

## THE LATE MR. BROOMHEAD COLTON-FOX.

### INQUEST AND VERDICT.

The adjourned inquiry into the circumstances attending the death of Mr. Broomhead Colton-Fox, who was killed at the Victoria Station on Friday night, was held yesterday afternoon, before Mr. D. Wightman, the city coroner. Mr. E. Harper, solicitor to the Manchester, Sheffield, and Lincolnshire Railway Company, and Mr. Turner, from the secretary's office, represented the company; and Mr. A. Muir Wilson attended on behalf of Mr. Wightman, of the firm with which the deceased had been connected.

Mr. Wilson, on the court being opened, explained to the coroner that Mr. Wightman was attending the funeral of the deceased, and had asked him to be present on his behalf. The Coroner said that he would have liked to attend the funeral, for he had no older friend than the deceased; but when the inquiry was adjourned they had no idea whatever what the funeral arrangements would be.

Mr. Harper said he was instructed by the railway company to attend simply for the purpose of showing respect to the deceased, and for no other purpose. Personally, he felt that he must express his very great regret at the occurrence. He had had very intimate business relations with Mr. Broomhead Colton-Fox, and although they had been representing opposing interests for the last three or four years there existed a very kindly feeling between them. He respected Mr. Colton-Fox as a solicitor, and liked him as a man.

The Coroner: Everybody did that.

Mr. Harper said he was glad when the company instructed him to come and express sympathy with the relatives, and regret at the great loss which must be sustained by all who knew the deceased. The Coroner: I am glad to hear those remarks.

Evidence was then called. Frederick Walker, 62, Nottingham Street, Sheffield, chief inspector at the Victoria Station, said he had known the deceased for 20 years as a passenger on the Manchester, Sheffield, and Lincolnshire Railway. He was on duty on Friday night when this unfortunate accident occurred. He saw the deceased at 17 minutes past seven o'clock. He was standing about 10 yards from the bookstall, at the east end of the station on the down line, and he saw the deceased walk towards the bookstall and pass it by. He never bought any-

thing, and was alone. He was going towards the level crossing. In about five minutes afterwards John Wheat-nan Taylor called out, "There is a man killed." Witness at once went to the level crossing, and, walking about 10 yards up the line, saw the body jammed between the platform and the outer down-line rail. The train had passed there, and had apparently all gone over him. He helped to get the body out; life was extinct. The train which killed deceased was a train due in the station from Nottingham at 7.13. Witness saw the train come in. All the passengers alighted at Sheffield, and then the empty train had to be shunted out of the station at the east end and put in the long siding. It would have to back out of the station, and would therefore be going in the same direction as a train on the up-line. The witness saw the train stop and the passengers alight, and heard the signal given for it to back. The shunter Taylor give the signal; it was part of his duty to do that. He gave it in the ordinary way and properly, showing a white light under the witness' instructions. After Taylor had given the signal, the driver whistled, and the train began to back, and both the train and the engine had passed the level crossing about 50 yards before the witness heard the shout that a man had been killed. The rearguard's van was something like 10 yards from the level crossing when the train was standing, and in going that distance the train might have got up a speed of almost four mile 3 an hour. — The Coroner: I hardly **lked** to put that question to you; but the jury must form their opinion, I have formed mine. — Mr. Harper: It would start at walking pace. — In reply, to the Coroner, the witness said that passengers were not allowed to use the level crossing. There was no notice board up warning passengers on the side of the station where the deceased was killed, but there was a notice on the other side, which served for both sides. The deceased had almost invariably called at the book- stall, and was in the habit of using this level crossing to get to the other side of the station. — The Coroner: If you don't know that, I do. There is nobody more grieved about this than I am, but I am bound to do my duty at this inquest. Do you know that the deceased has been stepped from going over this crossing? — The witness: I have stopped him several times when shunting has been going on, and urged him to' go over the bridge, but he told me he could not go over the bridge. — Did he tell you why he could not go over? No, he did not. — Do you know whether anybody else had warned him? Our late station master warned him repeatedly, and porter John Dugdale has stopped him. — And did he not threaten to get Dugdale discharged for stopping him? I don't know. — Perhaps you don't.

Mr. Wilson: Is it not contrary to regulations for a train to shunt out on the same line that it enters the station? — Witness: No, sir. — Are you sure of that? I don't want to press it

unduly, but are you certain that it is not contrary to regulations? It is not; you see there is no train allowed to enter the section. — That is not an answer. You have been at the station 20 years, and you know the regulations? Yes; we have no instructions of that kind. — You give the signal, and the shunters obey it. Now I don't wish to imply blame to you, but were you not wrong? Ought you not to have caused the train to go forward? No, sir; I don't think so. — At the time you gave these instructions for this train to shunt, was there not another train on the up line, the train deceased was going by? Yes, there was. — What time was that due out? At 7.20. — Have the company ever provided a man to stand on the level crossing to stop passengers, the same as they did at the Midland station before the crossing was removed? You know it was within three minutes of the time the train was due out? We have never had a man stationed there to stop people. — You knew where Mr. Fox had gone, and you know his habit; did either you or Taylor take any steps to see whether he had got over before you started the train? Taylor and a porter named Green walked down the platform, and Green got in the brake van to keep a look-out. — What signal did Taylor give you that all was right? He shone a white light; that is the ordinary signal that all is right. — By that you understood that the crossing was clear? — The Coroner: You understood that the people had got out of the train, and that the doors were all closed. You had nothing to do with the crossing being clear. That being so, you gave the signal, I suppose? — The Witness: Yes. — Mr. Wilson: I must ask you again, had either you or Taylor taken any steps to see what had become of Mr. Colton-Fox before you gave the signal for the train to start back? There were three minutes for him to get over in. — That is no answer, had you done anything? No, sir. — I am not blaming you for a moment, but I want the jury to understand what the cause of the occurrence was. You had taken no steps, but as he had three minutes you presumed that he had got over. I did not know he was going over. I did not know until afterwards that a porter had taken his bag over. — I may take it, without blaming you. That you had taken no steps to see what had become of Mr. Fox I had not; he simply passed me as any other man might. — Did you see whether Taylor did anything? — The Coroner: Taylor will tell us that. Was it any part of your duty, after seeing that the train was empty, and that the doors were closed, to see whether the crossing was clear or not? — The Witness: I should have been that Taylor did it. It was part of my duty; I either had to go or send somebody else. I did not tell Taylor specially to see that the crossing was clear, but it is an instruction to the shunter to see that it is before he sets the train back. — Replying to the jury, the witness said that anybody on this crossing would be a trespasser. — A Juror: What is there at night to warn people against using this crossing? — The Coroner: The long distance. I should say. Do you know the distance to the crossing? —

The Witness: About 120 yards, I should say. — The Coroner. And probably to most people it is less trouble to cross the bridge than to walk 120 yards. — The Witness: I should say so. — In reply to further questions by the jury, the witness repeated that the deceased had been frequently cautioned against using this crossing, both by himself and others.

John Wheatman Taylor, carriage shunter at the Victoria Station, said he did not know the deceased, not even by sight. He did not see him on Friday night till he was killed. When the Nottingham train came in witness helped to close the doors after two passengers had alighted, and then went to the guard's van and saw that all the parcels were out. He afterwards went towards Inspector Walker, and said, "Are you right?" The reply was, "Yes, ready." Witness went past the end of the van and to within five yards of the crossing to see that it was clear. He saw nobody about, and walking; back towards the engine a coach's length he gave the signal to the driver to set back. The driver, after opening his whistle, set the train in motion. The back to the guard's van was, in the witness's opinion, about 15 yards from the level crossing. The witness walked back alongside the train, his duty being to see it clear of the platform, and when the engine had passed over the crossing he saw a man's hat and a pair of spectacles on the slope. He should say that the train would get up a speed of four miles an hour in the 15 yards. The spectacles were lying on the platform slope, and close by was the bat. Thinking that something had happened he followed the train, and found the dead body of the deceased between the outer rail and the platform. He did not know whether the deceased had been dragged along the line.

Mr. Wilson: When you went back it was to Bee that the crossing was clear? — The Witness: Yes, sir. — Did you see anybody about at all? No one, sir. — You have told us that between the end of the guard's van and the crossing there would be a space of 15 yards, and that you went to within five yards of the crossing. Did you shine your light on it? Yes; I looked on the crossing, and there was no one on it. — And you only walked back towards the engine the length of one van to give the signal to the driver. How far is that? I don't know, but I should say four or five yards. — Then you walked 14 or 15 yards to give the signal? Was there time for anyone to get on the crossing after you inspected it, and could anyone get on without you observing it? Yes, I did not look round a second time. The platform was crowded, and people were loitering about, but I did not see anybody go down. The brake van at the tail end of the train was just inside the roof part of the station, and I was there, too, to give the signal. I could not see the crossing very distinctly from there. — Who was in the van? Porter Green.

— Was it part of his duty to look after the crossing or ought you to have returned? I had to go where the driver could see me, and I do not know that it was anybody's duty to watch the crossing after what I had done.

By the Jury: The train would start in half a minute after I gave the signal, very likely, and that would give time for anybody to get to the crossing. While the tram was shunting out I stood facing it with my head turned towards the crossing, and after the train began to back out I saw no one there. I walked down the platform by the side of the train and just clear of it to see it out. I heard no cry. I was going down the slope as the engine passed over the crossing. The body was found about nine yards from the crossing: the head was jammed down into the ground, and the feet were towards the station.

The Coroner: I am surprised that you did not know this gentleman. How long have you been at the station? — The Witness: Four years, sir. — The Coroner: You were about the only man at the station who did not know him.

Mark Green, assistant on the platform at the station, said he knew the deceased, but he did not see him at all on Friday night, either before or after the accident. He rode in the train into the siding, and when he was returning he saw the blood. It was all in one spot.

The Coroner, after again referring to his friendship with the deceased, and, speaking with considerable emotion, said those who knew the habit of the deceased knew that he always called at the bookstall, and, being a very stout man, he did not like to go over the steps, though there could be no doubt that he ought to have gone over, and that he knew he had no right to use this crossing. When he was at the bookstall, however, the crossing was nearer than the steps, and he generally went that way. On Friday night, either he must have been thinking of something else than his own safety, or he must have imagined that the train behind which he was crossing being on the down line, was not likely to come back again, and no doubt he was caught by the buffer, was knocked off his balance and fell, and before he could recover himself the wheels of the train were upon him. The only question for the jury was whether anybody was blameworthy. He did not see that anybody could be blamed. What was done with this Nottingham train was done at all large stations, but it was necessary and they were bound to see that the lines were clear before the trains were backed. The jury had heard what the witnesses had said on that point. Taylor had told them that he did see that it was clear, that he shone his light on it, and that he never saw the deceased or anybody else.

As to the pace at which the train backed the jury must judge for themselves. The witnesses had said that the speed would be four miles an hour, and they ought to be able to judge; but for his own part he did not think that such a speed would be got no with an empty train shunting out of the station. Though he was grieved to say it, he did not think anybody was to blame but Mr. Broomhead Colton-Fox himself. They had got it in evidence that he had been remonstrated with for using this crossing, where an ordinary person would not have been allowed to cross at all; and it was quite possible that the railway servants did not insist in his case on the regulations being observed as they would in an ordinary case. He did not think that the jury could make anything but an accident of the occurrence.

The jury then proceeded to consider their verdict, and the Coroner, in reference to some remarks made, repeated that these crossings at the Victoria Station were a long way from the bridge, and very few people used them. Whether it would be better to make a recommendation to the company that they be abolished was for the jury to consider. Of course, if there were no level crossings there would have to be a lift, as there was at the Midland station, where there was no level crossing at all.

After some further conversation on this point, the jury resolved to make no recommendation, but returned a verdict of accidental death, and expressed their sympathy with the relatives and friends of the deceased.