

The Western Port Times

Grantville & Districts



Volume 3 Number 3

FREE

July 2020

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No-No and Oh, No! Adverts

The 16th in a series of advertisements from many decades ago which, while uncontroversial in their day, would cause outrage in certain groups today.

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This magazine is a continuation of the original Western Port Times, which was published in Grantville from 1898 until 1908 by T. C. Monger, and from 1908 to August 1910 by Harold B. and J. A. Sullivan, at which date the premise is said to have been destroyed in a fire and everything lost. Publication never resumed.

At its peak, the paper was distributed from Flinders and Hastings on the Mornington Peninsula, to San Remo and Phillip Island, Inverloch and the Powlett region, through to Jumbunna and Loch, and as far north as Lang Lang.

This version of The Western Port Times is produced for the U3A Local History Group, based in Grantville.

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And Now A Word From Our (retro) Sponsor

An advertorial for the (retro) sponsor of this month's *Western Port Times*.

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Blue & Sol

A local comic strip from the mid-1930s.

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Editor: Geoff Guilfoyle
 Bass Valley U3A Local History Group
 PO Box 3 Grantville 3984
 Phone 5997 6240
 Email: Geoff_Guilfoyle@aanet.com.au
 Website: www.grantvillehistory.com.au
 Masthead design by Trish Hart
 ISSN 2209-3508 (Online), ISSN2207-7163 (Print)
 ABN 97 395 483 268

Subscribe Free:

Send your name and email address to:
 Geoff_Guilfoyle@aanet.com.au

The Bass Valley U3A Local History Group is looking for photos and information on places of significance to our local history.

If you have anything you would like to share with us, we have the facilities to scan or photograph your items so they do not have to leave your possession.

Links to other historical groups

- Bass Valley Historical Society: <https://bassvalleyhistoricalsociety.com.au>
- Friends of Churchill Island Society: <https://focis.org.au/about-churchill-island/>
- Grantville History: grantvillehistory.com.au
- Hastings–Western Port Historical Society: <https://www.hwphs.org.au/>
- Inverloch Historical Society: cv.vic.gov.au/organisations/inverloch-historical-society/ Also: <http://inverlochhistory.com/>
- Koo-Wee-Rup Swamp Historical Society: kooweerupswamphistory.blogspot.com.au/
- Korumburra & District Historical Society: Janet Wilson 5657 2267 or PO Bo 293, Korumburra 3950
- Lang Lang & District Historical Society: langlang.net/historical.html
- Leongatha and District Historical society: leongathahistory.org.au
- Phillip Island & District Historical Society: <http://pidhs.org.au/>
- Phillip Island Nature Parks, Churchill Island Heritage Farm Collection <https://victoriancollections.net.au/organisations/churchill-island-heritage-farm#collection-records>
- South Eastern Historical Association: seha.org.au
- Western Port Historical Society Inc.: hwphs.org.au/
- Wonthaggi Historical Society: wonthaggihistoricalsociety.org.au/



From the *South Bourke and Mornington Journal*, 11 July 1900

Explosion of a Dynamite Cap

A singular accident happened to Mrs. W. Hunt, of Queensferry, on Wednesday morning last, by which she was painfully injured. Mr. Hunt, who is engaged at the Outtrim mine was home on a visit, and on the evening prior to his returning to work, was wrapping some dynamite caps, each one in a separate piece of paper; he was particularly careful to see, as he thought, that everyone was put carefully away in the box in which he intended keeping them until required. Whilst lighting the fire next morning Mrs. Hunt used some waste paper which she picked off the floor. On applying a match a terrific explosion occurred, and on Mr. Hunt going in he was horrified to find that one of the caps had exploded, and his wife was severely injured in the eye and nose. Dr. Daly was called, and is doing all he can to relieve the sufferer.

From *Warragul Guardian*, 23 August 1898, page 2: Grantville.

A Special Sale

Owing to the want of food, the result of the disastrous fires of last summer, heavy losses of stock have occurred all through the Bass Valley district, and but for the exceptionally mild winter experienced the mortality would have been at least doubled. The general misty weather of the past fortnight has caused a wonderful growth of grass, and all kinds of stock are now in brisk demand. At a special sale by Alex. Scott and Co. on Friday, milk cows and heifers realised extreme prices, a pen of 18 Jersey and Ayrshire, 18 months heifers, bred by C. F. Bates, Bass Park, brought £5 8s. per head, and other classes of stock sold equally well.

From the *Powlett Express and Victorian State Coalfields Advertiser*, Friday 30 July 1915, page 3: San Remo.

Running Wild

The running of cattle on roads and streets in the mainland ridings of the shire with no other restrictions than the ineffective one of a Ranger to control an area about twenty miles in length has been a vexed question for years past, and the controversy has recently reached an acute stage. The matter was under consideration of the local shire council at its June meeting, and postponed until the next meeting. At the following meeting on the 21st inst., no allusion was made to the subject, five councillors being absent.

From the *Wonthaggi Sentinel and State Town Miner*, Friday, October 7, 1910

Dwellers in Government Tents

Tents to be returned to the Mines Department.

(Re-paragraphed for the sake of clarity.)

The notice recently issued by the Mines Department that all tents belonging to the Department must be returned to the stores branch not later than Oct. 29th is responsible for a great amount of uneasiness and dissatisfaction amongst the men who at present occupy them.

There are about 180 tents occupied solely by the men employed on the mine, and a small charge is made for the use of same. Fully 200 men affected by the notice and its enforcement will mean a great deal of hardship will be inflicted on the greater portion of them.

To provide accommodation for anything like that number is quite an impossibility for the boarding home keepers, and the possibility of obtaining accommodation elsewhere is altogether remote. No cottages are available, and, unless some arrangement is made for their accommodation it is feared that serious trouble will arise should the order be enforced.

Numbers of men have openly stated their intention of refusing to give up possession until such time as other housing accommodation is provided. They claim that undue preference has been given in many cases in connection with the leasing of cottages, and up to the present they have been unable to provide funds necessary to erect homes of their own.

Many assert that they have been unable to secure a building site and if the tents are taken from them they will be dependent on the generosity of their friends for shelter. Others intend hiring shop premises wherever available and living in parties of from 4 to 8.

During the recent bad weather many of the tents failed to keep out rain and the occupiers experienced a rough time in consequence. Many of the tents would not last another winter and if the men were allowed to occupy them till the end of the summer, by that time many would probably be able to build small suitable homes for themselves.

From the *Powlett Express and Victorian State Coalfields Advertiser*, Friday 29 January 1915, page 3

Drowning Fatality at Kilcunda

Visitor Washed Off Rocks While Fishing

A distressing fatality occurred at Kilcunda on Wednesday afternoon. Mr Vanweid, a railway employe, who was spending his holidays there, was fishing from the Grave Rock, when he was washed off by a huge wave. Mr and Mrs Vanweid were to have returned that evening to their home in North Melbourne. The unfortunate occurrence was reported to Senior Constable Tennant, Wonthaggi, and to Constable Kelleher, San Remo. Constable Cummings was sent to assist Constable Kelleher in an endeavour to recover the body.

From the *Argus*, Friday 19 December 1941, page 5

Clothes Of Missing Hiker Found

Finding at dusk last night of clothes and a tent, believed to be those of Mr. Lionel Thomas Luxton, 34, of Venus st., Caulfield, who had been reported to the police as missing from his home after beginning a hike between San Remo and Kilcunda on Monday was the only clue of Mr Luxton's whereabouts found by police search parties which combed the beach from Cape Patterson to Kilcunda yesterday from 5am.

Mr. Luxton, a member of The Argus editorial staff and a keen naturalist, failed to return home on Tuesday night, and parties were organised by First-Constable J. Beasy, of Bass, and Constables Stock and Riley, of Wonthaggi, to search the treacherous area Mr. Luxton had proposed hiking through in search of geological specimens.

More by accident, the clothes and tent were found a few minutes before the party searching the San Remo-Kilcunda area proposed abandoning it because of failing light. The police and 2 representatives of The Argus walked on to the tent, which was hidden by sand dunes and a cliff, about 100 yards from the shore. Up to late last night no other trace had been found, and the search will be continued at 5.30am today. A grey suit, underclothing, and other articles Mr. Luxton is known to have carried, were found. It is thought that he may have slipped on the rugged cliffs in the area, or that he had been bathing and was carried out by the strong undertow.

From the *Great Southern Advocate*, 20 January 1899: Grantville

Death of Mr. Grout

(Re-paragraphed for the sake of clarity.)

It can be sincerely written that no event has ever caused such wide expressions of regret in this district as the death of the president of the shire, Mr. J. W. Grout, which took place at his residence, Forest Grange, on the 13th inst.

Although not enjoying good health for some time past, no serious consequences were anticipated up to within a few hours of the fatal issue, therefore, when the news rapidly spread last Friday, it came as a painful surprise to the community.

Mr. Grout came to the district over 18 years ago, and manfully did his share of pioneering work. About four years ago he was elected a councillor, and last August was unanimously elected president of the shire.

During his term of office Mr. Grout has taken an intelligent interest and given a generous support to every movement having for its object the advancement of the district.

The deceased was a thorough cricketing enthusiast, and many a time batted on behalf of the Grantville club. The funeral, which took place last Saturday, was very largely attended. The cricket match between the Lang Lang and Grantville clubs was suspended, the two teams falling into line and marching at the head of the procession to the cemetery.

The pall-bearers were deceased's colleagues, Crs. Bates, Anderson, Paul, O'Meara, McFee, Hackett, and McIlwraith. The Rev. E. Potter impressively conducted the burial service.

The greatest sympathy is felt for the bereaved wife and four little girls, who are thus early deprived of a loving husband and a kind and affectionate father. The deceased had only passed his 37th year.

The councillors have agreed that, out of respect to the memory of deceased, the council will meet on Saturday next and adjourn for one week, 4th February.

From *The Dandenong Journal*, Thursday 30 August 1934

Glen Alvie District League

Lance Creek met Almurta, at Grantville. The ground was heavy, and the slippery ball made the game scambly. In the last quarter, Miles, of Almurta, was carried off the field unconscious. Final scores: Lance Creek 9.5; Almurta 6.6. In the last quarter Lance Creek failed to score.

From the *South Bourke and Mornington Journal*, Wednesday 12 November 1877

Tramways in Gippsland

(Re-paragraphed for the sake of clarity.)

To The Editor Of The Daily Telegraph.

Sir,—It must be patent to the mind of everyone who knows anything of the nature of the above-mentioned part of the colony that there is no better way of opening it up than by tramways. It is now intersected by a trunk line, and all that remains to be done is to lay feeder north and south.

At present it is useless to advocate the making of branch lines, as they would be too expensive, and the returns would not, for a long time, be sufficient to pay interest on the capital. Ordinary roads, too, are too tedious to make; they involve very considerable expense, and from what I know of the country, I am inclined to fear that metal would be found to be somewhat difficult to obtain. I am informed that a tramway can be made for £200 a-mile, including certain rolling-stock, which is less than the half of the cost of the ordinary road making, and only about one-twenty-fifth the cost of railways.

The next question arises—By whom ought the tramways to be made? That is, whether by the Government, or shire councils, or by private enterprise?

My answer is—Decidedly by the Government.

From the hilly nature of the country, surveys would require to be made, irrespective of selectors' boundaries, and in granting licenses the Government reserves the right to enter such land for certain specified purposes. Not so, I am afraid, with shire councils; besides, they have not the means even though they had the power, and as for the selectors themselves, they are utterly helpless, being scarcely able to meet their current expenses.

The Gippsland selectors are a noble class of men, as may be seen by the plucky manner in which they have entered the primeval forests, and done battle with the giants of them. They have settled upon land second to none in the colony, which has recently been proved by yielding from ten to fifteen tons of potatoes to the acre.

But what of that if they have not the means of getting them to market? Those who are in close proximity to the railway have all the advantage desired, but hundreds are entirely excluded.

The district in which I have a direct interest is Poowong, which is about twenty-five miles

direct south of Drouin, and though there are over 400 selectors in it find the adjoining parish of Jeetho, representing 120,000 acres (equal to 187½ square miles), they are entirely destitute of roads. This is too serious a matter to be lightly dealt with. It is monstrous to contemplate; yea, cruel in the extreme, for the Government to throw open country such as that for selection, and leave poor people to starve upon it. Afford them the means I suggest, and I am quite certain in a few years there would not be a more thriving district in the whole colony. Townships would spring up, labour would become abundant, and every one would be contented, happy, and prosperous.—I am, etc.

Progress.

November 10.

From the *Powlett Express and Victorian State Coalfields Advertiser*, Friday 1 December 1916, page 3: Bass.

Road Woes, December 1916

(The umpteenth part of a continuing series which ran for 100 years)

Works and repairs are badly needed on the Main Coast road between Grantville and Bass. There are several sandy patches and swamp, which, if attended to, would bring down benedictions upon those responsible for the improvements. If the amount of maintenance allowed by the Country Roads Board is not sufficient representation should be made to have the amount increased. Several pipe culverts between Grantville and the Corinella turn-off would be a wonderful improvement.

- - - - -

The bridge over the river at Bass is in a precarious condition, and repairs are urgent. Some timber for repairs has been brought in, and completion of the work will be welcomed by all travellers.

- - - - -

The burnt clay along the Bass-Grantville Road is standing well, and the only fault to find is that there is not more of it done. Two sections are separated by a few chain of earth formation, and the linking up of this work has, we understand, been authorised by the council.

No-No and Oh, No! Ads

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From the *KooWeeRup Sun and Lang Lang Guardian*, 12 August 1920

Railway Accident.

Two Persons Killed.

Two Others Severely Injured.

The names of the killed and injured are—
Killed.

W. Thompson, Kooweerup.

Allan Deal, Melbourne.

Injured.

J. Dalley, fracture of the base of skull and other injuries.

F. P. Major, broken leg and other injuries.

A terrible railway smash occurred this morning at the crossing near the Kooweerup Railway Station, when a motor car, in which four men were travelling, collided with the result that two men were killed and two others seriously injured.

The occupants of the car, before starting on their journey from Kooweerup, had a discussion as to which would be the best course to travel, by vehicle or motor [*sic*], and on account of the inclement weathes [*sic*] conditions they decided on the latter vehicle.

Their names are:—J. Dalley, driver, employed at A. C. Colvin's garage; W. Thompson, an employee of the Water Commission; A. Deal,

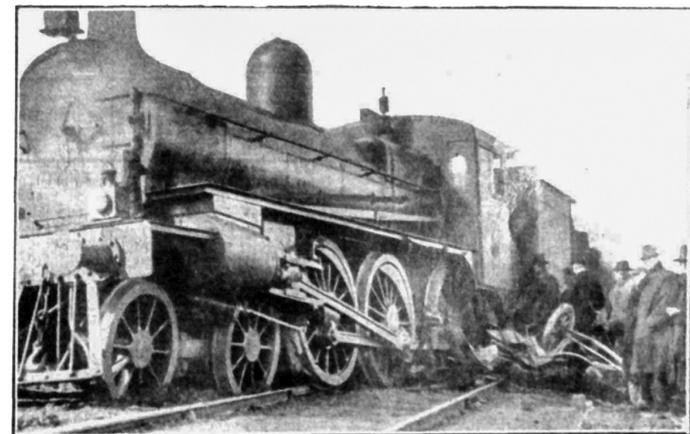
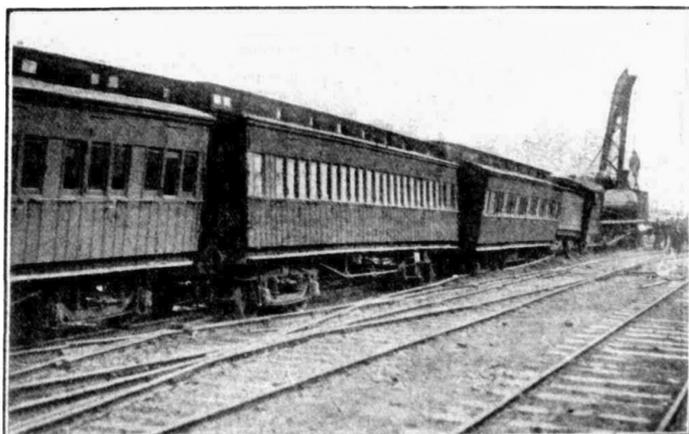
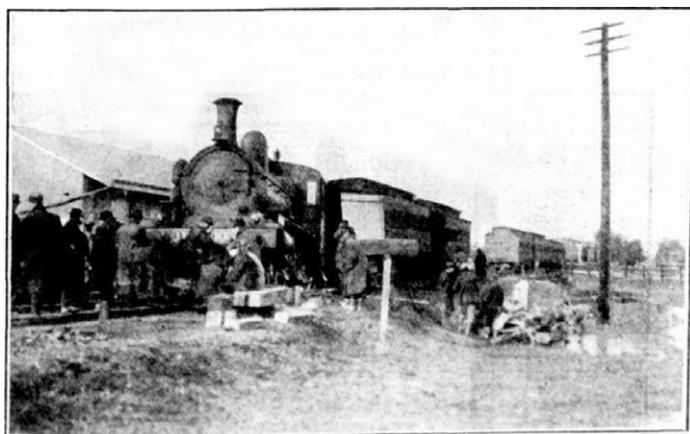
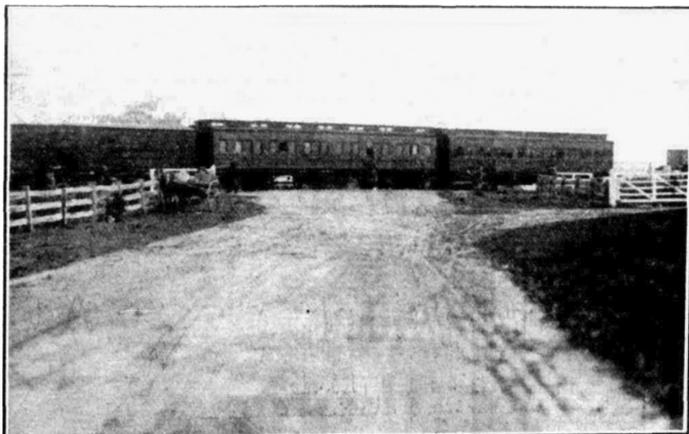
mechanical engineer at the dredge; and F. P. Major, farmer, S.A., a brother-in-law of Mr Deal's.

The car had just left the garage and had turned the corner to cross the railway line, travelling southwards on the way to the No.1 dredge, on the Main canal, and was going at a very slow pace. Evidently not hearing the approach of the train, the driver attempted to cross the line.

The driver of the train whistled at the usual place, and coming on he noticed the car crossing the line and whistled again, when almost immediately the engine struck the car, which was lifted and carried several yards along the line. Mr Thompson was thrown from the car under the train and cut to pieces. Dalley was thrown up on to the front of the engine, from where he was lifted when the train stopped.

Assistance was immediately at hand and Dr. Appleford was telephoned for. He, with Mrs Appleford, lost no time in getting to the

(continues on Page 8)



Photos from *Weekly Times*, Saturday 21 August 1920, page 31: Sensational Motor Smash At Koo-Wee-Rup.

(Top left) The level crossing where the collision took place; (Top right) Viewing the wreckage; (Bottom left) Photo showing how the train was derailed; (Bottom right) Photograph taken immediately after the smash showing motor car.

Railway Accident (continued from Page 7)

scene of the accident, and after examination stated that Dalley had sustained a severe fracture of the base of the skull, besides several other severe injuries. He was removed to the Melbourne Hospital.

The engine was No. 1037, DD type, and the driver and fireman had miraculous escapes. Several carriages were thrown off the line and the permanent way cut up and badly damaged. The railway officials are reticent on the matter, desiring to await the inquiry.

Those who witnessed the accident say that the car was travelling at the slow pace when it was struck and that it immediately crumpled up. Another eye-witness said that on hearing the train whistle a second time, he looked to see what was the matter, and saw the car travelling at a slow pace across the line. Almost immediately the car was struck. He thought that the car had almost cleared the line, and, evidently realising his position when the whistle sounded the second time, the driver tried to swerve the car clear of the approaching train, which accounted for the car and occupants being on the south side of the train.

A person on the wrecked train said that only a few passengers were travelling at the time, and when the carriage went off he felt slight bumping, but did not realise the seriousness of the situation until the train stopped.

Parts of the motor car were strewn all along the line. There is an avenue of pine trees near the approach to the station, and this obscures the view of the public using the crossing.

The railway authorities did all they could answering inquiries and in attending to [the] comfort of passengers. Being a cold, bleak

morning, Mrs Hamilton provided tea, which was greatly appreciated by the travellers.

Mr Kaiser, ambulance officer on the railways, who was on the Leongatha train, took charge of the rescue operations.

Passengers travelling to Melbourne on the wrecked train, also the 10.10 a.m. train, were transferred into the up Leongatha train, which was waiting to cross, and then proceeded to the city. Two break-down trains – one from Melbourne and the other from Korumburra – immediately hastened to the scene, and it is anticipated the permanent way will be cleared this evening.

From the *Age*, Wednesday 24 April 1929, page 16

Collapsed At Fire.

Post Master Dies from Shock.

Kilcunda Store Destroyed.

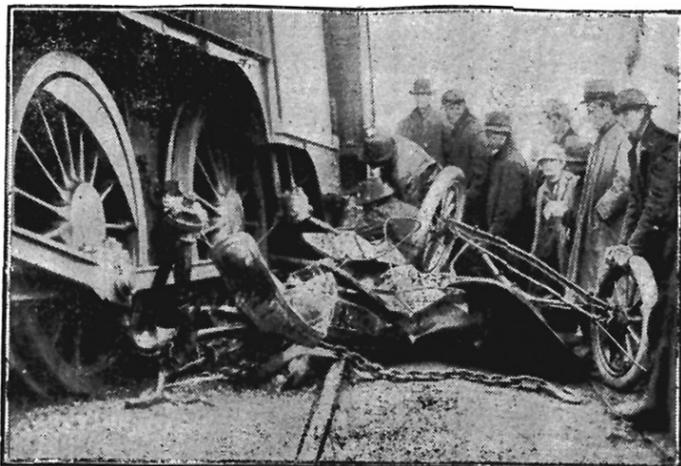
Wonthaggi. Tuesday.—The post master at Kilcunda, Mr. Andrew Mervin Campbell, about 30 years of age, collapsed and died at the Kilcunda Hotel last night after rushing with his two little children from a fire which destroyed the store and post office.

About 9.30 p.m. on Monday a fire broke out in one of the bedrooms at the back of the store. The building, which was a single-fronted six-roomed, galvanised structure, was burnt to the ground. Two miners, Burns and Anderson, on noticing the flames coming out of the store, rushed to give assistance. When they got near the store they heard Campbell, who was dressed in his pyjamas, calling out for help.

On going to the back of the building Burns and Anderson found the post master protecting his two little children, who were also in their night attire. He appeared to be suffering a good deal from shock, and had to be assisted to the Kilcunda Hotel, about 100 yards away, where he was put to bed. Campbell afterwards collapsed.

Dr. Sleeman, of Wonthaggi, was sent for, and on arrival pronounced life extinct.

Mr. Campbell has been in charge of the Kilcunda post office and store for the past two years. Mrs. Campell, wife of deceased, went to the opening of the Almurta Hall on Monday night, and was not at home when the fire occurred. The contents of the post office were destroyed. Three tins of copper and silver were taken charge of by the Wonthaggi police. The heat was so intense that most of the silver was melted in the boxes.



From the *KooWeeRup Sun & Lang Lang Guardian*, 9 August 1920: The Kooweerup Railway Smash. (Photo kindly lent by "Herald and Weekly Times.")

From the *South Bourke and Mornington Journal*, Wednesday 4 September 1878

Phillip Island And Woolamai Shire Council

Present—Councillors West, Turnbull, Kidd, Watson, Kennedy, Duffus, Sunderland, and Misson.

Councillors West, Kidd, and Misson having made the usual declarations, took their seats at the Council table.

Election of President

Councillor West having been voted temporarily to the chair, it was moved by Councillor Sunderland, seconded by Councillor Kidd and carried unanimously, that the sum of £35 be voted to the President for the next twelve months out of the municipal fund.

It was moved by Councillor Sunderland, seconded by Councillor Kidd and carried unanimously, that Councillor Turnbull be President for the ensuing year.

Councillor Turnbull then took the chair, and briefly returned thanks, and, on the motion of Councillors Turnbull and Kidd, the thanks of the Council were voted to Councillor West for his past services as President.

Ordinary Meeting

Present—Councillors Turnbull (President), Kidd, Watson, Misson, Kennedy, West, Sunderland, and Duffus.

The minutes of last and adjourned meeting were confirmed.

A letter from Messrs. Hunt and Lynch, complaining of people felling trees on the roads past their selections, was received, and on motion of Councillors Kennedy and West the Secretary was instructed to write to the parties complained of, requesting them to remove the timber felled by them, and also to summon all people removing timber or soil from the roads in future.

Constable. G. Ardill's resignation of the office of Inspector of Slaughterhouses on the mainland was accepted, and Constable Taylor appointed in his place, as was also Constable Ardill to be Inspector on Phillip Island.

Mr. Norton's request to use the cattle stage at Cowes for shipping was granted.

The letter from Mr. T. B. Muntz, forwarding plans and sections of the new deviation road through Mr. Anderson's property in the Woolamai Riding, was received.—It was moved by Councillor Watson, that the Secretary and any of the members for the riding wait on Mr. Anderson, and negotiate with him about the price of the proposed road.—Carried.

Moved by Councillor West, seconded by Councillor Sunderland, that Mr. Muntz

forward plans and specifications of the Bass bridge to the Government Engineer for approval.—Carried.

Moved by Councillor Misson that the report of the Clerk of Works on Emery's contract, No. 145, stand over till next meeting.

Moved by Councillor Kennedy, seconded by Council Misson, that Emery's rates, 12s., for year 1877, be struck off the book.

On the motion of Councillors West and Kidd, a few chains of tea tree fence to be erected along the beach at back of tramway, Griffith's Point.

Moved by Councillor Duffus, seconded by Councillor Sunderland, that tenders be called for next meeting for erection of posts, and making hurdles for races at Stockyard, Cowes.

The President reported that he, with the other members of the deputation, had waited on the Minister of Railways in reference to the construction of a railroad from Griffith's Point to Kilcunda coal mines, and had received a most definite promise that it would be constructed.—Also that the deputation had waited on the Postmaster-General with a petition for residents of Kilcunda, praying for the establishment of a Post Office at that place, and had been told that it would be gazetted at once.—Also they had waited on Minister of Justice who had promised the sum of £300 towards the furnishing and completing the Shire Hall at Griffith's Point.—The Minister of Public Works also placed the sum of £550 on the estimates for the erection of a jetty at Grantville on their representation.

Councillor Misson here tendered his resignation for the Corinella Riding on account of illegal election, and on motion of Councillors Kennedy and West, it was accepted.

Moved by Councillor West and seconded by Councillor Watson, that Councillor Kennedy be again appointed Returning Officer to conduct the election caused by the retirement of Councillor Misson.

Payments to the amount of £47 were passed.

The following tenders were accepted:—Contract 147, £69 12s. 6d.; contract 148, P. Quinlivan, £14; contract 143, Walton, £29 5s. 6d.—On motion of Councillors Sunderland and Duffus tenders to be called for next meeting for works on road near W. Harbison's, on report of Clerk of Works.

On motion of Councillor Turnbull and Kidd, tenders to be called for works at Bury's Bridge, Woolamai.

The Council then adjourned.

From the *South Bourke and Mornington Journal*, Wednesday 9 October 1878

Phillip Island And Woolamai Shire Council

Saturday, October 5th 1878

Present—Councillors Turnbull (President), Misson, West, and Watson.

Councillor Misson having made the usual declaration, took his seat.

The minutes of last meetings were read and confirmed.

Correspondence

Letter from H. Byron Moore to stand over.

On the motion of Councillors West and Monk, the letter from the Shire of Echuca relative to the continuance of endowment of municipalities was received, and the Secretary's action in the manner by writing to the parliamentary representative was approved of.

The Secretary was instructed to forward required information to R. P. Whitworth, editor *Victorian Gazetteer*.

Letter from Mr Joseph Richardson, Cowes, was read, and on motion of Councillors West and Monk, tenders to be called for the work required by him.

Moved by Councillor Watson, seconded by Councillor West, that the Secretary write to the Board of Land and Works, and request them to open the creek reserve along Kent's selection, Bridge Creek, to allow of egress and ingress to the selections above.—Carried.

From H. F. Norton, forwarding minutes of meeting at Cowes relative to bathing accommodation at that place was received, and on motion of Councillors West and Watson a special meeting of the Council to be called for 26th October to take the matter into consideration, and every Councillor to receive written notice thereof.—Carried.

The report of the Auditors, stating that they had audited the Shire books and found them perfectly correct was read, and the Secretary was instructed to bring up a return of all defaulting ratepayers at next meeting.

From Councillor Sunderland, tendering his resignation, was received, and on the motion of Councillors Watson and West his resignation was accepted, and the Secretary was instructed to draft a letter to be signed by the whole Council expressive of their sincere regret at his compulsory resignation.—Carried.

The Secretary was instructed, on the motion of Councillors West and Monk, to notify the Minister of Public Works the Council's disapproval of Clause 5 of resolutions arrived at by the Shires Conference of 14th August.

Councillor West was appointed Returning Officer to conduct election caused by resignation of Councillor Sunderland.

The Secretary reported having waited with Councillors Kidd and Watson on Mr. Anderson relative to the purchase of the deviation road through his property; but they had arrived at no agreement as Mr. Anderson would state no price for the road, but wished for an offer from the Council.—The report was postponed to next meeting on motion of Councillors Watson and West.

Payments to the amount of £312 6s. were passed.

Tenders were opened for contracts 149, 150, 151, 152, 153 and 154, and the following were accepted:—S. Davies, contract 149, £7; G. Smith, contract 150, £9 2s. 6d.; G. Smith, contract 151, £17 18s. 4d.; G. Smith, contract 152, £3 18s. 9d.; R. Blaikie, £27 3s 4d., Grant and Co., £17. Twenty-two tendered for these contracts.

Moved by Councillor West and seconded by Councillor Monk that the Secretary get the bye-law [*sic*] No. 2, being Part IX Local Government Act, (miscellaneous matter) page 139, printed, and forward it to the police with instructions to them to enforce it.—Carried.

On motion of Councillors Monk and Watson, a committee, consisting of the members of the Corinella Riding and the Secretary, were the appointed to inspect and find out road from Grantville to Bass river.

The Council then adjourned.

**Having Purchased the Drapery
Business successfully carried on
for the past Twelve Years by Mr
F. Ellis, I trust by Stocking Only
Reliable Quality Goods and giving
the business my personal atten-
tion to merit a continuance of
support accorded to Mr Ellis.**

**E. M'William
General Draper, Kooweerup.**

Phone 10.

When people talk about ‘the good old days’ it is unlikely they mean institutionalisation of children in places like the Seaside Garden Home for Boys. For some reason, perhaps its remoteness (it had a population of 51 in 1902), Newhaven on the south-eastern end of Phillip Island became the State’s dumping ground for ‘delinquent’ children. In 1914 the Newhaven Boys’ Home was opened followed by a similar institution, the Seaside Garden Home for Boys, in 1921. In 1928, the Anglican Mission for St. James and St. John built the two storey St. Paul’s Training School for Boys (later St. Paul’s Home for Boys) which had absorbed both the other institutions by 1937. It closed down in 1979 and has stood derelict ever since (as at time of writing in early 2020).

The Simpson Inquest and Baye Trials

Part One

From the *Herald*, Friday 15 December 1933, page 1:

Coroner Commits Baye For Trial “Manslaughter” Is Finding Says Death Hastened By Neglect Superintendent Gives Evidence

From Our Special Representative

Cowes, Friday.

William Henry Baye, Superintendent of the Seaside Garden Home for Boys at Newhaven, Phillip Island, was committed for trial at the resumed inquest on Rex Ronnie Simpson, 11, an inmate of the home who died at Wonthaggi Hospital on Thursday, November 16, from tetanus. The charge was manslaughter.

The Coroner said that the callous obstinacy of Baye in disregarding the advice of his staff regarding the symptoms of Simpson’s illness amounted to criminal negligence.

Explaining his reasons for thinking that Simpson was malingering, Baye gave evidence that the boy appeared to be a quite normal when he tested him on the Tuesday and Wednesday. Simpson freely used the hand and leg which were supposed to be stiff.

The boy’s nose had bled when he fell on the ground, and he had rolled from his bed on to the floor in the morning because the castors were facing the wrong way. Dr. McLean, of San Remo, to whom he had described the case, agreed with him that it looked like a case of malingering. Other boys had done the same thing as Simpson on previous occasions at the home.

The Cross-Examination

Sub-Inspector Brophy, cross-examining Baye, asked him: When the boy was sick, did you try to diagnose the case yourself?

Baye: Yes.

Sub-Inspector Brophy: Don’t you think you should have called in a doctor earlier?

— No, the boy did not appear to be ill.

When did the boy fall down? — On Monday morning he lay down.

Did you strap him that day? — I give him a couple of cuts about the cloth.

Have you had any medical experience — I have had long experience in handling boys.

How many times have you called the doctor to the Home? — I have never had a doctor at the Home for any serious illness, because there has been none.

Talk of Auto-Suggestion

Do you rely upon auto-suggestion? — Not on auto-suggestion, but on prevention.

You tried very hard to rely upon auto-suggestion in this case? — I relied on prevention.

Have you made a study of auto-suggestion? — Yes.

Do you call yourself a faith healer? — No.

Why did you suggest that you would put pins into Simpson’s legs? — Because he would not bend his legs, and he had been able to bend them before.

Surely you must have known that some thing was wrong. Members of the staff had drawn your attention to the boy’s condition? — No member of the staff had drawn my attention to his condition at that time.

Are you suggesting that the punctures in the boy’s leg were caused by sand-fly bites? — I am not suggesting it, I know it. There are probably 20 or 30 others at the Home with the same thing.

(continues on Page 12)

The Simpson Inquest... (continued from Page 11)

"Boys' Psychology"

Baye said that not one member of the staff took any notice of the boy until the Thursday morning.

Sub-Inspector Brophy: Are you honest in that?

Baye: Certainly.

Sub-Inspector Brophy: How do you account for members of the staff and boys giving evidence against you when you are so well liked at the home? — Regarding members of the staff, that is their own affair. Regarding the boys, there is a peculiar psychology about them. The boys do not realise that anything said here may do harm to anyone else.

They are of the opinion that they come here as national heroes. They would stand in the box and tell lies without thinking of the harm that it would do the persons concerned.

Addressing the Coroner, Mr Jones said that before committing Baye for trial, the Coroner would have to be satisfied that he had been guilty of gross, wanton recklessness and criminal negligence. It had to be remembered that it was a home for incorrigibles, where the discipline must be severe.

He submitted that on the evidence the conduct of Baye did not amount to gross criminal negligence. The boys and the staff had exaggerated their evidence.

The Coroner committed Baye for trial on a charge of manslaughter at the General Sessions, Melbourne, on February 1, 1934. Bail was fixed as a personal bond of £150 and a surety of £150.

Baye received the Coroner's findings calmly.

He found that on November 16 Simpson died from tetanus, and the death was accelerated by Baye's neglect.

He also found that by the assaults on Simpson in the few days preceding his death, Baye killed the boy. This amounted to a manslaughter charge.

Alleged Statement

In producing a statement alleged to have been made by Baye, Detective Webster said Baye told him he had been superintendent for 12 years, and added that Rex Simpson, who was a truancy case, had been of good behaviour.

Baye's alleged statement continued:—

"On Monday, November 13, as the boys were leaving for school, it was reported to me that Simpson was sitting down and would not go to school. He complained that he could not bend his knee. I helped him to his

feet and watched him walk some distance.

"Simpson appeared to be quite normal and stepped over drains without difficulty.

"On November 15, when Simpson still complained. I said to him. 'Take hold of the piano and table and let me see you try to kneel.' Simpson seemed to be quite free. He made further complaints of illness and stiffness.

Rang the Doctor

"About 5.50 p.m. I rang Dr. McLean at San Remo, and told him all the symptoms and that it looked like a case of malingering. I told the doctor, however, that if Simpson was the same in the morning I would get him to come over.

"Simpson seemed all right during the night, except for restlessness. On the following morning he was unable to get up and said that he was very stiff. Two boys helped him to the diningroom for breakfast, and one was feeding him when I entered.

"I told him to feed himself, and he did so with both hands at different times.

"After breakfast I left for Melbourne, calling on the way at Dr. McLean's place. I described Simpson's condition, and the doctor said it looked like a case of malingering, but he would go to see him.

"About 2.45 p.m. I received a telegram at my hotel from the matron, stating that Simpson had been sent to the Wonthaggi Hospital and that the doctor thought it was a case of lockjaw.

"About 5 p.m. I received a telegram from the matron to say that Simpson had died. I at once went to the home of Simpson's parents in South Melbourne. I arranged to take Mr Simpson to Wonthaggi on November 17. When at the parents' I heard Mrs Simpson say, 'There is not a penny in the house.' I gave Mr Simpson £1. Mrs Simpson also said that she did not know how they were going to bury him.

"I told them not to worry, and later paid £3/15/ in Wonthaggi for the coffin in which the body was brought back to the city. I cannot form any idea as to how the boy become infected. On Monday when he first complained of stiffness he did not appear to have any cuts or breaks on his skin.

"I did not send for a doctor sooner because I thought that Simpson was malingering. The first broken skin I saw on him was on Tuesday night, and that was caused through scratching sand-fly bites, sand-flies having

(continues on Page 13)

The Simpson Inquest... (continued from Page 12)

been bad that day.

“The £1 I gave Mr Simpson and the money I paid for the coffin were from my own private money.”

Superintendent’s Wife

Detective Webster said that Elizabeth Florence Baye, matron of the home, and wife of the superintendent, had made the following statement:—

“Up till Thursday morning” – the day the boy died – “I thought Simpson was only shamming, but then I was satisfied that he was ill. I did not think, however, that he was as ill as he was making out. Mr Baye at that time thought that the boy might be feeling not too well.

“Never on any night did Mr Baye or myself think that he was sufficiently bad to warrant going to him through the night to see how he was.

“Neither of us ever went to him after we had gone to bed. I think I would have known if Mr Baye had gone over, but I slept soundly that night.

“I asked in the diningroom if anyone had been assisting the boy, as I knew that Mr Baye had given instructions that the boys were not to assist Simpson. I could not say what made the boy’s nose bleed.

“The boy had never complained to me about being ill. I have never seen Simpson punished at any time, but he could have been without my knowledge.

“I saw Mr Baye go to pick up the cricket bat in the yard, but did not see him with it in his hand. I did not see the boy lying in the yard on Wednesday evening, but heard that he was there. I had never at any time handed Mr Baye a needle or a pin about the dining room.”

* * *

From the *Herald*, Friday 15 December 1933, page 7:

Newhaven Officials’ Charges

“Dumped Like A Log” Says Cook

Allegations Of Beating With Cricket Bat

Cowes, Friday.—At the resumed inquest today on Rex Ronnie Simpson, 11, the cook at the Seaside Garden Home for Boys at Newhaven said that on the morning of November 16 the superintendent of the home, William Henry Baye, had taken Simpson from his bed and dumped him on the floor as he would a log of wood.

Another woman witness from the home said that on November 15 Simpson had been left lying on his back in the yard from 6 p.m. to 9 p.m.

When he was hit with a cricket bat in the morning he had begged for water. Later in the afternoon he was leaning against a tank stand, rigid and perspiring, with an old salmon tin of water in his hand and an agonised expression on his face.

Robert Hamilton, assistant superintendent at the Home said the boy had first complained of being sick on November 11. Baye said the boy was putting it on to get out of school.

On November 14 the boy was in Baye’s sitting room where Baye was making him bend his knee, at the same time saying, “Go on, get down on those knees or I will give you a jolly good dose of the strap.”

When witness saw Simpson on the following day the boy was perspiring and appear to have been crying. Baye said to witness, “Take Simpson with you to the farm out of the road.”

At the farm the boy fell backwards. He fell again going home, and struck his head on the ground. Witness told Baye that the boy was sick and would crack his skull if he fell like that again. Baye said he was “putting it on.”

In Sitting Room

Sub-Inspector Brophy: Did you see Simpson lying in the yard?

Hamilton: Yes.

Sub-Inspector Brophy: Did you pick him up? — No. Mr Baye had given orders not to do so.

Hamilton described the incident in Baye’s sitting-room. He said he heard a thud, and went into the sitting-room. The boy was partly lying on the side of the couch. He was bleeding from the nose, and witness bathed his face with a damp cloth.

Baye said, “This boy has got us tricked” and adding he resented what Mrs Hamilton had said about the bruises on the boy; asked witness if he could see marks. Witness then saw bruises as of a strap on the boy’s legs.

Begging For Water

Ethel Hamilton (wife of the assistant superintendent), who is also employed at the home, said that when she saw Rex on November 14 he was clammy and hot, his hands were twitching, and his body was rigid. He was begging for water.

“At breakfast time I saw Baye rushing toward the boy with a cricket bat raised in the air,” she continued. “Looking into the boys’

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The Simpson Inquest... (continued from Page 13)

dining room, I saw Baye hitting Simpson, who was lying on his stomach. Baye struck several blows with the cricket bat, and Simpson cried out, 'Oh, Mr Baye. Oh don't. I want a drink of water.'"

"Later in the afternoon I saw the boy leaning against the tank stand. He was rigid and perspiring, and his face expressed agony. An old salmon tin containing water was in his hand.

"Left in Yard"

"Simpson tried to line up with the other boys at tea time, but could not. He was left lying on his back near, the tank from a little after 6 p.m. until 9 p.m.

"I said to him, 'Try to get up, Rex. Take hold of my ankle.'

"He replied, 'I can't. You help me.'

"He was continuously asking for a drink."

Mrs Hamilton said that when Baye saw her talking to him she was told to leave him alone. She said, "Very well, Mr Baye. It's your affair."

Mrs Hamilton added that she was so worried about the boy that she could not sleep.

Mr Llewellyn Jones (for the council of the home): That is propaganda, not evidence.

Mrs Hamilton said that when she pointed to marks on the boy's body, Baye said, "I don't see any." She then said to Baye, "Let me get out of this. I am disgusted," and pushed past him.

Cook's Evidence

When Mrs Queenie Valentine Johnstone, cook at the home, was in the box, Mr Jones described sections of her evidence as propaganda against Baye.

Mrs Johnstone said that on November 16, the day the boy died. Baye pulled the blankets off him and forced a shirt on him, twisting his arm in doing so. It was then that Baye had dumped the boy on the floor like a log of wood.

At 11 a.m. on that day she mentioned the boy's illness to Mrs Baye, who replied that she had sent for a doctor. Mrs Baye said, "You are all getting me upset." Witness replied, "We are human beings."

Mr Jones: That is propaganda, not evidence.

Mrs Johnstone (heatedly): I am here to speak the truth, and I'll tell the whole truth.

Mr Jones: Didn't you do anything to help the boy? — I couldn't, because Mr Baye was my boss.

In the name of humanity, would you not have helped this boy if what you say is true? — I gave the boy a glass of milk. That is all I

was allowed to do.

Mr Jones and witness had several brushes, Mrs Johnstone complaining that Mr Jones was trying to baffle her out of her statement.

Mrs Johnstone said Baye was one of the best bosses she had ever had.

Mrs Amelia Dillon, laundress at the home, said that during the 12 months she had been there she had never seen any cruelty to the children on the part of Mr and Mrs Baye. At times the couple had gone without themselves to give the boys treats.

Constable Colin Bilson, of Bass, said that on November 17, the day after the boy's death, he inspected the passage of the home, and examined blood spots on the wall and dado.

On November 18 he again saw Baye, who asked, "What are the allegations against me?"

Bilston said, "The allegations are regarding your treatment of the boy, Simpson, from Monday, November 13, to the time of his death."

Baye admitted having hit Simpson lightly once on top of the clothes with a strap when the boy was going to school on the Tuesday, but denied that he followed and hit him.

Questioned regarding the cricket bat allegation, Baye replied, "It is a lie. I did not use a cricket bat." Baye also denied having stuck pins into Simpson, but admitted having pinched him. He had only hold the pin up to frighten the boy, he said.

"Made A Mistake"

Baye admitted having made a mistake in his treatment of the boy, but said he had had hundreds of malingerers through the home at various times.

Bilston stated further that allegations had been made regarding bruises, grazed cheeks, a blood soaked handkerchief in the boy's hand, and the boy having been left in the yard until 9 o'clock at night.

Baye answered, "That is grossly untrue. Who told you about that?"

Bilston said: "The staff and the boys."

Baye replied, "Just so. They are trying, to make it better for themselves, and are being put up to make the allegations, which are untrue."

Baye added that one malingerer deceived the doctors for three months before they found out he was not really ill.

Denied Charges

Detective Arthur Webster, of Melbourne, said he had seen Baye at the Detective Office on November 17, and said he would take a

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The Simpson Inquest... (continued from Page 14)

statement from him regarding Simpson's death. Baye made a statement and signed it.

On November 23 witness saw Baye in bed at his home. Baye described as wilful lies a statement that he had forced Simpson's shirt on to him on the morning of November 16, and that he had stuck a needle into deceased.

Witness said: "You deny these allegations, but do you admit others contained in the statement?"

Baye replied, "Yes, I admit made an honest mistake in the case of this boy, but it will be a mistake that I will rue to the end of my days."

Detective Webster told Mr Jones that only a few boys had been brought to the inquest to give evidence. He could have brought at least another 50 to support his case. He also told Mr Jones that he took only a short statement from Mrs Baye, because she was "not too talkative."

* * *

From the *Herald*, Monday 12 February 1934, page 1

Boy's Home Case Tomorrow Manslaughter Charge

William Henry Baye, superintendent of the Seaside Garden Home for Boys at Newhaven, Phillip Island, will appear for trial tomorrow before Judge Foster and a jury in the Court of General Sessions, Melbourne, on a charge of manslaughter.

Baye was committed for trial by the City Coroner (Mr Grant, P.M.) at the conclusion of an inquest at Cowes into the death of Rex Ronnie Simpson, an 11-year-old inmate of the home, who died from tetanus at Wonthaggi Hospital on November 16.

At the trial tomorrow Mr W. St. G. Sproule will prosecute for the King, and Mr G. A. Maxwell, K.C., with Mr Llewellyn C. Jones (instructed by Messrs Weigall and Crowther) will appear for Baye.

More than a score of witnesses will be called for the Crown, and it is expected that the proceedings will occupy at least four days.

* * *

From the *Herald*, Friday 13 February 1934, page 1:

Crowds At Newhaven Trial

Spectators poured into the Court of General Sessions as soon as the doors were opened today for the trial of William Henry Baye, superintendent of the Seaside Garden Home for Boys at Newhaven, on charges of manslaughter and assault.

The charges arose out of the death of Rex

Ronnie Simpson, an 11-year-old inmate of the home. The boy died in the Wonthaggi Hospital from tetanus. In the court were two vice-presidents of the Society for the Prevention of Cruelty to Children, Mesdames Austin, Gatehouse, and Frank Andrew, and Mrs T. Hanfield, a committee woman.

Evidence was given by the father of the dead boy, and the doctor who ordered the boy to hospital.

From the *Herald*, Friday 13 February 1934, page 5:

Doctors Disagree At Newhaven Trial

Was Life of Boy Shortened? Superintendent Denies Two Charges Father Defends Son

When William Henry Baye, superintendent of the Seaside Garden Home for Boys at Newhaven, appeared for trial in the General Sessions today on a charge of Manslaughter arising out of the death of an 11-year-old inmate of the home, the Crown proceeded against him on an additional presentment of common assault.

Baye pleaded not guilty to both charges. He had been committed for trial after an inquest held at Cowes on December 14 and 15 into the death of Rex Ronnie Simpson, 11, who died from tetanus at the Wonthaggi Hospital on November 16.

Two doctors disagreed in their evidence on whether the alleged treatment of the boy by Baye had shortened his life. Evidence was also given by a third doctor, the father of the dead lad, and one of Simpson's former companions at the home.

Outlining the Crown case, the Prosecutor for the King (Mr Sproule) said that the main question for the jury to determine was whether there was any wilful neglect by Baye and whether by that neglect the boy's death had been hastened.

Ill Treatment Allegations

While the names of the new jury panel are being called, Baye sat in a back seat in the body of the court, separated by a clergyman from his wife, Mrs Baye, who is matron of the home.

When Baye's name was called, he took his place in the dock, and stood while the Clerk of the Court read to him the charges of manslaughter and assault. He pleaded not guilty to each. Short, and slight of build, with a moustache, and dressed in navy blue, he

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The Simpson Inquest... (continued from Page 15)

closely followed the selection of the jury.

Mr G. A. Maxwell, K.C., and Mr Llewellyn V. Jones (instructed by Messrs. Weigall and Crowther) appeared for Bayle.

Mr Sproule, in his opening address to the jury, said that manslaughter was a charge covering killings of all kinds, short of murder. It did not suggest that the killing had been done intentionally.

"In this case," he said, "it is manslaughter rather by neglect. If in an ordinary case, a man allows an adult to die from neglect, you would have to come to the conclusion that death was hastened by the neglect, and that the neglect was of such a wicked character as to show a reckless disregard in the mind of the accused as to whether the man died or not.

"Different in Boy's Case"

"But in the case of a boy of this age, it is somewhat different. There is an Act – the Children's Welfare Act – which provides that every person who wilfully, and without reasonable excuse, neglects to provide the proper care and medical attention for any child in his custody and under his control, or who wilfully illtreats any such child, shall, if such neglect results in bodily suffering or serious injury to the health of the child, be guilty of an offence.

"If a child does not die, the man is put up before the magistrates, and fined or imprisoned.

"If, however, a man having the boy of 11 under his control, neglects to provide medical care and aid, and if the child dies, the man is guilty of manslaughter. That is the position here. The accused had the care and custody of Rex Ronnie Simpson, and he wilfully neglected to provide medical aid, with the result that such neglect hastened the boy's death."

"Evidence of Ill Treatment"

Mr Sproule said that it would be alleged that Bayle wilfully, and without possible excuse, neglected the boy. If the jury was to find that Baye held the *[obscured word]* belief on reasonable grounds that the boy was not in need of medical aid there would be nothing in the charge of neglect.

Turning to the assault charge, Mr Sproule said that parents, school masters and guardians had a right to administer proper correction, but this right must be exercised reasonably.

The assault in this case would have to constitute improper or excessive correction.

There had been a great deal of public heat over this case, and it would be a most heart-rending story the jury would hear.

It was obvious in this case on what ground the defence was going to be based. It would be that Baye had a bonafide belief reasonably based that the boy was shamming. Another line of defence would be that Baye, whatever he did, did not hasten the boy's death.

"Not Good Boys"

It would be perfectly clear that the boy was desperately in need of medical aid, but the question for the jury to decide would be whether Baye knew this. The jury would hear the inmates of the home cross-examined on their past misdeeds, and it would be quite obvious that the boys were not good boys. The jury would have to remember, however, that persons might have committed many offenses but could still tell the truth.

Simpson, who at the time of his death on November 16, was within two days of his 11th birthday, had proved an incorrigible truant. His father had been before the court many times, and put him at last under Baye's care at the home.

Simpson showed no signs of any bad behaviour or abnormality until Monday, November 13, when, according to one of his fellows, there had been "something funny about him" for a week. Until Monday no one had seen anything much wrong with him.

Mr Sproule went on to describe Simpson's condition from Monday, November 13 onward. On Monday he was told that he must go to school, and he went to school.

Mr Sproule said that Baye told the boy to get up and strapped him. The boy got up and went to school. He was helped on the way by his friends, and there was no doubt that at this time he was exhibiting what were known to be the symptoms of tetanus.

The next morning the boy complained of stiffness and one of the staff spoke to Baye on the subject. Baye had said the boy was malingering.

As the boy was going to breakfast on that morning he was apparently not moving smartly and he was struck by Baye. Baye's explanation was that he had tapped the boy lightly with a bat and said, "Hurry on," or some words to that effect. The evidence of the boys would be that Baye struck Simpson more than once with the bat.

In almost every instance when assault by Baye was alleged, said Mr Sproule, the

(continues on Page 17)

The Simpson Inquest... (continued from Page 16)

evidence was likely to vary very much. The Jury would have to sort it out for themselves.

Statement To Detective

On the evening of November 17 Baye made a lengthy statement to Senior Detective Webster. The principal feature of this statement was that Baye maintained in it that he had not known that the boy was sick. He thought Simpson had been malingering.

“The question for you gentlemen,” Mr Sproule concluded, “is whether there was any wilful neglect and whether by that neglect the boy’s death was hastened. You may probably well come to the conclusion that he would have died in any case, but was his death hastened or his life shortened by anything Baye neglected to do?”

Boy’s Father In Box

John Timothy Simpson, waterside worker, of Smith Street, South Melbourne, father of the dead boy, said that his son had been sent to the home for truancy. He first heard of his son’s illness on November 16, when he received a wire from the Wonthaggi Hospital. He was later told of his son’s death by the police.

Mr Maxwell: This case has created a great deal of interest, I suppose you know?

Simpson: Yes.

And has created a sensation in the community? — Yes.

May I ask did you help in the creation of that sensation? — No sir, I was sorry to see it.

For instance, did you lend yourself to it in any way by accepting money? — No, sir. The only money I received was what Mr Baye gave me on November 16.

Were you asked by the press to allow yourself to be photographed? — They asked me to let them take a photograph, and I said they might if they wanted to.

Did you give permission for a photograph to be taken of your wife’s funeral?

Judge Foster: How is this relevant?

Mr Maxwell: To show how the sensation of this case had been built up.

Judge Foster: I am prepared to take judicial notice of that fact.

Mr Maxwell: Had the boy proved himself utterly unmanageable by you?

Simpson: Yes.

He set himself against you to start with? — Yes, he would not go to school. That was his only fault.

And don’t you regard it, as a father, in connection with a boy who has got to be prepared for the business of life, as a very grievous fault? — Yes.

Did not the Dorcas Street headmaster confess to you that he was powerless in the matter?

Simpson: No, sir. He sent up a notice that he was a good boy.

Did you try moral suasion with him? — I tried everything I knew.

And I suppose his poor mother was in delicate health? — No, she was in good health.

Oh, she was in good health, was she? Did not this boy’s conduct affect her health? — No.

Did she try to get him to go school? — Yes, she even took him herself.

“A Wonderful Boy”

Did you ever go down to the school at Cowes? — No, not before the trouble. Unfortunately, I couldn’t afford it.

Oh, I see. Now you say that the boy was all right so far as you could see – practically a perfectly physical specimen? — A wonderful boy. He was a good boy.

And the only fault was this inveterate truancy? — Yes.

Dr. John Samuel McLean, of San Remo, said that on November 15 Baye had telephoned him saying that he wanted to tell him about a boy named Simpson whom he considered to be malingering.

Baye said he was going away for four days and as Mrs Baye might want the doctor to come over he thought he should tell the doctor some facts.

The boy had become rigid, Baye said, and had fallen over several times. He seemed to “lock himself.” However, he had been sent to school, and had been able – either on Monday or Tuesday, the doctor thought – to do physical jerks at school. Baye also told the doctor that once or twice he had found boys feeding Simpson and on being told to feed himself, Simpson had been able to do so, first with one hand, and then with the other.

Doctor “Horried”

Mr Sproule: From what he told you did you feel any necessity to go over?

Dr. McLean: Certainly not.

Baye had seen him next morning, the doctor added, and had reiterated everything he had said to him over the telephone.

Continuing, Dr. McLean said that about

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The Simpson Inquest... (continued from Page 17)

noon he received a telephone message to go to the home. When he arrived at the home he saw Simpson lying on a bed, and was horrified to find that Simpson was in a late stage of tetanus.

Judge Foster: Was he in a spasm?

Dr. McLean: Yes, He was practically rigid, and his jaw was clenched.

Dr. McLean then described various tests he had applied to Simpson to make sure he was not suffering from some other form of spinal trouble.

“Injuries Not Cause”

Simpson was placed awkwardly on the bed with his feet protruding below the lower rail. Dr. McLean said the incubation period in tetanus might vary from two days to 15 days. Generally the longer the period of incubation the longer the patient lived after the symptoms were first noticed.

“In this case,” he said, “the injuries the boy had on him when I saw him were not the cause of death.

“I should judge that if the symptoms started on Monday and he lived until Thursday, the injury which had caused the tetanus, was a healed one and had taken place probably 14 days before the Monday.”

Mr Sproule: Would the stiffening stages in tetanus cause a person to fall over?

Dr. McLean: Yes.

Supposing the symptoms to have been there on Monday, what chance would there have been for the boy if he had been treated on the Tuesday? — Not very great. On Monday there would have been a fairly good chance, but by Wednesday it would be hopeless.

Doctor Questioned

Were there any abrasions on the boy? — There were abrasions on the nose and scratches and punctures on the legs, but I did not examine him very carefully. My main idea was to get him off to hospital as quickly as possible.

Judge Foster: The scratches on the legs were consistent with going about bare footed?

Dr. McLean: That is what I naturally thought.

Mr Sproule: Assuming that this boy on Monday showed definite signs of stiffness, was stiff again on Tuesday, and was then made to go to school – a distance of about a quarter of a mile – would that have shortened his life?

Dr. McLean: I really could not answer that,

but it would tend to, in my opinion.

If he were strapped on Tuesday, would you say that that shortened his life? — Any treatment of that sort would naturally tend to shorten his life.

Supposing that on Wednesday he was hit two or three strokes with a bat, sufficient to cause a bruise about three inches by one and a quarter inches, would you say that that did shorten his life? — I would.

If later he was sent to walk some 600 yards to a farm and back that Wednesday morning, would you say that that shortened his life? — Yes, I would.

“Could Not Answer”

Had he fallen down in the yard, the night being dry and warm, and lain there for two or three hours unattended, would you say that would shorten his life? — I could not answer that. I could not say it would.

Well, supposing he were punched on the Thursday morning, what would you say of that? — That would certainly shorten his life.

These are assumptions, of course? — Oh, quite, quite.

Would you say that if it became obvious on the Tuesday that he was sick, the neglect to get him medical aid would shorten his life? — It would certainly do so.

That would apply, I suppose, just as strongly on the Wednesday? — Yes.

Mr Maxwell: I understand that tetanus nowadays is not a very common disease owing to the preventatives that are used?

Dr. McLean: In war time it was decreased.

I am not asking you that — Well, today it has become almost more prevalent.

May I ask you what was the last case, the most recent case of tetanus, which you have treated? — In 1918.

“Would It Shorten Life”

In 1918! Have you not treated a case of tetanus since 1918? — This is the first one since.

The first one in 15 years. Do you really take it upon yourself that you have sufficient knowledge to say that in the case of this lad, assuming him on the Wednesday to have been given a stroke on the back, producing a bruise, that it would shorten his life? — Yes, I would.

By how much? By how many days or hours? — I don't quite understand the question.

Do you know when he died? — Yes, on the Thursday afternoon.

(continues on Page 19)

The Simpson Inquest... (continued from Page 18)

In fact, he passed out at 5 p.m. on the Thursday. When, do you say, he would have passed out if he had not received that stroke on the back? — It would be at a later period.

Oh, possibly. But at what period? — I should say a good many hours.

But that's as good as saying a thing is the size of a piece of wood. — Well, I should say by about six or eight hours.

You say that, as a medical man, you have enough experience to say that in your opinion it shortened his life by six or eight hours? — Yes; that is my opinion.

Dr. J. R. Wright-Smith, who conducted a post-mortem examination of Simpson, said that the boy had a new large abrasion on the left nostril, a similar abrasion on the right cheek, slightly older abrasions on the left side of the chin, behind the right ear, on top of the right shoulder, and on the under parts of both elbows.

Mr Sproule: Would those marks on the face be consistent with a fall or a series of falls?

Dr. Smith: They could have been caused by a fall — or rather by more than one fall.

Could the marks on the face have been caused by a punch? — I would have expected more bruising.

“Would Not Shorten Life”

Would you think making that boy walk to school, a distance of about a quarter of a mile, would have shortened his life? — I don't think so.

Would a few strokes with a strap on Tuesday have shortened his life? — I don't think so.

Would a blow with a bat on Wednesday have shortened his life? — I don't think so.

If he had fallen down on the ground, and lain there for two or three hours before being sent to bed, would that have shortened his life? — He could have lived a day or so longer, but I cannot say definitely that it did shorten his life.

Judge Foster: Add all that treatment together. Would you say that that might have shortened his life?

Dr. Smith: Without anti toxin treatment, I think he would have died in any case.

Mr Sproule: Do you think that by not getting medical treatment for him on Tuesday, his life was shortened?

Dr. Smith: He could have had a slight chance on Tuesday, but the cause of the illness was so acute that I do not think it could have saved him.

“Already Doomed”

Judge Foster: I gather that your opinion is that he was doomed from the Monday until he died on the Thursday.

Dr. Smith: I think so.

Dr. L. O. Sleeman, of Wonthaggi, said that after Rex Simpson was admitted to the Wonthaggi Hospital on November 16 he was treated with all the recognised forms of tetanus treatment, but died the same afternoon.

Judge Foster: Was there anything in the nature of the abrasions to indicate whether they had been caused by punches or falls?

Dr. Sleeman: They could have been caused by either means.

Mr Sproule: Assuming that on Monday he showed signs of stiffness, and on Tuesday he was sent to school, would that have shortened his life?

Dr. Sleeman: No, to shorten his life presumes that he is definitely going to die. I would say that the conditions would not give him a proper chance to respond to treatment.

Assuming that he was bound to die, would that hasten his death? — Yes, any condition which is going to reduce his recuperative powers is going to reduce his powers of responding to treatment.

Assuming that on Wednesday he was sent to the farm, would that have shortened his life? — Not necessarily.

If he were hit with a cricket bat, would that have shortened his life? — Not necessarily.

If all these things were taken together, would they have shortened his life? — My opinion is that the combination of these circumstances would so react on his constitution that it must necessarily reduce his chances of recovery, and that being so it would tend to shorten his life.

Leaving out those acts would the fact of his not getting medical aid on Tuesday tend to shorten his life? — I would say yes. But the mortality for tetanus is so high that the prospects are always bad.

Boy Gives Evidence

Louis Labeska, 18, a former inmate of the Seaside Home for Boys, said that on the morning of November 13 he saw Simpson shuffling towards school. Simpson fell over and was picked up by two other boys. The next day he saw him about 1 p.m., trying to go to school again. Baye was standing at the gate of the Home with a strap in his hand.

Labeska said he had seen Simpson lying outside bleeding on the evening of November

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The Simpson Inquest... (continued from Page 19)

15. Simpson struggled onto the verandah and Baye came out, picked him up and hit him on the nose with his closed hand.

The boy later went to Baye's office and came out about 10 minutes later looking "groggy." He was still lying outside when Labeska went to bed.

"Baye Was Fair"

Next morning Simpson was in the dining room, where two boys were trying to feed him. Baye came along and said "He can feed himself. He's got all of us on a bit of string."

Labeska told Mr Maxwell that Baye's actions had all been above board — he had not tried to conceal anything of his treatment of Simpson.

He, himself, at the age of 18, had spent 10 years in the home, having been placed there for playing truant from school once a week.

Mr Maxwell: Though Mr Baye might have been a bit severe at times during all the years you were there, you found him fair?

Labeska: I liked him well enough.

And you would say he was fair? — Yes; he was all right to me.

The hearing was adjourned shortly afterwards until 10.30 a.m. tomorrow.

(Continued next issue).

"Who's there?"
"CARMEN"
"CARMEN who?"
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A. A. CERTIFICATE

A. MURDOCH **W. G. FELL**
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Bayles. **Lang Lang.**

KooWeeRup Sun and Lang Lang Guardian, 25 March 1937

BLUE and SOL

Let's Introduce You

SAY, PEOPLE. MEET MY PAL, SOL. VOT PUTS HIS FOOT IN IT EVERY TIME HE OPENS HIS MOUTH!

AND THIS IS MY COBBER, BLUEY. VOT CAUSES ME SO MUCH TROUBLES!

WELL, SOL. I'M GLAD TER TELL YER FROM NOW ON WE MEET IN THIS PAPER EVERY WEEK

YOU'RE GLAD, IS IT? (MORE TROUBLES FOR ME, I SUPPOSE SO. AIN'T IT?)

VOT I THOUGHT IS, THE SOONER WE NEVER MEET AGAIN

AW! CUT THAT OUT!

— THE BETTER IT'LL BE VEN WE SEE EACH OTHER EVERY WEEK, AIN'T IT?

YES, IT AIN'T, ISN'T IT.

NEXT WEEK BLUE FIXES HIS TUMMY-ACHE!

From the Koo Wee Rup Sun and Lang Lang Guardian, 10th September 1936

BLUEY and SOL

Sol Watches Our "Lost and Found" Column

NOW! CHILDREN, LET ME SEE IF YOU KNOW YOUR GEOGRAPHY! SOL, DO YOU KNOW WHERE THE ELEPHANT IS TO BE FOUND?

NO, TEACHER, I THOUGHT THE ELEVUNT VOS SUCH A LARGE ANIMAL

— HE VOS HARDLY EVER LOST

NEXT WEEK BLUE LOSES HIS PANTS!

From the Koo Wee Rup Sun and Lang Lang Guardian, 24th September 1936