8/ No. 257

8th Feby. 1890

M

PROCEEDINGS of INQUEST

held upon the body of

Frank Rolfe Hopkinson

at

Cruse

Received at the Crown Law Offices,

RECEIVED 11 FEB 90

188

C. L. O.

Pm.

E. G. Yates JP ~~Coroner.~~

CORONER'S INQUEST.

[No. 53.

COLONY OF VICTORIA, TO WIT.

This Deponent * Thomas Hutchison on his oath saith, I am a Watchmaker residing at Mitchell St Donchurch

* Christian and Surname in *full.*

I know the deceased Frank Roffe Atkinson On Tuesday the 4th Inst in the Morning he came to me asking me to go with him to Ravenswood by the 12 train shooting. I agreed, deceased said alright I will go and get some cartridges. I went to the Station — deceased was not there. I then returned home. I met the deceased on my way home. He then procured a trap and started for Ravenswood but altered our mind and went to Lilydale instead. We stopped at Lemans Hotel a short while, and two men from there joined us. Mr Leman lent a gun to one of the men named Gardner. We all left together and turned up the road by Boyd's into the bush. We separated then. Gardner and the deceased going together. About three minutes after this I shot a Hare I called out to deceased, and he replied. I then went further into the bush and returned to the trap and found a man named Edwards, who was the other man of the two mentioned, I waited there for some

Taken and Sworn before me, the _____ day of _____ 18 at _____

_____ Coroner.

time and then drove back to Mr Lemmon's thinking to find deceased there, not finding him there I drove down to the Brown and Anchor Hotel and there found that Gardner had been there, I returned again to Lemmons Hotel and stayed till nine o'clock. I expressed myself uneasy about his absence I then left for Sandhurst and have not seen him alive since

To Const Lipsaght — I did ~~not~~ see the Dom Gardiner at Lemmons Hotel - he appeared in a muddled state - The next time I saw Gardner was on Thursday last at Marong

To the Jury — I called on ~~Thursday~~ Wednesday night last in quest of Gardner at the Farmers Arms Hotel Eckwood - The deceased and Gardner were together when last I saw them on that day —

The deceased was perfectly sober and appeared in good spirits

To Jr P — I found upon first returning to Lemmons Hotel that Gardner had been there after I saw him with deceased

Thomas Hutchison

Taken and sworn before me this Eighth day of February 1890 at Bendigo

Edward Gleeson

James Warwick on his oath
saith I am a carpenter
residing at Dundhurst I am
a friend of the deceased and
have known him about 1½ year
On Thursday I saw in the
Paper that he was missing
I joined a search party and
drove out to Lemans Hotel
Lockwood I went into the
Bush, ~~that's~~ was on Friday 7th
Inst I found the body about
200 yards North West of the North
Lockwood road - The body was
lying on the ground on its left
side, ~~the~~ deceased's hat was
about 1 2 feet from the body, he
had a stick in his hands, the
face was quite black, and
only by his dress and the back
of his head I recognised it
was deceased. I did not touch
the body but called out to the
others who were searching his
Gun was about 3 feet off the
Clothes nearest to the body -

To Inspector Ryall The last time I saw him he
was in good spirits.
I never heard him make any
remark about doing away with
himself -

To the Jury I did not touch the gun but
sent for Constable Lysaght -

To Justice of Peace From the position of the gun

Taken and sworn to before me the Coroner this 7th day February 1890 at Landhurst

Edwd Gates C.P.

I would think it fell just as it was discharged —

James B Marwick

David Robertson on his oath saith I am managing my father's business in Melbourne - The deceased was in my father's employ for six or seven years up to his death. He had the charge of the business in Landhurst - I came to Landhurst on Monday last and saw the deceased on Tuesday morning. He was in his usual spirits, I had no reason to believe there was anything wrong in his accounts, he has been a trusted servant, nothing unpleasant passed between us, He made a remark he was going out - It was quite a mystery to me his decease, as I know of no reason why he should commit suicide in fact it was to my mind a very unlikely thing for him to do - I merely came up from Melbourne on my usual quarterly visits

David Robertson

Taken and sworn to before me the Coroner this 7th day of February 1890 at Lanhurst

Edwd Gates C.P.

Charles Burke Gaffney on his oath saith I am a legally qualified Medical Practitioner residing at Sandhurst

I have this day made a Post Mortem examination of the body of the deceased Frank Atkinson, It Elt that of a well nourished Elt man of about 25 years of age The body was in an advanced state of decomposition The eyes were completely gone and portion of the top part of the nose - I found a wound on the right side of the neck below the right lower Jaw, there were independent perforations of that above and below the right Collar bone, five perforations in all - three above, and two below the Collar bone. The same wound which was the one referred to in the neck was so distroyed by decomposition as to obliterate the original appearance - I found a Comminuted fracture of right lower Elt + ~~upper~~ jaw with fracture of the right floor of the orbital Cavity, a fracture of the right nasal bone, and fracture of the frontal bone of same side. The brain was completely lacerated and quite diffluent

C B Gaffney F.R.C.S

from decomposition. The right and left parietal bones with fracture of the upper part of occipital bone - I found considerable amount of Shot about No 3 Size which was lying loose at the back part of the skull cavity

Etc The rest of the body was well nourished and presented no appearance of injury

To Inspector Ryall From the position of the wound it would be highly improbable for it to be inflicted by any other person -

To the Jury If any other person had fired the Gun it must have been whilst lying on the ground.
If it had been suicidal I should think the clothes would have been scorched -

Taken and sworn before me this eighth day of February 1890 at Broome
Edmund Heatherly

W Burkhalter F.R.C.S

Joseph Gardner on his oath
saith I am a Laborer residing
at Farmers Arms Hotel Lockwood
I remember last Tuesday the
4th February on the forenoon of
that day I saw Hutchinson
and the deceased at Lemans
Hotel I went with deceased
and Hutchinson as far as Boyds
where we turned into the bush
we then separated I went
with the deceased to the left
the other went to the right
I put up the gun to fire at
a hare but it was too far off.
deceased went to the left
of me say my I will turn the
Hare towards you, I said
there will be plenty of hares
down another way, but he said
no, and went to the left. I said
mind dont shoot this way –
I had a few drinks but knew
what I was doing – I made
my way then to Cameron Hotel
and saw no more of deceased
I did not discharge my Gun
at all –

To Inspector Ryall I heard a Shot fired in the
direction the others (Edwards and
Hutchinson) went –
I had not known or seen
deceased before till this date

To Justice of Peace When we separated upon seeing

the Hare I intended to make my way to Cameron Hotel I do not know whether he intended to meet me again —

To Police

I gave back my Gun and Cartridge pouch to Mr Lemon just as I got it —

I stayed at Cameron somewhere about 2 hours —

Joseph Gardiner

Taken and sworn before me this Eighteenth day of February 1890 at Corinna

E. Spencer J.P.

Wm Lysaght on his oath saith
I am a mounted trooper
stationed at Kangaroo Flat
about 12 o'clock on Wednesday
night I was informed about the
deceased being missing I
left on Thursday morning about
4 o'clock to the Broom & Anchor
Hotel to meet the search party
I found them at Lemans
Hotel they were not at the
Broom & Anchor Hotel where
they promised to meet me.
Elaf. ~~Then~~ I then left Lemans
Hotel and searched the bush
myself, that day and came back
that night I left the next
morning at 3 o'clock and returned
going out again with the search
party at 4 o'clock with the result
that the body was found. I was
then called to the spot I examined
it, the body was lying on its off
side, and the stick produced was
buried in his hands I searched
the body and found several coins
which are discovered, A Watch and
Chain, letters and Pocket Book.
To the Jury One Barrel was discharged of the
Gun only

Taken and sworn
before me this
eighth day of
February 1890
at Bendigo
Charles Carter J.P.

W Lysaght

The finding of the Jury is —
That on the Fourth day of February 1890 the deceased Frank Rolfe Atkinson met with his death at Lockwood by a Gunshot wound on the head accidentally received while out Rabbit Shooting

Foreman. J. Williams
Tom Ball
C. Carter
A. J. Bucton
Alfred Strode
Richd Cornish

Edwd Yeates