

24th July 85 19
2nd August 19
27th September 1917 ✓

PROCEEDINGS of INQUEST

held upon the body of

Charles Edward Cleary.

at
Melbourne Morgue.

Received at the Crown Law Offices,

2 OCT 1919

C. I. O.

R. H. Cole. *Coroner.*

15237.

Pullet.

most "bleary"

24.7.17

RECEIVED
2 OCT 17 1917
C. T. O.

PROCEEDINGS BEFORE CORONERS.

INQUISITION.

VICTORIA, }
TO WIT. }

AN INQUISITION for our Sovereign Lord King George V., taken at

the Morgue, Melbourne, in the State of Victoria, the 24th July, 2nd August & 27th September 1917

RHC { day of 1917 in the eighth

year of the reign of our said Lord the King, by me, Robert Hodgson Cole,

gentleman, a Coroner of our Lord the King for the Central Bailiwick of the

said State, upon the view of the body of Charles Edward Cleary

then and there lying dead.

Having inquired upon the part of our Lord the King, when, where, how,

and by what means the said

Charles Edward Cleary

(1) His or her.

came by¹ his death, I say that

on the 17th day of June 1917

(2) Here state cause at² of death, if known;
if unknown, doubtful, or no evidence,
state the fact accordingly.

Fitzroy in St Vincent's Hospital

Charles Edward Cleary died from the

effect of a bullet wound in the head

inflicted on or about midnight of the 2nd

day of June 1917 in Fitzroy Street Fitzroy

There is not sufficient evidence to determine

by whom the bullet wound was inflicted

15326.

In witness whereof I, the aforesaid Coroner, have to this Inquisition

put my hand, this 27th day of September

A.D. 1917

Ron H. Cre

Coroner.

VICTORIA POLICE, -[57.]

POLICE DEPARTMENT,

Criminal Investigation Branch,

Melbourne 18th June 1917

191

Subject P. G. O
Re death of CHARLES CLEARY at the ST VINCENT'S HOSPITAL on
the 17th June, 1917.

I have to report re the above. Charles Cleary a married man residing with his wife and TWO CHILDREN at 209 NICHOLSON STREET, CARLTON, died at the above Hospital at 9.45 P. M. on the 17th instant, the result of a bullet wound in the head.

He followed the occupation of a BOXER, NEWSPAPER, and Race Card Seller. At 2 A. M. on the 3rd instant, while ~~on~~ on duty in BRUNSWICK STREET, FITZROY, CONSTABLE RILEY, of FITZROY, heard several shots and on going to FITZROY STREET, found CLEARY lying on the footpath bleeding from a bullet wound in the back of the head. He was conscious but refused to say how or by whom the injury was caused. He was taken to the ST VINCENT'S HOSPITAL and was admitted. An hour later P. C. CONSTABLE MAFFERZONI, of the FITZROY POLICE STATION interviewed him but he still refused to say anything. The same afternoon DETECTIVE MC KERRAL and I saw him and tried to get from him how it occurred.

He was sullen and did not want to answer questions. He said I was shot I ddnt remember where I was at the time or who shot me. I had some drink at the Grog shop I dont know where it is or who keeps it I dont know who I was with. An operation was performed on the 4th instant and the bullet extracted.

The brain was lacerated. He lingered till the 17th instant when he died without making any further statement.

When Constable Riley found him, a companion of the (deceased) named CUL JOHNSON, who resided with the (deceased) was present, also a man named JOHN McDADE and a soldier named MURRAY and two or three women. They deny knowing anything as to how CLEARY came to receive his injury. JOHNSON is a Criminal and follows the occupation of a newspaper vender and both he and the

Supt Davidson
C. I. Branch,
MELBOURNE.

(DECEASED) were always associated with criminals. It is said that a disturbance took place in a sly grog shop and the shooting occurred in the Street immediately afterwards. It is also said that a Criminal named CUTMORE did the shooting and we are endeavouring to trace him. I am satisfied deceased knew who shot him also that CUL JOHNSON knows all about it. We are continuing this enquiry and will prepare a statement of all available evidence for the inquest

J H Anthony
Detective

C.I. Branch, 18/6/17.

Forwarded for the information of Dr Cole. I am informed, that when the deceased was first interviewed at the Hospital he was perfectly conscious, and knew perfectly well the police were endeavouring to discover who had inflicted the injury upon him, but he apparently took up an attitude of opposition to the police making the enquiries.

R.H.Cole
In this case I think it would be well, if the inquest was opened and adjourned to a date to be fixed later on, and so give the police further opportunity of endeavouring to discover who shot the deceased.

D.M.D. Gordon
Superintendent.

R.H. Cole Esq., M.D., &c., &c.,

City Coroner,

Melbourne Morgue.

2803/17

VICTORIA POLICE, -[57.]

POLICE DEPARTMENT,

Criminal Investigation Branch,

Melbourne 13th July 1917 191

Received
from T. T. S. A.
2nd 1. 11
R.H.

Subject { P. G. O
Re facts relative to the death of Charles Cleary vide attached
brief

We have to report for the information of the Coroner that we have received information that deceased was shot by a man named John Cutmore alias "Snowy" Cutmore and is commonly known as "Snowy" Cutmore and who is well known amongst crooks in Carlton Fitzroy, and Collingwood. He is wanted as a Military Deserter from Langwarrin Camp since December last.

He has visited Adelaide and Sydney and is believed to have come from Sydney with the witness Harry Dunn about 3 months ago.

We are satisfied he was one of the party at Ettie Jones house on the night of the tragedy, that he is well known to her, the

witnesses, Annie James, Harry Dunn, Ray Dunn, May Sullivan, Helen Cleary. He is said to have gone to Adelaide the day after the shooting, and reports have been sent to the Adelaide and New

South Wales Police, asking that special efforts be made to trace him, but up to the present no information has been received.

He had been convicted of assault and larceny in this State and is always associating with daring criminals.

Seeing that the shooting took place at about 2 A.M. in a Street where few reputable people reside, it is difficult to obtain information from anyone except those who are companions of Cutmores. The people in the locality heard the shots but as they were in bed at the time those that did get up and go out are unable or unwilling to throw any definite light on the matter. Ettie Jones is an old time Brothel keeper and has always been associated with criminals.

Harry Dunn has been convicted of felonies at Sydney and Melbourne, and is a daring criminal.

(over)

Supt. Davidson
C.I. Branch
Melbourne

VICTORIA POLICE, -[57.]

POLICE DEPARTMENT,

Criminal Investigation Branch,

Melbourne... 13th July 1917 191

Subject ... { P. G. O
RE facts relative to the death of Charles Cleary vide attached
brief.....continued.....

Dunn is also said to be a companion of Cutmore.

Ray Dunn has always been associated with prostitutes and dangerous Criminals and has been convicted.

Walter John Johnston alias "Cul" Johnston is a convicted thief a companion of the deceased, and some of the worst criminals in Melbourne. When Johnston was interviewed by us after the shooting he denied being with deceased at all that evening, and stated he was walking along Fitzroy Street by himself when he found deceased lying on the ground.

It is said that there was jealousy between Cutmore and deceased over deceased's wife, this may account for her denying being at the party that night when first interviewed, and refusing to sign the statement.

It will be seen that the witnesses Eliza Jane Glaisbrook, and Rose Clifford say a man named "Snowy" was there at the party the description given of them answers the description of Cutmore.

We are satisfied all the other witnesses who were at the party have put their heads together and are lying when they say Cutmore was not there, but it would be quite possible when they are on their oath, the truth might be elicited from some of them

J. Hawthorn

Detective

Wm Kerral

Detective

VICTORIA POLICE, -[57.]

POLICE DEPARTMENT,

Criminal Investigation Branch,

Melbourne 25th September 1917

Subject P. G. O 4069.....
RE adjourned Inquest on Charles Edward Cleary

We have to report for your information that Constable Watson, Coroners Orderly, informed us to-day, that the Coroner Dr Cole, would re-open the adjourned Inquest on Charles Edward Cleary at Melbourne City Morgue on Thursday next the 27th, at 9 A.M. The Inquest was adjourned on the 2nd August 1917 to a date to be fixed to enable the Police to bring further evidence, and also to locate a witness named John Daniel Cutmore @ Snowy Cutmore. We have been unable to obtain any fresh evidence and the witness Cutmore is said to be in Sydney New South Wales, information has been sent to New South Wales but up to the present they have been unable to trace him.

I respectfully ask that this report be forwarded to the Morgue for the information of the Coroner Dr Cole.

Detective McKerral will be at the Morgue on the date in question.

Supt Shaw
C.I.Branch
Melbourne

J. B. Anthony
Detective

A. McKerral
Detective

25/9/17
The Coroner
Melbourne.

Forwarded.

G. Sharp
Supt C.I.B. 26. 9. 1917

Key to Plan or sketch

No... (1) denotes the house where party was held

No... (2) denotes tin gate where the bullet went through
found by Detective McKerral

No... (3) denotes spot where deceased was found lying

No... (4) denotes witness Wilcocks house

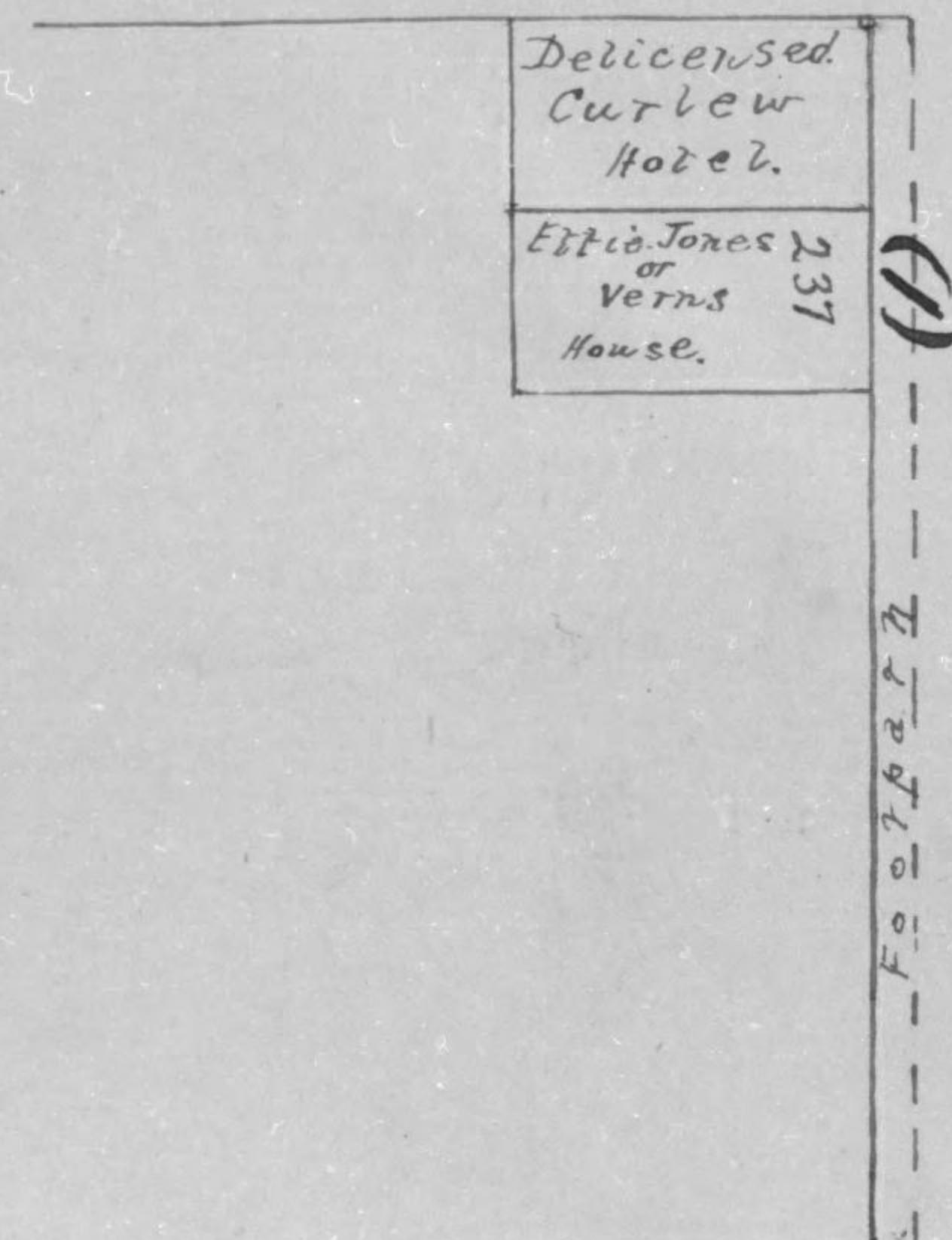
No... (5) denotes spot where witness Wilcock saw the two men
standing who passed the remark about having shot
the man

Distance from No (1) to No (3) 159 paces

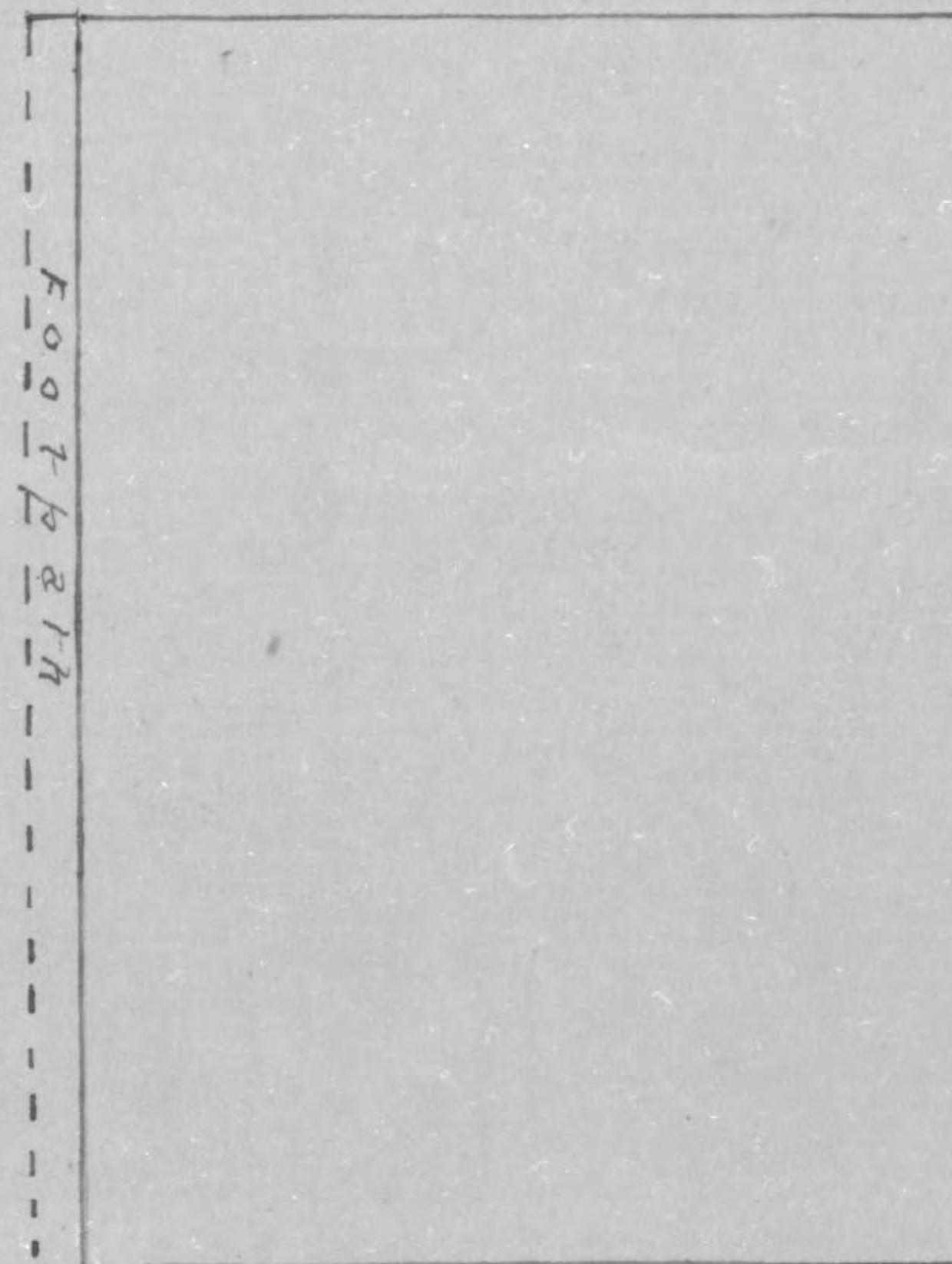
Distance from No (4) to No (5) 12 paces

MM

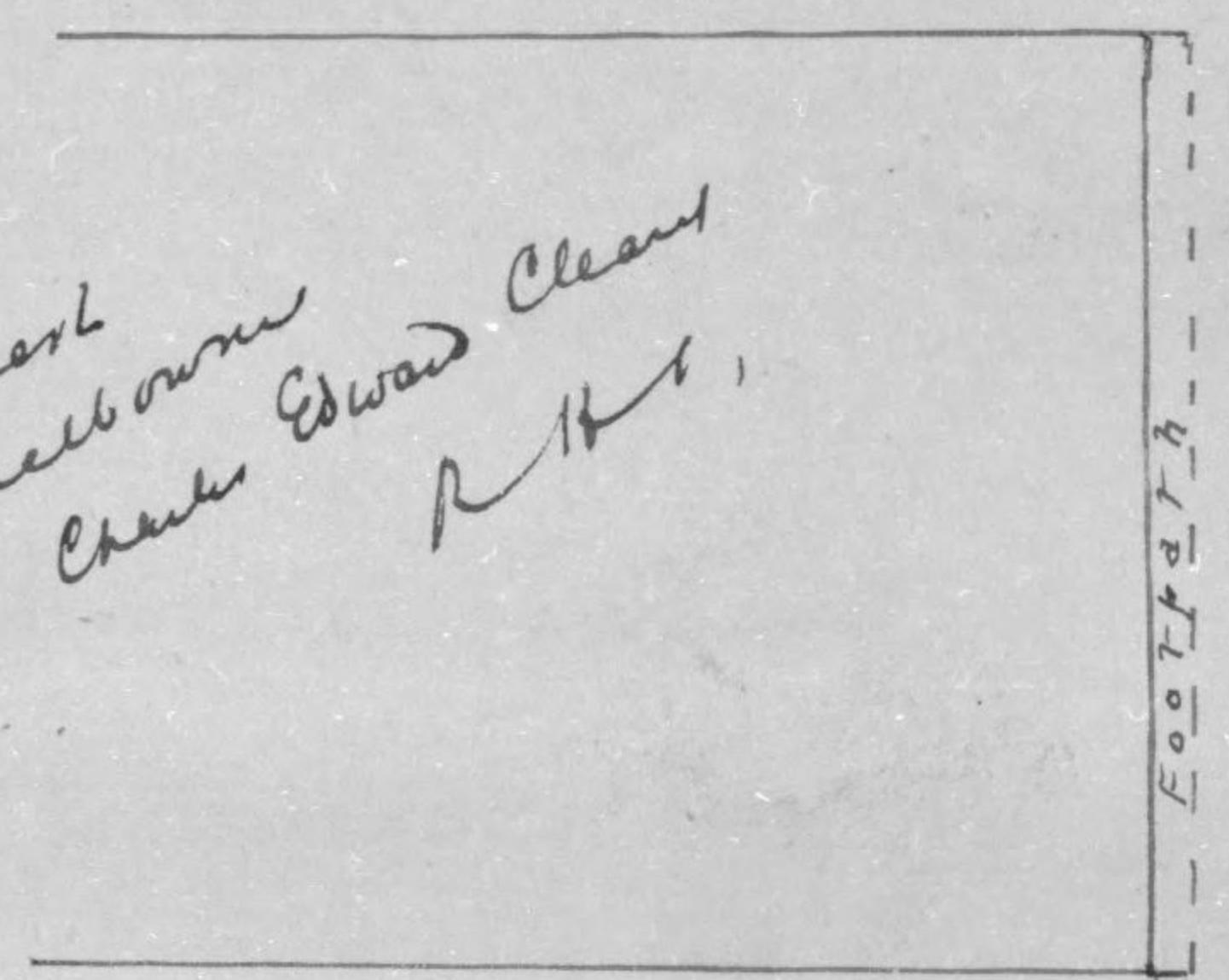
KING WILLIAM.



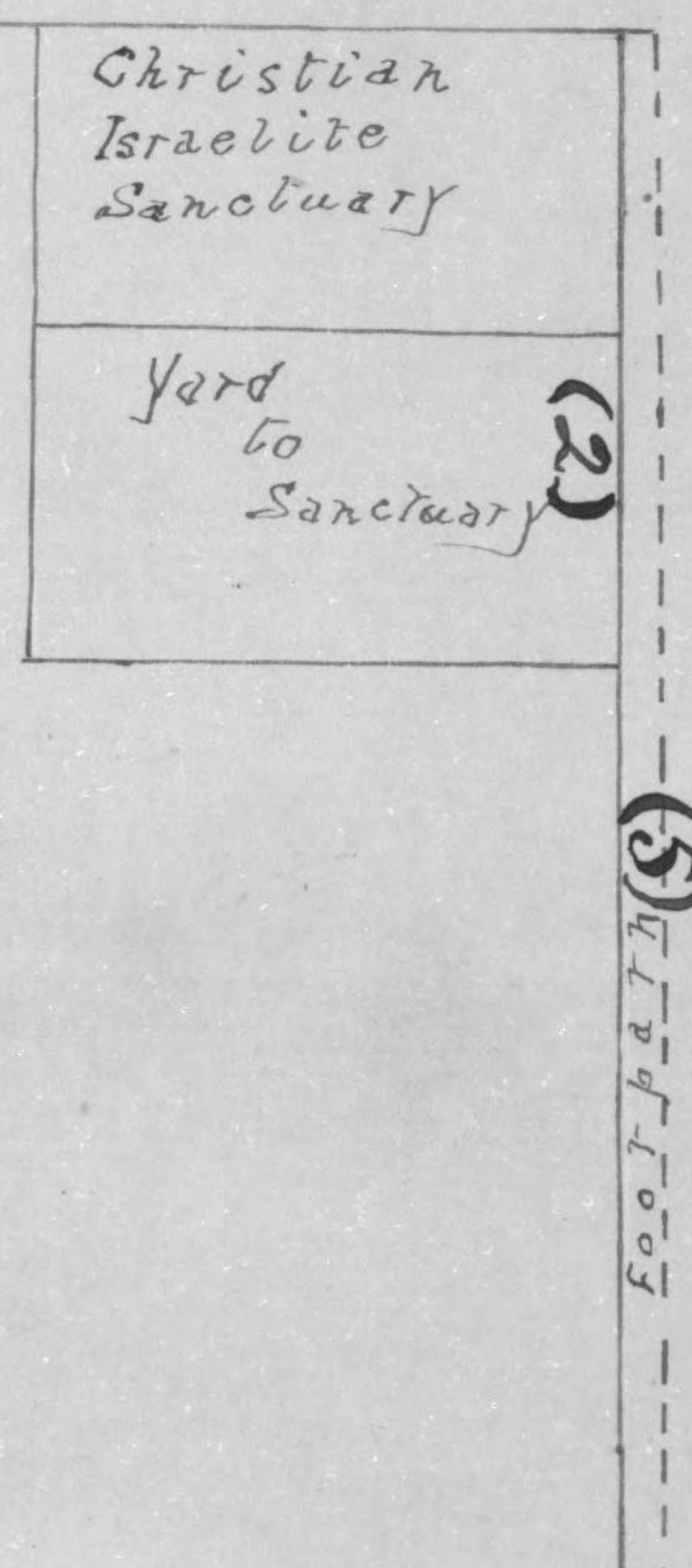
STREET



HANOVER.



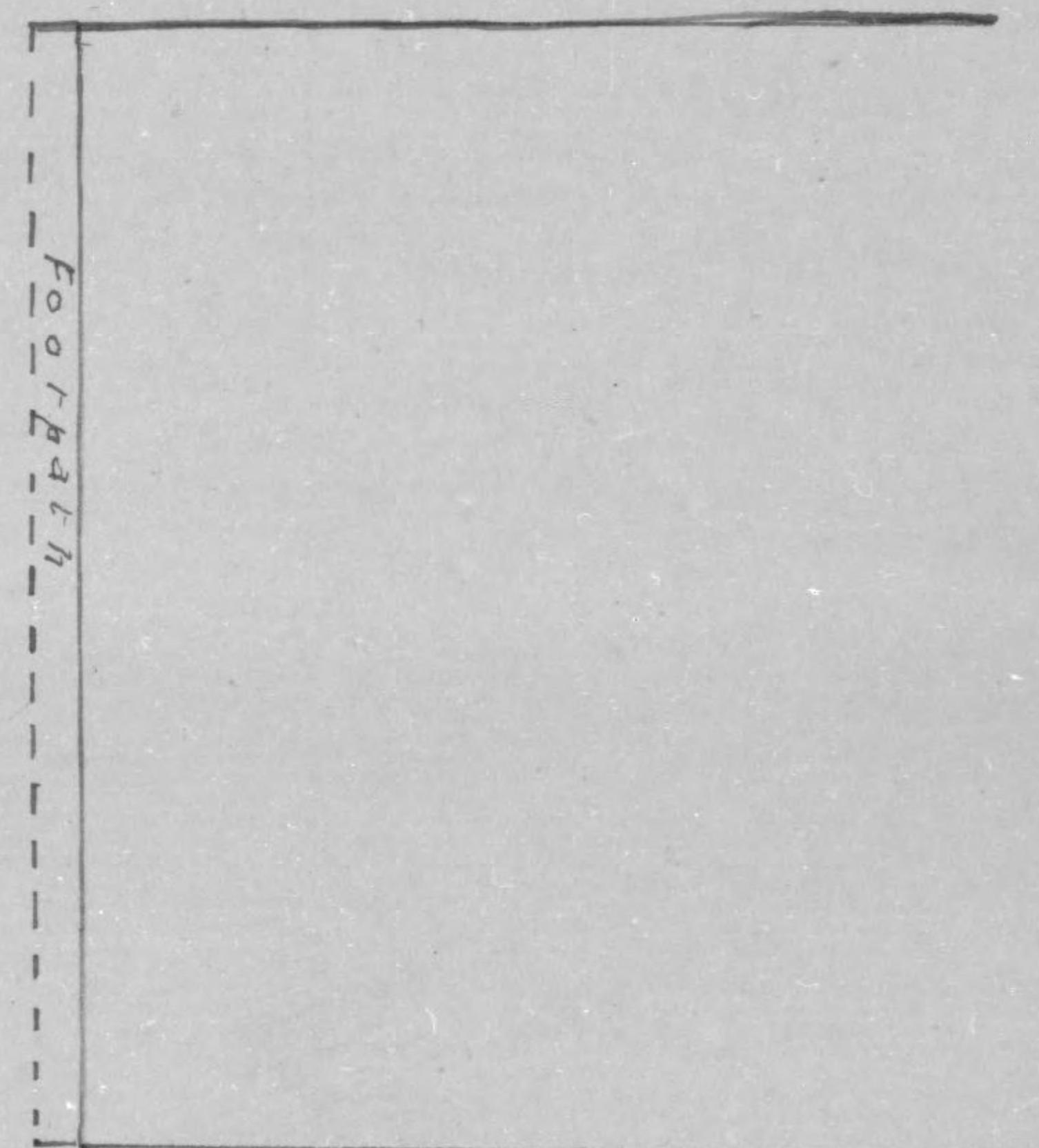
LITTLE HANOVER ST.



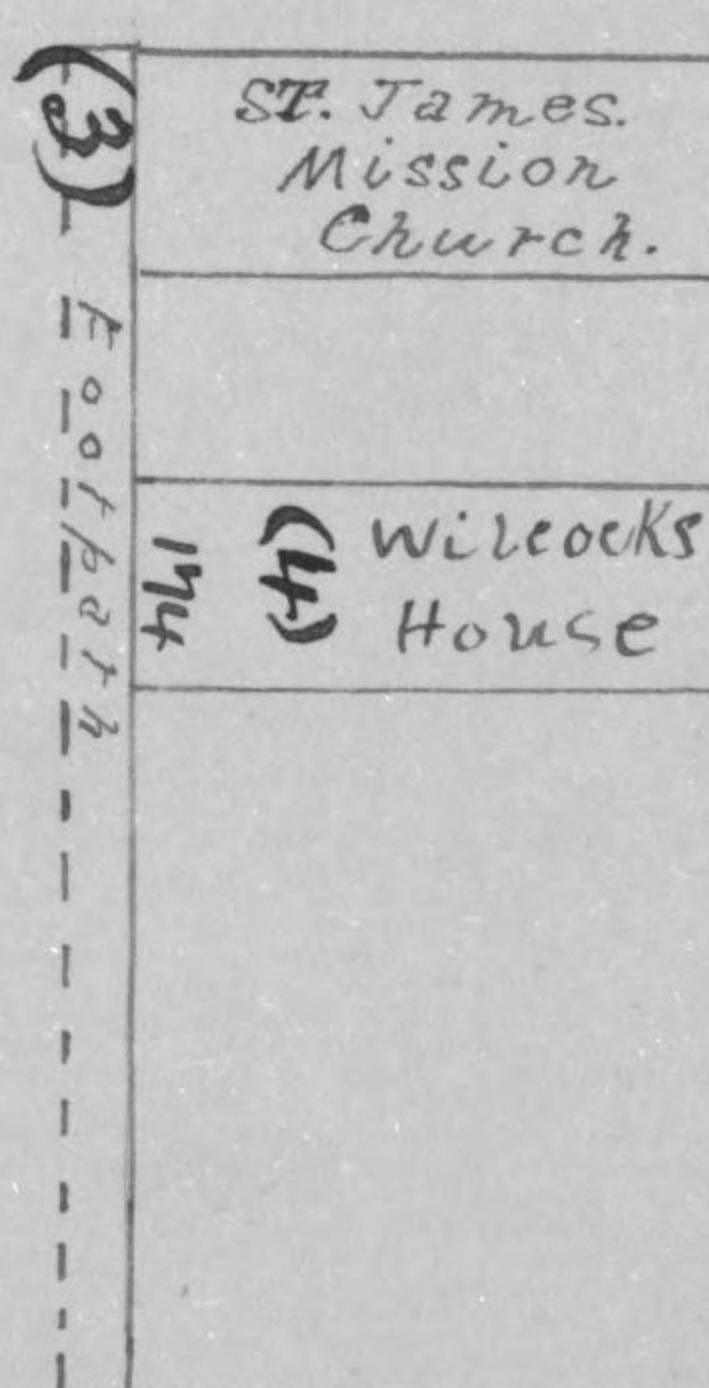
Fitzroy STREET

→ To Gerrard St.

STREET



BRUNSWICK PLACE



LANE

Foot 237' x 17'

JAMES. ST

Foot 237' x 17'

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and
Surname in
full.

NOTES OF EVIDENCE

taken

at

CORONER'S INQUEST RE CHARLES E. CLEARY

held
at

THE MORGUE, MELBOURNE,

pn

Friday, 24th July, 1917.

Dr. R. H. Cole, Coroner.

Sub Inspector McPherson appeared on behalf of the
Police Department;Mr Sonenberg appeared on behalf of the relatives of
the deceased.

RH

Taken and sworn before me the _____ day
of _____ 19 _____ at _____

-1-

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* MARGARET CLEARYon her oath saith, I am a Married womanresiding at 10 Leicester Street, Fitzroy.*Christian and
Surname in
full.

TO SUB-INSPECTOR McPHERSON: I am a married woman residing with my husband at 10 Leicester Street, Fitzroy. The deceased, Edward Charles Cleary, was my son. He was 29 years of age. He was married and lived with his wife at 209 Nicholson Street, Carlton. I heard that he had met with some injuries. I heard that he had received them through a revolver shot. I did not hear who had the revolver in their hand when it went off. All I know is that he received his injuries from a revolver. I ascertained that from my daughter-in-law. I saw my son at the hospital several times. I did not ask him how he received his injuries because he was not capable of answering any questions, and he never mentioned it to me. I last saw his body at the Morgue on the 19th of last month.

TO THE CORONER: Before he met with the injuries I last saw him on the Friday evening before; he brought me home then from his place.

(SIGNED) M. CLEARY.

Taken and sworn before me the 24th day
of July 1917 at Melbourne
front of the Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* ELLEN CLEARYon her oath saith, I am a widow,*Christian and
Surname in
full.residing at 209 Nicholson Street, Carlton.

TO SUB INSPECTOR McPHERSON: The late Charles Edward Cleary was my husband. On the evening of the 2nd June last I did not go anywhere with my husband. I went up to Mrs Vern's - that is in Fitzroy Street. I do not know the number of the house. I went there in company with Mrs Sullivan, my next door neighbour. We arrived there between half past nine and ten. When we arrived there were others there. There were Mrs Henderson, Mrs Glaisebrook, Mrs Murphy, and Mr Ryan I think, but I am not sure. There was also Mrs Vern. I could not say whether Mr Johnson was there when I went in. I saw a man named Dunn and his wife; also Mrs Clifford and a man named Mick. I did not see my husband there when I first went in. My husband arrived there perfectly sober at about 10 o'clock. Mr Johnson was with him when I saw him. I remained there until somewhere about midnight. I asked the deceased to go home with me but he did not do so because it was usual that he would send me home before him on account of the children when we went out. He was not drunk then; he was sober, but he had had a few drinks. At the house they were singing and playing the piano, and they had drink. It was an "evening", they said. I first heard that my husband had been injured from Johnson; that was about half past two in the morning; in consequence of that I went to my next door neighbour and asked her if she would come to the hospital with me. I went to St Vincent's Hospital and I saw my husband. I asked him what was wrong - what happened - and he told me to go home and not to worry about anything. I was not at the hospital for 10 minutes.

Taken and sworn before me the _____ day

of July at 1901

-3-

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and
Surname in
full

I do not know a man named Snowy Cutmore. I did not see him at the house that night. I saw my husband subsequently at the hospital after the first morning. I saw him the same afternoon. I did not have a conversation with him. He seemed as though he could not speak. He was able to speak after the operation. I then asked him how he had received his injuries but he would not tell me. He told me not to bother about anything. I was too worried to bother about it; I did not know what I was doing. I do not know Snowy Cutmore at all; there was no man called Snowy at the house that night while I was there. If other witnesses will swear that Snowy Cutmore was at the house while I was there I will say that I did not see him there. I made a statement to the police in addition to the one I have given in evidence. I denied that I was at the house that night because it was his wish. He told me not to say I was at the house and I thought I would abide by his wishes. When I went to the hospital he was rational when I went to speak to him. I asked him whatever happened. He said "Nothing wrong; you go home and don't worry.". I asked him how it happened and he repeated the same thing. It was my husband's wish that I should not say I was at the house. I do not know anything about it. He told me that in the hospital. He said to me - "If the police go down and make any inquiries don't you say you were at the house that night for the sake of the children." My husband and I always lived happily together. I was running up and down to the hospital all the time and I did not have much time to

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

-4-

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

find out how he received his injuries. I have not heard since. I would not be surprised to hear that my mother-in-law says that he received his injuries from a shot from a revolver, because the Doctor told me that.

TO THE CORONER: Besides my husband and children, Johnson and a young fellow named Thomas Dunn were living in the house with me. Dunn has been living with me on and off for six years, and Johnson for only about 5 or 6 weeks before this. This singing and playing the piano was going on up at Mrs Vern's up in Fitzroy Street; I do not know the number. I got there between half past nine and ten. I stayed there till between half past eleven and twelve. It was just twelve when I got home. I ^{at} heard ~~at~~ half past two in the morning that my husband had been injured. Johnson told me that. I could not say the words he used. I was just going to bed when he told me. Johnson said : "Come up to the hospital; Charlie is in the hospital injured." I would not be sure whether he mentioned a shot then or not. I was not ready to go up then. I do not know what I said. I went with Johnson to the hospital. My father-in-law went up later. My father-in-law was not in the house with me but I went up and told him after I came back from the hospital the first time. I told my mother-in-law too.

(SIGNED) ELLEN CLEARY.

Taken and sworn before me the 24th day
of July 1917 at Melbourne
Frank H. C.
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* ALOYSIUS BARBETA*Christian and
Surname in
full.on his oath saith, I am a Legally qualified medical practitioner
residing at St Vincent's Hospital, Melbourne.

TO SUB INSPECTOR McPHERSON: I remember Sunday morning the 2nd of June last. I remember a man named Charles Cleary being admitted to the hospital. He was not admitted by me. I examined him and found he was suffering from the effects of a bullet wound. He was operated on during the same day and the bullet was extracted. After the operation his condition was fair for a while. He was conscious at first. I asked him how he received the injuries but he did not give me a definite answer. He lingered until the 17th of June when he died from the results of the wound.

TO THE CORONER: The wound was about $1\frac{1}{2}$ inches behind the left ear. I examined the wound and probed it. The bullet was subsequently removed. The bullet was pressed against the bone - between the temporal and occipital bones. The bullet was removed and I have kept it since. I have got it now with me. (Bullet produced and handed to Coroner.) The bullet had been fired from the side I think - directly from the side. There was a scorching about the wound, so that the bullet had apparently been fired from close quarters. He did not to my knowledge make any statement about the matter to any one. He seemed inclined to say nothing. He did not wish to say anything at all. He did not mention the name of any person. His condition seemed to be pretty fair as regards drinking. He was quite intelligent enough to answer questions but he seemed to be wanting to cover it up. There was a small abrasion in the region of his right groin - that would be most likely

Taken and sworn before me the _____ day
of _____ 19____ at _____
R.H.C. _____

-6-

Coroner.

[No. 55.]

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and
Surname in
full.

due to an external cause such as falling upon a hard surface. There was no other injury except a bruising at the back of the right thigh, and there was only the one bullet wound.

(SIGNED) ALOYSIUS BARBETA.

Taken and sworn before me the 24th day

of July 1917 at Melbourne
Ron A. G. }
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* WALTER JOHN JOHNSON,on his oath saith, I am a News Vendorresiding at 209 Nicholson Street, Carlton.*Christian and
Surname in
full.

TO SUB INSPECTOR McPHERSON: I knew the deceased for over 10 years. He was a news vendor. On Saturday the 2nd June I went to the Races at Flemington with the deceased. I got home after the last race. It would be after 5 o'clock when we left the racecourse. After leaving the racecourse I went to his house at Carlton and then from there back to town to the fight at the Stadium. We could not get into the fight because it was too full. Then we went back into Bourke Street. We were joined there by a couple of friends. I do not know their names. We had a couple of bottles of beer and we went into the lane at the back of the Theatre Royal to drink it. We left those men just after we had the beer. That would be about a quarter to nine. After leaving them we stopped in the street for a while and then we got on the tram and went to Mrs Vern's place in Fitzroy Street, Fitzroy. We arrived there between half past nine and ten o'clock. There was a little sing-song going on. When we went there I went inside. There were a lot of people there. I do not know some of them by name. I knew Mrs Sullivan, a fellow by the name of Mick, Jack Ryan, Mrs Vern, Billy Wilson, a fellow by the name of Harry, and his wife. I do not know his surname. There was also a servant, but I do not know her name. I remained there until about between 12 and half past. The deceased was there all the time but not his wife; his wife had left. As regards sobriety, I was sober, and I have a clear recollection of all that took place. I left the house for a time and went out the back for a few moments. While I was at the back I did not hear

Taken and sworn before me the _____ day

of _____

19

at *R.H.*

-8-

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

*Christian and
Surname in
full.on h oath saith, I am a

residing at _____

anything. At no time during the evening did I hear any shots. I came back into the house after about 10 minutes. I did not see the deceased when I came in. I next saw him on the ground in Fitzroy Street. He was half sitting up. I said "What is up" and he said "It is all right."

BY SUB INSPECTOR McPherson: You said "What is up" and he said nothing
? --- Yes.

TO SUB INSPECTOR McPHERSON: There is a lamp there on the corner. I notices some blood about him. There was some upon his face. I did not notice whether he was injured. I did not notice any blood coming from near his ear. I just noticed it on his face. When I arrived there were a couple of women there but I did not know them. After I examined him I went up to Victoria Parade and engaged a hansom cab. I came back to the scene then. I saw the deceased then. He was then standing up against the wall. We both got in the hansom cab with the intention of going to the hospital. The cab started on the way to the hospital and a constable in uniform stopped it. He took us to the watch-house at Fitzroy. I remained there for about a quarter of an hour. While he was at the watch-house I did not hear the police asking the deceased how he received his injuries. I do not know whether they asked him because I was so excited. I went back to the St Vincent's Hospital with the deceased when he was admitted. I did not hear the constable say anything to the Doctor about how the deceased had received his injuries because they were in the room by themselves. I made a statement to the police. I did not hear the constable say to the Doctor

Taken and sworn before me the _____ day

of _____

19

at _____

R.H.

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

*Christian and
Surname in
full.

on h oath saith, I am a

residing at

that the deceased had been shot, but the constable said that to me. After the deceased was left in the hospital I went down to Mrs Cleary's place - that is his wife's place. She was not in bed. I pushed the door open; I walked in without knocking; they leave the door open because I stay there. I have been boarding there for about six months. I told her that he was in the hospital shot. I knew he was shot because the woman told me. I never at any time asked the deceased how he received his injuries because I only saw him the once and the nurse was there then. He and I had been news vending for a long time and we were the best of friends. He received an injury, but I was never in to ask him how it occurred. As soon as we got in the cab the policeman grabbed the horse's ~~head~~ head. I went up to the hospital to see him every day but I only saw him the once while he was there. I did not have a conversation with him except for about two minutes. He asked me about the race books; he was telling me where the order was. He never told me to order race books and race cards because he had our order in. He said something about race cards and books and where I would find the ~~order~~ order. I did not ask him then how he had received his injuries. He was rational and seemed to know what he was talking about. At the police station the deceased handed me a sum of money amounting to £7 odd. While he was handing it to me he said - "I have been robbed by the police before" and asked me to take it. I never heard him say it was so that the bastards would not get it. When he was able to hand his money to me he was in

Taken and sworn before me the _____ day

of

19

at

R.H.

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

*Christian and
Surname in
full

on h oath saith, I am a

residing at

a fit condition to tell me how he received his injuries but I never bothered to ask him because the police were doing most of the talking. I never heard any shots fired. I was not interviewed by the police on the following day. They sent up for me to go down and I rung up on the phone saying that it was Races that day and I would come down in the night time.

R.H.
 I went down to the Detective Office ~~soon~~ at night time and saw them. I told them then that I brought the hansom cab down and took him to the hospital. I did not deny that I was at the house in Fitzrpy Street. There were only two detectives there; Detective Hawkins was one. I cannot really think what Detective Hawkins said to me when I got to the Detective Office. I can hardly remember now what I said to him or as to whether I denied being at the party that night. When I left the house where the party was it would be about half past 12. I never saw two men leaving where the deceased was lying when I saw him again. There were two women there. I do not know a man named Cutmore. I do not know a man named Snowy. I will swear that. I know a Harry Dunn- he was at the house that night. There were a terrible lot of people at the house that night. When I found the deceased lying on the footpath I just said to him "What is up" and he said "It is all right". I put my hand on him. I never said anything to him. Then when I saw blood I thought he might have hurt himself and I got a cab. I half walked and half ran towardw Gertrude Street. If a witness says that I made use of a certain remark before going for the hansom I do not know what you mean. I do not

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

R.H.

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at _____

*Christian and
Surname in
full.

remember saying that it was of no use remaining about - that he was shot and something would have to be done. I just got him straight into the cab when it was stopped.

TO THE CORONER: I did not put the lights out in the cab.

TO MR McPHERSON: I do not recollect asking a woman close by where I could get a hansom cab. When I came back there was @ a soldier and civilian there. I did not have a conversation with them. They came to the watch-house too,

TO THE CORONER. I have not got a revolver; I do not possess one; I know nothing of any revolver or any firearm that night. When I put the deceased into the cab there were 4 or 5 people there but I did not know them. When I went out from Mrs Vern's place I was alone. I left behind in the house some people who were still singing in the front room. There was only about 6 or 7 people left then. I went out because he left word for me to come up. I do not know who he left word with. I was out talking to Mrs Vern in the kitchen. She was cutting sandwiches. I do not know what I said. We were just having a talk. When I went in someone passed@ a remark that Cleary had gone out and had left word for me to come up after him; I could not say who said that. I do not know where he meant. I wish you to believe the story that I have told you. I have nothing more to say. I swear that I have told you everything I know about this business.

(SIGNED) WALTER JOHN JOHNSON.

Taken and sworn before me the 24th day
of July 1917 at Victoria }
Wm. H. Cr. }
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* Marian Smithon her oath saith, I am a married woman,
residing at 25 Fleet Street, Fitzroy.*Christian and
Surname in
full

TO SIR INSPECTOR MCPHERSON: On the 3rd June last I was residing at No. 158 Fitzroy Street, Fitzroy. At about one a.m. on that morning I had a boy ill and I got up to give him a powder. At 10 to 1 I got out and at 1 o'clock I gave him the powder. I was attending to him for about three quarters of an hour because I was sponging him with warm water and vinegar. During that time I heard five shots. I counted them so I know that I was right. After hearing the shots I ran out and ran down the street. I ran in the direction of the shots. I had no boots on. When I got there I found a man lying on the footpath. I did not speak to him that time but I ran back and got my slippers and blouse on - it was only a few yards back home - and I took a handkerchief down with me. I identify the man Johnson now standing in Court as a man that I saw running up the street with a hat in his hand towards Gertrude Street. I do not know whether it was his hat he had, but it was a hat. He said to me "Missis, can you tell me where I can get a hansom cab?" I said - "OH, you have finished him, or half finished him, and you are going to run away and leave him." He did not make any reply to that. He sang out - "Look after him, Jack, I won't be long." There was a soldier and civilian coming down the street from Gertrude Street. I saw two men on the opposite side also besides Johnson. Then a hansom cab was brought down. Before that another young girl and myself went down the second time and lifted him up and I rested his head beside my knee and applied the handkerchief to his wound. I could feel that he

Taken and sworn before me the 26th dayof June 19 1892 AM

-13-

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and
Surname in
full.

was injured in the head. I tied a knot in the handkerchief and pressed it to his head. When the hansom cab arrived he was put in the cab by the same gentleman that I saw with the hat; that was Johnson. After putting him in the hansom cab they turned the lights out. The other two men ran down the street - north to Fitzroy Street. One had a grey suit on and the other had a dark suit on. One was a little shorter than the other. They did not wait much when they saw me coming down the street. Johnson was running towards Gertrude Street with his hat in his hand looking for a hansom cab, and the other men ran in the opposite direction - north. The three men could have certainly heard the shots, the same as I did. I saw the police come on the scene. Before the police came I said to them when they were putting him in the cab -- "You have shoved him in there, but I am going to follow you." I said :- You have got him in there and I am going to follow you and see what you do with him." I thought they were going to put him out on some land somewhere and do for him fully. When the police came, I said to them - "I am glad you came." - It was me that sang out to the hansom cab man in the first place. Then they went away to the watch-house and a soldier and civilian went also.

TO THE CORONER: When I heard the shots I did not wait for anything; I went at once. Practically the shots occurred just a few moments before I got there, and at that time I saw Johnson. In my opinion it was not possible for him to have missed hearing the shots.

Taken and sworn before me the

24th day

(SIGNED) MARIAN SMITH.

of

July 1917 at Melbourne
R. H. G.
Coroner.