

**Carlton Community History Group**

# **NEWSLETTER**

**Issue No. 17**

**May 2020**

## **Carlton's Courthouse**

Carlton has always been a crime hotspot, so it may come as a surprise that it did not have a dedicated and purpose built courthouse until 1888. Prior to that year, cases were heard in the city courts, or at the temporary court of petty sessions opened at Carlton Hall in July 1878. The hall in Reilly (later Princes) Street was built in record time by John Pigdon for James Munro in February 1877, and was popularly known as "Munro's Hall".

Not everyone was happy with the location. At the time, the new suburb of North Carlton was not well serviced by public transport, and the city courts were more convenient for legal practitioners with city offices and residents at the southern end of Carlton. Modifications had to be made to the hall building, including the addition of cells to accommodate prisoners awaiting trial.

The Carlton court of petty sessions heard low level cases – offensive behaviour, cruelty to animals, cows straying onto cemetery land, hotel trading prosecutions, and failure of parents to send their children to school. Court business was sometimes delayed because the required number of magistrates was not present. *The Herald* of 26 October 1881 reported that only one magistrate turned up at court that day and the police had to go off in search of another. The newspaper commented that there are nine magistrates living in Carlton at the time.

By the 1880s, the court was outgrowing its temporary home at Carlton Hall and steps were taken to secure permanent premises. In October 1885 the government acquired a site in Drummond Street, directly opposite the Carlton police station, for £1,500. The design contract was awarded to Public Works Department (PWD) architect G.B.H. Austin and the final building, constructed by John Short in 1887, has proved to be of lasting architectural significance. In contrast to the almost



The Carlton Courthouse as it was in 1982 three years before it closed. In the mid-1990s it reopened as the La Mama Courthouse Theatre.

(Photo: John T Collins courtesy State Library of Victoria)

### **In this issue:**

- **The story of the Carlton Courthouse**
- **Local history events that are continuing during the COVID 19 lock-down (Page 3).**
- **Books available from the CCHG (Page 4).**

austere classic lines of the Carlton police station, the single-storey courthouse was built in a gothic style design, unusual for PWD buildings at the time. The court was opened on Monday 19 March 1888 in the presence of John Gardiner, the member for Carlton and also a justice of the peace at the court. By this time, Carlton had a cable tram service along Lygon and Elgin Streets, opened in December 1887, and its proximity to both the courthouse and police station was convenient and advantageous.

The building was in use as a courthouse for nearly a hundred years, until it was finally closed in 1985. It was then taken over by a theatre company and in the mid-1990s reopened as the La Mama Courthouse Theatre. The transition from courthouse to theatre seems quite appropriate, given the drama played out within its walls for almost 100 years.

## All manner of cases heard

From its beginnings at Carlton Hall in 1878 until the closure of the Drummond Street courthouse in 1985, Carlton Court dispensed justice in all manner of cases, from the minor or trivial through to committal hearings for the capital crime of murder. In the early days, larrikinism was on the rise and there were numerous incidents involving young men, and sometimes 'larrikiness' women, behaving badly. Notable criminal identities John Wren and Squizzy Taylor, were summoned to appear in Carlton Court. Wren, who was immortalised as 'John West' in Frank Hardy's novel *Power Without Glory*, faced the bench in March 1899 on a charge of attempting to suborn a crown witness in the Collingwood tote prosecutions. Squizzy Taylor and his wife Lorna were sued in March 1924 for the sum of £37-4-0 for goods sold and delivered by Mrs B. Goldstein.

Carlton Court dealt with its fair share of welfare cases, particularly during the depression years of the 1890s and 1930s. Prosecutions for domestic violence and family desertion were all too common. Neglected children of destitute parents were brought before the court and committed to the industrial schools, and desperate unwed mothers abandoned their babies to avoid the shame of illegitimate birth. Some were treated with compassion, while others faced the full force of the law.

The post-World War Two period saw the rise of political activism. Young men could be arrested and fined for failing to register for national service, or to attend a medical examination. The practice of draft dodging peaked during the Vietnam War



Union leader Norm Gallagher being escorted from the Carlton Courthouse by police after being sentenced to 14 days gaol for an incident that took place on the railway land in Park Street, North Carlton. (*The Age*, 5 Feb 1971).

era of the 1960s and early 1970s, and students created noisy scenes in Carlton Court in support of their colleagues. Gentrification of Carlton attracted a new class of politically aware residents, who challenged the demolition practices of the Housing Commission and fought against inappropriate development. The early 1970s campaign against the construction of a warehouse for Kimberly Clark on railway land at Princes Hill had the support of Builders Labourers' Federation union boss Norm Gallagher and rebel unions who black-banned the site. Violence erupted one Saturday morning in November 1970 and Gallagher appeared in Carlton Court to face charges of assault and resisting arrest. Gallagher refused to pay the fine imposed and there were angry scenes as he was led from the court to the police station across Drummond Street. The campaign was ultimately successful and the land is now a linear park on the northern fringe of Princes Hill.

## Local history news

### Some CCHG activities suspended

The outbreak of the COVID 19 pandemic and the need for social isolation has meant that the Carlton Community History Group's regular monthly meetings at the Carlton Library have had to be suspended. Also suspended are the history walks that we were planning to do in conjunction with the Princes Hill Community Centre and the National Trust's Australian Heritage Festival. Hopefully these will be able to be run later in the year, after the social-distancing regulations have been lifted.

### CCHG active during the lock-down

While face-to-face activities are not possible at the moment, on-line activities are, and the Carlton Community History Group (CCHG) continues to be active in this area during the lock-down. This Newsletter continues to be produced. The CCHG website has new material on it, including recent articles on the old Carlton Theatre (the 'Bug House'), and on the first woman to be awarded a Diploma of Architecture at Melbourne University. The CCHG Facebook page continues to be updated, and is currently featuring early photos of tram that ran through Carlton.

### RHSV book club continues to meet

The Royal Historical Society of Victoria's book club continues to meet during the lock-down via video link-ups. They meet on the second Tuesday of each month at 7.00pm. On 12 May they will be talking about Jill Giese's book *The Maddest Place on Earth*, the story of colonial Victoria's quest to cure insanity. At their 9 June meeting, the book to be discussed will be *Mannix* by Brenda Niall, the story of Melbourne's controversial Catholic Archbishop of the early 20<sup>th</sup> century, Daniel Mannix.

### Yarra Libraries offering free remote access to Ancestry.com

While Yarra Libraries are closed, they are offering free remote access for library members to ancestry.com. Go to <https://library.yarracity.vic.gov.au/research/family-history> and input your Yarra Libraries membership number and four-digit pin number. If you need assistance with this, please contact Lina Favrin at Yarra Libraries, phone 9426 5644 or email [Lina.Favrin@yarracity.vic.gov.au](mailto:Lina.Favrin@yarracity.vic.gov.au)

### A Journal of the Plague Year in Melbourne

The Melbourne History Workshop in the School of Historical and Philosophical Studies at the University of Melbourne has launched the Melbourne node of *A Journal of the Plague Year: An Archive of Covid19*, in collaboration with Arizona State University. This is a project to encourage people to document how COVID-19 has affected their lives - in text, images, video, tweets, Facebook posts, Instagram or Snapchat memes, and screenshots of the news and emails—anything that speaks to paradoxes of the moment. In the future, historians will be also able to use this record of daily life to better understand the changing nature of our lives. By transitioning to on-line teaching, schools and universities are building a crowd-sourced digital archive of the pandemic, and its impact on everyday life – and at the same time offering a ready-made opportunity for students to engage in what it means to be a historian. The site's title was inspired by Daniel Defoe's novel of that name. First published in March 1722, *A Journal of the Plague Year* tells the story of one man's experiences of the year 1665, when bubonic plague shook London.

(For more information see <https://covid19.omeka.net/mhw>)



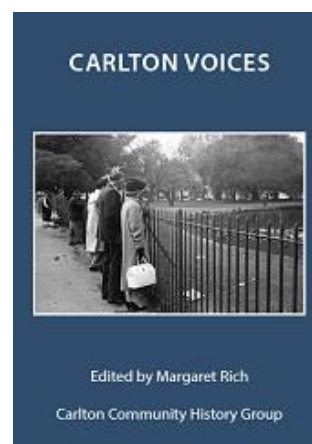
History walks through Carlton, such as this one, have been suspended for the time being but will hopefully resume later in the year.

## Books on Carlton history available from the CCHG

### Carlton Voices

Margaret Rich (Editor)

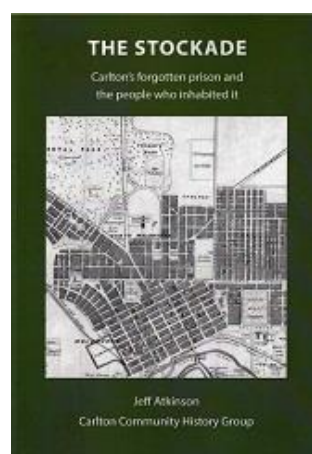
*Carlton Voices* is an edited and illustrated collection of stories that reflect the immense diversity of our local history. It consists of researched articles as well as reports of interviews with people with a wide range of ages and ethnic backgrounds. Each 'voice' describes its own Carlton in colourful detail. A Chinese family whose patriarch arrived here in 1855 experienced decades of discrimination which continued into World War Two. A woman who lives next door to the house where she was born almost 95 years ago remembers tearing up newspaper to use in the lavatory in the days when toilet paper was a luxury. The heyday of Italian Carlton is recalled by the children of the charismatic founder of the Australian Festival of Italian song. Price \$15 plus postage.



### The Stockade : Carlton's forgotten prison and the people who inhabited it

Jeff Atkinson

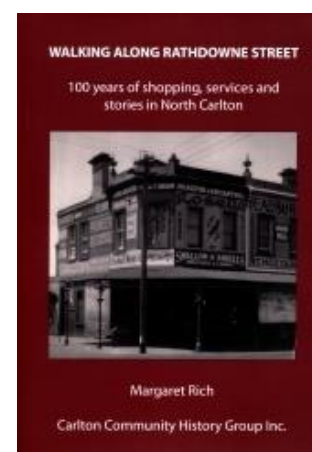
One hundred and fifty years ago, the site of what is now the Carlton North Primary School was a prison - a low security gaol for petty offenders. Known as the Collingwood Stockade (the name 'Carlton' was not yet in use) it opened in 1853 and operated for 13 years until 1866, when it became an asylum for the insane, and later a school. This book tells the story of the Collingwood Stockade and the people who inhabited it – individuals who served their sentences there breaking up stones for 'road metal', warders, some of whom gained a notorious reputation, and the Superintendents who ran the place. The book resurrects a long-forgotten aspect of Carlton's past, and gives a vivid picture of the penal system in Victoria at the time of the gold rush. Price \$15 plus postage.



### Walking along Rathdowne Street : 100 years of shopping, services and stories in North Carlton

Margaret Rich

*Walking along Rathdowne Street* examines the changing use of the shops and some other buildings in Rathdowne Street, North Carlton, between Princes Street and Park Street, from the early 1870s. This study traces the gradual change from a vibrant shopping strip supplying the everyday needs of people who lived nearby, through the commercial doldrums of the mid-twentieth century and into the gentrification phase which has resulted in the Rathdowne Street of today. Stories of the lives of some of the shopkeepers are included. The study is organised by street number and a profile of some 150 buildings is provided. Price \$15 plus postage.



Payment can be made by cheque, money order or direct bank deposit in Australian dollars. Please send your payment, including the additional postage cost to:

Publication Sales, Carlton Community History Group, PO Box 148, North Carlton, Vic., 3054.

Direct Deposit to: Commonwealth Bank Account No: 06 3014 10198637 (BSB 063-014)

If paying by direct deposit, please email order details and date of deposit to [cchg@y7mail.com](mailto:cchg@y7mail.com).

[Download order form \(PDF 100Kb\)](#)

**Interested in local history?  
Researching your family history?  
Or the history of your house?**

**Join others with similar interests in the  
Carlton Community History Group.  
Our aim is to help preserve our past for the future.  
Email: [cchg@y7mail.com](mailto:cchg@y7mail.com) Website: [www.cchg.asn.au](http://www.cchg.asn.au)**

## **Magistrates in the Carlton Court**

The Magistrates who served on the bench of the Carlton Court were usually Justices of the Peace. These are voluntary positions appointed by the Department of Justice and these days their duties are mainly concerned with witnessing and certifying documents. In times past however they played a more active role and adjudicated in court cases. Persons appointed as Justices of the Peace were respectable members of the community who upheld the laws of the land. Some notable Carlton Justices of the Peace were Charles Goldspink, real estate agent William Ievers, and John Pigdon, who built Carlton Hall and served on the bench when the Carlton Court was located there.

Justices of the Peace were not above the law. In 1907, Charles Goldspink was fined £5, with seven guineas costs for certifying documents without first verifying the signatures. More seriously, in January 1957, Alfred Edward Hudson appeared in his own court to answer charges of attempted bribery of three police officers at the Carlton Police Station. The bribery charges arose from a previous case in July 1956 in which a friend of Mr Hudson, William Whitmore, was charged with driving under the influence. Hudson allegedly offered the police payments of up to £100 to 'break down' the evidence against Whitmore. More than a year later, in August 1957, Hudson was found guilty on one charge, but not guilty on the other two charges. In giving evidence, Sub-Inspector J. Craver commented that Hudson was addicted to drink and this was the cause of his trouble.

### **Magistrates armchair stolen**

On 19 February 1920 the newspapers reported that there had been a daring robbery at the Carlton Courthouse:

'It was discovered this morning that the magistrates' room at the Carlton Court had been entered, and an armchair, a wash hand basin, and a water-jug stolen. The door was found to be open, and it may have been inadvertently left unlocked. The thieves had spilled the contents of the jug on the floor. The armchair is one used by Mr R. S. Callender, J.P., two or three times a week. The robbery is a particularly daring one, as the police station is directly opposite'.

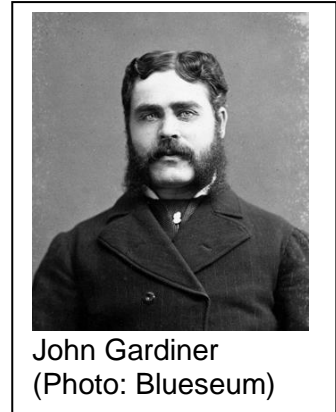
## **The cruel irony of suicide**

Within two years of opening for business, the new Carlton Court had to deal with a case of attempted suicide – literally in its own back yard. On the morning of 11 November 1889, a young man named Frederick Chadwick was found in the yard with his throat cut. He was taken to the Melbourne Hospital and received stitches for a neck wound, which was not considered serious. Chadwick was in a state of delirium tremens from a prolonged bout of drinking and he was under the delusion that he was to be hanged that day. He sought to cheat the hangman's noose by cutting his own throat. Attempted suicide was considered a crime at the time, and the cruel irony was that if a man or woman felt that their life was not worth living, but failed in the attempt, they would face prosecution. Chadwick appeared in court on the same day and was remanded for a week for medical treatment.

## Did you know

### Politician, magistrate and football captain

John Gardiner, the Member of Parliament for Carlton who officially opened the new Carlton Courthouse in 1888, was also a Justice of the Peace who served on the bench in that courthouse – and was a well-known footballer. He was at one stage captain of the Carlton Football Club, and of the Victorian team that played in the first intercolonial match against South Australia in 1879. John Gardiner had a long association with the Carlton Football Club. As well as being a notable player and captain, he was for many years President of the club. He lived for many years in Rathdowne Street, North Carlton, and died there in November 1929.



### A boy named Carlton

One of the youngest cases to be heard by Carlton Court was an abandoned baby of about five weeks old. He was found on the doorstep of Mr McGuigan's house in Madeline (now Swanston) Street, Carlton, in August 1882. The baby was cared for overnight at the nearby Lying-in Hospital and brought to the court by a nurse the next day. He was remanded to the Royal Park schools (also known as 'industrial schools') while police tried to trace his parents. The investigations proved fruitless and the baby was once again called to appear in Carlton Court in September 1882. He was ordered to the Royal Park schools for a period of 15 years and registered under the name 'William Joseph Carlton'.

### Animal matters

Perhaps the most unusual case to be heard at Carlton Court was the theft of a koala. The *Canberra Times* of 28 March 1979 reported that Kevin Reginald Ross, a Brunswick pensioner, was charged with having stolen a koala valued at \$4,000 from the Royal Melbourne Zoo.

### Carlton's hangman

Carlton had its own resident hangman, though his duties were performed across the city boundary at Melbourne Gaol. Thomas Walker, known by the alias 'Hangman Jones', lived in Richardson Street, North Carlton. He performed 18 executions and countless floggings during his nine years from 1884 to 1893 as public hangman and flagellator. In January 1894, at his workplace of Melbourne Gaol, he cut his own throat rather than execute the notorious baby farmer Frances Knorr.

## Carlton Courthouse today

The Carlton Courthouse ceased operating in 1985. But in the mid-1990s the historic building was reopened as a theatre venue, the La Mama Courthouse Theatre. For more than two decades, La Mama Theatre has been using the building as a small contemporary theatre. In May 2017 the company's main venue in Faraday Street was largely destroyed by fire, and since then the courthouse building has become their headquarters and only performance space, until the burnt building is restored and rebuilt. Since 2004, the historic courthouse building has been managed by Working Heritage, a company that manages government assets of heritage significance that are no longer needed for their original purpose, revitalising them to ensure they have a purpose. In October 2017 Working Heritage completed improvements at the Courthouse Theatre, adding a contemporary new structure that sits alongside the historic building to provide a new space to welcome audiences to the theatre.

This Newsletter is produced and distributed four times a year. If you would like to be put on the mailing list, email the Carlton Community History Group at [cchg@y7mail.com](mailto:cchg@y7mail.com) or visit our website [www.cchg.asn.au](http://www.cchg.asn.au)

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