



Newsletter Friends of St Kilda Cemetery Inc

October 2017

In This Issue

- Call for Newsletter Contributions, 1
- AGM 2017 REPORT and COMMITTEE FOR 2017-2018, 2
- Featured article Henry Field Gurner, Victoria's First Attorney, Melbourne's first Town Clerk and Victoria's first Crown Solicitor 3
- Recent Tour/events highlights 2
- Future Events, 5
- Become a member of the Friends, 6

FIND US ON FACEBOOK:



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Welcome to the October 2017 newsletter and hope everyone is enjoying warmer spring weather

Volunteers needed...

**COME AND HELP THE FRIENDS BE A WONDERFUL
HISTORICAL GROUP.**



Printing of newsletter



Printed copies of our newsletters are provided courtesy of
SCOTSBURN NURSERIES

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The Friends thank Scotsburn. Their kind assistance is most appreciated.

Contributions to our newsletter are welcomed. Email for further information to info@foskc.org

**FRIENDS OF ST KILDA CEMETERY
AGM
SATURDAY 14 OCTOBER 2017
VICE PRESIDENT'S REPORT.**

COMMITTEE NEWS:

The Friends of St Kilda Cemetery AGM was held at Emerald Hill Library and Heritage Centre, Bank Street, South Melbourne at 10.00am on Saturday 14 October followed by a talk on ITALIAN MONUMENTAL CEMETERIES. We enjoyed a good attendance and morning tea was served.

The new committee members for 2017-2018 are:

Elizabeth Hore, President

Robin Douglas, Treasurer

Gabriel Hermes, Secretary

Claire Barton, Ordinary committee member.

There are still three vacancies on committee.

If you would like to join committee and participate in the running of the group, please email the President at info@foskc.org for details.

This last year we have been saddened by the sudden death of Pearl Donald on 5 May 2017 after a very short illness. This came as a shock to everyone involved with FOSKC and also other groups that Pearl had been associated with over many years, particularly St Kilda Historical Society. Pearl was the inspiration for the Friends of St Kilda Cemetery. Without her there would be no Friends group at all. She was a brilliant historian and researcher and had a thousand stories in her head when it came to St Kilda Cemetery. As Meyer Eidelson said in his touching tribute, Pearl had the old fashioned virtues: integrity, honesty, commitment and infuriating stubbornness where principles were concerned. Vale Pearl, you will be truly missed by the Friends and we will think of you each time we are doing tours through the cemetery. All our thoughts are with your family and friends who I am sure miss you deeply.

The Friends have kept up their cemetery tour program well through 2016-2017, with only one disappointment. Law Week which had always been a huge success for us was a total failure this year. I am unsure why but suspect that it was not advertised very well through the Law Week organisers. Also as every other cemetery friends group seems to be doing a walk for Law Week, I have decided not to do so in 2018 and to concentrate on some new themed tours instead. We are now providing afternoon tea on our tours which over the last few has been very popular.

The remainder of our tours were well or reasonably well attended and we are most pleased about that. Advertising for us in The Leader newspapers and Divercity has been very good. Also our Facebook page is thriving and has an increasing number of likes each month and has led to more people coming on our tours. I encourage all to assist in advertising our tours; if you can't come along, someone else might like to, so share around the flyers I send out each month.

We have also had some people attend our tours and speak at their family grave. The last person to do so (Mr Roger Wilson OAM) spoke at the Yuille family grave on our 25 June tour and donated a book about the Yuille family to FOSKC. We thank the Wilson family for their generous contribution.

I have continued to speak by invitation at some historical group's meetings during the year. This is a great way to promote the Friends and encourage people to attend our tours.

As ever I would like to thank everyone who assisted during the year: Rob Douglas for his hard work as treasurer, his attending meetings with the Trust, and his assistance with the webpage (which is now well and truly up and operating – thank you, SMCT); also Kelly Slatter, Gabriel Hermes and Claire Barton for all their assistance at tours and other events during the year. And especially Mary Reid who has led week day cemetery tours during the year for Seniors Festival and several community groups. Many thanks to all - your assistance is invaluable and truly appreciated by the FOSKC.

Featured Article

References:

G. P. Walsh, 'Gurner, John (1792–1882)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gurner-john-2137/text2715>,

Carole Woods, 'Gurner, Henry Field (1819–1883)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gurner-henry-field-3681/text5753>

Victoria heritage database (Berkeley Hall)

http://vhd.heritage.vic.gov.au/places/result_detail/1118;

<http://vhd.heritagecouncil.vic.gov.au/places/1118>

175th Anniversary Dinner of the Supreme Court of New South Wales, 17 May 1999, The Hon Murray Gleeson AC, Chief Justice of Australia (paper)

http://www.supremecourt.justice.nsw.gov.au/Pages/sco2_publications/SCO2_judicialspeeches/175th_anniversary.aspx

Smith, S, "The Shaping of the Legal Profession" in *Judging for the People: A social history of the Supreme Court in Victoria 1841-2016*, Allen & Unwin (2016)

Image opposite: SLV



HENRY FIELD GURNER

Melbourne's First Attorney to sign roll, Melbourne's first Town Clerk and Victoria's first Crown Solicitor

(1819 – 1883)

Buried CE B 2

The history of the Gurner family reflects the establishment of the legal system in Australia from the earliest days of settlement in New South Wales and Victoria to the 20th century. **Henry Field Gurner** (1819-1883) was one of Victoria's most prominent early residents. He was the first attorney admitted in Melbourne, Melbourne's first Town Clerk and Crown Solicitor of Victoria from Separation in 1851 until 1880.

Gurner was the second son of John Gurner and his wife Rebecca Ann, nee Gallefant. His father John Gurner (1792-1882) was in 1816 appointed clerk to Barron Field, the newly appointed judge of the Supreme Court of New South Wales, and arrived in Sydney with his wife in the *Lord Melville* in February 1817. Barron Field was known as a man of literary accomplishments, or at least held that interest. John Gurner immediately took up his position with the new judge and was paid a salary of £80, with a sixth of the court fees received by him, and single rations as a civil officer. Field recommended him to Governor Lachlan Macquarie in April as a small settler and he received a grant of 400 acres. On the closure of the old court in 1824 John Gurner was appointed chief clerk of the new Supreme Court.



Image: Supreme Court and Gaol, Melbourne 1853 (SLV)

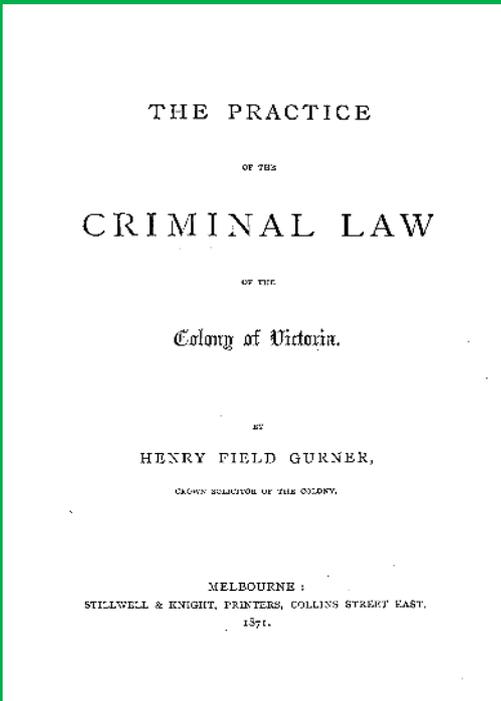


Image: The Practice of the Criminal Law of the Colony of Victoria, (1871) (NLA)

He left the service of the Crown early in 1841 and entered into partnership with a practising solicitor, much to his pecuniary advantage. In September 1848 as an attorney and solicitor of the Supreme Court he was appointed to the commission for inquiry into the constitution and practice of the law courts. He continued to receive substantial grants of land and also purchased land at Rushcutters Bay. He became a man of great means.

John and Rebecca had at least eight children, their second child being **Henry Field Gurner**. Henry was born on 31 March 1819 in Sydney. After his education, he became a clerk under his father in the Supreme Court in 1834. He then worked for the crown solicitor and in 1841 was admitted as an attorney, solicitor and proctor in New South Wales. On 10 February he was appointed deputy-registrar and clerk of the Supreme Court of New South Wales for the Port Phillip District and in May became the first attorney, solicitor and proctor admitted in Melbourne.

Gurner accompanied John Walpole Willis the first Resident Judge of the District of Port Phillip from Sydney. Willis, a most controversial judge, and his retinue of court officials were expected to arrive on Wednesday 10 March 1841, after a two-week journey on the *Australian Packet*. It was planned to greet them with an official salute from the vessels moored in Port Phillip Bay before their boarding of a small steamer to be taken to the wharf. However, the judge disembarked unheralded on the evening of 9 March, thereby circumventing the official welcome.

Willis got straight to work and modified the Sydney rules relating to admission of practitioners. Under these, Deputy Registrar Gurner was appointed one of several practitioner examiners. This pro bono role charged examiners with conducting written exams for applicants and supplying certificates for the court testifying that the candidate had the appropriate fitness and capacity to act as an attorney, a mechanism that still continues to this day. The original 1841 Roll of Attorneys, Solicitors and Proctors, The Supreme Court of the Colony of Victoria, (PROV) shows Gurner's name as the first entry.

Gurner became crown solicitor at Port Phillip on 6 January 1842 and in September agreed to act until December as the first town clerk of Melbourne. He served as crown solicitor of Victoria from July 1851 until he retired in November 1880.

He married Augusta Mary Curr (1829-1917), the second daughter of Edward Curr, landowner, squatter, politician and 'controversialist'. Curr was one of very few Catholic gentlemen in the District of Port Philip, although both his daughters married Protestants. He was one of the nominated six members of the first Legislative Council of Van Diemens Land in 1825, on its separation from New South Wales. As his family grew (nine sons and six daughters) he settled in Victoria in 1841, where he built the house *St*

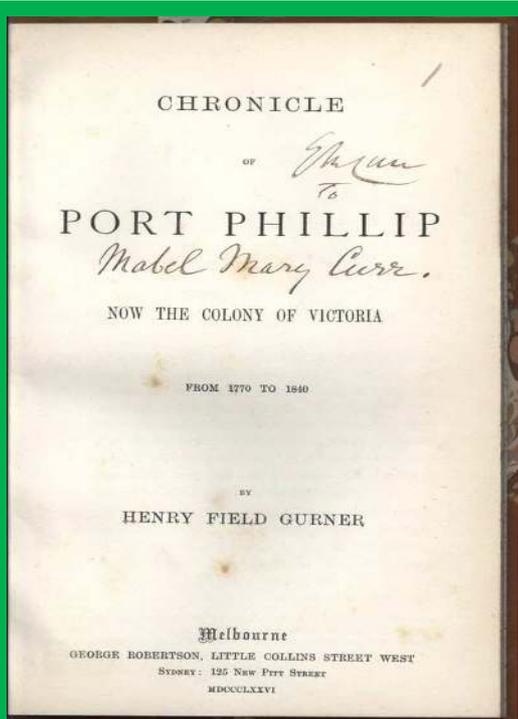


Image: Chronicle of Port Phillip now the Colony of Victoria: from 1770 to 1840 (1876) (SLV)



Image: Berkeley Hall, Princes Street, St Kilda (Victoria Heritage Database)

Helliars on the Yarra at Abbotsford, the next year. Georgina McCrae describes the Currs as her neighbours in February 1842.

Augusta Gurner was a fine horsewoman, known famously as the “*Lady in Grey*”; a skilled huntress who cleared three and four-railed fences on her horse “*Major*”. In Melbourne she was the only woman to ride the hunt with the Melbourne Hounds

Henry Gurner had a valuable collection of Australiana (list published in 1878) and also published his own works: *The Rules and Orders of the Supreme Court of New South Wales for the District of Port Phillip* (1841), *Practice of the Criminal Law of the Colony of Victoria* (1871), and *Chronicle of Port Phillip now the Colony of Victoria from 1770 to 1840* (1876). He was well known and respected in Melbourne and was a member of the Melbourne Club from 1844 and president in 1870. He lived with his family in William Street, Melbourne until 1854, and then moved to a house now known as “*Berkeley Hall*” in Princes Street, St Kilda, with a view overlooking Hobson's Bay. It had four reception rooms, four bedrooms, store, pantries, larders, strongroom, brick stables, two coach houses and harness room. He lived there until his death in 1883. *Berkeley Hall* is one of the oldest surviving houses in St Kilda, and reflects the popularity of the seaside suburb for gentlemen's residences in the early days of the colony. The house is also significant for its association with Albert Purchas, one of Victoria's most important architects of the second half of the nineteenth century.

During a brief recall as crown solicitor he died at the Melbourne Club on 17 April 1883; he left an estate worth £61,000. Gurner Street, St Kilda and Gurner's Lane, near William Street, Melbourne, were named in his honour. His wife Augusta travelled widely before she died aged 88 in 1917. She is buried next to her husband (CE B 1). Of their eight surviving children, Henry Edward and John Augustus were barristers, with Henry becoming a County Court judge and John becoming crown prosecutor in Victoria and later an acting County Court judge, both carrying on the legal professional tradition of the family.

Come and hear more about other legal identities buried in the Cemetery on our LIFE IN THE LAW Tour at 2.00pm Sunday 26 November 2017.

Recent tour/events highlights

We enjoyed great weather for all our tours in August, September and for the Senior Festival tour on 10 October. Many thanks to Claire Barton for her hard work on the Magnificent Mansions tour, and to Mary Reid for the Seniors Festival tour. Both of these tours had excellent attendances.



Photo: Mary Reid and some of the attendees at Seniors Festival Tour, 10 October 2017



Photo: Claire Barton speaking at Magnificent Mansions Tour, 24 September 2017

St Kilda Cemetery is located on the corner of Dandenong Road and Hotham Street, ST KILDA EAST

Future Tours and events

PLEASE NOTE: The new toilets in cemetery are near front gate and now operational for future tours

OUR LAST TOUR FOR 2017:

A Life in the Law Tour, 2.00pm Sunday 26 November 2017

FIRST TOUR FOR 2018:

The Sporting Life Tour, 2.00pm Sunday 26 February 2018

PLEASE FOLLOW US ON FACEBOOK OR LOOK AT OUR WEBSITE FOR NEWS OF ALL FUTURE TOURS AND EVENTS

Tour Cost \$10; members free. Afternoon tea included. Bookings: email preferred info@foskc.org; or tel: Sheila 9531 3648 or 0422379053

All our tours leave from the main entrance to the cemetery in Dandenong Road. Please wear suitable clothing and footwear as we go all weathers, rain, hail or shine.

Private Group Tours for 2017

We hope to do some tours for private groups in 2017. If your group is interested, please email info@foskc.org for more details. We charge \$10 per head for group tours and if possible, an afternoon/morning tea will be provided.

WE LOOK FORWARD TO SEEING YOU ON OUR TOURS IN 2017. WON'T YOU COME AND JOIN US!

SEASONS GREETINGS TO ALL OUR MEMBERS AND SUPPORTERS

Become a member of the Friends...

PLEASE COME AND JOIN US...

Membership costs \$15, includes free tours throughout the year and newsletter. Email info@foskc.org for a membership form.

