

THE O'HEARE CARRUCAN CONNECTION

Sargeant Michael O'Heare ¹ was a policeman who somehow knew the Carrucan family in Eltham. He and his wife Ellen (nee Burns) had twelve children including Michael John who was born in 1879 in Geelong. The young Michael was only about three when his mother died in 1882 and his father was possibly forced to foster out some or all of his children.

Thus Michael was sent to live with the Carrucans at Eltham. In later years, Jack Carrucan described how his father Mick Carrucan took the lad with him on various trips to Woods Point when hauling supplies with horse teams, probably in the late 1880s when the gold mining was in full swing in that area. Later on Michael O'Heare became a well known solicitor in Melbourne and a founder of the firm Cole and O'Heare. ²

When Michael Carrucan married Mary Sweeney on October 12th 1910 at St John's Catholic Church in Heidelberg, Michael O'Heare was in the Bridal Party.



From left to right: Catherine Sweeney, Michael O'Heare, Michael Carrucan, Mary Carrucan, Thomas Sweeney, Ellen Smith (nee Sweeney)

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- 1 Sargeant Michael O'Heare retired in 1897, after forty years service. There is a report in The Argus of Saturday 2nd October 1897, page 7, about this. He died in 1908 at Fitzroy South, aged 70. He was the son of Patrick O'Heare and Mary Garay.
 - 2 We were always told that Michael O'Heare was one of the founders of the law firm. But the historical section on the Cornwall Stodart website (<http://cornwalls.com.au/about-us/our-history.aspx>) has the following:
1977 - Firm merged with Cole & O'Heare (an old firm dated back to 1884 with similar traditions)
Michael O'Heare would have been only 5 years old at this time! This would imply that he may not have been one of the founders but may subsequently have trained as a lawyer and joined an existing family company. I also note that this website has 'Cole & O'Hare' rather than 'Cole & O'Heare' so it is possible that they may also have been incorrect as to the 1884 startup date.

Several photos record his presence at Eltham at around this time – the one below shows him with Mick Carrucan at the back of the Dalton St farmhouse at Eltham.



The woman must be Mick Carrucan's mother Mary (nee O'Brien) ³ standing in the doorway. She would have been the person who looked after Michael O'Heare in his childhood, so it is logical he would want to be photographed with her when he had grown up and made a success of his life. ⁴

Sweeney family historian Peter Cuffley clarifies further:

It explains the presence of a camera or cameras out at Eltham to take informal outdoor photographs. When I did my book on Puffing Billy, I found that it was the affluent or reasonably affluent professionals such as doctors or lawyers who either took up photography as a hobby, or at least could afford a camera in the early twentieth century. The big guesthouses actually had darkrooms for amateurs. All of our relations might have eventually got a 'Box Brownie' (Kodak), but I know my Ryans didn't own a camera until Mum's brother got one in the late 1930s.

The second photo, also taken at the Carrucan farmhouse in Dalton St, shows Michael O'Heare hatless and with thin rimmed glasses. Peter Cuffley surmises that this picture was taken by Joseph Rance (Joe) Douie. ⁵ He has put his business stamp on the back and has written

Kind words can never die nor can fond memories ever die it is many years since I took this photo & has travelled hundreds of miles as part of my luggage; I now send it to you wishing you & yours a Happy Xmas & prosperous New Year Joe

INSERT PHOTO HERE WHEN I GET IT FROM PETER

3 Mary Carrucan (nee O'Brien) was born 1838 in Ireland and came out to Australia in 1856 with her husband Patrick. She would have been around 72 at the time of the photo. She eventually died in 1927 aged 89 – a very long life for those pioneering days.

4 The 1911 Post Office Directory lists Michael O'Heare, solicitor, of 47 Brunswick Street, Fitzroy

5 Peter comments: Joseph Douie, born in Ireland, married Hetta Augusta O'Heare (born Geelong) in Victoria in 1912. Hetta's brother Michael John O'Heare was born in Geelong in 1879. Joe Douie was a licenced estate agent and sworn valuer, of 228 St George's Road, North Fitzroy. I can see them going out to Eltham around the 1910 era with Joe taking his camera. Photography was then a very popular hobby and people often did their own prints.

Many years later, following the death of Michael Carrucan's mother Mary (nee O'Brien) in 1927, the firm of Cole and O'Heare looked after the distribution her estate (her husband Patrick had died in 1894). The titles to the various pieces of land in Eltham and Research were not under the Transfer of Land Act, and considerable legal work was necessary to allow the finalisation of the estate. Eventually the account from Cole and O'Heare came to the attention of Michael Carrucan, who made the observation to the family members nearby (including Jack and Betty Carrucan) that Mick O'Heare would have hair growing out of his bloody bald head before that bill was paid.

At that time, the law firm letterhead showed their address as

Cole & O'Heare, Barristers & Solicitors
Law Court Chambers
191 Queens St
Melbourne

When Michael O'Heare died on the 9th August 1942 in the Frankston Community Hospital, he was documented as resident in Brunswick Street, North Fitzroy. He was buried on the 11th August at Eastern Cemetery, Geelong. It seems he never married as the death notice said he was the loved brother of James, Catherine J. (Josephine), Anne Frances, and Henrietta 'Mrs J. B. Douie' and was the loved brother-in-law of 'Joe'.

Even though Michael O'Heare was now deceased, the Cole & O'Heare firm continued. Michael Carrucan's will, dated 8th December 1942, shows

Cole & O'Heare, Solicitors
City Mutual Buildings
465 Collins St
Melbourne

John Chamberlain of Cole & O'Heare looked after probate after the death of John Carrucan in 1976.

In 1977, Cole & O'Heare merged with Cornwall Stodart Solicitors, an old firm with similar traditions and dating back to 1891. When Betty Erickson (nee Carrucan) had her will written up on 19th July 1989, the legal work was done once again by John Chamberlain, but this time under the auspices of Cornwall Stodart, thus continuing the long family connection with this particular branch of the legal family.

Cornwall Stodart remains to this day an influential Melbourne Law firm with an international reach.