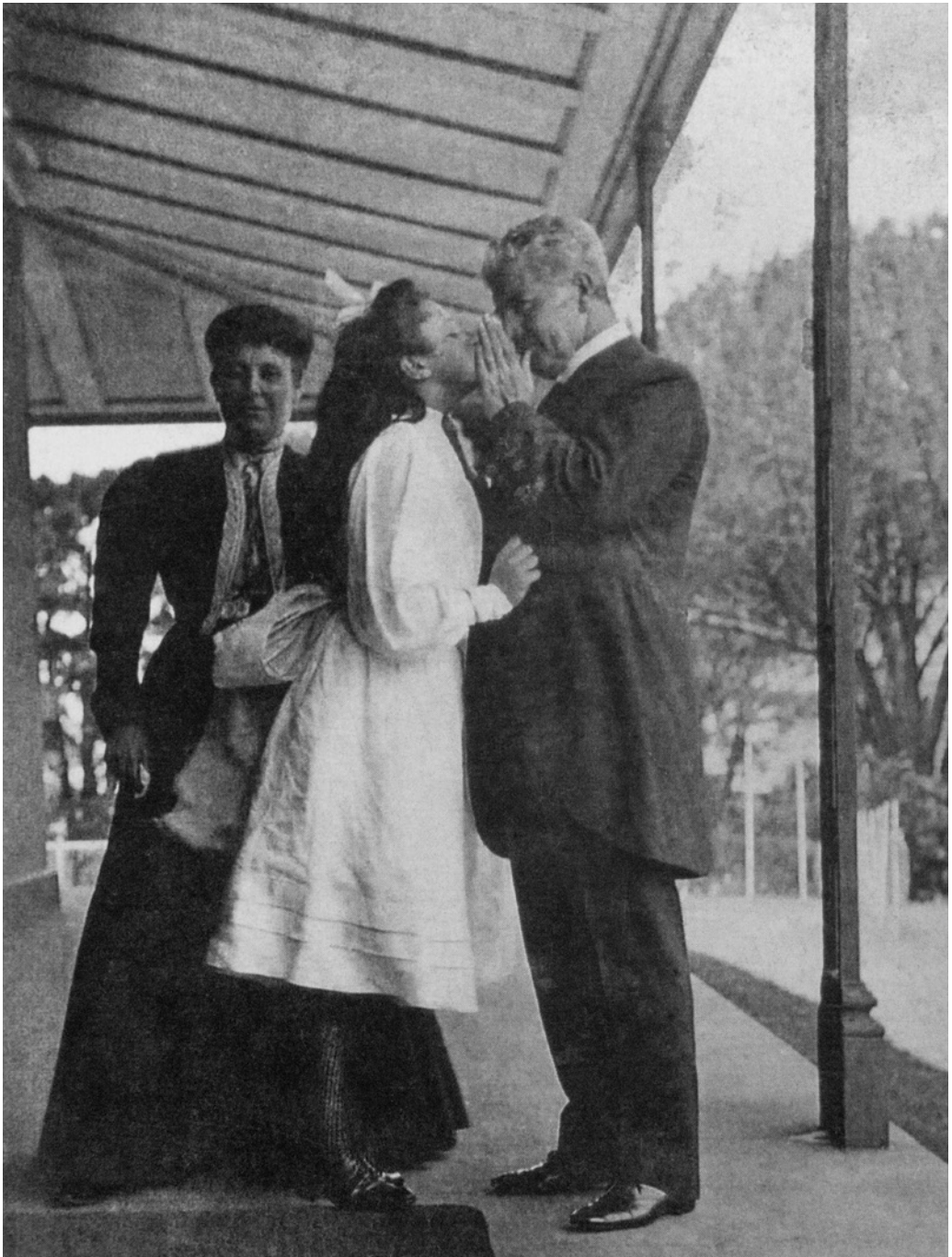
^{Howe Street}
and kitchen garden and orchard required, grounds not to
be less than 20 acres, ~~but~~ such a one that can easily keep in
rent not to exceed £75

~~per annum~~ or less and at the
same time have plenty of leisure
for propping, driving, managing
yacht and launch and catching
bait.

Rent not to exceed £75
per annum, taxes paid.

Send this back when
you have read it - J. J.

MS 51/8/1051 a



Stephanie Barton, pictured with her father, both of them playing to the camera. Jeanie looks bemused in the background. Under this photograph in a family album, Stephanie penned a short verse: 'This picture you see/It represents me/Just kissing my father – my father E.B./And mother stands by/With a look in her eye/That means that she envies me/Kissing E.B.'



The zeal of a missionary



Barton on board the tug, 'Undaunted', on a visit to Port Macquarie, probably in 1901. He can be seen with top hat, standing on the upper deck beneath the boat's funnel. William Lyne, the man who was first offered the prime ministership (Governor-General Hopetoun's monumental 'blunder'), can be seen on the deck below Barton. He is the tall figure with a grey, Ned Kelly-like beard.

At this point in Barton's story, we are confronted by the most inviting question posed by his several decades of public life. Mired in such difficult circumstances in the mid-1890s, how on earth did Barton by the end of 1897 find himself acknowledged as the leader of the federal movement in Australia? Geoffrey Bolton confesses that his research did 'not provide all the answers', but that 'some hypotheses can be suggested'.⁸⁷ He is right when stating that Barton's response to federation in the first critical period, 1889–91, did imprint itself 'on the public mind'. We also know that during the years in the political never-never Barton was able to get his drinking under control. However, Bolton gives insufficient credit to Barton's singular contribution to federation's grass roots campaign, his tireless work in a myriad number of NSW country towns to promote federation, giving it a much broader base of popular support – in the end, essential public support.

In a journal article on the history of the 'Australasian Federation League' in NSW in the 1890s, DI Wright concludes that the League gained its 'impetus from the personal enthusiasm' of Edmund Barton.⁸⁸ He was the main speaker at the inaugural gathering to form the organisation, at the Sydney Town Hall on 22 June 1893, when he argued that federation had to avoid, at all costs, being portrayed as a 'politician's movement'.⁸⁹ It was a position he had adopted in response to a fact-finding visit to the southern reaches of the colony, when he delivered speeches in Cooma and Albury. The level of enthusiasm he experienced in the border towns, in particular, was a powerful motivating force.

In 1893, his worst year in politics, Barton found the nourishment to carry on in the country regions, the bush, where he encouraged the establishment of Federation League branches throughout the Murray catchment, in the Riverina and across the south-west slopes. The most prominent of NSW's Free Trade politicians, Henry Parkes, George Reid and Bernhard Wise, all failed to join him on any of these peregrinations. Indeed, it was Barton who showed the way in the Mother Colony during each of the four most important periods of community engagement with federation during its formative decade: in 1891; late 1894 to March 1895; late 1896 to February 1897; and in the critical years, 1898 and 1899, when the two national referendum votes on federation were held.

Biographer John Reynolds estimates that Barton spoke at almost 300 meetings in his home colony alone.⁹⁰ While Bolton disputes this figure, it is safe to conclude that he spoke far more than any other recognised public figure, and he did this while attempting to rebuild his legal practice, an economic imperative as his family continued to increase (a daughter, Stephanie, the sixth and last Barton child, was born in late 1892). According to the *Bulletin*, the practice did go ahead in 'leaps and bounds',⁹¹ and Barton's personal finances received a further boost when he accepted a timely offer by NSW Premier and old friend, George Reid, to become an acting judge in the colony's Supreme Court.

By any measure, Barton's ability to rise phoenix-like from the ashes of politics in 1892 and 1893 – to head out and stump the country, promoting federation anywhere and everywhere, while still putting his financial house in better order – has to be accorded a decorated place in federation's story. As Reynolds puts it, he had nothing less than the zeal of a 'missionary' at this time.⁹²

Due to the setback caused by physical exhaustion, Barton was unable to attend an important conference in August 1893, held at the border town of Corowa in an attempt to reinvigorate waning federation interest. However, he more than compensated for it at the well-publicised Bathurst 'People's Federation Convention' in November 1896. The Bathurst event was held at a strategically important moment. In the first months of 1896, the parliaments of NSW, South Australia, Victoria and Tasmania passed enabling acts which prepared the way for the popular election of 10 delegates from each colony to attend a national convention – the second National Australasian Convention – tasked with producing a new and improved draft federal Constitution. This time the electors of the Australian colonies would vote on it. The process was fixed, with the Convention delegates to meet in three extended sessions stretching over a 12-month period from March 1897 to March 1898: in Adelaide first, then Sydney, and finally in Melbourne. A continent-wide vote on nationhood would then take place.

The bustling town of Bathurst, a federation stronghold, scheduled its populist Convention to take place only four months prior to Adelaide. In the build-up to the event, a rejuvenated Edmund Barton began corresponding with the organiser, William Astley, 'Price Warung' – yes, Barton's acerbic critic of a few years before!⁹³ Social and political change was once again in the air. Astley appreciated Barton's participation in his town's important undertaking; for his part, Barton knew he needed to be actively involved, sensing that the Bathurst event, advertised as a federation gathering of 'the people', might unintentionally undermine the national Convention meetings to follow. Leaving nothing to chance, he wrote to Astley a few times in what has been described as 'pre-emptive and clandestine' correspondence. Micro-managing behind the scenes, Barton guided Astley in the choice of invited attendees and speakers.⁹⁴

At the Convention, Barton's own 'strong clear voice' had a salutary effect.⁹⁵ He diplomatically appeased Bathurst's aspiration to become the future national capital, aware that the issue had the potential to deflect discussion at such a tricky stage of community debate (many towns, continent-wide, sought the same honour), and he ensured that he was strategically brief when raising other contentious issues. For Barton, the future nation's Constitution had to be a consensus statement, one of 'solid strength, of perfect justice and a tender humility', and he concluded his remarks by reciting a recent poem, PJ Holdsworth's 'A Federal Sonnet', with its declaration that 'Heaven's command/Proclaims "Unite," blood-brothers through the land'. The stirring sentiment of the poem's last line, 'In Union One – we claim One Destiny', drew a ringing endorsement from a passionate crowd.⁹⁶

Athenæum Club.



▶ DINNER ▶

TO THE PRESIDENT

EDMUND BARTON, ESQ., Q.C.,

ON THE EVE OF HIS DEPARTURE FOR

ADELAIDE TO ATTEND THE

FEDERAL CONVENTION.



WEDNESDAY, 17TH MARCH,

1897.

This invitation would have pleased Barton no end. The dinner, with its fine menu, was organised by his Athenæum Club colleagues just prior to his departure for Adelaide for the first of three meetings of the historic National Australasian Convention 1897–98. After Adelaide, Barton's leadership of the federation movement was never in doubt.

MENU.



Mock Turtle

Mulligatawny



Boiled Schnapper,

Oyster Sauce



Rissoles de Homard

Ris de Veau à la Anglaise



Roast Saddle Mutton

Boiled Turkey, Celery Sauce



Roast Wild Duck and Chips



Passion Fruit Ice Cream



Maccaroni au gratin



Dessert

Coffee

If Barton's leadership on the federal question in 1889–91 imprinted itself on his colony's imagination, then his years of unsung 'bush-bashing' for the cause and his polished Bathurst performance franked it indelibly. When NSW voters came to choose their 10 delegates for the Adelaide Convention meeting, Barton easily topped the list, with the incumbent, the consistently popular Premier George Reid coming in second, a distant 14,000 votes behind. In effect, the electors of NSW had thoughtfully discriminated between Barton's indifferent record in recent colonial politics and his unflagging dedication to an Australian federation at the grass roots, community level. The Federation League in NSW sponsored no candidates for the national Convention, so it is a fair bet that its diverse membership overwhelmingly supported Barton's candidacy. Indeed, organs as distant as the *Murchison Times* in Western Australia assessed the size of the NSW vote for Barton as a 'distinct tribute' to his 'sterling worth and ability'.⁹⁷ Personal attacks on Barton by John Norton's *Truth* newspaper at the beginning of 1897 had no impact on his federation credentials at all. Describing him as 'that peculiarly peculiar politician', 'Mr "Broken Hill" Barton', the unofficial head of a 'Geebung Party' full of 'Federation patriots' demanding 'Federation-at-any-price', the *Truth's* grab-bag of accusations fell on deaf ears.⁹⁸

Barton travelled to Adelaide in March 1897 in buoyant mood, determined, meticulously prepared and arguably more familiar with the technical minutiae of federation than any other conference delegate. Future Prime Minister Alfred Deakin grudgingly commented at the time that George Reid was a dominant figure in Adelaide. He was only partly right, because something changed for Reid in the city of churches. The NSW Premier began in his usual form, entertaining his audience of peers with a characteristic mix of spontaneous humour and cogent argument. However, slowly but surely he began to lose the crowd. Why? Because his single-minded defence of NSW's interests, a sure fire vote-winner in his own colony, was perceived as being parochial, at odds with the spirit of the national occasion – and the times. Reid's federation leadership stocks suffered accordingly. Barton, on the other hand, soared in Adelaide. A South Australian delegate, Josiah Symon, after accepting the task of producing a set of draft resolutions for the Conference, then asked whether 'we might not entrust Mr Barton altogether with the Leadership of the Convention'.⁹⁹ Many delegates remembered his impressive work in Sydney in 1891, and Symon's proposal was accepted unanimously.

From this influential platform, Barton delivered a number of carefully textured speeches, including one he gave midway through the conference that the free-trading NSW delegate and former Barton adversary, Bernhard Wise, felt was 'the greatest of his political career'.¹⁰⁰ It was an address of consummate diplomacy, appealing for the necessary goodwill from all the delegates, a spirit of compromise that 'the forces of public opinion' were seeking this time round from their elected representatives.¹⁰¹ The Australian public, Barton emphasised, expected a result. He knew it, and he repeatedly stated the case with an assured clarity. Pressure was being applied.

At all three Convention meetings, Barton's work as part of the draft Constitution sub-committee – made up of himself, old school friend Dick O'Connor and good friend and ally, Sir John Downer – was once again exemplary. The committee's

dependable Secretary, Robert Garran, provides us with a revealing memory of the group's work habits:

*Never shall I forget those days and nights. In a sitting-room at the Grand Hotel [now Melbourne's Windsor Hotel] Barton, O'Connor, Downer and I worked on while the City slept. At about midnight Downer would get up and say 'Time to go for a walk', and disappear in the direction of his bedroom. An hour or so later O'Connor would say bluntly that he was going to bed. Then Barton and I would carry on till four or five in the morning until I could persuade him to call it a day.*¹⁰²

For his part, Barton made certain that Garran was given due recognition from his peers for his 'technical knowledge' and 'strong and varied research', not to mention his 'literary taste and judgement'.¹⁰³

The three-week (second) Convention meeting in Sydney in September 1897, and two months spent in Melbourne (January–March 1898) thrashing out the final Constitution details, did produce a number of tense moments necessitating hard inter-colonial bargaining on an array of issues, of both major and minor importance. Compromise was essential. Throughout the protracted negotiations behind closed doors, Barton's stature, and respect for his work ethic, grew even further. He was the master of tact and patience, his 'pragmatic moderation' appreciated by all.¹⁰⁴ The Tasmanian, Sir Philip Fysh, another federation hard-head very difficult to please, stated that Barton's 'heartiness, zeal and ability' was exceeded by no-one; Fysh's colleague from the Apple Isle, Premier Edward Braddon, portrayed Barton as not just the group's leader, but the 'Colossus of the Convention'.¹⁰⁵

The most heartfelt description of Barton's extraordinary Federation Convention contribution belongs to Josiah Symon, a member of the best and brightest Convention delegation, the South Australians. He had been a vocal supporter of Barton from the outset, but with the final meeting in Melbourne about to conclude, he reflected at length on Mr Barton with praise as elegantly expressed as it was sincere:

*We owe much to my honourable friend. It is very hard to say how much, but this I will say, that although I myself, in common with every honourable member, knew him to be a man of unusual capacity, unusual in any deliberative assembly, a patriot imbued with the glowing spirit of union, I do declare here that he has outstripped his reputation, and, through his efforts in this cause, he has become a cause of pride not only to every member of this Convention, but, I honestly believe, to every man in Australia – aye, every man, woman and child in Australia who loves his or her country, and appreciates the advantages of union. I feel I must say that before leaving this chamber this afternoon.*¹⁰⁶

Simply put, the continent-wide reputation that Barton acquired at the Convention meetings in 1897–98, his impact on the public and politicians alike, more than any other single factor resulted in him becoming Australia's first Prime Minister.

But before that could happen, considerably more toil and sweat were required, and several additional hurdles had to be overcome. Alfred Deakin famously recorded at the end of his lively, first-hand account, *The Federation Story*:

*To those who watched its inner workings, followed its fortunes as if their own, and lived the life of devotion to it day by day, [federation's] actual accomplishment must always appear to have been secured by a series of miracles.*¹⁰⁷

What did he have in mind? Surely after all the hard graft of Sydney in 1891, Corowa in 1893, Bathurst in 1896, and the interminable meetings big and small that drove the 1897–98 Convention meetings, the federation path was smooth and secure at last? Not so, and it was the Mother Colony of NSW and its three most visible politicians – Edmund Barton, George Reid and William Lyne, the Member for Albury – who were the principal thespians in a new sequence of unfolding dramas. Barton wound up centre stage at Sydney's Centennial Park on 1 January 1901, but there were a number of Shakespearean casualties strewn about him.

All the other colonies knew that, despite the changes made in the refreshed draft Constitution, unless NSW agreed to join the federation the concept would remain as dead as Julius Caesar. The problem was that the majority of NSW electors continued to support Premier Reid in his unshakeable insistence on putting their colony first in any negotiation. In the early evening of 28 March 1898, 11 days after the Melbourne Convention meeting ended, a packed Sydney Town Hall audience, seeking guidance as they tried to sort through the complicated federation arguments for and against, listened intently as their premier affirmed that he would vote 'Yes' in the forthcoming referendum in early June, but he stated his intention only after laying out for the crowd a set of persuasive arguments as to why they should consider voting 'No'. Commentators and voters alike were flummoxed.

Reid's contentious Town Hall 'Yes–No' speech, as it was soon labelled, almost certainly cost him the chance to be the nation's first prime minister.¹⁰⁸ A disconcerted Legislative Assembly pressed ahead to pass a vote that NSW would only join a federation if the colony cast 80,000 votes in its favour. In June 1898, the other colonies did vote 'Yes' on the basis of a simple majority; NSW also went 'Yes', but only narrowly. The arbitrary quota was not reached. Reid then called a 'Secret premiers' conference' where he put the case that NSW might obtain the designated 'Yes' vote if the federation pie for his colony was sweetened. It was, and in a second visit to the referendum ballot box (in April, June and September 1899) the voters of Victoria, South Australia, Tasmania and Queensland were joined by the voters of NSW who, this time, did muster the requisite number of 'ayes' to confirm the pact to create a nation.

Before the second referendum was held, however, a colonial election in NSW took place in July 1898. Edmund Barton, sensing opportunity, was so confident about the federation wind in his sails that he resigned once more from the sinecure of a seat in the Legislative Council to take on the seemingly impregnable George Reid in

the Premier's own King division Legislative Assembly seat – and Barton lost! Reid's personal popularity and his well-oiled 'NSW first' stance, in combination, thwarted the challenger. Then two curious things happened: within weeks of the election Barton presented himself again for a Lower House seat, this time in the Hastings–Macleay Division – Port Macquarie – which he was gifted when the sitting member stood down in his favour; and Reid, in minority government as Premier and reliant on Labor support to stay there, lost that support. Ironically, this occurred because his objective presentation to the public of the federation arguments, both for and against, upset those Labor members in the Assembly who supported his government's policies but were opposed to federation. Complicated? It certainly was, and the volatility of public life in NSW showed no signs of abating.

Throughout the 1890s it was a belief held by most colonial citizens in Australia that if a federation did finally happen then the premier of the Mother Colony, on sheer weight of numbers and clout, would become the new Commonwealth's first prime minister. After four productive years as a democratic and sometimes visionary NSW Premier, George Reid was unceremoniously dumped in favour of the member for Albury, William Lyne, an advocate of industry protection who enjoyed a large and devoted following in the Murray River border country. That Lyne was a federation sceptic produced another crushing irony: Reid, the politician who more than anyone else had argued cogently for, and achieved, a more democratic Constitution for the prospective new nation and a better deal for his colony, was ousted, a victim of shifting political alliances and tactical manoeuvring. Lyne in, Reid out, his cherished dream of becoming the new nation's first PM suddenly dashed.

Ignoring this leadership imbroglio, and refusing to be distracted by his own electoral loss to Reid, Barton kept his eyes fixed firmly on what was happening at the national level. It was, he said, his 'labour of love'. The Federal Association began at this time, an *ad hoc* committee of federation enthusiasts which enlisted Barton as its 'presiding genius as well as creator', according to DI Wright.¹⁰⁹ Barton modified his tactics in the public realm. He made his speeches simpler, with clear messages delivered in a tone of confident anticipation. He made effective use of his talent for using the memorable phrase. In April 1898, to cite the best example, he delivered a speech in Annandale, close to Sydney University, where he creatively imagined the character of the new nation:

*The people [will] have a national outlook, not a 'cribbed, cabined and confined' outlook. It [will] sweep their eyes away from a corner of the map where a boundary was marked by a blazed line of trees to where they [will] see a whole continent for a nation and a nation for a continent. (Cheers.)*¹¹⁰

Although the speech received only modest coverage in the newspapers, the key phrase, the memorable phrase, soon took on a life of its own, becoming every federation supporter's catchcry. It was propaganda with punch, at just the right moment to exert maximum impact.



Drafting Committee for the Commonwealth Constitution, appointed in Adelaide, 1897: (L-R) John Downer, Edmund Barton, Richard O'Connor. Most of the rewriting and discussion took place at Downer's North Adelaide home, where Barton was a house guest. The two men struck up a close friendship.



One of federation's most iconic photographs: Edmund Barton and Alfred Deakin in informal pose, 1901. As Australia's first Prime Minister and Deputy Prime Minister, they were the principal architects of a national roadmap for the future.

Hearts that beat true – the women and men of Hay



Magnificent Tattersall's Hotel, Hay, c. 1920s. The hotel looked identical to this in appearance when Barton spoke there in 1899. Built in 1867, it was inexplicably demolished to make way for a motel in 1964.

Edmund Barton, the shy and scholarly Grammar schoolboy of yesteryear, George Reid's nervous young recruit at the Mechanics' School of Arts, had come a long way. In the hectic weeks before both nationwide federation votes his energy seemed inexhaustible, making a mockery of Alfred Deakin's trite observation in 1891 that Barton had a 'love of ease and indulgence', a 'lazy love of good living'.¹¹¹ Barton's whistle-stop trip through the Riverina in May 1898, just prior to the first referendum, typified his commitment. In six days, he gave speeches in Gundagai, Cootamundra, Hay, Junee, Carrathool, Whitton, Narrandera, Narrabri, Dubbo and Orange.

Full disclosure: I have a special interest in the Riverina town of Hay. My great-grandfather, William Headon, established the town's first brick kiln on the Booligal road in the early 1880s, producing the bricks that built Hay's fine heritage Courthouse. After marrying an extraordinary woman, Lilly Hayward, the couple had a number of children. William died far too young in 1903, after establishing the first irrigated fruit orchards of the town and wider region; the resourceful Lilly, by the time she died 30 years later, had secured for the family vast tracts of the best land on the nearby Murrumbidgee and Lachlan Rivers. Lilly was only one of a number of Hay women with a clear vision of the future and a determination to realise dreams.

Edmund Barton also had a soft spot for Hay. In a hectic 24 hours in the town in May 1898, he gave long and detailed speeches in the plush Tattersall's Hotel, the Academy of Music and the Athenaeum – detailed and demanding speeches, all of them, that treated the citizens of Hay as the intelligent democracy they had become. Newspaper reports indicate that the audiences in the three locations included a surprisingly high percentage of women, and Barton did not entertain the thought of talking down to the packed crowds as he worked his way through federation's most contentious issues. His Academy of Music speech, an 'eloquent address' we are told, went for three hours, concluding with a vote of thanks from the town mayor, Frank Byrne, who referred to the town's honoured guest as 'the apostle of federation in Australia'.¹¹² According to the *Riverine Grazier* report, when Barton stepped onto the train the following morning, the officers of Hay's thriving Federation League farewelled him with 'three cheers for federation, and a "tiger" for the leader'. The fourth 'tiger' cheer Barton received conferred on him a special acknowledgement for services rendered to the town and a nation-in-waiting.¹¹³

Hay inspired Barton, just as Barton put an extra kick in Hay's step. The local Federation League branch distributed, across the region, 500 copies of the *Riverine Grazier* issue that covered his visit in every detail. When the Women's Federal League (WFL) that Jeanie Barton had helped to establish in Sydney in May 1898, just before the first referendum, failed to flourish, it was left to the enterprising women of Hay to resurrect it, in May 1899, just prior to the critical second referendum. The Sydney WFL had declared that Australia's women 'must stop hat-building and commence the task of nation-building'.¹¹⁴ Hay's women needed no additional incentive to get to work. Eighty of them attended the first meeting to establish a Hay branch of the WFL, with an initial working committee of 16. The proceedings of their lengthy meeting were recounted verbatim in the *Riverine Grazier* and the *Hay Standard and Advertiser*.¹¹⁵ The purpose and spirit of their nation-building enterprise leaps out from the pages.



This carefully restored building in the Riverina town of Hay, the present headquarters of the Hay Shire Council, was the Athenaeum in 1899 – where Barton gave another one of his federation addresses. The façade today is identical in appearance to what it looked like at the end of the nineteenth century.



Anonymous painting of one section of Hay's main thoroughfare, Lachlan Street, at the time of federation. From left to right, we are looking at King's Royal Hotel, Bridge Hotel and the Academy of Music. Perhaps inspired by the modest appearance and amenity of the Academy of Music, Barton delivered one of his most authoritative speeches there in 1899, a three-hour marathon that locked Hay in as a federation stronghold.

A week after the historic meeting, the *Grazier* published an anonymous 9-stanza poem entitled 'Appeal by a Member of the Women's Federal League'. The selection of stirring stanzas reproduced below captures the devotion of Hay's activist WFL branch:

*Women all, be up and doing,
Answer to your country's call,
Now's the time to go awooing
Federation – once for all!*

*Swoop ye down on the doubtful voter,
Cozen him with gentle wile,
If the drought his will has weakened,
Cheer him with your brightest smile ...*

*But where, alas! will Australia be
If her manhood shirk their vote?
Seasons will change and her wealth return,
But union will be remote ...*

*Let not the beauteous Southern Cross
Grow pale at the sad, sad, sight,
Thrust not aside the union flag,
As if you had the right ...*

*Then cheers for the Federation flag –
The red, the white and the blue,
And may the Referendum day
Show that your hearts beat true.¹¹⁶*

Urged on by their women, Hay's 'manhood' did not shirk the vote. Despite the terrible impact of nearly a decade of drought, the men of the town turned out in large numbers to vote overwhelmingly for federation, as did the entire Riverina and border regions.

While every colony substantially increased its 'Yes' vote in the second referendum, the commitment of Hay's citizenry stood out as a beacon of enthusiasm. According to the *Riverine Grazier*, polling in the town was 'exceptionally heavy', a line of federation flags was stretched across the main street, the badges of the WFL were 'much in evidence', those who could not obtain a badge made sure they manufactured their own red, white and blue rosettes, and the mayor drove around the town all day 'in a red, white and blue buggy, taking voters to the poll'.¹¹⁷ Town officials made sure that, through a special agreement with agents in Sydney, progress referendum results were relayed to them on polling night, where they were posted up on the balconies of 'Mr Terry's warehouse' and the 'Massey-Harris depot' for all to

see. When the affirmative result in NSW was confirmed late in the evening, a specially convened meeting passed a motion to send a telegram to Edmund Barton 'on the splendid victory achieved'. The Bartons were immediately invited back to the town to celebrate. They accepted with pleasure, and travelled once more into the heart of the Riverina a few weeks later to show their gratitude.

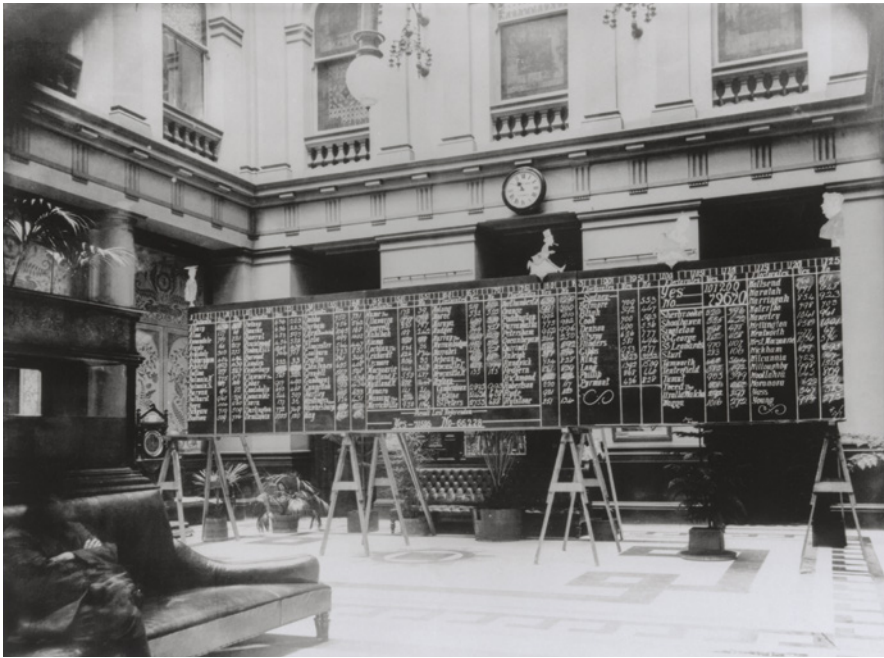
The town put on another great show for their honoured guests. Everyone felt certain that they were welcoming back the prime minister-designate of a new Commonwealth. A supper at the Tattersall's Hotel, attended by a packed auditorium of over 200 people, went well into the wee hours of the morning, as the Hay orchestra played on the whole night. The set of rousing speeches and toasts was constantly punctuated with prolonged applause. Hay's Federation League Chairman, Dr Kennedy, got everyone laughing with his unsubtle remarks that Hay, given its 'remote corner of the colony', had until then rarely entertained a special guest:

*It was true that at intervals of ten years or so, [the citizens of Hay] were allowed to try their 'prentice hands on a stray colonial Governor, when fate delivered him into their hands. He (a governor) regarded them critically from a great height and in very much the same spirit of scientific curiosity that a naturalist was accustomed to bestow on a new kind of beetle. (Laughter.) ... Still more rarely they had ministers of the crown – gentlemen whose mouths were sealed with the awful muzzle of official reserve ...*¹¹⁸

Toby Barton broke the pattern. As Dr Kennedy put it: 'Mr Barton had been here before and it spoke volumes for his heart and perhaps a little also for his head, that he had the courage to return to them'.

When he stood up to speak, Barton was greeted with 'long and long-continued applause'. In his reply, he reserved special praise for the women of Hay, feeling sure that 'his wife felt honoured by their recognising her as one of the women workers of New South Wales. (Applause.)'. Barton's feel for the state of mind of his bush audience was unerring as usual, when he noted that in the previous year 'what Australia wanted was federation, and four inches of rain. They nearly got federation but they did not get the rain. Now they had federation and the rain. (Hear, hear.) He thought it was a happy augury for the future. (Hear, hear)'.¹¹⁹

The Bartons and Hay shared a very special relationship.



Tally room in the foyer of the Hotel Australia, Sydney, where blackboards displayed the latest results of the second federation referendum, held in late March 1899.



Cartoon by Herbert Cotton (1872–1931), drawn shortly after the second federation referendum. This time, NSW recorded a resounding ‘Yes’ vote. Showing his grasp of the complex federation story, Cotton singles out Barton and George Reid as the two most influential voices for the cause.

London calling



"THREE MEN IN A BOAT."

The 'three men in a boat' depicted by Claude Marquet – Queenslander James Dickson, Barton and South Australian Charles Kingston, in this *Quiz and the Lantern* cartoon – were part of the six-man Australian delegation assembled in London in the summer of 1900 to obtain the British Parliament's endorsement of the Constitution Bill. Alfred Deakin should have been the third man in the boat, rather than Dickson, for it was the formidable trio of Barton, Deakin and Kingston which played the vital role.

Barton's grassroots exploits, his towering presence in the political conventions where the biggest decisions were made, his sincerity and stubborn insistence on keeping his eyes fixed firmly on the achievement of nationhood throughout the 1890s, made it a no-brainer that he would be NSW's chosen representative to travel to London to oversee the passage through the Imperial Parliament of the draft of the *Bill to Constitute the Commonwealth of Australia*. He was joined by two other federation apostles – Deakin from Victoria and the South Australian Charles Kingston – together with Tasmania's Sir Philip Fysh, the capricious Queenslander James Dickson (soon to succumb to the spell of lavish British hospitality, much to the disgust of his colleagues) and the nominal representative of Western Australia, a man named Parker. He was a belated addition to the group, in London in an attempt to get his colony into the federation at the eleventh hour.

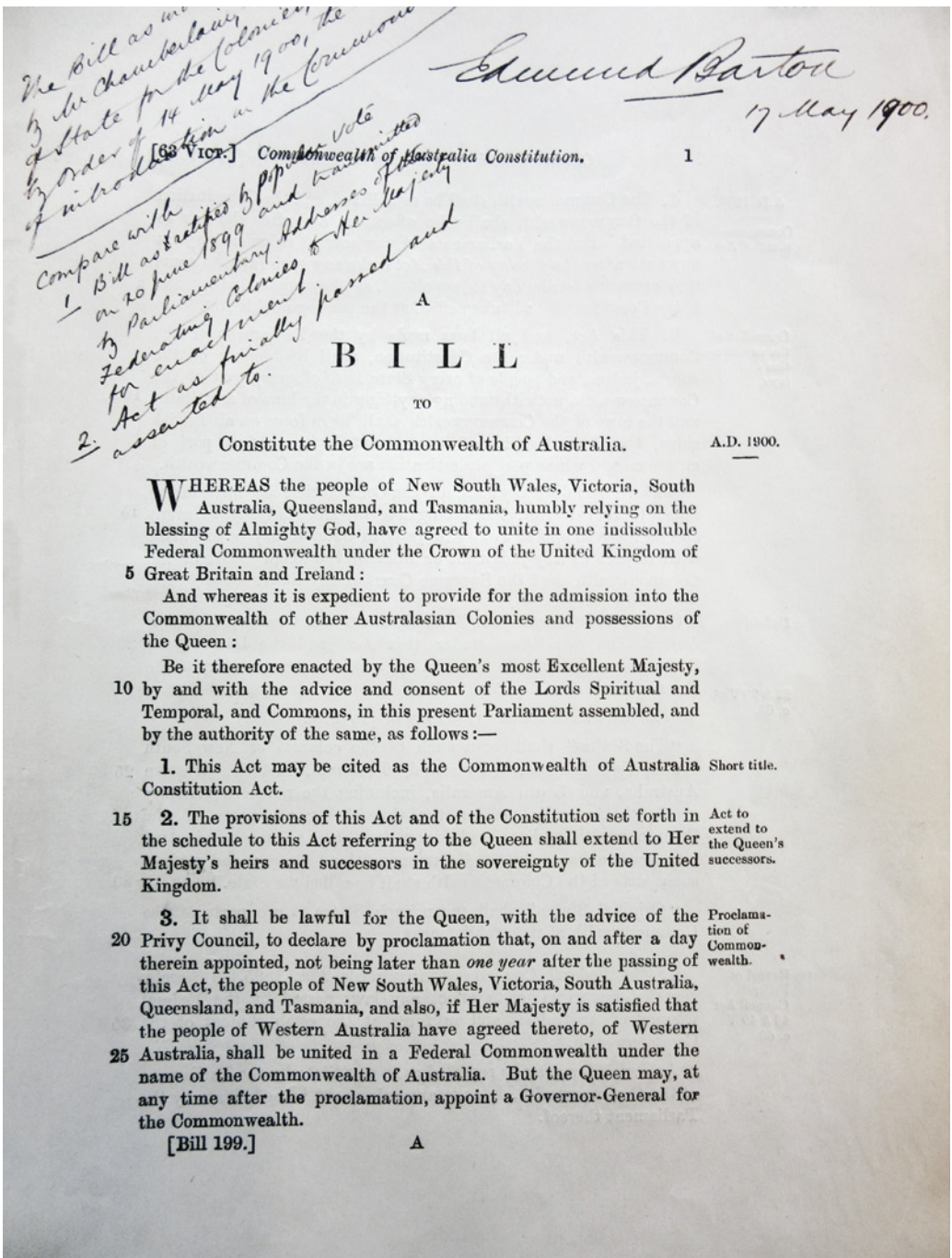
Alfred Deakin's first-hand version of the frenetic four months spent by the Australian representatives at the heart of the British Empire is one of a few accounts of this significant if unpredictable period in the federation narrative. Historian MH Ellis sums up the challenge ahead for the Australians: 'The fight was not over ... for the last of the lions in the path to Federation had to be defeated in London by the divided delegation'.¹²⁰ Deakin also made use of a lion metaphor, but for him the Australians were the 'lions of the season' in London during the summer of 1900.¹²¹ It is hard to disagree, especially if we focus on the Federation Bill's three principal propagandists: Barton, Deakin and Kingston.

Consider that Barton, the unofficial leader of the delegation and without doubt the group's most able networker, delivered over 400 speeches, ranging from the one given at the dinner hosted by the British Empire League (with its 500 guests including the King and the Duke of York), to the City Liberal Club, the Press Club, the Primrose League and the London Chamber of Commerce.¹²² Deakin estimates that he and his colleagues lobbied some 3000 'persons of influence'. A host of miscellaneous Lords and Ladies were tickled pink when their invitations to fashionable soirees were accepted by the exuberant Australians, especially Barton, whom the Tasmanian Fysh noted in a letter home was 'a great favourite here'.¹²³ Barton was duly awarded an honorary LLD from Cambridge, and he was elected as an honorary member of a number of London's most prestigious clubs.

The collective Australian effort to present the Bill as a *fait accompli* was so cleverly managed that the Colonial Secretary and strongman Joseph Chamberlain, at the peak of his power and influence in government, had no choice but to keep his reservations to himself. So on 14 May 1900 he requested that the House of Commons 'accept every point in the Bill, every word, every line, every clause which deals exclusively with the interests of Australia'.¹²⁴ Some ground was ceded on clause 74 of the Bill, appeals to the Privy Council, and that was the extent of it. Chamberlain biographer, JL Garvin, quotes the Colonial Secretary as saying that the Australians were 'some of the stoutest negotiators he had met in his life'. At the end of their final meeting, he felt like he'd 'walked 30 miles'.¹²⁵

For their part, the Australians retreated to a room in the British Parliament building by themselves. Deakin takes up the story: 'When the door closed upon them and left them alone, they seized each other's hands and danced hand in hand in a ring around the centre of the room to express their jubilation'.¹²⁶ Years later, reliable federation informant Josiah Symon cast some doubt on this information. 'Knowing the men', he wryly commented, 'I think their joining hands in a fandango' to be unlikely. Though I am inclined to agree with him, the yarn and the fandango will never lose its central place in the saga of federation.¹²⁷

During the time spent in London there were many occasions when each of the delegates had to cable his colonial government with an urgent update, sometimes receiving in return either contradictory advice or advice at odds with the position taken by the other colonies. Yet they got there. The Bill passed. Returning home, the delegates were welcomed amidst scenes of community celebration, each of them noting that there had been a marked shift in the nationwide attitude in their absence. Not only had the vibrations of federation increased in intensity as the first day of January 1901, and a new century, got closer, but also an unexpectedly large cohort of their fellow colonial politicians suddenly had aspirations to the federal sphere – including a number who had campaigned in opposition!



Barton's own copy of the historic *Bill to Constitute the Commonwealth of Australia*, signed by him on 17 May 1900. When lobbying in London for passage of the Bill through the British Parliament, he gave over 400 speeches in a matter of a few months.

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WITH TWENTY-PAGE SUPPLEMENT: | SIXPENCE
LORD ROBERTS OF KANDAHAR



THE FIRST PRIME MINISTER OF THE AUSTRALIAN COMMONWEALTH: THE HON. EDMUND BARTON, Q.C.

Photo. Elliot and Fry.

In the English newspapers during the first months of 1901, Australia's first prime minister was big news. This front page of *The Illustrated London News* was typical.



The Ham of Lyne and the ‘Hopetoun Blunder’



Part of the massive crowd gathered in Centennial Park, Sydney, for the official ceremony to mark the inauguration of the Commonwealth, 1 January 1901.

NSW Premier William Lyne, federation critic throughout the 1890s, was the most prominent public figure to reverse his public stance when opportunity knocked. The nearer federation got, the more convinced he became that 'Prime Minister Lyne' had a certain *cachet* about it. So when the Commonwealth's first Governor-General, John Adrian Louis Hope, the seventh Lord Hopetoun and former Governor of Victoria, arrived in Sydney in early December 1900 – a few weeks before the grand celebrations planned for new year's day – Lyne stepped up his campaign to secure the inaugural Commonwealth prime ministership. He was well aware of the claim that the premier of the Mother Colony had on the new nation's top office, and the charm offensive he and his government directed at Lord Hopetoun worked admirably. On 19 December, Hopetoun ended newspaper speculation when he asked Lyne (whose name is inscribed in one of Canberra's network of suburbs, Lyneham, the Ham of Lyne) to be the first Prime Minister of Australia, and invited him to assemble a Commonwealth Government ministry.¹²⁸

The Centennial Park celebration was just 12 days away.



The landing of Governor-General, Lord Hopetoun, Sydney, December 1900. Hopetoun's popularity suffered after his 'blunder', when he first offered the job of prime minister to William Lyne. All of Australia knew he was the wrong man for the job.

'The news', according to reliable informant Robert Garran, 'shook Australia like an earthquake'.¹²⁹ The 'Hopetoun Blunder', as it was immediately dubbed, also caught the powerbrokers in London by surprise. Colonial Secretary and Empire enforcer Joseph Chamberlain was furious, cabling his Governor-General with a curt 'please explain'. Alfred Deakin was horrified, and then he got to work rectifying the error before it was too late. Six days and a flurry of cables later, Hopetoun's blunder was consigned to history's dustbin. Most of the individuals approached by Lyne to join his Cabinet, including Barton, said 'no', and finally he had no choice but to concede defeat. Barton informed Lyne that he would not serve 'under a Prime Minister who had throughout opposed the adoption by the people of the measure of which he is now asked to be the first constitutional guardian'.¹³⁰ At 10pm on Christmas Eve 1900, Lyne 'abandoned his commission and advised Hopetoun to send for the Barton'. Deakin's urgent 'intrigues' had manufactured the only decision acceptable to the people and politicians of Australia; Barton's decade with his sleeves rolled up for the cause had made him the only choice possible.

And so, with the cinematograph cameras of the Salvation Army's Limelight Department rolling in Sydney's Centennial Park on 1 January 1901, Barton in his long frockcoat not only looked the part, he had well and truly earned the part.

Another one of the talented band of South Australian federation politicians, Patrick McMahon Glynn, put it well when he observed a few years into federation that 'Sir Edmund Barton was one of those men who happily seem to be created for great occasions'.¹³¹ A generation of new Australian mums and dads agreed with him. Across the length and breadth of the vast continent they chose to honour Barton in the naming of their children. From Birregurra to Boonah, Coongulmerang to Carcoar, Parkes to Pinda, Wagga to Werribee, Kalgoorlie to Kapunda and Broken Hill to Bega, 'Edmund' and 'Barton' were inked with pride onto the birth certificates of the newly born in every state: Edmund Barton Hughes, Edmund Barton Hosken, Edmund Barton Giffen – the list went on and on. Some parents found their inspiration in the formal terminology of nationhood. Thus, a boy born in Norwood, South Australia, was christened Federal Century Costa (surely 'Feddy' for short); in Footscray, a girl found herself anchored with 'Dorothea Federal Victoria Breadmore'; while Albany Royal Federal Hollingworth was born in, you guessed it, Albany, WA. It is not known if she ever recovered from the burden of her parents' federation fever. One poignant story was that of two-year old Edmund Barton Page, who sadly passed away peacefully at his parents' Botany home in Sydney on 2 February 1901.¹³²

The promise of a new century produced a bounty of homegrown responses: there was a surge in community optimism despite the drought; the combinations of celebratory nomenclature for new roads, parks and public buildings seemed inexhaustible; the politicians basked in a brief honeymoon period of approval; the poets sang with national voice from the same patriotic songsheets; and the boy from Sydney's Rocks area, Edmund Barton, began his new job full of hope for the future.

What could possibly go wrong?



Another Herbert Cotton cartoon, 'Toby or not to be? That is the question', December 1900, which playfully invokes Hamlet's famous soliloquy. Lord Hopetoun, centre, has made his notorious 'blunder', offering the first prime ministership to the NSW Premier, William Lyne. George Reid, at left with monocle, is puzzled; Lyne is still at it, lobbying Hopetoun; while Barton patiently stands, statesmanlike, waiting for the Governor-General to make the only decision.

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Constant good health is secured by drinking every morning "Alok" with soda water. It is a refreshing and beautiful drink. The drink of the season.

"IT MAKES YOU STRONG."

DRUNK BY THE GREAT COMMONWEALTH. EVERY HOTEL, CLUB, COFFEE PALACE and REFRESHMENT ROOM, with Soda Water, Lemonade, &c. 6l. per glass. 4s. 6l. PER BOTTLE. Ask for "ALOK" to Secure THE GENUINE ARTICLE.

FISHER & CO., SOLE PROPRIETORS AND MANUFACTURERS. 407 COLLINS-STREET, MELBOURNE, and at 337 GEORGE-STREET, SYDNEY. SEND TO HEADQUARTERS FOR A GENUINE BOTTLE.

'The Great Commonwealth Drink' advertisement, *Australasian*, 15 December 1900, further proof that in the world of product placement in 1901, nothing was off-limits. Barton and the Governor-General, Lord Hopetoun, are poised to try the 'Kola Nut Tonic', as William Lyne mischievously whispers in Hopetoun's ear that he wants to be the nation's first prime minister. In the back row, centre, George Reid leads a toast to the 'Great Commonwealth' and presumably 'The Great Commonwealth Drink'!

BLOCK ONE COMMONWEALTH OF AUSTRALIA. BLOCK ONE

SWEARING-IN CEREMONY

CENTENNIAL PARK, .. SYDNEY TUESDAY .. 1st JANUARY, 1901.

* TICKET FOR RESERVE. *

This Card admits ONE PERSON ONLY, and must be presented to secure a seat. * ALL PERSONS SHOULD RETAIN THEIR SEATS, excepting when ANTHEMS are being rendered.

YOUR SEAT, BLOCK . . . ONE JOHN PORTUS, General Secretary.

THIS HALF TO BE KEPT BY THE HOLDER.

Prized ticket for the Commonwealth of Australia's Swearing-In Ceremony, Centennial Park, 1 January 1901.



POSTAL AND ELECTRIC TELEGRAPH DEPARTMENT
SYDNEY, NEW SOUTH WALES.



MANAGER

To Hopetoun
Sydney

88 373

Referring to your cablegram from London P.O
dated 22nd timed 1.44.P. 20/4/16 words, Bombay
Cable station advises to please read the 13th
text group of figures, 44608.

Please note correction, and erase remarks.

J. Wilson

Great surprise expressed at choice of Lyne instead of

Barton. Please give reasons.

22. 12. 00.

Chamberlain

Telegram from the British Secretary of State for the Colonies, Joseph Chamberlain, to Australia's first Governor-General, Lord Hopetoun, requesting an immediate explanation for his inexplicable 'blunder' – to ask NSW Premier, William Lyne, a federation antagonist, to be the first Australian prime minister. The decision was rescinded within days.



Melbourne Arch, Park Street, Sydney.

During the federation era, many ornate celebration arches were created for the big occasions, none better than Melbourne's gift for the Sydney festivities, the 'Melbourne Arch', erected on the corner of George and Park Streets, opposite the Sydney Town Hall.



Our first Prime Minister



Carefully constructed portrait of Barton c.1901, first Prime Minister of the Commonwealth of Australia – calm, controlled and authoritative.

Barton made his first speech as leader during a balmy January 1st evening at a glittering state banquet in the Sydney Town Hall. For some of those present it was his 'greatest achievement in public oratory'.¹³³ Reading the speech today, it is difficult to avoid the suspicion that the hyperbole later used by some of those attending may have been the product of too many champagnes. It was certainly not his best speech, yet the central section did contain an important entreaty. Warning of what might lie ahead for the fledgling Commonwealth, he drew on the sentiments of a great American president whose speeches and tragic death were still fresh in the minds of many Australians. Abraham Lincoln's memorable phrases of only a few decades before are echoed in Barton's words as he posed the potential consequences of division and unrest between loosely federated states, and outlined what needed to be done: 'If divided, we cannot reap the whole benefit of the union ... Unite yourselves and preserve the union ... It will require honest, earnest and patient effort, as well as tact and mutual consideration, and without these we shall not fulfil the promise of today'.¹³⁴

When Barton became prime minister he had never served as an elected premier of NSW. Yet here he was, entrusted with the reins of a new nation state where inter-colonial jealousies and antipathies remained almost as raw as they had been in decades past. A valid assessment of Barton's nearly three years as prime minister must take account of the major challenges he faced in a task without precedent. Undaunted, he made a pact with the nation and he continued this dedicated public service for the last 20 years of his life – the first three as Prime Minister, the last 17 as a Puisne Judge in the first High Court.

In her book, *1901 the Forgotten Election* (2001), Marian Simms observes that Barton's prime ministership 'gave him a particular halo' that served him well in the foundation months of the new nation.¹³⁵ Conscious of the need to preserve stable, understated government, he trimmed the list of his aims to maximise the prospect of achievement. This enabled him to follow his conservative instincts while remaining sympathetic to the incorporation of selected elements of a 'popular programme' of social welfare legislation advocated by his deputy, Alfred Deakin.¹³⁶

Barton hit the ground running, conscious of the opportunity he had been gifted as incumbent PM in the hiatus months before the first national election. Three days after Sydney's gala event, he boarded a steamer for Tasmania where he delivered speeches at 'densely-packed' halls in Hobart and Launceston. Then on 17 January, back in NSW on a visit to West Maitland in his own Hunter Valley electorate, he delivered a policy speech of substance, the only one given by any political candidate before the election dates were announced for 29–30 March. Three of Barton's newly announced Cabinet colleagues accompanied him – Deakin, Kingston and the unsinkable William Lyne – VIPs in the front row of a boisterous crowd. With one eye fixed on the historic election to come, and conscious of the presence of press photographers being allowed into a political meeting for the first time, it was reported that Barton spoke with 'a combination of authority and moderation' to a packed hall of federation believers.¹³⁷

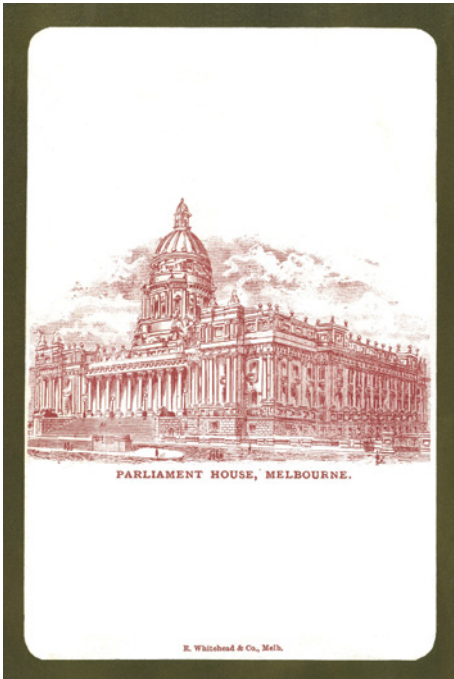
As the camera bulbs popped he began with an obligatory joke about his 'flash' audience, but humour could not disguise the fact that women had inexplicably been excluded from the Maitland hall. It was a visible absence at odds with Barton's publicised commitment to adult suffrage equality, and not surprisingly he avoided any reference to it as he outlined his 'business statement', a blueprint for the journey he anticipated the Commonwealth navigating in its infant years.¹³⁸ The speech steadily moved through a Barton government's introduction of a 'White Australia' policy (to happen as 'a matter of course'); no direct taxation; a revenue tariff to provide 'moderate' protection for local industry; a Commonwealth Court of Conciliation and Arbitration; a High Court; uniform suffrage to give women the vote (he was 'resolved as a matter of duty to accept the principle', hardly a ringing endorsement of his position on an issue affecting half the adult population of Australia); a trans-continental railway; a federal capital city located at a site to make land speculation impossible; old-age pensions; and cheap uniform postage.

Neither visionary nor overly ambitious, the speech was a credible first statement of his government's intentions. Importantly, it was free of serious controversy. If there were one or two liberated-male groans in the room on behalf of an absent sisterhood when Barton stated his intention to introduce female suffrage, they had no impact at all on the audience of men.

There was one other element in Barton's speech that, even though it had no connection to the main policy agenda for the night, was something about which he had felt deeply for a long time: the issue of parliamentary behaviour. His many years of experience in the hothouse of NSW politics prompted Barton to imagine, for his Maitland audience, a national parliament not 'degraded by vulgarism and disorder', a place where 'better business will be done ... decently'. Probity was key. The nation's business had to be transacted free of 'juggling and jesting with figures', and with this in mind he singled out his interim Treasurer, former Victorian Premier George Turner, as a model of 'sober, reliable, controlled' decision-making.¹³⁹

One point not mentioned by Barton, though well understood by his audience, was their Prime Minister's fixed belief in the elevated place of the Australian nation in the firmament of the British Empire. Five weeks before the Maitland address Barton penned some untitled notes for a speech that he delivered at the Manly Presbyterian church on 11 December 1900. It provides us with invaluable insight into his conception of the relationship between Britain and an emergent Australia:

*In affairs which are national in their Australian range, she will act as one. In affairs which are national in the Imperial sense, she will act as a powerful unit of a mighty Empire ... New strength and unlesened loyalty ... Australia is the purest example of the parent stock ... Furthest away but closest in kinship ... [During the 1890s] nothing was more apparent than the repugnance of the Australian people to any form of government which tended to depart from the ideals of British statesmanship.*¹⁴⁰



MENÙ	
Patties.	
Chicken.	Oyster. Game. Shrimp.
Sandwiches.	
Ham. Tongue.	Paté de Foie Gras. Cress.
Chicken.	Anchovy. Egg.
Entremets.	
Almond Cakes.	Walnut Cakes. Hazelnut Cakes.
Nougat Cakes.	Vienna Cakes. Dobolsh Cakes.
Sponge Fingers.	Queen Cakes. Chocolate Cream Cakes.
Othellos.	Desdemonas. Alexandras. Dauphines.
Cream Meringues.	Fancy Almond Cakes.
Sultans,	Caraway, and Madeira Cakes.
Jellies.	
Mosaic.	Epernay. Kirsch. Macedoine.
Creams.	
Charlotte Russe.	Genoise Cream. Nougat Cream.
	Caramel Triffes.

Ices.	
Passion Fruit Cream.	Vanilla Cream. Pine Apple Water.
Dessert.	
Fresh Fruits.	Dried and Crystallised Fruits.
	Confectionery.
TEA AND COFFEE.	
Wines.	
CHAMPAGNES.—Great Western Special Reserve.	
Pommery and Greno.	Heidsieck Dry Monopole. Irroy.
Krug, Extra Sec.	Perrier and Jouté. A. Y. Goulet.
Moët and Chandon Dry Imperial, Vintage 1893.	Louis Roederer.
AUSTRALIAN WINES.	
Burgundy.	Claret. Chablis. Hermitage.
Hock.	Reisling. Sauvignon. Tokay.
Amontillado Sherry.	Tawny Port.
Spirits and Liqueurs.	
Victorian Ales and Lager Beers.	Burke's Stout.
CUPS.	
	Claret. Hock.
Champagne.	Pine Apple. Aerated Waters.
H. SKINNER, Caterer.	

Program and gourmet menu for the gala dinner, 6 May 1901, part of the celebrations to mark the formal opening of the Commonwealth Parliament in Melbourne.



Charles Nuttall's majestic photoengraved rendering of the opening of the first Commonwealth Parliament of Australia by HRH The Duke of Cornwall and York (later King George V), Royal Exhibition Building, Melbourne, 9 May 1901.



On His Majesty's Service.

10 | 1929

First Administration

Commonwealth of Australia

Designation of Portfolios &

allotment of Administrative Duties

1. Prime Minister of the Commonwealth, & Minister for External Affairs.
2. Attorney-General for the Commonwealth
3. Home Secretary of the Commonwealth
4. Treasurer of the Commonwealth
5. Trade & Customs Minister of the Commonwealth
6. Defence Minister of the Commonwealth
7. Postmaster-General of the Commonwealth

Barton's hand-written notes designating the portfolios he required in his first ministry.

Joseph Chamberlain is described as a 'remarkable' representative of the British example and Rudyard Kipling, one of Barton's favourite poets, quoted with a quatrain that he knew by heart. He felt that it was written with Australia in mind:

*There dwells a wife by the Northern gate
And a wealthy wife is she;
She breeds a breed of roving men
And casts them o'er the sea.*

Like his friend and political ally, Alfred Deakin, Barton was throughout his life an 'Australian Briton', and like the large majority of his countrymen and women, he was completely at ease with dual loyalties. More than that, as John Reynolds observes, for Barton the British Empire was 'a union not merely for commercial or political convenience, but for the advance of humanity'.¹⁴¹ Even under the extreme pressure manifested by the death and suffering inflicted by the Boer War and the Great War, this belief never wavered.

During the hectic election campaign weeks, the incumbent Prime Minister worked diligently to obtain an acceptable measure of approval from the geographically dispersed Australian population. However, with the federal parliament to meet indefinitely in Melbourne from May onwards (until a suitable site could be identified in rural NSW, at least 160 kms distant from Sydney, according to Section 125 of the Constitution), he could be excused for feeling a little nervous about some of the problems that lay in wait: the tyranny of distance, for one, had implications for a Sydney born-and-bred politician about to re-locate down south in sitting periods, without his beloved family; the Melbourne press gallery was going to be completely different from what he was used to, with the on-ground influence of David Syme and his *Age* newspaper impossible to avoid; housing was likely to be cheap and cheerful at best (there were no harbour views from the top of Collins Street!); the Victorian parliament building represented a completely foreign environment; and, day-to-day, the voters he would meet in Melbourne's streets were likely to be inquisitive rather than supportive. It was hardly a secret that many would have been far happier with a fellow-Victorian as PM.

By the end of February, with the election only weeks away, Barton sensed that the goodwill of his honeymoon period in office was already running out. On the hustings it was apparent that George Reid's Opposition Free Trade party was building a surprising amount of support, especially in NSW, and if Barton needed any further evidence of the regional differences that existed, then he got it when he campaigned in Queensland's Wide Bay electorate. What he had counted on as a sure vote-winner across the country – a Barton government's absolute commitment to White Australia – in the Deep North came with unsettling complications. Working class voters in Gympie, Maryborough and Bundaberg demanded that the forced trade in Pacific Island labourers ('Kanakas') cease immediately. There was nothing altruistic about their stand on the issue: they feared for 'white' Queensland jobs and insisted on 'white' family security. On the other hand, sugar plantation owners, shipping

firms and chambers of commerce, determined to protect their profits, opposed any change. At one meeting in Bundaberg, Barton was faced with a large banner which read: 'the Prayers of the Women of Bundaberg are with you for a White Australia'.¹⁴² Class and religious issues were enmeshed in the fiscal issue of free trade versus tariffs – with race prejudice underpinning all the main arguments proposed by the contending sides.

The historic election went off without any major hiccups, and once all the votes were counted it was clear that Reid's party had indeed done well, much better than most media commentators were predicting. Up for grabs were 75 House of Representatives seats and 36 in the Senate. The final numbers were: in the Repts, 31 Barton Protectionists, 28 Reid Free Traders, a solid 14 to Labor, and two Independents. The Senate reversed the Lower House results, with 17 Free Traders, 11 Protectionists and eight Labor. Barton must have been disappointed. Yes, he was now the elected prime minister, but the fiscal divide had relocated untidily to the national agenda and, for a prime minister who called Sydney home, the fact that Free Trade candidates won every single seat in the country's most populous city, his city, was a result impossible to ignore. It was a harbinger of the difficulties ahead.

As the months passed, sitting parliamentary periods went far longer than anticipated (191 days in an exhausting first 12 months), and the large chunks of time spent in Melbourne's often wintry weather hit Barton hard. He occupied what one federal member remembered as a little turret chamber in the parliament building, a tiny self-contained flat only able to be accessed up a steep, winding staircase. There, he conducted the Commonwealth's confidential discussions with his personal secretary and ministerial allies, sometimes cooking chops for the motley group and always with the billy boiling on an open fire. It was not ideal, and a long way from sunny Sydney, its harbour, the warmth of family and the comfort of familiar surroundings. Perhaps as a gesture of defiance in the face of a rapidly burgeoning bureaucracy, the story goes that Barton transported all the Commonwealth government's business-in-confidence in a Gladstone bag – in trains or trams, it didn't seem to matter to him.¹⁴³

More disconcerting than the austere physical surrounds, however, was the inter-colonial, inter-generational tension that surfaced in the first few Cabinet meetings. This was no real surprise, for here was a gathering of robust personalities, men of influence whom the newspapers and magazines enjoyed tagging with a variety of colourful epithets: a 'cabinet of kings', a 'cabinet of captains', 'an orchestra of conductors' and 'an army of generals', among them.¹⁴⁴ Fortunately, Barton's undisputed position as the first among equals held firm. It had to. For the best part of three years he had to corral a feisty group containing no less than six ex-premiers. Their opinions ranged from the radical, progressive and abrasive sentiments of the South Australian Kingston to the entrenched conservatism and born-to-rule mentality of Western Australia's Sir John Forrest. The Government Whip in the Senate, John Keating, many years afterwards recalled Barton as a 'peace-maker and a teacher who possessed great stores of knowledge, legal, political and historical'.¹⁴⁵ Wisely, the peacemaker quite literally chose a round table for meetings with his jousting knights.

Alfred Deakin remained Barton's right-hand man throughout his prime ministership, and Dick O'Connor and Sir John Forrest his closest friends.¹⁴⁶ He needed them because there was little joy to be had reading the latest newspapers and journals. In Sydney, the *Bulletin* was never happy with Barton's style and personality, especially his overt Empire allegiance and choice of political allies, and John Norton's scandalous *Truth* never let up. The day after Barton's election victory the paper welcomed the new prime minister as a 'sleepy sluggard' and drain on the public purse, as 'Toby Tossopot' the soak, gourmand and borrower beyond his means. Norton was relentless. In Melbourne, David Syme's *Age* picked up on some of these pervasive accusations, particularly the charge of laziness. Scottish Presbyterian Syme, all starch and puritan seriousness, frowned on anyone with a loose attitude to punctuality. It did not go down well that Barton was late for his first Cabinet meeting, and the *Age* was quite content to run with the fictitious narrative of Barton as indolent and distracted.¹⁴⁷



Australia's first Commonwealth ministry, 1901, tagged the 'cabinet of kings' and 'the army of generals' because it included no less than six ex-premiers with many years of leadership experience. Seated in the front row (L-R) are Barton, Governor-General Lord Hopetoun and William Lyne. Deakin is standing, third from the right.

Undermined by truculent sections of the media in the country's two most populous and influential cities, Barton's bright new world of federal politics began to lose its sheen as 1901 wore on. Then in mid-September he suffered a terrible personal blow with the news that his only remaining brother, George, the last of four, had died suddenly in poignant circumstances in Goulburn. George's career had promised so much and never quite got there. In certain ways, he was Toby's awkward conscience. The utter turmoil of the older brother's life – he was married three times, fathered 13 children and was bankrupt three times – failed to reflect accurately a man of high intelligence and cultural acuity who left behind an unconventional, extended family spread far and wide, and 'a host of friends and admirers'.¹⁴⁸

The only published Barton family history by one of their own (by marriage) suggests that George and Toby 'became estranged because of their differing views on the push for Federation'.¹⁴⁹ While it is certain that their attitudes to nationhood never closely aligned (George, for example, voted 'no' in the two referenda because he felt that the Constitution drafts offered were not sufficiently democratic), there were gestures of reconciliation from both of them. We know that Edmund, for example, ensured that his brother and third wife, Laura, were invited to all the formal events associated with the opening of parliament. For his part, George attended an event at Bondi Public School in mid-May 1901, a few days after the festive opening of the parliament in Melbourne, where he proudly looked on as his second youngest child, 7-year old Percival Wentworth Barton, hoisted the school flag 'amid deafening cheers' as his schoolmates 'sang with spirit' both 'Advance Australia Fair' and 'God Save the King'. It was reported that all the children present 'were regaled with bags of pastry and confectionery' and the proceedings ended with 'a hearty vote of thanks' to the organising mother, Mrs Samuel, 'on the motion of Mr G. B. Barton'.¹⁵⁰ Sadly, George had less than four months to live.

In April 1901, Edmund must have been aware that George had written an article for the *Asiatic Quarterly Review* in which he lamented the inferior quality of politicians in Victoria and NSW in recent years, a manifestation of the 'degeneracy' of all the Australian colonial parliaments.¹⁵¹ He portrayed the federation era as one in which the 'greedy professional politician' was thriving, and he advocated nothing less than 'a complete revolution' in national politics. Norton's *Truth* leapt on the content of the article, deeming it a frontal attack on 'Brother Toby'. Hardly. George was only expressing fears which the Prime Minister himself had long harboured, though he was never likely to air these views in public.

In the months spent in Goulburn before he died, George had been as active and engaged as always – hired as the editor of the *Werriwa Times and Goulburn District News*, commissioned to write a journal article for an esteemed local citizen and carrying out unpaid editorial work on the papers of the Political Labour League's Goulburn branch. Curiously, despite his widow, an adult son and other family members being present in Goulburn in his final hours, and the next day attending the burial ceremony at St Saviour's Church of England Cemetery, there is no record of

his gravesite ever having a headstone, and there is no evidence today of where he is buried. Edmund, it appears, undertook to attend to the well-being of his widow and youngest child.¹⁵²

Although he found himself grappling constantly with a number of troubling issues at home and abroad, Barton always made sure he preserved family holidays with Jeanie and the kids at their favourite spots, such as the Goulburn River, Scamander in Tasmania and the Blue Mountains' Hydro Majestic Hotel. Respite periods were cocooned but always too short, or likely to be cut short, and then it was back to the rigors of the job in the 'cheerless', solitary confines of faraway Melbourne.

The contested combat role of Australian soldiers in South Africa, in a war that dragged on into the new century, forced Barton to give it close attention. His government's Imperial loyalty was put to the sternest of tests as the public slowly became aware of a growing list of horrifying details and allegations. These included war crimes perpetrated by Australian troops, the introduction by the British of the world's first concentration camps, Boer farms burnt to the ground in a 'scorched earth' policy relentlessly pursued, Boer women raped, civilian families tortured and killed, the precipitate executions of accused Australians 'Breaker Morant' and PJ Handcock by British military authorities in a shroud of secrecy and, by war's end, the deaths of nearly 600 Australian soldiers.

The situation had been so different in 1899 when the first soldiers from Australia went to the Boer War as colonial NSW troops in a hasty, ill-considered gesture of support for England and Empire that nonetheless had the vocal support of every colony. Barton made his attitude to the conflict clear in a heated debate in the early months of his colony's participation when he clashed with Labor's William Holman, one of the Assembly's most accomplished debaters. When Holman accused 'the English race' of bullying 'weak and struggling powers', Barton jumped to his feet and challenged him to state whether he wanted 'the Boers to win or the British?'¹⁵³ Holman replied that he wanted the English to be defeated, his opinion representative of a small, courageous minority of colonial citizens in a prevailing atmosphere of intimidation and jingoistic bluster. The community, Barton knew, supported his loyal affirmation that 'When our Empire is at war with any other power whatever, it becomes our turn to declare the motto: "The Empire right or wrong"'. It was a position lacking any moral interrogation and, with the benefit of history's lessons, a blind expression of the attitude which would take Australia, in 15 years' time, into a global conflagration that cost more Australian lives per capita than any other participant country.

When the Boer War finally ended in May 1902, there were no winners. Britain had got itself greater access to Boer gold and the Cape's natural resources, but it was a pyrrhic victory that appalled the rest of the world. While Barton's attitude to the conflict remained unchanged throughout, his defence of the Empire's actions took a personal toll.



In 1900, sculptor Theodora Cowan (1868–1949) was commissioned by a committee of federation enthusiasts to produce a marble bust of Edmund Barton. This illuminated manuscript, listing 140 subscribers for the sculpture, accompanied the bust as a keepsake gift to Jeanie Barton, in honour of her husband. The manuscript is now part of the NLA's collection, while the bust is held by the Commonwealth's Parliament House Art Collection.

Edmund Barton
1901

1901.] 1 EDWARD VII. [No.

THE FIRST ACT

OF
The Parliament of the Commonwealth of Australia.

George Henry Stokes
Clerk of the House of Representatives.

Melbourne, 28th June, 1901.

An Act to grant and apply out of the Consolidated Revenue Fund the sum of Four hundred and ninety-one thousand eight hundred and eighty-two pounds to the service of the period ending the thirtieth day of June One thousand nine hundred and one.

BE it enacted by the King's Most Excellent Majesty and the Senate and the House of Representatives of the Commonwealth of Australia for the purpose of appropriating the grant originated in the House of Representatives as follows:—

1. There shall and may be issued and applied for or towards making good the supply hereby granted to His Majesty for the service of the period ending the thirtieth day of June One thousand nine hundred and one the sum of Four hundred and ninety-one thousand eight hundred and eighty-two pounds out of the Consolidated Revenue Fund, for the purposes and services expressed in the schedule to this Act, and the Treasurer is hereby authorized and empowered to issue and apply the moneys authorized to be issued and applied.

2. The said sum shall be available to satisfy the warrants under the hand of the Governor-General in respect of any purposes and services set forth in the said Schedule.

3. No moneys shall be expended under the authority of this Act after the thirtieth day of June One thousand nine hundred and one.

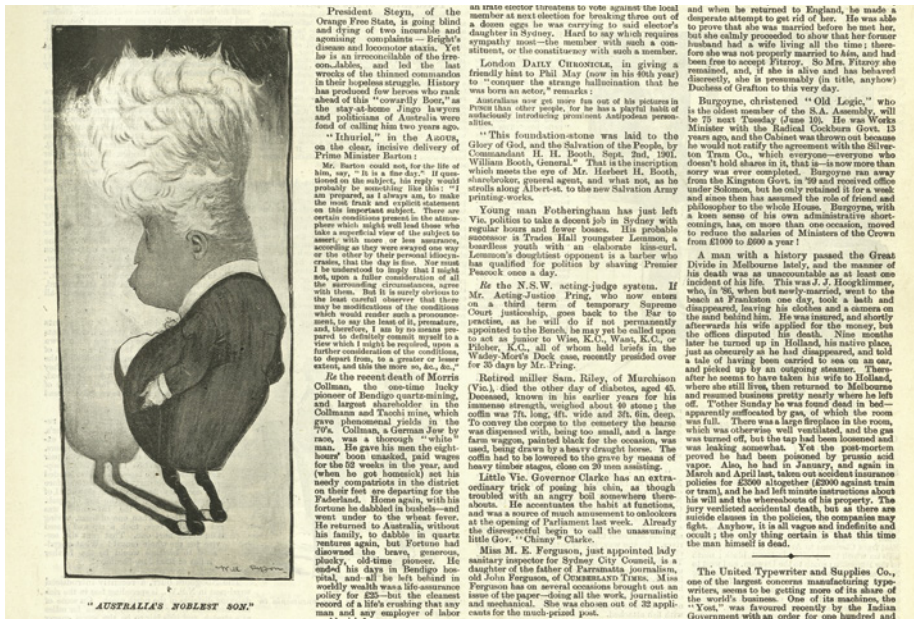
SCHEDULE



The First Act of the Parliament of the Commonwealth of Australia, 1901.



Herbert Cotton's pen-and-ink cartoon, 'Enfranchised!', portrays an excited Australian suffragist, now a voter, holding aloft her legislated credentials. She is being toasted by federation's most prominent leaders, with Barton and George Reid at the head of the table.



Unflattering cartoon by Will Dyson (1880–1938), 'Australia's Noblest Son', *Bulletin*, 7 June 1902. The *Bulletin* remained one of Barton's harshest critics.



GH Dancey cartoon, 'Barton and Watson', 1902. Barton had many issues troubling him in his three years as prime minister, one of them being the rapid emergence of the Australian Labor Party under the impressive leadership of Chris Watson. Barton's conservative inclinations and the ALP's committed working class agenda were poles apart. Watson was destined to be (briefly) Australia's third prime minister.



London calling once more



Studio portrait of Lady Jeanie Barton in court dress for the coronation of King Edward VII. Court dress protocols at the time requested a low-cut dress, long train, headwear including ostrich feathers 'mounted as a Prince of Wales plume', with long white gloves and a large bouquet of pale roses. Jeanie dazzled. Her outfit ticked all the boxes.

By mid-1902 Barton badly needed a break. It had been a tough few months. In February a Melbourne magazine named him as the parliament's 'worst absentee' and, a couple of months later, he confided to his loyal deputy Alfred Deakin that, 'sore hearted', he had 'long been near despair' in his leadership of 'a wreck of a Ministry'.¹⁵⁴ Was he overstating it? Possibly, but there was little doubt among his closest colleagues that he needed some time off to refresh and recharge. As luck would have it the opportunity arose when a timely invitation to London arrived, announcing the forthcoming coronation of King Edward VII. Another trip to England excited Jeanie Barton as much as it did her husband, and the trip gave the couple a chance to travel overseas with their daughter Stephanie.

On arrival in London, in June 1902, the Bartons received the warmest of welcomes from their host of British friends. This time Edmund was not there to lobby for a new Constitution; rather, with his wife and daughter by his side he could sit back and soak up the bountiful hospitality. The Bartons lunched with the King and Queen on the Royal Yacht, partied with Melba (by now Australia's very own international celebrity diva) and Edmund lunched with the striped crimson blazers at Lords, the gentlemen of the Marylebone Cricket Club. Toby and Jeanie fitted in anywhere. Despite the constant need for family economy, they even purchased some new outfits to accommodate their full book of social engagements at the home of Empire. Now a near-teetotaller, Toby had lost weight in recent years and Jeanie, just turned 50, splashed out in anticipation of the formal functions ahead. At the coronation event, she dazzled. Her husband was finally convinced to accept a knighthood, only the second Australian to be awarded a GCMG, the Empire's most prestigious decoration. In Scotland, historic Edinburgh awarded him the 'Freedom of the City' and he received additional honorary degrees, this time from Oxford and the University of Edinburgh. The clubbable Benchers at Gray's Inn saluted him as one of their own.¹⁵⁵

Barton's one work engagement involved attendance at the Colonial Conference, in company with the leaders of the other Empire nations – the 'galaxy of free nations', according to *The Times*, 'the glory of our Colonial system'. All attendees were aware that their host, muscular Secretary of State Joseph Chamberlain, had two agenda items set to dominate discussion: Imperial defence and trade. Although Barton knew that defence was a hot issue in Australia, with the majority of the population in favour of Australia establishing its own navy in response to a perceived Asian threat – a view shared by deputy Prime Minister, Alfred Deakin – Barton himself was not so sure. He fell into line with Chamberlain's request that the Empire nations share the financial burden of the Royal Navy's global reach, agreeing to an Australian contribution of £200,000 for the maintenance of an improved RN squadron in southern hemisphere waters. On the second issue, it was Free Trader Chamberlain who had to concede ground when it became clear that the mood of the national representatives around the Empire table favoured some form of tariff protection, and this included Barton.¹⁵⁶



Vincent Brooks, Day & Son, Ltd. Lith.

"Australia"

'Australia', a portrait of Barton by renowned *Vanity Fair* caricaturist, Sir Leslie Ward, under his pen name, 'Spy', 16 October 1902.

Throughout the Conference, and despite differences, discussion was generally cordial. In this, it was Barton who was singled out by *The Times* for the example he set for his colleagues: 'He bids us rather see what common ground can be found, build on that, and trust the good sense of the people to widen the basis in good time'.¹⁵⁷ The Australian prime minister had learned much from his 'exceptional' recent experience, the newspaper observed, solving 'the difficulties of federation' in his own country. Barton's typically measured advice to keep expectations realistic was heeded, and the modest steps agreed upon for the future reflected his viewpoint as much as anyone at the gathering.

In all, the sense of satisfaction and pleasure Barton derived from his second visit to England reinforced his firm commitment to the British Empire and what he regarded as Australia's secure place in it. One item that he and Jeanie acquired on the trip, a beautiful Royal Doulton plate, had a prized place in the Barton household for decades to come. It is another item now in the holdings of the NLA, and its inscription is an accurate measure of the Barton mindset:

*Our King has the Keys of the Empire to Keep
Where sets and where rises the sun,
Our brothers, his wardens, are lords of the deep,
One People – Our Destiny One.*¹⁵⁸

The words are those of Lady Jersey, wife of the former Governor of New South Wales, penned in the early 1890s. Both Edmund and Jeanie knew her well, which must have given the plate an added significance.

For the travelling Bartons, the five-month getaway was special for many reasons. It certainly rejuvenated Toby, but while the London society occasions were all enjoyable, no part of the trip experience was more personally gratifying for him than the stopover in Rome on the way to London. Never a religious man, and more contentedly a convivial Free Mason than devout Anglican, Barton felt honoured to be given the opportunity for an audience with Pope Leo XIII. Able to fall back on his training in the classics, he conversed with the Pontiff in Latin and, after a long and informal chat, he was presented with a gold medal. In Volume 5 of his monumental *History of Australia* (1981), Prof Manning Clark gives us his creative snapshot of an elevated conversation:

*Four melancholy eyes confronted each other briefly in Rome – the Holy Father's the melancholy of a man of faith in an age of ruins, and Edmund Barton's the melancholy of a man sustained by neither love nor faith, a man who had once found life jolly, but was now weighed down by a vast experience of human follies and passions.*¹⁵⁹

The follies of federation Australia were about to place an additional burden on Barton. His innocent Vatican *tête-a-tête* had unforeseen consequences, sparking a nasty backlash in Australia when more than 30,000 militant Sydney Protestants signed a letter to register their 'emphatic disapproval' of the Prime Minister's Papal visit.¹⁶⁰ On his return to the parliament, Barton was presented with a protest petition in the House

of Representatives, and it prompted him to take leave and make a statement on the record. The decorum of his tightly worded response scarcely disguised the contempt he was feeling for some of his fellow Australians. 'The Pope', he said 'was exceedingly pleased to observe the feeling of tolerance which existed in Australia towards people proffering any religious creed, that he had observed with great gratification the numerous proofs of the spirit, and hoped that it might long continue'.¹⁶¹

At the start of the new century, the first generations of Australian citizens were lapsing into ugly race and sectarian prejudice. Many were running scared, fearful in the wake of a federation achieved that their large and isolated continent was vulnerable to external threat from China, Russia, a rapidly expanding German Empire and, after Japan's stunning victory in the Russo-Japanese War (1904-05), from Japan. The modes of expression utilised at all levels of the community reflected the degree of race paranoia. When the highly respected Atlee Hunt, the permanent head of the Department of External Affairs, wrote to Barton just prior to his departure for England, he informed the prime minister that 'We continue to eject the industrious Jap and the wily Chow. The I. R. Act has not yet exhausted its possibilities'.¹⁶² Hunt was referring to the *Immigration Restriction Act*, almost universally supported in the parliament and in society at large, which made Australia's race obsession apparent to the world. The 'White Australia' policy would not be completely dismantled until the early 1970s, though it was never more enthusiastically supported than in the first decades of the federation. Some journals, including the hugely popular *Bulletin*, were rabid.



Barton and West Australian Sir John Forrest, with their wives Jeanie and Margaret, enjoying some relaxation in a Venice gondola on the way to London for the coronation. Barton is at the front, in light hat, with Jeanie the second person to his left; Forrest sits behind, with Margaret next to him. St Mark's Square is clearly visible in the background.



Gold medallion presented to Barton by Pope Leo XIII in 1902. Barton's audience with the Pope was greeted with a hostile reception from Sydney's more militant Protestants. Barton was shocked and appalled by the reaction.



Large gathering of representative British Empire citizens in London for the coronation of King Edward VII, summer 1902. Barton, rather dapper, can be seen in the middle of the photograph, three rows from the front.



Small group of the well-to-do in London for the coronation, summer 1902. Barton is seated second from the right, with cane and fashionable homburg hat.



Silver casket presented to Barton by the Corporation of Edinburgh, which conferred on him the formal honour of 'Freedom of the City', 26 July 1902.

Resignation and resuscitation



Another work by Charles Nuttall, the 'Barton Soap Ad Bill Poster', commissioned by the Velvet Soap group. Clearly, in 1901 Australia there were few restrictions on the subjects that private companies could exploit for advertising purposes.

The hostile reaction to Barton's Rome visit was possibly the final straw. Henceforth, he began to recoil from certain aspects of his role as prime minister. For the next 12 months until he retired in September 1903, to take his place in the High Court, he exhibited the tell-tale signs of chronic fatigue, if not depression. He was spent, and it showed in the workplace. His private secretaries, Atlee Hunt and Thomas Bavin, during this period began to despair of his lack of interest in keeping to schedules. Barton found solace yarning to some of the unlikely members of his queue of visitors. 'Importunate callers' often got far too much of his time, while important bureaucrats were on occasion forgotten or ignored.¹⁶³

Barton's impatience with endless administration, never his strong suit, his refusal to engage in strategic lobbying and his disenchantment with the need to secure a different parliamentary majority for each one of his government's bills, got the better of him. What he called 'rancorous party strife and scuffling on the steps of the Temple' dogged his daily routines.¹⁶⁴ Cabinet was getting more petty and obstructive; his first two Governors-General, Hopetoun and Tennyson, thought they were underpaid and overworked; his son Arnold, in his late teens, was fast becoming the black sheep in a family of achievers, to the dismay of his parents; his last brother, George, was gone; and money troubles were a constant.

Walter Murdoch, Deakin's first biographer with a study published in 1923, understood the Melbourne political scene as much as anyone. He laid bare its failings towards the end of the Barton prime ministership, a milieu typified by 'the bitter quarrels, the cabals, the swift regroupings, the crises, the escapes, the whole tangled intricacy of party warfare' – hardly the collegiate atmosphere that Barton had been hoping for.¹⁶⁵ At the end of August 1903 he collapsed in his parliament office and was found lying on the floor. He did recover, but the examining doctor was blunt with his advice: 'I am sure you will increase your expectation of life by relinquishing or at all events diminishing the excessive amount of strain which at present bears upon you'.¹⁶⁶ Barton's circle of friends and political allies advised him to return to the Sydney Bar or, as Alfred Deakin in particular argued, accept a judgeship on the new High Court. Media speculation intensified, some commentators convinced that Barton was about to reward himself with the role of Chief Justice. They did not know the man. Not for a moment did he entertain that option, feeling that Queensland's preeminent jurist, Sir Samuel Griffith, was the only person for the top job.

Barton's life was at a cross-roads, with the state of his government in his own words 'very serious'. On 16 September 1903 he wrote to one his most respected colleagues – author, statesman and law expert, Sir John Quick – to run his most private deliberations past him:

*The position I hold in the sphere of Government is one that I should not lightly abandon ... In considering the matter I am trying hard to arrive at the true line of public duty, and the task is harassing me terribly.*¹⁶⁷

He opted for the wisest course available: as Deakin had urged, to resign the prime ministership and accept a new position as Puisne Judge on the High Court. Geoffrey Bolton contends that, like Sir Robert Menzies, Barton retired at the time of his choosing. However, as Norman Abjorensen more accurately sums up in his book on prime ministerial exits, *The Manner of Their Going* (2015), Barton did make the call 'but with a certain self-interested encouragement from his colleagues. He chose to go, but there was really little choice at all'.¹⁶⁸

The decision to depart with dignity proved to be one of the best of Barton's entire career. He was sworn in as a High Court judge on 7 October 1903 to join Chief Justice Samuel Griffith, his drafting colleague on the *Lucinda* in 1891, and lifelong friend Dick O'Connor. All three appointments met with widespread community approval as Lady Tennyson, the sharp and opinionated wife of the second Governor-General, Hallam Lord Tennyson, noted in one of her letters sent back to her mother in England: 'I do not suppose that there ever was a set of appointments ... which have given such absolute satisfaction to all parties & creeds. Not one syllable against the appointments in the papers, and *all* greatly pleased ...'.¹⁶⁹

Turning to a fresh page of public life, Barton received a welcome congratulatory telegram from George Reid. In his autobiographical volume, *My Reminiscences* (1917), Reid made reference to the pair being 'great friends in our youth', a relationship that in adult life, political life, had given way to 'intervals of fiery conflict'.¹⁷⁰ When he responded to the telegram, Barton remained his usual conciliatory self, happy to consign disagreements to the past: 'Thanks for your kind words. Hope an old friendship may henceforth find no eddies in its current'.¹⁷¹ The mateship of youth was rekindled.

Within months of commencing the new job, Barton's health improved noticeably and, with a salary according to the chatty Lady Tennyson of £3,000 a year for life or as long as he could work, money worries disappeared. The shock of his physical collapse was enough to force Barton into making some alternative life choices. A closely monitored alcohol regimen – 'almost a life ban' according to Reynolds – and regular hours at last for meals and sleep produced immediate results.¹⁷² Old habits die hard though. While drunken evenings at the Athenaeum were no more, *Bulletin* author Randolph Bedford some years later recalled a 'little dinner party' he attended in Melbourne with Toby and a few other friends in Barton's early High Court years. Geoffrey Bolton reproduces the anecdote in the biography, but it warrants another retelling:

*The wine was very good; the world was ours, and time had been made for slaves. At 3 a.m. Edmund Barton, bidding me farewell in Spring Street, said: 'Ah! Randolph. Men die and dynasties fall, but tonight there is only one tragedy. There is no more Chateau d'Yquem'.*¹⁷³

Barton never lost his love of a good night.



Opening of the first High Court, Melbourne, 6 October 1903.



Portrait photographs of the first Judges of the High Court in their finery, 1903.

The judges of the first High Court got on extremely well despite Griffith's prickly personality and arrogant manner. They lunched together every working day until 1906, the year when their tight circle was penetrated by two more justices appointed by (second) Prime Minister Alfred Deakin: Isaac Isaacs and Henry Bournes Higgins. Deakin's fellow Victorians, the new justices joined a Queenslander and two New South Welshmen on the Bench. The five had known each other from their time spent in the federal parliament and there was mutual respect, but as Gavin Souter trenchantly observes, 'for all their respective merits they were like oil and water'.¹⁷⁴ Throughout their long tenures, the first justices interpreted the Constitution with the same attitude and principles as they had when working on the Constitution drafts during the 1890s. States' rights almost always took precedence for them. Isaacs and Higgins were different kettles of fish altogether. They were federal rights activists committed to reducing the rights of the six states. The High Court became a site of conflicting opinions and robust debate. Convivial lunches ceased.

Barton's ideological position in the Court years never really altered. Initially deferring to Griffith's vast judicial experience, and content to 'concur' in his judgements whenever it was warranted, he was sometimes subjected to the tired old accusation of being lazy. For his peers, however, such suggestions were utterly ridiculous. Sir Adrian Knox, who took over as Chief Justice when Griffith retired in 1919, considered Barton to be:

*... scrupulously impartial; his natural dignity was tempered by a charm of manner which endeared him to all who sat by his side or practised before him ... His mastery of constitutional law and principles was unsurpassed, and to this he added a thorough knowledge of the principles of Common Law ... He was a great statesman and a great judge.*¹⁷⁵

Knox readily acknowledged that he owed much to Barton's judicial legacy (as Sir Robert Menzies would decades later), but it was Barton's long-term High Court colleague, Isaac Isaacs, who penned the most informative, first-hand account we have. That he and Barton were often on opposite sides of landmark judgements only underlined the validity of Isaacs' gracious assessment:

*... we, who were so long and closely associated with him in his final lifework on the Bench, who knew better than all others with what devotion and single-mindedness he performed that work, feel bound by reason of that special association and that special knowledge, not merely to recognise his great learning and ability, his truly judicial temperament, his thorough acquaintance with the Constitution, his well-balanced judgement, his constant anxiety to maintain the true spirit of the law by making where at all possible its letter conform to right and justice, but also to record our own intimate experience of his unflinching gentleness of disposition, his personal attraction and warm sympathy of soul.*¹⁷⁶

Despite the disappointment of never becoming the Chief Justice, Barton's two decades on the High Court were personally fulfilling. He found himself by temperament better suited to the role of elder statesman and wise old beak, out of the spotlight, rather than as Prime Minister, beset by endless controversy and never able to escape the fickle public eye. As the years rolled on, he also enjoyed the occasional gestures of recognition for his life's work. Some surprised him, like the award he received in 1905 from the Japanese government, its prestigious Order of the Rising Sun, despite his resolute commitment to a White Australia;¹⁷⁷ others simply made his day, such as the invitation to become a member of a newly created international group, 'The Ends of the Earth', chaired by Mark Twain and boasting Rudyard Kipling on its Honorary Council. Other members included Winston Churchill, Charles Dilke, Rider Haggard, Sir Arthur Conan Doyle and his close political ally, Alfred Deakin. This loose association, we are informed, comprised a membership of 'Good fellows with no axes to grind who speak our language'.¹⁷⁸ The 'Ends of the Earthers' might well have reminded Barton of the salad days with his Athenaeum knights.

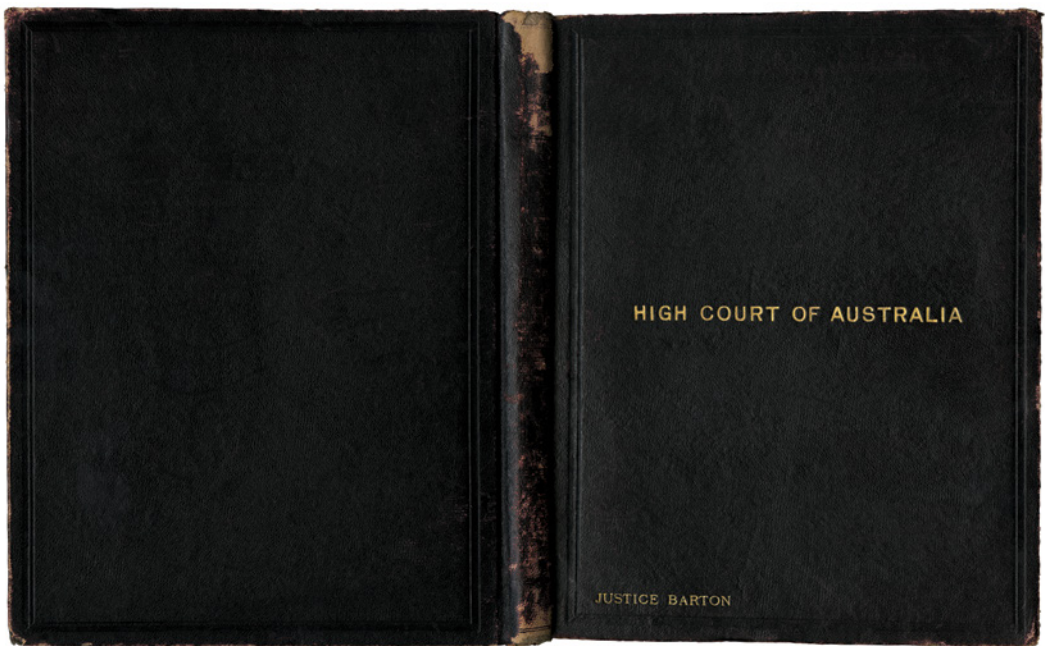
In Barton's twilight years, the Great War opened divisions in the Australian community which forced its citizens to take sides. Bolton suggests the feasibility of Barton and Samuel Griffith being the originators of the idea to test support for conscription through a national referendum. Both men were known to be 'wholehearted supporters' of Australia's continuing military involvement as the conflict dragged on, Barton in particular.¹⁷⁹ He refused to consider any reasons, strategic or moral, for opposition to the war effort. Indeed, as the war worsened, he advocated escalation of the Australian contribution. It was the Empire right or wrong all those years ago in the Boer War, and nothing had changed for him. When Barton wrote to his son Oswald in December 1917 (after the alarming loss of life in 1916 and 1917 on the French and Belgian battlefields) the Australian community had voted 'no' in two bitter conscription referenda. He was shocked and disgusted by the results:

*It is of course a terrible disgrace and Australia's name is polluted. Sinn Feiners, IMW [Independent Workers of the World, the 'Wobblies'] and Labor Party all combined are far from enough to furnish this large total ... the reservoir of men is abundant, but unless it is shoved by force it won't flow.*¹⁸⁰

Shoved by force? The reservoir of men is abundant? There can be no question that Barton's stance in the Great War was in line with the set of beliefs to which he had given voice in both the NSW and national parliaments many years before, but it is nonetheless surprising that as a husband and father, and one of the acclaimed founders of his young nation, he failed even to contemplate asking questions about the war's rising cost in human suffering. Barton's attitude remained in lockstep with the most Machiavellian of the generals of either side. Death on a scale hitherto unimagined did nothing to shake his belief in the British Empire imperative or, it seems, human progress itself.

In the summer of 1920, just over a century ago, Toby Barton was doing what he loved most – holidaying in the cool elevation of the Blue Mountains. He and Jeanie had repaired to one of their favourite locations, the Hydro Majestic Hotel de Luxe in Medlow Bath. He rose early for his routine bracing walk to the shower facilities. After an hour had passed Jeanie began to worry and she went to check on him, finding the bathroom door still fastened. Her calls went unheeded. When she managed to look through an upper window she saw Toby, in his dressing gown and slippers, lying prostrate on the bathroom floor, and immediately screamed for help. A short time later a doctor staying at the hotel examined the former prime minister and pronounced him dead. The death certificate registered the cause as a cerebral embolism.¹⁸¹

A state funeral followed for the man affectionately labelled by the *Blue Mountains Echo* as ‘Our Noble Son’. According to the newspaper’s anonymous writer, ‘a bigger and better Australian than Sir Edmund never lived, his motto throughout a marvellously fertile and fruitful life being *Above all for Australia*’.¹⁸²



Justice Barton’s first High Court notebook. In the collection of the NLA, the notebook begins with an account of the investiture of the High Court on 6 October 1903, and ends with material relevant to the *D’Emden v. Pedder* decision, 26 April 1904 – the first in a series of landmark decisions by the Court addressing the issue of federal/states’ rights.



In 1905, Edmund Barton was awarded Japan's prestigious Order of the Rising Sun, First Class, and was granted permission to retain the insignia. It remains in the family, in the possession of descendant, Bill Barton, in England.



St Saviour's Cemetery, Goulburn. Edmund's brother, George, an individual of importance himself in the cultural development of NSW, was buried here on 13 September 1901. Sadly, the burial site appears never to have had a headstone. Indeed, in the archives at St Saviour's today there is no record of where he was even buried.



Funeral of Alfred Deakin, St Kilda Cemetery, Melbourne, October 1919. Barton can be identified in the middle of the photograph. The second person to his left is (seventh) Prime Minister Billy Hughes, and on Hughes' left is the bearded, balding Joseph Cook, briefly Australia's sixth Prime Minister.



Barton relaxing at home with a book, January 1914, aged 65.



The heart of things



Sculpture of Barton by Carl Merten, on the Town Green, Port Macquarie, was dedicated on 8 December 2001 as part of the Centenary of Federation national commemoration activities and projects. The location of the sculpture was disputed by the traditional custodians of the region, the Birpai people, in July 2020. Discussion between the local Council and the Birpai people continues.

In February 1954, on a sunny summer morning in Canberra, 87-year old Robert Garran settled back into his favourite lounge chair to read the *Sydney Morning Herald*. His attention inevitably fastened onto an article in the paper entitled 'Five Statesmen Helped Mould Commonwealth'.¹⁸³ The author of the piece, Ross Gollan, listed his five Commonwealth movers and shapers as William Charles Wentworth, Henry Parkes, Alfred Deakin, Billy Hughes and John Curtin. The list angered Garran, who straightaway got to work on a letter in reply that the *Herald* ran on 6 March. As the newspaper's editorial team was aware, no-one in Australia was better qualified than Garran to assess the validity of the Gollan list. Australia's first public servant of distinction, the author of two essential volumes on the Commonwealth in its infancy and beyond, and the friend and trusted source of information for a number of the Federation Founders, Garran went into bat for the nation's first Prime Minister, Edmund Barton, swinging with purpose in response to such a 'strange omission'.¹⁸⁴ How could Barton possibly be 'passed over', he asked, with 'a few disparaging remarks?' Perhaps Garran sensed that Australians were losing contact with the Commonwealth's foundation story, and Barton with it, and this was an opportunity to say something about it.

Garran's letter mounted a vigorous defence of the man he had worked alongside. For the *Herald's* younger readers he outlined Barton's unsurpassed contribution in the 1890s when he 'stumped the country, held hundreds of meetings, rallied supporters, formed Federation Leagues and swung the people behind him till the politicians had to follow'; he referred to Barton's unequalled talent for 'getting together' men at the Convention meetings, 'many of them strangers to one another'; he took issue with the contention that during Barton's prime ministerial years Alfred Deakin was 'in all but title almost the Prime Minister', for the old federation warrior Garran was certain that Gollan's claim 'would have been repudiated by none more firmly than by Deakin himself'; and finally, he declared in oracular tone that in Barton's three 'creative and formative years' as prime minister, 'the national set-up was planned ... anyone who was at the heart of things saw that, in the blue-printing that was being done behind the scenes ... Barton was the active and effective leader ...'.

Barton's full life, the story of a locally born Australian who imagined a role he could play for his country and got on with it, deserves a permanent and honoured place in the national narrative. Yes, in 21st century Australia the Barton government's introduction of the White Australia policy is rightly regarded as a shameful relic of a racist past. But we must be mindful that he was a representative citizen of his era, with attitudes and prejudices identical to his contemporaries, the forbears of all today's Australians who can trace their ancestry back several generations. We apply strict moral judgements across eras at our peril. Historical accuracy demands that truth-telling based on newly available information (especially as it relates to 'the other side of the frontier') is set within the wider frame of what we already know.

Within that context, we should be familiar with the achievements of Edmund Barton, and the unique contribution he made to the political and cultural fabric of a new and excited nation state at the start of the twentieth century. The advanced social welfare legislation that was enacted in Australia during Barton's first ten years on the High Court was only possible because of the stable platform his government had already established. His legacy should not be forgotten.

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A GOOD AUSTRALIAN.

Bulletin cartoon by Norman Lindsay (1879–1969) that appeared in the days following Barton's death. The simple, moving tribute was in sharp contrast to the treatment meted out to Barton by the popular journal for most of his political career.



Historic Memorials Committee (HMC) portrait of Sir Edmund Barton, GCMG KC, by Norman St Clair Carter, 1913. Carter's painting, and his payment, sparked a flurry of correspondence between the artist and the HMC Secretary. The Committee wanted adjustments to Barton's face, forehead and lips, and Carter grudgingly made a few alterations. In the end, a promised fee of £500 was reduced to £250.



Gravesite of Edmund Barton and his wife, Jeanie, South Head Cemetery, Vaucluse.



Sculpture of Barton by Marc Clark, Kings Avenue, Canberra. Unveiled by Prime Minister Bob Hawke on 11 July 1983, the larger than life-size artwork gives Barton a patrician gaze and tall, svelte appearance. Those who knew Barton might have found the representation somewhat unrealistic.



Bas relief busts of Henry Parkes and Edmund Barton, Manly Boulevard, Sydney, 2001. The busts were part of the Centenary of Federation national commemoration activities and projects. The Barton family moved to Manly from nearby Balgowlah in 1891 – the same year as the milestone National Australasian Convention – in a further attempt to save money.



At several entry points to a number of Canberra's suburbs named after former prime ministers, one finds heritage signs of this kind. The signs for the suburb of Barton have leafy locations in the Bush Capital.

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