



Dangerous Obstruction of the Railway

An elderly man named Philip Thick, labourer, Bemerton, was charged with negligently leaving a wagon on the London and South-Western Railway, on the 26th ult., in the parish of Fugglestone St Peter. Edward Chapman, engine driver on the line mentioned, stated that as he was driving the passenger train which leaves Exeter at 10.5 a.m., he observed a farm wagon standing across the rails at a private crossing between Wilton and Salisbury. The train was then a quarter of a mile from that part of the line, and he immediately sounded the whistle violently, and the steam being thus shut off, had the breaks applied. There was a sharp curve on the line at that point. There being also a descending gradient there, the train was going at a good speed. The wagon, to which a horse was attached, was driven to the other side of the line shortly after he sounded the whistle, but it only got clear of the rails when the train was a few yards from it. The guard and stoker of the train gave similar evidence. Mr Whatman appeared for the defence, and submitted that it was very important that the bench should know the exact distance from the point of the line where the crossing could be seen to the crossing itself. The driver stated that the distance was a quarter of a mile. He had been instructed that it was only some seventy or eighty yards; and assuming that the whistle was sounded at that distance off, he thought the court would not consider that sufficient warning was given for the crossing. Mr Cottle, on whose farm the crossing is situated, and one of his servants named John Chalk, who was with the defendant at the time in question, stated that they considered that the distance referred to was not more than one hundred yards. The bench recalled the engine driver, and he stated that he was confident that the distance was a quarter of a mile, inasmuch as the quarter of a mile post was a short distance beyond the crossing. Mr Whatman thought that even supposing the distance was a quarter of a mile it was not giving sufficient warning to sound the whistle of a rapidly approaching train at that distance off a crossing, which was frequently used. The bench retired to consider the case, and on their return into court intimated that they considered the charge proved, and the defendant must pay a fine of 40s and costs. The fine was paid.

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