



# Cemetery Conversations

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

## THE MONTEVIDEO MARU – AUSTRALIA'S WORST MARITIME DISASTER

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On 1 July 1942 the *Montevideo Maru*, was torpedoed and sunk off the northern coast of Luzon in the Philippines by an American submarine.

The story of the sinking is inscribed on the *Montevideo Maru* Prisoner of War memorial at Balarat which reads:

*"On the 23rd January 1942 Japanese forces invaded Rabaul, on the island of New Britain, and quickly defeated the small Australian Garrison - Lark Force.*

*About 160 of the Australian soldiers who surrendered were massacred in February at Tol Plantation.*

*On 22nd June 1942, the Japanese ordered 852 Australian Prisoners of War and 208 civilian internees to board the Japanese ship, *Montevideo Maru*, for transport to Japan. The ship bore no markings to indicate that it carried Prisoners of War.*

*The Prisoners of War included members of the 2/22nd Battalion. 1st Independent Company, Fortress Artillery, Engineers, Signal Units, No. 17 Anti/Tank Battery, Anti/Aircraft Battery, No. 19 Special Dental Unit; detachments from: New Guinea Volunteer Rifles, 2/10 Field Ambulance. Ordinance Corps, 8 Division Supply Column, Canteen Services HQ NG*

*area, Royal Australian Airforce and the Royal Australian Navy. The 2/22 Battalion Bandmen were all members of Salvation Army Bands.*

*On 1st July 1942 an American submarine, the USS Sturgeon, attacked and sank the *Montevideo Maru* unaware that more than 1000 Prisoners of War were locked in the holds.*

*There were no survivors - No indication of the sinking, nor of the tragic loss of life, was given by the Japanese Government.*

*The sinking of the *Montevideo Maru* is the largest maritime disaster in Australian History."*

Among those lost was the Reverend Syd Beazley of the Methodist Mission, uncle of former Labor Party leader Kim Beazley. The grandfather of Federal Environment Minister, Peter Garrett, was also lost in the sinking.

Monuments in St. Kilda General Cemetery commemorate two victims of this war time tragedy.

Corporal John Charles Bernaldo who was born at Melbourne on 10 September 1921 and enlisted on 3 July

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**"Among those lost was the Reverend Syd Beazley of the Methodist Mission, uncle of former Labor Party leader Kim Beazley. The grandfather of Federal Environment Minister, Peter Garrett, was also lost in the sinking"**

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## WILLIAM AND SARAH WITT—PART II

*Part II of the story on William Witt by Lance Peirson*

In 1882, William Witt opened a new pharmacy in Swan Street Richmond and then another at 134A Chapel Street Windsor in 1883, above which William and Sarah took up residence. William also took his place on the Bench of the Prahran Court. William kept both of these businesses until 1888. In 1889, he opened a pharmacy on the corner of Victoria and Chapel streets, Windsor. Two of his daughters, Lily May and Elsie Marie opened a fancy goods store at 133 Chapel Street. In 1891, William owned another pharmacy further down the road at 171 Chapel Street Prahran where he remained in business until 1905.

In 1886, William was the President of the South Suburban Chemists' Association. He was a foundation member of the Council of the Pharmaceutical Society of Australasia in 1890 and remained a member until shortly before his death. He was President of the Society from 1897 to 1900. He was

also a member of the Dental Board, for a time serving as its treasurer and was the Government representative on the Faculty of Dentistry at the University of Melbourne. He became chairman of the Bench of the Prahran Court on the death of Dr. Featherston in 1901. Also in this year, he represented the Pharmaceutical Society at the Federation celebrations in Sydney.

While William was busy with his business interests, Sarah was active in children's welfare. In the mid-1870s the Government made a major policy change in regard to the care of neglected children. Up until this time most of them had been institutionalized in Industrial Schools. This system was changed in favor of "fostering" children into families. To facilitate this, the Government established voluntary Ladies' Committees, who found suitable families, and monitored the progress of children once they had been fostered. Sarah was head of the Unawarding Ladies' Committee until she died, even though she, and William left that district and moved to Prahran for the last twenty years

of Sarah's life. On her death, Mr. Gulliane, Secretary of the Department of Neglected Children and Reformatory Schools, said of Sarah, "Many of the children who have reached to men and women's estate will, I feel sure, long cherish her memory with affectionate regard, As for the office, it will be most difficult to find anyone fit to take up her work".

Sarah Witt, devoted wife and mother of seven children died at 171 Chapel Street on 3 July 1900. William sold the pharmacy here in 1905, briefly opened another in Flinders Street Melbourne, before finally settling in Park Street South Melbourne. By 1909, ill-health had forced him to resign from all of his public positions, including that on the Council of the Pharmaceutical Society, which on his retirement made him an Honorary Life Member.

William Witt died at 10 Park Street South Melbourne on 9 February 1910. He, Sarah and one of their daughters, Lily May, are buried together at the St. Kilda General Cemetery.



Grave of William and Sarah Witt—Wesleyan "B" Grave 0154A



Pickford's pharmacy in High Street, Armadale. The business continued to trade under the name of William Witt, who had established a pharmacy 25 years before in another location

(Courtesy Stonnington History Service)

### COURT REFERENCES

Prior to the commencement of business at the Prahran Court on Thursday last, Cr. S. Chambers, Chairman of the Bench, made feeling reference to Mr. Witt's death, saying the deceased gentleman was one of the best who ever occupied a seat on the bench. "Our dear friend" had rendered invaluable service to the City of Prahran, and in the discharge of his magisterial duties he combined honour with mercy. He (Mr. Chambers), on behalf of the bench, tendered their sincerest sympathy to relatives in their bereavement. Mr. Brunt, on behalf of the Bar, spoke of the care, attention and impartiality with which Mr. Witt always dealt with cases that came before him. He was an ornament to the Bench, and the members of the legal profession felt that they had suffered a great loss.

Extract from the Prahran Chronicle—9 Feb 1910



**THE POWER OF ONE**

*Reprinted with permission from the Necropolis Newsletter March 2008*

One never ceases to be amazed by the clients we serve. Their needs and at times their preparedness to make significant outlays to satisfy them, serve time and time again to encourage us to offer a range of products to cater for a variety of tastes, incomes and preferences.

A clear example of this marketing philosophy is readily found in St. Kilda General Cemetery. Amongst the 34 graves released for sale at this closed cemetery, in October 2007, was one most unusual vault.

It was created under the floor, inside an old Heritage

Victoria classified pavilion within the Cemetery at the suggestion of John Hawker (a 'Friend of St Kilda' and a Heritage Victoria staff member).

Like those in the cathedrals of Europe, this vault has a ledger flush with the floor which forms part of the pavilion floor. The vault provides for two interments. Its gazetted price of approximately \$168,000 reflected the:

- vault construction and pavilion restoration costs
- special nature and positioning within a closed cemetery
- fact that St Kilda had been cross subsidised by Springvale Botanical Cemetery since 1968

- need to build St Kilda's future preservation fund.

Its sale in February to a family who became aware of its existence and selected it after reading the cemetery brochure truly reflected the power of one:

- unusual but good idea
- creative implementation
- quality brochure
- team of proactive staff
- family who wanted something special.

Trust and management team that is prepared to do something different.

One thing you can be sure of is that if you continue to do what you have always done, you will do what you always do... and that means you will not satisfy the evolving needs of the community.

*“Like those in the cathedrals of Europe, this vault has a ledger flush with the floor which forms part of the pavilion floor”*





## THE MONTEVIDEO MARU...CONTINUED

(Continued from page 1)

1940 was a member of the Rabaul Fortress Engineers. He was the son of John and Louisa May Bernaldo of Windsor.

A monument in the Baptist Compartment "C" Grave 333 of the Cemetery contains the inscription

**"Edith Leslie, wife of Charles F. Probert died 4 March 1956 Aged 79  
Also Charles, husband of above died 11 April 1959 Aged 86  
Also our grandson VX129399 Cpl. John C Bernaldo. "L" Force, R.A.E. 2<sup>nd</sup> AIF**

**Lost at sea whilst P.O.W. died 1 July 1942"**

His name is also commemorated on the Prahran War Memorial.

A second monument in the Methodist Compartment "C" Grave 638 is inscribed:

**"Paul William Einsiedel died 17 July 1919 Aged 52 years  
Also Harriet, wife of above died 18 August 1942  
& their infant son Horace died 5 April 1889  
& Edwin Reginald, son of above,  
died at sea, Japanese Prison Ship  
Montevideo Maru died 1 July 1942 Aged 40 years."**

Edwin Reginald Einsiedel was born at Elwood, Victoria. He was a clerk with Burns Philp & Co and was a member of the New Guinea Volunteer Rifles.

Harriet Einsiedel knew nothing of the fate of her son at the time of her death since the news of the sinking only became public following the end of the War.

(Source: Australian War Memorial Website "Remembering 1942: The sinking of the Montevideo Maru, 1 July 1942" URL [www.awm.gov.au/atwar/remembering1942/montevideo/](http://www.awm.gov.au/atwar/remembering1942/montevideo/); Sydney Morning Herald "Ship carried 1051 Australians to their graves" 26 April 2008)



Monument in memory for Paul Einsiedel at the St. Kilda General Cemetery—Methodist "C" 638

## 'ULTRA VIRES': BEYOND THE POWERS

Letter from the Public Health Department to The Hon. Acting Attorney-General 14 April 1908:

"Sir,

The Board would be glad to be favored [sic] with your advice and guidance in connexion with the following matter:

Several years ago, the Trustees of the St. Kilda General Cemetery submitted to the Board draft regulations for the management of the Cemetery, and, after prolonged correspondence and discussion, these regulations were approved by the Governor in Council and published in the Government Gazette of 7th October, 1903. But, previous to the regulations being approved, the Crown

Solicitor had given an adverse opinion regarding the validity of clause 8 which reads -

*'The Trustees will cause all graves and enclosures to be kept in order, painted, relettered, etc.; according to and shall be entitled to receive therefor [sic] the fees and charges provided in Schedule A hereto annexed, and no person other than the owner shall be permitted to attend to or to interfere in any way whatever with any grave or enclosure without the written authority of the Manager so to do.'*

The Trustees, who had persistently pressed for the inclusion of this and other clauses of the Regulations adversely commented upon by the Crown Solicitor, undertook, by letter

received from their Solicitors (Messrs. Maddock & Jamieson) and dated 19th Oct. 1900, "to accept the entire responsibility of the technical legality of the several rules and the onus should they be challenged of supporting such rules at law."

On 17th September, 1903, the Board informed the Trust that the Regulations as amended by Mr. Maddock had been approved by the Hon. The Minister of Health and would be gazetted 'it being clearly understood that the Trust takes all responsibility for any provision that is ultra vires.'

On 3rd instant, Mr. J. H. Thomas, Secretary to the Trust, wrote to the Board as follows:-

'At yesterday's meeting of the

Trustees consideration was given to the matter of a writ issued at the suit of Hubert Tope who claims that clause 8 of their Rules and Regulations together with the schedule of fees collected thereunder is ultra vires. This questions the right of the Trustees to maintain graves payment for which is now the chief source of the Cemetery's income. Two of the Trustees Messrs. O'Donnell and Wimpole with myself deputed to wait upon you as the administrator of the Cemeteries Act for direction and to obtain the protection of the Crown Law Department so that their restricted funds might not be wasted in litigation.'

(Source: Department of Health file on St. Kilda General Cemetery, Part I Up to 1916)

