

Mr James Hilburn

Murchison Advertiser

30 July, 1915

A magisterial inquiry was held before Mr E. A. Muhlhan, J.P., at the Courthouse, Rushworth, on Tuesday afternoon last, touching on the death of James Lewis Hilburn, who died at Bailieston on the previous day, after having been burned some four days previously.

Mary Hilburn deposed that she was the wife of James Lewis Hilburn, and resided between Bailieston and Whroo. Deceased was a woodcutter and was 50 years of age. Deceased died about three o'clock on Monday at his own home.

Deceased was suffering from severe burns on the right side. They extended from under the arm right down on to the hip. They came home from La Deux's wine shop, Bailieston, on Thursday evening, 22nd inst., in company with Paul Glaske and Jack Petersen. They had had some drink and left for home about 9 o'clock, getting home about 10 o'clock. Her husband was slightly under the influence of drink. She left him talking with the man named Paul Oiaske, and she went to bed. Paul Glaske and Petersen came home with me and we brought home some liquor with us. Paul was sober but Peterson was drunk and laid somewhere in the paddock. It was about 11 o'clock when she went to bed. Glaske was with deceased. There was a big fire burning at the time. About two o'clock in the morning she heard her husband singing out to come to his assistance, and she and Glaske ran to him. He said he was in flames and threw himself into some water outside the door. His clothes were burning, and they tore them off. Deceased said he did not know whether he fell into the fire or whether a log rolled out on to him. The fireplace was a large one and deceased had on previous occasions sat on the hob. Glaske worked with her husband and they were on good terms with one another. The whole affair was purely accidental. Deceased had one son. They had not got medical attention for her husband. She could not get a conveyance to bring him in and none of his relations would get the doctor for her. She sent Petersen in and asked him to see the police. She thought this was on Saturday, and when he got back he said the police were coming, but they never came.

Paul Glaske deposed that he was a native of Holland. He knew deceased and was working with him as mates cutting wood. He saw deceased on Thursday. They went to Le Deux's as stated by last witness and came home at night. They were all fair drunk, Mrs Hilburn, deceased and himself sat in front of the fire for about an hour. He (witness) went to bed and about two o'clock deceased rushed to him and said he was on fire. Deceased asked where his wife was, and he (witness) replied that he did not know. Deceased rushed out and threw himself in a pool of water and then pulled the clothes off himself. Deceased said he did not know how it happened. Mrs Hilburn then came on the scene. Deceased was badly burned along the ribs on the right side. He did not go for a doctor because Mrs Hilburn said she was the best nurse. Deceased died about three o'clock on Monday. In the morning deceased said he thought he would die. The whole of them had had drink since deceased got burned.

Jack Petersen deposed that he was a laborer and he was a Dane. He knew deceased and stayed at his house since Wednesday night of last week. The four of them were at the wineshop, as stated, and had a good few drinks. He only went about a mile towards home and slept alongside the road. Next morning, about six o'clock, he saw deceased and his side was all burned. There was no quarrelling between any of them. Deceased was very bad on Monday morning, and was trembling. Deceased had said he did not know how he got burnt.

Dr Heily deposed that he had viewed the body of James Hilburn. He found deceased's shirt to be bloodstained and adhering to the flesh on the right side. He considered the cause of death to have been caused by burns and shock produced by the burning, probably

exaggerated by drink. The burns were very serious and extensive. There were no external marks of violence to indicate foul play, and death probably ensued on heart failure brought about by shock.

Constable Theobald deposed that about 5.30 on the 26th inst. he interviewed deceased's wife at the Imperial hotel, Rushworth. She said her husband had died about three o'clock that afternoon. She remarked that they had been drinking on Thursday last at Le Deux's wine shop, Bailieston. The information she tendered was similar to that given by the previous witnesses. He asked why deceased had been left so long without getting medical attention and she said he would not leave her out of his sight and she could not get anyone or any of his relatives to go into the police or the doctor. About 7 o'clock in the same evening he went out in company with Senior-Constable Woodyatt and Mrs Hilburn, and got the body of deceased and brought in to the police station. The fireplace was about 7ft. 6in. wide. He saw no suspicious circumstances.

A finding was recorded that deceased met his death from burns and shock caused by burns received on the 22nd July.

It is hard to conceive that such callous indifference to a man's physical condition could be found as that which was shown in connection with the deceased man, James Hilburn, who died at Whroo on Monday afternoon last. The evidence given at the inquest showed that the poor fellow was dreadfully burned on the right side (from the shoulder to the hip) on the Thursday night and lingered on until the following Monday afternoon, yet no one undertook to send for a doctor or even acquaint the police. The man must have suffered fearful agony during all that time and no doubt death came as a happy release to him.

Footnote: Rushworth cemetery records include the grave of James Lewis Hilburn.