

Heritage Overlay No.: 018
Citation No.: 009
Place: Paine’s Cottage, 152-176 Chapmans Road

Other Names of Place: N/A
Location: 152-176 Chapmans Road, Toolern Vale.
(Allotment 76A, Section 42, Parish of Yangardook)
Critical Dates: Construction: late 1860s - 1892. Possibly relocated to the site c.1890.
Existing Heritage Listings: ‘Paines Well’ (Place of Interest).¹
Recommended Level of Significance: LOCAL



Statement of Significance:

Paine’s Cottage at 152-176 Chapmans Road, Toolern Vale, is a late nineteenth century dwelling, possibly relocated to this site c.1890. It is significant as a moderately intact example of a Victorian vernacular style, as a scarce representation of a selector’s dwelling in the Shire, and for its association with the Paine family. The possible relocation of the

¹ Johnson, C, ‘Rural Heritage Study: Western Region of Melbourne’ (Context Pty Ltd, Melbourne Western Region Inc, 1994), pp.175-6

dwelling to this site is not unusual, as the Shire has a history of relocated nineteenth and early twentieth century dwellings.

Paine's Cottage at 152-176 Chapmans Road is architecturally significant at a local level (AHC D.2). Although possibly relocated and having introduced chimneys and window shutters, the cottage still demonstrates original design qualities of a Victorian vernacular style. These qualities include the simple steeply pitched roof form clad in unpainted galvanised corrugated steel, narrow eaves and the single storey height. Other intact or appropriate qualities include the horizontal timber weatherboard wall cladding, and the symmetrical composition of the front façade with central timber framed doorway and flanking timber framed windows. The rear timber stable and dairy and the Italian cypresses also contribute to the significance of the setting.

Paine's Cottage at 152-176 Chapmans Road is historically significant at a local level (AHC A4 B2). It is one of the more intact of only a few surviving nineteenth century 'Selection' era dwellings in the Shire. It is a scarce surviving nineteenth century weather-board house remaining in the Shire. The house and property are indicative of the small size of selections in the Djerriwarrh forest, which made it necessary for their owners to have an ancillary income, such as timber splitting, carting, or produce dealing. The remnant post & rail and stone front boundary fence contributes an appreciation of the original small size and isolation of the few farms that were cleared from the surrounding forest. Evidence of charring is evocative of the important theme of 'water fire' in the Shire's history. An underground stone-lined tank (possibly a well) is also expressive of this theme. A timber stable/dairy, constructed partly of vertical slab and partly saplings, and bark shingle also contributes to an understanding of the place as an early small farm. Still known locally as 'Paines Cottage', the place is also significant for its long association with the Paine and Collins families, early and prominent names in the social and civic histories of the Shire of Melton.

Paine's Cottage at 152-176 Chapmans Road is socially significant at the local level (AHC G1). It was identified as a place of heritage significance to the local community in a community forum held as part of this heritage study.

Overall, Paine's Cottage at 152-176 Chapmans Road is of LOCAL heritage significance.

Description:

Paine's Cottage at 152-176 Chapmans Road, Toolern Vale, has a rural setting with open grassed surroundings. Four mature Italian cypresses (*Cupressus sempervirans var. stricta*), estimated to be at least 90-100 years of age, are situated in front of the cottage, with other native and exotic trees in the distance.

The property appears to have been one of very few farms cleared from the forest on the west side of Chapmans Road. This is emphasised by the c.200 metres of a quite intact (with regard to posts only) remnant of a post & rail fence along the frontage of the property. The few courses of stone at its base appear to have been added after original construction, as they obscure the lower hole. The fence is charred in places.

The single storey, horizontal timber weatherboard, Victorian vernacular styled cottage is characterised by a simple steeply pitched roof form clad in unpainted galvanised corrugated steel. Narrow overhangs are features of the eaves. The elevated nature of the cottage suggests that it may have been relocated to this site, the possibility of which is reinforced by the random stone and brick chimneys that have been added at one side.

The front façade has a symmetrical composition defined by the early central timber framed doorway and the flanking timber framed windows. The steel security door and the timber shutters over the windows have been introduced. The side windows appear to have been altered and the rear skillion wing has been introduced. The interior has a simple four room arrangement, and is lined with unpainted lining boards.

At the rear of the cottage is an early timber outbuilding, possibly once a stable or milking shed. It is partly constructed of vertical split logs. It has been stabilised in recent times.

The property is also said to include an underground tank known as ‘Paines Well’, a natural stone lined well dating from c.1880s. The well is twenty feet in diameter and said to have been fed by a natural spring at the bottom.² It was not sighted in this study.

History:

Mark Paine and his wife Emma arrived from England in 1859.³ In 1863 Paine purchased two allotments of land on the south side of Greigs Road Rockbank (near Mt Cotterell). By 1871 he laid claim to the property on the north-east corner of Greigs and Paynes [sic] roads, where the bluestone dwelling known as ‘Paynes Cottage’ (Place No.373) is situated.

Paine ran sheep, but was also prominent in the district through his other businesses. With a team of bullocks he carried goods across the Plains when not undertaking contracting work for the Melton Roads Board. He was responsible for the original construction of much of High Street under the supervision of Richard Lethbridge, Shire Secretary and Engineer. He was responsible for moving buildings around the Shire – Ferris’s store was moved across High Street while the Royal Hotel was moved from Melbourne.⁴ He had also obtained a slaughtering licence.⁵

He and his wife raised a family of two sons and four daughters in the small stone cottage in Rockbank. In 1873 four of his six children were of school age: Emma (13), Mary (12), Elizabeth (9), and Phoebe (6); the eldest William had left school, and the youngest, Mark, was 3 years old.⁶ His children were one cause of his involvement in the local community – he was very active in the ‘New Cambridge’ (Rockbank) school where he was a member, later Chairman, of the Board of Advice.

Paine represented the Rockbank Riding on the Braybrook Council and was opposed only once during his long tenure, winning the election against W. Love, another Rockbank farmer, by a large majority. He ‘well liked by all who knew him and was commonly called the “King of Mount Cotterell.”’⁷ A long time afterwards, Anders Hjorth remembered him:

‘Mark Paine had a small piece of land near Mt Cotterill; he had a couple of teams of bullocks with which he often came to Melton for wood. He was very keen on arguing, and although he might not himself believe in the cause he tried to defend, he

² *ibid*

³ Olwen Ford, ‘Voices From Below: Family, School and Community on the Braybrook Plains 1854-1892’, M.Ed. Thesis, University of Melbourne, 1993, p.248

⁴ Alex Cameron, ‘Melton Memoirs’ (M&DHS), p.22, and introduction.

⁵ Ford, *loc.cit.*

⁶ Ford, *op.cit.*, p.252

⁷ *Express*, 1/9/1896

would argue for arguments sake. He had a terrible set on the working capabilities of the native-born, although his eldest son, Willie, was an uncommon hard-working and industrious lad'.⁸

It was this son William who selected allotment 76C on Chapmans Road, of nearly 29 acres, in an area described on early maps as a 'barren ranges of schistose mountains'. There were no other settlers in the area. In Hjorth's memoirs this land was designated a 'farmers common' and made available for rent (selection), and in the 1870s, sale.

A few years later William Paine selected the adjacent allotment 96B, of nearly 25 acres. He moved into a weatherboard dwelling thought to have been erected with the assistance of Thomas H Collins (the building no longer exists). TH Collins, well-known local bricklayer, had married one of his sisters. Another sister married local identity William Kilpatrick, owner of the Raglan Hotel.

Crown Land files suggest that Paine was associated with the property from c.1873.⁹ Ratebooks show that William Paine 'carrier' or 'carrier' began to be rated on this property in 1876. Until 1878 the area of the property was said in the ratebooks to be 40 acres. The 1879 ratebook lists Paine's land as being of 67 acres.¹⁰ Paine also rented land from Thomas Burton from 1892.¹¹

Aerial photos indicate that the present house is situated in the north-west corner of allotment 76A, of 20 acres, which was the allotment to the south of Paine's 76C. This selection block was granted by the Crown to I Smith, very early, in February 1871.¹² It appears to have been selected by Smith before the adjacent allotments were even subdivided.

The Melton ratebook shows Isaac Smith, 'splitter' / 'labourer', renting 40 acres from the Crown in 1871. (Anders Hjorth memoir refers to wood cutters and shingle splitters 'living in the forest'.) His land was listed as allotment 76B, but probably also referred to his adjacent allotments 76A. Smith continues in ownership of the same allotments until 1887. In 1888 the ratebook records the owner as Mrs Smith ('farmer'), with the added notation 'Isaac Smith deceased'.¹³

It would appear that the Paines purchased his neighbour Smith's property in the late 1880s or early 90s. By 1902 the Paine property was listed as comprising 94 acres, which was the grand total of the two original Paine, and the two original Smith selections.¹⁴ This is confirmed in later ratebooks, which identify the Paine holding of 93 acres 2 roods and 4

⁸ Anders Hjorth, 'Recollections of Melton 1861-67', reproduced in M&DHS Newsletter, Feb.2001. (Presumably he was collecting the Melton greybox timber to cart to Melbourne for firewood; this was an important Melton industry in the nineteenth century and early twentieth centuries.)

⁹ Crown Land Selection File 1537/42.44

¹⁰ Shire of Melton, *Ratebooks*, 1870 – 1883.

¹¹ Shire of Melton, *Ratebooks*, 1890 – 1900.

¹² Parish Plan, Parish of Yangardook; Crown Lands File 31/4600.

¹³ Shire of Melton, *Ratebooks*, 1871 – 1888. (There is no Isaac Smith in either the *Express* death notices, or Melton cemetery book entries for 1887-88).

¹⁴ Shire of Melton, *Ratebook*, 1902. Documents held by M&DHS include a Residence Licence for an Agricultural Allotment issued to William Paine, farmer, Toolern, on the first day of June 1896 for 25 acres of second class land at 18/9 rental p.a. for a period of six years; also Parish Plan, Parish of Yangardook

perches as being Allotments 76 A-D.¹⁵ At some stage the Paines moved from their original house (no longer extant) to the Smith property.

This was an isolated selection, cut from the forest. Most of the property does not appear to have been cleared of its native bush. In 1892 there were few neighbours in Chapmans Road: Chapman, Burke, J McPherson, McIntosh, and Grant. All the land to the west was unalienated forested ranges. Both Paine (carrier) and Smith (splitter) apparently required other primary sources of income in addition to their very small selections; as did the other successful forest selector, Anders Hjorth (Place No.25), who was a dealer in local produce.

The local newspaper carries reports of the death of William's 31 year old sister Phoebe at Chapman's Road in 1898.¹⁶ Alfred Paine, born to Phoebe in Melbourne in 1885, continued living on the Toolern Vale property with his uncle and aunt, working as a farm labourer.

In 1901, after a short illness, William Paine died at Toolern Vale. 'A great number' followed his remains to the Melton cemetery.¹⁷ The selection passed to his executrix sister 'E.Paine'.¹⁸ In 1902 Emma Paine, 'farmer', is paying rates on a 'house and 69 acres', plus the 25 acre allotment 96B. In 1916 Emma Paine, 'home duties', is paying rates on 'buildings' and 93 acres, 2 roods and 4 perches, being allotments 76A, 76B, 76C, and 96B, Yangardook.¹⁹

Emma Paine continued on the property by herself until her death in 1947. After the disappearance of Alfred in the 1930's, Emma Paine became increasingly isolated. She grazed her dairy cows along the lanes of Toolern Vale, as far as the eastern end of Benson Road. She followed the cows on foot, eating her lunch along the way before turning them for home and milking. In 1947 the Melton Express reported her death:

'One of the oldest residents of the district in the person of Miss Emma Paine, passed away at her isolated farmhouse at Toolern Vale last weekend in her 89th year. She died as she lived – alone. Her body was found by a neighbour a few hours after death and there was evidence that the deceased had collapsed while preparing a meal for herself. A native of Rockbank, the late Miss Paine had engaged in farming alone on a bush holding for many years and had enjoyed excellent health until recently when she had to seek medical advice. Once or twice a year, when business required her to visit Melton, she would think nothing of walking the nine miles into town and then walking home - but not during the last few years. She is survived by one sister and there are nieces and nephews.'²⁰

The property was left to her nephew Bill Collins and his wife Mary, who lived there prior to moving to the weatherboard house on the north-west corner of Greigs and Paynes Roads.²¹ Their children sold it prior to moving to Finley, NSW in the late twentieth century. The property then passed to Bernie Trethowan for a time.

¹⁵ Shire of Melton, *Ratebook*, 1916

¹⁶ *Express*, 9/7/1898

¹⁷ *Express*, 6/6/1901

¹⁸ Parish Plan, Shire of Yangardook.

¹⁹ Shire of Melton, *Ratebooks*, 1910, 1916.

²⁰ *Express*, 15/11/1947

²¹ Alan and Shirley Mayne, personal conversation, 3/5/2002

If built by Smith, the house on the property would date to the late 1860s. However, given its location so close to the original boundary between Smith and Paine, it is possible that it was built by the Paines after they had acquired the Smith allotment, or alternatively moved there from their original allotment. The evidence that the house has been relocated (elevated nature, and chimneys) supports this. The relocation / construction is likely to have been in the late 1880s – early 1890s, apparently after Isaac Smith died, and in time to accommodate the accumulating number of adult Paine family members on the property. An 1892 map shows allotment 76A as the only one associated with ‘Paine’, so it was definitely the main homestead allotment by this time.²² Other evidence confirms this, such as the post and rail front boundary fence, which extends for exactly the frontage (1000 links, or c.200 metres) of allotment 76A. Similarly, the original Paine selection to the north (allotment 76C) does not appear to have been substantially cleared of its native bushland; similarly allotment 76B to the south appears to have been partly cleared relatively recently. By 1916 a dwelling is mapped at about the site of the present cottage.²³

The dwelling is known in the locality as Paine’s Cottage, signifying its long association with the Paine family.²⁴

Thematic Context / Comparative Analysis:

Shire of Melton Historical Themes: ‘Farming’, ‘Water and Fire’.

Comparable Places in Shire of Melton:

Historically, the house is a scarce remaining example of the important Selection Act era in Melton Shire. There were at least 113 Selection Act allotments in the Shire, of which six houses, including this place, are subject to reports in this study. The other five houses are:-

- 061 Former McGuiness Cottage, Blackhill Rd.
- 460 House, Western Highway.
- 462 House, 2341 Western Highway
- 144 Bluestone cottage, with extensive dry-stone walls.
- 457 House, Water Reserve Road, Rockbank

Place No.041 (the Hjorth dam), for which a report has also been prepared in this study, is also a product of the Selection Act era.

Another two houses identified in the Shire that may date to the Selection Acts are:-

- 316 Fulham Park (much altered but locally prominent bluestone)
- 315 House, 1232 Beattys Road (much altered)

²² Shire Map Series: Parish of Yangardook (1892)

²³ Army Ordnance Map: ‘Sunbury’ (1916)

²⁴ Melton Heritage Community Workshop, 7/9/2001

Architecturally a variant example of a Victorian style, the hipped roof form of Paine's Cottage terminates into an apex without a traversing ridge line. Most other dwellings of this style also feature front verandahs and are possibly more intact. Other comparable dwellings include:

- House, Leakes Road, Rockbank (Place No.403). Although altered with an introduced verandah and a carport at the side, this house shares a similar hipped roof form, scale and construction.
- Hickey, 30 Hickey Road, Melton (Place No.288). A predominantly intact example, this house features a hipped roof form and a projecting front verandah with early timber fretwork valance (some components of the valance are missing however) and early timber posts.
- House, 1180 Exford Road, Exford (Place No.274). Another timber example of the type with a hipped bullnosed front verandah that has been altered. Only one of the early turned timber posts survive.
- House, 161 Bulmans Road, Melton West (Place No.174). A similarly constructed and designed dwelling, the front verandah has also been altered, with introduced timber posts and aluminium valances and brackets.
- House, 1406 Gisborne-Melton Road (Place No.030). A similarly unassuming Late Victorian example, the verandah has also been altered.
- House, 911 Melton Highway, Sydenham (Place No.127). A more intact example of the Late Victorian type, although of unassuming design quality.
- House, 32 O'Neills Road, Melton (Place No.230). A less intact example of the Late Victorian type, the building features a similar hipped roof form, although the front verandah is bullnosed. The front windows and cladding have been altered.

Condition:

Fair-Good

Integrity:

Moderately intact/altered

Recommendations:

Recommended for inclusion in the Melton Planning Scheme Heritage Overlay.

Recommended Heritage Overlay Schedule Controls:

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| External Paint Controls: | <i>No</i> |
| Internal Alteration Controls: | <i>No</i> |
| Tree Controls: | <i>Yes – four Italian cypresses</i> |
| Outbuildings and/or Fences: | <i>Yes –front boundary remnant post & wire and stone fence</i> |

