

Significance Assessment Report– Warwick Oakman

Introduction

The Royal Society of Tasmania art collection is of National and International Significance primarily in the categories of 19th century Tasmanian women's art, (both professional and amateur), and for original works of art representing the First Peoples of Tasmania.

The RST art collection in addition contains extensive groups of works by seminal professional and amateur artists working in Tasmania from c1830–1860: GTWB Boyes, Thomas Evans Chapman, Anna Maria Nixon, W.C. Piguenit, John Skinner Prout, Owen Stanley and Francis Simpkinson de Wesselow. The works by Meredith, Nixon, Stanley and de Wesselow, held in the RST art collection, represent the largest and more important groups of these artist's works held anywhere. Without the RST art collection, no understanding of those artists could be achieved.

These works, often in album format, represent an extraordinary filmic journey through Tasmania from c1830 to 1860, showing over time, the impacts of convict incarceration and settlement upon the natural environment, the nature and types of probation stations, the impact of Empire, settlement types and structures. They are collectively an extensive, on-the-spot documentation of the first people, Palawa, natural flora and fauna, of Tasmania. The extraordinary group of watercolours by Francis Simpkinson de Wesselow and sketches by W.C. Piguenit extensively document wilderness, in the earliest and fullest artistic documentation of these environments in Tasmania by Europeans, after settlement. The RST art collection is comprised primarily of works on paper, reflecting the immediacy and efficiency of that medium for accurate artistic documentation/production. This is part of the significance of the whole.

The most important works within the RST art collection are those works representing the first peoples of Tasmania, Palawa, by Margaret Legge, and Francis Simpkinson de Wesselow. All dating from the 1840s, during a period of horrific cultural impact by Empire, and population transferral. The works are reliable and personable images, dated and titled with the individuals being identified by name. The British Museum contains related works by John Skinner Prout. The John Skinner Prout and Francis Simpkinson de Wesselow works are inter-related, which is unique. They contribute immeasurably to the tiny surviving group of original art images from this time, of Palawa. No other 19th century works by a female European artist survive, of Palawa people, such as the Legge portraits. These works are of enormous cultural importance to present day Palawa. They are therefore of international significance for their ability to contribute to an understanding of changed ways of life of First Peoples, and the ongoing impact of Empire/European settlement on Palawa. The fact that this group of works, in superb condition, with excellent provenances, is virtually unknown is extraordinary. Therefore their significance must greatly increase and change over time with publication, research and further understanding by a wider audience.

The Royal Society of Tasmania art collection contains the largest and most significant group of works by Australia's leading 19th century professional female artist, Louisa Anne Meredith. Louisa Anne Meredith (1812–1895 UK/Tasmania) miniaturist, water-

colourist, engraver, poet, writer and botanist was by 21 years of age supporting herself from writing and her illustrated books. In the company of her husband she arrived in Tasmania in 1840, where she was to spend the rest of her life, and produce her most important works. As an isolated Colonial housewife working in the Swan Port district of the East Coast of Tasmania she was to work extensively in the natural environment, documenting the native flora, fauna, topography and settlers' houses of Tasmania at a critical period in the development of the convict system, transportation, and the British Empire on the cusp of the industrial revolution. Her accurate panoramas of Tasmania's east coast, now largely the Freycinet National Park are of great significance in documenting the change in distribution of habitat and impact of European settlement. Her husband, George Meredith, as well as being a merchant/farmer was a politician. Louisa Anne Meredith actively took a role in the introduction of environmental conservation legislation, and may be reasonably argued to be the first in the country, and one of the few women in the world at this time, proposing legislative protection for the natural environment/wilderness. Her work was widely appreciated and distributed throughout Tasmania/Australia/UK during her lifetime, embracing the latest technological improvements in colour reproduction (chromolithography), printing and illustrative format. She exhibited extensively at all 19th century local and international exhibitions – the 1851 Great Exhibition, 1862 London International Exhibition, the first Colonial art treasures exhibitions from 1845, 1866 Melbourne Inter-colonial Exhibition, 1870 Melbourne and 1880 Sydney Exhibitions, 1884 Calcutta International Exhibition and 1884 Tasmania Art Association Exhibitions. She was to win medals at many of these exhibitions medal, predominantly dominated by male entrants. In 1884 after the death of her husband, and in reduced circumstances, the Tasmanian Government was to grant her a pension of £100/ per annum in recognition of her distinguished service to science, literature and art, via her nationally loved art and writings.

Her collection of art and drawings was acquired by donation and subscription, and placed in the Royal Society of Tasmania's collection, for which she was elected an honorary member. Her work (and the RST collection of this) is seminal to an understanding of Tasmania, its artistic and intellectual growth and dissemination. By comparison with the other professionally trained female artists working in Australia at the time; Georgiana McCrae (1804–1890), Adelaide Ironside (1831–1867), Theresa Snell Walker (1807-1876), Mary Morton Allport (1806–1895), et al, none compare to Meredith's extensive time frame for production, diversity of mediums, reach to audience via available reproduction technologies (then and now), volume and quality of production, and fidelity to the natural environment. These works in their day, contributed enormously to an understanding of Tasmania's wilderness and the importance of conserving the flora and fauna, that continues to this day. Their significance can only increase with further research, publication of the RST art collection Meredith works, and interrogation of her extensive writings over time,.

The Royal Society of Tasmania's art collection is rare, and unique to Australia. It is a coherent and focussed group. The majority of the artworks were collected around 1900, when, fearing that Tasmania might lose its individual identity after Federation, the RST set about collecting artworks, publications and other material they considered illustrated Tasmania's unique history.

The collection is of national/international significance for its contribution to an understanding of Tasmania's unique flora, fauna, and first peoples, and the role of women artists working in the 19th century.

History of the Royal Society of Tasmania and the Art Collection

About the Royal Society and its collections

The Royal Society of Tasmania (RST) was the first Royal Society to be established outside the UK, having commenced in 1843. It is the oldest continuously active scientific society in Australia. It has a long history and was instrumental in the development of the colony of Tasmania especially in its first 100 years. This includes establishing the Royal Tasmanian Botanical Gardens (RTBG), the Tasmanian Museum and Art Gallery (TMAG), the Salmon Ponds in the Derwent Valley, the first meteorological stations, and was involved in other key issues such as the exploration of the Tasmanian landscape, promotion of the first areas for National Parks and experimentation and identification of suitable industries for Tasmania.

The RST holds two very valuable historical collections:

- A collection of approximately 950 artworks, including an important collection of colonial art, currently held at TMAG on loan – including many of the top colonial artists; WC Piguenit, John Skinner Prout, Louisa Anne Meredith, Simpkinson de Wesselow, TE Chapman, Benjamin Duterrau, Owen Stanley, Captain Lucas, and J Lycett.
- A collection of over 20,000 rare books, scientific journals, maps, letters and key documents, most dating from 1840 to 1940, that are in continual demand for research by historians, researchers, students and scholars of many fields. The Society's library collection has been held and curated at the University of Tasmania since 1969. A separate Significance Assessment applies to this collection.

Loan of the Royal Society Art Collection to TMAG

In 1965 the Royal Society of Tasmania placed on long-term loan to the Tasmanian Museum and Art Gallery a substantial body of artworks. The artworks, including several sketch books, were the subject of a letter by Dr William Bryden, dated 25 June 1965.

25th June, 1965.

Director,
Tasmanian Museum & Art Gallery,
G.P.O. Box 1166M,
HOBART,
Tasmania.

Dear Sir,

The Council of the Royal Society of Tasmania at a recent meeting agreed to hand over, on long term loan, all the paintings watercolours, prints, photographs etc, at present held in the Royal Society collection. In making this offer it is to be understood that provision of suitable cabinetsetc., will be the responsibility of the Tasmanian Museum as will the curatorial supervision.

A list of all such items loaned will be required and further it will be understood that any items in the loan, required for research scholars or for other special purposes by the Royal Society, should be made available as requested.

Yours truly,

W. BRYDEN.
Hon. Secretary,

The Bryden Letter.

In 2021, a new loan agreement was signed with the Tasmanian Museum and Art Gallery.

See Appendix 1.

Provenance

Prior to the new agreement, extensive research was undertaken by a Joint Working Committee comprising personnel from both the society and TMAG regarding the provenance of the art collection. The aim of the working committee was 'for the Council of RST and the Board of TMAG to reach a clear understanding about the issues regarding ownership, loan terms, and future management of the RST Collection at TMAG, that resolves earlier issues and concerns'.

See Appendix 2 for the references list for the society.

The Art Collection

The Royal Society of Tasmania art collection is of National and International Significance primarily in the categories of 19th century Tasmanian women's art, (both professional and amateur), and for original works of art representing the First Peoples of Tasmania.

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and more important groups of these artist's works held anywhere. Without the RST art collection, no understanding of those artists could be achieved.

Tasmanian Aborigines in Art

The most important works within the RST art collection are those works representing the first peoples of Tasmania, Palawa, by Margaret Legge, and Francis Simpkinson de Wesselow. All dating from the 1840s, during a period of horrific cultural impact by Empire, and population transferral. The works are reliable and personable images, dated and titled with the individuals being identified by name. The British Museum contains related works by John Skinner Prout. The John Skinner Prout and Francis Simpkinson de Wesselow works are inter-related, which is unique. They contribute immeasurably to the tiny surviving group of original art images from this time, of Palawa. No other 19th century works by a female European artist survive, of Palawa people, such as the Legge portraits. These works are of enormous cultural importance to present day Palawa. They are therefore of international significance for their ability to contribute to an understanding of changed ways of life of First Peoples, and the ongoing impact of Empire/European settlement on Palawa. The fact that this group of works, in superb condition, with excellent provenances, is virtually unknown is extraordinary. Therefore their significance must greatly increase and change over time with publication, research and further understanding by a wider audience.

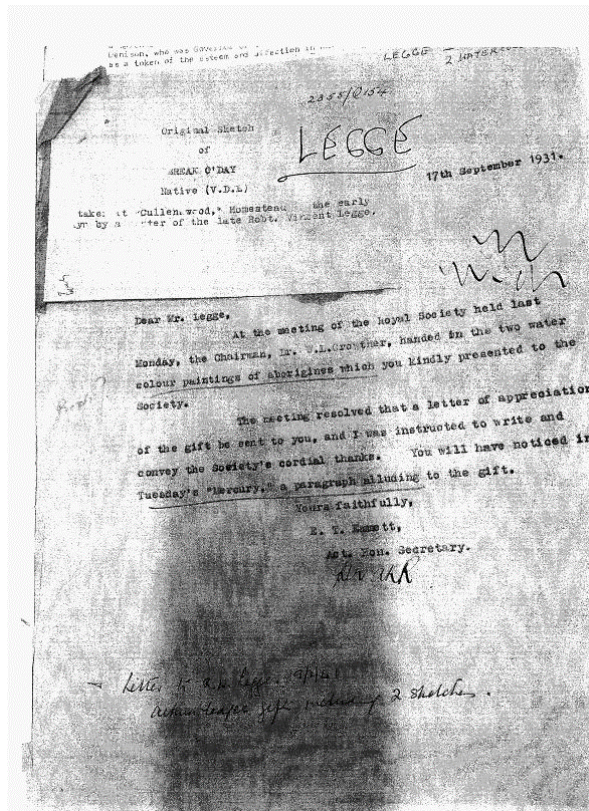
Margaret Legge

The society's collection contains two works by Margaret Legge, an early settler in the Break O'Day region of Van Diemen's Land c1830s. Two watercolours by Miss Legge (AG 728, AG729) were donated to the RST by the artist's great nephew in September 1931.

No other 19th century works by a female European artist survive, of Palawa people.

Margaret Legge, arrived at Hobart Town, Van Diemen's Land, aboard the *Medway* on 12 August 1827, with her four sisters and two brothers. Her brother Robert Vincent Legge was granted 1200 acres near St Mary's on the Break O'Day River which he named after the family home, Cullenswood in Ireland.

The Miss Legge who sketched is not distinguished (even in this way), her grand-nephew Robert W Legge merely annotating two watercolour and pencil sketches of Tasmanian Aborigines (1830s) verso: 'original sketch of Break O'Day Native (VDL) taken at Cullenswood Homestead in the early days by a sister of the late Robt. Vincent Legge'. It is possible that this Miss Legge was Eliza Pitcairn's aunt – except that since 1987 some doubt has been cast on the entire Legge attribution. The Aborigines in the drawings are coarsely caricatured in a most 'unladylike' way and some art historians now wish to re-attribute them to William Buelow Gould. However, the one closely comparable caricature of a group of Aborigines attributed to Gould (pencil and w/c, c.1833, ML) is unsigned and quite unlike his (signed) far more sympathetic portraits of Aborigines. It, perhaps, should be re-attributed to Miss Legge.



See below for the Simkinson de Wesselow paintings.

Federation Collection

An important component of the art collection, the works of Simkinson de Wesselow and Owen Stanley were added in 1900, just before federation in Australia.

Fearing Tasmania's unique identity would be overwhelmed, the society set about collecting material that would showcase Tasmania's history and culture for their library and art collection. This element of the collection adds to the significance to the

history of Tasmania. These artworks were collected specifically to preserve the historical and cultural identity of the island state.

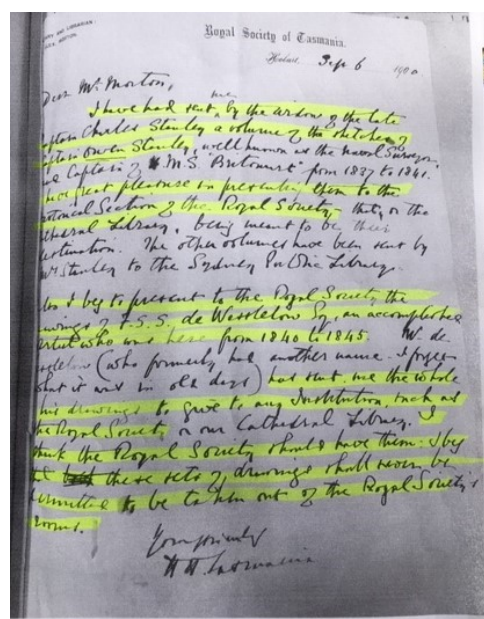
Simpkinson de Wesselow, Francis Guillemard (1819–1906)

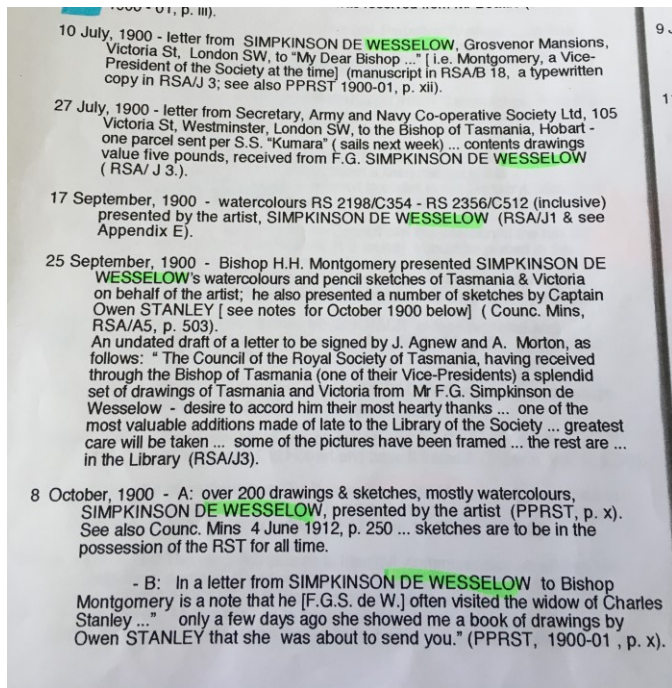
There are 204 artworks by Simpsonkin de Wesselow in the society's art collection. This represents the largest collection of this artist's works in Australia. De Wesselow's work has featured sporadically in a number of exhibitions at TMAG, however was featured in an exhibition there to celebrate the Royal Society of Tasmania's 175th Anniversary in 2018. In 1984, Tasmanian artist Max Angus published *Simpkinson de Wesselow: Landscape Painter in Van Diemen's Land and the Port Phillip District 1844-1848*, a magnificent full colour volume on the artist.

Francis Guillemard Simpsonkin de Wesselow, naval officer and artist, was born in London the son of Sir John Augustus Francis Simpsonkin. His mother, Mary Griffin, was the sister of Lady Jane Franklin. Upon joining the navy in 1832 he served with his uncle, Sir John Franklin (later Lieutenant-Governor of Van Diemen's Land). He arrived in Van Diemen's Land in September 1844 to take up his appointment to the Rossbank Magnetic Observatory in Hobart Town.

Simpkinson was an accomplished artist and recorded a great many landscapes around Van Diemen's Land. He was often accompanied on his painting excursions around the colony, and even to Port Philip, by the artist John Skinner Prout (see more on Prout below).

When Lieutenant Simpsonkin returned to England in December 1848, he took his collection of some 200 drawings and watercolours with him. In 1869, he added de Wesselow to his name by deed poll. Responding to a request from the Royal Society of Tasmania, Simpsonkin de Wesselow gifted his colonial collection of paintings and drawings to the Society when he was aged 81.





The Royal Society of Tasmania *Papers and Proceedings* detailing correspondence between Simpson de Wesselow, Bishop Montgomery and the RST, regarding the donation of the artworks by the artist.

The de Wesselow collection can be divided into several categories:

- Landscapes
- The Flinders Island trip
- The Magnetic Observatory at the Domain, Hobart
- Convict history
- Work with John Skinner Prout.

He took lessons from the English artist John Skinner Prout who lived in Tasmania at the time. The two formed a great friendship, and often went on painting expeditions together. They travelled together extensively during the four year period that de Wesselow was stationed in Van Diemen's Land, creating a unique record of VDL in the early days of European settlement.

Landscapes

Simpkinson de Wesselow was a naval officer, as such he was trained in drawing, particularly in describing features that enabled recognition of the landscape. This makes his landscapes remarkable in their honest depiction of the scene before him.



The Magnetic Observatory at the Domain, Hobart

Simpkinson de Wesselow was stationed at the Magnetic Observatory at the Domain in Hobart from September 1844 to 1848. This Observatory was a part of a wider geomagnetic project, known as the magnetic crusade. The magnetic crusade was in operation from 1839 to roughly 1854 and was made up by a combination of observation at fixed magnetic and meteorological observatories – both within and beyond the boundaries of the British Empire from Europe to South Africa to Australia – and by observation on a number of mobile surveys, of which this was one. The magnetic crusade was the most extensive and ambitious project of the early nineteenth century. His duties there – although important to the world-wide network of magnetic observations – were extremely tedious and mechanical – readings took place every hour – day and night. To occupy himself during this time he painted the landscape around him.



Flinders Island



Simkinson de Wesselow and John Skinner Prout toured to Flinders Island on one of the painting expeditions, and the society's art collection contains de Wesselow's work from that time.

These paintings are significant as they are a rare contemporary representation of Wybalenna, the Tasmanian Aboriginal settlement on Flinders Island. One unusual aspect of the set of portraits of Tasmanian Aboriginals painted at this time, and one that makes the collection very significant, is that the individuals painted are named.

Convict History

Simkinson de Wesselow's work contains many illustrations of the convict era of Van Diemen's Land making the collection significant in the depiction of this dark period of the island's history.



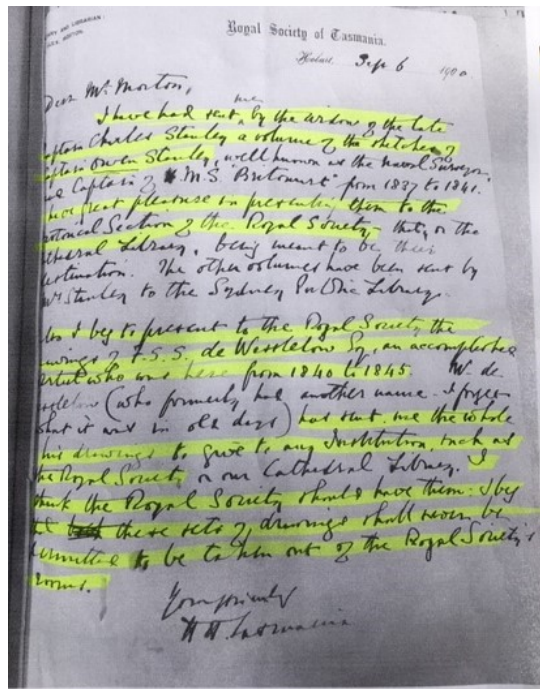
Chapel at Port Arthur Convict Station

Owen Stanley (1811–1850)

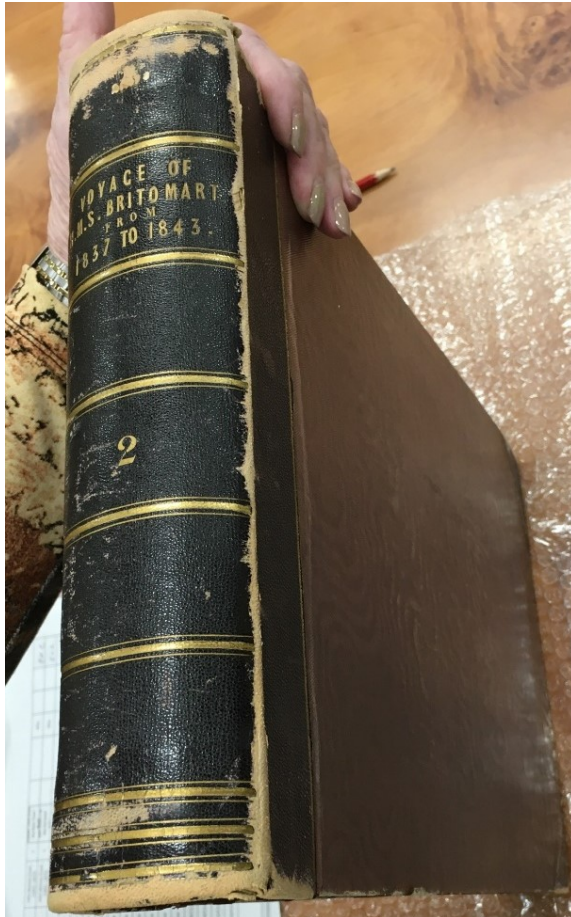
The second major component of the 1900 collecting by the society is the art of Owen Stanley.

Owen Stanley (1811–1850), was born on 13 June 1811. He entered the Royal Naval College aged only fifteen. After graduating he swiftly rose through the ranks, and at the age of twenty-six he was given his first independent command, the brig *Britomart*. In 1837/8 he sailed for the East Indies and Australasian waters, chiefly on surveying work. The watercolours in the Society's collection are from this voyage. In June 1848 he sailed to south-east New Guinea to complete more surveys coast. On this voyage he contracted an illness from which he died in Sydney in March 1850.

The Owen Stanley Album



An album of his voyage from England to Tasmania in 1837–38, was donated to the society by Eliza Stanley, the widow of Charles Stanley, Private Secretary to Sir William Denison. Captain Charles Stanley and Eliza had moved to Tasmania in 1841. While in Tasmania Charles became an active member of the Society. After his death in 1849 Eliza returned to England.



This album shows a detailed account of the voyage of the *Britomart*. In the album, Stanley not only paints the scenes around him, included a dramatic man overboard accident, but he also gives a written account of the paintings.



In Mortimer's last off the North point of New Zealand with a heavy dra-
 wing and every appearance of bad weather coming on one of the forecabin men
 was pitched off the fore beam while steering the ship. His life buoy was at once
 let go and he descended in gaining it but was twenty minutes holding on
 to it before the boat reached him during which time he had great difficulty
 in defending himself from the attacks of the Albatross

Owen Stanley as an artist

While Stanley's achievements were principally scientific – he was made a fellow of both the Royal Society and the Royal Astronomical Society for his surveying and observation work – he is now also recognised as a skilled maritime artist. Owen Stanley's maritime paintings are held in a number of libraries and museums.

Owen Stanley in Tasmania

HMS *Britomart* visited Hobart while Stanley was in command. Stanley had served with John Franklin aboard HMS *Rainbow* in 1831 and the two had remained friends. While in Van Diemen's Land Stanley visited Port Arthur, making a number of sketches of the trip that are also in the Society's collection.

Owen Stanley's watercolours in the Society's collection, like the one above at Greenwich are small in scale. They are however, a valuable and significant slice of Tasmania's cultural and historical heritage.
.co.uk).

John Skinner Prout (1805–1876)

In January 1844 Van Diemen's Land was visited by an artist who would prove to have quite an impact on the art of the young colony – this was John Skinner Prout.

Prout (1805–1876), was born at Plymouth England. He was the nephew of the artist Samuel Prout (1783–1852). Although he was largely self-taught as an artist, he was reasonably successful and was elected a member of the new Society of Painters in Water Colour.

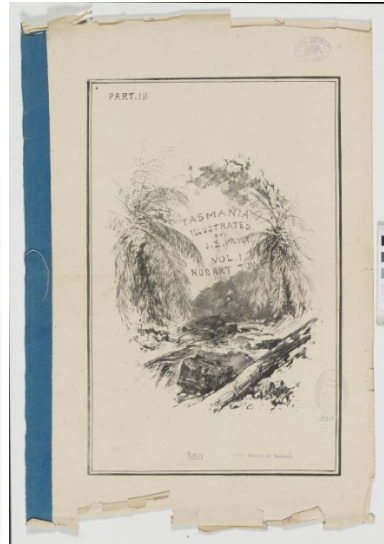
In December 1840, Prout, his wife Maria and their seven children moved to Sydney where his brother already lived. Prout had brought with him from England equipment which would enable him to produce lithographic prints of his works for sale both in the colony as well as in England. He published *Sydney Illustrated* (images from that in a later article).

A little over three years later Prout made that visit to Hobart Town in January 1844. Much impressed he went back to Sydney for his family and arrived at Hobart Town in April of that year.

He helped to organize the first Australian exhibition of paintings in 1845. His work is represented in the South Kensington Museum, the public galleries in Sydney and Hobart, and in the Mitchell and Dixson Galleries in Sydney. The National Library, Canberra, has forty-five of his Australian sketches and the Royal Society of Tasmania, Hobart, a portfolio of his Tasmanian and Victorian watercolours and pencil drawings.



Mount Wellington.



Although John Skinner Prout is a significant artist in nineteenth century Australian art history, it is when their combined artworks contained in the society's art collection provide a unique example of two artists working in the same place, at the same time. A rare chance to see how their different training influenced their experience of their perception of their environment.

When Prout arrived in Australia, he had with him a lithographic plant. With it he produced the first lithographic publications in Tasmanian, making his a significant contribution to the means of production of art in Tasmania.

Louisa Anne Meredith (1812–1895)



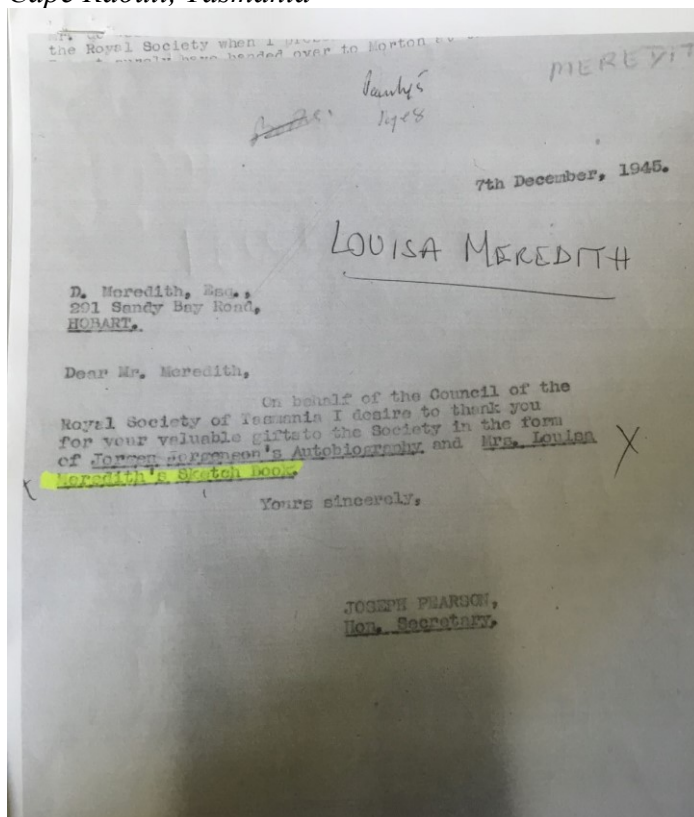
Original watercolour of artwork used in Some of My Bush Friends in Tasmania (1891)

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Anne Meredith. Louisa Anne Meredith (1812–1895 UK/Tasmania) miniaturist, water-colourist, engraver, poet, writer and botanist was by 21 years of age supporting herself from writing and her illustrated books.



Cape Raoull, Tasmania



Letter thanking David Meredith for the donation of Louisa Anne Meredith artworks.

In the company of her husband she arrived in Tasmania in 1840, where she was to spend the rest of her life, and produce her most important works.

As an isolated Colonial housewife working in the Swan Port district of the East Coast of Tasmania she was to work extensively in the natural environment, documenting the

native flora, fauna, topography and settlers' houses of Tasmania at a critical period in the development of the convict system, transportation, and the British Empire on the cusp of the industrial revolution. Her accurate panoramas of Tasmania's east coast, now largely the Freycinet National Park are of great significance in documenting the change in distribution of habitat and impact of European settlement.

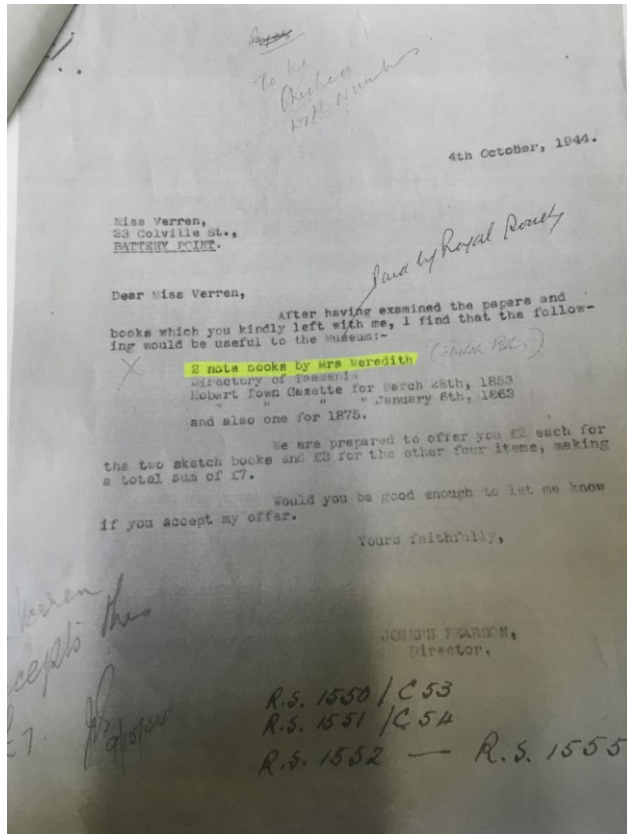
Her husband, George Meredith, as well as being a merchant/farmer was a politician. Louisa Anne Meredith actively took a role in the introduction of environmental conservation legislation, and may be reasonably argued to be the first in the country, and one of the few women in the world at this time, proposing legislative protection for the natural environment/wilderness.

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Page from sketchbook



Letter to Miss Verren regarding the purchase by the Royal Society of Tasmania of two Louisa Anne Meredith sketchbooks.

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Anna Maria Nixon (c1802–1868)

Anna Maria Nixon was born in England in the early 1800s, daughter of Charles Woodcock. In 1836 she became the second wife of Francis Russell Nixon; they had eight children.

Her husband was appointed first bishop of Tasmania and the couple arrived at Hobart Town on 18 July 1843 with their children and servants. Mrs Nixon sketched virtually everywhere she went, using her sketches as part of her prolific correspondence with her family and friends in England. She was a fine draughtsperson but underrated her own work, being always eager to defer to the bishop's superior artistic talents. After a trip from home late in 1844 she wrote to her family: 'I have been very diligent in sketching for you, but I must wait to send you the result of my poor efforts to illustrate my tour till the bishop has seen and corrected the same'.



The society's collection of her works, forty-one in total, do indeed show the work of a keen observer of her surroundings. They are a unique collection of a significant female artist in the often underrated and neglected 'amateur' tradition. The artist who depicted the scenes of everyday life in the new colony, now of significant social, cultural and historical value.



William Charles Piguenit (1836–1914)

William Charles Piguenit (1836–1914), artist, was born on 27 August 1836 at Hobart Town and baptized on 23 September at St David's Church, eldest son of a former convict Frederick Le Geyt Piguenit (d.1886), of Huguenot stock, and his wife Mary Ann, née Igglesden.

One of the earliest professional painters born in Australia, William Charles Piguenit, and certainly one of the most significant landscape painters of mid-to-late nineteenth century, was mainly self-taught, drawing his inspiration from European romanticism with an emphasis on motifs of heavy grandeur. Known for his Tasmanian landscapes, Piguenit's paintings portray nature in terms of its infinite mystery combined with a topographical essence of its features.

Art historian Bernard Smith regards Piguénit as one of the, 'most influential painters of the period along with Eugene von Guerard and Nicholas Chelalier.

He worked in the Tasmanian Lands and Survey Department from 1850 as a draughtsman and mapmaker, where he learned lithography from Frank Dunnett and Robin Vaughan Hood and developed an interest in photography. After leaving the survey office in 1872, he began making sketching and photography trips to remote and spectacular regions in Tasmania, including Lake St Clair in 1873. He exhibited photographs and paintings of wilderness scenes throughout the 1870s.

The society's art collection contains twenty-seven works by Piguénit. While these are not the large oil paintings that Piguénit is famous for, they are a significant aspect of his work. Many of them are his field sketches and watercolours for the later oil paintings. They are the preparatory works which shows his methodology.



Conclusion

There are a number of other nineteenth century artists in the society's collection, who while perhaps not well represented, or as well-known, contribute to the significance of the collection as a whole.

The Royal Society of Tasmania's art collection is rare, and unique to Australia. It is a coherent and focussed group. The majority of the artworks were collected around 1900, when, fearing that Tasmania might lose its individual identity after Federation, the RST set about collecting artworks, publications and other material they considered illustrated Tasmania's unique history.

The collection is of national/international significance for its contribution to an understanding of Tasmania's unique flora, fauna, and first peoples, and the role of women artists working in the 19th century.

Appendix 1: 2021 Loan Agreement



Deed of Settlement and Release

Dated day of 2022

The Royal Society of Tasmania (“the Society”)
and
The Board of Trustees of the
Tasmanian Museum and Art Gallery (“the Board”)

Details

Parties

The Society	Name	The Royal Society of Tasmania
	Address	GPO Box 1166 HOBART TAS 7001
The Board	Name	The Board of Trustees of the Tasmanian Museum and Art Gallery
	Address	C/- Office of the Solicitor-General (Litigation) Level 5, 15 Murray Street HOBART TAS 7000

Recitals

- A** The *Tasmanian Museum and Art Gallery Act 2017* (the Act) provides for the continuation of the Board of Trustees of the Tasmanian Museum and Art Gallery established under the *Tasmanian Museum Act 1950* (repealed).
- B** The Board of Trustees of the Tasmanian Museum and Art Gallery (hereinafter referred to as “the Board”) is constituted a body corporate pursuant to s 6 of the Act. The Board may sue and be sued in its corporate name and is an instrumentality of the Crown.
- C** Pursuant to s 8 of the Act, the Board is to oversee the control and management of the Tasmanian Museum and Art Gallery being the institution formerly known as the Tasmanian Museum (hereinafter referred to as “TMAG”). Pursuant to s 9 of the Act, the Board is empowered to acquire, hold, dispose of and otherwise deal with property and enter into contracts.
- D** The Royal Society of Tasmania (hereinafter referred to as “the Society”) is constituted a body corporate pursuant to s 3 of the *Royal Society Act 1911*. The Society is capable in law to sue and be sued in all courts and to take, purchase, and hold land and personal estate, and to alienate the same for any estate, term, or interest.
- E** The Society was founded in 1843 and from its earliest years built up collections of both art and natural history specimens which were housed in The Royal Society of Tasmania Museum.
- F** The collections housed in The Royal Society Tasmania Museum became the basis of TMAG’s collection when, in 1885, the Society relinquished ownership over some of its collection to that body which later became the Board.
- G** The Society contends that, in 1965, a number of art works were placed by it on long-term loan with what became the Board.
- H** The Society contends that, in 1965, TMAG staff had prepared a list of works that were on loan from the Society. This list is hereinafter referred to as the “1965 Loans List”.
- I** At the time of the contended loan and the preparation of the 1965 Loans List, Dr William Bryden was the director of TMAG and had occupied this position since 1953. At that time (between 1953 and 1972), Dr Bryden was also the Honorary Secretary and Honorary Editor of the Society.
- J** TMAG and the Society shared a close association and there was some intermingling of their resources.

- K** The Board contends that the 1965 Loans List is a record of works from both the Society's and the TMAG's collections.
- L** Discussions and investigations regarding the provenance of works on the 1965 Loans List went on for several years.
- M** On or about 10 May 2019, the Society and TMAG agreed to form a joint working committee in an attempt to resolve issues relating to the provenance and future management of the works on the 1965 Loans List.
- N** The Society's members of the joint working committee prepared a report of its findings and recommendations dated 15 June 2021.
- O** The investigations of the Society's members of the joint working committee discovered that there were additional artworks not on the 1965 Loans List that were contended by the Society to be owned by it.
- P** The recommendations put forward by the Society's members of the joint working committee were not accepted by the Board.
- Q** With the exception of about 45 artworks by Meredith contended to be from the Fish Folio (AG809.1-AG809.7; AG1322-1356; AG1494-1495), the parties have reached an agreement in respect of all matters in contention between them whereby:
- i. The works identified in Schedule 1 are agreed as owned by the Society;
 - ii. The works identified in Schedule 2 are agreed as owned by TMAG; and
 - iii. The works identified in Schedule 3 are agreed as jointly owned by the parties.

Operative Part

- 1.** The Recitals form part of this Deed.
- 2.** The parties agree to the ownership of artworks, including the items on the 1965 Loans List, in accordance with Schedules 1, 2 and 3 of this Deed.
- 3.** The parties agree:
 - a)** That they accept the current condition of the works identified in Schedules 1, 2 and 3 of this Deed;
 - b)** ;
 - c)** That the works set out in Schedule 3 will continue to be managed and insured by the Board;
 - d)** In respect of the works set out in Schedule 3, there will be an attribution as to the Society's joint ownership of the items when displayed;
 - e)** In respect of the works set out in Schedule 3, the Society and the Board will jointly exercise all rights of and incidental to ownership including but not limited to copyright, control of use of the works and images, exhibition and storage.
- 4.** The Society agrees:
 - a)** Not to bring any action, claim or demand to or in any Court, Tribunal, Commission or person in respect of any item set out in Schedule 2 of this Deed;
 - b)** That all claims it has as to ownership of the works in Schedule 2 are extinguished on execution of this Deed by the Society; and
 - c)** That the Society will be responsible for valuing and insuring its collection (as set out in Schedule 1);
 - d)**
- 5.** The Board agrees:
 - a)** Not to bring any action, claim or demand to or in any Court, Tribunal, Commission or person in respect of any item set out in Schedule 1 of this Deed;
 - b)** That all claims it has as to ownership of the works in Schedule 1 are extinguished on execution of this Deed by the Board;
 - c)** That it will exhibit, display, reproduce or otherwise publish the works in Schedule 1 only with the written consent of the Society;
 - d)** That it will acknowledge the works in Schedule 1 as works from "The Royal Society of Tasmania Art Collection" when they are exhibited, displayed or reproduced with the written consent of the Society;

- 6.** The terms of this Deed bind the parties, their successors, heirs and assignees and for the avoidance of doubt ensure for the benefit of the State of Tasmania, its instrumentalities including the Board and their servants and agents (past, present and future) and any and all of them may rely upon the terms of this Deed in resistance to any action, claim, demand or complaint made or to be made by the Society or any one of the party to this Deed against the other and/or their representatives.

Schedule 1: RST Collection

Item No.	Description/Name	AG Reference No.	Quantity
1	Allport	AG1573-74	2
2	Basire	AG1591	1
3	Bock	AG1597	1
4	Boyes	AG1598 – 1606	9
5	Bull	AG1613.1	1
6	Gascoyne	AG1683	1
7	Duke	AG1684	1
8	Hood	AG1685	1
9	Hudspeth	AG1686-87	2
10	Haller (attributed)	AG1688	1
11	Jack	AG1689-95	7
12	Mace	AG1713-15	3
13	Maguire	AG1716	1
14	Mault	AG1717-20	4
15	Meredith	AG1721 (folio including 88 drawings)	1
16	Meredith	AG1722 (sketch book including 89 drawings)	1
17	Meredith	AG1723 (sketch book including 46 drawings)	1
18	Mace	AG1774	1
19a	Prout	AG1854-1899	46
19b	Prout	AG1900-1928	29
20a	Stanley	AG1932-2011	79
20b	Stanley	AG2012-13	2
21	Story	AG2014	1
22	Tweedie	AG2015	1
23	Unknown	AG2017	1
24	Unknown	AG2023	1
25	Unknown	AG2025	1
26	Cochran	AG2026	1
27	Walker	AG2041	1
28	de Wesselow	AG2042-2249, minus AG2066	207
29	Dawson	AG2254	1
30	De Gruchy	AG1662	1
31	KWN	AG1696	1
32	Von Guerard (Ben Lomond lithograph)	AG2028	1

Schedule 1: RST Collection

Item No.	Description/Name	AG Reference No.	Quantity
33	Barlow	AG1575-1590 & AG1930-1931	18
34	Bateman	AG1592	1
35	Blackman	AG1593-95	3
36	Bock	AG1596	1
37	Buckland	AG1607-12	6
38	Chapman	AG1614-1657	44
39	Chapman	AG2252-53	2
40	Clark	AG1658	1
41	Cochran	AG1659	1
42	Cooke	AG1660	1
43	D'Emden	AG1661	1
44	Dowling	AG1663	1
45	Duke	AG1664	1
46	Dunnet	AG1665-66	2
47	Duterrau	AG1667-1676	10
48	Eyre	AG1677-1682	6
49	Duke	AG1684	1
50	Duke	AG1664	1
51	Le Breton	AG1698	1
52	Lucas	AG1699-1706	8
53	Lycett	AG1707-1712	6
54	Meredith	AG1724-1734	11
55	Meredith	AG1735-AG1773	38
56	Nixon AM	AG1775-1815	41
57	Philp	AG1816-1818	3
58	Piguenit	AG1824-1851	28
59	Podmore	AG1852	1
60	Prinsep	AG1853	1
61	Richmond	AG1929, AG1929.2	2
62	Unknown	AG2016 AG2018 AG2021 AG2022 AG2024 AG2027	6
63	Dunnett	AG2251	1
64	Gould	AG5433-AG5435 AG5437	4
65	Legge	AG728, AG729	2
66	Meissonier	(after) AG151 – AG151.9, AG152 – AG152.3, AG153, AG154	14
68	Forrest	AG2023	1
70	Alexander Scott, Sir James Ross	AG2311	1
71	Somerset House, Strand	AG2312	1

Schedule 2: TMAG Collection

Item No.	Description/Name	AG Reference No.	Quantity
1	Piguenit	AG1819	1
2	KWN	AG1697	1
3	Piguenit	AG1820-1823	4
4	Von Guerard	AG2029-2040	12
5	Story	AG2653	1
6	Boyes	AG702-705, A6707 and AG709	6
7	Cumberland	AG679, AG1253-1263	7
8	Douglass	AG689, AG691, AG1266	3
9	Martens	AG1431-1455	25
10a	Meredith	AG3208-3211	4
10b	Meredith	AG8722	1
11	Paterson	AG607	1
12	Jarman	AG2317.1-73	73
13	Beauchamp	Unknown	1
14	Chapman	Unknown	13
15	Evans	AG1271	1
16	Nixon	Unknown	5
17	Sir John Franklin on Swan Island	AG5477	1
18	Chapman	AG1430	1

Schedule 3: Joint Ownership

Item No.	Description/Name	AG Reference No.	Quantity
1	Wiggins	AG2250	1
2	Rodway	AG31	1

Signing Page

Dated: day of 2022

Signed by The Royal Society of Tasmania)

in the presence of: _____)

.....)

Signature of witness _____)

.....)

Name of witness (*block letters*) _____)

.....

Address of witness

.....

Occupation

Signed for The Board of Trustees of The)

Tasmanian Museum and Art Gallery)

in the presence of: _____)

.....)

Signature of witness _____)

.....)

Name of witness (*block letters*)

.....

Address of witness

.....

Occupation

Appendix 2: References

- Royal Society of Tasmania
- RSA/A1/1 – RST Minutes 1843–1845
- RSA/J/2 – RST Accession list of gifts from Papers and Proceedings 1848–1886
- RST Annual reports in the Papers and Proceedings
- RSA/ J16 – RST 1941 War Catalogue of pictures, books and sundries
- RSA/A1-9 – RST Council minutes & correspondence file RSA/A10 to 16– Minutes of general monthly and annual general meetings
- RSA/J3 – RST Correspondence regarding gifts of paintings, drawings etc
- RSA/D18 – Miscellaneous letters and receipts regarding acquisition of works of art
- RSA/F3 – RST 1965 Loans List. Paintings on permanent loan from the Royal Society of Tasmania to the Tasmanian Museum and Art Gallery, 1965 (Transfer List [B], A.V. Brown)
- RSA/J1 – RST Register of Accession of manuscripts and paintings, (Transfer List [A], A.V. Brown)
- RSA/J18 – Registration Books A–G [E missing]. Containing documents and other manuscripts of historical interest, papers, despatches, proclamations, Drawings – [Held in TMAG Archives, Rosny], Diaries, journals, letter books, Plans, maps, charts, Articles on loan and display
- The Foundation and Early Work of the Society (RST), with some Account of Other Institutions of Early Hobart, by E.L. Piesse, published by the Society, the Museum, Hobart, 1913, Seventieth Anniversary: The Mercury Printing Office, Hobart; Reprinted from the Papers and Proceedings (RST), 1913
- Preliminary Report by Don Gregg to the Council of the Royal Society of Tasmania on the size, state of preservation and history of the Society’s Art Collection as housed in the Tasmanian Museum and Art Gallery, 1986
- TMAG list printed 19/09/95
- Draft Report on the Art Collection of the Royal Society of Tasmania, M.R. Banks and A.V. Brown et.al., 2002
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- In Black and White: W.C. Piguenit’s monochrome paintings and the imaging of the Tasmanian wilderness in the Picturesque Atlas of Australasia, Jonathon Holmes, Kanunnah, vol.3, 2008

- Monochrome oil paintings and gouache, watercolour, and ink drawings by William Charles Piguenit. Tony (A.V.) Brown, Kanunnah, vol.5, 2012
- A Passion for Nature: William Charles Piguenit. The Tasmanian Museum and Art Gallery Collection, Sue Backhouse, Tony (AV) Brown, Christa Johannes, 2012
- Alexander Morton Scrapbooks, RST Library Collection, Morris Miller Library, UTAS
- Catalogue of the Library of the Royal Society of Tasmania, Alexander Morton, 1885
- The Cyclopedia of Tasmania. An Historical and Commercial Review, 1900
- Walk to the West, James Backhouse Walker, 1993
- The Art Bulletin of Tasmania 1984, Hendrik Kolenberg (ed.)
- Australian Colonial Art 1800 – 1900. Art Gallery Board of South Australia, Ron Radford, Jane Hylton, 1995
- Art, Antique and Historical Exhibition Catalogue, City Hall, Hobart, 1941