

074

28th January 1937.

PROCEEDINGS of INQUEST

held upon the body^{ies} of

Merle Maugh Moss

and
at Sydney Gordon Smart

Ballarat.

Received at the Crown Law Offices,

30 JAN 1937

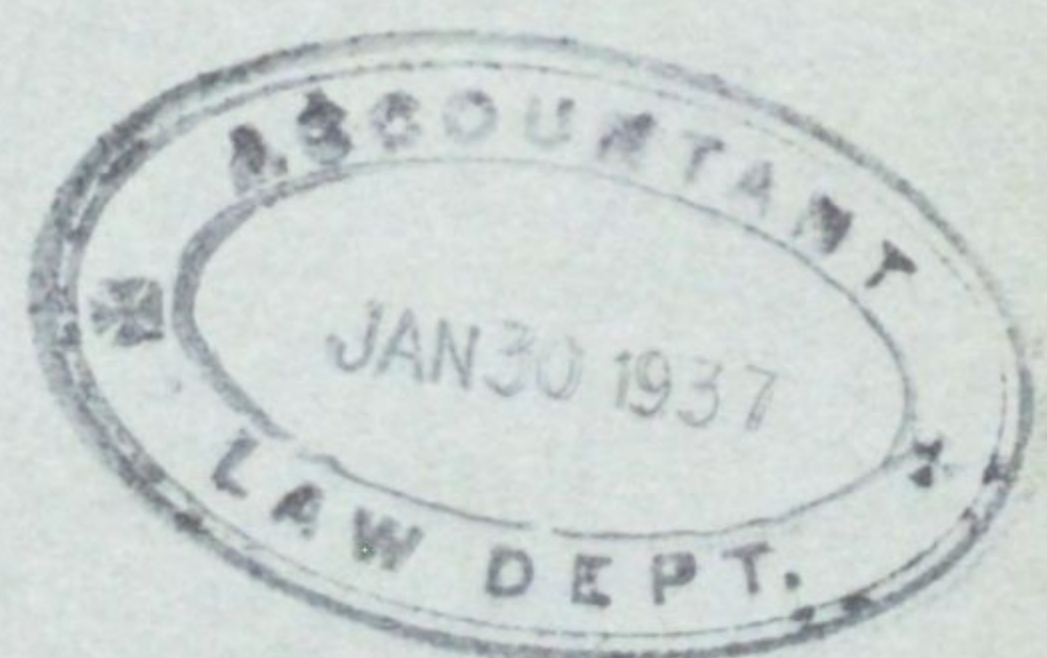
19

Pb. (2)

W. R. Reid J.P.

Coroner

INQUISITION.



VICTORIA }
To Wit. }

AN INQUISITION for our Sovereign Lord King George VI, taken at
THE COURT HOUSE LYDIARD STREET SOUTH BALLARAT
in the State of Victoria, the TWENTY-EIGHTH
day of JANUARY A.D. 1937 in the FIRST

year of the reign of our said Lord the King, by me, WILLIAM ROBERT REID

(1) A Coroner of our gentleman,⁽¹⁾
Lord the King for
the said State or a
Deputy Coroner, or
a Justice of the
Peace for the.....

Bailiwick, acting by
virtue of Section 29
of the Justices Act
1928.

DEPUTY CORONER FOR BALLARAT, IN THE
STATE OF VICTORIA
upon the view of the body of
MERLE MAUD MOSS,

then and there lying dead.

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

how the said MERLE MAUD MOSS

(2) His or her.

came by ⁽²⁾HER death, I say that

on the THIRD day of JANUARY 1937
at BALLARAT BASE HOSPITAL, VICTORIA
in the said State, the said MERLE MAUD MOSS

(3) Here state cause
of death, if known;
if unknown, doubt-
ful, or no evidence,
state the fact ac-
cordingly.

died from ⁽³⁾ THE EFFECTS OF THREE REVOLVER SHOTS,
TWO IN THE BRAIN AND ONE IN THE HEART, FELONIOUSLY

Z.611, 10.31 —11113.

AND OF MALICE AFORETHOUGHT INFLICTED UPON HER
BY ONE SYDNEY GORDON SMART AT BALLARAT ON
THE THIRD DAY OF JANUARY 1937, AND I FURTHER
FIND THAT IN THE MANNER AFORESAID THE SAID
SYDNEY GORDON SMART DID MURDER THE SAID
MERLE MAUD MOSS. [OVER.

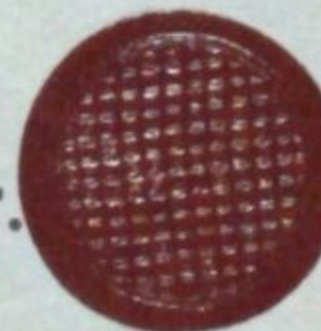
(4) Coroner or
Deputy Coroner or
Justice of the Peace.

In witness whereof, I, the aforesaid ⁽⁴⁾ *DEPUTY CORONER* have to this Inquisition

put my hand this *28TH* day of *JANUARY* A.D. 19*37*

W. R. Reid.

DEPUTY Coroner.



VICTORIA POLICE—47a.

PLAIN CLOTHES BRANCH.

Ballarat

Station

Central

Police District

4th. Jan.

19 37

REPORT of Francis. R. H. Raper. P.C. Ist. Const. 7063.

Relative to Sydney Smart being found dead as the result of gun shot wounds and drowning at Ballarat on the 4/1/37."

The Deputy Coroner
Ballarat

1. I have to report that on the 3/1/37 a girl named Merle Moss^{was} found lying in a lane at the rear of Dr. Salter's residence Sturt street Ballarat at about 7.30pm. She was suffering from gun shot wounds and was taken to the Ballarat Base Hospital where she died at about 8.30pm the same evening.
2. From inquiries made it was ascertained that at about 3pm on the 3/1/37 a girl named Dulcie Lumsden called at Dr. Salter's residence for the deceased and they went for a walk to the Lake and were followed by Smart. At about 7pm that evening both girls had tea at the "Roxy" Cafe in Bridge street and later whilst walking up Sturt street they were again met by Smart and he caught hold of the girl Moss and wanted her to go for a walk with her, but she refused. He stated that if she did not go there would be trouble and at the same time produced a revolver.
3. Both girls and Smart eventually walk^{ed} up Sturt street to the Lane at the rear of Dr. Salter's where Smart shot the girl Moss. Smart was seen lying alongside the girl Moss pulling the trigger of the revolver, he then attempted to rise, but fell down, and on the second attempt rose and ran North along ~~the~~ Lyon street, then west along Mair street.
4. At about 9.30am on the 4/1/37 in company with Senr. Det. Sickerdick, other Police and myself we found a hat on the waters edge at the rear of the Pleasant street School. I obtained a boat and whilst rowing near some boat sheds about 10 paces from where the hat was found I recovered the body of Smart. There were two wounds on his head which appeared to be gun shot

VICTORIA POLICE—47a.

PLAIN CLOTHES BRANCH.

Ballarat Station

Central

Police District

4th Jan.

19 37

REPORT of Francis.R.H.Raper P.C.Ist.Const.7063, report continued.....

Relative to

5. The body was removed to the Police Mortuary and the Deputy Coroner notified. The relatives of deceased were also informed.

6. The Inquest will be opened at 2pm on the 4/1/37.

F.R.H. Raper

P.C.Ist.Const.7063

To Just Constable Raper

Instruct Dr. Chas Fleming to conduct a post-mortem examination this afternoon.

Arrange for opening the inquest this afternoon

Prepare brief for inquest.

Dauard

4.1.1937

W.R. Reid
Deputy Coroner

Ballarat

5/1/37

Mr. Reid

Deputy Coroner.

1. Dr. Fleming held the post-Mortem on the 4/1/37.

2. Brief of Inquest is being prepared.

F.R.H. Raper

P.C.Ist.Const.7063

18/1/37

Mr. Reid

Deputy Coroner

1. *Brief of Inquest completed herewith.*
2. *Would you please arrange date for Inquest.*

F.R.H. Raper
P.C.Ist.Const.7063

[OVER

[First Installment Papers]

Barnard

The request will be resumed 28. 1. 1937

19. 1. 1937

W. R. Reid
Deputy Colonel

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent *

COLIN SAMUEL SMART

on his oath saith, I am a

Single man: Bricklayer

residing at

Durham Lead Victoria

* Christian and
Surname in
full.

I have viewed a body at the Ballarat Police Morgue which I do identify as being that of the late SYDNEY GORDON SMART.

Deceased was my brother aged 22 years on 21.9.1936, labourer, and resided with his parents at Durham Lead.

Up to Saturday 2.1.1937 he was working for Mr George Lockyer of Durham Lead for whom he was cutting wood.

I last saw my brother alive at his home at 10.30 am on 3rd January 1937. He was then in the best of spirits and intended coming to Ballarat for the day. It was his usual habit to return home after visits to Ballarat. I knew that he was keeping company with a young lady in Ballarat named MERLE MAUD MOSS. He used to speak of her at home. I never at any time heard him say that relations between Mrs Moss and himself were other than friendly.

My late brother appeared to enjoy good health and was much worried about his health.

He had several products close resembling those worn by him when he left home on 3rd inst.

I positively identify the bicycle products as his personal property and the machine he rode into Ballarat on 3.1.1937

Taken and sworn before me the

FOURTH

day

of

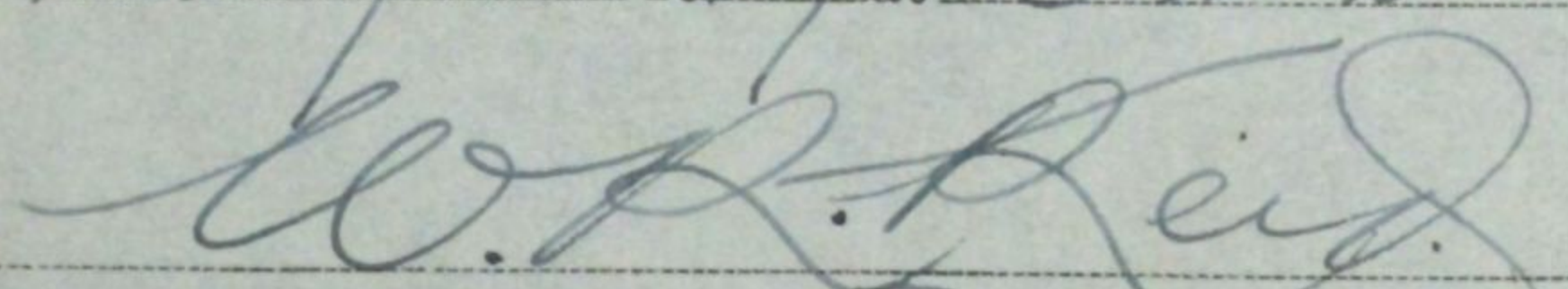
JANUARY

1937

at

BALLARAT.

Colin S. Smart.



DEPUTY Coroner.

INQUISITION.

VICTORIA }
To Wit. }

AN INQUISITION for our Sovereign Lord King George VI, taken at
THE COURTHOUSE, LYDIA STREET SOUTH BALLARAT
in the State of Victoria, the *TWENTY-EIGHTH*
day of *JANUARY* A.D. 19*37* in the *FIRST*

year of the reign of our said Lord the King, by me, *WILLIAM ROBERT REID,*

(1) A Coroner of our
Lord the King for
the said State or a
Deputy Coroner, or
a Justice of the
Peace for the

gentleman,⁽¹⁾ *DEPUTY CORONER FOR BALLARAT IN THE STATE*
OF VICTORIA upon the view of the body of *SYDNEY GORDON SMART.*

Bailiwick, acting by
virtue of Section 29
of the *Justices Act*
1928.

then and there lying dead.

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

how the said

SYDNEY GORDON SMART

(2) His or her.

came by ⁽²⁾ *HIS* death, I say that

on the

THIRD

day of

JANUARY

19 *37*

at

LAKE WENDOUREE, BALLARAT, VICTORIA,

in the said State, the said

SYDNEY GORDON SMART

(3) Here state cause
of death, if known;
if unknown, doubt-
ful, or no evidence,
state the fact ac-
cordingly.

died from ⁽³⁾

DROWNING, WILFULLY CAUSED BY
HIMSELF IN LAKE WENDOUREE, BALLARAT.

(4) Coroner or
Deputy Coroner or
Justice of the Peace.

In witness whereof, I, the aforesaid ⁽⁴⁾ *DEPUTY CORONER* have to this Inquisition

put my hand this

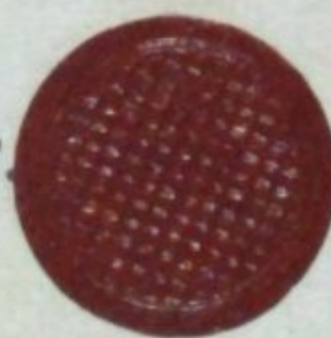
28TH day of *JANUARY*

A.D. 19*37*

Z.611.

W. P. Reid
DEPUTY

Coroner



VICTORIA POLICE—47.

Ballarat

Station

Central

Police District

4th. Jan 1937

REPORT of Francis. R.H. Raper. I.C. Ist. Const. 7063

Relative to "Shooting of Merle Moss at rear of Dr. Salter's Sturt Street Ballarat at about 7.30pm on the 3/1/37"

The Deputy Coroner

Ballarat.

1. I have to report that at about 7.30pm on the 3/1/37 Dr. Salter rang the Police Station and reported that a girl had been shot in a lane at the rear of his residence.

2. In company with Ist. Const. Lloyd I went to the scene and there found the deceased Merle Moss lying in the lane, bleeding badly from wounds in the head. She was conveyed to the Ballarat Base Hospital and died about ^{how} an hour later.

3. From inquiries made I ascertained that the deceased had been keeping company with a youth named Syd. Smart who resided at Derham Lead, that during the last three weeks they had been having serious arguments and deceased had refused to go out with him, and that on one occasion about a fortnight ago Smart had fired two shots ~~into~~ the head of deceased, because she was going to run away and leave him when they were down at White Flat.

4. At about 11am on the 3/1/37 Smart rang deceased and told her if she did not go out with him there would be trouble, she replied that she would not go out with him again.

At about 3pm on the 3/1/37 a girl named Dulcie Lumsden called for deceased and they both went out together and were followed by Smart. At about 7pm the same day both girls had tea at the "Roxy" Cafe in Bridge street and afterwards walked up Sturt street where they were met by Smart at the Corner of Lydiard and Sturt Street. Smart caught hold of deceased and wanted her to go away with him but she refused. He produced a revolver and stated that if she ^{did} not go there would be trouble.

5. Both girls eventually walked up Sturt Street with Smart

VICTORIA POLICE—47.

Ballara t Station

Central

Police District

4th. Jan.

19 37

REPORT of Francis. J. H. Raper I.C. Ist. Const. 7063, continued.....

Relative to

and when they got to the lane at the rear of Dr. Salter's Smart remained talking to deceased whilst the girl Lumsden walk to the back gate of Dr. Salter's, as she did Smart called out, "Dont go in or there will be trouble". He then caught deceased by the belt and fired a shot at her. About six shots were fired and Smart was seen lying on the ground alongside of deceased trying to shoot himself, but the revolver would not go off. He then got up and ran North along Lyon street.

6. With other Police I made a search of the streets but was unable to locate Smart. Further inquiries are being made.

7. The body was removed to the Morgue at the Police Station, and the Coroner was notified. The relatives of the deceased were also informed.

8. The Inquest will be opened at 10am on the 4th.

F. J. H. Raper

I.C. Ist. Const. 7063

To Just Exorable Raper-

Instruct Dr Chas Fleming to conduct a post-mortem examination this morning.

Prepare a brief for inquest

The inquest will be opened at 10 am this morning

Ballard

H. 1. 1937

W. R. Reid
Deputy Coroner

[OVER

Mr. Reid.

Deputy Coroner.

Ballarat

5/1/37

1. Dr. Fleming held Post-Mortem on the 4/1/37.
2. Brief of Inquest is being prepared.

J.R.H. Raper

P.O. Ist. Const. 7063.

Mr. Reid

18/1/37

Deputy Coroner

1. Brief of Inquest completed herewith.
2. Would you please arrange date for Inquest.

J.R.H. Raper

P.O. Ist. Const. 7063.

[Ist Constable Raper]

Ballarat

The Inquest will be resumed 28. 1. 1937

19. 1. 1937

W.R. Reid
Deputy Coroner

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * EDWIN ALEXANDER ROBERT MOSSon his oath saith, I am a Manuskan: Labourerresiding at Navigator Victoria* Christian and
Surname in
full.

I have viewed a body at the Ballarat Police Morgue which I do identify as being that of the late MERLE MAUD MOSS.

Decased was my daughter, fifth living child aged 18 years on 27.9.1936 domestic servant and at the time of her death employed by Mr A.C.H.

Cook of Hotel Hotel Ballarat. She had been in his position for 2 months.

I last saw my daughter alive on 25th December 1936 at my home.

She was then in good health and spirits. She returned to Ballarat on the same morning.

During the time decased was at home (25.12.1936) she had a conversation with me in which she said that a young man named SYD SMART expressed a desire to become engaged to her and that he wished to present the engagement as a Christmas toy. She told me that she told Smart that she did not wish to become engaged to him. As her father I advised her to give the matter of marriage full consideration before deciding. I raised no objection to the young man.

I met Smart once only and have heard from others that he bore a good character.

When she left home for Ballarat Merle was in good spirits.

Taken and sworn before me the FOURTH dayof JANUARY 1937 at BALLARAT

C. A. Moss

W. R. Reid

DEPUTY Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Francis John MOSS:* Christian and
Surname in
full.

on h is oath saith, I am a legally qualified Medical Practitioner,
residing at Ballarat Base Hospital, Drummond Street, BALLARAT.

On 3rd. January 1937, at about 7:40 p.m., I examined Merle Moss,
aged 18 years, on her admission to the Ballarat Base Hospital. She
was unconscious and breathing stertorously with blood stained froth
~~haematoma~~ around both eyes,
about the mouth, ^A and gun shot wounds in the head and chest. She
died at 8 p.m.

DETAILS OF EXAMINATION -:

- (1): A bleeding gun shot wound in the ^{head} ~~hand~~ $1\frac{1}{4}$ inches vertically above
the right ear, ~~the~~ wound was about $\frac{1}{8}$ inch in diameter and passed
into the skull. The edge was blackened.
- (2): In the Right temple a gun shot wound $\frac{1}{2}$ inch in diameter with
powder marking $1\frac{1}{4}$ inches diameter and symmetrical about the wound.
On probing, the wound passed into the skull. No wounds of
exit were found.
- (3); Over the lower end of the sternum a gun shot wound $\frac{1}{2}$ inch in
diameter passing obliquely from above downwards and towards the
heart. No wound of exit was found.
- (4): Left hand 4th. finger - a gun shot wound entering the ulnar aspect
and emerging from the palmar aspect - there was gun powder marking
about the ulnar aspect.
- (5): A bruise on the Right leg just below the knee - diameter about
 $\frac{3}{4}$ inch.

In my opinion the cause of death was -:

- (1) Cerebral laceration and Intracranial haemorrhage from bullet
wounds of the head.
- (2) Perforation of the heart and Intra thoracic haemorrhage, from
a bullet wound of the chest.

Either of these injuries could have been separately fatal.

Taken and sworn before me the 28th dayof January 1937 at Ballarat

F J Moss M.B.B.S.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Charles William Henry Flemingon his oath saith, I am a legally qualified Medical Practitioner
residing at Ballarat.* Christian and
Surname in
full.

On Jan 6th 1937 at the 'Morgue' Ballarat I made a post mortem examination on the body of a girl Merle Maud Moss aged 18 years. The deceased was wearing a silk 'Scanty' & underneath a diaper pinned to an elastic belt, both garments were stained with menstrual blood & there was no evidence of criminal violence. There were four bullet wounds in the body & on the right forearm there was blackening as if it were scorched by a powder explosion. One bullet wound was in the ring finger of the left hand. One in the centre of the breast bone (sternum).

One 2 inches above the right ear over the ~~temporal~~ temporal bone & the fourth joint behind the right orbit 2 inches in front of the latter wound. All four marks were powder stained & scorched. I opened the skull & traced the bullet through the temporal bone through both lobes of the brain & found it lying in the left temporal region within the skull cavity. I handed it to Det Raper. The other bullet went upwards behind the right eye, entered the cranium & injured the right frontal lobe of brain. This bullet flew into small pieces passing through the skull itself, one small piece I handed to Det Raper.

The bullet through the sternum entered the cavity of the thorax splintered itself, & some of the fragments pierced the heart causing a small wound of the right Ventricle & permitting the pericardium to fill with blood.

The bullet through the finger went through it & of it I could find no trace. The wounds in the head or in the heart could have

Taken and sworn before me the 28th day
of January 1937 at Ballarat
W R Reid
DEPUTY Coroner.

Charles Fleming

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Charles William Henry Flemingon his oath saith, I am a legally qualified medical practitioner* Christian and
Surname in
full.residing at Ballaarat

accounted for his death which was directly due to gun shot wounds
fired at a close range.

The organs in the abdomen & pelvis were normal.

The revolver produced would be capable of
discharging the bullets found in deceased's
skull.

To Coroners. The wound in the heart most likely caused
deceased's death. The bullet of the type produced
would cause a fatal wound in the heart, but
would not necessarily cause a fatal wound in the
head. The shots were fired from within a
distance of one foot. The marks at point of
entering were caused by burning. ~~An hour~~
would not be regarded as an ^{un}usual time to live
after the wound of this type was inflicted in the
heart.

Charles Fleming

Taken and sworn before me the 28th dayof January 1937 at Ballaarat

W R Duff
Deputy Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Charles William Henry Flemingon oath saith, I am a legally qualified Medical Practitionerresiding at Ballant.* Christian and
Surname in
full.

On Jan 4th 1937 at the Morgue Ballant I made a post mortem examination on the body of Sydney Gordon Smart aged 22 years.

The deceased was fully clothed & his clothes saturated with water.

There were two bullet marks on the Vertex of the skull.

One glanced harmlessly off the skull while the other penetrated to left parietal bone but did not enter the cranial cavity.

I handed the bullet to Det Raper (Both wounds were powder marked).

The underlying brain was not seriously damaged.

I then opened the thorax & found the lungs & heart distended such as you find in asphyxia. The lungs exuded a frothy fluid & a similar fluid exuded from the mouth & nose.

The face was blue & congested, while there was slight wrinkling of the feet & hands.

The stomach contained a quantity of water.

The body had evidently lain in water for some time, say about 12-16 hours. & death was due directly to asphyxia caused by water entering the lungs, that is drowning.

The revolver produced would be capable of firing bullet found in deceased's skull.

The wounds would not be capable of causing death. I should say the ~~body~~ body had lain in the lake about 12 hours before it was found. and that death would

Taken and sworn before me the 28th dayof January 1937 at Ballant

W R Raper
Deputy Coroner.

Chas W Fleming

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent * Charles William Henry Flemingon his oath saith, I am a legally qualified medical practitionerresiding at Ballarat* Christian and
Surname in
full.

have taken place about 10pm on the 3-1-37 before
To Coroner.

It do not think that deceased collapsed
and fell into the water. He was fully responsible
for his actions although he ^{might} ~~would~~ be stunned
for a short time after the wounds were inflicted

Taken and sworn before me the 28th dayof January 1937 at BallaratCharles FlemingW R ReidDeputy Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Dulcie Jean Lumden.

on her oath saith, I am a

House maid employed by

* Christian and
Surname in
full.

residing at

Dr. Richardson at 1408 Sturt Street.

Ballarat.

I knew deceased Merle Maund Moss. She was employed by Dr. Salter of 612 Sturt Street Ballarat. I knew deceased Sydney Gordon Smart. About 2.40 pm on 3rd January 1937 I was on my way down Sturt Street to visit deceased Merle Maund Moss at Dr. Salter's. I saw deceased Smart walking up Sturt Street near Raglan Street. He said asked me if I was going to see Merle and I said "yes". He asked me to tell her he wanted to see her for a minute. I told Merle what he had told me and she said she did not want to see him. I company with Merle I left Dr. Salter's residence about 3/4 hour later and when in Sturt Street deceased Smart was standing on corner of Lyons and Sturt Streets. Merle and I walked to Raglan Street to catch a tram; and deceased Smart walked with us. I heard him speak to deceased Moss and say he wanted her to meet him. She said she was not going to meet him any more. Merle and I boarded the tram and deceased Sydney Gordon Smart got on also. When we reached the lake we got off and so did Smart who ~~asked~~ said something to Merle. She said she did not want him. They talked for a while and he went away.

Taken and sworn before me the

28th

day

of January

1937

at

Ballarat

Dulcie Jean Lumden

W. R. Reid

Deputy Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Dulcie Jean Lumsden.

on her oath saith, I am a

residing at

* Christian and
Surname in
full.

Merle and I remained at home for some time. We then walked down Sturt Street to Wynnes cafe, where we both had tea. Afterwards we walked along Sturt Street as far as the Commonwealth Bank. We met deceased Smart near Albert Street. It would be about 7 o'clock. I heard Smart say to Merle that he wanted to meet her that night. She said she was not going to meet him. They talked for a while. Smart had hold of Merle's wrist. He pulled a revolver out of his pocket. — It was similar to revolver produced. — and levelled it at her head and then put it back in his pocket. I think Merle said "don't be a coward." I do not think he made any reply. I said I was going to tell someone. He said "If you do there will be trouble." Merle and I then went to the Arcade. We left there by the Armstrong Street entrance and then walked to Sturt Street and down Sturt Street in an Easterly direction. We said Smart. He was walking behind us. We walked down to Peel Street and he followed. He crossed Bridge Street and came back along its north side. Smart returned on the south side.

Taken and sworn before me the

28th

day

of January

1937

at

Dallan

Dulcie Jean Lumsden

W. R. Laing

DEPUTY

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Dulcie Jean Lumsdenon h^e oath saith, I am a* Christian and
Surname in
full.

residing at

he crossed over and he followed us as far as the A. B. C. Cafe. were he caught up to us. He ~~said~~ spoke but I cannot remember what he said. He walked with us as far as Lyons Street. We all entered a lane running to the rear of the entrance to Dr. Salter's residence. Merle and Smart remained talking. He pushed her against the fence in the lane. I stood a few feet away for a while. They would be a couple of feet up the lane from Lyons Street. He caught hold of her waist belt when she tried to get away. He said "Will you meet me tonight". She said "She would not meet him". She said then "I don't want to meet you". Let me go. He still held her. I was standing by Dr. Salter's gate when I heard a report and saw smoke and saw Merle fall to the ground. She was screaming. I heard about 4 shots fired as I ran inside the gate. When I last saw them Merle was on the ground and Smart was bending over her with his back towards me. No one else was in the lane when this happened. I ran into Dr. Salter's and told Mrs Salter what had happened. and that Merle was shot.

To Coroner

deceased had not told me that Smart had been invited to her parents place at Christmas. She gave me to understand that she wanted.

Taken and sworn before me the

28th

day

of

January

1937

at

DunedinW. R. Herd

DEPUTY

Coroner.

Dulcie Jean Lumsden

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Dulcie Jean Lumsden

on h oath saith, I am a

* Christian and
Surname in
full.

residing at

nothing more to do with Smart. On 3-1-1917. I
 understood from her conversation that she told
 Smart she wanted to see him no more. I had
 never spent any ^{considerable} time with deceased and Smart.
 He seemed sensible in his conversation and well
 behaved. His behaviour on the Sunday
~~was~~ seemed very serious. They have been on
 friendly terms for 3 months to my knowledge.
 During that time Merle never told me that he
 produced a revolver in her presence.

to Mr. Moss.

I know of nothing between the 25th of
 December and the day of the shooting, that would alter
 Merle's attitude to deceased Smart.

Taken and sworn before me the

28th

day

of January 1937 atDallaraDulcie Jean Lumsden

W. R. Reid
 DEPUTY

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Margaret Ruth Telford.

on her oath saith, I am a

Cook employed by Dr.

* Christian and
Surname in
full.

residing at Salter at 61/2 Stuart Street. Ballarat

I reside on the premises. I knew deceased Merle
Maude Moss. She was a housemaid employed by
Dr. Salter. and resided on the premises. I knew
deceased Sydney Gordon Smart. He had been
keeping company with deceased Moss for 6
months to my knowledge. He would see her
about 2 or 3 times a week. About a week before
last Christmas Merle returned home and said
she had been to White Flat with Sydney Smart.
She also told me they had an argument that night.
She did not tell me the nature of the argument.
She said they had an argument. She got up to
leave and he fired two shots from a revolver into
the air. and she went back to him. I asked
her why she did not report the matter to the police.
and she said she did not like to as she did not
think he would do any harm with it as he
had treated her well. A couple of nights later
she said to me "I am not going to be bothered
with him any longer. Every time we go out
we have an argument." On Christmas eve
deceased Merle Moss. Dulcie Sumner and
myself went for a walk down Stuart Street.
we saw deceased Smart who followed us everywhere
we went. He met us finally and spoke to
Merle. He wanted her to go with him that evening.

Taken and sworn before me the 28th day

of January 1937 at Ballarat

M R Telford.

W R R
DEPUTY Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent *

Margaret Ruth Telford

on h oath saith, I am a

residing at

* Christian and
Surname in
full.

Merle said she did not want him and that she wanted to go with Dulcie Lumsden and myself. He followed us so Dulcie Lumsden and I left them. We did not see them again that evening. About midday on 3-1-37 Merle helped me wash the dishes. She said: On Christmas when coming home deceased Smart tried to pull her into the churchyard and said he was going to shoot himself. About 11 am on 3-1-1937 I saw deceased Merle Moss answer phone at Dr. Satter's. When she returned she said: That was Syd and that he said the police had been out about the revolver. and Merle said she said: It serves you right and hung up the receiver. At 8.45 pm on 3-1-1937 Dulcie Lumsden called at Dr. Satter's and she and Merle went out for a walk. At 7.30 pm. I was in Dr. Satter's place when I heard reports of a revolver - there were about five - and I went to the passage and saw Dulcie Lumsden. I said: Has Merle been shot? She replied: Yes. I ran to the lane and saw Merle and Syd Smart lying on the ground in the lane about 5 yards from Lyons Street. I called out: Merle! She did not answer. Smart was trying to get up. He had a revolver something similar to revolver produced in his right hand. I heard it clicking. He fell down again. How would he

Taken and sworn before me the

28th

day

of January 1937 at

Dunoon

M R Telford

W A Duff

DEPUTY

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent * Margaret Ruth Selford

on h - oath saith, I am a

* Christian and
Surname in
full.

residing at

a foot near Dr. Salter's Gate than Merle. I heard neither
call out or speak. There was some woman
at the Lyons Street end of the lane. I saw her and
told Dr. Salter, Merle had been shot. Merle told me she
did not care for Smart any longer and did not want
to see him.

To Coroner

I do not know who caused the police to
interview Smart about the revolver. She did not
tell me anything Smart said when he told her.
that the police had been out to see him. Smart either
rang up or waited outside. To my knowledge
he never came to the Doctor's residence for her.
She did not tell me what they used to argue about.

Taken and sworn before me the 24th day
of January 1937 at Dalwood

J R Selford

W R Duff
DEPUTY Coroner.