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Robert Stout was born on 28 September 1844 at Lerwick, Shetland, Scotland, the eldest of the six children of Thomas Stout, a merchant, and his wife, Margaret Smith.

His education began at kindergarten at about the age of five. He spent six months at Lerwick Grammar School in 1852, and then attended the parish school. Stout later wrote that the 'most important part' of his education was gained, not at school, but during discussions on literary and theological matters involving a circle of relatives, his father and several uncles: 'No subject was barred in discussion...each different family got different newspapers and magazines and these were exchanged...There was variety in our newspaper literature – Whig, Tory and Radical views were represented.' Reading occupied the long winter nights, and there were lectures on a diverse range of subjects at the Literary Institute.

In 1858 Stout sat the teacher's qualifying examinations, specialising in mathematics and science, and was then appointed a pupil-teacher at the parish school in Lerwick. He also studied land and marine surveying and qualified as a surveyor in 1860.

In 1863 he decided to emigrate to Otago, New Zealand, and left Lerwick on 26 October 1863. To the end of his life he maintained a strong interest in the Shetlands, encouraging and financially assisting other Shetlanders to migrate to New Zealand.

Stout sailed from London on the *Lady Milton* on 1 December 1863 and arrived in Dunedin on 8 April 1864.

The Presbyterianism of the founding fathers had become diluted by the impact of the goldrushes, but the Kirk still had a major influence in community affairs, and Dunedin was a ferment of theological and moral controversy. Stout, revelling in this atmosphere, became the often controversial leader of free thought in Dunedin, giving particular offence by lectures in which he expressed sceptical views on stories of miracles and the divinity of Christ.

He edited *The Echo*, a free thought paper (1869–73, 1880–83), and was well known for his addresses on subjects connected with free thought, science and humanistic morality at (usually crowded) meetings at the Lyceum Hall.

In 1864, after failing to get employment as a surveyor on the goldfields, Stout became second master at John Shaw's grammar school in Albany Street, Dunedin, teaching mathematics. Later he was first assistant at the North Dunedin District School. He was active in organising clubs in Dunedin, such as chess, swimming and football. In 1866 he helped to found the Otago Schoolmasters' Association, which later became the Otago branch of the New Zealand Educational Institute. He was its first secretary and was responsible for branch organisation. After failing to become a headmaster at Oamaru – allegedly because he could not teach singing – he took up law.

In 1867 Stout was articled to the legal office of William Downie Stewart. He completed his articles in three years instead of the customary five and was called to the Bar in July 1871. He then entered into partnership with Basil Sievwright. Later he was a partner in the firm of Stout, Mondy, and Sim. He began practising in 1871. As a barrister Stout undertook a remarkably heavy workload. He was particularly well known for his appearances before the Court of Appeal, and became celebrated for his abilities as a 'pleader' and his effectiveness in working on the emotions of juries.

In 1871 Stout was one of the first students – the very first, he later claimed – to enrol at the University of Otago. He gained first-class passes in mental and moral science and in political economy. Between 1873 and 1875 he lectured in law at the university – its first law lecturer – while continuing his legal studies.

Stout was soon drawn into politics. On 19 August 1872 he was elected to the Otago Provincial Council as representative for Caversham, and was nominated Otago provincial solicitor in May 1873. Re-elected to the council in June 1873, he became chairman of the Waste Lands Committee and was provincial solicitor from 6 May 1874 to 25 May 1875. He worked hard and spoke often: 'I have frequently been engaged on matters connected with the public business in my capacity as a member of the Council from 12 noon until 2 a.m.... I insisted on the discussion of some questions, when otherwise there really would have been no discussion'.

Stout's industriousness, intelligence and debating skills made a parliamentary career almost inevitable. Initially he was reluctant to face the associated financial difficulties, but the threat

to abolish the provinces changed his mind. On 20 August 1875 he was elected to the House of Representatives as member for Caversham, and on 20 December 1875 was elected on an anti-centralist ticket as a member for City of Dunedin. He took a leading role in the Otago campaign against abolition.

On 13 March 1878 Stout was appointed attorney general in Sir George Grey's government. He drafted many of the government's measures, and was particularly influential in the preparation of electoral, trade union and taxation legislation. From 25 July 1878 Stout was also minister for lands and immigration. He was an ardent land reformer.

On 25 June 1879 Stout resigned from both ministry and House, giving as his reason the ill health of his partner, Basil Sievwright. He felt the need to pay more attention to his very active legal career. In 1876 he had pleaded for the payment of MHRs to help men such as himself who 'had a knowledge of politics' but could not afford to 'leave their businesses for many months during the year'. The necessity of supporting a family made his situation more pressing: on 27 December 1876 at Dunedin he had married Anna Paterson Logan. They were to have four sons and two daughters.

In July 1884 he was returned to the House as member for Dunedin East, and in August he formed a ministry with Julius Vogel as colonial treasurer. Almost at once the ministry lost a vote of confidence, and H. A. Atkinson then tried and failed to form a government. Stout and Vogel returned to office in September.

Initially Vogel wished to promote a borrowing programme reminiscent of the scheme of 1870. But Stout, who never endorsed Vogelism as the solution to the country's economic problems, was more cautious and acted as a moderating brake on Vogel's plans. As Vogel's prestige waned, Stout gained greater influence.

In the general election of September 1887 Stout lost his seat to James Allen by 29 votes and decided that he could be of more use to the liberal cause outside Parliament. His attempts to maintain his legal business, including appearances in court, while premier had severely strained even his remarkably robust constitution.

Ballance, the Liberal premier since 1891, fell seriously ill and died in early 1893 before Stout, his preferred successor, could secure a seat in Parliament. On 8 June 1893 Stout was returned at the Inangahua by-election. He had much support in cabinet, and it was understood that when Parliament reconvened he would give the Liberal caucus a free choice as to whom they wanted for their leader. This did not happen.

From November 1893 to 1898 Stout was one of the members for City of Wellington.

With Seddon in power, Liberal politics seemed to be dangerously lacking in contact with political theory and principle. Stout objected to 'Seddonism': autocratic control by the party leader, rigid discipline enforced by caucus and use of patronage for party purposes. Stout was able to exert little influence over politics and became frustrated at being forced into the role of carping and ineffectual critic. He was damaged by the constant suggestion that his criticisms were motivated principally by animosity towards Seddon.

In 1895 Stout and his family moved from Dunedin to Wellington, where he started the firm of Stout, Findlay and Company. In 1898 he retired from politics, citing financial pressures

and family responsibilities. On 22 June 1899 he was appointed chief justice of the Supreme Court, a position which he held until his retirement on 31 January 1926. His appointment was convenient politically for Seddon, but it was not seen as a mere act of political expediency since Stout was regarded as one of the country's outstanding legal practitioners.

As chief justice Stout decided over 1,400 cases, 450 of them as a member of the Court of Appeal. He consistently applied a liberal construction of statutes. His liberalism survived his translation to the Bench and manifested itself particularly in his pronouncements on social questions. He was opposed to extensive government regulation but saw a need to regulate private enterprise to protect the public interest against the effects of monopolies.

Throughout his career Stout maintained a strong practical interest in social and educational issues. He was an influential champion of equal rights for women, and in 1878 introduced the Electoral Bill which made woman ratepayers eligible to vote and to stand for Parliament.

Stout had long had a strong interest in education. From 1873 to 1876 he served as a member of the Otago Education Board, and was minister of education from 1885 to 1887.

The development of the New Zealand university system probably owed more to Stout than to any other single individual. From 1885 to 1930 he was a member of the senate of the University of New Zealand. From 1891 to 1898 he was a member of the council of the University of Otago. He was the principal founder of Victoria College, Wellington.

From 1903 to 1923 he was the chancellor of the University of New Zealand and became notorious for his handling of rowdy students at university ceremonies. At the University of Otago on 24 August 1886 he threatened to call in the police. Students were only further encouraged to heckle him by his over-readiness to rise to their provocation.

Stout was appointed a KCMG in 1886, and made a privy counsellor in 1921. He was appointed to the Legislative Council in August 1926. In 1929 his health began to fail and he died in Wellington on 19 July 1930; he was survived by Lady Stout and their six children.

Few individuals have equalled the range and duration of Stout's contributions to New Zealand public life. He gained the foremost position in politics, the law and university education. In later life he filled the role of eminent public figure to perfection. His fondness for pronouncing and moralising on almost every public and intellectual issue of the day contributed to the development of his public image.

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