

THE MURDER AT GREENSBOROUGH.

INQUEST ON THE BODY OF JOHN MITCHELL.

Dr Candler held an inquest on Saturday last, at Greensborough, near Eltham, on the body of John Mitchell, who was murdered on the night of Wednesday, the 24th instant, in front of his own dwelling. The jury returned a verdict of "wilful murder." against one Josiah Grimshaw, who was suspected of the offence. The following is the evidence taken:—

Johanna Mitchell, wife of deceased, deposed: My husband was a painter by trade. His age was 60 years. He came by his death on Wednesday night last, the 24th inst., between eight and nine o'clock. He came home from his work at eight o'clock, and sat down by the fire for a few minutes. The dog commenced barking, and barked for about five minutes. I told him there must be some one about the house, upon which he got up off the chair, and went to the back door. When he came back he said he saw a man go across the paddock. He shut the door, and sat down again. My daughter was in the bedroom. She called to me and said, "Mother, I have seen a man come up from the gate." He was looking through my bedroom window. Deceased asked me what was that she said? I repeated the words to him. He then took the lantern and went out at the front door. The door closed after him. He was away about one minute, and returned by way of the back door, and said he could see nothing. He then went out again by the front door, towards the little quick-set hedge, about 10 yards in front of the house, in the garden. About five minutes afterwards, while I was sitting by the fire, I heard him say, "Hallo! what are you doing here?" There was no answer. Shortly afterwards I heard him scream. I immediately got up from the fire and opened the door. I saw my husband coming back towards the house. I saw a man standing behind the little hedge. I asked my husband what was the matter. He did not answer me. I knew he was injured, and I said to the man by the hedge, "What have you done to my husband?" The man was then going away. I asked him what he had done it for. He said if I did not go inside he would serve me the same. My husband had gone inside. I followed and shut the door. The deceased fell down at my feet on the floor. I asked him what was the matter, and who had done it. He said he did not know; but all I had to do was to look to my family, for he was dying. I saw the truth of his statement. I put my hands under his head and supported him. I did not see any blood at first. I then went to lift him up, and discovered blood on his shirt. When I attempted to lift him, I found that he was dead. He died about two minutes after entering the house. It was too dark for me to distinguish the man who stabbed him. All I could see of him was his hat, which was above the hedge. The hat the man wore was a cabbage tree, with black ribbon flying behind it. I did not recognise the man's voice. I should say his height was about five feet. My daughter is eighteen years of age. I gave the alarm to the neighbors by screaming, but no one came. I then closed the doors, as I was frightened the man might come again and stab me. I saw nothing

might come again and stab me. I saw nothing more of the man who stabbed my husband. I opened the doors between 5 and 6 o'clock, and sent my daughter to tell Mr Pardenton, a neighbor, what had occurred, and he came over. There was no man in the house during Wednesday. My husband has had no quarrel with any one lately. When my husband went out the first time I told him he had better let the dog loose. A Mr Grimshaw, the person now present, came to my house about two months ago. He was drunk at the time. He said he had got a bottle of rum, and a dress which he had bought for a young woman in town, but she would not accept of it. He then said he would make my daughter a present of it. I told him I should not allow him to do so. The river was high at the time, and thinking he might lose the things, I took charge of them for him until the following evening. When he returned for them my daughter was living in the service of Mrs Maygers, who is a daughter of Grimshaw's. Grimshaw lived there also. She was there about eight weeks. Since she left Grimshaw has paid two visits to our house. On the first occasion he said he wanted to see my girl to ask her a question. She was in the garden cutting green stuff for the cow, and she refused to come to him. Grimshaw told me he thought my daughter had been sent away from Mrs Mayger's for speaking to him. She had been at home about a fortnight at this time. The next time that he came to my house was on a Tuesday evening about seven o'clock, about a fortnight ago. My daughter was dressing to go to chapel. He said he wanted to see my daughter, to ask what Mrs Mayger had turned her away for. I told her to come out of the room and tell Grimshaw what had occurred. She did so, and told him that she and Mrs Mayger had parted good friends. Grimshaw then said he was satisfied. I have observed Grimshaw spying about the place during the whole of the day for some time past. I never observed him doing this before my daughter left Mrs Mayger's. I cannot say that he was watching my place. He was generally about the place for the greater part of the day. On the night my husband was stabbed, when the dog barked, I remarked to him that it might be Grimshaw, coming home from town drunk. The morning after the murder, I asked my daughter if she thought that the person who looked through her window was Grimshaw. She said yes; she thought it was. I asked her why she did not tell me that the night before. She said she did not like; but she did not tell me the reason why she did not like. I did not ask her the night before, because I was too excited to know what I was doing. My husband was at home on the night Grimshaw came to speak with my daughter. I do not know that he and my husband ever had any words. I believe that they were pretty good friends when they met.

Cross-examined by jurors: I do not think my husband would have used the words, "Hallo! what are you doing here?" unless he knew who he was speaking to; but he distinctly told me that he did not know who had stabbed him.

Margaret Mitchell, daughter of the deceased, sworn, deposed: I remember Wednesday night last, the 24th inst. I was at home that night. My father came home about half-past eight o'clock. I was up and dressed at the time, and I saw him sit down by the fireside. He had not been long there when he heard the dog bark. He went out, and was away a few minutes. He re-

been long there when he heard the dog bark. He went out, and was away a few minutes. He returned, and said he had seen a man go past the stable, and he smelt tobacco smoke. My mother then told him he had better loose the dog. He did so. I then went into my bedroom with some clothes, and I saw a man standing at the window at the end of the house, opposite the door of the room. There was no light in the bedroom. The light in the other room was sufficient for me to see by. I had been ironing some clothes, and I went into the bedroom to put them on the bed, when I observed the person now present—Josiah Grimshaw—looking through the window. I will swear he was the man. He appeared to be smiling. He did not make any sign for me to come out to him. He did not make any sign at all. I stood in the bedroom for about a minute, during the whole of which time Grimshaw was quietly looking through the window. When I had put away the clothes I went out to the sitting room again. About a minute after I went back to the bedroom, but Grimshaw had gone away. I looked through the front window of the bedroom, and observed Grimshaw coming up the pathway from the river towards the house. I watched him come up to the front door. I then heard the latch of the door tried. Father asked who was there. No answer was returned. Father then took a candle and went round the house, coming in again through the back door for the lantern. He said he could not see anybody, and he would take a lantern and go to the stables. He did so. He went out by the front door. I shut the door after him, and sat down by the fire, with my mother. I heard my father scream. Mother got up and opened the door. I remained inside. I saw my father come in. He came in directly after mother opened the door. He put the lantern on the table, and on my mother asking him who was there, he said he did not know. He then fell on the floor, and told mother all she had to do was to look after his family, for he was dying. Previous to this I heard my mother saying to some one, "What have you done to my husband?" I could not hear any reply, as my sisters were making such a noise. My mother then closed the doors and fastened them. I heard her ask father who had done it? and he said he did not know. The time that elapsed between when my father went out and when I heard him scream, could not have been more than two minutes. I did not hear any struggle outside the house. Grimshaw was dressed in dark

clothes, and a cabbage-tree hat. I had not seen him for a week previous to that night. My father and Grimshaw were on friendly terms when they met. Grimshaw had not spoken to me since I left Mrs Mayger's. While I was at Mrs Mayger's he used to take liberties with me. I left there in consequence of that. After I came home I refused to speak to him. I did not tell mother that he had taken liberties with me, but she guessed it, and I overheard her and father talking about it. Mrs Mayger told me when I left that she did not want me any longer. I did not see Grimshaw on the day my father was murdered. I have frequently seen him loitering about our

Grimsshaw on the day my father was murdered. I have frequently seen him loitering about our house, and the adjoining premises, through the days, since I left Mrs Mayger's; he used to stand some distance off and look through a spy-glass. On the second day after my going into Mrs Mayger's service was the first occasion on which Grimshaw took liberties with me. He then told me that I was old enough to get married. He never offered to marry me, but he asked me to go to Queensland with him. When I left Mrs Mayger's, he told me he would often come over to see me.

G. S. C Butler: I am a medical practitioner, residing at Heidelberg. I have made a *post mortem* examination of the deceased, John Mitchell. Externally there are no marks of violence, excepting a punctured wound, about a quarter of an inch long. I traced it, and found that its direction was downwards and inwards, inclining towards the left side. I found that the breast bone had been partly pierced by a weapon, which had glanced off, wounding the heart, the right ventricle of which was punctured. It passed through the wall, between the right and left ventricle. The wound in the heart was not so large as the external one, and it might have been inflicted with the small blade of the knife produced. [The blade in question was a little over two inches long.] The wound, in my opinion, is not so large as would be caused by the large blade. The wound must have been caused a sharp cutting instrument. The cause of deceased's death was a wound in the heart and its ventricles, inflicted with some sharp instrument.

Emma Iredale, sworn, deposed: I am the wife of James Iredale, storekeeper at Greensborough. I know Josiah Grimshaw, now present. I saw him at our store on Wednesday evening last. I served him with some stores. He was slightly influenced by drink, or it might have been excitement. We had some common conversation. He told me that I need not tell any one that I had seen him in the township that night, because he did not wish his friends to know. He was not in the store more than five minutes. It was about seven o'clock when he went away. He then bid me good night, and told me he was going to Queensland.

William Poulter, farmer, residing at Greensborough, deposed: On Thursday morning last, I left my house at five o'clock. I was going to Melbourne with a load of wood. I know the prisoner; he passed me on the Preston road, near Mr Brock's, at about seven o'clock that morning. He was walking in the direction of Melbourne. I overtook him again, and said, "Good morning, Mr Grimshaw," he also wished me good morning. I then asked him if he had come from home that morning. He said yes, and that he was going to the railway to meet a man who owed him £25. We went on together as far as the Junction Hotel, and at Grimshaw's invitation I had a nobbler of brandy there with him. After I left the hotel Grimshaw followed me, and said (striking his breast to indicate the position of his heart, probably), "Poulter! Poulter! Poulter! I have got something very warm here; it lies heavy. There is a girl I'll have, if I go through blood and water for her." He also said he should be all right if he was outside the Heads, and if he once got away from the colony he would never return. He was under the influence of drink, and appeared to have been drinking all night. I left him at the junction of the Northcote and Heidelberg roads. He took the short-

night. I left him at the junction of the North-cote and Heidelberg roads. He took the short-cut across towards the Collingwood Gas Works. He told me not to tell any one that I had seen him, for he had been spying after a girl for the last fortnight, and could not see her, so he was going to Emerald Hill, 'or he thought she might be there. I did not then know that Mr Mitchell was murdered. I met a man named Taylor, as he was coming home, and he told me.

Archibald M Donald, a laborer in the employ of Mrs Mayger, deposed: I sleep in a top house at Mrs Mayger's. Grimshaw used to sleep in the same building. We have both slept there during the last two months. I remember last Wednesday night. I did not see anything of Grimshaw on that night after dark. I saw him at 6 o'clock on that evening, and had some conversation with him. He was then in his room. He asked me if Mrs Mayger had been inquiring for him. It was 10 o'clock when I went to bed. I did not see Grimshaw then, but I saw a light in his room. Some time during the night he came into my room. I do not know what the time was. He woke me up, and sat down on the side of my bed. He asked me to come into his room, and have a drink. I refused, saying I would have it in the morning. He then said that he had been to the hut of a man, named Williams (about 100 yards off), and Williams said he was coming up. I still said I would not come, upon which he told me that if I did not come then I should not have any in the morning. He asked me the time. I said it was about 12 o'clock. He then said he must have been in bed about six hours. He appeared to have been drinking, for he was very much excited. I have reason to think he was in the room at 10 o'clock, from seeing the light then, but I did not see him there. Mrs Mayger's house is about half a mile from the deceased man's. The distance might have been walked in about 10 minutes. There was a knife like the one produced taken from Grimshaw's room by the police, but to my knowledge I never saw it before seeing it in their possession. I have sometimes thought he might not be of sound mind. On such occasions he had generally been drinking. I heard him going away from his room shortly after daylight the following morning. I saw him going. Grimshaw was in his shirt-sleeves when he came into my room. I know that he smokes tobacco. On his way from our place to Mr Mitchell's he would have to cross the creek opposite Mitchell's house.

Peter Lawlor, Senior Constable, stationed at Eltham, deposed: From information received I arrested Josiah Grimshaw, in bed at his own house, and charged him with the murder of John Mitchell, giving him the usual caution not to say anything to criminate himself. He appeared very much frightened. He sat on the bed and in a faint voice said "I did not do it." He was very nervous during the time he was dressing himself. I took him to the Eltham lockup. As I was bringing him from Eltham to-day, I told him that Miss Mitchell had recognised him looking through the window on the night of the murder. He said if he had been looking through her window he could only account for it by his being out of his mind. When I arrested him I asked him if he had been to Melbourne, and he said, yes, he went there to buy a pair of boots. I asked him if he bought them, and he said no; when he got to town he found he had not sufficient money. He said that he never told any one

when he got to town he found he had not sufficient money. He said that he never told any one that he was going to the railway to get £25. On searching his room I found the knife produced. The blades were closed; I opened them, but did not see any blood on them. The small blade appeared to have been recently sharpened. I have examined Grimshaw's clothes, but have not found any trace of blood on them; neither did I see any trace of blood in his room. I examined deceased's premises, but saw no signs of there having been a struggle; nor did I see any blood. I saw the deceased. He had the gurnsey and the twilled shirts produced on when I saw him; they were saturated with blood. A hole which might have been caused by the large blade of the knife was visible in each article.

Dr Butler, re-examined, deposed: Since giving my evidence I have made an accurate measurement of the wound in deceased's breast, and I find that it measures half an inch in length, and I am now of opinion that it might have been inflicted by either blade of the knife produced. The cut had the appearance of being inflicted with a sharp instrument, though the blow need not necessarily have been a hard one. The wound goes straight inwards until reaching the breast bone, off which the instrument glanced in a slanting direction through the heart. It is possible that the wound might be self-inflicted. From the nature of it there would be very little hæmorrhage. There would not be much sign of blood upon the instrument with which the wound was made. There is a slight discoloration about the edges of the wound, which might have been caused by tobacco being on the blade of the knife.

The Coroner tried the large blade of the knife into the holes in the shirts, and it exactly corresponded with them.

On the prisoner being asked if he had anything to say in his defence, all he said was that

he was as innocent as an unborn child. He had always been the best of friends with deceased, and would stick up for him at any time. During the evidence he never put any questions to the witnesses. The prisoner is a man of about 50 years of age, of sallow complexion, dark hair, and almost bald on the top of his head. He has a very emaciated appearance, his eyes being deeply sunk in his head, and altogether he bears the appearance of a man not exactly in his right mind.

There were 15 men on the jury, and they agreed in a unanimous verdict of "Wilful murder against Josiah Grimshaw, deceased, having died from a stab in the heart, inflicted by the said Josiah Grimshaw on the night of Wednesday, the 24th inst."