

413

7 - 4 -

1903.

PROCEEDINGS of INQUEST  
held upon the body of

*Benjamin Neffett*

at

*Barnick*

Received at the Crown Law Offices,

9 4

1903

*✓*

*10/13/10 made  
10/13/10 made  
10/13/10 made*

*Geo. W. Ward*  
Coroner.



## VICTORIA POLICE. 47.]

Bennett

Station.

Bryde

Police District.

6<sup>th</sup> April

1903

Report of

A. B. Steele M<sup>o</sup> Const 3760

relative to

Benjamin Muffett killed on Rail  
way line at Narre Warren on Saturday night  
the 4<sup>th</sup> of April 1903

I beg to report that a line repairer  
named Benjamin Muffett aged 42 years was  
found dead on the Railway line near Narre Warren  
Railway Station at half past twelve O'clock on  
Sunday the 5<sup>th</sup> inst by William Asling. On the case  
being reported to me I proceeded to the spot at  
once and examined the body which was lying  
near the rails. There was a large cut above the  
right ear extending across the side of head where  
the train had apparently struck him. I made  
inquiries and found the deceased left his home  
at Narre Warren at a quarter to twelve O'clock on  
Saturday the 4<sup>th</sup> inst to catch the train ~~at~~ which leaves  
~~Narre Warren~~ Narre Warren Railway Station at 12.14 P.M.  
to go to Wandanong. and he returned by the 8 P.M.  
train. He was seen by the assistant Station Master  
George Smith after the train left the platform and  
had a conversation with him he then left to go to his  
home along railway line. at about 8.40 P.M. and  
was not seen again until he was found dead  
next morning by William Asling. He was worse  
of liquor when he left the Station to go home  
and was informed was addicted to drink.  
He had apparently sat down too near the rails  
and gone off to sleep and the ~~train~~ 9.14 P.M. up  
train struck him on the head and killed him.



I have made careful inquiries into the  
case and I feel assured there is no suspicious  
Circumstances Connected with the case.

From my own personal knowledge of  
the man I have expected something of  
this kind would occur sooner or later. This  
as he was very much addicted to drink

A. B. Steele

No. Court 3960

I have this day held a Magisterial  
Inquiry into the death of Benjamin  
Muffett and beg to forward  
Repositions herewith  
attached

The Crown Solicitor  
Crown Law Dept  
Melb

James Wilson J.P.



## MAGISTERIAL INQUIRY.

VICTORIA,

BAILIWICK,

To wit.

*Lord King*  
*sw* A MAGISTERIAL INQUIRY on behalf of Our Sovereign ~~Lady~~ the Queen.  
 taken at *Berrwick* in the *Central*  
 Bailiwick of Victoria, this *Seventh* day of *April*  
*sw* in the year of our Lord One thousand ~~eight~~ *nine* hundred and ~~ninety~~ *three* before  
 the undersigned *James Gibson* Esquire, one of  
 His Majesty's Justices of the Peace in and for the said Bailiwick, upon view of  
 the body of *Benjamin Muffett*  
 then and there lying dead.

Having duly inquired when, where, how, and by what means the said  
*Benjamin Muffett* came by his  
 death, I say that the said *Benjamin Muffett*  
 died at *Harve Warren* in the said  
 Bailiwick on the *Fourth* day of *April* 1903 ~~189~~ *sw*  
 from *being accidentally struck on the Head*  
*by passing train and killed*

As witness my hand this

day of

*Seventh*  
*April* 1903 ~~189~~ *sw*  
*James Wilson* *sw*



## CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent\*

on her oath saith, I am a

residing at

Mary Jane Muffett  
 Muffett's Woman  
 Muffett's Woman

\*Christian and Surname in full.

I Recognize the body of deceased as my Husband Benjamin Muffett a shoe repairer. On Saturday the 14<sup>th</sup> inst. My Husband left home about quarter to Twelve o'clock to catch the noon train to Wandsworth. He was then in good health that was the last time I saw him alive. He was always in the habit of walking along the line when returning home from the Station. The deceased said when leaving home he would return by the 8 o'clock train, and when he did not return home at the usual hour I did not feel anxious as he had stayed in Wandsworth before and returned on Sunday on previous occasions. I reside inside the Railway fence about a quarter of mile from Railway Station on the Berwick side. and on the South side of Line

Mary Jane Muffett

Taken and sworn before me the Seventh day  
 of April 1903 at Berwick  
James Wilson JP  
Justice of the Peace Coroner.



## CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent\*

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

residing at

William Thomas Holt

Goods Clerk

Moona Ponds

\*Christian and  
Surname in  
full.

On Saturday night the 4<sup>th</sup> inst: The Deceased got into  
 ✓ the Van of the Grain ~~for~~ Ivers in Charge of at  
 Wendenburg the 6.30 pm train from Purvis Bridge  
 Junction at Narre Warren 8.26 pm. The Deceased got  
 out of the Van there. The Deceased appeared to be  
 slightly under the influence of liquor but not what  
 ✓ I would <sup>call</sup> "drunk". He was able to walk and converse  
 rationally. That was the last I saw the Deceased  
 alive. I identify the deceased body as the  
 Man who got out of the Van on Saturday night.

William Thomas Holt

Taken and sworn before me the Seventh day  
 of April 1903 at Burwick  
James Wilson JP  
 A Justice of the Peace ~~Coroner~~



## CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent\*

on his oath saith, I am a

residing at

William Allong

Labourer

Hawkeburn

\*Christian and  
Surname in  
full.

On Sunday the ~~5<sup>th</sup>~~<sup>5<sup>th</sup></sup> inst at about 12 noon  
I was walking along railway line towards  
Hawkeburn Station. I saw the body  
of a man lying on the line apparently dead.  
I went straight on down to the Station  
and told Assistant Station Master  
Smith to come back with me up the  
line there is a trap lying on the line, in  
company with Smith we went to to where  
the body was lying. I then recognised  
the deceased as a line repairer named Benjamin  
Thiffett. I did not touch the body. The  
body was lying on his back with his feet towards  
the line on the south side of the line about 200 yards  
from the Station.

William Allong

Taken and sworn before me the Seventh day  
of April 1903 at Berwick  
James Wilson JP  
Justice of the Peace Coroner



## CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent\*

on his oath saith, I am a

residing at

George Adolphus Smith

Assistant Station Master

Narrow Barren

\*Christian and  
Surname in  
full.

I Remember Saturday Night, the 4<sup>th</sup> inst. I was on duty at Narrow Barren Railway Station. The deceased came into the office about three or four minutes after the ~~the~~ 6.30 Train from Prince Rupert had left the platform for Kennerly. I should be about half past eight o'clock. The deceased stayed in the office about ten minutes. Talking about his little boy being deaf. He appeared to be slightly under the influence of liquor but could talk quite rationally. I said to him 'Ben' you had better get home it is a dark night; before the passenger train is due. The deceased resided about a quarter of a mile from the Railway Station towards Kennerly. I have seen the deceased frequently walking along the line towards his home. The deceased being an employee of the Railway Department he would be aware of the rules under which all employees are to observe when walking on the permanent way. About twenty minutes to nine o'clock he said good night and left the office that was the last I saw of him alive. About a quarter past Twelve <sup>o'clock</sup> on Sunday the 5<sup>th</sup> inst. a man named Asling called my attention to the deceased lying on the line. I went with Asling and recognised the body as that of deceased. The body was lying on the south side of of the line about 200 yards from the Station.

Taken and sworn before me the Seventh day  
of April 1903 at Kennerly

Coroner.

(Continued over)



the feet laying towards the rails and the body and  
Head lying at about an angle of 45 degrees  
with the rails. I then informed the police I did not  
touch the body. The Decedent was a line  
He passed on the permanent way and  
resided inside the Railway fence boundary

Geo. A. Smith.

Taken & sworn before me  
this seventh day of April  
1903 at Benwick  
James Wilson J.P.

Justice of the Peace



## CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent\*

on his oath saith, I am a

residing at

Herbert Burchinall Steele

Police Constable

Burrich

\*Christian and  
Surname in  
full.

Herbert Cranston reported to me at 1 p.m. on Sunday the 5<sup>th</sup> of April 1903 that a Man was lying dead on the Railway line near the Narre Warren Railway Station.

I proceeded to the spot at once and saw the body of a man lying dead alongside the Railway line. I recognised the body as that of a Man named Benjamin Huффett a line repairer residing at Narre Warren. The deceased was lying on his back on the south side of the line with his feet towards the Rails and his head at right angles with the Rails. I examined the body, and found the skull was cut from about an inch above the right ear to nearly the Centre of forehead. The Top of the skull was taken completely off and the brains scattered about. There was a large smear of axle grease along the wound. There was two small abrasions of the skin on left neck and one on left cheek. There was no other bruises of any kind on the body. There was a valise lying along side of deceased's left arm which he had been carrying and which contained two bottles of ale and one broken <sup>old</sup> bottle, also a loaf of bread and puddings. I searched his pockets and found watch & chain the watch was still going and was ten minutes past three o'clock. I found containing 3/- half a sovereign and two pennies were found in vest pocket. I found a knife and wood pipe and pocket handkerchief. I removed the body to Barron Border Hotel Burrich, and reported case to Coroner also to Local Justice.

Taken and sworn before me the

of April 1903 at Burrich

James Wilson J.P.  
Justice of the Peace Coroner

(Continued Over)



I was informed by the Loco Foreman Melbrum  
that there was no marks of blood on anything on  
the Engine of the Passenger Train that passed through  
at New Haven at 9.18 p.m. The Driver Frederick  
Beck did not feel any shocks or anything strike  
the Engine. The night was very dark and rained  
heavily. I made careful inquiries about the  
matter. There appears no suspicious circumstances  
connected with the case. The Deceased's wife Mary  
Jane Thuffert informed me that her husband  
left home about quarter to 12 o'clock on  
Saturday to go to Danversburg stating he would  
be back by the 8 p.m. Train that was the last  
Train she saw him alive. He was then in  
good health. He was seen by the George  
English Assistant Station Master after the 8 p.m.  
Train left the platform who spoke to him for a  
few minutes. He then left to go home along the  
line and was not seen again until he was found  
dead about 12 noon on Sunday the 5<sup>th</sup> inst.

M. Heile

Taken & sworn before me  
this seventh day of  
April 1903 at Benwick  
Clarence Wilson JP  
Justice of the Peace