

orders.  
Why?—We are bound by our flying  
Witness: No.  
The Coroner: Do you take no notice of them whatever?

A13

# "AEROBATICS AT LOW ALTITUDE"

## Witnesses' Allegations at Swansea Inquest

## Denial by Officer in Charge of Machines

## Regulations Governing Pilots Outlined

## Further Evidence to be Heard in Hobart

**A**LLEGATIONS that the Hawker Demon aeroplanes which visited Swansea for a demonstration flight on February 6, performed aerobatics at a very low altitude over the township, were made by residents who gave evidence before the Coroner (Mr. W Hutchins) at the resumed inquest at Swansea yesterday on the bodies of Mrs. Louisa Kate Cotton and Miss Jean Cotton, who were killed when one of the machines, piloted by Pilot Officer E. V. Lansell, failed to rise clear of spectators at the aerodrome.

Mr. J. H. Airey, a schoolmaster, stated that the children scattered when one of the machines dived towards the playground, and it appeared as though it would strike a nearby poplar tree. Another resident said that the vibration set up by a Hawker Demon flying close overhead dislodged an almanac which he had tacked up in his business premises.

Flight-Lieutenant P. G. Heffernan, who was in charge of the flight of Royal Australian Air Force machines on their Tasmanian visit, denied that they had flown low over the township. He was questioned at some length regarding technical matters, and expressed the view that 500ft. would be the minimum safe height for flying level over a township such as Swansea.

The noise attracted his attention, and he went outside. He thought one of the machines would hit a big gum tree near the Commercial Bank premises. It appeared to him that one of the aeroplanes was very little higher than the roof of the school building. He believed that if he had been standing on the top of the blacksmith's shop adjoining his premises with a pole about 10ft. long, he could have touched the machine. Witness considered that the machines were flying too low, and they were a good deal lower than other aeroplanes he had seen flying at Swansea.

To Mr. Cox: He was not prepared to state what was the actual cause of the almanac falling down. He could not state whether the machine was climbing or descending before it reached the gum tree.

To Mr. Wright: It seemed to him that the noise created by the machines was much louder than that of other machines he had seen. They made "an ungodly row." That was one of the factors that caused him to think that the machines were flying very low.

### AFRAID OF BEING STRUCK.

William Henry Lyne, pastoralist, of Swansea, said he was standing about three or four yards from Mrs. Cotton at the time of the mishap. The first machine rose to about 12ft., then dropped to about 3ft. It came towards the spectators at the latter height, and when a short distance from them it rose suddenly. The third machine behaved in a similar manner, but pursued a slightly different course as regards direction. As far as he could see, the machine did not make any attempt to rise. When it got close to the spectators, witness dropped to the ground. He could not give any accurate estimate of the comparative speeds of the three machines. The sound of the engine of Lansell's aeroplane indicated that it was functioning properly.

### AEROBATICS NOT INCLUDED.

Flight-Lieutenant Patrick George Heffernan said he had been seven years in the Royal Australian Air Force, flying several different types of aircraft. He

# SAW MACHINE DIVE

## Schoolmaster's Evidence

### Made Children Scatter

Mr. G. L. Doyle (Pago, Hodgman, Seager, and Doyle), instructed by the Crown Solicitor (Mr. A. E. Banks Smith), appeared for the Police Department. Mr. W. Ellis Cox (Dobson, Mitchell and Allport) appeared for the Commonwealth Government and Flight-Lieutenant Heffernan and Pilot-Officer McLean. Mr. R. C. Wright (Crisp and Wright) appeared for Pilot-Officer Lansell. Group-Captain A. T. Cole was present on behalf of the Air Accidents Investigation Committee.

John Holland Airey, schoolmaster at Swansea, said that on February 6 he watched the three Hawker Demon aeroplanes giving a demonstration flight.

One of the machines dived over the school. It dived directly towards a group of children who were standing in the school grounds. The children scattered, and his own little daughter kept very close to him.

He could not state what height the machine was from the ground. A few minutes later one of the machines dived down near a corner of the school grounds, and as it rose it appeared to witness as though it would strike a poplar tree opposite the motor garage of the Swansea and East Coast Motor Co. The tree would not be more than 100 feet high. The other machines were diving and climbing at intervals.

To Mr. Cox: He thought it undesirable that aeroplanes should come down so close to children.

To Mr. Wright: He was giving the children a lesson in the open, so that they could see the aeroplanes when they arrived.

### WITNESSED DEMONSTRATION.

Josiah Archibald Cotton, pastoralist, of Swansea, said that he was present at the aerodrome when the Hawker Demons were giving a demonstration flight on February 6. He was standing about 40 or 50 yards from the big stump, in the direction of the entrance gate. There were about 80 or 90 persons present. As the machines started

to "warm up" the crowd moved over towards the fence, but was in approximately the same position after the machines moved off as it was immediately before. The first machine appeared to become air-borne after a run of about 250 yards. It rose a few feet, and remained at that height till about 50 yards from the spectators, then rose gradually. The second machine did likewise, but the third machine rose several feet, then appeared to drop slightly, with the undercarriage about two or three feet from the ground. It remained at that height till the accident happened, then rose very sharply. From the sound of the engine he would say that it was functioning perfectly. From an inspection of marks on the ground subsequently he considered that the right wing of the machine passed over the stump. Witness spoke to Flight-Lieut. Heffernan afterwards. He made a gesture expressive of chagrin and said, "To think that such a thing as this should happen." Witness added that he could see the heads of the pilot and observer as the machine approached.

To Mr. Cox: He did not notice where Mrs. and Miss Cotton were standing when Lansell's machine started to take off. The position of the spectators did not materially alter after the first machine took off. When he spoke to Flight-Lieutenant Heffernan they were both too upset to enter into any discussion about possible causes of the mishap.

To Mr. Wright: He would say that the first two machines were about 30ft. up when they passed over the spectators.

### MADE LEAVES RUSTLE.

Hector Joseph Ford, employed at the Bay View Hotel, said one of the Hawker Demon machines passed over the middle of the hotel at a height of about 150ft.

He saw one of the aeroplanes pass so close to an oak tree near the hotel that the air current it created caused the leaves to rustle and make a sound like wind going through the tree.

To Mr. Cox: In his opinion, the lowest any of the machines got when he was watching them was about 150ft.

### ALMANAC DISLODGED.

Christopher William Bush, boot-maker, said his shop was opposite the Swansea State School. He heard the Hawker Demon machines pass over.

The vibration created by the third machine shook the building in which his premises were situated, and an almanac which was tacked up on the window frame was dislodged.

Hawker Demons which visited Swansea and gave a demonstration on February 6. The visit of the machines was arranged following a request from the Glamorgan Council. He reported to the council clerk (Mr. J. D. Tanner) and the Warden (Mr. L. Amos) on arrival.

The Coroner: What was the purpose of the visit?

Witness: To give demonstration flights and let the public know something of the performance of the machines.

Would the demonstration include aerobatics?—It would include formation flying over the town, but not aerobatics.

Witness, continuing, said that the three machines arrived in flight formation at a height of about 1,500ft. He gave the signal to break formation, and dived his machine in front of the Bay View Hotel, along the beach. At no stage was his altitude less than 100ft.

The Coroner: Is that an estimate?

Witness: Not exactly. There is a time log in the altimeter for which one makes allowance.

Why did you dive your machine?—To show the people what the machine would do.

What would you say to the suggestion that one of the machines dived at a group of school children?—One does not do aerobatics over a crowd.

Would you dive a machine over houses?—It is impossible sometimes to do aerobatics without going over houses.

Witness denied that any of the three machines performed aerobatics or dived over the township, so far as he observed.

He said that if the engine had failed it would have been possible to land the machine on the beach or go into the sea. The speed of the machine at the bottom of a dive would be about 200 miles an hour. The closest his machine had been to the group of school children was about 200 yards.

Mr. Cox: What would you say to a statement that the vibration from one of the machines shook a building and dislodged an almanac?

Witness: I would be inclined to treat it very lightly. The machine would have to be very close to the building to cause that. I would be inclined to disbelieve it.

The Coroner: How are you in a position to disbelieve it?

Witness said that all the dives he made were over the sea in front of the hotel.

Mr. Cox: What do you say to the suggestion that the air current on one of the machines caused the leaves of a tree to rustle?

Witness: I have never heard of a slip stream affecting anything on the ground. The machine would have to be very close to the tree, and deflect its slip stream on to the tree.

#### DIVING QUITE SAFE.

Flight-Lieutenant Heffernan said that the high speed of the machine would make diving quite safe.

Referring to the demonstration at the aerodrome in the afternoon, witness said the machines were tested on the ground, and he saw there was no one in front of them before taking off.

The Coroner expressed doubt as to the relevance of some of the questions asked by Mr. Cox, and said: "What I want to know is why this particular machine could not avoid striking the deceased."

The witness said that as he was taking off his machine was bumped into the air by a line of sags. He levelled his machine, and flew parallel to the ground for several seconds. When he elevated his machine it was about 50 or 100 yards from the spectators. When he passed over them his altitude was about 30ft. It would be possible for any pilot to see spectators on the ground by looking over the left-hand side of the machine. He had no difficulty in passing over the crowd. He noticed that Lansell's machine did not become air-borne as quickly as his had done.

In answer to further questions, witness stated that he disputed the statement that the crowd did not alter its position materially after his machine took off. He did not make any representations about moving the crowd, as to his mind they were quite safe where they were standing. He could offer no explanation as to the marks found on the ground near the stump. It was possible that the oil was splashed from the undercarriage of the machine.

#### GOVERNMENT'S DESIRE.

Mr. Cox said that, so far as the Commonwealth Government was concerned, it wished to place everything possible at the Coroner's disposal. If any good purpose could be served by arranging a further demonstration of the Hawker Demon machine, it would be done.

Questioned by Mr. Cox with regard to technical details, Flight-Lieutenant Heffernan said the Hawker Demon was sluggish compared with other machines of the type. That was due to its weight, small wing area, and the fact that the engine did not develop its full horse-power at ground level, but was designed to give its best performance at altitudes over 10,000ft. The torque of the engine created a noticeable swing to the left when taking off. When on the ground there was no forward view. As soon as the machine became air-borne, an adjustment had to be made to allow the machine to be flown level. An Air Force instruction was that once the machine became air-borne it had to be held level until full flying speed was attained.

Flight-Lieutenant Heffernan said

Was there anything that appealed to you as dangerous before you took off?—No.

Witness stated that Hawker Demon machines had been in use in Australia since last August. He had been flying them since the beginning of the present year, and had had about 12 hours of flying in the machines prior to coming to Tasmania. Pilot-Officer Lansell had had about the same amount of experience or a little more.

The Coroner: Would you be acting against orders in flying low or diving over a town?

Witness: In these circumstances it would not be. Our orders state that a machine must not be flown over a populated area unless at such a height that it can glide to a point outside the area.

Flight-Lieutenant Heffernan said he would regard 500ft. as the minimum safe height when flying level over a township like Swansea. The engines and controls of all the machines were in perfect order so far as he knew.

The Coroner: You came here to give a demonstration?

Witness: Yes.

Why did you not demonstrate over the aerodrome instead of over the township?—There was nobody at the aerodrome in the morning. They did not start to come out until the afternoon.

Is not the aerodrome the proper place to perform aerobatics?—Our regulations state aerobatics must not be performed over an aerodrome unless at a height of at least 6,000ft., and a distance of three miles from the aerodrome. That would be useless from the viewpoint of a demonstration.

Witnesses state that you were doing aerobatics over the town?—They may have meant that some of the dives were started from a point a little inland.

Suppose somebody were ill or nervy?—That would be unfortunate, but we were asked to come here and give a demonstration, and we did.

Because you were invited to give a demonstration, you consider you were entitled to dive and zoom over the township at a low altitude?—No. It would not be done at a low altitude.

The schoolmaster has told us that the children scattered when the machine dived towards them?—The last time we were at Swansea the children ran for cover when we were 1,000ft. up. (Laughter.)

If the schoolmaster told the truth it was contrary to your instructions?—I suppose so.

Can you offer any explanation as to why these unfortunate fatalities occurred?—Nothing at all, unless it was combination of those circumstances a possibilities that I have mentioned.

The Coroner pointed out that there was little possibility of concluding evidence that day, and adjourned inquest until 2 p.m. on March 4 Hobart.

TAI PAPER 25.2.36

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Flight-Lieutenant Heffernan said that the runway at the Swansea aerodrome was considerably smaller than that used at Air Force landing grounds. He regarded it as unsafe for machines like the Hawker Demons.

The Coroner: Then why did you come here?

Witness: We were ordered here by headquarters.

The Coroner: The department had measurements of the aerodrome and, knowing the length of the runway, sent the machine to Swansea to give a demonstration?

Witness: I did not actually say that the aerodrome was unsafe, but I would not like to be operating on it continually owing to its rough surface.

The Coroner referred to an instruction issued to pilots by the Civil Avia-

tion Department in 1933 relating to accidents on aerodromes due to insufficient care being taken to avoid collisions with other aircraft, motor vehicles, or pedestrians. He asked Flight-Lieutenant Heffernan whether the instruction applied to Air Force pilots.

The witness stated that such instructions were passed on to Air Force pilots for reference purposes only.

**"BOUND BY FLYING ORDERS."**

The Coroner: Do you take no cognisance or notice of them whatever?

Witness: No.

Why?—We are bound by our flying orders.

The schoolmaster has told us that the children scattered when the machine dived towards them?—The last time we were at Swansea the children ran for cover when we were 1,000ft. up. (Laughter.)

If the schoolmaster told the truth it was contrary to your instructions?—suppose so.

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# SWANSEA TRAGEDY CAUSE STILL UNKNOWN

## ALLEGATIONS OF AEROBATICS OVER TOWN DENIED

Little light was thrown on the circumstances which caused the Hawker Demon aeroplane in charge of Pilot Officer E. V. Lansell to fly among the crowd on the Swansea aerodrome on February 6 and bring about the deaths of Mrs. Kate Louisa Cotton and her daughter June, when the inquest was resumed at Swansea yesterday.

Allegations of diving tactics over the township and low flying on the morning of the tragedy were made by several local residents. It was stated that one of three visiting R.A.A.F. Demons caused the children in the state school yard to scatter. A bootmaker said that his shop vibrated because of the nearness of a plane, and another man declared that the leaves of a tree were stirred by the draught created by a propeller.

Flight-Lieut. P. G. Heffernan, who was in charge of the machines, denied the allegations, and said that diving manoeuvres took place only over the sea.

The enquiry was adjourned to Hobart on March 4.

The Hobart City Coroner (Mr. W. Hutchins) presided. Mr. Leo Doyle, instructed by the Solicitor-General's department, conducted proceedings on behalf of the police. Mr. R. C. Wright appeared for Pilot-Officer E. V. Lansell, and Mr. W. Ellis Cox represented the Commonwealth Government. Flight-Lieutenant Heffernan, and Pilot Officer D. McLean, who were associated with the flight. Group-Captain Adrian Cole was present on behalf of the Air Accidents' Investigation Committee.

### Schoolmaster's Evidence

John Holland Airey, schoolmaster, of Swansea, said that three 'planes approached Swansea about 10.45 a.m. on February 6. They began a demonstration of diving over various parts of the town, and one in particular dived very close to the school. "It went very close to the children who were playing in the schoolground," he said. "They scattered, and my own little girl kept very close to me. Two or three minutes later one of them dived down again, and in rising it appeared as though it would strike the poplar tree opposite the Swansea garage."

Answering Mr. Cox, witness said he understood that the 'planes had visited Swansea for demonstration purposes. The school stood back from the beach, on a rise. He would not agree with the statement that the 'planes when diving could have turned out to sea at any moment. While he experienced no feeling of alarm, he thought it was undesirable that the machines should have approached so close to the children. He could not give an estimate as to how far the 'plane was away from the poplar tree when it commenced to rise.

Witness informed Mr. Wright that he was giving an open-air lesson to enable the children to see the 'planes.

### Made Mark on Stump

Josiah Archibald Cotton, pastoralist, of "The Grange," said he was a spectator at the Swansea aerodrome on the afternoon of February 6. He was at the south-eastern corner, about 50

feet from the ground, it appeared to me to come down slightly and remain there. The undercarriage was about two or three feet from the ground, in which position it remained until the accident happened. Then it rose very sharply."

Witness continued that the pilots could have observed where the people were congregated before the machines left. He was of the opinion, as a result of consequent inspection, that the right wing of the first machine passed over a stump at the back of the spectators. He had observed a mark about five feet long approximately seven yards in front of the stump resembling a rub, which possibly was caused by the skid wheel of the 'plane. "My observation showed me that as the machine's head went up its tail went down after the accident, as demonstrated by the mark on the ground," he said.

Hector Joseph Ford, employed at the Bay View Hotel, said he was standing in the background of the hotel on the morning on which the 'planes arrived. He observed them break the formation and go in different directions. One machine flew over the hotel about 150 feet high, and a little further on the current of air from its propeller moved the leaves of a nearby tree as though the wind was blowing. As far as he could judge at the time, the lowest point reached by any of the 'planes was 150 feet.

### "Shook the Building"

Christopher William Bush, bootmaker, said his shop was opposite the school. He heard the three 'planes on their arrival at Swansea. The vibration of one of the machines shook the building and an almanac tacked over his window fell down. Witness went out to look, and thought one of the machines would hit a gum tree because it was flying so low. One of the machines appeared not to be much higher than the school itself. "The 'planes seemed to fly considerably lower than any that had previously demonstrated at Swansea," he said.

Questioned by Mr. Cox, witness said he did not know what caused the vibration. His shop was constructed of weatherboards. The almanac was attached to the wall by three or four tacks, which were blown off by the

"It kept on going about three feet from the ground," he said, "and as far as I could see, it did not make any attempt to rise. It came right among us. I got down on the ground, and when I rose the machine had cleared away." He said he could detect no uneven note in the engine.

Answering the Coroner, witness declared that had not the people thrown themselves to the ground on the approach of the third 'plane, he thought more would have been killed or injured.

### Not to do Aerobatics

Patrick George Heffernan, flight-lieutenant in the Royal Australian Air Force, said that he had been in the service for seven years and one month. He had been in charge of the flight of Hawker Demons which visited Tasmania at the beginning of the month. Three 'planes made the trip, there being a pilot and a mechanic in each. The demonstration at Swansea had been arranged at the request of the Swansea Council.

The Coroner—What was the purpose of the visit?

Witness—To give demonstrations and let the people see what the performances of the machines were like.

The Coroner—Did that include diving such as was mentioned this morning?

Witness—No; formation flying, but not aerobatics.

The witness said that having reached Swansea, he gave the signal to break the formation which was carried out normally. He turned and dived down near the hotel along the beach. His machine did not get lower than 100 feet.

The Coroner—Why did you dive?

Witness—To show the people what the machine would do.

The Coroner—I understood you to say that aerobatics were not included in the demonstration?

Witness—Not over the town.

Mr. Cox—What is expected of you before you do aerobatics?

Witness—We do not do them over a crowd.

The Coroner—What about houses?

Witness—It is impossible to do them without going over houses at times.

Witness said that he wished to deny that any of the machines dived over the town. So far as he knew, the diving took place over the water. He could speak positively as to his own machine.

Mr. Cox—What would have been the position had your engine failed?

Witness—In every case we could have landed on the beach or gone into the water.

Continuing, the flight lieutenant said that he did not approach within 200 yards of the school. He would treat very lightly the allegation that the bootmaker's shop had vibrated because of the closeness of a 'plane.

The Coroner—Why? Do you think it is a fabrication?

Witness—I would be inclined to disbelieve it. A machine would have to go very close to me before I could feel it. I do not think that a machine could go very close to that shop because of some trees in the vicinity.

Concerning the tree near the hotel, witness said that a 'plane would almost have to touch it to move its leaves. A pilot would place himself in danger by going close to it.

The Coroner—Am I to draw the conclusion that the witness who gave this evidence was drawing upon his imagination?

The witness—From my experience, yes.

Witness informed Mr. Cox that, assuming that the machines had been diving over the town, the inhabitants would have been quite safe because of the speed.

### Witness Took Off First

Referring to the incidents of the afternoon, witness said that after issuing his instructions he took off

Little light was thrown on the circumstances which caused the Hawker Demon aeroplane in charge of Pilot Officer E. V. Lansell to fly among the crowd on the Swansea aerodrome on February 6 and bring about the deaths of Mrs. Kate Louisa Cotton and her daughter June, when the inquest was resumed at Swansea yesterday.

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became air-borne it appeared to me to come down slightly and remain there. The undercarriage was about two or three feet from the ground, in which position it remained until the accident happened. Then it rose very sharply."

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William Henry Lyne, pastoralist, of Redcliff, said he was standing within three or four yards of the deceased at the time of the accident. The first 'plane went a little to witness' left and rose steeply after it was close to the people. The second machine cleared the spectators at a greater height than the first one. The third followed a slightly different track, more to witness' right, but it appeared to get up about the same spot as the others.

Witness said that he had been in the service for seven years and one month. He had been in charge of the flight of Hawker Demons which visited Tasmania at the beginning of the month. Three 'planes made the trip, there being a pilot and a mechanic in each. The demonstration at Swansea had been arranged at the request of the Swansea Council.

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Witness informed Mr. Cox that, assuming that the machines had been diving over the town, the inhabitants would have been quite safe because of the speed.

#### Witness Took Off First

Referring to the incidents of the afternoon, witness said that after issuing his instructions he took off first, rising about in line with the row of flags on the aerodrome. He went into the air roughly between 50 and 100 yards from the crowd of people. Easing the nose upwards and passing over the fringe of the crowd and the motor cars between 25 and 50 feet up he was able to look over the side and see the people, as he was used to flying that way. "I only noticed that Lansell did not appear to leave the ground as soon as I did," he said.

He seemed to get very close to the crowd, although I did not know that anything had happened."

Witness said he landed when he observed that Lansell had damaged his undercarriage. He considered that the people were quite safe according to his line of take-off. He had taken off in similar circumstances elsewhere. Sometimes spectators encircled the aerodrome. "As to the mark in front of the stump," said witness, "I am unable to give an explanation, but the rubber tail wheel of the machine would not have made such an impression. Had there been a bump on the tyre Lansell's passenger would have felt it."

At this stage Mr. Cox stated that the Commonwealth wished to bring forward anything possible that would assist the court to arrive at a conclusion, and anything raised on behalf of the Commonwealth was not done in any spirit of partisanship. The Commonwealth felt itself bound to a public duty, just as did Mr. Doyle, and if any good purpose could be served by arranging a demonstration with the machines it would be done.

Mr. Cox then proceeded to obtain technical details from Flight-Lieut. Heffernan, who said that the Hawker Demon machine was definitely sluggish as compared with other planes of its own weight. It had a small wing area, and the engine did not develop its full horsepower on ground level. There was no forward view when the machine was resting, but in flight there was a fairly good one.

#### Own Flying Orders

Witness mentioned the effect of one plane flying into another's slipstream, which, he said, could cause a machine to become temporarily unstable. He mentioned the possibility of interaction involving the tail wheel, throttle trouble when opening up, and other contingencies which could be encountered when taking off that could cause unexpected trouble.

Witness said that instructions issued by the Civil Aviation Department were sent to the Air Force for reference purposes, but pilots were not bound by them.

The Coroner—What about those issued for the purposes of safety? Do you take notice of them?

Witness—No. We are bound by our own flying orders. We realise we have a duty in the interests of public safety. On this afternoon there was nothing that appeared to us as dangerous to the public safety.

Cross-examined by Mr. Doyle, witness said that prior to coming to Tasmania he had had some 10 to 12 hours' flying experience in the Hawker Demons. Lansell would have had about the same, and McLean about 60 hours.

In answer to the Coroner, witness said that the demonstration was not given at the aerodrome. The people did not arrive there until the planes were almost timed to depart. In any case pilots were not allowed to do aerobatics within three miles of an aerodrome or less than 6000 feet above the ground, which was practically useless.

The Coroner—Then you gave the demonstration over the township?

Witness—No; over the water.

The Coroner—There is evidence that you were over the town?

Witness—The witnesses might have meant that we started the actual dive slightly inland.

The Coroner—The schoolmaster says that the children scattered.

Witness—The last time we visited Swansea the children took to cover when we were up 1000 feet.

If you were doing aerobatics over the town, I take it it would be contrary to orders?

Witness—Yes.

The Coroner—Can you give any explanation as to why the fatality occurred?

Witness—None at all, unless it was a combination of technical circumstances I have mentioned.

At this stage the enquiry was adjourned to Hobart until March 4.

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# PILOT ON MANSLAUGHTER CHARGE

## Inquiry Into Swansea Tragedy Concludes

### Coroner Thinks Miscalculation Was Made

#### Low Flying Earlier in the Day Condemned

##### "A Flagrant Breach of the Regulations"

**PILOT OFFICER E. V. LANSELL**, who was in charge of a Royal Australian Air Force machine, which failed to rise, and killed Mrs. Louisa Kate Cotton and Miss Jean Cotton at the Swansea aerodrome on February 6, was committed for trial on a charge of manslaughter by the Coroner (Mr. W. Hutchins), when the inquest, which extended over four days, concluded at Hobart last night. "I think the pilot was guilty of a miscalculation of the height he was above the ground," said the Coroner in giving his finding.

The Coroner condemned low flying by Air Force machines some hours before the tragedy occurred, and said it was "a flagrant breach of the regulations." Lansell and a fellow-pilot denied that there was any question of providing the crowd with a thrill. Lansell said there were a number of factors contributing to the accident, but he could not give a definite reason for it.

### MACHINES FLEW LOW

#### Short Distance Over Trees

#### Council Clerk's Statement

Mr. G. L. Doyle (Page, Hodgman, Seager & Doyle), instructed by the Crown Law Department, appeared on behalf of the Police. Mr. R. C. Wright (Crisp & Wright) represented Pilot-Officer E. V. Lansell, and Mr. W. Ellis Cox (Dobson, Mitchell & Allport) was present on behalf of the Commonwealth Government, Flight-Lieut. P. G. Heffernan and Pilot-Officer D. McLean, who were associated in the flight. Group Captain A. Cole, a member of the Air Accidents Investigation Committee, also attended.

James Dixon Tanner, council clerk at Swansea, recalled, said two of the machines, on arrival at Swansea, flew low over the township and harbour. One aeroplane flew a short distance above oak trees, on the side of the main road. The trees were 30ft. or 40ft. high.

Witness told the Coroner that the aeroplanes visited Swansea at the invitation of the Glamorgan Council.

Constable D. R. Bryce, recalled, said he saw soil gathered from a mark on the Swansea aerodrome, between the place the deceased were supposed to have been standing at the time of the accident and the stump at the end of the field.

Evelyn Ward, Government analyst, said he had examined soil given him by the Police Department, and found in it no blood, or other substance of human origin, except one light brown hair. No rubber or mineral oil, or other substance indicating contact with a machine of any kind, was detected.

#### DEMONSTRATING MACHINE.

Donald McLean, a pilot officer of the Royal Australian Air Force, said he was a member of the flight which visited Swansea. The machines approached the township at a height of 1,200 to 1,500ft. Witness' first dive was from near the sea, on the south-east side of the township.

The Coroner: What did you do that

The Coroner: Did any authority of the town ask you to demonstrate in that, or any other, manner?

Witness: Flight-Lieutenant Heffernan was in charge, and I took my instructions from him.

What instructions did you get?—To proceed to Swansea and do two or three dives round the township.

Mr. Cox: How many dives did you do? Witness: Three. The second and third were along the water's edge.

Witness said, in answer to Mr. Cox, that the lowest height from which it would be safe to land, at normal cruising speed, was about 200 to 250 feet. That would be safe for anyone on the ground.

The Coroner: What about yourself? Witness: Possibly there would be a risk.

Mr. Cox: What was the closest you were at any time to a building? Witness: I was not nearer than 350 feet.

Witness added that he was not at any time closer to the ground than 200 feet.

#### NOSE HELD DOWN.

Describing the take-off when leaving Swansea, witness said he could not see all the crowd at the aerodrome, as the nose of the machine created a blind spot. His machine, as it rose, bumped into the air.

Pilots were taught, that as soon as a machine became air-borne, to hold its nose down to enable it to gain speed, and thus to climb safely.

Witness said he kept the nose of his machine down three or four seconds. That would take the machine about 90 yards from the line of sags on the aerodrome, towards the place where the accident occurred, which was said to be 250 yards from the sags. Witness' machine passed to the left of the crowd at a height of about 40ft. Hawker Demon machines showed a tendency to veer to the left at low speed, and were a little sluggish at low levels. Witness, that day, could not have cleared the crowd at a height of more than 40ft.

The Coroner: Then why did you not move the crowd?

Witness: I did not consider they were in any danger.

The Coroner: What, with a margin of 40 feet, with all those things which might be wrong?

The Coroner asked witness if he was aware an article had appeared in the press regarding low flying over Launceston, since the inquest had been opened, by Air Force machines.

Witness: No.

The Coroner: Did you fly low over Launceston?—No.

The Coroner: There seems quite a body of opinion in Launceston that you did; I think the article mentioned them all.

#### REGULATION DISREGARDED.

Referring to the regulation about flying over towns, the coroner asked witness: "Has it been your practice to disregard this regulation, or do you consider yourself above the law?"

Witness: It has been done before.

Mr. Doyle: Did they not advise you of these regulations? Is no reference made to them before you go on one of these flights?

Witness: The leader usually sets the example.

But are there no special instructions?—It is understood.

Mr. Doyle: But it does not appear to be understood.

The Coroner: Can you throw any light at all on the reason why the aeroplane piloted by Lansell caused the fatalities into which we are inquiring?

Witness: I cannot say; I did not see it.

Do you suggest any of the aeroplanes were overloaded, or have reason to think they were?—No.

Witness said the Swansea aerodrome was safe within limits, but if it were used extensively he thought it would cause some damage. He considered it fit for the purpose for which the Air Force machines used it.

#### "THE WAY IT WAS FLOWN."

Sergeant Richard James Tonks, a fitter in the Air Force, said he was the observer in Lansell's aeroplane at the time of the accident. The take-off appeared a normal one, and the machine began to ascend just before the impact caused by the accident.

Witness told Mr. Doyle the aeroplane was in good condition, and was not overloaded. He could throw no light on the fatality.

The Coroner: Can you give any reason why your machine could or did not rise as high as its predecessors?

Witness: I should say it was the way the machine was flown.

Witness added that the engine had nothing to do with the accident; it was functioning normally.

The Coroner: Is it not unusual for an aeroplane not to rise more than three feet in 200 yards after becoming air-borne?

Witness: I have seen it before.

Yes, but on a large aerodrome, when there are no people about. That is when you have seen it happen, is it not?—Yes, I had not seen these machines flown on a small aerodrome before.

Eric Vane Lansell said he had been in the Air Force one year and seven or eight months, and before joining the force was entitled to a civil aviation licence. His total flying hours in the service amounted to about 250 hours, and in civil life to about 50 hours. After surveying Swansea from a height of 1,500 to 2,000ft. he made three dives, under Flight-Lieut. Heffernan's instructions. The first two were towards the shore end of the jetty. The nearest he was to the ground, at the bottom of the dives, was about 150ft. The third dive was over the end of a pier. He flew over buildings at a height of not lower than 300ft. After lunch at Swansea he was introduced to Miss Cotton, and the remark was made that after the arrival of the machines she climbed into the cockpit of witness' aeroplane. Afterwards she got into the cockpit again, and stayed there 10 or 15 minutes, while witness pointed out the various instruments and their purpose. That was the extent of his acquaintance with Miss Cotton, and shortly afterwards he received orders to leave. His course as he took off was a little to the left of that taken by the other pilots.

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The Coroner: What did you do that for?

Witness: To demonstrate the capabilities of the machine.

Are there not safer places to do that than over the township?—I considered it was not dangerous.

Mr. Cox: Why do you say that?

Witness: The dive was directed towards the water, and if anything happened I had sufficient speed to attempt a forced landing.

The Coroner: Did any authority of the town ask you to demonstrate in that, or any other, manner?

Witness: Flight-Lieutenant Heffernan was in charge, and I took my instructions from him.

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The Coroner: Then why did you not move the crowd?

Witness: I did not consider they were in any danger.

The Coroner: What, with a margin of 40 feet, with all those things which might go wrong?

The Coroner: Was there any question of keeping your aeroplanes low, with a view to giving the people a thrill?

Witness: No.

Mr. Doyle: Under your regulations you must not fly at a lesser height than 1,500 feet over any town?

Witness: They are civil regulations.

Mr. Doyle: No, yours.

Witness said if his machine had had mechanical trouble he could have made a forced landing.

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But are there no special instructions?—It is understood.

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#### THOUGHT PEOPLE SAFE.

"I considered the people were placed in a safe position," witness continued. "I became air-borne a little past the line of sags. I became air-borne before I actually acquired air-speed, because of a bump on the ground. I thought my runway was a little longer than usual. After becoming air-borne, and after the machine dropped a little, I lowered the nose to pick up air speed. I held the machine straight, to gain air

speed as soon as possible, for maximum safety. We are taught to do that. It is the general practice of service pilots."

Witness said his direct front view, on the ground, was obscured by the engine. It was a pilot's duty, before he took off, to see what was ahead of him. His view was obtained by looking out the side. He thought he was three or four feet from the ground when flying "level."

"I attempted to climb a fraction before the impact," witness continued. "At that point I should have liked a little more flying speed to enable me to climb. There seemed a fraction of time before the machine began to climb, after I eased the control column back. It was only a fraction of time before I felt the impact."

#### MIND FULLY OCCUPIED.

Witness said his mind was very fully occupied from the time the machine became air-borne to the moment of impact. His mind registered the sight of a few people in that time. One figure in particular was waving its arms.

"I attempted to climb the machine in order to avoid the people," witness explained, and added it was not possible for him, after becoming air-borne, to stop the machine without danger to the people. It would have been very dangerous to deflect the machine to right or left.

Mr. Wright: Was there any thought in your mind of giving the people a thrill, or performing any stunts before them?

Witness: No.

Witness informed Mr. Doyle he had flown about 10 hours in Hawker Demon machines before coming to Tasmania.

Mr. Doyle: You did not mention in your statement to the police the fact that the aeroplane was "bumped" off?

Witness: No.

I take it you did not attempt to lift the aeroplane till you were fairly close to the people?—Yes.

Was the matter of the nearness of the people weighing with you at all, or were you disregarding them?—I certainly was not disregarding them.

Witness expressed the opinion that the machine had begun to lift before the impact occurred.

In reply to Mr. Doyle, witness said he had not had a similar experience with a machine before. He believed the figure he saw with waving arms was that of Miss Cotton, though he had not been led to look out for a wave.

The Coroner: What is the explanation of the occurrence? We have not had it yet, you know.

Witness: I can only say I was waiting for the aeroplane to gain forward speed for the maximum of safety.

#### HEIGHT JUDGED BY SOUND?

Referring to the effect of the machines on the people of Swansea, witness pointed out they had not seen Hawker-Demons before, and he was of opinion they judged the height of the aeroplanes from sound, and not from observation.

The Coroner: And to what exactly do you ascribe this unfortunate accident?

Witness: There were a number of factors contributing.

Have you any idea what they were?—There is the inefficiency of the aeroplanes . . .

The Coroner: But all three machines were the same.

Witness: I cannot give a definite reason.

Frederick George Huxley, recalled, was asked by Mr. Doyle if he could give any reason why Lansell's machine should be "held down" when taking off longer than the other machines.

Witness: The machine was definitely held down, for what reason I do not know.

The Coroner: Having heard the evidence of the pilots, can you say why it did not rise?

Witness: No.

In reply to the coroner, witness said if Lansell's machine were "bumped" into the air the fact would not affect

its ability to rise before the crowd was reached. "I cannot explain why Lansell's machine could not gain enough height to clear the people in front of it," witness added.

Mr. Doyle, addressing the coroner, submitted the finding should be that the

persons, they were themselves in the greatest danger, and were bound to remember that fact.

Mr. Wright said Lansell's aerobatics at Swansea were performed directly in pursuance of instructions. The manner in which he "held down" his machine was approved by Captain Huxley and the other pilots. He submitted no prima facie case of culpable negligence had been established against Lansell. He doubted if there were a case of civil, much less criminal, negligence.

#### CORONER'S FINDING.

The Coroner, in giving his finding, said each pilot had admitted having in the morning dived within 200 feet of the ground, which was contrary to the regulations. In fact, it was a flagrant breach of the regulations, and apparently an entire disregard of the rules of conduct, which were framed for the safety of the people. Of that he could express himself only in terms of condemnation. He pointed out, however, that he must not allow the events of the morning to influence his decision concerning the happenings of the afternoon. He had continually asked why Lansell's aeroplane did not rise more than three feet in 200 yards, after becoming air-borne. The crowd on the aerodrome was in plain sight of each pilot. It had been stated that the machines were sluggish on leaving the ground, but he had not been told that the people were informed of that fact. Apparently it was guarded as a secret by the three pilots, and nothing was said about any risk which might be run. If Lansell's machine was "held down" he was not satisfied that it was necessary for the pilot to have done so. He must, or should have, known where the people were, and it would have been perfectly easy for him to have taken the same course as his predecessors.

"I think the pilot was guilty of a miscalculation of the height he was above the ground" said the coroner. "He had a duty cast on him which he did not fulfil, and I find that the deaths of Mrs. Louisa Kate Cotton and Jean Cotton were caused by their being struck by an aeroplane of which Lansell was pilot, and that the reason the aeroplane struck them was that he negligently piloted it. I consider his negligence was culpable, and it is my painful duty to commit him for trial."

Lansell, who was committed to stand his trial on a charge of manslaughter at the sittings of the Criminal Court at Hobart on April 21 was granted bail in a recognisance and a surety, each of £25.

became air-borne to the moment of impact. His mind registered the sight of a few people in that time. One figure in particular was waving its arms.

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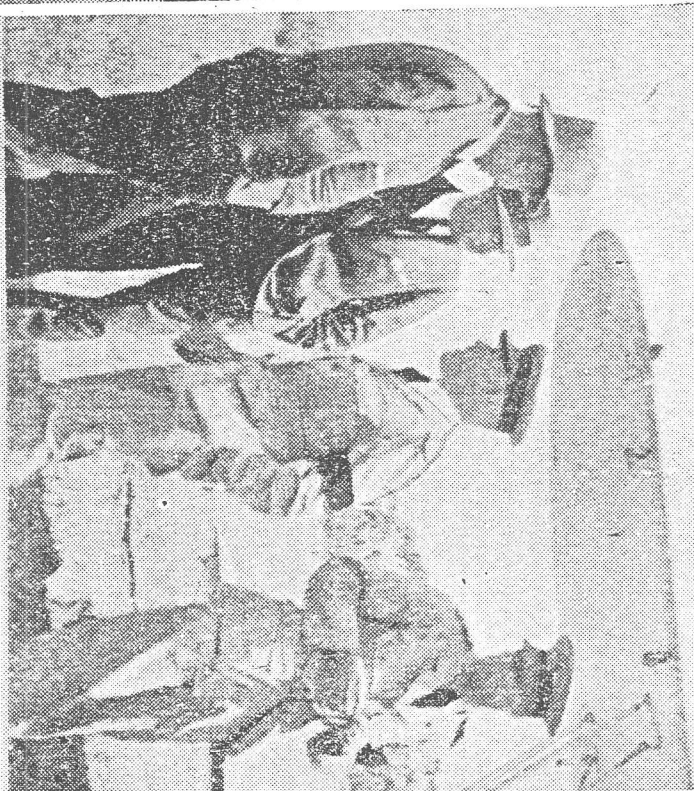
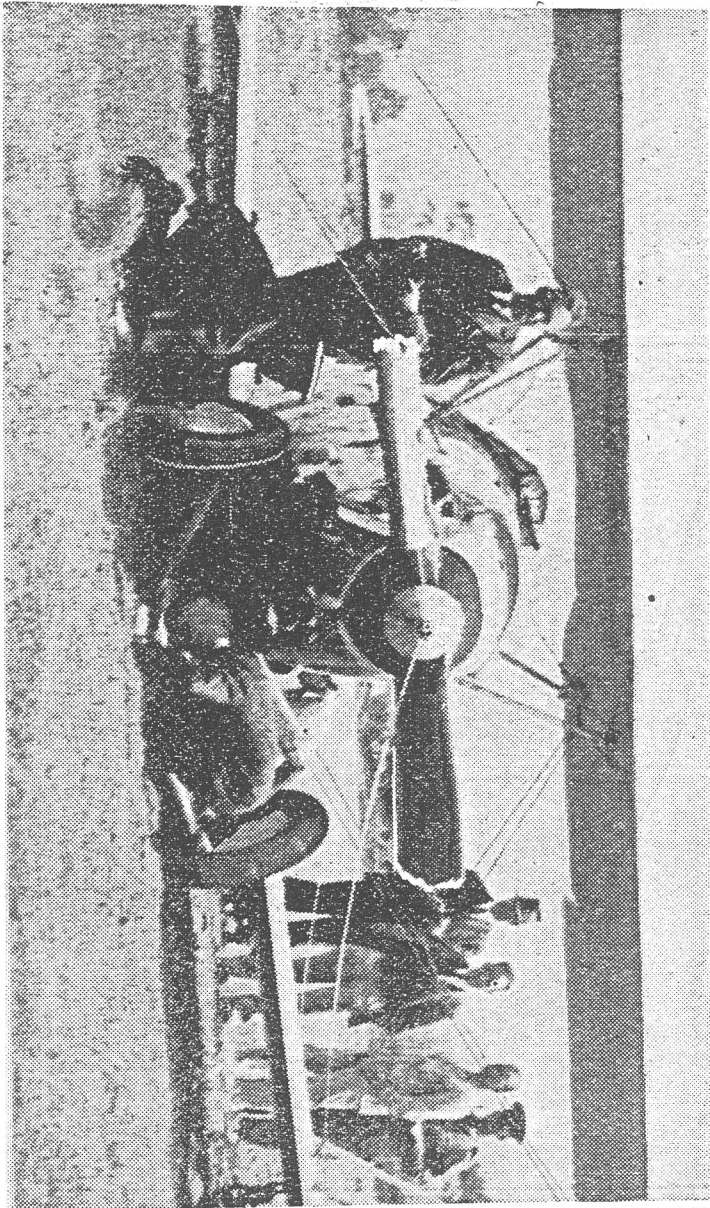
Mr. Doyle, addressing the coroner, submitted the finding should be that the deceased met their deaths owing to the culpable negligence of Lansell. He contended demonstrations were given at Swansea in the morning and afternoon without a due regard to the safety of the persons who witnessed them.

Mr. Cox asked why Lansell or the other pilots should anticipate danger which no one else, including Captain Huxley, an experienced airman, had anticipated. He reminded the coroner that if the pilots chose to do anything reckless, as had been alleged by some

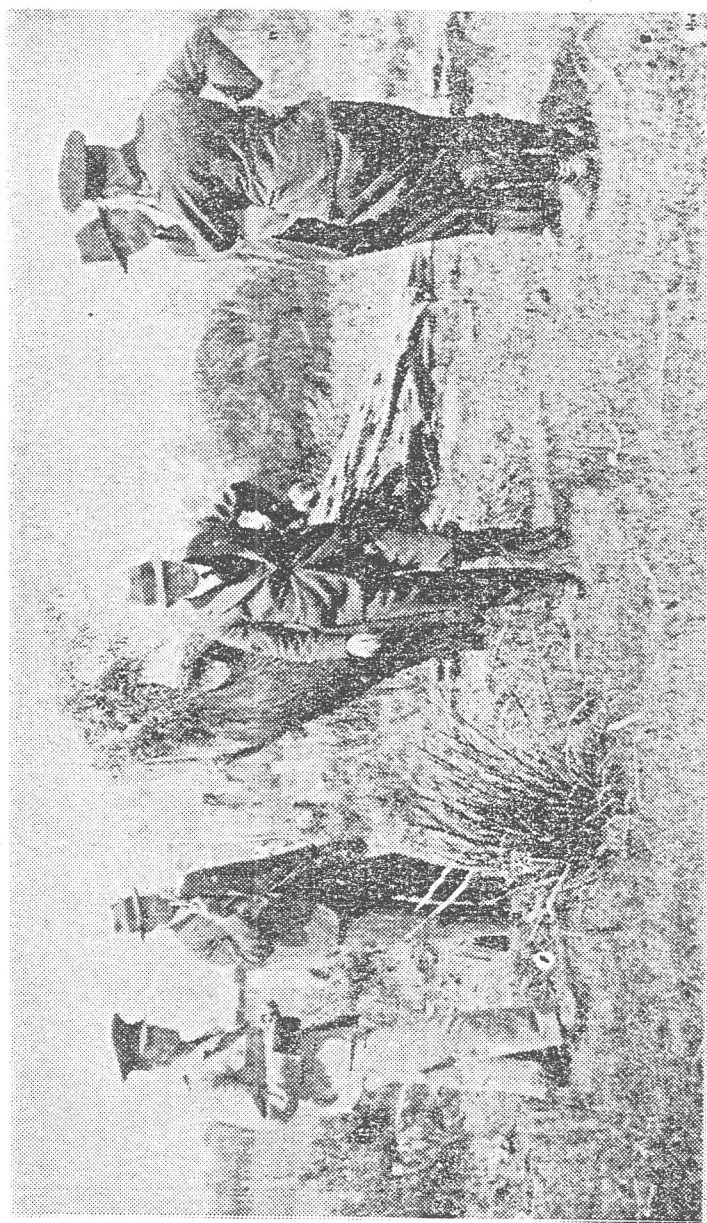
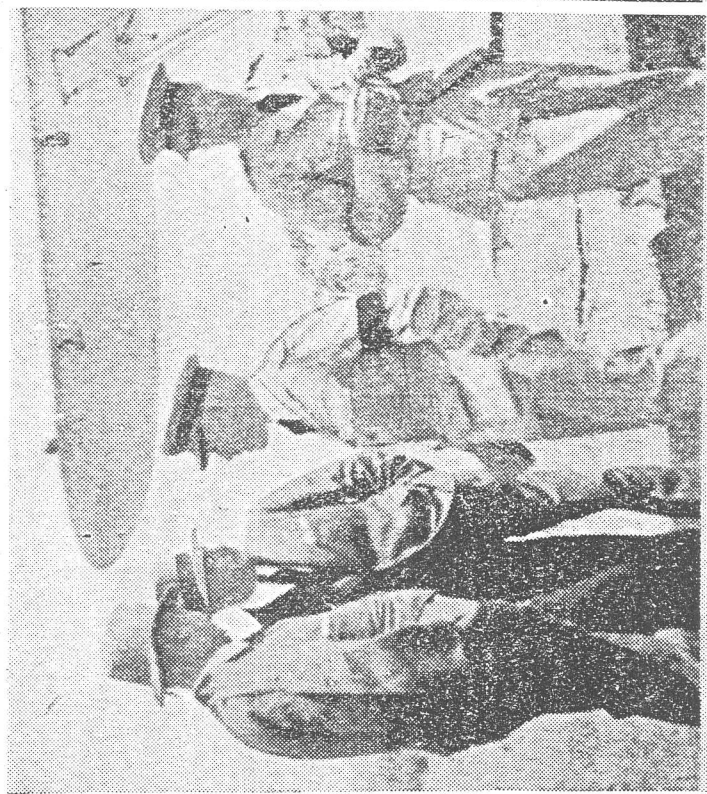
that he must not allow the events of the morning to influence his decision concerning the happenings of the afternoon. He had continually asked why Lansell's aeroplane did not rise more than three feet in 200 yards, after becoming air-borne. The crowd on the aerodrome was in plain sight of each pilot. It had been stated that the machines were sluggish on leaving the ground, but he had not been told that the people were informed of that fact. Apparently it was guarded as a secret by the three pilots, and nothing was said about any risk which might be run. If Lansell's machine was "held down" he was not satisfied that it was necessary for the pilot to have done so. He must, or should have, known where the people were, and it would have been perfectly easy for him to have taken the same course as his predecessors.

"I think the pilot was guilty of a miscalculation of the height he was above the ground" said the coroner. "He had a duty cast on him which he did not fulfil, and I find that the deaths of Mrs. Louisa Kate Cotton and Jean Cotton were caused by their being struck by an aeroplane of which Lansell was pilot, and that the reason the aeroplane struck them was that he negligently piloted it. I consider his negligence was culpable, and it is my painful duty to commit him for trial."

Lansell, who was committed to stand his trial on a charge of manslaughter at the sittings of the Criminal Court at Hobart on April 21 was granted bail in a recognisance and a surety, each of £25.

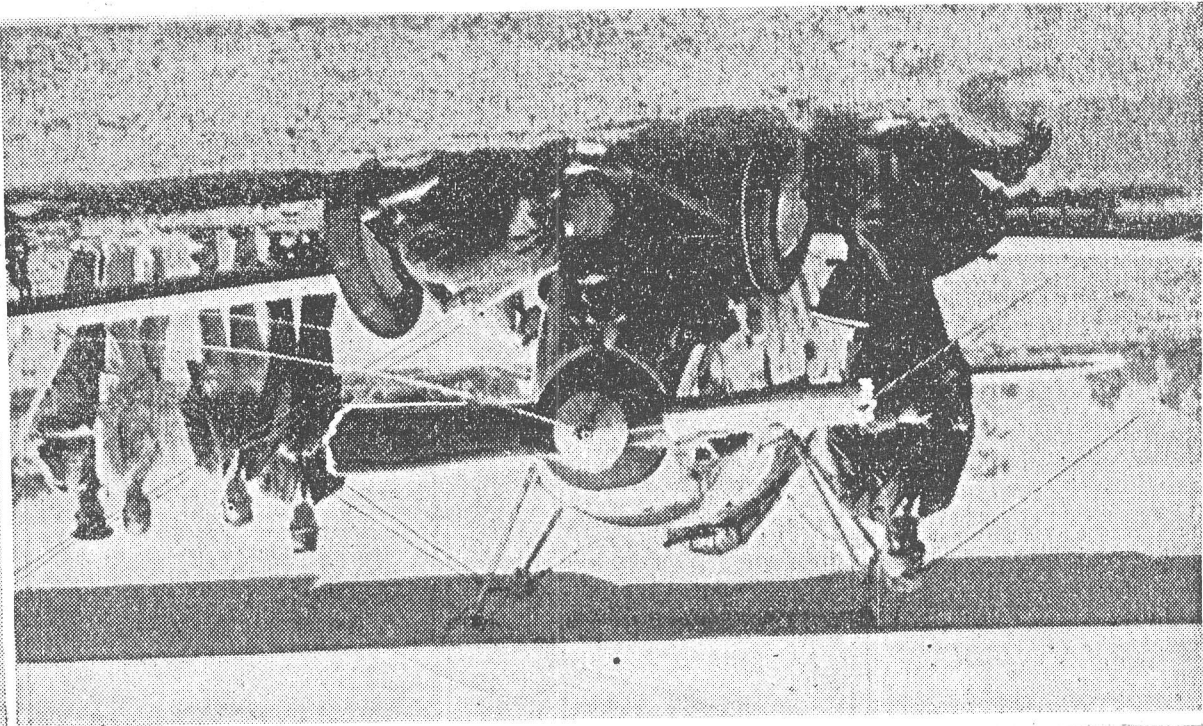


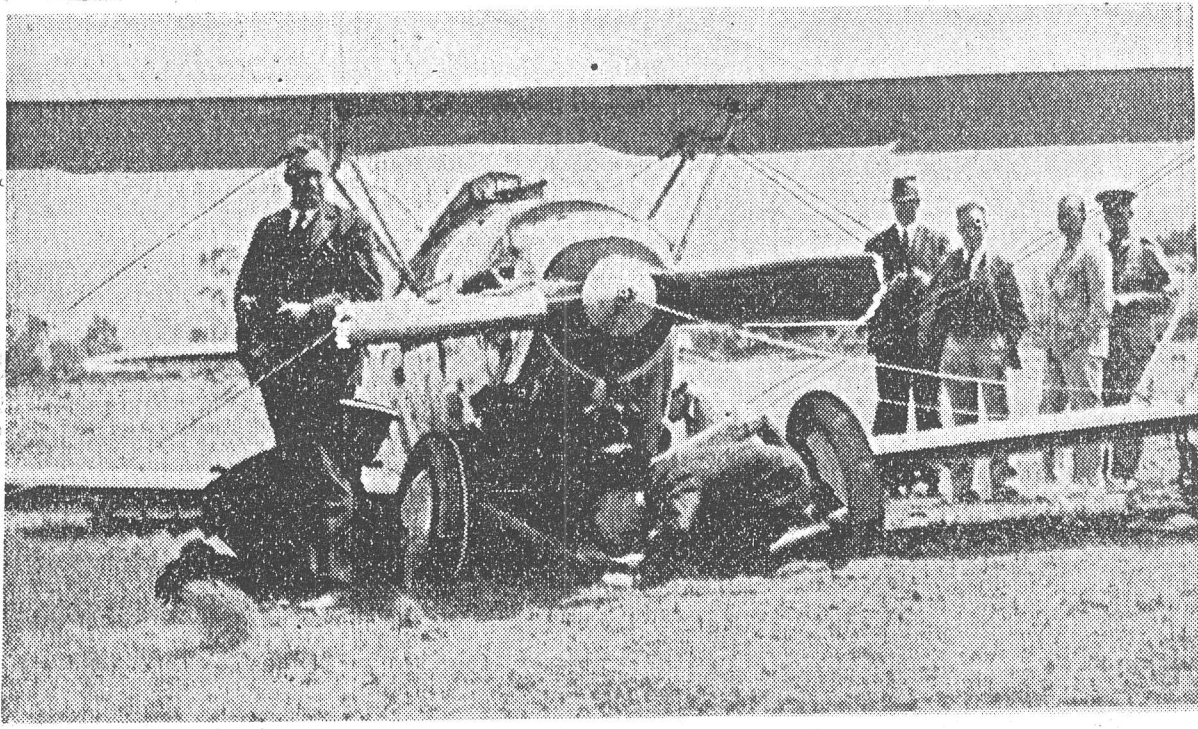
**THE TRAGIC ACCIDENT** which occurred at Swansea on Thursday, when a Royal Australian Air Force bomber crashed into a number of spectators, causing the deaths of two, was investigated on Friday. The Coroner (Mr. W. Hutchins), on the left, is shown viewing the machine; and in the picture on the right, Captain F. Huxley is standing in front of the stump over which the aeroplane flew after the misfire of the machine.



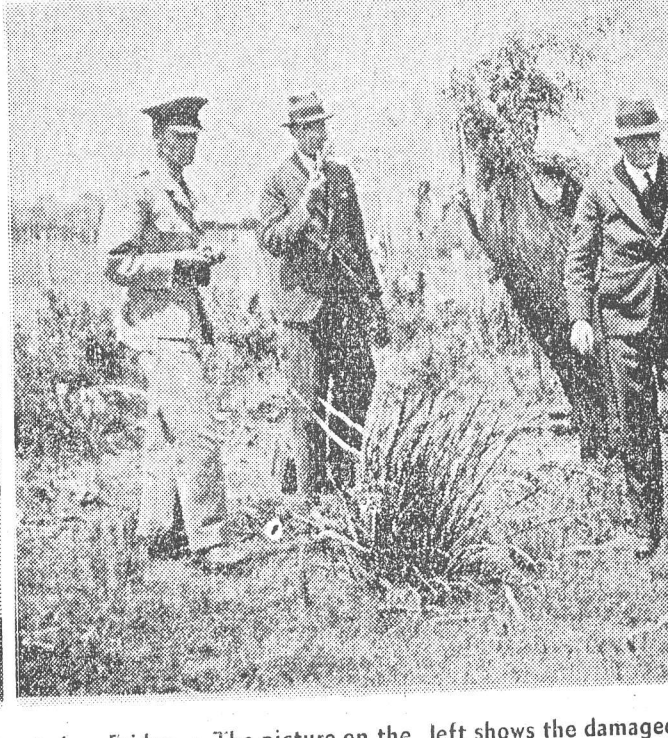
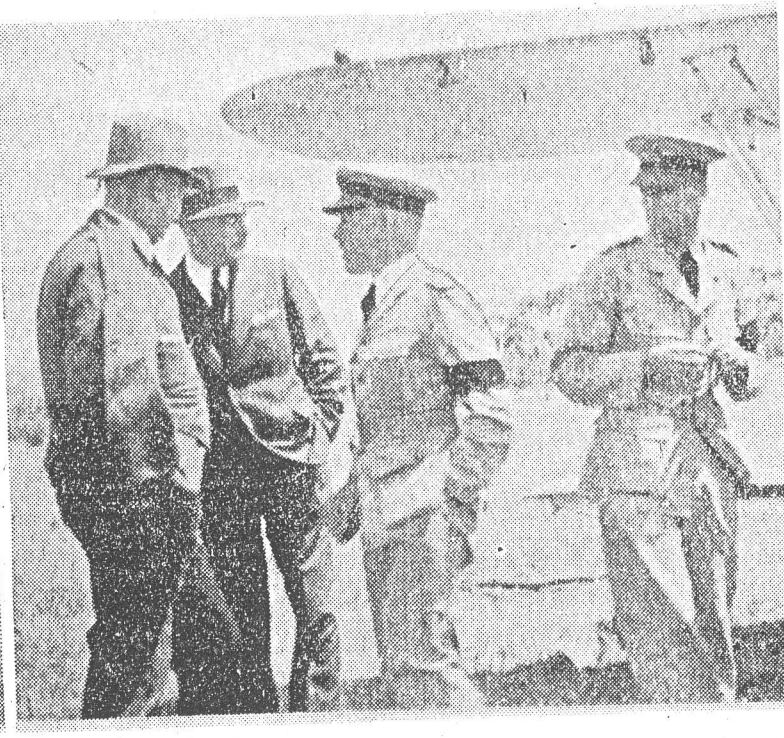
Air Force bomber crashed into a number of spectators, causing the deaths of two, was investigated on Friday. The picture on the left shows the damaged machine after the accident. In the centre picture on the right, Captain F. Huxley is standing in front of the stump over which the aeroplane flew after the mishap. The figure on the extreme left of the picture is Pilot-Officer V. Lansell, who had charge of the machine.

THE TRAGIC ACCIDENT which occurred at Swansea on Thursday, when a Royal Australian Air Force bomber crashed the Coronet (Mr. W. Hutchins), on the left, is shown viewing the machine; and in the picture on the right, Captain F. P.



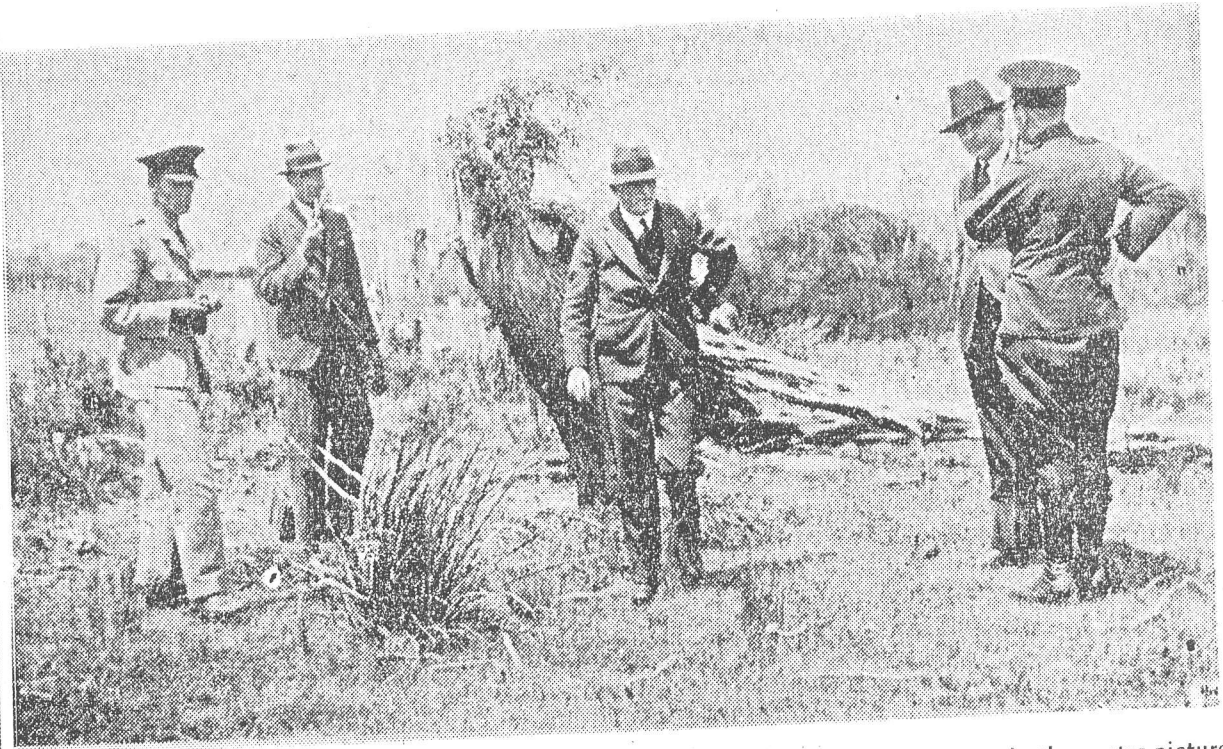


**THE TRAGIC ACCIDENT** which occurred at Swansea on Thursday, when a Royal Australian Air Force bomber crashed into a number of spectators. The Coroner (Mr. W. Hutchins), on the left, is shown viewing the machine; and in the picture on the right, Captain F. Huxley is standing in front of the wreckage.



Force bomber crashed into a number of spectators, causing the deaths of two, was investigated on Friday. The picture on the left shows the damaged aircraft. On the right, Captain F. Huxley is standing in front of the stump over which the aeroplane flew after the mishap. The figure on the extreme left of the picture is the pilot of the machine.

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