

Cemetery Conversations



THE NEWSLETTER OF THE FRIENDS OF ST. KILDA CEMETERY INC.

CORONERS, CONSTABULARY AND CRIME—A TOUR THROUGH THE CEMETERY

INSIDE THIS ISSUE:

CORONERS, CONSTABULARY AND CRIME—A TOUR THROUGH THE CEMETERY... CONTINUED 2

SIX DEGREES OF ST KILDA... 2

LIFE AND DEATH IN CONTRAST – THE PHILLIPS BROTHERS LEON, HERMAN AND HAROLD 3

FORTHCOMING TOURS 4

BRICE FREDRICK BUNNY 4

FRIENDS OF ST. KILDA CEMETERY INC.
(REG NO. A0038728J)
ABN 69 718 923 799)

PO Box 261
ST. KILDA VIC 3182
AUSTRALIA

Phone: (03) 9531 6832

email: info@foskc.org
website: www.foskc.org

The history of the establishment of a permanent morgue in Melbourne and the role of those who assist the coroner is integral to a discussion of unusual deaths in the city.

Inquests were first held in Melbourne in 1840. At that stage Melbourne did not have a permanent morgue and early inquests often took place at the site of death or in hotels with the body in full view. This was the common and accepted practice of the time as inquests were not a predominantly medical event. By 1852 there was growing complaint about the large numbers of unidentified corpses lying about the town, often in houses of public accommodation awhile awaiting a coroner's inquest. After a corpse was carried from house to house before a place could be found to leave it, the question of a permanent morgue was brought under the notice of the Mayor at the police court by Mr Hull JP, who hoped the proper authorities would investigate the matter. The Bench agreed that some great "dereliction of duty" had occurred somewhere which demanded an inquiry into how a dead body should be allowed to remain from Monday until Wednesday before an inquest could be held, and in a house crowded with lodgers.

By 1855 Dr. Youl had taken up the cry for the complete necessity for

a permanent morgue "in connection with the office of the coroner". By the late 1850s a temporary morgue was in use in the western end of the town near the wharves (supposedly in Flinders Street), but by 1867 Youl, as Coroner was again deploring the state of the temporary structure to no avail. No government department wished to bear the responsibility.

After years of debate as to its location, the first permanent morgue was erected in Melbourne in 1888 at Bateman Avenue and provided a central point for the identification of the deceased and an appropriate place for the conduct of coronial inquests.

Melbourne City Coroners have always attracted notoriety and public comment. The first coroner appointed to the City of Melbourne was William Byman Wilmot in 1840. Accused of being lazy and incompetent Wilmot nonetheless continued to act as Coroner until 1857 when he was replaced by Dr. Richard Youl who served as Coroner for 40 years until his death in 1897. Youl was replaced by Samuel Curtis Candler (retired 1908). The next coroner, Dr. Robert Hodgson Cole, brought a combination of medicine and law to the role and was described as an "excellent

coroner" by the noted pathologist and coroner's surgeon Crawford Henry Mollison (Bap "B" 594). Magistrates then took on coronial duties, with the last Melbourne City Coroner being Hal Hallenstein who also became the first State Coroner under the *Coroners Act 1985* (Vic).

The role of the Coroner, coroner's surgeon and police in establishing cause of deaths occurring in unusual circumstances is highlighted in examples of burials in St Kilda cemetery.

Take for instance the coroner's reports into the death of Violet Edwards (CofE "D" 0157) who died on 6 August 1900 aged 23 of the effects of chloroform whilst having teeth removed in the dentist's surgery. The role of the forensic pathologist Crawford Mollison is highlighted in the tragic murder of Audrie Ellen Fenton (CofE "D" 683), aged 19, a dancer with J C Williamson, who was killed by her husband in a murder/suicide on 17 May 1922. The details of the murder of Thomas William Brady (CofE "C" 1103A) on 12 January 1897 aged 36, are unusual, tragic and intriguing and thoroughly highlight the roles of Detective Henry

(Continued on page 2)



CORONERS, CONSTABULARY AND CRIME—A TOUR THROUGH THE CEMETERY...CONTINUED

(Continued from page 1)

Cawsey (OD "E" 042) and the coroner Dr. Richard Youl.

We then have the unfortunate circumstances of Gustav Beyer (Ind "D" 144) who died 17 September 1884. Beyer was infatuated with Margaret Jane Irwin and in a passion of intense jealousy and rage, shot her and then himself. Margaret survived the initial shooting but subsequently died from her wounds on 25 September.

Constable Richard Johnston (Bap "A" 180A), a 36-year-old member of the St. Kilda Police met with his death on 12 October 1902 whilst in the

course of conducting his duty. Upon hearing of an attempted assault upon his neighbour's daughter, Johnston took his bicycle and set off in pursuit whereupon he found his man in the streets of Elwood. The offender took a revolver from his pocket and shot Johnston. The police investigation into this case was vast and varied as they attempted to establish the identity of the murderer.

In all these cases there were coronial inquests and police investigations, with the general public relying on the daily newspapers of the time for their reportage. In that regard, *the Argus* did not let them down.

Hear about the inquiries into these deaths and much more on the Friends' "Coroners, Constabulary and Crime" tour on Sunday 23 May 2010 at 2:00pm.

(Source: *The Argus*: 11 Nov 1852, 20 Sep 1884, 13 Jan 1897 to 18 Mar 1897, 7 & 8 Aug 1900, 25 Oct 1902, 19 & 20 May 1922; *Brown-May and Cooke, Death, Decency and the Dead-house: The city Morgue in Colonial Melbourne, Provenance*, Nov 2004, No 3, *Cooke, Simon, Inquests*, <http://www.emelbourne.net.au/biogs/EM00756b.htm>, *Cooke, Simon, Coroners*, <http://www.emelbourne.net.au/biogs/EM00406b.htm>; *PROV, Coronal Inquests, Criminal Trial Briefs, Capital Cases*)



(above) Grave of Detective Henry Cawsey and family—OD "E" 042

SIX DEGREES OF ST KILDA...

It is said that everyone on the planet is linked by six degrees of separation. This theory is borne out when studying the history of various people and places.

For example, what do James Stuart Johnston (co-owner of *The Argus* newspaper), Moritz Michaelis (of *Linden* fame) and prominent artist Sidney Nolan (buried at Highgate Cemetery in England) all have in common?

James Stuart Johnston (Ind "A" 83) built three terrace houses at 3-7 The Esplanade, St. Kilda, and named it *Marli Place*. This stunning black accented, white building will be familiar to many of you.

Moritz Michaelis (Jewish "B" 0105) rented two of those terraced houses from Mr Johnston and had them converted to suit his growing family. He lived at *Marli* until he was able to move in to the impressive home he called *Linden*, which we would come to know as Linden Gallery.

Mr Johnston was to move back to *Marli* late in his life and having been confined to his rooms there following an injurious fall he passed away at *Marli* on 10 August 1896.

After his death *Marli Place* was sold and converted into a series of flats. One of these flats was rented by Sidney Nolan in 1941. Nolan's fascination with St. Kilda and particularly the

Phillips Bros. Luna Park, Palais Theatre and the now demolished Palais De Danse led him to create a wonderfully evocative series of works about St. Kilda.

And as if to prove the six degrees theory—the Phillips brothers too rest within St. Kilda Cemetery (Jewish "B" 222A, 223A, 224A) half way between the tombstones of James Stuart Johnston and Moritz Michaelis.

If you would like to know more about these prominent St. Kilda residents, join us for our "St. Kilda Through the Eyes of the Dead" tour on 20 June 2010 2:00pm.



LIFE AND DEATH IN CONTRAST – THE PHILLIPS BROTHERS LEON, HERMAN AND HAROLD

By Tina Phillips.



(above) Tina Phillips at the Phillips family grave—Jewish “B” 222A, 223A, 224A

In a stark but striking black granite grave tucked away in the south west corner of St. Kilda Cemetery lie three brothers, side by side. Completely unadorned, the large headstone simply states “Phillips” and on each of the grave stones the names, Herman, Leon, and Harold with the bookmark dates of their lives.

What makes this grave so interesting is its total contrast to the lives of the men within. The Phillips Brothers lived lives full of bright lights, noisy laughter, big bands and larger than life entertainment. Originally from Seattle Leon, Herman and Harold Phillips were typical of the American vaudevillian traditions of the late 1800s and early 1900s.

St. Kilda’s entertainment precincts were in their infancy in 1911 when J D Williams obtained the lease on a parcel of reclaimed land on the Lower Esplanade where E S Salambo had set up a small amusement park called Dreamland. That venture lasted just one season but the idea was ripe for the picking. J D Williams with Leon, Herman and Harold set up the Greater J D Williams Amusement Company and Luna Park was born.

Opened in December 1912, Luna Park boasted some 15,000 glittering lights,

illuminating the night sky. On opening night over 22,000 people walked through the gaping mouth of the now iconic Mr Moon with his rolling illuminated eyes peering down upon them. More than 439,000 people visited Luna Park in its first year.

But Luna Park was not the Phillips’ Brothers only contribution to St. Kilda’s foreshore playground. A year after opening Luna Park the brothers established a large timber hall across the road and called it the Palais De Danse.

Remembered for its magical atmosphere the louvered walls of the building would be opened on warm balmy evenings to capture the sea breeze, cooling the 2,870 dancing patrons within. It was where Squizzy Taylor met his wife and accomplice, Ida Pender and where people from all walks of life would gather and mingle to dance the night away.

Two years later, the entrepreneurial Phillips Brothers watched the advent of the moving pictures and knew this was the future of entertainment. In fact, whether they knew it or not, they were already entrenched in the history of the movies. One of the locations for the first full length motion picture, *The Story of the Kelly Gang*, was the then vacant land on which Luna Park was built.

In 1915, The Phillips Bros. converted the Palais De Danse into Palais Pictures. But the magic of the Palais De Danse would not be quenched. Some years later they built a steel vaulted ceiling over the entire building and dismantled the original Palais De Danse, re-erecting it next door. They turned to a friend from Chicago to redesign the two interiors. That friend was Walter Burley Griffin, the designer of our nation’s capital.

In fact the commissions between the Phillips Bros. and Burley Griffin were quite numerous and also included the Capitol House and Theatre in Melbourne’s city centre.

The Phillips Bros met with hard times. Two World Wars, and the Great Depression lent a sombre mood to their clientele. But whether through their public spirit, which allowed all uniformed service men free access to their beachside amusements, or their extraordinary ability to read the mood of their patrons and provide them with a joyous antidote, these entrepreneurial Brothers were to bring life and entertainment to Melbourne, and particularly, St. Kilda audiences for more than 45 years.

A legacy far greater than their understated tombstone may suggest.

“On opening night over 22,000 people walked through the gaping mouth of the now iconic Mr Moon with his rolling illuminated eyes peering down upon them”.



FORTHCOMING TOURS

Coroners, Constabulary and Crime Sunday 23 May 2010 at 2.00pm

Tour leader: Elizabeth Hore.

St. Kilda Through the Eyes of the Dead Sunday 20 June 2010 at 2.00pm

Tour leader: Tina Phillips.

Booksellers, Authors and Literatti Sunday 22 August 2010 at 2.00pm

General tour details:

All tours of St. Kilda Cemetery leave from the main entrance gates on Dandenong Road, St. Kilda East.

Tour cost: \$10.00 for adults (except where indicated).

Members of the Friends of St. Kilda Cemetery and children (under 18 years) are free.

Bookings: Reservations for all tours are essential.
Numbers are limited.

Book now on (03) 9531 6832 or 0422 379 053 to avoid disappointment.

Tours usually run for about 90 minutes.

Tours are offered in all weathers, so please dress appropriately for the conditions. There is little shelter or shade within the cemetery. Tours proceed at a leisurely pace, and keep to the safest paths, but those who may have difficulty walking on uneven ground should use their discretion.

BRICE FREDRICK BUNNY

BRICE FREDERICK BUNNY (1820-85), lawyer and politician, was baptized on 1 March 1820 in Newbury, Berkshire, England. He was educated at Eton and called to the Bar in May 1844. He arrived at Port Phillip in October 1852 hoping to make a quick fortune at the diggings. However six months of bad luck saw him back in Melbourne where he was called to the Bar in October 1853. According to *The Argus*, 3 June 1885, as a leading equity barrister "there was hardly a suit of any importance in which he was not the leading counsel on one side".

In January 1856 Bunny married Maria Hedwig Dorothea Wulsten (1828-1902). Maria, who was born in Stargard, Pomerania (now Poland), met Bunny in London and followed him to Australia. A fine looking woman, she and her husband shared an interest in music and the arts. Their friends included the Boyds, a'Becketts, Weigalls, Baron von Muller (who kept Marie supplied with exotic plants from his nurseries at the Botanic Gardens), Sir Redmond Barry, Marcus Clarke and Alfred Felton with whom Bunny shared accommodation during the time his wife and children travelled to Europe. The family lived at *Eckerberg* in Inkerman Street, St. Kilda and kept a reputedly lively and vibrant household.

Bunny served in the St. Kilda Municipal Council (1861-69) and was its Chairman in 1862-64. In 1866, he was elected to the Legislative Assembly for St. Kilda. In 1873, he was appointed an acting County Court judge but found the appointment uncongenial. He was appointed Commissioner of Titles in 1874, a position he retained until his death, but it proved arduous due to his failing health and declining eye sight. He died on 2 June 1885 at St. Kilda, leaving three sons and three daughters; his wife died in 1902.

Their youngest son Rupert, the fifth of Bunny's seven children, became one of Australia's most notable painters.

Visit Rupert Bunny: Artist in Paris: An Art Gallery of NSW Travelling Exhibition, 26 March-4 July 2010, The Ian Potter Centre: NGV Australia. www.ngv.vic.gov.au/rupertbunny

(Source: *The Argus*, 3 Jun 1885; Cooper J B., "The History of St. Kilda: From its First Settlement to a City and After, 1840 to 1930", Vol 1 (1931); Forde J L., "The Story of the Bar of Victoria" (1913); Samuel J., "Bunny, Brice Frederick (1820-1885)", *Australian Dictionary of Biography*, Vol 3 (1969) p297; Sutherland A et al., "Victoria and its Metropolis", Vol 2 (1888); Thomas, D., "Rupert Bunny, 1864-1947" (1970))

