MANSELL, Stephen 8 October 1889

Designation	Accident Location	Accident Due to
Fettler	Leighton	PW Trolley / Train collision

Stephen Mansell was 35 years of age when he died as the result of injuries he received when the per way trolley he was riding collided with a train at Lieghton. Stephen lived at North Fremantle with his wife Harriet and he is interred at Fremantle Cemetery (ANGLICAN/MON A/0749).

The Fatal Accident on the
Eastern Railway.
THE INQUEST.

An inquest was held on Wednesday at the Fremantle Court House, before the Coroner (Mr. R. Fairbairn) and a jury consisting of Messrs. P. Webster (foreman), J. G. Flindell, F. W. Bateman, W. Samson, and F. Jones, to enquire into the cause of the train running into a tricycle on the evening of the 8th instant, whereby a man named Stephen Mansell was killed. The Commissioner (the hon. J. A. Wright), Mr. Clayton Mason (General Manager), Mr. W. Mather (Loco. Superintendent), and Mr. Hayden (Inspector of Permanent Way) were present during the proceedings.

The first witness called was the wife of the deceased, Mrs. Mansell, who said : The deceased was my husband and be was employed on the Eastern Railway as a laborer. I saw him last alive yesterday morning, when he went to work. I keep the gate near Bullen's. It is known as number 2. I had notice of a special train which left Perth at 6.10 pm., and passed the gate at 6.40 p.m. I received a written notice from the Traffic Manager that a train would leave Fremantle at 5.20 p.m. and return from Perth at 6 p.m. My husband generally left work at about 5 p.m., unless he had to wait for a train. He did not return home last night at the usual time and I thought, as we expected a friend by the s.s. Nairnshire, he had perhaps gone to Fremantle to meet him.

By the Foreman : I don't know if my husband had notice of the special train. I received notice of it by the 4-35 train from Fremantle. The notice I received was a written one.

John Campbell, ganger, said: The deceased worked under me. Just after knocking off work at 12 o'clock, I and deceased went to the Swan public house, North Fremantle, where we had two pints of beer each. We returned to work at 1 o'clock and when deceased left me at 5-10 p.m., you could notice that he had had some drink. He always went home on the tricycle. I knew nothing about the special, as I was not on the line. Deceased did not return to work after 12 o'clock. I think deceased had a copy of the regulations. It is contrary to rules for a tricycle to run on the line after dark.

By the foreman : The accident occurred about 2 1/2 miles from Fremantle, and 1 1/2 miles from the bridge. I was not at work at the time the accident happened. It occurred between 6 and 7 o'clock, it was getting dark. I was not with the deceased at the time. I last saw him at 1 o'clock. Mrs. Leighton keeps the gates near the depot. I went home after I left the hotel I had no notice of the special train and I don't think the deceased had.

By the Bench: Had I been on the line I should have had notice.

By the Foreman : It is a rule to give gatekeepers notice. I have known other special trains passing without notice; the last was some twelve months ago.

By the Commissioner: I know the red flag behind the train is the usual notice. Had I been on the line I should have seen it.

Charles Netherwood, engine-driver, deposed: I knew the deceased. The special train left Perth at 6-10 p.m. I crossed the ordinary 6-10 train from Fremantle at Claremont. It was 6-33 p.m. when I passed Claremont. On entering the three-mile cutting at 6-40 I shut off steam. I then stood on the right hand side of the engine, and, looking ahead, I thought I saw something on the line in front of the engine. I at once applied the vacuum brake, and called to the fireman to use the hand brake, but I passed the object before I could pull up. I then got down to see who it was, and I found it was deceased. He was lying crosswise, entangled in his tricycle, between wheel and brake-handle. Finding he was alive I put him into the brake-van and took him on to Fremantle. I left him in charge of the guard. The head light of the engine was burning brightly at the time. The brake power was in good order. It was too dark to distinguish any object on the line at a distance. There was no light on the tricycle.

By the Foreman: The engine was in front drawing the train. It was made up of the Governor's saloon carriage, brake van and engine. The object when I first saw it was about 100 yards away. The deceased ought to have seen the train as it approached. He could have seen the engine a mile distant. The tender of the engine was in front. The train after striking the tricycle dragged it along. Had the engine been worked with cowcatcher in front probably it would have thrown the tricycle on one side. The lifeguard was in front of the tender. It is not usual for tricycles to be on the line after dark.

Chas. Hadlow, fireman, said : I have heard the evidence of the last witness and can corroborate what he has stated.

By the Foreman: I put on the hand brake and the engine driver put on the steam one. I saw the object about 20 yards away. Had the tender not been in front I could not have seen the object better. The body was on the track with the head towards Fremantle. The train could have been stopped within 50 yards. Probably I have made a mistake as to the distance a train could be stopped. The train was going down a steep gradient, about 1 in 40 or 50. The engine driver was looking' out ahead.

Charles Netherwood, recalled by the Foreman : We could not stop the train at the spot. When we were within 40 yards, I did all I possibly could to stop the train. I was looking towards Fremantle at the time of the accident. I have been rewarded for preventing what might have been & serious accident at Claremont. I have been an engine driver over 17 years. In the position I was standing it took me longer to put my hand on the brake than it would have done had the tender not been in front. As the engine was running, probably it took me a second or two longer to put my band on the brake because I had to turn round.

Dr. Barnett deposed to attending the deceased in the casualty ward and that he was suffering from severe injuries and quite in sensible. Besides natural injuries the deceased had received a compound fracture of toe, left arm and a fracture of the skull which was the cause of death. He never gained consciousness and died about 9.15 p.m.

(The railway rules here put in for the perusal of the jury.)

John Creivs guard of the train said : I saw the object on the line at 6-40 p.m. It was twilight. The driver had put down the brake before I bad time to do so. The train was pulled up in a short distance. I could not say if the man was moving or not. He never spoke. We found him lying across the tricycle.

By the foreman the train did not run over the body. I should think the body was about 50 or 60 yards away. The time when I first saw the man and when the train struck him was about three seconds. Ann Leighton gatekeeper at the depot crossing, said I had noticed by the 4-35 train that a special train would return from Perth at 6-¼O. I saw the deceased at 6-30 p.m. on the tricycle and I spoke to him. I told him a special train was coming down. He asked me what time it left Perth I said 6-10 p.m. I told him to be on the lookout. He said he would go as far as the cutting and then get off. He then went away on his tricycle. It was dusk. The deceased seemed to know there was a special on the road. I had notice in writing from the traffic manager about the special.

The magistrate said if anyone was to blame it seemed to him to be the unfortunate man and the ganger who was drinking with him at the public house.

The jury then retired at 2-55 and returned into Court at 4-15 p.m. with a verdict that no blame was attached to any of the railway authorities or the engine driver, but recommended that engines should be driven with the cowcatcher in front.

Source: Trove/The Enquirer and Commercial News. Friday, 11 October 1889 Page 5