

From the National Archives :

Information of Witnesses severally taken and acknowledged on behalf of our Sovereign Lady the Queen touching the death of Thomas Webb at the house of George Reynolds known as the Caledonian Hotel in the City of Auckland in the above Colony, on the fifth day of December in the year of our Lord One Thousand eight hundred and fifty five, before Henry John Andrews, gentleman, one of the Coroners of her Majesty the Queen for the said Colony on an inquisition then and there held on view of the body of the said Thomas Webb, then and there lying dead as follows

To wit;

Robert Webb being sworn saith I reside at a place called Amohroa, about thirty miles from Auckland. I am a son of the deceased. On Sunday last, the second of December Instant I was in a boat with my father (the deceased) and three others - I do not exactly know the names of those others. About ten o'clock in the forenoon of this day we were pulling from a place called McLeods Bay to Amaroahroa, the distance was about four miles. It was blowing hard, the sea was rough. We were not under sail, we had no sail up. One of the men in the boat named McCauseland got up to strike another named O'Hara, a scuffle took place between these two men, and the boat went down bow foremost - the boat turned over and we were all thrown out. I tried to save myself by laying hold of the boat. I saw O'Hara go down without a struggle and McCauseland had got under the boat, I never saw him again. I saw my father swimming towards the shore - I saw him reach the shore and saw some people hauling him out of the water. I still held on by the boat, which drifted to the shore within about six yards of the spot reached by my father. I was sensible and saw my father, he was alive. A man named Iassic Marks was assisting him. A younger brother of mine was also present aged about twelve years - a still younger boy was present, no one else. Our own house was the only one near to the deceased - no one else was at hand to offer assistance than those three I have named. I was very weak on reaching the shore. I could do nothing. My father had gone over to McLeods Bay on the Saturday evening before and I had gone over on this Sunday to fetch him. I met him on the road to the beach, in company of O'Hara - he was returning home. O'Hara was drunk when I met him with my father - my father was sober as far as I could see. McCauseland, before he rose in the scuffle in the boat was drunk. The third man in the boat whose name I do not know was sober. There had been no quarrelling previous to this struggle or scuffle. No one joined in the scuffle but O'Hara and McCausland. I believe the boat was capsised as a result of the scuffle.

(Here is recorded Robert Webb's mark)

Richard Mathews being sworn saith - I am a surgeon, I practice in Auckland. I have examined the body of the deceased externally. I found the body and its clothes saturated with water. I have heard the evidence of the last witness and as I can only judge from the appearance of the body I believe the deceased to have met his death

from exhaustion resulting on efforts to save himself from drowning. I observed no suspicious marks of violence on the body.

Signed by Richard Mathews.

William Murphy being sworn saith. I am a labourer. I reside at Otahuhu. On Sunday last about nine or ten in the forenoon I was in a boat with the deceased, his son, a man named McCauseland and one named O'Hara. We were coming from a public house kept by a man named McLeod, at a place called McLeods Bay. It was blowing fresh, the sea was rough. McCauseland kept arguing with O'Hara, whilst in the boat. When we reached the reef opposite Omahroa Bay, McCauseland got up to fight O'Hara and fell over the bows of the boat, the boat half filled with water, McCauseland did not quite fall into the water he merely fell across the bows. I advised him to be quiet and laid hold of him trying to make him sit down. He would not do so, he got up again, and tried to get at O'Hara, and in the scuffle the boat quite filled and went down bows foremost. On the boat going down the deceased advised every man to swim on shore. In my agitation I could not swim to shore, I got to the boat, which had got keel up, and laid hold with McCauseland who might I believe have saved himself, but kept turning over the boat. I kept hold of the boat until she drifted on shore. Whilst holding by the boat I saw deceased swim towards the shore, He reached it to within about three yards when I saw a younger son of the deceased go into the water up to his waist to try and save his father. I also saw a man on the beach, named Iassic Marks, he helped the boy to assist the deceased. In about twenty minutes or about half an hour after this I reached the shore on the boat with Robert Webb, the first witness. Directly I reached the shore I assisted Iassic Marks in trying to save deceased's life. Deceased was alive when I first reached him, he cried for his eldest son. Deceased lived for about ten minutes after I reached him. No other houses but the deceased's was near. No one was there to render assistance. On the boat first turning over, O'Hara was sitting in the stern sheets, I never saw him after. Whilst McCauseland, Robert Webb and I were clinging to the boat, McCauseland turned her over more than once, at least, we all three went down, and on Robert Webb and myself escaping I saw no more of McCauseland. The deceased was sober when in the boat. O'Hara was drunk. McCauseland was also drunk. I believe the boat was upset as a result of the scuffle brought on by McCauseland trying to strike O'Hara. Deceased took no part in this disturbance, he was sitting in the after part of the boat baling her out as we went along.

(Here is recorded William Murphy's mark)

The whole of the above informations were severally acknowledged and sworn to on the day, year and at the place first above mentioned.

Before

Henry John Andrews
(signed)