

7th June 1918

515 ✓  
19

PROCEEDINGS of INQUEST

held upon the body of

Patrick Magner.

at Melbourne Morgue.

Received at the ~~Chancery~~ Law Offices,

RE 12 JUN 1918 19

C. L. O.

R. H. Cole. Coroner.

15237.

Forwarded for the information  
of the Secretary for Railways.

W. A. Anderson

Secretary to the Law Department

SECRETARY'S OFFICE  
DEPT. OF JUSTICE  
20.6.18

RECEIVED 14 JUN 1918

20.6.18

Noted and returned with thanks.

Geo. W. Walker  
The Secretary  
to the Law Dept  
C. L. O.

RECEIVED 14 JUN 1918  
C. L. 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 7th  
day of June A.D. 1918 in the ninth  
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 Patrick Magner  
then and there lying dead.

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

*RR* and by what means the said Patrick Magner

(1) His or her.

came by<sup>1</sup> his death, I say that

on the 28th day of May 1918

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

at Craqueburn Patrick Magner was run down & killed at the Seydney Road level crossing by a light engine. I decide that the death is due to misadventure

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

put my hand, this 7th day of June

A.D. 1918

*Robert H. Cru*

Coroner.

VICTORIA POLICE.—

Campbell Street Station

Boucher

Police District

29. 5. 1918

REPORT OF

William Gordon Const 5613

Relative to

A man named Patrick  
Maques aged 62 years being killed  
by an engine at Craqueburn  
Railway crossing

MM

I have to report for the information of D &  
C. City Coroner. That at 5 am 29. 5. 18  
In consequence of which I was told I proceeded  
to Craqueburn Railway Station in D. rayton &  
gaiter motor ambulance En route there  
William George McBracken Station Bailie  
informed me that at about 10<sup>00</sup> 29. 5. 18  
He was standing on the station. The down  
train had just passed. He then noticed  
a motor car standing on the Sth side of the  
gate & heard the sound of a whistle of a  
light engine approaching from Donkeyfoot.  
He then looked for the deceased who was  
employed as gate keeper & saw him  
cross the line from the south side  
He then concluded as the whistle had been  
sounded & all signals were off. That  
everything was right. A few seconds later  
the engine came through. He went to the  
spot & saw that one of the gates was smashed  
& deceased was missing. He then went  
to where the engine had stopped.

D. Cole P.M.  
Coroner

about 200 yards up the line & then saw  
the dead body of the deceased lying in  
the cow catches with position of the gate  
on top of line. Engineer & driver Wright  
stated that he did not see him until  
he was almost on top of line. He was then  
trying to push the south gate clear  
the deceased was then carried onto the  
railway station & his wife & family  
who lived close by informed. Mr. S. Syall  
of Syall & son chaff & produce merchants  
Cheltenham stated that he pulled up  
in his motor car on the Nth side of the  
crossing at about 10<sup>u</sup> 28.5.18 & saw  
the down train pass the then saw  
the deceased open the gate on the  
south side & walk towards the Nth  
gate he heard a rumour & looked around  
& then ran back to the gate which he  
had opened as though to shut it  
at this moment the engine dashed  
through & the collision occurred &  
took charge of the body which was  
badly broken up & taken in  
removed to the City mosque by  
Drayton & Garton undertakers

William Condon  
Sept 3. 18

# CORONER'S INQUEST.

VICTORIA TO WIT.

This Deponent\* ALEXANDER MICHAEL MAGNER

on h<sup>is</sup> oath saith, I am a LABOURER

residing at CRAIGIE BURN

\*Christian and Surname in full.

The deceased Patrick Magner was my father He was aged 61 years I saw his body at the morgue. I identified him on the 29th May I saw him alive on the 28th May He was well then and not suffering from any illness.

*Alexander Michel Magner*

Taken and sworn before me the 7<sup>th</sup> day  
of June 1918 at Melbourne  
Thomas A. Co.  
Coroner.

# CORONER'S INQUEST.

VICTORIA TO WIT.

This Deponent\* ROBERT COLLE LYALL

on ~~his~~ oath saith, I am a CHAFF AND GRAIN MERCHANT

residing at AVENUE AND LEVERS STREET ROYAL PARK.

\*Christian and Surname in full.

I remember the 28th last month just a few minutes before 10 a.m I was in a motor car coming from Donnybrook towards Melbourne As I pulled up at the Cragieburn gates they were closed against me. I was driving the car I sounded the horn to indicate that I wanted the gates open and after a few moments the gate keeper came out. He waited a few moments to allow a train from Melbourne to pass and when that train passed he opened the gate on the Melbourne side That was the furthest gate from me Just at that moment I heard a sound and I said to my daughter who was with me "Is that another train" The sound was coming from the direction of Seymour. Just at that moment the gatekeeper also heard the sound He was then in the middle of the track and let the gate swing and the gate was across the line. He stood and looked at the coming train just a moment and then he dashed for the gate. Just at that moment the engine came down on him and the moment the engine passed I got out of the car <sup>and</sup> ~~and~~ over the gate and I called to him but I saw nothing but the fractured gate. It was not exactly dark but was not very light I then ran to the platform at Cragieburn and then the Station Master came from his office and the gatekeeper's wife and son came from their house. I said to them "I cant see the gatekeeper". The engine had stopped I waited for a while.

TO MR SMITH: The moon just seemed to be getting up.

It was rather a blowy night. The sound on the incoming train was just after the sound on the incoming train. I did not see any smoke from the out-going train.

TO MR ABECKETT. The light had nothing to do with the

gatekeeper not seeing the engine coming.  
Taken and sworn before me the \_\_\_\_\_ day

of \_\_\_\_\_ 19 \_\_\_\_\_ at \_\_\_\_\_

*MA*

Coroner.

# CORONER'S INQUEST.

VICTORIA. TO WIT.

This Deponent\* \_\_\_\_\_

on his oath saith, I am a \_\_\_\_\_

residing at \_\_\_\_\_

\*Christian and Surname in full.

THE CORONER: It was a light engine coming from the direction of Seymour. I did not hear a whistle. The engine went a little past the platform and then pulled up. The gatekeeper had plenty of time but he went to save the gate.

*Robert Dyer*

Taken and sworn before me the 7<sup>th</sup> day  
of June 1918 at Melbourne  
Robert H. Cox  
Coroner.



# CORONER'S INQUEST.

VICTORIA. TO WIT.

This Deponent\* \_\_\_\_\_

on his oath saith, I am a \_\_\_\_\_

residing at \_\_\_\_\_

\*Christian and Surname in full.

TO THE CORONER The signals were for "Line clear" and the gatekeeper used to work by the signals and he knew the signals well. I knew at 9.43 that the light engine was coming through. I did not tell the gatekeeper.

TO MR SMITH: I gave all the signals for the train and gave her a clear road.

TO THE CORONER: I think that ~~hex~~ possibly something may have happened to the gate. There is a dip a little further and when he looked the train may have been in that dip. The engine was coming at about 45 miles an hour

TO MR A BECKETT. . . If he had been standing in his box and he should see that no trains were coming when he went over to open the gate.

TO MR SMITH. The line from Cragieburn is straight for about 2 miles and the gates of Sydney Road are on an angle of about 45 degrees with the line.

*W. G. M. Bracken*

Taken and sworn before me the 7<sup>th</sup> day  
of June 1918 at Melbourne  
Thomas H. Co  
Coroner.

# CORONER'S INQUEST.

VICTORIA. TO WIT.

This Deponent\* GEORGE WRIGHT WRIGHT

on <sup>his</sup> oath saith, I am a ENGINE DRIVER - RAILWAYS

residing at 522 SPENCER STREET WEST MELBOURNE.

\*Christian and Surname in full.

I remember the 28th last month at about 10 o'clock I was coming to the gate at Cragieburn. I was returning with a light engine from Wallan to Melbourne. When approaching the crossing at Cragieburn I gave a loud whistle. There was a goods train passing on the down at the time of the whistle. Again when passing that train I popped the whistle. There was no red light showing at the gate and all the fixed signals were off for me to proceed. When nearing the crossing through the gloom as far as I could see I noticed something and I applied the brake. The next moment I saw that it was a gate. I also saw a man's hand on the gate and his shoulder. Next came the crash. I pulled up at the end of the platform and found the gatekeeper lying dead on the cow catcher. I was going at about 30 to 35 miles an hour and I was probably under that when I struck the gate as I had the brake on.

TO MR A BECKETT. I could not tell what the man was trying to do at the gate.

*George W. Wright*

Taken and sworn before me the 7<sup>th</sup> day  
of June 1918 at Melbourne  
Mont H. M.  
Coroner.

# CORONER'S INQUEST.

VICTORIA. TO WIT.

This Deponent\* NORMAN THOMAS

on his oath saith, I am a RAILWAY FIREMAN

residing at 135 ADDERLEY STREET WEST MELBOURNE

\*Christian and Surname in full.

*NT* I remember the <sup>28</sup>29th May last I was approaching the station at Cragieburn when the accident occurred. I was keeping a sharp look out and the driver sounded the whistle. It was on the Seymour side of the crossing at Cragieburn. I looked and saw a man at the gate I just got a glimpse of him that was all I said "For Goodness sake mate put on the brake we have got some poor creature" The brake was put on. All signals were in the right position We were travelling at about 40 miles an hour. When the engine stopped I went to see if the man was caught and found the deceased pinned to the cow catcher by a piece of the gate.

*N. Thomas. Fireman*

Taken and sworn before me the 7th day

of June 1919 at Melbourne

Robert A. Coe

Coroner.

# CORONER'S INQUEST.

VICTORIA. TO WIT.

This Deponent\* WILLIAM CONDON

on h *is* oath saith, I am a CONSTABLE OF POLICE

residing at CAMPBELLFIELD.

\*Christian and Surname in full.

I made ~~the~~ report in this case. I went to the station

All that I could ~~see~~ was the smashed gate. I made ~~the~~ inquiries.

*William Condon*  
*June 19 1893*

Taken and sworn before me the 7<sup>th</sup> day

of June 19 18 at Melbourne

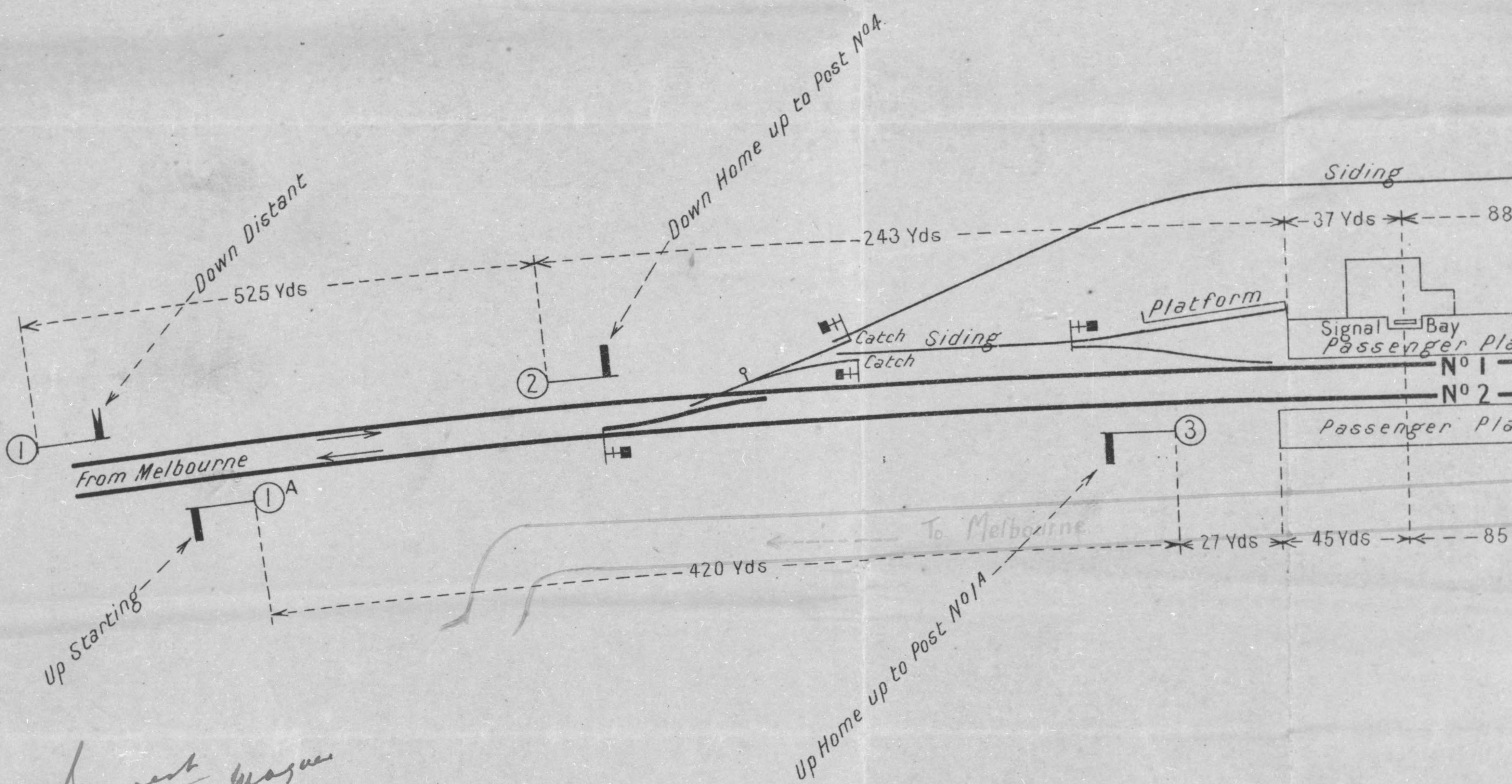
*Robert A. Cru*

Coroner.

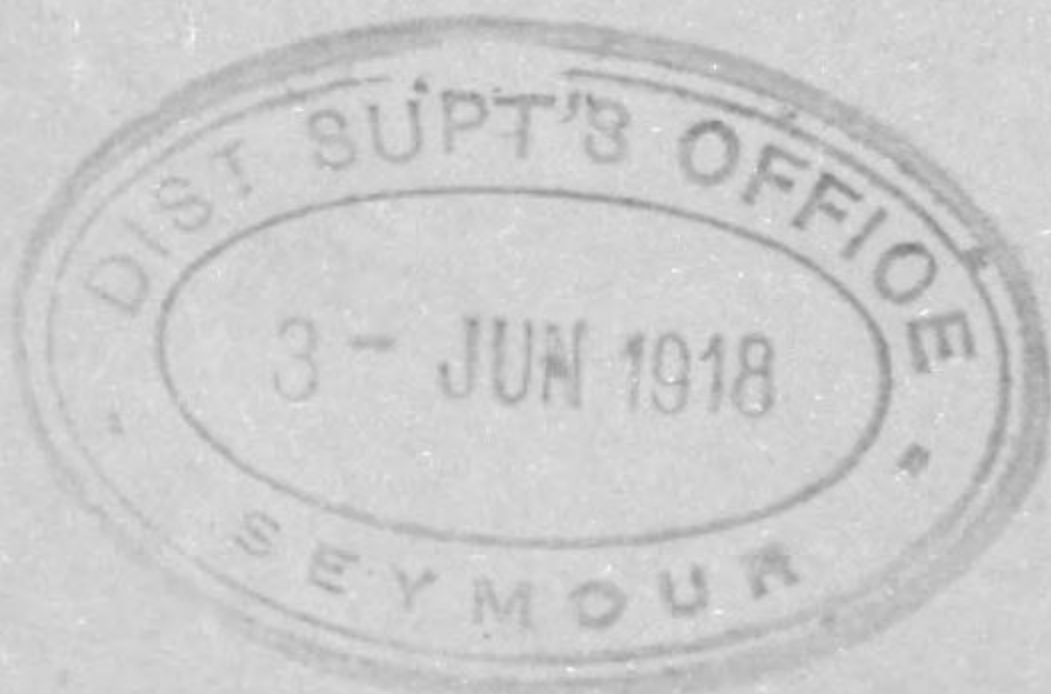
# VICTORIAN RAIL — CRAIGIEBURN —

— DIAGRAM N<sup>o</sup> 36'12 —

Showing Lines of Way with all Interlocked Points  
at present in use



*Suggest  
Patrol  
7. 6. 1918  
R.H.T.*



# MORIAN RAILWAYS

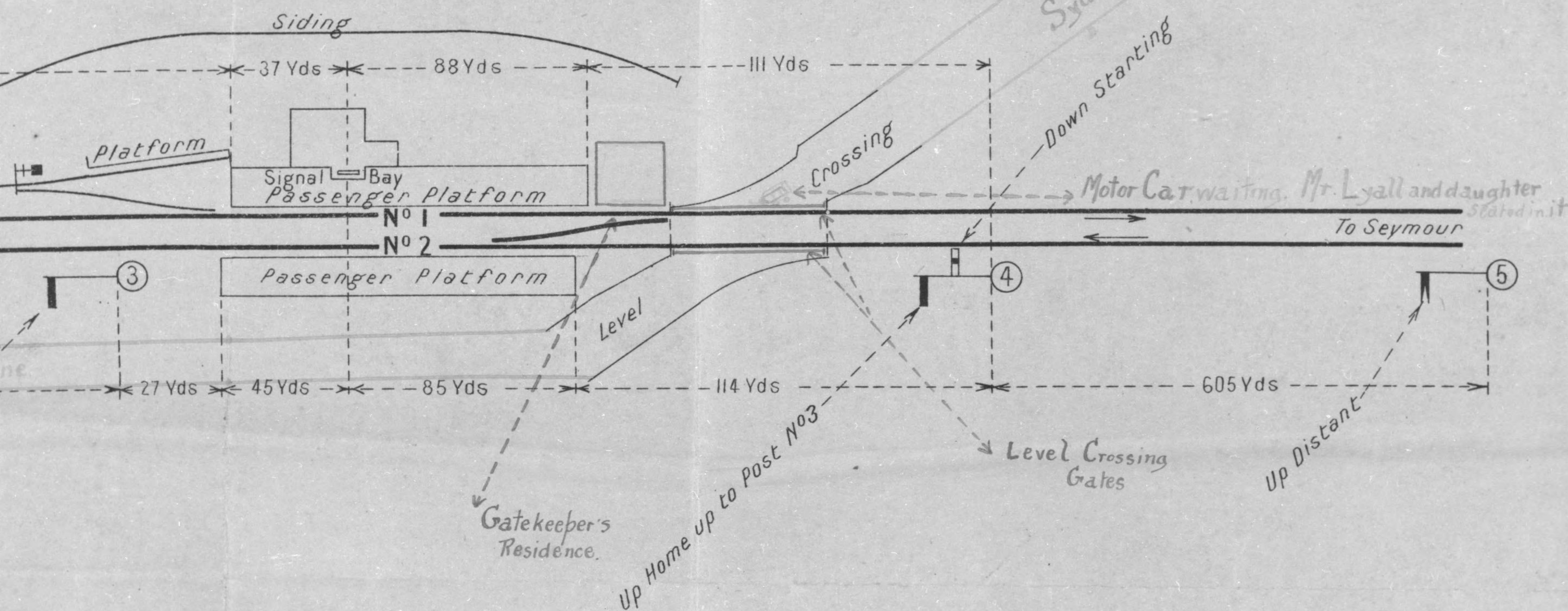
## -CRAIGIEBURN-

—DIAGRAM N<sup>o</sup> 36'12—

of Way with all Interlocked Points and Signals  
at present in use

2

*M. J. L. Smith*  
Engineer of Signals  
11. 9. 12.



*J. H. Fraser*  
Chief Engineer of Way and Works  
September 11<sup>th</sup> 1912  
L 564/12