

302

H^h March

19 31

PROCEEDINGS of INQUEST

held upon the body of

Elizabeth Clarke
at Ballarat.

Received at the Crown Law Offices,

21 MAR 1936

19

G.

A. R. Hill P.M.

Coroner

13329.

15.

INQUISITION.

VICTORIA }
To Wit. }

ad
AN INQUISITION for our Sovereign Lord King *Edward* ~~George VIII~~ taken at
Ballarat in the State of Victoria, the *fourth*
day of *March* A.D. 19*36* in the *first*
year of the reign of our said Lord the King, by me, *A. H. Hill*.

(1) A Coroner of our
Lord the King for
the said State or a
Deputy Coroner, or
a Justice of the
Peace for the

gentleman, ⁽¹⁾ *A Coroner of our Lord the King*
upon the view of the body of *Elizabeth Clarke*

Bailiwick, acting by
virtue of Section 29
of the Justices Act
1928.

then and there lying dead.

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

how the said

Elizabeth Clarke

(2) His or her.

came by ⁽²⁾ *her* death, I say that

on the

7th

day of

February

19*36*

at

Ballarat

in the said State, the said

Elizabeth Clarke

(3) Here state cause
of death, if known;
if unknown, doubt-
ful, or no evidence,
state the fact ac-
cordingly.

died from ⁽³⁾

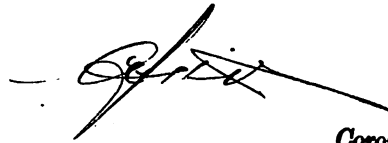
*Gas Gangrene occurring as a
complication of compound fractures of
both lower limbs, such injuries being
received as the result of a collision between
a passenger tram proceeding ^{west} along
Wendouree Parade and a scrubber tram
car proceeding ^{west} along Wendouree Parade
both trams being on a single line -
and of the opinion that the accident occurred*

which allowed the brake to go on too suddenly
thereby causing the wheels to lock and the
to skid.

(4) Coroner or
Deputy Coroner or
Justice of the Peace.

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

put my hand this *Fourth* day of *March* A.D. 19*36*



Coroner. (4)

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Henry Peter Richard Morganti

on his oath saith, I am a Spiritist & Solicitor

residing at 198 W' Hean Street North Fitzroy

* Christian and Surname in full.

I identify the body now lying in the Ballarat City morgue as that of Elizabeth Clarke of General Hospital, Hillies Street Ballarat where she was employed in the capacity of a nurse.

She was about 56 years of age.

I am not a relative but I have known the deceased for about 20 years and have seen her frequently over that period.

I have seen her about 3 ~~times~~ times in the last 12 months.

I last saw her alive on the 7th inst at St John of God's Hospital Ballarat just prior to her death.

Taken and sworn before me the 8th day

of February 1906 at Ballarat

C. J. ...
Coroner.

H. P. Morganti

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * William Raymond Dudley Suffitts

on his oath saith, I am a legally qualified Medical

* Christian and Surname in full.

residing at 710 Hunt St Ballarat Practitioner

On the 5/2/36 at about 12.15 pm, I was summoned to St John of God's Hospital I then saw Elizabeth Clarke in consultation with Dr Greening

It was then found necessary to amputate the left leg through the knee joint it being nearly severed as the result of an accident. The right thigh & leg were fractured and there were several glash wounds which were stitched. The patient was suffering from shock & loss of blood & received treatment for these & being removed to bed.

On the evening of 7-2-36, Gas Gangrene developed in the right leg and as the result of this the patient died at 9 pm on that day.

The cause of death was Gas Gangrene occurring as a complication of compound fractures of both lower limbs.

Taken and sworn before me the 4th day of March 1936 at Ballarat

[Signature]
Coroner.

W. Raymond D. Suffitts

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Lillian May Oliver

on her oath saith, I am a Married Woman

* Christian and Surname in full.

residing at Larmouth & Ballant

Remember the 5.2.36 at about 11.50 am. I was sitting on the right hand front ^{side} of the tram travelling ~~west~~ in the direction of City. The tram was in Wendouree ^{travelling} ~~side~~ towards City when near Barrett avenue the tram was travelling at 6 miles per hour. I was seated at the rear of the driver in the front compartment. An accident occurred. I heard no warning sounds of tram driver but saw the tram driver scrambling for brakes at this time. I saw another car travelling in a ~~west~~ ^{west} direction. This tram was about 7 or 8 yards from the tram I was in. I turned my head towards my two children & then there was a collision. I do not know what spot my tram was going for. I cannot remember anything directly after the accident. I received a knock on the head and was stunned to the ankle & a couple of abrasions. I was later treated for the accident. I saw deceased seated on the far end left hand side between two seats. Directly at back of driver was another lady but deceased was seated at far end. I heard deceased screaming & people were trying to get her out.

Taken and sworn before me the 16th day of March 1936 at Ballant

[Signature]
Coroner.

L. M. Oliver

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Lilbert M. Oliver

on h oath saith, I am a _____

residing at _____

* Christian and Surname in full.

To Mr Dwyer

I saw the car coming at our tram 6 or 7 yards off.

To Mr. J. J. ...

The children were shocked, only.

To Corona

I was facing towards the street side facing the driver. I was seated on the right hand side towards the house & could see the driver. The speed of the tram was 7 to 8 miles per hour. I take the speed as the ordinary one. The speed would be a bit faster than that of a man walking. I could not see anything in the normal way until the space ~~it was on your~~ ^{ceiling} I saw that the tram driver searching for his brakes the other car was 7 or 8 yards away. I cannot say if the tram I was on pulled up or not. Both cars were moving before the accident. I cannot say what happened at the time of accident

St. Shield
Coroner.

it of Police interviewed me after the accident. I can state that at the time of the accident both tram were moving

Taken and sworn before me the 14th day

of March 1936 at Ballarat

L. M. Oliver

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Jean Annie Oliver

on her oath saith, I am a Single girl

residing at Leamond Ballant

* Christian and Surname in full.

I am 14 years of age but April December the 5. 2-36. at about 12 noon on that date I was seated on the left hand side of the front compartment of a City bound tram along Windsor Parade in an easterly direction. ~~The~~ I know the Tram Dept. after passing it I saw the other tram coming towards us on the same line. The other tram was 20 feet away when I first noticed it. From where I was seated I noticed both tram drivers go for their brakes & put them on quickly. I heard a crash two trams collided. I did not see if drivers stayed in their trams. I would say that our tram was going 6 miles per hour I would say that both trams were moving at time of collision. I am certain of that.

Coroner I was facing towards Lake. When I heard the other tram I looked towards front. The other car was 20 feet away when I first saw it. I was not looking when it hit I am positive our tram was moving at time of accident. Jan.

Taken and sworn before me the 4th day

of March 1936 at Ballant

Jean Annie Oliver.

[Signature]
Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * George Henry Stock

on his oath saith, I am a Detective at Melbourne

residing at Assistant Police Photographer

* Christian and Surname in full.

On the 6.2.36 in company with with Police I went to Ham Shed, Ballarat & made certain photographs. Later the same day I photographed section of the tram line near the Ham Shed. I produce ^{these} photographs of ~~Exhibit A~~ Exhibit A is a photograph of tram car termed a scrobbler showing the damage to the front & showing a tank in the interior of the tram. Exhibit B is a photo showing the damage to the Passenger Car.

Exhibit C is a front view of Exhibit A. Exhibit D is a photo of a similar car where Exhibit B shows interior of distribution seats of the damaged car. Exhibit E shows photo of tram track at point of impact of two cars.

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]
Coroner.

[Signature]
George H. Stock

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Alfred Clarence Forte

* Christian and Surname in full.

on his oath saith, I am a Tramway Inspector employed by the Electric Commissioners residing at _____

I remember the 5. 2. 36 at about 11.45 am on the date I was at terminus of Drummond St North line of MacArthur Street. I was about to get into a ^{scrubber} tram car being MacArthur St terminus. I proceeded to Car Depot along Woodhouse Parade Ballarat. This car would take us to Car Depot travelling West. The speed was 10 miles per hour at 11.56 am I was coming past a street known Bennett's avenue. It would be Dowling Street. On coming to curve out at Dowling St. but passing it I come towards Bennett's avenue. I did not see anything I should mention. I noticed another car as I got to the front. The distance of scrubs between trams. The position of the scrubber tram was 20 yards from the point of impact when I first saw the passenger tram. I did not see it until after Tucker spoke. I could not say if other car was moving. The passenger car was stationary when I first saw it. Our speed was 8 - 10 miles per hour. I did not know a passenger car was due at that time. We were not running to a time table I do not know of one. When I first noticed the. I put our car slow down & pull up then faster speed after which I jumped out of the scrubber on to the track. I heard a smash

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]
Coroner.

A. C. Forte

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Alfred Clarence Jute

on his oath saith, I am a

Continued

residing at _____

* Christian and Surname in full.

The other car crashed into our car.
 We left a fraction of a minute after Drummond & North left. My watches correct as I had checked it by Town Hall Clock. After collision deceased was jammed between front seats of car on the street tram scarcely back

To. de Dooly: Drummond & North tram leaves 11.48 am I saw the passenger's car, ahead of me on line. It was not long from when I saw it when I jumped from the scrubber. I jumped immediately I saw other car. Tucker was right when he stated that I jumped after the car started skidding. Before scrubber car started skidding it slowed down. This was definite. This was before I saw the passenger car. The car started to slow when I first glanced up. I was just out the door on the front platform.

Coroner The driver of scrubber was motorman Tucker. The driver's cabin is not separate from seat. I got to driver's cabin coming from the back of tram. It might have been 50 yards from point of impact when I first got to cabin. Tucker did not speak to me. I am sure of that. Tucker would be able to see approaching tram 50 yards away. Our car started to slow up. Scrubber stated to slow down 50 yds away

Taken and sworn before me the 4th day
 of March 1936 at Ballarat

 Coroner.

A. C. Jute

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent *Alfred Clarence Forté

on h^o oath saith, I am a (Continued) (3)

* Christian and Surname in full.

residing at Ballarat.

Coroner Scrubber tram slowed down then began to accelerate
 I could not say for what distance. I do not know
 anything about mechanical work of a tram. I have never
 driven a tram car. I do not know how long it
 would take to pull up a tram. I have been 17
 months employed by Commission as a Trackman
at Ballarat I live at ^{Ballarat} Street ^{North} that is why I know
 the time exactly. 10 miles per hour appeared to me
at the speed. I felt the tram brakes applied. The scrapers
at were down & working. The scrapers were not down.

Demise I did not know that I saw the tram approaching around
 the curve. I cannot suggest why brakes were applied by the scrubber

at I do not know whether Zucker jumped from
 the tram or not to me on the tram when I
 jumped.

Taken and sworn before me the 11th day
 of March 1936 at Ballarat
Alfred Forté
 Coroner.

A. C. Forté

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent *

Albert Victor Hawby

on his oath saith, I am a ^{Inspector} employed by the ^{Electric Street Commissioners} residing at ^{Abbington} ~~St Johns Wood Lane~~

* Christian and Surname in full.

I remember the 5. 2. 36. On that date, Mr. Norman Tucker had charge of Scrubber Car. This car does not run in its programme if it was meeting another tram it would ~~reverse~~ ^{reverse} pole return to next loop. I know Wendouee Parade where an accident occurred between a passenger & scrubber tram. The field of vision is ample for many yards to 150 to 160 feet. Each driver can see range of vision between two cars approaching. There are brakes on both scrubber & passenger tram. Scrubber Car is equipped with hand brake manually operated which brake are brought into contact with wheels. Electric brake known as a rheostatic brake. These brakes ^{are} in good order having been examined & tested on Sunday prior to accident. This is a routine work carried out on Sunday according to records. The only suggestion recollection is that rheostatic ^{brake} scrubber car was incorrectly applied. The car ^{being} momentarily out of control. After accident ~~investigation~~ ^{examination} it was not possible to make any specific ^{examination} account of damage, but I did find that controller handle of the damaged end scrubber moved more freely than was usual the case. Rheostatic brake is operated by the same controller that applies the power to drive the tram. The controller movement is in the reverse direction being effect is obtained of the conversion of motor to generator action. This is an emergency brake according to our system. This could be applied with proficiency

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Taken and sworn before me the 4th day
of March 1936 at Ballarat
[Signature]
Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT

This Deponent *

Albert Victor Stubbz
Tram Inspector (2)

on oath saith, I am a

residing at

* Christian and Surname in full.

but by applying ~~down~~ through each notch & progressively. By applying it right through would lock the wheels of Car. Driver Stucker has been driving trams approximately 12 months but not consistently employed throughout that period as a motorman.

He was driving long enough to know how to apply this brake after ^{usual} instruction had been driving scrubber car 3 days ^{previously} only. I am not aware of any other occasions. The regular scrubber car driver was away on leave. This was ~~the~~ ^{the} ~~mechanic~~ ^{mechanic} ~~Stucker~~ ^{Stucker} after had not reported any defects in scrubber car ^{brakes} prior to accident.

The usual practice approaching the point of impact was to give warning by sounding bell than driver at least a distance from the bend or point of impact 10 yards on either side. Stucker was on the eastern side while travelling the Western side. Motorman Thompson drove the Passenger Car. Immediately the two cars after collision the Passenger Car travelling 50 to 60 feet from where he would just have seen the scrubber car. The passenger car could have pulled up between 30 & 40 feet at 10-12 miles per hour. Passenger Car weighs 11 tons. Scrubber Car under full load 16 tons. It was not fully loaded on this day. I examined it. There was 12 to 13 tons weight on day of accident. The Rheolite brake is a very powerful brake & after inspection the tension spring of controller was rather weaker than usual & driver became momentarily unbalanced on initial application of brake would tend to sid the car when wheels were locked.

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]

Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Albert Victor Hawby

on his oath saith, I am a

residing at

* Christian and Surname in full.

(3)

Q The car would be ^{out} ~~be~~ out of control. It would not skid indefinitely with wheels locked. The car would probably ~~be~~ travel according to circumstances of the time. How far would depend on momentum a skid of 100 feet would not be unusual. There is ~~of~~ a slight grade. The driver could release & apply the brakes in 5 seconds if he had to regain his balance.

Q Scrubber car in working the scrubbers ^{brakes} are effective but ^{brakes} were not working on the day in question.

A Sutton The Lane at this point has been reconstructed thought in closer to Laker's suggestion of City Council. In my opinion before more road works. The move has not been an improvement to the visibility to tram drivers & anything their visibility has been less. Electrical Commission has under discussion a lighting system for safe working of curves.

Q Dooley Tucker's duty on scrubber prior to Monday was assistant to Mr Laker on scrubber car. The normal duty was attending to equipment & work on routes & also to assist in movement of car & turning trolley pole. Mr Tucker's duty to drive car prior to Monday preceding the accident. Scrubber car usually stopped by hand brake.

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]

Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Albert Victor Hanby.

on his oath saith, I am a (4)

residing at (Continued)

* Christian and Surname in full.

M. Dooley
Sept 11

It would have been better ^{if} ~~you~~ ^{have applied} Tucker ~~would~~ have applied hand brake on this occasion. Tucker ~~not~~ necessarily should have applied hand brake. Tucker just ~~did~~ ^{was} to have stopped his own car in view of seeing the other. This would have meant applying the rheostatic brake. Baker had not previously been on leave while Tucker was his assistant. The purpose of sounding the gong was to warn road traffic but trams did not usually meet at place of impact. The passenger car could have pulled up by air brake 10-12 mph in 40 to 45 feet. Tests have been carried out. In 30 to 40 feet trams could be pulled up ^{at} 10 to 12 mph. For rubber car takes longer to pull up. Tucker could have used hand brake when rheostatic brake ^{if he had done this without releasing the} failed. ^{The position} ^{would not have been altered as the wheels} would not have been altered as the wheels would have been locked. Tucker's attention ^{taught him up} ^{present} that if rheostatic brake failed ^{where} use the hand brake. Drivers are not taught to drive car where accidents have taken place. I am not concerned in that tuition. It would be very difficult to state reaction in a person under the circumstances.

aps
aps

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]
Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Albert Victor Chanby

on his oath saith, I am a 51

residing at (Continued)

* Christian and Surname in full.

~~Driver~~

The tank was filled with water repository approximately 2 tons.

~~Driver~~

Track was moved across City Council.

~~reporting~~

I am not aware that track was moved to

~~reconstruction.~~

I do not think that a motorist

~~could~~

would have much vision travelling west if he

was travelling on the tram track. The surface being improved ~~made~~ motorist

~~could~~

use it. The understanding was that the trees

~~could~~

would have not been cut back. This has not been done

nearer the City trees ~~are~~ further along near

the curve at Show Grounds are a menace because of their locality.

Zucker is a motorist and had not

previously driven the scrubber. There is a

difference in braking controls in passenger

car & scrubber. Weight in the scrubber would

change the braking power & the momentum

is greater. The scrubber tram braking would

necessitate more effort to pull up than a passenger

tram. Zucker would have pulled up & means

of hand brake ~~only~~ to get on. To use the hand

brake after car shided no effect whatever

unless the ~~brake~~ ~~was released~~ ~~scrapers~~ are on rail cleaners ~~no~~

braking effect. Scrubber car when shided

would ~~not~~ ~~increase~~ speed.

~~could~~

unless the ~~brake~~ ~~was released~~

~~could~~

Taken and sworn before me the 4th day

of March 1936 at Ballarat

[Signature]
Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Albert Victor Mundy

on his oath saith, I am a (61)

residing at (Continued)

* Christian and Surname in full.

Coroner The Water rushing down to end of track when brakes were applied would tend to increase speed.

(Scrubber) Tram drivers are not supplied with time tables of passenger cars, because of frequent interruptions or reconstruction of tracks. Half hourly service at this point should have been known of Tucker. Mr Foote is not a traffic man on that route. Scrubber Car is not restricted to regular time of work.

Field of Vision at this point ^{150-160 feet} Two trams travelling at a normal speed should have been able to pull up in time. I do not know if the passenger tram pulled up or not. I was not questioned as to the pulling up of the two trams. Tucker had not reported any defect in the brake (rheolatic) prior to accident. It is quite possible that the scrubber car could have skidded 100 feet under the circumstance at 10 miles per hour. No marks on the track lines would have been seen through skidding, not like as you would find on the wheels.

Shells It would be possible for Rheolatic brake to be out of order & Tucker not know it

Mr. Dooley ~~Do~~ Rails at rear wheels of scrubber car would have been wet

Taken and sworn before me the 14 day
of March 1911 at Ballard
[Signature]
Coroner.

[Signature]

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Albert Victor Hawby

on his oath saith, I am a Coalminer

residing at (7)

* Christian and Surname in full.

Mr Dooley ~~off~~ would have effect in ^{friction} holding ^{inner} Curve rail is lubricated to facilitate movement. Water on rail might have a tendency to lift oil in effect on wheels. Train Car brakes are same in principle to all types of tram cars. Iron wheels & iron rails do provide different types of braking effect to that of motor cars on roads.

Mr Sattouy ~~off~~ Moving the track into Lake

Coroner ~~off~~ { Rheostatic brake would tend to let hand brake go on notch of wheel & would be peer in movement.

The defect in the rheostatic brake would tend to let handle go full ^{on} & not notch by notch.

Mr Dooley ~~off~~ Reconstruction on that route is in progress. City Bound Cars & all cars have been affected by this work. ^{loop} ~~route~~ is only a short distance is about 180 feet from where the accident took place. Passenger car quite close on time on this occasion.

Taken and sworn before me the 4th day of March 1936 at Ballarat

[Signature]
Coroner.

[Signature]

PROCEEDINGS BEFORE CORONERS.

STATEMENT OF A PERSON IMPLICATED.

STATE OF VICTORIA,

TO WIT.

WHEREAS Frederick Arthur Mark Thompson

(a) Death of, or cause and origin of a fire (giving particulars). has been present during the examination of the witnesses in an inquisition touching the (a) Death of Elizabeth Clarke

(b) A Coroner of our Lord the King for the said State, or a Deputy Coroner, or a Justice of the Peace acting by virtue of Sec. 29 of the Justice Act 1928.

held before me (b) A Coroner of our Lord the King for the said State at the time and place hereinafter mentioned, to wit at Ballarat this 4th day of March 1936.

he the said Frederick Arthur Mark Thompson is now addressed by me as follows:—

“Having heard the evidence, do you wish to make any statement or to give sworn evidence? You are not obliged to say anything or give sworn evidence unless you desire to do so; you have nothing to hope from any promise or favour, and nothing to fear from any threat which may have been held out to you, to induce you to make any admission or confession; but whatever you say, or if you give sworn evidence, it will be taken down in writing, and may be given in evidence against you upon your trial.”—

Whereupon the said Frederick Arthur Mark Thompson

saith as follows: (c)

(c) Here state whatever the person may say, and in his very words, as nearly as possible; let him sign it, if he will, after being read over to him.

I am a Tram Motorman employed of the State Electrical Commission & based at 14 Brongham St Ballarat. I remember the 5. 2. 36. I was Driver of Passenger Tram No 26 on Garden Route at 11. 15 am I passed another tram proceeding in the opposite direction at Hamilton or Ballarat. I received a staff from the driver of other tram. On receiving this staff I had the right of proceeding to the Old Show Grounds Loop. At 11. 51 am I left the Control point at Garden Pavilion & proceeded

Taken before me at _____ in the said State the day and year first above mentioned

act

Frederick Thompson Taken before me at Ballarat in the said State the day and year first above mentioned Coroner. (b)

PROCEEDINGS BEFORE CORONERS.

STATEMENT OF A PERSON IMPLICATED.

STATE OF VICTORIA,
TO WIT.

WHEREAS *John Joseph Tucker*

(a) Death of, or cause and origin of a fire (giving particulars). has been present during the examination of the witnesses in an inquisition touching the (a) *death of Elizabeth Clarke*

(b) A Coroner of our Lord the King for the said State, or a Deputy Coroner, or a Justice of the Peace acting by virtue of Sec. 29 of the Justices Act 1928. held before me (b) *A coroner of our Lord the King for the said State.* at the time and place hereinafter mentioned, *to wit at Ballarat, this 4th day of March 1936.*

he the said *John Joseph Tucker* is now addressed by me as follows:—

“Having heard the evidence, do you wish to make any statement or to give sworn evidence? You are not obliged to say anything or give sworn evidence unless you desire to do so; you have nothing to hope from any promise or favour, and nothing to fear from any threat which may have been held out to you, to induce you to make any admission or confession; but whatever you say, or if you give sworn evidence, it will be taken down in writing, and may be given in evidence against you upon your trial.”—

Whereupon the said *John Joseph Tucker*

(c) Here state whatever the person may say, and in his very words, as nearly as possible; let him sign it, if he will, after being read over to him.

saith as follows: (c)

I am a Tram Relay Motor Man employed by the State Electrical Commission & Resident of 3 Linebar St Ballarat West

On 5.2.36. I was the driver of an Electric Double Tram which carries a Tank containing Water of 1200 gallons. at 11.48 am I left the Drummond St North Terminus & proceeding around the Northern boundary around Wendouree Parade. I was making for the Tram Depot at a speed of 12-13 mps to the curve where the accident happened. at 11.56 am I came to a curve near Barend Avenue Ballarat and when J.J. Tucker.

Taken before me at *Ballarat* in the said State the day and year first above mentioned.

[Signature]
Coroner. (b)

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Frederick Arthur Mack Thompson

on his oath saith, I am a Tram Motorman employed by the Hotel, Electrical Commission
residing at 14 Brougham St Ballarat

* Christian and Surname in full.

On the northern boundary of Lake at 11.56am I passed approached the curve of Barrett's avenue at a speed of 9 or 10 miles per hour, as I came to this point I saw the scrubber car proceeding toward me on the single line. When I first noticed the scrubber car I was 150 feet away. I immediately applied my air brake full on. The tram slowed down to a speed of 4 miles per hour. The scrubber car seemed to slow down then pick up speed & come on. I pulled the reverse handle back into reverse position & applied the power. The automatic switch flew out I pulled the handle around into the full power position notch & notch. This is the correct way to apply it. The notch by notch movement helps you to control the gradual moving on of the handle. The brakes of my tram were in good order, after applying the brakes I travelled 50 feet from where I first saw the scrubber. I realised an accident was inevitable & I jumped out of my tram. A moment after I jumped out I heard a crash I did not sound a gong or bell approaching the bend. I would have sounded a warning a chain ahead. I did not call out. When I jumped out my car had stopped. The scrubber car was still coming towards me at a speed which I could not say. There were 4 passengers on my tram 3 adults and a girl about 15

Taken and sworn before me the 4th day

of March 1936 at Ballarat

F. Thompson

[Signature]
Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Friedrich Arthur Mark Thompson

on his oath saith, I am a Tram Motorman employed by the
residing at (2) State Electricity Commission

* Christian and Surname in full.

I saw the deceased she was seated in the Northern corner behind the driver. She was facing Westward on the dummy portion of car. When I left the Ladies they were mostly seated on the front dummy. After the crash, I turned & saw that the scrubber car had driven into my car. I heard a lady say "Get me out of this." The other motorman "Zucker" was present. He said "The power brake handle had slipped. I assisted him to get a lady out of the car & saw another lady pinned by the legs between the seats. Her leg was bleeding, she was conscious. We attempted to free her by breaking the seats but were unsuccessful & I ran back towards the Car Depot & reported the smash. Later on an ambulance & doctor arrived & attended to the injured. I have had no instructions about sounding the gong at this corner. I would have sounded the gong for motor cars & brayls but as I was too far back I did not do so.

Mr Dooley. I did not fall over when I jumped out, on the road side of the tram. I have heard Mr Oliver's evidence. I do not remember where she was seated in the tram. Mr Oliver I have no knowledge of what Mr Oliver could have seen of Zucker's actions. I would not care to express my view on that point. I made one movement of the air brake. The power brake ^{action} was gradual. ~~after~~ When we came into view of each other I cannot

Taken and sworn before me the 4th day
of March 1936 at Bellarat } F. A. Thompson
[Signature]
Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent *Frederick Arthur Speck Thompson

on h oath saith, I am a _____

* Christian and Surname in full.

residing at _____ (3)

amethyst street

Opuntia

supposedly what either of us should have done

Coroner There was a 150-160 feet between us. There is no reason why he should not have seen me as I saw him I did everything that was possible. My car was definitely stopped when it was hit.

I got the stagg at Hamilton ave which gives me the right of way to throubonds loop.

When Tucker said to me about ^{Down} Preke hand-dropped that was all he said. I was supposed

I did not not

Taken and sworn before me the 4th day

of March 1936 at Ballarat

F. A. Thompson

[Signature]
Coroner.

DEPOSITION OF A WITNESS. 2

VICTORIA, TO WIT.

This Deponent * John Joseph Tucker

on his oath saith, I am a

Tram Motorman (Assistant)

residing at

employed by State Election Commission

* Christian and Surname in full.

approaching that curve I saw another tram car proceeding towards me on the same line.

The loop was 150 yards west of the passenger car.

I noticed the passenger car 160 feet away. On seeing it I applied the rheostatic brake at the half position which eased the car up to a certain extent but the handle slipped full on which caused the car to skid & I lost control.

There is just one notch of notch & it slipped at the 4th notch or half position. The car picked up speed & skidded. If there had have been time I could have pushed the brake back & re applied it. I did not apply any other brake I remained in the car until the cars hit. I jumped out on to the roadway. I did not think that the passenger car was due at that time. When two cars collided I did my best to free the injured people with Driver Thompson. I saw the deceased. He was on the left hand side of dummy behind the driver between 2 seats. His legs were pinned & endeavoured to free her. We were successful in freeing her after some time with other help. I did not sound any warning approaching the corner or other tram. I did not let the rheostatic brake as I had no occasion to use it. I could not say if it were in working order or not. I have been driving the Bertha car 2 days.

Taken and sworn before me the 14th day

of March 1936 at Ballarat

J. J. Tucker

Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * John Joseph Tucker

on h oath saith, I am a Man glenman (assistant) employed of the Electric Commission residing at

* Christian and Surname in full.

and had been driving it that morning since it is to & The speed of my car when I first saw the passenger train was about 10 mile per hour. I would have taken second to re-apply. The tank was full of water when I went out in the morning but the time of the accident a fair amount of water fell in the tank. at the time of collision the scrapers of my car were down. The water is used to wet the rails in front of the rear wheels. Car have skidded on dry rails and have a tendency to slide if oil is about. I took over from glenman after he left on Saturday. He did not inform me of any peculiarity of brakes or anything wrong. I have been instructed in applying brake notch by notch. I cannot give an opinion as to why the brake slipped I had no previous experience of the brake slipping. It is not a common fault. I travelled 100 per cent from when I first noticed the passenger car. when I found the car coming towards me if brakes had acted properly I could have pulled up. The passenger car was stopped when I collided with it.

To Attorney I work under the immediate instruction of Mr. [unclear] & I started at 12 to 8. The routine is the same morning after morning. Working from [unclear] & getting back into the Car Dept at lunch & go out scrubbing [unclear] the afternoon.

Taken and sworn before me the 4th day

of March 1936 at Belfast

J. J. Tucker.

[Signature]

Coroner.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * John Joseph Tucker

on his oath saith, I am a Tram driver

* Christian and Surname in full.

residing at (4)

Coroner. I I have ~~not~~ ^{never} had any intuition ~~was~~ ⁱⁿ ~~the~~ ^{the} ~~line~~ ^{line} is clear before proceeding in the opposite direction to oncoming traffic. I have had a wrong commission. If I met a tram coming towards me. I had to return to loop which I had passed. I did everything in my power to pull the tram up. but I would have pulled the tram up in ~~to~~ ^{to} ~~the~~ ^{the} ~~50 feet~~ ^{50 feet} if brake had been effective. I was advised that passenger tram had stopped

Taken and sworn before me the 4th day
of March 1936 at Ballarat
[Signature]
Coroner.

J. J. Tucker.

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Roy Thomas Vinnicombe

on his oath saith, I am a Just Constable of Police

residing at Ballarat.

* Christian and Surname in full.

On the 5-2-36, in company 1st Constable Selth. I went to a place in Wendoubaide near Ballarat where I was apparent from my observation that an accident had occurred on the tram line. Later that day I went to Car Dept. Electrical Commission I there saw 2 tram vehicles which were indicated to me as having been concerned in an accident on 2/0 26. Had the whole of the woodwork around the Driver cabin at one end of car smashed & forced back towards the saloon. A seat which is ordinary placed across the car at the rear of the driver had been forced back until it was almost touching a seat which is placed along the left hand side of car. A vehicle which is known as a scrubber car had the whole of the driving apparatus & driver's cabin removed from one end of it. On the 25-2-36 in company 1st C.P.C. Selth I went to the spot previously indicated in Wendoubaide & there made a sketch for the purpose of determining the field of vision available to driver of tram when rounding the curve which exists in that place. The point of impact between the two vehicles had been previously noted by me by the driver of a tram which was proceeding in an easterly direction at that particular place was 50 feet toward side of the point of impact.

Taken and sworn before me the 4th day of March 1936 at Ballarat

[Signature]
Coroner.

[Signature]
Just Constable

DEPOSITION OF A WITNESS.

VICTORIA, TO WIT.

This Deponent * Roy Thomas Vinnicombe

on h oath saith, I am a Dist Constable of Police

* Christian and Surname in full.

residing at (2) Ballarat

(Continued)

He would be able to see a train which was approaching him from the east when it was still 100 feet from him if he proceeded towards the East another chain that is 16 feet to the East of the point of impact he would be able to see a train approaching from the East when it was still 200 feet from him if he proceeded towards the East along the track a further half chain from the last place he would have a clear view of the train track to the East for approximately 500 yards. On the South side of train line there is a thick growth of cypress trees indicated in Exhibit F. 19. The branches of these trees are so thick as to prevent a person seeing through them when looking at them either from East or West & the branches come out to within 5 feet of the train line. A person standing in the center of the train track at point of impact could see a train approaching 100 feet from the East & 190 yards any ^{train} approaching from the West

Taken and sworn before me the 4th day
of March 1936 at Ballarat
[Signature]
Coroner.

[Signature]
12/10/36