

## R Windeyer

One of the last caricatures painted by L. Herbert Beecroft for the Royal Sydney Yacht Squadron is dated July 1932 and the subject is Richard Windeyer. The painting is in need of restoration and any generous benefactors within the Club would be welcome to offer their services (a donation).

Like all of the later paintings, it is very straightforward with Mr. Windeyer at the helm of his vessel and a crest of a swallow in the top right hand side with the Latin caption "Usque ad inferos" which could be interpreted as "Even to the gates of hell." I am really not sure what the significance of the caption is but it may be a reference to Mr. Windeyer's dedication to legal affairs. Once again, if any reader can enlighten the Archive Committee, we would be happy to shout a drink at the bar, particularly if a hot cocoa is just your thing.



From "The Australian Dictionary of Biography", I located the following:

*"Richard Windeyer (1868-1959), barrister, was born on 9 September, 1868, at Darlinghurst, Sydney, eldest son of [Sir William Charles Windeyer](#), barrister, and his wife [Mary Elizabeth](#), née Bolton. He was educated at Sydney Grammar School and the University of Sydney. Richard was a resident of St Paul's College, edited *Hermes* and graduated B.A. in 1891. He belonged to the Australian and University Clubs.*

*A committee-member (1893) of the Articled Clerks' Association, from 1892 Richard was judge's associate to his father before being admitted to the Bar on the 10<sup>th</sup> of August, 1894. He built up a solid practice, beginning on the Hunter River and Northern circuits. In Sydney he practiced at Denman Chambers. On 23<sup>rd</sup> of December,*

1891, at All Saints Church, Petersham, he married Mabel Fuller Robinson (d.1957).

His skill as an advocate brought him a leading practice, particularly in common law, criminal law and divorce. Windeyer took silk in 1917 and was an acting Supreme Court judge from November 1936 to February 1937. He was counsel in the much-publicized [Ezra Norton](#) and Field divorces; he appeared for [Percival Brookfield](#), [Thomas Mutch](#) and [Ernie Judd](#) who claimed before a royal commission in 1918 that police had procured false evidence in the 1916 conspiracy trials of [Donald Grant](#) and other members of the Industrial Workers of the World; and he acted for the Australian Newspaper Proprietors' Association in their successful press censorship contest with [Arthur Calwell](#) in World War II (1944). Windeyer retired in 1946.

Sir Garfield Barwick later testified to his courage and resource as counsel, and described him as belonging to 'a generation of advocates who were pre-eminent in the strategy and tactics of the courtroom and who brought to the conduct of the case a great deal of personality and wit'. Another observer noted that Windeyer's clients in criminal cases owed 'much to the emotional appeal of his advocacy'; some likened him to the English barrister Marshall Hall.

A staunch supporter of [Sir Edmund Barton](#), Windeyer toiled to attain Australian Federation and throughout his life actively proposed constitutional reform. He was interested in politics, but was considered 'too unpredictable to be a good party man or to gain party selection'. Eventually, in 1929 he stood for the Australian People's Party and nearly unseated [Sir Robert Parkhill](#) for the Federal seat of Warringah.

Windeyer lectured at the University of Sydney (1935-44), served on its senate (1934-44) and helped to establish the university archives. As patron of the Sydney Repertory Theatre Society, he worked closely with [Evelyn Tildesley](#). He was a fellow of the Royal Economic Society, London, councillor of the Prisoners' Aid Association of New South Wales and a committee-member for the Food for Britain Appeal. Managing Tomago, the family's country estate, he learned about farming and preferred 'growing vegetables to flowers' at his Lindfield home. His recreations were motoring and yachting, and he was vice-commodore of Royal Prince Alfred Yacht Club. He was a gifted conversationalist and relished congenial company. Of middle height, he had 'a face like wrinkled canvas, thin white hair which juts in front, a big mouth and eyes like a highly intelligent bird', with 'a rather harsh, high pitched inquisitional voice'.



His wife, who had served from 1914 with the Voluntary Aid Detachment in England, France and Belgium, petitioned for divorce on her return in 1919, but consented to a modus vivendi. Richard Windeyer died on the 8th of November 1959 at Gordon and was cremated with Anglican rites. Four sons and two daughters survived him; his eldest son Charles had been killed in action in World War I."

Mr. Windeyer is the only Squadron subject who appears in a newspaper report in which Mr. Beecroft appears too. Beecroft was frequently called in to court as a hand writing expert, possibly the original form of forensics. Here is a most amusing example of the use of his expertise in a court case in which Richard Windeyer is judge.

### **Wednesday, 6th May, 1931 - Sydney Morning Herald**

#### **PROTRACTED LAWSUIT**

*Curious Scene in Jury Court.*

**CLAIM AGAINST A BANK.**

*A Bar table littered with books and documents; old and worn account books and papers strewn in hopeless confusion over the Press table, overflowing in an ascending scale to the associate's desk and up on to the bench, where a weary-looking Judge endeavoured to absorb their contents and listen to evidence at the same time; barristers peering through electrically illumined magnifying glasses at signatures on bundles of cheques - that was the curious scene in the Queen's-square Jury Court yesterday, when the Paddison v the E.S. and A. Bank case entered on its thirty-eighth day of hearing, and day by day a similar scene is reproduced.*

*The plaintiff, Charles Victor Paddison, property agent, claims from the E.S. and A. Bank, Ltd., £15,000, representing moneys alleged to have been paid out by the bank on unauthorised or forged cheques. The defendant bank denied liability. The identification of the cheques is causing all the trouble.*

*The case started on its long career on March 10 last, and has kept Mr. Justice Stephen, six barristers, and a jury of four engaged ever since. For the first time in its history the Jury-box has had a table placed in it for the accommodation of the jurymen, who have been provided with magnifying glasses, and sit about the table examining the signatures on cheques, and looking very like a diminutive and modernised copy of Rembrandt's "The Syndics." The magnifying glasses used by counsel and Jurors are each provided with a small surgical electric torch attachment, which illumines the writing that is being examined. Engaged thus in the pursuit of microscopic knowledge regarding the genuineness or otherwise of signatures, the barristers give one the impression of scientists in a laboratory searching for bacilli.*

***Herbert Beecroft**, handwriting expert, continued his evidence in the case for the defence. He was shown a number of cheques, and gave it as his opinion that the signatures on them were by the same person, and agreed with the specimen signature of the plaintiff. Witness refused to agree with **Mr. Windeyer**, K.C., that the "P" in Paddison on one of the cheques had been made with two strokes of the pen. He also said that a difference in appearance between two signatures attached to two cheques submitted to him was due to the use of a scratchy pen. When witness used the word "anatomy" to explain differences in the general contour of the letters in the signature, Mr. Windeyer wanted to know what he meant by "anatomy."*

*"Well," said witness, after pondering a moment, "you know there are differences in human anatomy."*

*"Oh, yes," agreed counsel. "I know your anatomy is different from mine. But what I want to know is, what do you call the anatomy of handwriting?"*

*Witness: I mean superficial details.*

*Mr. Windeyer: Do you mean difference in form? - No*

*"Oh, well," sighed counsel wearily, "I'll give it up."*

*Yesterday the jurors' fees were increased by another guinea, on the application of the foreman. Each juryman will now receive £4/12/6 a day,*

*Neither the Judge nor the parties have any idea when the case will end.*

From "**Sydney Sails**", it is noted that in the 1925/26 season:

*"This year saw the launching of Bluebird, a 30-ft auxiliary cruiser, for Richard Windeyer, K.C., a prominent barrister and member of the Squadron."*

It is evident that "Bluebird" was used for entertaining as much as racing.

### **Monday, 29th April, 1929 - Evening News**

#### *TO-DAY'S DIARY OF A MAN ABOUT TOWN*

*The flag of Newington flew from a ferry steamer on the way up the river. Youth and Beauty sported college colours, waved flags, shouted 'New-ing-ton!' They were not superstitious—those aboard the Kookaburra.*



*Getting Into the Line* - We aboard a Sydney Ferries boat—on which the assistant manager, Mr. Wedderburn, was host to a big party—did not get our thrills altogether from the racing. There are such adventures as manoeuvring into position along the course—preferably as near the finish as enterprise and risk may wangle—then, being out manoeuvred, and manoeuvring in again.

*K.C. Strike, 'Difficult Case'* - **Mr. Richard Windeyer, K.C.**, Old Boy of Sydney Grammar, might have delivered a fine address-in-chief on that score from the poop of his yacht 'Bluebird.' The K.C. is also a motorist. He had been before to-day caught in a traffic jam. But the terrors of terra firma are as child's play—something that might with confidence be delegated to a junior—compared with the problems or pushing into a position on the Parramatta.

*Into the Thick of It* - First of all, Mr. Windeyer sought to squeeze into the line a little below us. Some plebian tug butted him out. Instanter: whereupon the K.C. retired to take counsel with Mr. Gale. Next the 'Bluebird' chugged farther along, but was boldly anticipated by a snub-nosed thug of a thing. Back spun the 'Bluebird' into circles and passed on into the thick of the line, still farther along.

*Strategy—and No Paint* - We got in all right through a combination of strategy and tonnage. Not very pretentious, from the show aspect our craft was willing to have a lash at anything. Neither Mr. Wedderburn nor the skipper had to risk spoiling paint, like Mr. Hardy, with the magnificent Morna, built originally for Sir Alexander MacCormick. Nicely manoeuvred, stern on, the craft was allowed sufficient drift by the strategists to swing nicely into line.

*'No Man's Land' Flappers* - To the number of a score or so, commissioned a launch and put up a placard 'No Man's Land'—rather a flamboyant show of the new militancy. In the centre of the boat, looking very important, was a mere man, holding the lives of the dear girls in his hands. How delightful! 'No Man's Land' is the most dreaded terrain in femininity's topographical survey of life.

*Romance on the River* - Not having gone to school in Sydney, all crews, sentimentally looked alike to me. So there was a fine relish in the barracking—as there is always when a heartache doesn't trail in the wake of the result. One young lady was pointed out to me as sporting the colors of a crew not supported by the family. She had a boy in the rival boat and—according to the story, he had pinned the colors in her dress.

*A Wonderful Finish* - Well worth the wild rush home, the irksome donning of glad rags, was the Pavlova performance in the evening. This wonderful artist cast such a spell by her dancing as to refresh those in the dress circle who like myself, were wearied by the exertions of the afternoon. Again there was the enthusiasm of the river, toned down in acclamation, but with all the fervor. The Gavotte remains greatest among the incidental attractions. Pavlova, in buttercup dress and poke-bonnet, flashing her dark eyes, threw into relief the romantic times of silken dalliance. And by the way, the great audiences prove that Sydney isn't as jazz-crazy as some would have us believe.

The last article I have included indicates that Richard Windeyer always had an opinion.

**Tuesday, 20th November, 1934 - Sydney Morning Herald**

**BUSINESS LECTURES FOR BUSINESS MEN,  
BLANNERHASSETT'S  
COMMERCIAL EDUCATIONAL SOCIETY OF AUSTRALASIA.**

**"SOME LESSONS OF TO-DAY,"**

by

**RICHARD WINDEYER, K.C.,**

**THE KING'S HALL, 69 HUNTER-ST. SYDNEY, TOMORROW, WEDNESDAY, 21st NOVEMBER,  
at 8 p.m.**

*Mr. Windeyer possesses an exceptional equipment for the task of interpreting correctly the signs of the times, and he proposes to discuss:-*

*1. The old social ideal - Liberty.*

*2. Is democracy a failure?*

*3. What is the matter with the world?*

*Mr. Richard Windeyer, K.C., an eminent leader of the Bar, an earnest and able advocate for the welfare of Australia, and a fine and forcible speaker, needs no formal introduction, and we anticipate a large and interested gathering on WEDNESDAY, 21st NOVEMBER.*

**August, 2015**