

1288

6<sup>th</sup> October 1937

*PROCEEDINGS of INQUEST*  
*held upon the body of*

Donald Neil McDonald

*at Geelong*

---

*Received at the Crown Law Offices*

8 OCT 1937

---

P.M.

J.G.H. Ritchie

*Deputy Coroner.*

In witness whereof, I, the aforesaid (4) J.G.H. Ritchie JP have to this Inquisition put my hand this 6<sup>th</sup> day of October A.D. 1937

J.G.H. Ritchie JP

Deputy Coroner

## PROCEEDINGS BEFORE CORONERS

---

### INQUISITION

---

Victoria  
To Wit

An INQUISITION for our Sovereign Lord King George VI, taken at  
Geelong in the State of Victoria, the 6<sup>th</sup>  
Day of October A.D. 1937 in the First year of the reign of our Lord the King, by me, J.G.H. Ritchie Esq,  
A Deputy Coroner  
Upon the view of the body of Donald Neil McDonald  
then and there lying dead.

Having inquired upon the part of our Lord the King when, where and  
How the said Donald Neil McDonald

came by his death, I say that

on the Ninth day of September 1937  
at Geelong  
in the said State, the said Donald Neil McDonald  
died from Injuries accidentally received in  
a head-on collision with an  
Electric Tram whilst driving a  
Motor Car in Ormond Road  
Geelong on ninth day of September 1937.

Signed J.G.H. Ritchie JP  
Deputy Coroner

9<sup>th</sup> September 1937

REPORT of 1st Const. Kuhne 7944  
Relative to the death of Donald McDonald  
Of Queenscliff Road Moolap  
The Deputy ?????  
Mc?????

1/ I have to report for your information that at about 6.30  
??? on 9.9.37 that an accident had occurred in Ormond Road Geelong East near the  
East Geelong tram terminus. I went to the scene & saw that a sedan motorcar had  
collided head on with a tramcar.

2/ It appears the car was being driven East & the town west.  
The apparently dead body of the driver was jammed in the driving seat by the front  
portion of the car & engine which had been driven back.

3/ The body was removed to the Geelong Hospital where it was  
examined by W. McLean who pronounced life extinct. It was then removed to the  
Morgue where it now lies awaiting your further instructions.

W.W. Kuhne  
1<sup>st</sup> Const 7944

I have viewed the body of  
Donald Neil McDonald. Age  
44 years of Queenscliff Road  
Moolap. Geelong  
Received the Report from 1<sup>st</sup>  
Constable W.W. Kuhue  
Received evidence of identification  
From J.F. McDonald brother of  
Deceased.  
Instructed Dr J.E. Piper to perform  
A Post-Mortem Examination,  
The Report of which I have received  
And read.  
Gave instructions and signed an  
Order for the burial of the body.  
Opened an Inquest and adjourned  
The same to a date to be fixed

Signed  
J.G.H. Ritchie JP  
Deputy Coroner  
13/9/37

CORONER'S INQUEST

---

VICTORIA, TO WIT

This Deponent John Fraser McDonald

On his oath saith, I am a stock & station agent  
Residing at Kaniva

I identify the body shown to me at  
The Geelong Hospital Mortuary on  
10/9/37 as that of my brother  
Donald Neil McDonald of Moolap  
I have not seen him alive since  
17/7/37

J.F. McDonald

Taken and sworn before me the 10<sup>th</sup> day  
Of September 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST

---

VICTORIA, TO WIT

This Deponent Lewis O'Sullivan

On his oath saith, I am the licensee of the Criterion Hotel  
Residing at Geelong

At About 5.30Pm on 9.9.1937 the deceased  
called to see me on business

He had three  
small glasses of gin in the hotel

He obtained  
Two bottles of beer at about 5.50Pm which  
He carried out of the hotel about 5.50Pm

I walked to his  
Car with him and stood talking until 6Pm.

Deceased was perfectly sober  
When I left him.

I have known deceased for a number of years, and to the best  
Of my knowledge was a steady driver.  
Deceased had only the sight of the left eye.

L.O'Sullivan

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (typed)

---

VICTORIA, TO WIT

This Deponent Herbert Deller

On his oath saith, I am a labourer  
Residing at Moolap

On the 9/9/37 about 6-15p.m. I was driving a horse and  
Cart East along Ormond Road Geelong East, going up the  
Hill from the Cemetery. I had no light on my cart.

A tram was coming West toward me. A  
Motorcar passed me going East. This car came out on the  
Road to pass me, and then continued on along the crown  
Of the road, and run head on into the tram.

From where the car passed me to where  
It collided with the tram would be a distance of approx-  
imately 30 yards. When the tram [sic] passed me it did not come  
back over to the left, but kept on the crown of the road.

It was just dark, and it was raining. The tram had it's  
lights burning and was clearly visible.

The tram car, the motorcar, that hit the tram, and my  
vehicle was the only traffic on the road  
At the time.

I could not say if the lights were on t  
The car when it passed me.

I helped to get the wrecked car away  
From the tram. The driver appeared to be dead.

I have read this statement over. It is  
True and correct.

H.H. Deller

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner



CORONER'S INQUEST (hand written)

---

VICTORIA, TO WIT

This Deponent Herbert Deller

On his oath saith, I am a labourer  
Residing at Moolap

I could see the tram approaching, it was traveling  
very slowly.

I could plainly hear the gong of the tram  
Being sounded.

The gong sounded a number  
Of times Prior to the car colliding with it.

I had  
No light on my vehicle, I was well on my correct side of the road when the  
Motor car passed me.

No other traffic was  
On the road.

I did not hear the car sound  
Its horn before passing me, it may have  
Been sounded and I did not hear it  
It was wet and windy at the time.

Mr Fidge

/ The visibility was bad I never  
noticed whether the tail light  
was burning. In order to pass  
me the car could have passed  
me without going onto the tram  
track. He did not come back  
on to the road. I was about  
50 or 60 yards away when I first  
noticed the tram. There is a  
hill. The tram was nearly stopped.

H.H. Deller

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (hand written)

---

VICTORIA, TO WIT

This Deponent Herbert Deller

On his oath saith, I am a labourer  
Residing at Moolap

When the car hit it. It was traveling  
Slowly when I first saw the tram. The  
Driver of the tram had nearly stopped it when the collision  
Occurred. It was in motion.

Mr Dooley

/ The speed of the motor appeared to be 40 to 50 miles per hour

H.H. Deller

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (hand written)

---

VICTORIA, TO WIT

This Deponent James Ernest Piper  
On his oath saith, I am a duly qualified Medical Practitioner  
Residing at Latrobe Terrace Geelong

On Friday September 10<sup>th</sup> 1937 I made a  
Post Mortem examination of the body of Donald  
Neil McDonald at the Geelong Hospital.  
There were severe and deep lacerations on the legs, body and head. Both legs were  
Broken and the right humerur was broken.  
On opening the skull no sign of fracture was  
Found and no severe injury to the brain  
Detectable. On opening the thorax it was  
found that several ribs were broken  
And one had pierced the heart that  
organ showed extensive calcareous  
pericarditia. Lungs were normal,  
but the liver showed sclerotic changes  
and the stomach smelt strongly of  
alcohol.  
The cause of death was direct injury  
To the heart, combined with shock.

J.E. Piper MD  
10/9/37

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (typed)

---

VICTORIA, TO WIT

This Deponent Percival Wallis Fuller

On his oath saith, I am a Motorman in the employ of the  
State Electricity Commission of Victoria  
Residing at 27 Swanson Street, Geelong

On the 9<sup>th</sup> September, 1937, I was Motorman on tramcar No.2 when  
It left the terminus at East Geelong at 6.19p.m. on the trip to the city and was traveling  
in Queenscliff Road in a westerly direction. When  
About a quarter of a mile from the terminus, I was casting down hill at  
A speed of about 15 m.p.h. when I noticed, about half a mile ahead, a motor  
Vehicle approaching with two bright headlights showing. The motorist  
Passed a horsedrawn jinker when it was some hundreds of yards away from  
the tram, and in doing so swung on to the centre of the track. I  
sounded the gong violently and applied the air brake, slowing the tram  
down to about 10 m.p.h. The motorist, driving erratically, appeared  
to make an attempt to clear the tram track, but again swung back on to  
the centre of the track when about 100 feet away from the tram. I immediately  
applied full emergency brake and had slowed down to about 3 m.p.h. I  
noticed the motorist was traveling at a fast speed, estimated to be  
from 40-50 m.p.h., and he did not slacken speed at all and came on to  
strike the front of the tram head on. The time was then about 6.22 p.m.  
The visibility was fair, with light rain falling. The tram traveled  
Only about 4-5 feet after the collision, and the front wheels of the tram were derailed  
after impact. The whole of the bonnet up to  
The dash board, except near side front wheel, of the motor car was crushed under the  
front bumper of the tram. I went to the driver's  
Assistance, but found him unconscious, leaning against the door on the driving side. I  
asked Conductor Atkins to call an ambulance, which arrived shortly after, and the  
police were also notified, and took the motorist to hospital.

(hand written)

Mr Fidge / The horse and cart were 30 yards

P.W. Fuller

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (hand written)

---

VICTORIA, TO WIT

This Deponent Percival Wallis Fuller

On his oath saith, I am a Motorman  
Residing at 27 Swanson Street, Geelong

Away from the tram when the  
Accident occurred. I saw the car  
Pass the cart. It passed about  
60 yards from the tram. I made no  
measurements of distances. The motorist  
was traveling very fast  
The usual speed of a tram is  
15-18 miles per hour. I was traveling  
at 15 mph. traveling at 15 mph  
under these conditions I could  
pull the tram up in 20 feet. I did  
not notice a light on Dellers [sic – the horse & cart] vehicle

Mr Dooley /

I have never measured the distance  
it takes to pull up a tram  
which is traveling at 12 to 15 mph  
I have never made a test

P.W. Fuller

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (typed)

---

VICTORIA, TO WIT

This Deponent Keith Martin Atkins

On his oath saith, I am a Conductor in the employ of the  
State Electricity Commission of Victoria  
Residing at 26 Belfast St., Newtown Geelong

On the 9<sup>th</sup> September, 1937, I was Conductor on tramcar No.2, which had left terminus at East Geelong at 6.19p.m. on its trip to the city. When  
About a quarter of a mile from the terminus in Queenscliff Road I heard the motorman ring the gong loudly and felt the emergency brakes being applied. I was  
Standing at the rear entrance to the saloon, and I looked through the front window and saw the headlights of an approaching motor  
Car in the centre of the tram track a short distance away. I  
Then felt the full emergency brake being applied, and the tram slowed down, but the motor car came on to strike the tram head on.  
The impact threw me to the other end of the saloon. I went to the motorist's assistance and asked Mr. Deller to call an ambulance, which arrived shortly afterwards.

Keith M Atkins

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

CORONER'S INQUEST (typed)

---

VICTORIA, TO WIT

This Deponent William Walter Kuhne

On his oath saith, I am a 1st Constable of Police  
Residing at Geelong East

At about 6-30.p.m. on 9/9/37 as a result of information  
Received, I went to the scene of an accident in Ormond Road  
Geelong East at a spot about 300-400 yards west of the East Geelong tram terminus.

I there saw that a motorcar had collided head on with a tramcar. The driver of the car who was the deceased Donald Neil McDonald was seated in the driving seat and was jammed in by the front portion of the car which had been forced back by the impact. The deceased appeared then to be dead.

I had the body conveyed to the Geelong Hospital by Civil Ambulance. Dr McLean made an examination of The deceased and stated that life was extinct.

I then removed the body to the Geelong Hospital Mortuary.

I later stepped the width of the road and various other distances.

The full width of the road from fence to fence was 33 paces. From the fence to the edge of the gravel on the North side of the road was 8 paces, from edge of gravel to bitumen 3 paces, from edge of bitumen to North tram rail 4 paces, 2 paces between tram rails, south tram rail to edge of bitumen 5 paces, from bitumen to edge of gravel (south) 5 paces, from edge of gravel to fence 6 paces.

The collision occurred in wet circumstances  
With light conditions very bad.

The car was completely wrecked and the tram damaged and derailed.

W.W. Kuhne  
1<sup>st</sup> Const 7944

Taken and sworn before me the 6<sup>th</sup> day  
Of October 1937 at Geelong  
J.G.H. Ritchie JP  
Deputy Coroner

PUBLIC RECORDS OFFICE VICTORIA

VPRS 24/P UNIT 1339 FILE 1937/1288

Accessed by Donald's youngest daughter Heather and youngest Granddaughter Janet  
Nov 2005