

1256

6th. September 1937

PROCEEDINGS of INQUEST

held upon the body of

MAN, NAME UNKNOWN.

at Melbourne Morgue.

Received at the Crown Law Offices,

4 SEP 1937

19

13329.

A.C. Tingate

Coroner

*Forwarded for the information of
the Secretary for Railways*

B. H. Hughes

SECRETARY TO THE LAW DEPARTMENT

SEP 5 1937

RECEIVED
GENERAL
MAIL



TO BE RETURNED
TO
CROWN LAW OFFICES

24/9/37 Noted & returned with thanks.

*E. C. Byers
Secretary
per JH*

*The Secretary
Law Dept.,
Melbourne*

INQUISITION.

VICTORIA }
TO WIT. }

[Handwritten mark] AN INQUISITION for our Sovereign Lord King ^{George VI.} ~~Edward VIII~~ taken at

The Morgue, Melbourne, in the State of Victoria, the ~~6th~~ 6th

day of September A.D. 1937 in the ~~first~~ first

year of the reign of our said Lord the King, by me, Arthur Coyte Tingate,

gentleman, a Coroner of our Lord the King for the said State, upon the view

of the body of a man, name unknown then and there lying dead.

Having inquired upon the part of our Lord the King when, where, and how and by what means the said man, name unknown

(1) His or her.

came by⁽¹⁾ his death, I say that

on the 23rd. day of August 1937

~~xxx~~ on the railway line at a spot about 800 yards north of the Moorabbin Railway Station, Moorabbin in the said State, the said man, name unknown

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

died from⁽²⁾ *the effects of injuries then and there received when he was run over by an electric railway train but whether accidentally or otherwise the evidence adduced does not enable me to say.*

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

hand this 6th. day of September A.D. 1937.

[Handwritten signature]

Coroner.

Sergeant Gilbert appeared to assist the Coroner.

VICTORIA POLICE—47.

MOORABBIN

Station

South Eastern

Police District

24 AUG 1937 19

REPORT of *J. J. Gorman Const 7174*

Relative to *man killed by a railway train on 23/8/37.*

*Coroner
City Morgue*

*Inquest
6/9/37
Coroner
25.8.37.*

1. I have to report that at 9¹⁵ pm on 23/8/1937 I went to a point on the Frankston-Melbourne Railway line, about 800 yards north of the Moorabbin Railway Station.

2. I there saw a badly mutilated body of a man. The body was cut in half, the legs and one arm were severed and parts of the body were scattered on the "up line" for a distance of 60 yards. Life was extinct. The man had obviously been run over by an "up train" to Melbourne.

3. An overcoat, hat and pipe were neatly placed on a small grassy bank, close to an overhead structure standard and were nine feet away from the place where the train first struck the deceased.

4. The railway tracks at this point are fenced off from adjoining open paddocks by a six wire fence and it would be impossible for anyone to wander on to the railway without climbing over or getting through the fence. There are no beaten tracks to show that people "cut through" the railway property.

5. The matter was reported to the Station Master at Bentleigh by Driver. G. Slaney, who was driving the 8⁴⁶ pm "up Mordialloc" train and who passed the scene of the tragedy at 9¹ pm. The gear of this train was tripped. The train stopped and on investigating, Slaney saw the body of deceased. Slaney's statement is not yet to hand. Chief Inspector Griener, Victorian Railways, informed me that an examination of trains will be made in an endeavour to ascertain which

train first struck deceased and as soon as possible
this information will be passed on to me.

6. I telephoned Grayton + Ganson, and they
with Senior Constable Hawkins, of Bentleigh, who was
present with me, conveyed the remains to the City Morgue.

7. The body has not been identified and the description
is as follows:- Man about 50 years, well built, broad shoulders
clean shaven, hair going grey. Dressed in blue suit, blue
striped shirt, black overcoat, grey felt hat, black shoes
size 9. (Shoes soled with Bromhyde). The property found
on deceased consisted of white handled pocket knife,
metal watch, make - R. D. L. Small purse with 4/- therein,
a tin of tobacco which was purchased at Percy Jefferson,
Bourke St Melbourne.

8. There are no suspicious circumstances.

9. The C. I. B and Information Section have been
informed and enquiries are being continued in
this district.



J. Murnane
Const 7174

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * HERBERT DUNNE

on his oath saith, I am a SENIOR CONSTABLE

* Christian and Surname in full.

~~RESIDING AT~~ ATTACHED TO THE CITY MORGUE MELBOURNE

On the 23rd. of August 1937 the body of a man name unknown, was received at the City Morgue Melbourne, as the result of fatal injuries caused when he was struck and run over by an electric train the same evening on the railway line at a spot about 800 yards north of the Moorabbin railway station. Owing to the mutilated state of the features it was not possible to photograph the body, but finger prints were taken by me of the left hand and the thumb, first and second fingers of the right hand. These finger prints were forwarded to the Finger Print Branch at Russell Street, but with negatives results. A reconstructed description of deceased is as follows :- About 50 years, about 5ft. 9in. high, sturdy build, dark hair, thin, going grey, no teeth in upper or lower jaw. blue eyes, dressed in a navy blue suit, blue cloth overcoat, dark blue and light blue striped tie, blue striped collar and ^{shirt} ~~tie~~, fawn colored felt hat, black shoes, size 9, soled with rubber.

H. Dunne
Senr. Const. 6451

Taken and sworn before me the 6th. day
of September 1937 at Melbourne.

[Signature]

Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * GEORGE DAVEY

on h IS oath saith, I am a ELECTRIC TRAIN DRIVER.

residing at "ROSSLYN" GOULD STREET. FRANKSTON.

* Christian and Surname in full.

On the 23rd day of August 1937 I was the driver of the 8.46.p.m. up electric train from Mordialloc to Flinders Street. It was a four car train in charge of Guard Sullivan. When my train was about half a mile on the up side of Moorabbin Railway Station my train was coasting at a speed of about 40 miles per hour with the master controller in the off position. When my train was about 10 to 15 yards from one of the stanchions carrying the overhead, I saw an object come from behind this stanchion and fall across the left hand rail on which my train was travelling. I applied the brake in emergency and practically at the same time I heard the trip being operated. My train came to rest about 120 yards past where I applied the brakes, and after the train stopped I secured it and then went to the back of my train where I found the body of a man lying on the track. The man was obviously dead and portions of the body were clear of the rail. After consultation with the guard the train was run into the Pentleigh Station where the station staff were informed and they made arrangements with the police to remove the body. The accident happened at about 9.p.m. It was a fine clear night with practically no wind. I could not say if his fall was accidental. The line is about 2 feet above the surrounding level.

G. Davey

Taken and sworn before me the 6th. day

of September 1937 at Melbourne.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * LEE MURNANE

on oath saith, I am a FIRST CONSTABLE OF POLICE

residing at XXXXXXXX STATIONED AT MOORABBIN.

* Christian and Surname in full.

At about 9.15..p.m. on the August^{25th} 1937 I went to a point on the Frankston Melbourne Railway Line about 800 yards north of the Moorabbin Railway Station . I there saw a mutilated body of a man,. The body was cut in half . The legs arms were severed and parts of the body were scattered on the up line for a distance of 60 yards. Life was extinct. A mans overcoat, hat and a pipe were placed on a small grassy bank close to an overhead structure and were nine feet away from the place where the train apparently struck deceased. The railway tracks at this point are fenced off from adjoining open paddocks by a six wire fence. There are no beaten tracks to show that people cut through the railway property. There are no suspicious circumstances. I have made every endeavour but have been unable to trace the identity of deceased. There are open paddocks on each side of the line.

L Murnane
Constable

Taken and sworn before me the 6th. day
of September 1937 at Melbourne.
[Signature]
Coroner.