

4th September 1919 19

898 ✓

PROCEEDINGS of INQUEST

held upon the body of

Ernest Royal Lindsay

at Melbourne Morgue

Received at the Crown Law Offices,

48 - SEP 1919 19

G. L. O.

R. H. Cole, *Coroner.*

16937.

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 4th
day of September A.D. 1919 in the tenth
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 Royal Lindsay
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 Royal Lindsay

came by¹ his death, I say that

(1) His or her.

on the 23rd day of August 1919

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

2331.

Melbourne in the Melbourne Hospital
Ernest Royal Lindsay died from injuries due
to a collision between the Car in which he
was driving and an Electric Tram Car in
Elgin Street Carlton on the same day.
I decide that the death is due to misad-
venture.

In witness whereof, I, the aforesaid Coroner, have to this Inquisition
put my hand this 4th day of September

A.D. 1919

Arms *St* *Gre*

Coroner.

VICTORIA POLICE.—(47.)

City Morgue, Russell St Station.

Melbourne

Police District.

24th August 1919 191

REPORT of Const Watson 4778.

Relative to Death of Ernest Lindsay at Melb. Hosp.

Dr Saltau reports the death of Ernest Lindsay, a returned soldier, aged 23 years, late residing at 384 Madeline Street Carlton. He was admitted yesterday at 5.20 p.m. suffering from fracture of the skull caused by the collision of a cart in which he was riding and an electric tram car in Elgin Street Carlton. He died at 10.40 p.m. yesterday from the result of the injuries.

The Carlton Police are making inquiries and will forward a report for the information of the Coroner.

Dr Cole.

Coroner.

Const 4778.

VICTORIA POLICE.—(47.)

Carlton Station. Melbourne Police District.
23/8/1919

REPORT of H. Handwall Const 5143.

Relative to

accident at corner of
Elgin and Cardigan Streets Carlton.
which resulted in death of Ernest Lindsay.

I have to report at 4⁴⁵ pm 23/8/19

Electric tram car^{no 16} driven by Motorman
Arthur Smith, no 28, and Conductor H. Moore,
no 4, was proceeding in an Easterly direction
along Elgin Street Carlton, when a pony
attached to a fish truck, driven by Ernest
Lindsay of 384 Madeline Street Carlton and
on which Frederick Jones of 385 Cardigan Street
Carlton was either sitting or lying, was
going in a southerly direction along Cardigan
Street, at the intersection of Elgin Street, according
to Superintendent R. E. Fordham of the
Melbourne, Coburg & Brunswick Tramway
Trust, who was on the tram car, Lindsay
attempted to cross in front of the tram car,
the motorman, sounded the gong and applied the
air brake, but Lindsay whipped the pony
in an attempt to get across, the pony just
cleared the tram which struck the cart.

turning it completely over. Lindsay and Jones,
who both appeared to be under the influence of drink,
were thrown heavily on the road.

Superintendent Fordham removed the two
injured men to the Melbourne Hospital, where
they were examined by Dr. F. Hills, Lindsay was
admitted, suffering from fractured base of skull,
Carlton Jones, had a badly lacerated scalp, after it had
been stitched up, he was allowed to go home.

I placed the pump and car in living at
Thurman's Stable Edmund Street, Cal.
about 6 pm, Robert Keogh of 1522 Madeline
Street claimed the turnout, he stated that it
"had been taken away from the Carlton
Football ground at about 4³⁰ pm, without
his permission."

I have been informed
by phone from the Hospital that
Ernest Lindsay died at 10⁴⁰ pm.

Queries for the City Coroners
information will follow.

J. Hancock
Const. 5143.

(25558)

Carlton

24.8.19

Submitted for the information of
the City Coroner.

J. J. Mercovich
S. C. 4492

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

MADEIRA LINDSAY

on oath saith, I am a

~~MARRIED~~ WIDOW

residing at

384 MADLINE STREET CARLTON

*Christian and
Surname in
full.

On the 24th inst I saw the bdy of the deceased at the morgue
and I identified it as that of my son Ernest ^{Ernest} Lindsay He
was aged 24 years I last saw him alive at 8/30 a/m/ when
he left home// I saw him in the hospital and was with him when
he died on the same day He died at about 10.15.

M. Lindsay

Taken and sworn before me the 4th day
of September 1919 at Melbourne
Robert A. Cro
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent* Reginald Edwin Fordham

on his oath saith, I am a Traffic superintendent

residing at 133 Davis Street Brunswick

*Christian and
Surname in
full.

On the afternoon of the 23rd August I was in a car in Carlton and Arthur Smith was the motorman and the conductor was ~~xxx~~ Roy Moore I was standing on the front of the car near the saloon door way and I had a good view of the front of the car/ I heard the motorman's going and then I caught sight of a small fruit barrow with two men seated in it They were travelling from North to South They were coming at a fast rate of speed and the ~~xxx~~ pony had been at a gallop The speed of the car was checked The driver of the cart immediately whipped up the pony and then he was about 15 to 20 feet away from the tram The motorman then applied the first emergency brake and seeing that the driver whipped the pony forward ~~xxxxxx~~ I called to motorman "Hold her give her the ~~pt~~" At that moment the pony got ~~three~~ quarter way clear of the tram and then the tram struck the barrow about the centre/ The barrow did not overturn then The pony ~~deserved to~~ ~~be~~ tight and then the deceased was thrown out on to his head clear of the car The pony then in endeavouring to clear himself went round and the man Jones went put on the outer rail After the two men were thrown out the pony got clear and got away The barrow then was pushed along by the car for about 100 feet. When the car was stopped I alighted and went back to see the two injured men They were on the road way with a crowd around them Several came to my assistance and the man Lindsay was taken to a hospital near by and Jones was taken to his home An ambulance was rung for/ Neither of the injured men were struck by the tram They were ~~struck~~ ^{injured} by their contact with the ground

I was about 80 feet from the barrow when I saw it first and the tram then was going about 15 ^{day} to 16 miles an hour and when

of

19 at

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

Reginald Edwin Firtham

on h oath saith, I am a

Continuing

residing at

*Christian and Surname in full.

the car stoped it ~~had gone~~ about 100 feet

TO MR KELLY: I am acquainted with the brakes The third emergency shpuld pull up the car between 29 and 30 yards on a down grade. That wuld be over twp car lenghts . I saw the

mp toman apply both . To put in tm third emer gency

he had to put on the 3rd emergency brake. It was a dry day

There is a down grade for 89 ft on the cars way. It is

2.36 grade. I produce a plan. It is 2.3 in fall to the yard..

The car could be pulled up on 30 yds with the

first emergency. The speed of the car was reduced by the

1st - and to apply the 3rd car would have to be

released. I was on the right side of the saloon

doorway. I could see the decedent clearly.

The decedent was on his wrong side about 18 ft

from the ~~East~~ ^{best} building line. I did not see any

woman holding up her hand to stop the car

on Elgin Street. The car began to slacken

speed when the 1st emergency was applied. The

Car was 15 to 20 ft away from us when

the brake was first apply. Another car has

just passed us on the up track

To Mr Reader. There is no stop at Curdyeen Street.

The car was going at usual speed there. The motor

man did his best to stop the car. When the decedent

pulled up the pony he almost sat it down. The

Taken and sworn before me the

of

19

at

day

speed he came pushed the pony into us.

NAI

Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

on h oath saith, I am a

residing at

*Christian and Surname in full.

on arrival at the Hospital I was convinced that the dead had taken drink. Jones said to me we have been drinking all the afternoon the deceased was unconscious I smelt alcohol on him when we put him in the mortar to take him from the lot.

So we remove. The regulation speed at the point is 10 miles an hour with stops. This means up to 20 miles between stops.

The car was running on time. I fix this by the recording clock at Elgin St. 4.45 pm. The deceased was driving the car. I see the place produced. It indicates correctly the position of the car when struck by the car & barrow when the car pulled up. I saw the barrow it seemed to be without damage. We had a test subsequently of the brakes of this car I was present with the engineers.

So Mr Kelly. I know brandy was got at the lot for some time.

Taken and sworn before me the 4th day of September 1919 at Melbourne
Robert H. Cro
Coroner.

[Signature]

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

ARTHUR WILLIAM SMITH

on ~~h~~^o oath saith, I am a

~~MDTORMAN~~ MELBOURNE AND ~~903~~
C OBURG TRAMWAY TRUST

residing at

Oburg

*Christian and Surname in full.

On the 23rd August I was in charge of a car and was travelling towards ~~Cardigan~~ ^{Cardigan} street. When I was ~~opning~~ ^{on} Cardigan street I ~~saw~~ ^{was} a vehicle with two men in it. I rang the bell vigorously and they did not seem to notice the bell. I ~~then~~ gave the car the first emergency and then when I saw that they ~~could~~ ^{could} not avoid the car I gave the car the third. The two men in the car were thrown out. They ~~got~~ ^{got} the car on the end and they were both ~~thrown out~~ ^{thrown}. They were travelling at a quick pace when they were ~~coming~~ ^{coming} toward me and they pony was given the whip ~~try~~ and get across. The car travelled about 100 feet before it stopped. The first emergency would slacken the speed and the third ~~would~~ ^{would} bring the car to a dead stop. The car had been going at about 15 miles an hour. Both men were thrown clear of the car and I went about 100 yards after that. I eased the brake after the collision to clear the cart. The men were sitting up in the cart as it came up to me.

TO MR KELLY I was travelling at about 12 to 16 miles an hour when I first saw them and then I was about 15 feet off then I put on the first emergency as soon as I saw them. The air brake would pull up that car on a dry rail in about 30 yards. That was on a down grade. The third emergency is supposed to pull the car up quicker than the first and that would be in about 30 yards. At the speed I was going then the third emergency would pull up the car in about 30 yards. The first emergency cannot be put on after the third if the air is gone. When I struck the cart I was going at about 10 ~~miles~~ ^{miles} an hour. I had put in the third emergency before I struck the cart. If the car

was going at about 10 miles an hour the third emergency

of

19 at

RM

Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

Arthur William Smith
(continuing)

on his oath saith, I am a

residing at

*Christian and
Surname in
full.

RM would pull up the car in about 30 ~~miles an hour~~ ^{yards} and the brake acts quicker when the car is going at a high speed

The ~~third~~ ^{third} emergency is when the stronger motor takes the magnetism and is stronger than the other one/

RM The third emergency is applied from power that is collected as the car is going. The shortest distance that the car can be pulled up in ~~15 yards~~ ^{30 yards} when the car was going at 15 miles an hour. If the car was going at the rate of three miles an hour the car would be pulled up in a tram length. The tram was stopped opposite a shop and not near the monumental works. I ~~xxx~~ did not take off the third emergency till the car stopped. I did not see a woman standing on the road holding up her hand. There was no other traffic on the road on that side of the road. Elgin Street is a fairly wide street. I could not see up Cardigan Street till I got to it. I was about half way across the street when the car struck the cart and it was about 100 ~~xxx~~ feet further on past the corner when I pulled up.

RM TO RUDLE There is no stop at Cardigan Street I was travelling at the ordinary pace. I saw the pony nearly down on its haunches and then I had put on the first emergency. They then whipped the horse and did not make any attempt to avoid the collision. When I saw them whip the horse I released the air, knocked out the switch and ~~reversed~~ ^{reversed} the key answering the controller to the eighth notch. There was nothing further I could have done. I put on all the brake power that I had. The cart came down Cardigan Street on the Western side of Cardigan Street. I gonged the bell as soon as I saw him. When the pony ~~sprt~~ ^{day} of sat down

Taken and sworn before me the

of

19 at

Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

on his oath saith, I am a

residing at

*Christian and
Surname in
full.

and if he hadnot been whipped on again he would have hit
into ^{the} side of the car. The driver didnt seem to be making
any attempt to pull up the car I cannot tell the condition of
the man as regards ;liquor

TO MR REYNOLDS. I see a point on the plan produced that is
marked "barrow" and according to that the barrow was on the wrong
side of the street and that would effect my view of it_ My
brakes were acting quite normally that day_.

Arthur William Smith

Taken and sworn before me the 4th day
of September 1919 at Melbourne
R. H. C. Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

WILLIAM JOHN HARDY CRAIGHEAD

on his oath saith, I am a

MOTORMAN

residing at

360 STEWART STREET BRUNSWICK

*Christian and
Surname in
full.

I remember at about 4.30 p.m on the 23rd August

I was in charge of a tram coming to Town I saw two men in a
pony barrow coming along Lygon Street at a furious gallop
They were in the middle of the tram track That was in about 6
minutes running from the scene of the accident and about a mile or
a mile and a quarter from the scene of the accident They were ahead
of me I think they came from Macpherson Street and were ahead of
me and the ^{people} were at the side of the road watching them I lost
sight of them at Princes Street I saw them again when the accident
occurred I saw the accident I had just passed No 16 car and
had got off the clock and a lady got off on the wrong side
and I told her she should not get off the wrong side That was ^{what} drew
my attention to the collision I then saw the pony and cart coming
out of Cardigan Street and then I saw the collision They came out
of Cardigan Street at a swift pace I was about 80 yards away

W. J. H. Craighead

Taken and sworn before me the 4th day
of September 1917 at Melbourne
Mount J. C. C.
Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

ELIZABETH LANDEREE

on ~~her~~ oath saith, I am a

MARRIED WOMAN

residing at

2 UNION PLACE CARLTON

*Christian and
Surname in
full.

I was in Elging Street on the 23rd last month at 5.15.
I saw pony cart in it They were driving very fast and I saw
the tram and I put up my hands and I said "For Gods sake
stop you will be killed" I saw then hit the tram I
was quite close to them I did not hear the electric tram
spund the gong. When the tram stopped I went up pick them up and
one man was bleeding from the ears and the other was stunned
TO MR KELLY The tram did not slacken speed before it struck
the men and it went right down to the monumental works and the cart
was pushed in front of the car all the way I held up my
hands in the middle of the road. I was standing in the middle of
Cardigan Street and the pony passed on the left hand side of me
TO MR RUNDLE I was in Cardigan Street standing near the shop
on the North Carlton side and the cart was coming down the street
that way The men in the cart did not take any notice of me and they
drove on at the same fast pace.
TO MR REYNOLDS When I held up my hands they blew round me
and passed me on the left side They passed on the shop side b
between me and the building. When I picked them up I knew
who they were? I was excited when I saw the pony galloping down
the street.
TO MR KELLY They passed me on the Lygon Street side on their
right side.

Taken and sworn before me the

day

of

September 1919 at Melbourne

Robert H. Cro

Coroner.

2330.

Elizabeth Landeree

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

CECIL MC KENDRY

on ~~his~~ oath saith, I am a

NO OCCUPATION

residing at

CAMPBELLFIELD

*Christian and
Surname in
full.

I remember the 23rd August I was ~~on~~ a tram going out when the accident occurrd I was sitting in the extreme right hand corner of the car ~~bb~~ the front. I ~~could~~ not see what happened till they the men were near the front of the car and the horse had just got over the rails They seemed to be going at a fast rate They were on the left hand side of the car and they were coming at right angles to the car. I saw the impact. I did not notice the going till just before the accident. I did not notice that the car eased up at all.

TO THE CORONER I saw the cart as it came along It was too close ~~to me~~ to see whether they tried to pull up.

Cecil McKendry.

Taken and sworn before me the

day

of September 1917 at

*Melbourne**Robert H. Cro*

Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

JOSEPH REGINALD DOWNES

on his oath saith, I am a

CLERK

residing at

270 MACPHERSON STREET NORTH CARLTON

*Christian and
Surname in
full.

On the 23rd last month I was on a car going toward North Carlton between 4.30 and 4.45 I was sitting in the front seat on the Northside. When hearing Cardigan Street the motorman in charge saw the men coming down. I saw the two men coming South along Cardigan Street in a very fast trot. They were in centre of the road and moving to the West of the road and then I saw the collision and they were thrown clear of the car. After that the barrow was carried in front of the tram for about 25 to 30 yards. There was an official on the tram and when the car was put to a standstill he went to the motorman and did something in there. In my opinion the official stopped the car. That was after the first brake had been applied and before the car had stopped. The brake was put on when the motorman first saw the cart. I saw the driver of the cart pull a tight rein on the pony and they did not try to evade by going either East or West and then they tried to get across.

TO MR REYNOLDS I saw the barrow when the tram pulled up and it was in front of the tram. I was just about on line with the monumental works.

Joseph R. Downes

Taken and sworn before me the 4th day
of September 1919 at Melbourne
Robert A. Cru
Coroner.

CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

EDWARD FRANCIS CUMMINS

on his oath saith, I am a

CONSTABLE OF POLICE

residing at

RUSSELL STREET

*Christian and
Surname in
full.

I remember the afternoon of the 23rd August some time between 4.30 and 5 p.m. I was in Lygon Street between Fenwick and Macpherson Streets I heard a noise and in looking along the street I saw two men sitting in a hawkers cart The pony was travelling very fast and they were taking an erratic course I thought they were on their right side and they came across and a woman driving a phaeton was driving and she pulled well on the side of the road and on driving the pony down Lygon Street I saw the man driver who was sitting up in the front of the cart near the driver throw himself on his back and throw his feet in the air He did that a couple of times and was done purposely. They continued on along Lygon Street and I saw them at about a quarter mile from the scene of the accident. To the CORONER I did not know either of these men and I cannot say who was driving The pony was between a canter and a gallop.

E. F. Cummins
Const 5102

Taken and sworn before me the 4th day
of September 1919 at Melbourne
Ross H. Cr.
Coroner.

2330.

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CORONER'S INQUEST.

5.

VICTORIA, TO WIT.

This Deponent*

FREDERICK JONES

on ~~h~~^{is} oath saith, I am a

LABOURER

residing at

360 SCARDIGAN STREET CARLTON.

*Christian and
Surname in
full.

I do not remember being in the cart. I cannot tell how
I came by the injuries I knew the deceased Lindsay I do not
know when I saw him last.

Frederick Jones

Taken and sworn before me the 4th day
of September 1919 at Melbourne
Rout & Co
Coroner.

2330.

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CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

John Cantwell

on his oath saith, I am a

Police Constable Station 7

residing at

*Carlton**Christian and
Surname in
full.

on 23rd 8 19 at 5.10 pm I went to corner
of Cardigan & Elgin Streets
I saw Capt Fordham there. I cannot say
who was the driver of the truck.

John Cantwell.
Const. 5173.

Taken and sworn before me the *4th* day
of *September* 19*19* at *Melbourne*
Robert H. Cro
Coroner.

CORONER'S INQUEST.

VICTORIA, TO WIT.

This Deponent*

Reginald Edwin Fordham

on his oath saith, I am a

(recalled)

residing at

*Christian and
Surname in
full.

*I think Rindsey was the driver of the
Cart. Saw the position of him after
the accident and the reins of the
horse were near him on the ground.
where it appeared to me he had
ripped them*

R. E. Fordham

Taken and sworn before me the *4th* day
of *September* 19 *17* at *Melbourne*
Mount St. Croix
Coroner.

*Lapworth
Melbourne
4 9 1919
Ernest Rogers Roadway
R.H.*

