THISTLEWAITE, Michael 17 January 1891

Designation	Accident Location	Accident Due to
Guard	Walkaway	Fell from ballast train

Michael Thistlewaite, who was 28 years of age, received fatal injuries when he fell from a ballast train at Walkaway. There is no reference as to where Michael lived or where he is buried.

FATAL ACCIDENT ON THE
MIDLAND RAILWAY.

On Saturday afternoon last a telephone message was received at Geraldton from Walkaway conveying the sad intelligence that Mr, Michael Thistlewaite, employed as guard on he contractor's train, had met with a serious accident, the report stating that be had fallen from the train and that he had been run over. As the unfortunate young man's body was badly crushed he was put on board the train at once and brought to the Geraldton hospital. On an examination of the injuries, Dr. Elliott pronounced the case to be one beyond the powers of medical skill, and for which he could do absolutely nothing. The man died a few minutes afterwards. It appears from the result of the inquiry subsequently held, the report of which appears below, that the contractors train was engaged in raking ballast from the ballast pits in the bed of the Greenough River to the head of the road and that Thistlewaite was in charge as guard. When the train had gone along for a couple of miles or so the riding foreman, Mr. Paynter, who accompanied the train, saw the guard fall between the truck on which he had just previously been observed sitting, which was loaded with gravel and sand, and the truck immediately in front, which was loaded with timber. It is presumed that Thistlewaite noticed some of the timber shifting and that in stepping forward to get on to the truck in front in order to secure the load, he missed his footing and fell, and that a part of the train passed over his body. He was picked up almost immediately and appeared to retain consciousness to the last, although he does not seem to have given any explanation of the accident himself. Thistlewaite was an active young man, well met to the work at which he was engaged and was not only a sober and a steady man, but, according to the evidence, a man who did not indulge - at all in intoxicants. The funeral, which took place on Sunday, was numerously attended by the deceased mates and friends.

Source: Trove/Victorian Express (Geraldton) Saturday 24 January 1891

THE INQUEST.

An enquiry into the cause and manner of Mr. Thistlewaite's death was held on Monday morning at the Geraldton Court House, Mr. Maitland Brown, Government Resident, sitting as Coroner, and Messrs. R. Edwards, R. Campbell and Edward, Foster as jurors.

The body having been viewed by Coroner and jury on Sunday, the enquiry was adjourned untill Monday morning, when witnesses as under were examined : — John Paynter, being sworn said: The body pointed out to me at Victoria Hospital yesterday afternoon was that of Michael Thistlewaite. I am foreman of the traffic on the Midland Railway works. On Saturday evening the 17th inst., we left the head of the road for the ballast pits at the Greenough River. We got there about 6 o'clock and connected the engine on to I five trucks of ballast and three trucks of timber. One truck of timber was in front of the engine and two were behind, and then came the ballast trucks. The deceased was the guard and he gave the signal to the driver to move off from the ballast pits. When we bad proceeded along the line about two miles I saw the guard fall off the truck, I saw him just as he was falling ; I think he fell on his back ; he rolled over two or three times after lie touched the ground ; I signalled to the fireman to stop the train and he did so and we put back to where the man fell ; we there found the deceased lying on his back just clear of the rails, one of his legs and his groin

appeared to be badly injured, there. Was a mark as of a cut on his forehead; he was conscious for he lifted one leg up and said "what is the matter with my other leg, I cannot lift it up", I did not reply, but got a board on which I assisted to place him and then to lift him into the train. We then started for Geraldton where we arrived at about twenty minutes to nine o'clock. Just before the accident deceased was sitting on the end of the first ballast truck and facing the engine, the truck in front of him was loaded with timber; I was riding on the travelling tank or tender ; the timber in the truck consisted of what are called concrete frames, that is frames over which culverts are formed ; these were in pieces ready for putting together; the timber was inch and a half cedar and softwood ; on our way back I noticed that two pieces of this timber had fallen from the track about 10 or 15 yards further along the line than where the guard fell ; they were lying quite clear Jof the line; the deceased was "not in drink when the accident occurred ; I have known him for nearly 6 years and have never known or heard of his drinking , he was a native of Victoria bat I cannot say of what part ; a few days prior to the accident we were talking of ages and be told me he was 28 years old ; I do not know what was his religious persuasion, but my impression is he belonged to tbe Church of England ; he owned some property in Albany consisting of some land and a house ; his kit is at Walkaway. The only conclusion I can come to as to how the accident occurred is that the deceased saw some timber on the truck in front of him was shifting and that in the act of getting from the ballast truck on which he rode to the timber truck in front he fell : I am quite certain that the timber did not fall on him as that which fell did not fall until the train had proceeded a dozen yards further on ; the timber was not fastened by means of a rope or chain before we started ; it is the guard's duty to see that the load is made secure; at the time the accident occurred the train was travelling at the rate of about 15 miles an hour; two other men James McDowell and Peter were riding on the tank : they were on the opposite side to me and could not, I think, have seen the guard fall ; Edward Hughes and Thomas Conway were riding on the truck of timber which was in front of the engine.

By the jury : The timber was placed in the wagon in such a way that one end of the long boards rested on the bottom of the truck and the other on the back side of the truck, the high end being near the deceased.

John Smith, sworn, said: I am an engine driver employed on the Midland Railway line ; on Saturday evening I was driving the train from the ballast pit to the head of the road. We had five trucks of ballast and three of timber; these were placed in the order given by the last witness. Thistlewaite was the guard and he gave the signal to start from the ballast pit. We went along the road for about two miles when the fireman shouted to me to stop the engine. We went along about seven chains before we could pull Up. I then backed the train and found the deceased lying alongside the line badly injured. He was put in the train and brought on to Geraldton at once, and on arrival here was conveyed to the hospital. I did not witness the accident ; I was looking ahead ; I saw a piece of timber on the road as we were going back to where the deceased fell, it was about 10 yards from where the deceased was lying ; the guard was perfectly sober when we left the ballast pit ; I have known him for four years and have never seen him otherwise than sober ; he was a very steady man ; we were travelling about 15 miles an hour; I don't know whether the timber on the train was secured in any way.

Dr, Elliott, sworn, said : I am the Resident Medical Officer in this district. The deceased, Michael Thistlewaite. was brought to the hospital on Saturday night last. He had a contused and lacerated wound on the forehead laying bare the frontal bone to some considerable extent. His thigh had also suffered a compound fracture and was also lacerated. He died about, half an hour after arrival in hospital. Death was the result of internal hemorrhage and shock caused by the wounds I have described.

Joseph McDowell gave evidence as to a guard's duty and as to the description of load on the truck which was in front of the deceased.

The Coroner said : It would appear to be from the evidence that the deceased fell from the train by some means or other. From the evidence of Paynter he could not have been struck by a falling piece of timber. There was an assumption and an assumption only that the guard had observed the timber shifting and while endeavoring to secure it fell and met his death. The great point in this matter for their consideration was whose duty was- it to see that these train loads are so secure that they will not require the guards or other persons to endanger their lives for the purpose of making them secure while the train was in motion or whose duty it was to be certain that these loads are so secured that they shall not fall and turn the engine or trucks off the rails or do damage to anybody, how from the evidence it appeared that such duty was the duty of the guard and he believed that was the rule everywhere. Therefore it seemed to him that if the deceased met his death as appears to be the case in attempting to go from one truck to another to save the load if blame was attached to anyone it was to the unfortunate man himself and that being so it seems to be their verdict could be any other than that the deceased came by his death by falling off the train accidentally but as to what occasioned his fall there was no evidence to show and that blame for the accident attaches to nobody.

A verdict in accordance with the above directions was returned.

Source: Trove/Victorian Express (Geraldton) 24 January 1891