

21st June 1913

19

510

PROCEEDINGS of INQUEST

held upon the body of

Ernest Besant

at
Melbourne Morgue

Received at the Crown Law Offices,

E A 19

RE 24 JUN. 1913 5

*...
C. L. O.*

G.

R.H. Cole.

Coroner.

15237.

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 **21st**
day of **June** A.D. 1913 in the **fourth**
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 said State, upon the view
of the body of **Ernest Besant**
then and there lying dead.

Having inquired upon the part of our Lord the King, when, where, how,
and by what means the said **Ernest Besant**

(1) His or her. came by **his** death, I say that

on the **11th** day of **June** **1913**

(2) Here state cause at² **South Melbourne at the Homoeopathic Hospital** Ernest Besant died on **11th June 1913**
Caused at the previous day² by a Collision
between the lorry he was driving and
another lorry driven by William Gundry
in **Rox Street South Melbourne.**
I find that the death is due to **Musad.**
Venturing

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

put my hand this 21st day of June

A.D. 1913

A.D. 1915

Ronald H. Crow
Coroner

Coroner

VICTORIA POLICE—(47.)

St Kilda Road Station. Melbourne Police District.

11th June 1913.

No. 1 Division

REPORT of Const. Banny 5143

Relative to. Removing the body of Ernest Pleasant from the Homeopathic Hospital to the Melbourne Morgue.

R.H. 1.
I have to report that I have this day 11/6/13, under instructions from Sergeant Haydon, removed from the Homeopathic Hospital to the Morgue the body of Ernest Pleasant, by way of carriage, in Drayton & Garsons (Undertakers) van.

I understand that deceased died at the hospital at 2³⁰ a. m. 11/6/13 & that South Melbourne Police have furnished reports in reference to this case.

Sergt Haydon
in charge.

M. J. Banny
Const 5143.

St Kilda Road

11/6/13

For information,

Dr Cole

1005
13

Coroner

Morgue

Melbourne

Joseph Haydon.

Script 32 33

South Melbourne Station Melb Police District

June 11th 1913

No 3 Division

REPORT of

Relative to

W. G. Tatchell Const. 4690
An accident occurring
in Roy Street by Napier St. South Melbourne
at 11⁴⁵ am. on the 10th inst.)

RH

I have to report that I was on duty in Albert Road near St. Kilda Road at 11⁵⁰ am. on the 10th inst. when I saw two horses attached to a lorry loaded with manure galloping from Roy St. across Albert Road into Bowen-Terrace with no person in charge of same. The horses were stopped in Bowen-Terrace by some men. I hurried back to Roy St. and saw a number of persons gathered in Roy St. by Napier St. On reaching the spot I saw a man lying at full length on the road. I saw that he was seriously injured. Constable ^{and} Ryan was present in plain clothes, informed me that he had telephoned for the Ambulance, and pointed out William Gundry who was drunk as being the cause of the accident. Gundry was driving two horses attached to an empty lorry along Roy St. towards Park St. and collided with the former lorry driven by Walter Besant who was on his right side close to the kerb thereby causing him to be thrown onto the roadway and his horses to bolt. The injured man was conveyed to the Homeopathic Hospital, and admitted by Doctor Gould. I arrested Gundry charged Sgt. Weir him with being drunk in charge of a St. Kilda horse and vehicle and later admitted

to bail. The injured man was reported to have died at 3³⁰ am. this day.

For information.

The Crown S. Wm. 9/3/86
Melbourne

W. G. Hatchell

Const. at go

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* WALTER GORGE BESANTon his oath saith, I am a MARKET GARDENER*Christian and
Surname in
full.residing at DANDENONG ROAD HEATHERTON

I remember the 9thinst MY brother left home at about 11 pm When he left home he was driving a lorry with the load of vegetables and had a pair of horses and his destination was the Victoria Market He was a RECHABITE. It was his usual practice for him to return about 4 pm on the following day The horses he was driving were quiet and he had been driving them on the road for twelve months. On the 10th inst I received a message and I then went to the Homoeopathic Hospital I there saw my brother He appeared to be suffering from an injury

R.H. ~~in the following~~ I next saw him when he was brought home. He was aged 23 years and was single.

TO MR CORR.

TO THE CORONER: MY brother told me that he was coming home towards the city and as he was coming along Roy Street he saw an empty lorry coming towards him at a rapid pace That he was on his right side and that the lorry seemed to be coming straight for him — That he did all in his power to avoid a collision That the lorry crashed into him and seemed as though it rose up in the air — that he was thrown off the lorry and that the two wheels went over him. He gave a definite clear statement and seemed to know what he was talking about and was that he was in no way to blame whatever.

TO MR CORR: HE said that the horses were going at a rapid pace.

R.H. TO INSP MACMANAMNY The lorry reached ~~me~~ home when I was away at the hospital I inspected the lorry and saw that the frame work on the right hand side was all broken away. It was the off side of the lorry that was broken and all the frame work was broken away and the arch that he used to have over him was bent and twisted, and the paint work was scratched half way up.

Taken and sworn before me the 21st day

of June 1913 at Melbourne
Rout A. G. G.

Walter G. Besant.

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* ELLAN EMMA MILLERon her oath saith, I am a MARRIED WOMANresiding at 8 COBDEN STREET SOUTH YARRA MELBOURNE*Christian and
Surname in
full.

Between 11 am and 12 noon on the 10th inst I was standing at my side gate facing Roy Street. I saw a lorry coming along across Park Street. There were two horses in the lorry and it was empty. It was going at a trotting pace. I saw the driver. He was sitting on the lorry. I did not notice anything peculiar about him. I saw a market gardener's lorry coming along and he had a load of manure and he was coming in the opposite direction of the other lorry. As the first lorry came up to the market gardener's lorry it seemed to make a swerve and crashed into the market gardener's lorry. The market gardener was on the right side of the road and the other lorry was on the other side. The market gardener seemed to be close to the kerb. I saw that the driver of the empty lorry was thrown off his lorry and he lay there and the market gardener appeared to stand up and then the horses gave a plunge and he fell. I went to his assistance. I did not notice anything pass over him. I spoke to the market gardener and I spoke to him. His horses bolted away and then the Police came and took the man away to the Hospital.

TO MR CORR. The lorry driver did not speak to the market gardener and I did not speak to the lorry driver. The horses in the empty lorry were coming at a trotting pace. I think they were trotting fast as if he was hurrying back to his work. The horses were not galloping. At the time the horses swerved the lorry driver seemed to be making toward the middle of the road. Prior to that he seemed to be going straight.

TO DR JONES. I was at my side gate in Roy Street and had a clear view of everything. The market gardener was on my right side and the other on my left. When I saw the empty lorry he was on his right

Taken and sworn before me the 19 day of January 1919 on the side of the road and when they got close to each other they all drove to

of

at

Coroner.

2120

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

*Christian and
Surname in
full.

residing at

came together. The driver of the empty lorry seemed to gather up his reins but it was too late. When I saw the horses swerve I saw the driver lean over and attempt to pull up. The market gardener did not stand up till after the other lorry struck him and then his horses gave a plunge and then out he went. He fell about a moment after he stood up. His vehicle was filled up with manure and it seemed as if it was heaped up. I think there was a tarpaulin over the manure. I could not say there was any boxes on the lorry. It appeared to me to be a full load. The whole road is pitched there in Roy street. The horses seemed to be making toward the middle of the road and then they made a swerve. It was a sudden swerve.

Ellen Emma Miller

Taken and sworn before me the 21st day

of June 1913 at Melbourne

Ron H. Cro

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

MARY WHITE

on ~~his~~ oath saith, I am aMARRIED ^{woman} ~~man~~*Christian and
Surname in
full

residing at

8 Napier STREET SOUTH MELBOURNE

2/ Let Imp. Mamanammy.

Between 11:30 and 12 am on the 10thinst I was

sitting on my verandah a few doors from Roy Street I saw a man driving a double horse lorry along the lefthand side of Roy Street toard Park Bayre Street. He was going slowly and was either walking or trotting slowly.

The next I saw was a lorry coming toward him from Park Street.

There was two horses and they seemed to come close to the coal man lorry and just as they got near him the market gardener seemed to pull his horses off to avoid running into the coal driver. The next all was quiet and then the horses seemed to loosen themselves and then as the lorry got away I saw a man lying on the road in

The next I saw was the coal mans lorry running away It ran past the market gardener and then into Napier Street. The market gardener appeared to be in ~~the~~ middle of the road ^{and} ~~then~~ he appeared to pull off to the left hand side of the road.

TO MR CORR: When I saw the lorry driver I had a good view. He was not close to the kerb stone. He may have been nearer to the middle of the road but when I first saw him he was nearer to the kerb than the middle of the road. I had not seen the market gardener's cart then.

The horses on the lorry were trotting—I believe. When the accident happened I believe it was nearer to the middle of the road. I did not notice how the lorry got to the middle of the road. The lorry driver was sitting on the front of the lorry. There was nothing on the lorry and he had his legs dangling down and he was on the left hand side of the lorry. I did not have a good view of the market gardener's lorry till after the accident, and I did not see the man till after the accident.

The market gardener was lying on the road. He was not close to the kerb. He was in Roy Street on the other end of Napier Street. He was nearer the gutter than the middle of the road.

of

19

at

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

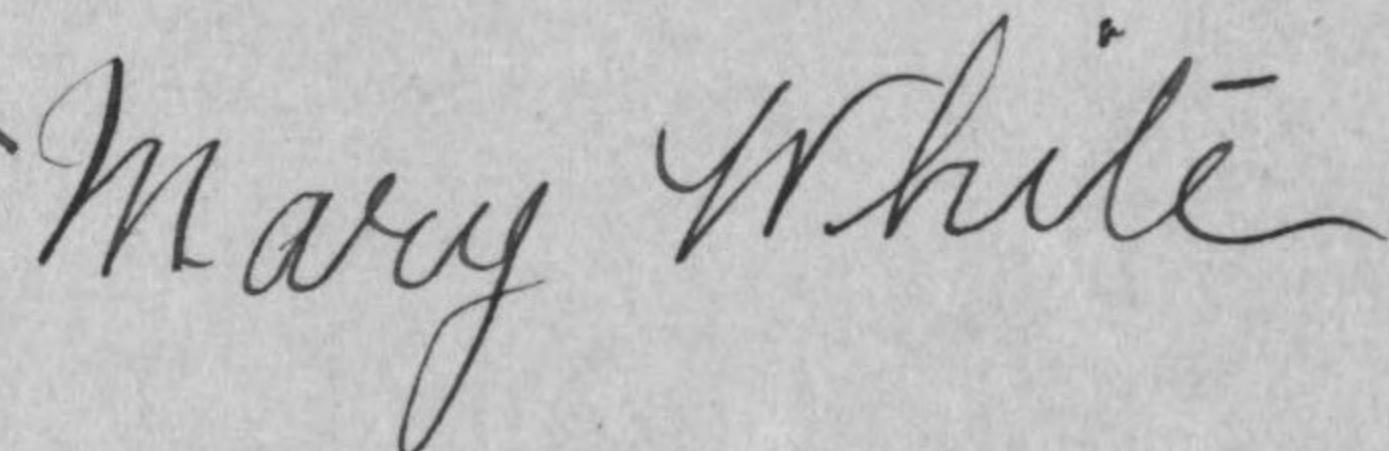
on h oath saith, I am a

*Christian and
Surname in
full.

residing at

TO DR JONES : I didnot see the driverof the coal lorry thrown out.

I saw him on the road after and he waslying on the road - near where his lorry was . He seemed to be unconscious and I saw him carried away into thehouse next door to me andhe was put on the verandah, He did not seem to move till he was gt on the verandah. When he came along toward Roy Street he was jst holding the reinas He was seated on the front of the lorry. He appeared to me to be nearer the left hand side and was well over to theleft hand side. There is plenty of traffic in Roy Street. I saw Mrs Miller go over to him. The deceased man was lying down and he tried to raise his head up and theother man layd there still. I have never spoken to the driver of the lorry The lorry driver seemed to be sitting up straight and there didnot appear to be anything the matter with him.


Taken and sworn before me the 21st day

of June 19th at Melbourne }
Ronit A. Lee }
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

*Christian and
Surname in
full.

This Deponent* William Balfour Wishart
 on his oath saith, I am a legally qualified medical practitioner
 residing at The Homeopathic Hospital 51 Mulgrave Road
Melbourne.

The deceased Ernest Besant was admitted to the Hospital by me at 11.50 am. on June 15th. He was suffering severely from shock. On examination I found severe bruising in the L. groin and extensive abrasions on the buttocks. He had marked tenderness over the ascending ramus of the left ischium; but his bladder and urethra appeared to be normal as a catheter passed easily and the urine was quite clear with no blood in it. He vomited blood twice - six ounces in all. His condition remained unchanged during the afternoon and evening till about 11 pm when he became more restless. Drs. Barton and Scott were communicated with at midnight and arrived in half an hour; but at 11.15 he collapsed suddenly and on their arrival they decided that deceased could not stand the shock of operation. He rallied a little after an intravenous injection of 2 pints of saline but gradually sank and died at 2.25 am. on June 16th.

This death was in my opinion due to shock and internal haemorrhage following a fracture of the pelvis.

W. B. Wishart.

Taken and sworn before me the 21st day
 of June 1913 at Melbourne
Ernest H. Cre }
 Coroner. } 6

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* JOHN THOMAS WILLIAMS

*Christian and
Surname in
full

on his oath saith, I am a BRICKLAYER

residing at 15 SANDILANDS STREET SOUTH MELBOURNE.

To Let *John Macmanamy*: I remember about 11.30 am on the 10th inst as I turned round from Park Street to Roy street I saw a market gardener's cart ahead ~~as~~ at the intersection of the Napier and Roy Streets. *RH* The market gardener was going in the same ~~way~~ as I was and then I saw another lorry coming from Park Street and both lorries seemed to strike each other about the fore carriage and then the driver of the two horse lorry—that was the empty lorry—tried to pull his horses up and they over-powered him and then they turned round and cleared away. Just before the collision the market gardener seemed to be about two feet from the kerb stone and just before the collision he appeared to get a little toward the centre of the road. The empty lorry was on his left side coming toward Park Street. Just before the collision the empty lorry seemed to be in the centre of the road. He seemed to be a little over on his wrong side. He then tried to try and pull the horses away and they over-powered him. I hurried over after the collision and I saw the driver of the empty lorry and I unbuttoned the neck of his shirt and then I WENT to the other driver. I then went back to the driver of the empty lorry and he was taken on to a verandah. I saw Constable Tatchell come and the market gardener was taken away to the Hospital. I saw the lorry driver taken in charge. He appeared to be stunned at the time.

TO MR CORR. When I first saw the market gardener he was within two feet from the kerb. The market gardener was picked up a little from the centre of the road. The vehicles seemed to free themselves in a second or two after the crash. The horses in the empty lorry seemed to over-power the driver. They were going at an ordinary trot. The driver of the empty lorry appeared to be in the front and was sitting on the left.

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

*Christian and
Surname in
full.

residing at

left hand front of the lorry. After the collision he tried to pull up the horses and they overpowered him, and they turned round and galloped away toward Napier Street. The market gardener was going at a very slow pace and he was sitting on a raised seat on his proper driving side and he appeared to have full control of his horses at the time.

TO DR JONES. I THINK THAT THE DRIVER OF THE EMPTY LORRY WAS A LITTLE on his wrong side. I was about 50 yards away from the scene of the accident and I was walking South. The market gardener's horses swerved over a little—but a very little. The horses were both going in opposite directions when they struck. I did not see the market gardener stand up after the collision. The first I saw of him after the collision I saw him on the ground. The driver of the empty lorry was on the ground and he was insensible longer than the other man.

I think the driver of the empty lorry was on the road about ten minutes before he was taken away. I did not see his head strike the pithers.

TO SUB INSP MACMANAMNY : The market driver was on his right side and the other was a little on his wrong side of the road.

*John Thomas
Williams*

Taken and sworn before me the 21st day

of June 1913 at Melbourne

Ronan A. Gre

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* JAMES SYDNEY RYAN*Christian and
Surname in
full.on his oath saith, I am a MENTED CONSTABLE OF POLICE
residing at DEPOT. ST KILDA ROAD MELBOURNE.

About 11.45 am on the 10th inst I was walking along Napier Street towards Roy Street I saw a pair of horses bolting with an empty lorry I stopped the horses and drove them back to Roy Street and when near Roy Street I saw two men lying on the road near in Roy Street I jumped off the lorry and locked the wheel One of the men appeared to be very seriously injured That was the deceased. I telephoned for St Johns Ambulance The other man had been carried to the side of the road. I saw the man afterwards before the ambulance He was then making off up Napier Street leaving his horses and lorry behind I stopped him HE smelt strongly of liquor and appeared to be dazed. Constable Tatchell then came on the scene and I said to him "Tis is the man tha drive the lorry that caused the accident" St Johns ambulance then came and I took the deceased to the Homoeopathic Hospital where I learned his name was ERNEST BESANT. HE made a statement. I then went back to the scene of the accident and there saw Constable Tatchell and I examined the road I found marks of a wheel skidded on the stone on the left hand side of Roy Street facing South That was 6 to 7 feet away from the channel There was then a mark as if something had dragged about 5 or 6 feet from the centre of the road and that mark was about 7 yards long and it appeared as if something had been dragged. The deceased was picked up on the South end of that mark and about 6 feet from the crown of the road.

TO DR JONES. Gundry appeared to be dazed but did not look like a man that had been thrown on the top of his head. I could not say whether it was his clothes or his breath that smelt of liquor.

TO THE CORONER. I WOULD NOT SAY THAT THE MAN WAS DRUNK BUT HE SMELT OF LIQUOR

Taken and sworn before me the 21st dayof June 1913 at MelbourneRout A Cro

Coroner.

J. S. Ryan
M. Cor. 21/13

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* WILLIAM FREDERICK TATCHELLon his oath saith, I am a CONSTABLE OF POLICEresiding at SOUTH MELBOURNE.*Christian and Surname in full.

About 11.50 am on the morning of the 10th inst

I saw a pair of horses attaced to a lorry loaded with manure galloping across Albert Road from Roy Street. They were stopped in B Bowen Terrace by two men. ON reaching Roy Street I saw a number of ~~people~~ persons gathered in the centre of the road at the intersection of Napier and Roy street. On reaching them I saw a man who was the deceased lying on the road in the centre of the road. I noticed that his clothing was partly torn from his body. I saw Constable Ryan there. Later on the ambulance arrived and Constable Ryan took the deceased away. When I arrived Gundry was with Constable Ryan I saw that Gundry was under the influence of drink. He was drunk. From what I was told by Const Ryen I took Gundry to the Watch house and charged him with being drunk in charge of a horse and vehicle. I placed the horses and lorry in Livery Stables. On leaving Elliott's stables Gundry said to me "I have had a good few drinks this morning let me down as light as you can" I said "You are very drunk and you will be charged with being drunk in charge of a horse and vehicle" At about 12.35 on the same day I made an examination of the road on company of Constable Ryan and his evidence of that is correct. I examined Gundry's lorry and I saw a small scratch on the wood work under the table of the lorry. The corners of the lorry are bound with iron.

TO DR JONES. I arrested Gundry about 11.50. Gundry did not complain to me. There was no sign that he had vomited on his clothing. I should not say that the man was suffering from the effects of a blow having on his head. He was standing alongside Ryan on his feet. He walked to the lorry with my assistance. I took him arm and assisted him on to the lorry. HE did not say anything to me about injuries.

Taken and sworn before me the _____ day

of _____ 19 _____ at _____

RNC
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

*Christian and
Surname in
full

residing at

I believe now that he was thrown from his lorry.

I didnot tell him that I was going to arrest till he spoke to me
He walked fairly well from Elliott STables to the watch house. HE bears
a good character and has not been in trouble before as far as I know.

TO THE CORONER. When he spoke to me and asked me to let him down he was
about half drunk I do not think that he was capable then to look after
gutton horses.

TO DR JONES. I didnot say to Gundry on the following morning
"How is your head" or "you had a bad knock on the head" I do not
remember feeling his head at all. IN the watch house after the
case I put my hand on his head to feel if there was lump there
TO THE CORONER: I didnot feel any lump.

TO XXMXXJONESXX

W. J. Hatchell
Coron. 4690

Taken and sworn before me the 21st day

of June 1919 at Melbourne
Rout H. G. Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* GEORGE ROBSON FEATHERSTONEon h is oath saith, I am a SENIOR CONSTABLE OF POLICEresiding at SOUTH MELBOURNE.*Christian and
Surname in
full.

On the 10th inst the man William Gundry was brought to the South Melbourne Watch house. He appeared to ~~me~~ be very drunk.

He appeared groggy and didn't want to be lockedup. He smelt very strongly of drink.

T MR JONES: I did not notice any stains of vomit on his clothes. I took a bag apron off him.

Geo. R. Featherstone
Const 3944

Taken and sworn before me the 21st day

of June 1913 at Melbourne

R. A. C. & C.

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* JOHN ELLIOTT

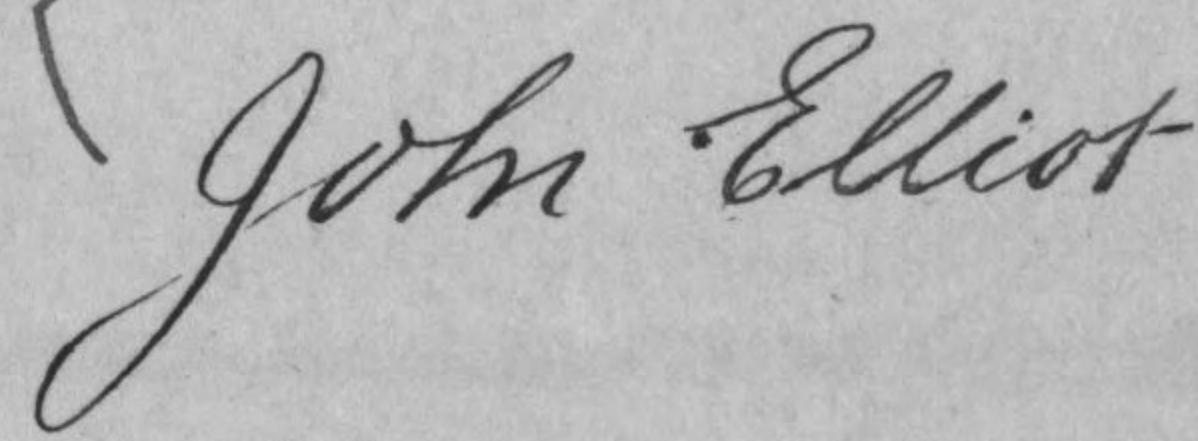
on his oath saith, I am a LIVERT STABLE KEEPER

*Christian and
Surname in
full.

residing at 229 CECIL STREET SOUTH MELBOURNE.

I REMEMBER THE 10th inst when Constable Tatchell came to my stables with a horry and a pair of horses. The man Gundry was on thelorry. A man was diriving thelorry and they turned round into the street. The driver of thelorry then got off thelorry and Constable Tatchell took him by the arm. I think that the man was under theinfluence of liquor.

TO DR JONES I do not think that I could distinguish the difference b between a drunken mand and a man that had been dazed by a fall.



Taken and sworn before me the 24th day

of June 19 at Melbourne
Ronit J. C. W. }
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* WILLIAM GUNDRYon his oath saith, I am a LORRY DRIVER*Christian and
Surname in
full.residing at 118 GLADSTONE STREET SPUTH MELBOURNE

I have been driving horses for the past 26 years

I have never been charged in a Court before this one on the 10th inst I was charge of a lorry and two horses then and have been driving that pair of horses for about five months. I took the horse to the Toorak Siding that morning and took two tons of coal and I stacked the bags on the lorry and took them to Morris Brothers Siding at Toorak Station I had one drink going out and one drink coming back. I ^{along} had a glass of beer on each occasion Coming ^{along} Roy Street coming back I was seated on the lorry and was driving on my near side. The horses took a fright and swerved on the other side of the road. I do not know what caused them to swerve I tried to pull them back. I was coming at a comfortable trot. When the horses swerved I fell on the back of my head and I did not know any more about it then. I was not drunk that morning. I have not any recollection of what occurred after the accident as I was stunned. I may have said things to Constable

^{RNC} Tatchell but I do not remember ~~Whisky~~ I have a little recollection that they were trying to give me some whisky.

I have a little recollection that I ran into another lorry I had my seat right alongside the brake so that I could use it if required. I generally sit in the centre of the lorry.

TO SUB INSP MACMANAMNY. I REMEMBER THE WHISKY BEING SUPPLIED TO ME.

^{RNC} I remember the Constable speaking to me. I do not know what he said I remember him arresting ^{me}. I remember what he arrested me for and that he told me that I was drunk. I did not make the complaint that I was not drunk. I had no spirits that morning. When the collision took place there was the centre of the road between us and we were both on the proper side of the road. I was pretty well on the centre of the road when the collision took place.

Taken and sworn before me the day

of 19 at 19

RNC
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

*Christian and
Surname in
full.

residing at

I cannot say for sure what made the horses take the fright but there were two children ran around the corner and they might have taken fright at them I can not account for the horses swerving like. The horses are not in the habit of swerving but they are easily frightened.

TO MR CORR. I was not sitting on the front and had one foot on the pole. I could put the brake on with one hand and pull the reins with the other. The brake is in the centre of the lorry. I heard the evidence of Mrs Miller as to my coming from one side of the road and then to the other and then swerved. I saw the market gardeners waggon ~~was in~~ ^{me} coming toward ^{me} I knew that ~~the street was narrow~~ the street was narrow. I pulled the reins up I was not driving with a loose rein. I heard the evidence of the constable that there was mark of a swerve on the wrong side of the road. I do not see how I was 6 feet on the wrong side of the road to make that mark, I started work at 7.30 am that day and left the yard at about 8 am. I walked and trotted part of the road to Toorak and reached the siding about 10 am. I had a drink at the Adelphi Hotel and had another at the Bush Inn in Malvern Road. I had some drink the night before but was not suffering recovery on that morning,

I think I do not now what ~~as~~ was saying when I told the Constable I had a good few drinks that morning.

TO DR JONES. I have been driving for 26 years and ~~at any~~ not time has anyone told me that I was incapable of driving a horse and lorry. I came back along Malvern Road and along St Kilda road and then into Roy street and that was my nearest cut.

TO THE CORONER. I had a drink coming back at the Bush Inn Hotel I did not stop any time. I got out of the lorry. That was the only place I

called at coming back. 21st day

of

June 1913 at Melbourne

Rout N^o C^o

Coroner.

William Gundry