

The Western Port Times

Grantville & Districts



Volume 3 Number 4

FREE

August 2020

Contents:

From the Original

Some snippets from the original *Westernport Times*.

on Page 3

Meanwhile At Wonthaggi...

Local and general news from the Wonthaggi area in 1916.

on Page 3

And Now A Word From Our (retro) Sponsor...

An advertorial for the (retro) sponsor of this issue of *The Western Port Times*.

on Page 4

New Courthouse for Wonthaggi

In 1928 Wonthaggi received a new courthouse. In eight years it will be a century old.

on Page 4

San Remo Police Court

Bad language at San Remo; drunk in Grantville. Just a regular sitting of the Police Court.

on Page 4

Gippsland District

Another "if only we had..." wishlist, which if implemented would bring prosperity to the region. This one from 1919 deals with roads.

on Page 5

Phillip Island And Woolamai Shire Council

An account of the 26 October 1878 Council meeting.

on Page 6

Phillip Island And Woolamai Shire Council

An account of the 30 November 1878 Council meeting.

on Page 7

Mine Flooded

Heavy rain at (or more accurately on) Wonthaggi floods the McBride Mine.

on Page 8

Loch, 1927

Four photos of Loch in 1927.

on Page 8

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.

* * *

The Simpson Inquest and Baye Trials

The final painful days of the 11-year-old Rex Ronnie Simpson and the two trials of William Baye arising from the death. Part two of four.

on Page 9

French Island Soiree

A party on French Island turned into a classier sounding 'soiree' by the addition of fairy lamps and Chinese lanterns.

on Page 20

Siren Didn't Ring a Bell

Which is louder a siren or bell? Answer: not the one that can't be heard.

on Page 20

Bluey and Sol

A local comic strip from the mid-1930s.

on Page 20



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 Original

From *The Western Port Times*, Friday August 15th 1902

LOCAL AND GENERAL NEWS

The Rev. Chas. Oelrich Church of England Minister will preach on Sunday next as follows:—Almurta 2.30 p.m.; Grantville 7 p.m.

The Rev. Father Parker will hold Mass at Powlett next Sunday morning at 11 a.m.

Several items of news have been held over.

Mr Weaver, who is the purchaser of the Grantville Hotel, took possession yesterday.

Phillip Island and Woolamai council will be held in the Shire Hall, Saturday (to-morrow).

A Plain and Fancy Dress Ball will be held in the Bass Hall this evening. It is in aid of the Roman Catholic Bazaar.

An old resident of Korumburra district was found dead on a log near Kongwak on Monday. A magisterial inquiry will be held.

Mr. W. Good of Goodhurst has announced himself as a candidate for the coming annual council election for the Woolamai Riding.

Mr March, the late proprietor of the Grantville Hotel, is leaving to-day for Melbourne. His family and himself will be missed, as they were always to the fore in anything going on the way of amusements, etc. more especially his sons, as they were very musical, a thing Grantville will miss, as it is short of that particular past-time.

Election Notices

Woolamai Riding

To The Ratepayers.

Ladies's [*sic*] and Gentlemen.

I respectfully announce that I am a candidate for the vacancy in the Council, and do kindly solicit your vote and influence.

I would most earnestly urge upon all who are in favor of a change, the necessity of recording their votes. As in this way only lies success.

Polling Day, August 28th 1902.

Faithfully Yours.

William Good.

Goodhurst,

August 5th 1902.

A TRIAL will be given at my place at KERNOT of Horn's Patent Tussock and Grass Grubber on **TUESDAY, JUNE 5, between 10 a.m. and 1 p.m.,**
H. CAMERON,
 Kernot.

From the *Powlett Express*, 1 June 1917

Thanks

To The Ratepayers Of Corinella Riding.
 Ladies' and Gentlemen—

I beg to acknowledge with thanks, the honour you have confirmed on me, by returning me as your representative in Council, for the third time, and shall use my utmost endeavours to further the interests of Corinella Riding, and the shire in general, as I have hitherto done in the past.

I am faithfully yours,

Samuel Sloss,

Bass.

From the *Powlett Express and Victorian State Coalfields Advertiser*, Friday 20 October 1916, page 2

Meanwhile, At Wonthaggi...

Local And General

Friday, October 20, 1916.

The first annual banquet of the Amalgamated Society of Engineers was held in the Upper Hall, Wonthaggi Theatre, on Saturday night. A full report of the enjoyable function will be published in next issue.

Owing to Messrs. D. O'Connor and O'Toole, of the post office, enlisting, Miss E. Ryan, Dalyston, has been appointed on the staff of the Wonthaggi Post Office.

On Thursday, Oct. 12, the annual meeting of the Wonthaggi Bowling Club [*was*] held at Allan's [*sic*] Powlett Hotel. There was a fair attendance of members present. The balance sheet for the past year, showing the club in a satisfactory position, was adopted. The following were elected as officers for the coming season:—President, Mr W. F. Jones; vice-presidents, Messrs. Mummery and Hinneberg; hon. secretary, Mr G. C. Browne; hon. treasurer, Mr J. Robertson; auditors, Messrs. Hinneberg and Robertson; committee Messrs. Evans, Kitson; Allen and Mounsey.

At the Wonthaggi Court on Wednesday, before Messrs M. D. Cock and A. B. Wilson, the case of Abbott v. Bryan, alleged illegal detention of a revolver, property of the Wonthaggi Club, was withdrawn. The fencing cases of Good v. Balderston, were adjourned to Nov. 16. P. F. Hennessy charged W. J. Lee with alleged assault. Mr Conant for informant and Mr Brunt for defendant. Evidence was given by informant and Dr Bennett, who attended him. Defendant stated that he acted in self defence. The case was dismissed with £1 1s costs against informant.

And Now A Word From Our (retro) Sponsor...

It has happened to us all. It is night. We are busy knitting as we listen to the radio, or maybe in a comfy chair reading the paper. And suddenly the lamp hisses then dies and we are left sitting in the dark.

Housewives are all too familiar with the uneven heat and smoke given off by inferior kerosene in their stoves leading to improperly cooked food.

Don't let this happen to you!

For all your heating and lighting needs use *Light of the Age* kerosene from Texaco, a fuel that will provide a steady, constant heat without smell or smoke or the constant need for attention.

Light of the Age kerosene. Superior burning qualities and greater margin of safety. Not available anywhere.

We thank A. Murdoch of Bayles and W. G. Fell of Lang Lang for (retro) sponsoring this edition of *The Western Port Times*.

From the *Herald*, Wednesday 11 July 1928, page 13

New Courthouse for Wonthaggi

Under a contract just let, Wonthaggi is to be provided with a single-story brick courthouse, to be erected under the supervision and on the plans of the State Public Works Department.

The contract price is £5177, and the contractor is Mr P. Rogers, of Sunshine. The building, which will be constructed on usual lines, will be furnished with bench and space for the public, a jury box, dock and witness box, and tables for counsel and the clerk of court.

An office for the clerk and rooms for witnesses, counsel, jurors and magistrates are specified. The building will also house, in one of its offices, the State Rivers and Water Supply Commission.



A sketch showing how the new courthouse will look.



The "new" courthouse in November 2019.

From the *Great Southern Advocate*, 18 January 1893, page 3

San Remo Police Court

Friday, January 12, 1893.

Before Major Bartrop, P.M., and Mr P. Anderson, J.P.

Constable Neill v. John Johnson, using obscene language in a public place on the 5th inst., at San Remo. Fined 5s., or 24 hours imprisonment.

Constable Hunter v. John Quinlivan, drunk and disorderly in a public place at Grantville, on the 30th December, 1893. Fined 5s. and 3s. 6 d. costs, in default 48 hours imprisonment.

Constable Hunter against George Pritchard, cruelty to animals on the 24th December, 1893, at Grantville. Defendant did not appear. Fined 10s. or three days imprisonment.

**Would your lamps burn
for 6 days — 144 hours
— without attention?**

***Incubator test—hardest of all for
ANY Kerosene — proves LIGHT
OF THE AGE best for home use***

Mr. T. E. Jarman, Carlingford, New South Wales, one of Australia's best known and noted authorities in the poultry industry, made an exhaustive practical comparison test in two of his mammoth incubators, and of this test he says—

"I allowed certain burners to run without cleaning for six days (144 hours). There was a minimum of wick incrustation, a continued regularity in the flame . . . wicks in excellent condition . . . This clearly demonstrated to me the



superior burning qualities and greater margin of safety of Light of the Age Kerosene."

Isn't this just what you want? A cleaner, safer kerosene, one that will give you, in your stove, a steady, constant heat without smell or smoke,

ensuring properly and tastefully cooked food — and in your lamps a continuous, constant, even, white light that will give greater comfort and protection to your eyes. **MAKE SURE NEXT TIME THAT YOU GET—**

**TEXACO
"LIGHT OF THE AGE"
KEROSENE**

A. MURDOCH



W. G. FELL

Agents—THE TEXAS CO. (A/asia) Ltd.,

Bayles.

Lang Lang.

Gippsland District

From the *Australasian*, Saturday 25 October 1919, page 11

(Re-paragraphed for the sake of clarity)

The development of South Gippsland was for many years retarded by the want of roads, but with the passing of the Country Roads Board Act, in 1912, a new era was marked out for the agricultural and pastoral industries in the hill country.

It is greatly to the advantage of Gippslanders that when the Country Roads Board was constituted its component members were men who recognised that this vast and fertile province was able to pay splendid returns for a network of good roads. The results obtained from the construction of the main highways were such as to warrant an amending Act in 1918, an Act which provides for developmental roads leading into the main arteries of traffic.

These will complete the network required for the true development of the land, but at least seven years must elapse before the construction of the principal roads can be completed. This is not the fault of the board, or the shire councils, or the engineers, who can be depended on to push the work ahead.

The trouble is to obtain contractors and for the contractors to obtain labour. Signs are not wanting that the labour problem is gradually being solved with the advent of the returned soldiers.

There is a big scope for both small and large contractors, and the Repatriation department should be able to place large numbers of road men in South Gippsland alone. The road systems of the country between Warragul and Wonthaggi, and between Lang Lang and Leongatha, are slowly but surely progressing.

The Great Southern railway, after leaving Lang Lang, passes through Nyora, Loch, Jeetho, Bena, Korumburra, Kardella, Ruby and Leongatha, all of which centres will ultimately provide large quantities of produce, and the time is not so very far distant when the question of railway duplication will have to be considered to cope with the traffic.

There are also other large centres beyond Leongatha.

Branching from Nyora the coal railway to Wonthaggi passes through Woodleigh, Almurta, Kernot, Glen Forbes, Woolamai, Anderson, Kilcunda, and Dalyston. The object of the road systems is to facilitate the cartage of produce to these stations, as well as to provide cross-country arteries of traffic.

The latter comprise the following through

roads:—

Warragul, via Korumburra, to Wonthaggi; Drouin, via Korumburra to Leongatha; Loch to Wonthaggi; Lang Lang, via Nyora, Poowong, Ranceby, Korumburra, and Ruby, to Leongatha and beyond; Warragul, via Leongatha and Inverloch, to Wonthaggi. These open up vast expanses of cultivable land.

The developmental roads may briefly be enumerated as follows:—

Feeding Loch, Sunnyside and Ferrier's road, White and Sheepway's road; feeding Bena, Poowong-Bena road and the Kongwak-Bena road; feeding Korumburra, roads from Warragul, Arawata, Leongatha, Inverloch, Wonthaggi, picking up cross arteries in a dozen places.

Kardella is fed by roads from Arawata, Fairbank, and other centres. Leongatha is another centre for systems branching from the Wild Dog Valley, Warragul, Mirboo, Mt. Eccles, Meeniyah, Inverloch, Korumburra.

The Wonthaggi railway is served by roads from the hill country and from the coast, the following connections being under construction, or proposed in the near future:—

Woodleigh to Loch; Krowera to Kernot; Grantville to Almurta; Glen Alvie to Almurta; Bass to Woolamai; San Remo to Anderson. A cross-country road from Glen Forbes to Dalyston, through the rich land of the Blackwood Forest, will open up some splendid country.

New roads are also proposed to feed the new railway from Koo-wee-rup to Strzlecki, and also feed the Jumbunna and Outtrim branch railway line from Korumburra.

This gives a general description of the proposals for permanent road construction and ensures not only a heavy railway revenue, but the prosperity of thousands of farmers who have only been awaiting the advent of the road maker to enable them to get returns from their land to which they are justly entitled.

Joan had been wagging her tongue to some effect about the private affairs of her friend, Mollie. The scandal was brought to Mollie's attention.

"H'm, so Joan has been telling lies about me, has she? Right! I'll have my revenge, I'll tell the truth about her!"

Koo Wee Rup Sun and Lang Lang Guardian 6 June 1936

From the *South Bourke and Mornington Journal*, Wednesday 30 October 1878

Phillip Island And Woolamai Shire Council

Saturday, October 26th 1878

Present: Mr. Mark Turnbull (President), Councillors Duffus, Watson, Misson, Kidd, West, Kennedy and Monk.

Minutes of last meeting were confirmed.

Correspondence

On motion of Councillors Watson and West a letter from the Shire of Mornington asking this Council to support a request to the Minister of Lands to establish a Land Board at Hastings was presented, and the Secretary was instructed to write to the Secretary for Lands in support thereof.

Moved as an amendment by Councillor Kennedy, seconded by Councillor Kidd that the Minister of Lands be written to, asking him to reconsider his decision in reference to the establishment of a Land Board within the Shire of Phillip Island and Woolamai. Amendment lost and motion carried.

Letter from Victorian Asylum for the blind, requesting subscription.—Received, and on motion of Councillors West and Kennedy £2 2s. was voted.

Moved by Councillor Monk, seconded by Councillor Kennedy, that the circulars from shires Conference re endowment be received, and no subscription forwarded. An amendment by Councillors West and Kidd, that a subscription of £1 1s. be forwarded, was carried.

The secretary handed in his renewal receipt for the *[unclear word]* policy.

Petition from ratepayers of Woolamai requesting works to be done on road between their selections.—Received, and on motions of Councillors Watson and Kidd, Clerk of Works to report on the matter at next meeting.

Petition from ratepayers of Corinella and Grantville asking for works on Cemetery road.—Received, and to be on the table till next meeting.

The question of the bathing accommodation at Cowes be postponed to next meeting.

On motion of Councillors Watson and Kennedy, tender to be called for the erection of finger-posts *[uncertain words]* roads throughout the Shire at the discretion of Clerk of Works.—Carried.

On motion of Councillors Monk and Misson, tender to be called for works between Chinn's Corner and Red Culvert, Corinella.

Also for 15 chains, forming and draining, with culvert at Red Timber, between Queensferry and Grantville. Also for a bridge

and approaches at *[unclear word]* Creek, Corinella.

On motion of Councillors Monk and Kennedy, tenders to be called for about 30 yards of formation through the Bass township.

On motion of Councillors West and Duffus, tender be called for about 60 chains of formation and draining on Pain's road, Phillip Island.

Also about 10 chains with clearing and two culverts on Smith's road, Phillip Island.

Moved by Councillor West, seconded by Councillor Watson, that the ordinary meetings of the Council be held on the Court days, and each Councillor to receive notice thereof.

Moved by Councillor Kidd, seconded by Councillor Monk, that a bridge be erected over Bowen creek, Kilcunda.—Carried.

Moved by Councillor Kennedy, seconded by Councillor Watson, that Clerk of Works report on work necessary at Grantville, between Quinlivan's *[unclear word, likely 'corner']* and Little Deep Creek, and at Stock Yard on Main road.—Carried.

The Secretary produced draft letter to Councillor Sunderland, expressing regret at his compulsory resignation, and on the motion of Councillor Watson and West, the letter was approved of, and any Councillor wishing to sign the letter to do so, and the letter to be presented to Mr. Sunderland in the form of an illuminated address.—Carried.

The Secretary presented the list of defaulting ratepayers, and was instructed to summons all of *[unclear word]*.

Moved by Councillor Watson, seconded by Councillor Watson *[sic]*, that an offer of £7 10s. per acre be made to Mr. Anderson, for the road through his property land *[sic]*. An amendment by Councillor Kennedy that the sum of £10 per acre be offered, was lost.

Moved by Councillor Monk, seconded by Councillor Misson, that Clerk of Works procure assistance and strike out a line of road from Grantville to the Bass River, and afterwards request Government to survey it.

Moved as an amendment by Councillor Kennedy, that the Secretary procure maps of that part of the district.

Payments to the amount of £110 8s. 4d., were paid. The tenders of P. Turnlivan *[likely 'Quinlivan']*, for Cont. *[unclear word]* was accepted for £29 16s. Fresh tenders to be called for works at Water Reserve, Cowes, according to report of Clerk of Works.

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

Phillip Island And Woolamai Shire Council

Saturday, 30th November 1878

Adjourned Annual Meeting

Present: Mr. Turnbull (President), Councillors Duffus, Norton, Misson, Kidd, West, Kennedy, Monk, and Watson.—Councillor West declared Mr. Norton duly elected as Councillor in place of Councillor Sunderland, and Councillor Norton having made the usual declaration took his seat at the Council table.

The secretary presented the annual financial statement and account for the year ending 30th Sept., 1877.—Moved by Councillor West, seconded by Councillor Monk, and carried that the accounts be finally certified to as correct.

Ordinary Meeting

Present: the President and same Councillors. The minutes of the previous meeting were confirmed.

Correspondence

A letter from the Secretary for Lands was read, refusing to open up a portion of the Bridge Creek reserve as requested by the Council, and moved by Councillor West, seconded by Councillor Kidd, that the Secretary write to the Secretary for Lands, stating that as many of the Councillors are well acquainted with the reserve in question and the adjoining roads, they would press the matter on his attention, as the present surveyed roads are considered impassable.—Agreed to.

From Secretary for Lands, refusing to grant a Land Board at Hastings.—Received, and held over to next meeting.

From Thomas Anderson, asking the sum of £530 for the land to be taken for the deviation road through his property.—The proposal having been discussed, it was moved by Councillor West, seconded by Councillor Monk and carried, that, as the Council cannot agree with Mr. Anderson's price, the matter go to arbitration, and that Mr. Gilchrist's advice on the matter be asked.

From D. McLaughlin, stating that the road at Mr. Norrell's store was too steep for traffic, and requesting deviation of the same.—Received, and on motion of Councillor Kennedy, seconded by Councillor Misson, Clerk of Works to report on the same by next meeting.

From Mr. A. McNabb, of Queensferry, complaining that Mr. Geo. Poole had cut a drain across the road at Corinella, and turned the flood water on to his property.—Received,

and the Secretary was instructed to write to Mr. McNabb stating that the road is to be drained shortly.

Mr. W. Misson sent in a request to cut down and remove timber on road at Corinella, and on motion of Councillor Kennedy, seconded by Councillor Misson, Clerk of Works to report on same at next meeting.

A petition from the licensed victuallers of the Shire, praying that their licenses might be reduced to £10 per year, was presented, and the Council having gone into committee on the matter, it was resolved that the Secretary should take the proper steps to get the district proclaimed a £10 licensing district.

Councillor Kennedy moved the suspension of the standing orders, seconded by Councillor Monk to bring on motion for works near Grantville.

Moved by Councillor Kennedy, seconded by Councillor Monk, and carried that tenders be called for the work required on Bass Road between *[unclear word]* and Little Deep Creeks according to report of Clerk of Works.

Clerk of Works reported on road at Bass township, Woolamai.—It was moved by Councillor Kennedy, and seconded by Councillor Kidd, that no action be taken therein.—Agreed to.

Moved by Councillor Monk, seconded by Councillor Misson, and carried that the Secretary write to the Department of Lands and Survey, requesting that a road from Grantville to the Bass River be surveyed as marked out by the Clerk of Works.

Moved by Councillor Monk, seconded by Councillor Misson, and carried that the present line of road through the red timber, Corinella, be adhered to.

Payments to the amount of £82 3s. were passed.

Council went into Committee, and the following tenders were accepted:—Contract 159, M. Monk, £26 15s.; contract 139, M. Monk, £63 17s. 6d.; contract 145, D. McIntosh, £21 9s.; contract *[unclear number]*, H. Jenner, £5 16s.; contract 157, S. Davies *[unclear amount]*; contract 158, J. Jewry, £21 6s. 8d.; contract *[unclear number]*, Grant and Co., £38 2s. 6d., contract 161, Grant and Co., £99 15s. 6d.; contract 162, R. Gall, *[unclear amount]*.

Moved by Councillor Monk, and seconded by Councillor West that the Secretary write

(continues on Page 8)

Phillip Island And Woolamai... (continued from Page 7)

to the Minister of Public Works, requesting him to take steps to have the jetty at Grantville commenced at once, in order to enhance the value of the township allotment about to be sold.

Moved by Councillor West, and seconded by Councillor Norton, that in the opinion of the Council it is desirable to proceed with the erection of baths at Cowes, and that plans and specifications be prepared by the Engineer and submitted to the Minister of Public Works for his approval.—As amended by Councillor Duffus and Kennedy that no action be taken in the matter was lost and the motion carried.

Moved by Councillor West, seconded by Councillor Duffus, and carried that about ten chains of water-tabling be done in front of Wood's Hotel.

Moved by Councillor Duffus, and seconded by Councillor Norton that about 20 chains of formation opposite West's allotment be re-loamed [unclear amount] feet wide and six inches deep.—Carried.

Moved by Councillor Monk, and seconded by Councillor Kennedy that about 120 chains [unclear words] be cut on Douglas Flat road, Corinella.—Carried.

Moved by Councillor Morton [Norton], and seconded by Councillor West that notice boards be erected at bathing place, Cowes, and stating that the hours for bathing are for ladies, between 7.30 a.m. and 3 p.m. and for gentlemen, before and after these hours.—Carried.

The Council then adjourned.

From the *Barrier Miner* (Broken Hill), 11 May 1929, page 1

Mine Flooded

Rain At Wonthaggi

Water Enters Mine; Men Withdrawn

Melbourne, Thursday.

All the men working in the M'Bride tunnel pit and the west and south bords [sic] of the Dudley area pit, on the State coal mine at Wonthaggi, had to return home to-day owing to the danger of the mine being flooded. The heavy rain on Wednesday night caused the Hicksborough drain to overflow its bank, with the result that the water found its way to the Dudley area pit. So consistent was the rain that the water eventually broke through from the Dudley area working to the M'Bride mine, carrying everything before it. A large hole was torn away by the water, which resembled a small creek as it rushed into the mine.

Loch, 1927

From the *Weekly Times*, Saturday 26 February 1927, page 45: Views of Loch and the Bass Valley Road



The Bass Valley Road.



The Post Office.



Building a new church of England.



Panorama of the Township.

The Simpson Inquest and Baye Trials

Part Two

From the *Herald*, Wednesday 14 February 1934, page 1:

Newhaven Officers and Inmates in Box

Allegations of

“Jabbed With needle, Struck With bat”

Women Tell Of Boy's Illness

Several boys, of ages ranging from 13 to 18, gave evidence at the resumed trial today of William Henry Baye, Superintendent of the Seaside Garden Home for Boys at Newhaven, on charges of manslaughter and assault.

Before a hushed court they told stories of the alleged ill-treatment of their companion, Rex Ronnie Simpson, the 11-year-old inmate of the home, who died on November 16 from tetanus. They told of alleged blows with a bat, strapping, of punches; and said they had seen Baye jab a needle into Simpson's leg.

Baye's deputy at the home, his wife, another officer and the cook also gave evidence of the boy's illness and the alleged treatment of him by Baye. Baye, who pleaded not guilty to both charges, sat in the court facing his blind counsel, Mr G. A. Maxwell K.C.

Stories Of Simpson's Last Days

Mr Llewellyn C. Jones (Instructed by Messrs Weigall and Crowther) appeared with Mr Maxwell for Baye.

The first witness called by Mr W. S. W. Sproule, who prosecuted for the King, was Sydney Keith Bown, 13, an inmate of the home at the time Simpson became ill. Bown said that on Tuesday, November 14, two days before the boy's death, about 1.10 p.m., he saw Simpson standing on the drive at the home with his head bent as if he was sick.

“Simpson suddenly crumpled up, and fell to the ground,” Bown said. “Mr Baye got the strap, and hit Simpson several times, and said, ‘I know all about the way you tried to get out of going to school down in town.’”

“Mr Baye told Simpson to get up, and helped him to his feet. I was helping Simpson along but Mr Baye told me to let go. Mr Baye told me to tell the teacher at the school that Simpson was trying his funny tricks again.”

Simpson walked very stiffly and slowly to school that day, Brown [sic] continued. Later witness saw Simpson go to Baye's office, and heard the sound of the strap being used. When Simpson came out of the office he was buttoning up his trousers.

On November 15, as breakfast time, he saw Simpson trying to crawl into the dining room verandah. Baye had a bat in his hand, and he hit Simpson a couple of times. That morning Baye came into the room and said, “Any boy seen supporting or helping Simpson about the yard will get the maximum punishment.” The maximum punishment, Bown said was

12 strikes of the strap.

Bown said that later he was in the office. He saw Baye bending Simpson's leg back. Simpson was not calling out but there were tears in his eyes.

Baye said, “What do you think you have got Simpson? Paralysis?”

Later Bown heard the strap going down.

“Saw Boy Fall On Head”

About 4 p.m. that day he saw Simpson lying in the yard near the tank stand. Another boy, Louis Labeska, picked Simpson up.

That evening he saw Simpson go up to the sitting room. Simpson came out a few minutes later, staggering, and with his nose bleeding. He went into the yard and fell down on the back of his head. Simpson lay there from about 6 p.m. until about 8 p.m.

After Simpson came out of the sitting room, Baye called witness over and told him to wipe up some blood on the floor and walls of the passage.

On Thursday morning, Bown said, he asked Mr Baye whether he was ready for his breakfast, and Baye said, “No, not yet.” He was holding Simpson and he walked along with Mrs Baye to the end of the verandah where he said, “Come along Simpson, you'll have to open your mouth wider than that.” Simpson's teeth were showing.

“Me and a boy named Sampson lifted him in to the dining room and put him on a form,” Bown said. “His legs seemed to go right over

(continues on Page 10)

The Simpson Inquest... (continued from Page 9)

the table, so I went and told Mr Baye he couldn't sit on the form and Mr Baye told me to put him on the wall side."

Judge Foster: "Were his legs straight out in front of him?"

Bown: "Yes sir."

Stiff? — Yes, sir.

"Asked for Bread and Milk"

Simpson told me to go and ask Mrs Johnstone for some bread and milk for him," Bown went on. "Mrs Johnstone said, 'You had better ask Mr Baye.' Mr Baye said no. Then I took Mr Baye his porridge.

"He said, 'I suppose Rex can have some bread and milk if he fancies it.' So Mrs Johnstone made him some. I fed him for a while and Mr Baye came in and said, 'He can use his hands as well as you can, he's not as much of a mug as you are.'"

Simpson then walked across from the diningroom to the hall and was put on a couch. Baye said he would "cure him out of his pralysis or whatever it was he had got." When Simpson asked for a drink of milk Bown went to Baye who said, "He did not want it when he was having his breakfast, so he cannot want it now."

Mrs Baye put blankets over him as he lay on the couch.

Mr Sproule: How is it you don't have your meals with the other boys?

Bown: "Well I wait on Mr Baye and by the time I have waited on Mr Baye the boys are practically out.

"Bit of Racing Man"

Mr Maxwell: Have you got a nickname at school, Sydney?"

Bown: yes sir.

I am told they call you "Bookie" Bown? — Yes.

Are you a bit of a racing man? — Yes.

Do you make a book? — Yes, I used to.

Oh, when you were just a young fellow?

— Yes. (Laughter).

Didn't you find it was a paying game?

— Oh yes. I found it a paying game.

You knew that Mr Baye thought that Simpson was "putting it on"? — Yes.

Didn't you go to school with him on the Tuesday? — Yes.

Was it on Tuesday that Baye asked you to give a message to the headmaster to keep an eye on Simpson because he was up to his old tricks? — Yes.

You never saw Baye hammer Simpson with his clenched fist? — No, sir.

It has been suggested by some that on Thursday morning when Simpson was brought from his bedroom to the dining-room, Baye got a darning needle or something of that kind and jabbed it into this boy's leg. Did you see any thing of that kind? — No, sir.

Do you think that could have been done without your seeing it? — I couldn't say.

Judge Foster: How old are you?

Bown: Thirteen.

When Baye called you and asked you to wipe up the blood, did he tell you where the blood had come from? — No, sir.

What did he say? — He just said, "Will you wipe up the blood in the passage here?"

Now where was this blood? — It was in the passage going toward the waiting room.

Was there any blood on the verandah? — A little bit, sir.

Where was the most blood? — Near Mr Bayes office.

"Simpson Cried Out"

William Seeney, 18, an inmate of the home, also described an incident in which Simpson is alleged to have been hit with a bat.

"Mr Baye hit him pretty hard," said Seeney, "and Simpson started to cry. Baye later came into the dining room and asked if any boy had a pin. One of the boys produced a pin and Baye stuck it into the back of Simpson's leg. Simpson called out "Oh," and tried to get up.

After a time Simpson stood up but fell back again.

Seeney said Baye had warned the boys not to help Simpson, and that he had seen Simpson come from the office that evening buttoning up his trousers.

"Simpson had a bit of a rag in his hand," he said, "and was trying to wipe blood from his face."

Seeney said it was part of his duty at the home to collect the trousers of the boys before they went to bed at night and take them to Mr Baye's office. Baye called him into the office about 9 p.m. that night and asked him to see if Simpson was lying in the yard. Baye said, "Take Simpson's trousers off and leave him lying there." Simpson had then been lying in the yard about 3½ hours.

"Saw Needle Jabbed"

Sweeny said that on his own initiative he took Simpson to bed with the help of another boy and took the lad's trousers off there.

On the morning of November 16 he helped

(continues on Page 11)

The Simpson Inquest... (continued from Page 10)

Mrs Hamilton, the wife of the assistant superintendent, to put a clean shirt on Simpson. About 7.45 a.m. that day he saw Simpson walking along the verandah with the help of another boy. Baye was walking along behind and jabbed a needle into Simpson's right leg.

In answer to Mr Maxwell, Seeney said he had been at the home for about three years and had come from the Royal Park Home. He had been in homes most of his life.

Mr Maxwell: Was it because those who were in charge of you could not control you?

Seeney: No, because I had nowhere to go.

You are easily controlled, are you? — Yes.

Are you easily led? — No, I am not.

You do not mean to say that a lad of your age has his trousers taken away from him at night? — Yes I do.

Do you know the reason? — Mr Baye is frightened we might nick off.

Didn't you think it was an extraordinary thing that Mr Baye should give an order that you were not to help Simpson when he was so much in need of help? — No.

Why not? — He gives us orders and we have got to obey them.

Seeney said that it was the usual thing for him to take in a boy's plate to Baye if the boy could not eat his meal. He had done this, he said, when Simpson could not eat the corned beef, onions and potatoes on Tuesday.

"Hunger As Sauce"

Mr Maxwell: Was the corned beef all right? Was it good corned beef?

Seeney: It was all right.

Judge Foster: They have a very good sauce down there, apparently — hunger!

Mr Maxwell: Did Mr Baye take it back and tell him he must eat the vegetables, too?

Seeney: Yes, he did.

Did Mr Baye say a word about finishing the meat? — No.

And Simpson ate the potatoes and left the onions? — Yes.

Do you know whether Simpson liked onions? — No. He never used to like any vegetables.

Can you tell us what Baye did immediately before using the bat? — No. I cannot tell you where he got the bat from.

Before Mr Baye touched Simpson with the bat tell me exactly the position of Simpson. — Simpson was staggering in and he was half-way down on the floor.

He had not fallen? — No, he had not quite

fallen when he got hit.

Was Baye behind him? — Yes. He was behind him with the bat.

At this stage Seeney demonstrated his evidence with a bat and the witness box stool.

From the *Herald*, Wednesday 14 February 1934, page 5:

Boy Swings Bat At Newhaven Trial

**Demonstrated Ordered
In Crowded Court**

Dead Lad's Companion

When the Newhaven trial resumed today, the second day of the hearing of the manslaughter and assault charges against the superintendent of the Newhaven boys' home (W. H. Baye), one of the boy witnesses demonstrated to the court how he said the dead had been struck with a bat.

At Judge Foster's direction, the stool in the witness box was put on the floor of the court and the witness, a boy of 18, showed, with three underarm strokes of a bat on the seat of the stool, how, he said, Baye had struck Simpson, the dead boy.

S.P.C.C. President Watches Case

The Court of General Sessions was even more crowded than yesterday. The public gallery was full. With two vice-presidents of the Society of Prevention of Cruelty to Children (Mesdames A. Gatehouse and F. Andrew), who were there yesterday, the president of the Society (Mrs Norman Brookes) sat immediately behind the prosecutor.

Evidence of the alleged ill-treatment of the 11-year-old Simpson was given by another boy inmate of the home, a boy of 13. The only note of humor in the trial was struck when this lad said he was known as "Bookie" Bown, and agreed with the prosecutor that he was "a bit of a racing man."

The evidence was followed with the closest attention by a court even more hushed than it usually is during a criminal trial. At the end of each witness's evidence, the atmosphere relaxed noticeably for a brief minute or two until the next witness was sworn in.

Describing the alleged incident with the cricket bat, Alan Sampson, 16, a former inmate of the home, said that Simpson was standing all the time. He swayed a little, but regained his balance. Baye hit Simpson three or four times with the bat.

Before Baye stuck a pin in Simpson's leg, he had said, "I'll soon see if he has any life

(continues on Page 12)

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

in his leg.”

Later the same day — November 15, the day before Simpson’s death — Baye said to witness, “Get Simpson’s boots and clean them. He is too much trouble here, and I’m going to take him home.”

“When Simpson was lying in the yard that evening, Sampson said, “I took him a drink of water in a cup. Simpson could not drink out of the cup, so I gave it to him in a spoon. Simpson could not open his mouth very wide.”

Boy Cross-Examined

Sampson helped Simpson across the yard to the dining-room. Baye was following behind, but Sampson did not see him touch Simpson’s leg.

Mr Maxwell, K.C. (for Baye): Do you understand what the reason was for that order by Mr Baye about not helping Simpson?

Sampson: No, sir.

Do you not know that Mr Baye at that time was treating this case of Simpson as one of shamming? — No, sir.

Was Mr Baye’s order discussed. — No, sir.

Did you not think it was an extraordinary order? — Yes sir.

And yet you say it was not discussed at all? — No sir.

Harold Hocking, 16, an inmate of the home for two and a half years, said that on November 15 at breakfast he saw Simpson stumbling on to the verandah.

Baye was walking beside him. Baye hit him four or five times fairly hard with a cricket bat Simpson was practically on his hands and knees all the time, and fell down after he had been hit.

That afternoon, Hocking continued, he heard a crash on the verandah, and looking out, he saw Baye pick Simpson up from the ground with his left hand, at the same time striking the boy with his right hand.

He saw Simpson go down the passage soon afterwards, and come back with his trousers unbuttoned, and his nose bleeding. After tea he saw Simpson lying in the yard and struggling to get up.

On November 16 at breakfast time he looked through a window which opened from the dining room to a dormitory. He saw Baye lift Simpson off a bed and strike him several times about the head.

Mr Maxwell: How did you come to get with the home?

Hocking: For running away from Tally Ho.

That is a home of the same kind? — Yes.

Why did you run away? — I got into trouble.

They blamed me and some other boys for burning down a building, but I did not really take any part in it. We were told, ‘If you did not burn the building down you will get 24 straps each day until we know who did.’ We got the first 24, and it put a lump on us the size of a tennis ball, so I did not stop any longer.

* * *

From the *Herald*, Thursday 15 February 1934, page 1:

Stir At Baye Trial Judge Rejects K.C.’s Plea Politicians In Box

The Chief Secretary (Mr Macfarlan), the Leader of the Opposition (Mr Tunnecliffe) and an M.L.C. were called as witnesses at the Newhaven trial when Mr Maxwell, the blind K.C., opened the case for the defence today.

Mr Maxwell caused a stir when he asked Judge Foster to withdraw from the jury the charge of manslaughter against William Henry Baye, late superintendent of the Seaside Garden Home for Boys at Newhaven.

But Judge Foster said he thought that on both the manslaughter charge and that of common assault, there was evidence to go to the jury.

Later Baye himself gave evidence of the last few days of Rex Ronnie Simpson, 11-year-old inmate of the home, who died of tetanus on November 16.

At the resumption of the trial today, evidence was given by police officers. Senior Detective Webster told of his questioning of Baye, and said Baye had made a voluntary statement to him.

While he was being cross-examined, Baye demonstrated to the Court how he said he had used a cricket bat on Simpson.

He was emphatic that he had dealt only one light stroke to the boy.

Mrs Baye Breaks Down

There was a dramatic interlude when Baye finished his evidence at 3.45 p.m., and Mrs Baye’s name was called as the next witness.

Baye’s solicitor and members of the police looked for her in the corridors, and she came into court a minute later supported by a police constable. She was weeping, and said in a low voice, “I want to see my husband first.”

(continues on Page 13)

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

From the *Herald*, Thursday 15 February 1934, page 5:

Politicians For Defence at Newhaven
Manslaughter Trial
Praise For Baye In Evidence
No Manslaughter Case, Says K.C.
Accused Man In Box

When the evidence for the prosecution in the Newhaven trial was closed in the Court of General Sessions today, Mr Maxwell, K.C., for the defence, said there was no evidence to put before the jury on the manslaughter charge. But the judge disagreed.

The Chief Secretary (Mr Macfarlan), the Leader of the Opposition (Mr Tunnecliffe) and a member of the Legislative Council gave evidence of character on behalf of the accused, Baye. They praised both Baye and Mrs Baye.

William Henry Baye, Superintendent of the Seaside Garden Home for Boys, is facing the third day of his trial on charges of manslaughter and assault. The charges arose out of the death from tetanus in the Wonthaggi Hospital, on November 16, of Rex Ronnie Simpson, an 11-year old inmate of the home.

After evidence had been given on his behalf, Baye himself entered the witness box and was cross-examined by the Prosecutor for the King (Mr Sproule). Baye said he thought Simpson had been malingering. He said he did not stick a pin into the boy's leg, but he had given him one light stroke with a bat. He had never punched a boy in his life.

Mr G. A. Maxwell, K.C., and Mr Llewellyn C. Jones (instructed by Messrs Weigall and Crowther) appeared for Baye, who again sat facing them.

Judge Questions Doctor

Dr. L. O. Sleeman, of Wonthaggi, where Simpson died in hospital, was recalled and questioned by the Judge.

Judge Foster: It has been suggested that accused formed the opinion that the boy was malingering from the Monday until the Thursday morning. Could that rigidity which marked the boy be simulated?

Dr. Seeman: It can easily be simulated...to anyone who doesn't know.

Does it produce a temperature? — Yes, it does produce a slight temperature. When he was admitted to the hospital on Thursday his temperature was 103.

In this case Baye tested the boy's knees and found that he could bend them. Would a layman such as accused be able to tell

whether that was put on or whether it was real? — I don't think he could really tell. I don't think he could be competent to tell. He might have an opinion, but he would not be competent to say whether he was correct or not.

What would be the best way? How would you go about finding out whether it was real or not? — There are various methods. It would depend. I would give him an anaesthetic first of all to see whether there was anything organic...see whether the condition persisted.

On Pin Test

Well, of course that would be out of the question for Baye. Could he do so by moving his legs? — No. I don't think that would be a test. If the boy jumped and he caught him jumping in such a way that his joints were relaxed that would be an index.

The pin test was not an inappropriate test? — No. That was one he might reasonably use. It wasn't out of the way.

Knowing the history of the case, what stage would the boy reach when his condition appeared clearly not to be malingering? — I would say that by Wednesday if the conditions continued as they were something may have been done by way of confirmation.

This concluded the case for the Crown.

Defence Opens

Mr Maxwell in opening for the defence addressed Judge Foster as follows:—

"I submit that, so far as the manslaughter case is concerned, there is no case to go to the jury — no set of facts which have been proved and which would warrant the reasonable conclusion that this man was guilty in his treatment of this boy of reckless and wilful disregard of the interests of the lad, that is, of course, assuming that even ultimately it is shown that whatever is his treatment it in fact shortened the boy's life.

"No Evidence"

"I submit that there is no evidence to put to the jury upon which it could find that ordinary manslaughter was proved. As I understand how my friend puts the case he says that Mr Baye wilfully and without reasonable excuse neglected to provide the requisite medical aid, and that he ill-treated the boy in such a way as to shorten his life; in which case, under the Children's Welfare Act, he would be guilty of an unlawful act.

"I don't think it is necessary for me to

(continues on Page 14)

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

wearily Your Honor by spending much time in asking you that the manslaughter charge should not go to the jury.

Mr Maxwell said the evidence was voluminous, contradictory, and in many respects, extraordinary.

“On the second count, that of assault,” he said, “it is said that, while as head of an institution such as this, where he has the right to administer punishment, Baye went beyond the bounds of reasonable correction. But Baye wasn’t regarding this treatment as correction.

“He had adopted a method of treatment that seemed to him the only reasonable one, having regard to the fact that he had reasonably come to the conclusion that this lad was malingering, that it was not a case of real illness demanding medical aid but a case to be dealt with by him as a man with experience of that class of case.

“And it was only on Wednesday when the symptoms continued that he rang up the doctor to put the facts before him, hoping that if there was anything the doctor could suggest he would suggest it. In any case, he was beginning to think on Wednesday evening that there was something radically wrong with the boy.

“Extraordinary Evidence”

“The only evidence I would submit to Your Honor, that bears on this count of ordinary assault, is that which I would characterise as the most extraordinary piece of evidence I have heard in my lengthy experience. And that is that these boys say that on the Thursday morning they saw Mr Baye raise this lad up in his bed and give him three or four blows on the face.

“If was a tittle of truth in that I would not have one word to say on behalf of this man.”

Judge Foster: Well, I am not the judge of the truth of that.

Mr Maxwell: As I say, Your Honor, if there was not that evidence I would ask Your Honor to withdraw that charge. But I certainly think there is no case on the other charge to go to the jury.

Judge Foster: I anticipated some such application as this, but I think that on both grounds on which the Crown presented the case of manslaughter there is evidence for a jury to consider. I don’t think at this stage I should express any view on that evidence or say what that evidence is, beyond saying that I think there is that evidence to go to

the jury. I think I should say no more.

Chief Secretary in Box

Mr Maxwell said he was going to adopt a somewhat usual course and call first of all evidence of character to show that Baye had earned an enviable reputation.

The first witness was Ian Macfarlan, the Chief Secretary of Victoria, barrister and solicitor of the Supreme Court.

Mr Maxwell: I understand you have the misfortune to be a politician?

Mr Macfarlan (smiling): I don’t admit the misfortune.

Do you know the accused man. Mr Baye? — I do.

Have you come into contact with him in your official capacity? — Yes, I visited the institution in my capacity as Chief Secretary in January last year and since then I think I have had a conversation with him.

“Mrs Baye, Motherly”

What can you say as to your knowledge of Mr Baye in that position? — Well, as a result of my visit which I made as Chief Secretary in an endeavor to satisfy myself that this was a proper institution, and that Mr Baye was a proper person to have these boys confided to his care by my department, from what I heard down there, including what I discovered by questioning boys in the absence of Mr and Mrs Baye — in fact from everything I heard and saw — I came to the conclusion that Baye and Mrs Baye were all right, and that they were the proper persons to run it.

“I was particularly impressed by Mrs Baye, who seemed a motherly person, and quite the right type to look after boys,” said Mr Macfarlan.

Labor Leader in Box

Thomas Tunnecliffe, leader of the Opposition in the Legislative Assembly, said that he had come into contact with Baye several times, both officially and privately, during his tenure of office as a member of the Labor Government. He first went to Phillip Island to inspect the home under Baye’s control, as well as another home on the island, and to see whether it was desirable to transfer children there from the Royal Park home. After inspecting Bayes home he came to the conclusion that not only was it a suitable home, but both Mr and Mrs Baye were eminently suitable people to be in charge of such a home.

Mr Maxwell: Have you ever heard anything to lead you to modify the opinion you formed

(continues on Page 15)

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

on him?

Mr Tunnecliffe: Not at any time. That opinion has been confirmed by subsequent experience.

M.L.C.'s Evidence

Mr W. H. Edgar, M.L.C., said he had known Baye for seven or eight years.

Mr Maxwell: What opportunities have you had of judging his character and reputation?

Mr Edgar: Well, I visited the home, I corresponded with him, I am a subscriber to the home, I have attended annual meetings and I have frequently met Mr Baye in Melbourne.

Have you moved among the boys? — Yes, frequently.

What opinion did you form of Mr Baye as a man at the head of an institution like this— Well, I regard him as a sympathetic, understanding man with boys.

“Admiration for Baye”

John Richard Henry, Superintendent of the Child Welfare Department and inspector of reformatory schools, said that he had always found that Baye had carried on his duties in a highly satisfactory manner.

“I have never had any complaints,” Henry said, “and he has had some very difficult cases. I have always confessed the highest admiration for him for the way he has handled them.”

Mr Sproule: Do you know anything about this home, apart from sending boys there?

Henry: As an inspector I know it from periodical inspections.

Is there any provision made for medical attendance to children there? — There is an honorary medical officer, who visits the home and is practically on the spot if necessary.

Cowes is 10 miles away, isn't it? — Yes, but one can get in touch by phone.

“Not Superintendent Now”

Frederick R. Morris, officer in charge of Children's Courts and special magistrate at Cowes, who has known Baye for 12 years, said that it would be hard to find a more suitable man for the job.

Trevor Jones, vice-president of the home, said that its success was due to Mr Baye and his kindness.

Mr Sproule: Is Mr Baye still the superintendent?

Jones: No, he is not.

Are you keeping him on? — No.

Mr Maxwell: What was done in regard to him?

Jones: He was suspended.

Why? — That was on account of this charge. And I might say that the committee thought he was unfairly treated. We wished him to retire as a protest against the action which had been taken.

The Rev. James Raff, who conducted fortnightly services at the home, and John James Griffiths, manager for 31 years of the City Newsboys' Society, and Melbourne representative of the home, and Mr A. K. T. Sambell, president of the Cowes Shire, and Senior Constable Calwell also gave evidence.

Baye Testifies

Baye then entered the witness-box.

He said he was originally at Tally Ho farm, where he had had some experience in the training of boys. Later, he spent some time at another home at Newhaven, and 12½ years ago had founded the Seaside Garden Home for Boys.

He had never been in trouble of any description before and there had never previously been any criticism of his management of a boys' home.

The types of boys at the home were orphans, truancy committal cases, voluntary truancy cases and delinquent boys. In the last few years Baye had had also a type of boy which other institutions had found unmanageable.

He had always tried to give the boys as much individual attention as possible.

The home was managed by a committee of 14 members. Once every fortnight he reported in Melbourne to at least one member of the committee and every four weeks attended a general meeting.

For several years he had made a special study of malingering among boys. He had done work in conjunction with several prominent doctors.

During the past 10 years these doctors had sent him many cases of supposed malingerers for observation. He had found malingering singularly difficult to detect.

“Decent Type of Boy”

Simpson, he said, came to the home in September, and was known to be a confirmed truant. He was a decent type of boy, and gave no trouble. He did not have any opportunity of playing truant. Baye said he had no personal feeling against the boy.

About 9.10 a.m. on November 13 it was reported to him that Rex Simpson was sitting down, and would not go to school.

He took his strap, as he thought Simpson

(continues on Page 16)

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

was giving an exhibition of what he had done in Melbourne, and went out to see the boy.

He said to Simpson, "Go along, young man. Off you go to school. I know all about your little tricks in town." He gave Simpson one or two light strokes with the strap on the clothing. Simpson said, "I can't. My knees are sore."

Baye lifted Simpson to his feet and watched him walk about 50 yards in the direction of the school with Sydney Bown.

Simpson crossed four drains without any difficulty.

"I came to the conclusion" said Baye, "that there was little wrong with Simpson in any way, and I told Bown to tell the headmaster at the school to keep an eye on Simpson, as I had an idea he might attempt to abscond."

"Three Light Strokes"

That evening, Baye continued, he gave instructions to Simpson to come to his office. He there spoke to Simpson about "breaking bounds" the previous Saturday and about refusing to go to school. He gave Simpson three light strokes with the strap, not so much as a punishment, as a warning.

He then told Simpson to hurry up for his tea and Simpson practically ran out of the room.

Apart from the complaint that Simpson would not go to school he had received no complaint about the boy at all. He did not notice anything about the boy being stiff on Tuesday. On Wednesday morning he noticed Simpson walking across the yard to the dining room.

The boy did not appear to have a great amount of difficulty until he reached the door. He was then in sight of the boys in the dining hall and appeared to stiffen up.

Baye thought that this was a further sign of malingering to get sympathy and assistance from the boys.

After breakfast that day he sent for Simpson and Simpson walked up the passage and into the room without assistance. He said to Simpson, "I want to see whether you can bend your knees," and Simpson replied, Please, sir, I can't." Baye said he then placed his hand behind Simpson's knee and immediately felt it stiffen.

"Not Trying"

He said to the boy, "You are not trying. I will have to see whether the strap will make any difference." He got the strap down, but did not use it. Simpson then bent his knee,

at first with apparent difficulty, but as the action was repeated, with no signs of trouble whatever. He also got Simpson to bend his hips. He then felt Simpson's pulse with his hand, and asked him to put his tongue out. Both appeared normal.

Simpson said he was sleeping and eating well. Baye said, "There can't be much wrong with a boy that eats and sleeps well." Simpson laughed, and said, "No, sir."

Later he called Hamilton and told him to take Simpson to the farm, as there did not seem to be much wrong with the boy. He noticed Simpson marching off with the boys and keeping well up with them.

About 12.30 that day Hamilton reported to him that the boy had fallen down on the road just as a motor car was passing.

At that moment he saw Simpson walking across the yard. He seemed normal, except that his shoulders were hunched.

Auto-Suggestion and Pin

Mr Jones: Did you apply auto-suggestion to the boy on Wednesday morning?

Baye: Yes.

How? — By asking the in the dining-room loudly as to whether any boy had a pin. The idea of that was so that there would be no mistake about Simpson having heard.

Simpson was then standing with his hands on the table. A boy handed me a pin. I placed it between my finger and thumb, but well back so that the point was not projecting. I then dabbed it against Simpson's leg. The idea of that was that anybody who thinks they are going to be hit with a bat or other instrument will immediately give way before it. My idea was to see whether the boy would bend his knees. He did this slightly.

"Previous Success"

Baye added that he decided to apply this test to Simpson because of the success he had had with similar methods in previous cases of malingering.

Later that evening he again applied the same principle. Knowing that most of the boys were anxious to go home, he said in a loud voice, while Simpson was standing outside the room. "If you are better in the morning I am going to take you home. You are too much bother here.

Simpson did not reply.

"Rang Up Doctor"

While Simpson was in the yard that night Baye told another boy, Sampson, to go out and

(continues on Page 17)

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

get Simpson's boots. He told Sampson to tell Simpson that his boots were wanted because the boy was to go home in the morning.

There was nothing unusual in the fact that Simpson was asleep in the diningroom that afternoon, as it was a holiday, and the boys had free access to the room. At 5.50 p.m. that day he again rang Dr. McLean. He explained all the symptoms to the doctor – the stiff legs and everything else.

About 6.20 p.m. on Wednesday he was told that Simpson was in the yard and would not come in to tea. He told a boy to tell Simpson to come in, and two or three minutes later saw Simpson walk on to the verandah. Simpson fell over backwards.

By the time Baye reached him the boy was rising. Simpson's nose was bleeding, and Baye took him along to Mrs Baye to get it attended to.

Simpson tripped on the step of the doorway and Baye in an attempt to save him caught him by the braces. The buttons came off, however, and Simpson half fell to the floor. Simpson's arms were held out stiffly, but he wiped his face with both hands at different times.

“Few Drops of Blood”

At this time, Simpson was standing with his legs slack. Baye said, “You can bend your knees, young man,” and the boy immediately straightened his legs up.

There were only a few drops of blood in the passage from Simpson's nose. Statements that he had punched Simpson were deliberately untrue.

“Never at any time in my career have I punched any boy,” said Baye.

He did not hear that Simpson was lying in the yard that evening until about 7.15. It was a warm night, and there was no rule against the boys lying around in the yard on such nights.

Once, Baye said, he walked over to Simpson, and saw Mrs Hamilton there. He said, “Don't touch him, Mrs Hamilton,” and she replied, “I don't intend to.”

“Visited Him Twice”

Baye said he did not send any boy to take Simpson's trousers away. It was probably 8.30 p.m. before the boy went to bed. He visited Simpson twice during the night. The boy was slightly restless. On the second visit he noticed that the bedclothes on Simpson's bed were disarranged, and he asked Simpson,

who was awake, to put them in position. The boy did so, using both his arms and legs.

He also felt the boy's pulse with his hand on the boy's head to see if he was running a temperature and had a look at his tongue. All appeared to be normal, and Simpson made no complaint whatsoever.

About 7.30 a.m. on Thursday Simpson complained of stiffness and said he could not get out of bed. Baye took hold of his hand and lifted him on to the side of the bed. Because the castors were placed in the wrong direction the bed slid away and Simpson would have fallen had Baye not caught him.

“Did Not Punish Him”

It was untrue to say he had punched Simpson. Simpson stuck his arms out and kept them there. To see if he could use his arms Baye put the sleeves of his shirt on to the boy's hands. Simpson worked the shirt over his arms. Baye did not know whether Simpson completed putting the shirt on as at that moment he turned away to look for Simpson's trousers.

Two boys helped Simpson to the dining room.

At no time, Baye said, did he jab a needle into Simpson's leg.

Simpson asked for bread and milk for breakfast and was told he could have it. When Baye entered the breakfast room he noticed that one boy was holding Simpson while another was feeding him. He told Simpson to feed himself, and Simpson then used both hands at different times to do so.

“Joking Remark”

Baye passed a joking remark to the boys that they were “bigger mugs than he was.” On Wednesday morning, Baye said, he had been going across the dining room to speak to the boys, and when he reached the verandah, noticed Simpson walking across the yard. As he was watching the boy he saw that some of the smaller lads had left a cricket bat on the ground.

He picked it up to take it to its proper owner as Simpson went on to the verandah apparently without difficulty, but then seemed to stiffen up again. When Simpson was nearly to the door of the dining room Baye went behind him and gave him one stroke with the bat, across the buttocks – “Not with any force whatever.”

“It was not meant in any shape or form to hurt. It was meant as a surprise. I said

(continues on Page 18)

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

to him, 'Bend your knees, young man. I saw you do it just a little while ago.'

Under Cross-Examination

Mr Jones: How was he when you struck him — on the floor or on his feet?

Baye: The boy was never off his feet at any time.

Did you tell the boys later that any boy who helped Simpson would get the maximum punishment? — Yes.

Why did you say that? — Because in previous cases my task had been made much more difficult by boys sympathising with and assisting malingerers.

About 8.40 a.m. on Thursday, Baye said, he left home to go to Melbourne on his usual fortnightly trip, and called on the way to see Dr. McLean. He told the doctor all that he had told him the previous day, and described also what had happened on Thursday morning.

Dr. McLean said: "It seems to be a case of malingering. What a lot you have to put up with over there." He left with the impression that Dr. McLean would be going over to see the boy shortly.

"An Honest Mistake"

Mr Jones: Have you ever had any experience of tetanus?

Baye: No, never.

Did you have any suspicion prior to his death that this was a case? — Not the slightest.

You had treated it as a case of malingering? — I had treated it as a case of malingering.

Was that a mistake? — It was an honest mistake.

Mr Sproule: Who appointed you principal of this home?

Baye: Well, the committee, on the committee, on the minutes. At first I founded this home myself and ran it as a private home.

It was then taken over by a committee? — Yes, the committee of management.

To whom does the property belong? To you?

— Well, a portion of it does, and a portion of it doesn't.

This honorary medical officer — did you select him? — Well, there's only one doctor on the island. It's not a case of selecting him.

Do you make any use of the honorary medical officer? — Yes, as a general rule we take the boy to him.

"Had No Thermometer"

Have you any medical knowledge? — Not beyond the care and treatment of probably

3000 boys I have had through my hands.

That's what I say. Do you take on yourself the care and treatment of 3000 boys? — Not exactly.

Have you any objection to sending for medical aid? — Not the slightest.

Do you keep a thermometer to take a boy's temperature? — I always used to keep a thermometer.

Did you have one at this time? — Apparently not. I thought we had.

Mr Sproule: You took his pulse?

Baye: Yes.

With a watch? — No, sir.

Well, what was the boy's pulse? — About 65, sir.

How can you tell that? — From long experience.

You say you have made a study of malingering? — Yes.

Well, that is not a particular disease, is it? — No, not a particular disease, unless it is a disease of the brain.

In your study of malingering have you found that the boys imitate some form of sickness? — Yes they usually copy something.

How do you know when you see a boy exhibit strange symptoms whether a boy is malingering or not? — Because every disease must affect the boy in some other way. It must affect his temperature and pulse, or his tongue. We can tell by these means and by keeping them under observation.

"No Sign of Stiffness"

In this particular case, you did not take the temperature? — I took the temperature by placing my hand on his forehead.

I put it to you that from the beginning you never gave a chance to its being genuine sickness? — No. I never gave a thought to its being genuine sickness.

Did you ask what was the cause of the sickness on Monday? — No, because I did not see any sign of stiffness.

What are the outward signs of stiffness? — Not being able to bend the limbs.

On Monday the boy told you that the could not bend his knees? — Yes.

You assumed it was not true? — I did not assume, because I saw the boy was not stiff.

Up to Wednesday morning, nothing had been said to you by anybody about the boy being stiff, except what Sydney Bown had stated to you on Monday? — Except that on Tuesday I asked Bown how Simpson was, and Bown said, "All right."

(continues on Page 19)

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

“Not Worried”

You heard nothing to suggest that this boy could not bend his knees beyond that? — No.

He did not refuse to go to school on Tuesday? — No. I did not see him.

Therefore on Wednesday I suppose you were not worried about him? — No.

On Wednesday morning did you notice him go into the dining-room? — Yes.

A certain number of boys from the dining-room could see him? — Yes.

And you say he walked across and on to the verandah all right? — Quite all right.

You don't mean to suggest that it was not until he came into sight of the boys in the dining-room that he stiffened? — That was how it appeared to me.

And you came to the conclusion that he was looking for sympathy, and stiffened himself? — Yes.

We have been told that he stumbled and fell? — He never stumbled.

“Shows How Bat Was Used”

At this stage, Baye showed in the witness box, how he had struck Simpson with the bat.

Mr Sproule: When you did that to him, did he fall forward?

Baye: He did not exactly fall forward. He put his hands on the table just at the place where he sat.

Did he call out when you hit him? — No, he did not call out.

Not “Oh. Mr Baye”? — He did not say “Oh. Mr Baye.”

Are you sure you only hit him once? — I am positive.

When you made a satisfactory attempt with the pin, and found that he bent his legs, were you satisfied that he was a malingerer? — Well, I was satisfied he could bend his legs. There seemed nothing wrong with the boy.

Did you take away his breakfast? — I did not.

You subsequently sent for the boy to come to your study? Why did you need to take that further step? — Because I had noticed that the boy bent his knee in the dining room, and I wished to see to what extent he could bend it.

“No Sign of Pain”

Oh, you weren't quite satisfied? — I wanted to make a further test.

You put him through some exercises? — Yes.

Did he seem to have any pain about him? — No pain whatsoever.

During all these exercises, did he give any indication that he was suffering? — None whatsoever.

Did he cry at any time? — Never at any time while I had him under observation.

We have been told that bending of limbs during tetanus is very painful. Did you observe any signs of pain when his leg was bent up so that his foot was at the back of his thigh? — No, never at any time.

Baye denied that Hamilton's statement that the boy had been covered with perspiration with tears streaming down his cheeks was correct.

“Not Common Occurrence”

You took it that this boy's malingering was to avoid school? — Yes, sir.

Not to avoid meals? — No, sir.

There was no school on that Wednesday? — No.

Did you see anything in his refusing food on Wednesday? — I did not know he was refusing food then.

Did you regard the fact that he was lying in the yard as being of any importance? — Not necessarily.

Did you know whether he had had his tea? — No. I did not.

Mr Sproule: I suppose that by Wednesday evening you were more and more satisfied there was nothing wrong with the boy?

Baye: Yes.

Why did you ring the doctor then? — Because I was going away and I was going to leave the boy in Mrs Baye's care. I wanted to make quite sure that he was all right.

Is it a common occurrence if a boy is to lie down on the gravel in the yard for two hours including tea-time? — I cannot say it would be a common occurrence for a boy to lie down during tea time.

Questioning Continues

This boy had left your office in a distressed condition, having hurt his nose? — Yes.

And it did not occur to you to ask anyone if he had had his tea? — No, it did not.

If you thought this boy was malingering, why did you tell Seeney and Sampson to help Simpson to go to bed? — There was the element of doubt.

It did not occur to you to ask what had happened to him when he was in the yard? — No. I was told that he was lying down, not

(continues on Page 20)

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

that he had fallen down.

Is it this, Mr Baye, that a boy has to die to convince you that he is not malingering? — No. Certainly not.

There were other people suggesting that this boy was sick? — No.

Mr Johnstone? — No.

Mr Hamilton? — No.

Mrs Johnstone? — No.

Mrs Hamilton? — No. The first I heard from Mrs Hamilton was when I called her over on Thursday morning.

Did Simpson have any difficulty in putting out his tongue on Wednesday night? — He put it out about half an inch at first, but when I asked him to put it out further, he did.

The hearing is not finished.

(Continued next issue).

From *Mornington Standard*, 29 Oct. 1904, page 2: Crib Point

French Island Soiree

On Thursday, 20th inst., Mr and Mrs Whyatt, of "The Blue Gums," French Island, gave a very enjoyable dance, about forty couples responding to the invitations. The ball and supper rooms were tastefully decorated in blue and white, while oak leaves made a very effective display amid fairy lamps and Chinese lanterns. Amusements of every description were indulged in, also a well spread and sumptuous supper, which the guests heartily appreciated. The music was supplied by Messrs Peters and Bennett, with Miss Palmer's assistance, and every satisfaction was given. Mr Hurst, on behalf of the company, thanked the host and hostess for their very enjoyable evening, and trusted it would not be long before they would all meet again to trip the light fantastic. Mr Whyatt suitably responded.

The Argus, Thursday 1 November 1956, page 6

Siren Didn't Ring a Bell

The siren that has replaced Wonthaggi's fire bell is a "a fool of a thing" according to the brigade's Captain "Mo" Loughran.

When it sounded for the first time yesterday people in the next block didn't hear it.

Captain Loughran was 400yds. away and didn't know there was a fire.

The Country Fire Authority has installed the siren on Wonthaggi's 45ft. bell tower.

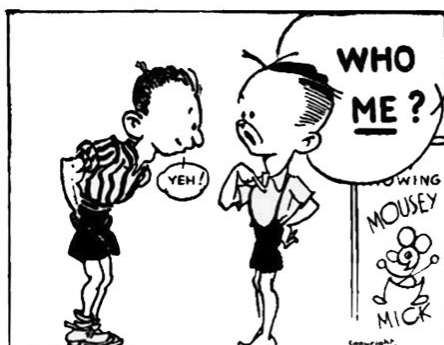
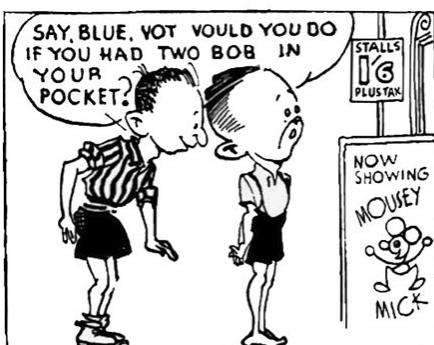
"The town's full of factory and train sirens anyway," said Captain Loughran. "And you can't pin-point a fire as you can by bell gongs."

The only thing in the siren's favor yesterday was the fact that a high wind was blowing.

But wind or no wind, you could always hear the old bell.



BLUEY and SOL



"Not in These Trousers."



From the *Koo wee Rup Sun and Lang Lang Guardian*, 1st October 1936