

15th May 1914
433

PROCEEDINGS of INQUEST
held upon the body of

George Goother

at Burnage

Received at the Crown Law Offices,

18th May 1911

R.M.C.

A. A. Beckwith
Esq. Barrister at Law
Coroner.

17721.

PROCEEDINGS BEFORE CORONERS.

VICTORIA, }
TO WIT. }

INQUISITION
(WITHOUT A JURY.)

RECEIVED
18 MAY 1914
G. L. O.

AN Inquisition for our Sovereign Lord King George, taken at.....
.....in
Victoria, the.....day of.....
A.D. 1914, in the.....year of the Reign
of our said Lord the King, before ~~us~~ *A. H. Buckett &*
A. J. Bottrill.....Gentlemen, a Coroners of our Lord the King
for Victoria, upon the view of the body of.....
.....then and there lying dead.

Having duly inquired upon the part of our Lord the King when, where, how,
and by what means the said.....
.....came by his death, & say that the said
.....
died at.....on the.....
day of.....1914, from.....
.....
.....
.....
.....

In witness whereof I the aforesaid Coroner have to this Inquisition put my
hand and seal on the day and year and at the place above mentioned.

A. H. Buckett J.P.
A. J. Bottrill J.P.
CORONER. L.S.

24th June,

4.

Sir,

Adverting to your letter of the 26th ultimo with reference to the death of your late brother George Cooper at Iona on the 7th idem, I am directed by the Minister to say that further inquiries have been made, and no facts have been brought to light which show that your brother's death was the result of foul play.

I have the honor to be,

S i r,

Your obedient servant,

Secretary to the Law Department.

Mr. James W. Cooper,

T u n g a m a h .

(14/5619)

Station *Gippsland* Police District.



June 1914
Q 7305

REPORT of *Const. Archer 4896*
Relative to *Death of George Cooper*
re attached correspondence

I have to report for Supt Fowler's information that I made further inquiries concerning the death of George Cooper, but I could not obtain any further evidence in this matter, with the exception of two men one William Kelly of Jona who informed me he rode out in the beam wagon with all the witnesses as far as his place, and that all the witnesses were full of liquor and deceased although not drunk informed him he had drank a lot of liquor that day. The other man Robert McMillan of Jona informed me he passed by where the witness Henderson and deceased ~~was~~ ^{were} found and that the witness Henderson got up out of the fence in which he had been lying, and in answer to Mr. McMillan. Henderson stated that they had been drinking and he was waiting for deceased Cooper to wake up Mr. McMillan who looked at deceased stated to Henderson he was dying and Henderson dropped to the ground through sheer fright and exclaimed don't frighten me like that

14
4797-

Sale 19.6.14

Respectfully forwarded

M. J. [unclear]

7674
14
The Chief Constable
Melbourne

Supt Fowler
Sale

When the death was reported to me I made inquiry at once and after interviewing the witnesses I came to the conclusion that the injuries were done through deceased being intoxicated and falling against the bar wire fence and also against the fence in which deceased and Henderson was riding and I am still of the opinion that no person was responsible for his death. There is not the slightest doubt that deceased got very drunk while in company with the witnesses and apparently the writer of attached letter does not hold with that view. The writer of Mr. Couper's summary a great deal in his letter as to what the witness Henderson does & said and what he should have done and seen but there is no getting away from the fact that these men were drunk and while in that state do not look at one another to see if the other is alright and many things happen which they take no notice of in that state. I am of the opinion that Henderson gave the full account of what happened on that occasion as far as his memory served him and it would not ^{have} been of any interest to him to injure Cooper in any way. The mere fact of Henderson staying all night waiting for deceased is sufficient.

L. B. Austin

May 4 1896

114
4797

Law Department.

Date of Letter 26.5.14.

Date received 28.5.14.



Q 7305

From Jas. W. Cooper, Bungamah.

Subject Asks that further enquiries be made into the evidence of witness Anderson in adjourned enquiry re death of his brother George Cooper of Bungamah.

Referred to Police Department
with request that they kindly cause
further enquiries with a view to
clearing Cooper's doubts of

Done 1. VI. 1914

For enquiries Law have
made & no facts have been brought
to light which show that his brother
North was the author of foul
play Done 24-VI. 1914

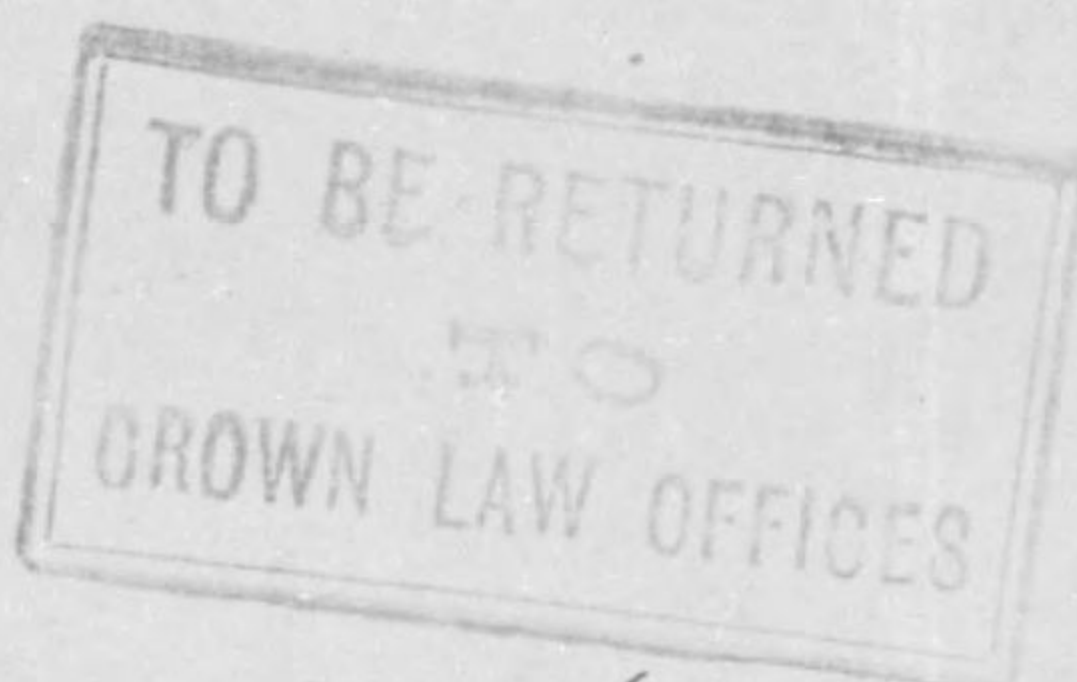
ackd to
1/6/14

Referred accordingly to the Chief Commissioner of Police

W. R. Anderson

Secretary to the Law Department

24 1 : 6 : 14



For attention.

A. J. Sainsbury

Chief Commissioner of Police

Supt Fowler

3.6.14

Lab 5/6/14

for enquiry and
report.

(W45/12)

H. W. Orkell Const.
for. Sup't of Police

Const. Justice
Bunyip }

For information

RECEIVED
24 JUN 1914
G. L. O. City Commissioner of Police.
22.6.14

The Secretary
Law Dept.

RECEIVED
MAY 28 1914
C. L. O.The Secretary
Crown Law Dept.Tungamah
May 26th 1914

Sir

Re the adjourned enquiry as to the cause of death of my brother George Cooper of Bunyip. I respectfully invite your consideration to the evidence and behaviour of the witness Anderson. In the first place he differed as to the cause of injury to deceased's face, he stating that it was caused before leaving my ~~Bunyip~~ ^{Iona}. The other witnesses that no such injury befel him there. It was bright moonlight and if such a wound had been received they must have seen it.

Now as to his behaviour after he & my brother left Iona for home. After proceeding about three miles he, Anderson, said, "my brother wished to get out of the gig" whilst he, Anderson, persuaded him to remain in. My brother got out and fell down. He tried to lift him up but my brother said "Let me lie where I am"

My brother must have been conscious then to have given utterance to such a remark and Anderson could not have been very drunk to have remembered the incident so well.

This last fall of my brother must have occurred a little after midnight and Anderson must have remained with him until the man driving the cows appeared at the locality about 8. a. m.

As it was such a bright moonlight night and such a clear soft sandy road, the profuse bleeding from a wound on my brother's head should certainly have been noticeable by Anderson if not before daylight certainly after.

How could he put in the night beside a man whom he supposed to be drunk when there was a farmhouse not more than 50 yards from the spot where my dead brother lay.

He spoke rationally to the man with

the cows at about 8 a.m. Offering to open the gate for him he could easily have seen the blood that came from the wound on my brother's head then. Witness.

H. Evans, deposed that my brother's hat had been placed over his face. Now who placed ^{it} there but Anderson? When placing it there could he fail to see the blood and recognise the dangerous condition of my brother? When Evans removed the hat he concluded at once that the case was hopeless.

Anderson was not helplessly drunk and yet he failed to notify the inmates of the neighbouring farmhouse of the accident.

A neighbour of my brother & Anderson told me that my brother was at Anderson's place about three times a week, that he was counting Anderson's wife's sister, that she had given her a ring and a bracelet.

I questioned Anderson in the court asking him if my brother had been courting his sister-in-law. He said "no" ^{she would not have him}. I then queried "Did my brother give your sister-in-law a ring?" He replied "yes". I asked if it was an engagement ring? He replied "He did not know". I asked if his sister-in-law had received a bracelet from my brother? He replied "He did not know".

I have stated the relationship that existed between Anderson's wife's sister & my brother, which seemed, as far as Anderson's ^{reply} ~~reply~~ to my asking if they were engaged, distasteful to him & his wife. and ^{might} prove a motive ^{for enmity} ~~for his removal~~. Besides the Andersons were Roman Catholics & my brother a staunch Protestant.

I have been told by Anderson's neighbours that he is a violent man when under influence of drink.

I request that you will be
~~it~~ good to peruse this man's
evidence & compare his conduct
under the circumstances to what
one would expect from a com-
panion under such circumstances
not forgetting the proximity of
this neighbouring farmhouse of
which nothing was stated as far
as I heard in the statement of
any of the witnesses

Yours respectfully
Jas W. Cooper

14
14/4797

W. J. Scholten
for

1st June,

4.

Sir,

I beg to acknowledge the receipt of your letter of the 26th ultimo relative to certain evidence given at the inquest held at Bunyip in connection with the death of your late brother, George Cooper, and in reply to say the matter is receiving attention.

I have the honor to be,

Sir,

Your obedient servant,

Secretary to the Law Department.

Mr. James W. Cooper,

T u n g a m a h .

(14/4797)

✓ 4,

Wes to ask rec^d of
y^r l^r of the 26th ult^o
relative to certain evidence
given at the inquest held
at Bunyip
in connection with the
death of your late brother
George Cooper and in reply
to say the matter is
receiving attention

Yours

W. J. Cooper

Tungamah

14

4997

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h

oath saith, I am a

residing at

Joseph Henry Henderson
Driver in employ of Stronin
Butter Factory Koo-Mee-Rup.

*Christian and
 Surname in
 full.

I knew deceased George Cooper well for
 7 or 8 years he was a farmer living
 about 1/2 mile from my place, I remember
 the morning of the 6th inst. I saw
 deceased about 9.30 on Wednesday morning
 he said to me I cannot go to Stronin
 its too late for you to wait for me to
 get ready, I asked him how long he would
 be, he said about 1/2 an hour, I said
 hurry ^{up} and get ready and I will
 go and meet you.

We drove in jinker ~~car~~ drove as far
 as Iona, then in Cream Wagon to
 Stronin. We got to Stronin at 4 p.m.
 We had drinks after taking the
 horses out.

We left Stronin by 8.3 p.m. train for
 Benmyish.

At Benmyish we had a drink of at
 Wilsons Hotel

About 11.15 p.m. we left Benmyish
 We had four or five drinks before
 leaving I had beer and Cooper had
 Brandy & Soda.

I sent Mat Gadden for two flasks of
 Whisky he got one for 1/6 and one for 2/6
 We drove from Benmyish to Iona in
 Cream Wagon with Field D.F. and

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and
Surname in
full.

2

Otto Schmitt we were all intoxicated
I drove the Wagon.

At Jona Factory we all had a drink and
I got my pony and put it in the jinker.
I came back to the others who were at
the side of Factory I had been away getting
horse and jinker about 1/4 of an hour
I saw Cooper and he had his face ^{cut}
I said Good God Cooper how did you
do that, and he said I fell up against
the fence, he was bleeding but not
badly.

I said come on get home and the others
helped him into the jinker.
We left the others going and were going
home

I think there was a drop of Whisky
left then.

Deceased was very drunk when we
left Jona, he had been falling about
when we were at the factory.
After we left Jona we got as far as Mr
Evans' gate.

Just before I got there he was wanting
to get out of the jinker, I did not
want to let him out but he would
get out.
After getting out he staggered and fell
back

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

Coroner.

Joseph H. Henderson
witness

3

back,

He fell back by the side of the wheel
~~the~~ backwards,

I drove on about $\frac{1}{4}$ of a chain or
a little more, I locked my wheel
and went back, he was still lying
on the road, I asked him to get up
and he said let me lie,

I ~~dropped~~ tried to get him to stand
up, and then dropped him to the
side of the road, I let him stay there,
I was sitting down and tried to go to
sleep, but it was too cold, We remained
there till daylight.

I did not notice anything till daylight
then I saw the cut on the back of his
head.

I tried to make him up but could
not.

I remember Mr Evans coming along
he had a look at Cooper

Mr Evans helped move ~~the~~ Cooper
to near the gate and we put a
couple of bags over him

Then Mr McMillan came up
and he said you had better go for
a doctor

I went to Ford's factory and Mr
Wolfeby telephoned for Dr Withington
This was about 8.15. ~~the~~ a.m.

I went back to where Cooper was,
and found he was dead.

I believe Cooper fell out of Factory ~~way~~ on
A.H.B.

Joseph H. Henderson

(4)

on arrival at factory at about
12. midnight.

Examined by Mr J. W. Cooper

~~Mr~~ Cooper did not say the cattle
though wanted repairs so he could
not go to dinner with me.

My wife's sister was not keeping
company with Cooper. Cooper was
keeping company with my wife's
sister.

My wife's sister might have been
engaged to Cooper without my knowledge.
Cooper gave my sister-in-law a ring
I do not know if he gave her a bracelet
I have ~~then~~ no knowledge of any will
being made.

I have seen Cooper drunk once
before only.

We were all on good friendly terms.

A. H. B.

Joseph H Henderson
continued

(5)

on animal at factory at
about 12 midnight.
I recognised the body to be that of
George Cooper.

J. H. Henderson

Taken and shown before us
this 15th day of May, 1914,

A. H. B. White J.P.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

Otto Schmitter

on his oath saith, I am a

labourer

residing at

*Iona.**Christian and
Surname in
full.

I remember the 6th of May last
I saw Cooper at about 9.30
at Wilsons Hotel we had a drink
together and I left.

At 11 p.m. I saw Cooper, as we were
going home we had another drink
at Stacey's Hotel

Cooper had intoxicating drink at
both hotels.

We all went home in factory waggon
that contained D. Field, Henderson
Cooper, Kelly and myself.

I was pretty drunk when we left
Bunnys as were all the others.

Kelly got out at 15 mile bridge and
went home.

We got to factory at about midnight

I took a 2/8 flask of whisky

there was another 2/8 flask of whisky
I slept in the waggon on the wall when
all had got out of waggon before they
woke me up.

We had a drink before Henderson went
for his pony.

Cooper and Henderson got into pinks
and had another drink, then Cooper
got out to open the gate, and fell
down, Sam Field picked him up and

Taken and sworn before me the

day

of

19

at

A. H. B.

Coroner.

stood him near the pincher,
After a while he staggered away and
fell over against the fence, I tried
to pick him up but said he was
too heavy for me.

The fence was along the 14 mile drain.
he fell and rolled against the fence
there it was not any hard wire where
he fell.

Cudden and Feild put Cooper into the
pincher and I gave them a hand.
We talked for about 10 minutes
then Henderson and Cooper made
for home.

As far as I know all the whisky
was consumed by this time
Cooper fell several times while
we were at the factory
He never complained of being
hurt.

There were no marks on Cooper when
he left the factory, if there had been
any blood on his face I think I would
have seen it as it was bright
moonlight.

We were all good friends at the
factory.

Any injury done to Cooper must have
been done after he left the factory.

His head fell off when we were putting
him into pincher someone picked it
up and gave it to him.

After Cooper and Henderson had left
factory, I found a tin of tobacco just
near where he fell.

Otto Schmutter

Taken and sworn before me this 15th day of
May 1914 at Bury in Middlesex.

CORONER'S INQUEST.

VICTORIA, TO WIT.

*Christian and Surname in full.

This Deponent* Daniel Field
on his oath saith, I am a Farmer
residing at Iona,

I remember the 6th of May I met George Cooper at Stacy's Hotel we was then with Mat Cadden we had about three drinks together I could not say what drinks the others had I had a tray I recall I went in cream in cypor with the others to Iona.

We drove round back of factory I got out the back and we all had drinks I think we had two 2/6 flasks and one 1/6 one we were all under the influence of liquor I remember Henderson getting his pike to go home, we were at the side of Maeson Henderson drove to gate and Cooper got out he went to open gate the gate swung and Cooper hung on and then fell down I picked him up and took him and he held on to back of pike and said I am all right Field.

I was talking to Henderson and Cooper fell and rolled against the fence, I remember tried to pick him up but said he was too heavy, so Cadden and I picked him up and put him in the pike, when he was in the pike his head fell off. I picked it up and put it on his head, there was no blood on his hat

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

Coroner.

had to my knowledge.

We were talking for about 20 minutes
then Henderson and Cooper left.

I do not know how many drinks
Cooper had while at the factory he
had repeated falls while there.
he did not fall against fence or house
he did not fall against Charles wife.
I did not see
~~there were~~ marks on Cooper when he
left the factory

There was no wrestling or fighting at the
factory Cooper was a quiet man
we all parted good friends

We were all drunk.

There might have been marks on
Cooper when he left the factory.

I found a watch chain near 14 mile
main fence where Cooper fell

Henderson was anxious to get Cooper home

D Field

Taken and sworn before me this
15th day of May 1914 at Brumby's

Alfred H. J. P.

CORONER'S INQUEST.

VICTORIA, TO WIT,

This Deponent*

Matthew Ardlen

on his oath saith, I am an

Employee of Brown Butte Factory

residing at

Iona.

*Christian and
Surname in
full.

I heard evidence given by Daniel
Heild it was true and correct.

at Burns.

Cooper had four drinks in my presence
I got me 2 1/2 flask of whiskey for W. Henderson.
I saw Cooper fall and roll against
fence I did not see any mark or blood
on his face.

Cooper was drunk but knew what he
was doing on leaving Burns
but was very drunk on leaving the
factory.

I have known Cooper for 18 months or
2 years and have never seen him
under the influence of liquor before.

M. Ardlen

Taken and sworn before me this
15th day of May 1914 at Burns

A. H. Beckwith J.P.

Taken and sworn before me the

day

of

19

at

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

* Christian and Surname in full.

This Deponent* Harry Evans
on his oath saith, I am a Farmer
residing at Cora Lynn.

I remember the 7th of May last -
I was driving cows to my paddock
on the main train at about 8.30 a.m.
I saw someone standing at the gate
and he asked me if he should open
the gate to let my cows in. The man
was Henderson, when I approached
the camp leading to the paddock
I saw a man lying on the ground
and I said to Henderson what is the
matter with this man and he
said Ah, ~~that's~~ and I am
waiting for him to stir up.
I suggested to move him to a better
place and put some hay under him
which we did.

On moving his head I noticed the
blood and then examined his head
and found cut on back of head
and I said to Henderson don't lose any
time send for a doctor this man is
injured seriously.

Henderson went for a doctor,
about 20 minutes after Henderson
left the man started to die, I saw
he had a watch so I wound it up
and by his watch it was about 9.30.

Taken and Sworn before me the _____ day
of _____ 190 _____ at _____

Coroner.

I remained