

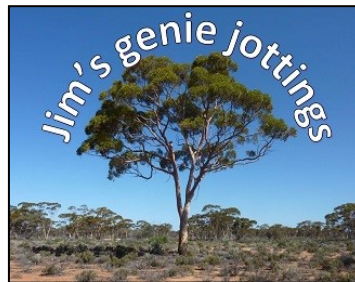
The disappearing boots

a life-changing experience

by James Michael Fleming

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This story was entered in the
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The topic was “a life-changing experience”



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Researching: Bowen, Flowerdew, Gardner, Gordon, Grady, Hanrahan, Jolliffe, Kemp, Kessey, Murphy, Poulton, Press and so many more!

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Jim Kessey stared at the boots standing beside the front door of his pub; deep in thought. It was 1AM on 19 May 1914 and he was about to spring the trap. His wife thought he was spending the night at Burraga, seven miles away. Stealthily he crossed the verandah, grabbed the boots and hid them.

He moved around the building and stopped outside his bedroom window. He gripped the window frame, then shook it violently while calling out “Mary Jane! I can’t get in. Open the back door.”¹

“That has put the cat amongst the pigeons”, he thought, as he hurried silently around to the front door, ready for action. Walter Martin burst out wearing a shirt but with his trousers under his arm¹. In the dark, Walter felt desperately for his boots. As he processed the mystery of their disappearance, Jim rushed up and hit him really hard. Walter stumbled slightly but, quickly gathering his wits, turned and scooted to the road. Jim gave chase, but the younger man had a head start.

Jim yelled, “Come back here, Martin, you mongrel!”, but Walter had disappeared into the blackness.

Jim returned home angrily but Mary Jane refused to let him in. With his blood up, he forced the back door.

“What do you mean having Oily Martin in your room?” he hissed, glaring at his wife.

“I don’t know what you mean”, she said fiercely¹. Mary Jane rarely took a backward step in an argument.

“Oh, fiddle!”, he shot back. “I’ve just tackled him out the front with no pants on. And I’ve got his bloody boots!” he announced triumphantly. “I’ve been up in the roof watching you since 8 o’clock, so don’t bother denying it,”¹.

Mary Jane was taken aback. “You’re a crawling sneak!” she shot back and took a breath to say more. Thinking better of it she held her tongue for once in her life.¹ Turning on her heel, she retreated to the bedroom and shut the door firmly.

Thus humiliated, Mary Jane left their home in the little mining village of Mount David before dawn and went to live with her sisters in nearby Bathurst.²

This dramatic scene caused major upheaval for the whole family and ultimately changed their lives. Within weeks Jim had sued for divorce³, sold the pub⁴ and moved his family into alternative accommodation.

The upheaval was exacerbated because the Kessey’s oldest daughter (Grace) was married to Walter Martin’s oldest son (Garnet).⁵ Furthermore, second daughter Beatrice was due to marry Martin’s second son (Harold) within weeks.

Divorce was very rare in 1914. The divorce rate was just 1% of the marriage rate, much less than today’s 50% - see graph⁶. The appellant had to prove adultery and husbands could obtain punitive damages against the wife’s partner in adultery: the co-respondent. Jim Kessey (probably motivated by both revenge and greed) sought a thousand pounds in damages from Walter Martin.³

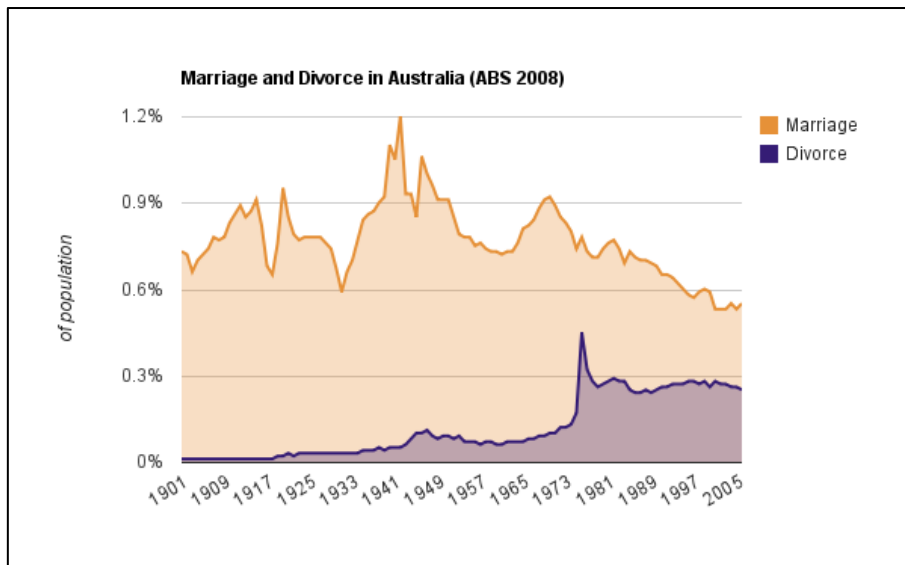


Figure 1 - Marriage and divorce rates in Australia

Source – Australian Bureau of Statistics, 2008

https://en.wikipedia.org/wiki/Marriage_in_Australia

Mary Jane, immediately wrote imploringly to her husband.²

“I am writing not for my own sake But for the sake of our own family not to let this terrible trouble case go into court ... dear Husband, if you will only take me Back to look after the children I will never cause you trouble again ... Take me, if not as a wife, as a slave ... You know how the two families are mixed up ... Oh Jim, consider your children if not me.”



Jim and Mary Jane Kessey c. 1910

This photo is held in the Divorce File at NSW State Records
Divorce Papers Series 13495 13-12809 298-1914

But Jim was too distracted to fully consider his wife’s entreaties. He was busily sprucing up the pub for sale; had a large family to manage without his wife’s practical support; had to find witnesses and gather evidence for the divorce trial; and was organizing Beatrice’s wedding ceremony.⁷ Sadly, he barred Mary Jane from the wedding.⁸ Beatrice was livid.

When the case came to court, Mary Jane’s worst fears were realised. She and Jim endured the unwanted attention of the press as the lurid details were prominently reported in all the newspapers. Gleefully they recounted details of how Jim spied from the roof “*like a sweet little cherub up aloft*” and how the captured boots were produced “*as trophies*” before Judge Gordon.¹

Despite this notoriety, the younger children were successfully

protected from the scandal. For example, Halvar (aged 8) never knew that his parents were divorced. The secret was kept from him for 67 years, even after both his parents had died.

This remarkable level of secrecy was made possible because Jim and Mary Jane did not stay divorced! They were living together again in Orange by late 1916.⁹ Mary Jane had managed to get Jim to forgive her and to put the family first. Eventually they remarried at Dubbo¹⁰ (away from the prying eyes of neighbours). It was a civil ceremony because, in the eyes of their Catholic church, they had remained married the whole time. Their feisty relationship then continued for many more years until Jim's death in 1944.¹¹

Jim progressed from a small village publican to become a local entrepreneur with interests in hotels, butcheries, rental houses, a movie hall and more. He served as Mayor of Bourke (NSW) on several occasions.

Mary Jane was also a force to be reckoned with. On one occasion, she went to Jim's watering hole and ordered him home.

"Don't you be following me about, Mary Jane", he complained as they trudged homeward.

"Old man", she replied, "it has only just begun"¹².

When Mary Jane died in 1951¹³, Beatrice's old anxiety, that stemmed from the disruption of her wedding plans in 1914 and so long suppressed, resurfaced. She became so upset during her mother's funeral that she died before it was over.¹⁴ They are buried in adjoining graves in Wollongong cemetery.¹⁵ For Beatrice, the night of the disappearing boots had precipitated an experience that was both life-changing and, ultimately, life-ending.

¹ *Kessey's Kinetoscope*, *Truth* newspaper, Sydney, 20 Dec 1914

² Letter Mary Jane Kessey to James Kessey, 207 Piper St Bathurst, 12 June 1914; filed as Exhibit E, Divorce Papers Series 13495 13-12809 298-1914, NSW State Records

³ Affidavit by James Kessey, 5 June 1914, Divorce Papers Series 13495 13-12809 298-1914, NSW State Records

⁴ Bankruptcy File 10-23735 Item 20011, NSW State Records

⁵ Marriage Certificate 1913/14017, Rockley, NSW Registry of Births, Deaths and Marriages

⁶ *Marriage in Australia*, Wikipedia, https://en.wikipedia.org/wiki/Marriage_in_Australia, 28 January 2018 accessed 24 March 2018.

⁷ Marriage Certificate 1914/10851, Rockley, NSW Registry of Births, Deaths and Marriages

⁸ *Rockley weddings*, *National Advocate* newspaper, Bathurst, 26 June 1914, p1

⁹ *A Story About a Partnership*, *Leader* newspaper, Orange NSW, 6 Sep 1916, p4

¹⁰ Marriage Certificate 1923/3952, Dubbo, NSW Registry of Births, Deaths and Marriages.

¹¹ Death Certificate 1944/15270, Bourke, NSW Registry of Births, Deaths and Marriages

¹² Oral History from Mary Jane Kessey's grand-daughter, Carmel Hull (nee Kessey)

¹³ Death Certificate 1951/7084, Wollongong, NSW Registry of Births, Deaths and Marriages

¹⁴ *Died at Mother's funeral*, *Illawarra Mercury* newspaper, Wollongong, 7 March 1951, p1

¹⁵ Death Certificate 1951/7088, Wollongong, NSW Registry of Births, Deaths and Marriages