



# AROUND THE GRAVES

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In this issue of *Around the Graves* we look at a few of those who came before the wrong side of the law...

## The Priest Who Fleeced

Joining the ranks of the 'colourful' characters buried at Cheltenham is the 'Reverend' **Victor Michael Thomson Ruthven (Memorial Park, Pres "155" 22)**. Controversy was never far away for the priest who fleeced having been sentenced for 12 months at both Buffalo, New York (1893) and Edinburgh, Scotland (1931) for false pretences after acting as Catholic priest. In 1901, at a lecture conducted in London, he shot and seriously wounded a man;

*"Victor Ruthven, alias Riordan, was delivering a lecture when his platform was stormed by an infuriated portion of the audience. After a local professional man had protested against the lecture being given, the lecturer made several attempts to deal with his subject, which was the confessional. Missiles were thrown at him, and these he dodged. Chairs were pitched on to the platform where he stood alone, and several times those at the front rose as if to storm the platform. One powerful man began to doff his coat and to mount the platform for a fight, until at*

*last the lecturer drew a revolver from his coat pocket and threatened to use it if they assaulted him. Then the crowd rushed on the platform. The lecturer stood at bay, holding a revolver at his side pointed downwards, while the crowd menaced him and appeared ready to spring upon him on all hands. He backed to the wall at the rear of the stage, and pleaded with the crowd to stand off. In this way he worked himself to the side, and sprang through a door, though the crowd were calling "Lynch him!" and "Mob him!" and the noise was deafening. When Ruthven reached the stairs the crowd from the platform followed him, and he was met at the bottom of the stairs by*

*another lot, who had left the hall and reached the stairs by a side door. He begged again to be allowed to escape, but a grab was made for his revolver. At the same time a man struck at him, and then he fired. The ball entered the left side of the neck of a young man named William Woodham, passing through the mouth and out through the right cheek. The lecturer then escaped to the rooms below the hall, and about an hour afterwards was found in the art room, in which he had locked himself. He had only discharged one of the chambers of the revolver. Woodham was unconscious for some time, and it was at first feared he would bleed to death; but happily the blood was stopped, and there is now every hope that he will recover. Ruthven, alias Riordan, was brought up and charged with firing at and wounding William Woodham."*

(Source: *The Argus* 16 Feb 1931 p11; *Freeman's Journal* 20 Apr 1901 p9)

## Tuberculin Tested

Long before Coles and Woolworths had a stranglehold on the milk market, small dairies were located throughout the district supplying homes with milk. That's right simple, plain, fresh regular milk. Never mind, low fat, reduced fat, skimmed, modified, ultrafiltered, lactose reduced, buttermilk, flavoured, organic, fortified, long life, homogenised, pasteurised, powdered, condensed or UHT.

**Eleanor Jane Carmody (Memorial Park, RC "143" 35)** and her husband operated a dairy in McGowan avenue, Glenhuntly. In 1929, she was charged with having sold milk which was claimed to have been tuberculin tested.

In her defence, Mrs. Carmody told the Caulfield Court that she obtained the milk from Michael Shanahan, of Benteigh, and Albert Victor Dunkley, of Cheltenham. Mrs. Carmody said that she only had Shanahan's word that the cows were tuberculin tested. Both men denied having said the milk had been tested.

Compounding the case before the Court, **Francis Michael Carmody (Memorial Park, RC "143" 35)** said that he and his wife had been losing customers because rival dairymen had informed them that Mrs. Carmody was



above:

Gravesite of Victor Ruthven,  
Cheltenham Memorial Park  
(Pres "155" 21-22)

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getting milk from a butter factory and black labour was being employed. He asked a printer for 1,000 circulars. After 200 had been distributed he found that a mistake had been made by the printer in stating that the milk was tuberculin tested. The remaining 800 circulars were destroyed.

Mrs. Carmody was fined £3 with £1/11/ costs.

(Source: *The Argus* 10 Aug 1929 p13)

## No Love Lost

There was no love lost between **James Bush (Pioneer Cemetery, RC "C" 41)** and his family when the Cheltenham Court ordered the market gardener, to pay his mother 3/- per week to supplement her pension. Bush said that in March 1902, he had made a declaration that he was unable to contribute anything to her support, but now stated that he could contribute 2/ a week, as his prospects had improved. He told the Court that he was married, but had no family and rented 20 acres at £60 a year, 14 of which he cultivated. His income varied, but it averaged £200 a year and his expenses last year were £205. He now had saved £80 and considered it hard that he was singled out, when there



above:  
Gravesite of James Bush and his wife Mary, Cheltenham Pioneer Cemetery (RC "C" 41)

were four children in the other colonies who got off free. Bush stated that he could not pay £10 a year, and if forced would leave the country if he had too. If his mother died the other brothers would have to pay their share of the funeral expenses.

(Source: *The Argus* 26 May 1902 p6)

## Partners in Crime

If ever the expression "partners in crime" rang true, then it would best sum up the business venture operated by **Francis Metallic (Memorial Park, Lawn "215" 57)** and **Norman Bodsworth (Memorial Park, Pres "190" 7)**.

In a space of a week in June 1929, these two opportunistic thieves fronted the Cheltenham and then the

Sandringham courts having plundered the Moorabbin-Sandringham district in which they amassed a booty of all sorts of items; inker rugs, umbrellas, lamps, saddles, harnesses, garden hoses, motor pumps, even fowls, ducks and drakes. The bench at Cheltenham fined the partners; but not so the justices at Sandringham and they were sentenced to imprisonment. Ashes to ashes, dust to dust; if Cheltenham doesn't get you, well, Sandringham must...

(Source: *The Argus* 27 June 1929 p12)

## Love Thy Neighbour

In February 1875, **John Lewis (Meth "E" 37)** sued his Centre Dandenong road neighbour **James Dawson (CofE "44" 36)** for £49 19s damages for assault. While returning home from town in his dray one day, when he was near Cheltenham, Dawson challenged him to come down off his dray and fight. Lewis politely declined the invitation, and Dawson then threw a lump of road metal at him, which seriously wounded his neighbour on the temple and incapacitated him from work for several weeks. Dawson was sentenced at the local Cheltenham Police court to two months' imprisonment for the assault, and in the Country Court, Judge Cope, ordered him to pay Lewis £25 and costs for the damages suffered. James Dawson and his wife Phoebe would later become Mordialloc storekeepers.

(Source: *The Argus* 23 Feb 1875 p4)

## Odds and Ends

"Police Court. CHELTENHAM ADULTERATED FOOD. At the court on Tuesday **Mrs. [Mary Jane] Pontoon (Pioneer Cemetery, Meth "12" 30)**, butcher, of Mordialloc, was charged with selling adulterated sausage meat. It was explained that the meat contained an excess of sulphide dioxide. A fine of 40/- with 42/- costs was imposed."

"LOCAL ITEMS. **Thomas Dunkley (Pioneer Cemetery, Meth "E" 85)**, a market-gardener, of South Brighton, was, at the criminal sittings of the Supreme Court last Monday, convicted of making false declarations to the registrar of births at Cheltenham, respecting two of his children, by stating that they were the offspring of his wife, whereas they were the children of a woman he was living with. He was fined £10."

(Source: *Brighton Southern Cross* 22 June 1918 p5; *Oakleigh Leader* 29 Oct 1892 p4)

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