

Report of Captain Melhuish on the Eastern Counties.

I will here take leave to bring under your Lordships' notice the kind attention and assistance I have received from all parties during this investigation.

In conclusion, I would beg generally to remark that in all instances of trains arriving late at their destination, which have come under my immediate notice, I have invariably observed that it has arisen from the engine being overpowered by too many carriages; and as a want of punctuality in arrival is decidedly at variance with the safety of the public, I would suggest for your Lordships' consideration the propriety of having the power of all locomotive engines determined, not so much with regard to weight, as to the number of carriages they are capable of drawing; and that hereafter each locomotive engine should be licensed to proceed with so many four or six wheel carriages (as the case may be), and no more.

I have, &c.,

S. C. Melhuish,

Captain, R^l Engineers.

Correspondence subjoined to Capt. Melhuish's Report on the Eastern Counties.

Copy of Letter sent to the *Eastern Counties* Railway Company, inquiring what steps have been taken relative to *William Croker* and *William Moore*.

Sir,

Board of Trade, 22 December 1840.

WITH reference to my letter of the 17th, enclosing a copy of Capt. Melhuish's Report on the accident which occurred on the Eastern Counties Railway on the 15th Nov., I am directed by the Lords, &c. to inquire what steps have been taken by the company with regard to William Croker, the guard in charge of the train, to whose misconduct, in stopping to take up passengers after the train had been regularly started, the accident appears to be in a great measure attributable.

I am further directed to inquire what steps were taken with regard to William Moore, the engine-driver, by whose misconduct the accident of the 14th of September was occasioned.

To the Secretary of the
Eastern Counties Railway Company.

I am, &c.

S. Laing.

In reply to Letter from this Department of the 22d December.

Sir,

26 December 1840.

I beg leave to acknowledge the receipt of your letter of the 22d instant, and to acquaint you that your letter of the 17th instant would have received an immediate reply, but that I waited a meeting of the directors to receive their instructions thereon; those instructions had been taken, and a reply in conformity with them was preparing previous to the receipt of your letter of the 22d instant, and has this day been transmitted to Mr. Porter.

In reference to your inquiry with regard to William Moore, the driver in charge of the engine when this accident occurred on the 14th Sept., I am desired to state that he was forthwith dismissed, and orders given that he should never again drive an engine on this line; but being a clever workman he was subsequently engaged by the foreman of the repairing shops as a mechanic.

S. Laing, Esq., Railway Department,
Board of Trade.

I have, &c.

(signed) *Arch. Bulkeley, Sec.*

Report of Sir F. Smith on the Lancaster and Preston.

7.—REPORT of Sir *F. Smith* on the *Lancaster and Preston* Railway.

To the Lords of the Committee of Privy Council for Trade :

The REPORT of Lieut.-Colonel Sir *Frederic Smith*.

My Lords,

Board of Trade, 11 January 1841.

YOUR Lordships having directed me to inquire into the circumstances connected with the accident which occurred on the Lancaster and Preston railway on the 16th ultimo, I proceeded to both places, and entered into communication with Mr. Bolden, the secretary of the aforesaid company, and Mr. Power, the secretary of the Preston and Wyre Railway. The latter met me, and the former accompanied me to Preston, at which place the accident in question happened.

The sketch which I have the honour to transmit for your Lordships' information shows the spot where the accident occurred, the relative position of the Preston and Wyre and the Lancaster and Preston railways at their junction, and the Preston and Wyre station at Preston.

It appears that the Preston and Wyre railway was the first formed, and that in order to have a terminus in connexion with Preston, the station for passengers and goods was established at the point marked A. in the sketch.

This

This railway is crossed nearly at right angles, and on a level, by the Lancaster line, at the point B. ; and the Wyre passenger trains, for the purpose of taking persons to join the North Union trains, run into the Lancaster line at the point marked C.

It appears by the return made to your Lordships on the 18th ultimo, by Mr. Bolden, the secretary of the Lancaster railway, that on the 16th ultimo, Henry Taylor, a waggoner in the employment of a contractor on the Lancaster railway, was driving a horse attached to ballast waggons on the "up-line" of that portion of the said railway which passes through a part of the town of Preston, and that at a little before half-past four p. m. on that day, a policeman, of the Lancaster company, being aware that a train from Wyre would shortly arrive, warned Henry Taylor of the circumstance, and desired him to go off the line.

The report adds, that, in defiance of this warning, Henry Taylor made another trip with the waggons, and in consequence the up-train from Wyre (it being then dark) ran against the waggons, and killed the driver.

Mr. Bolden adds that an inquest was held on the body of the deceased, when the jury returned a verdict of accidental death, and expressed their unanimous opinion that no blame attached to any one but the deceased himself, and that the company and their servants had taken every precaution to prevent accidents.

After a deliberate consideration of all the circumstances of this case and a careful inspection of the spot, I regret to say that I cannot arrive at the same conclusion as the coroner's jury.

In the first place, there should have been the most positive written prohibition to the contractors' waggons being worked at any time against the stream of traffic, and the orders should have extended to preventing their being on either line within half an hour of any train being due. Not only does it appear to me that these precautions were indispensable for the safety of the public, but that either the contractor or his foreman should have been on the spot, while ballast waggons were working on the permanent rails, in order to render it a matter of certainty that no irregularity was practised of the kind which caused the accident ; and moreover the policeman who warned Henry Taylor to discontinue his work should have either exercised force to turn the waggons off the line, or should have shown signals to stop the Wyre train.

On interrogating the policeman, he informed me that he was not authorized to use force on such an occasion, and that it was not in his power to show a red light to stop the Wyre train, as he had sent his lamp to Lancaster for the purpose of being repaired.

In Mr. Bolden's Report to your Lordships it is stated that the accident occurred at eight minutes before five, and by a return with which that gentleman supplied me I find that the Wyre *up* train was due on the *up* line at the spot where the accident happened at eleven minutes before five; and also that a Lancaster *down* train was due on the *down* line at seven minutes before five, at the same point ; so that the contractors' waggons should not have been permitted on *either* line, at or near the hour when the fatal collision took place ; and yet I find by Mr. Bolden's Report that the policeman required the deceased to move from the *up* to the *down* line, which would of course have not made the irregularity a bit less likely to be attended with serious consequences.

However, it should not have been left to a waggon driver or a policeman to settle on *which*, if on *either*, line the former should work ; and I think great blame attaches to the contractor, who, I understand, had been told not to use the line within half an hour of the time when any train was due, and there should have been a properly authorized person belonging to the company, who, in respect to a matter so essential to the public safety, should have had control even over the contractor himself.

It appears that there was not any passenger in the Wyre train, and that it was only proceeding at the rate of five miles an hour ; had it been otherwise, and had the waggons been overtaken when full, instead of being met when empty, several lives might have been lost.

I have only further to remark, as respects this accident, that the engine which was drawing the Wyre train had no "head light," and also that there was no light attached to the ballast waggons. Had either of these precautions been taken, in all probability the accident would not have happened, notwithstanding the other irregularities I have noticed.

Report of Sir F. Smith on the Lancaster and Preston.

It now becomes my duty to call your Lordships' attention to the crossing of the Preston and Wyre and the Lancaster and Preston railways.

Your Lordships will not fail to observe that nothing short of the most stringent and well-considered orders to regulate this part of both lines can ensure the public against accidents at this point. The train from Lancaster and from Wyre may arrive within a very short distance of each other at this crossing, without the drivers of one train being aware of the approach of the other, in consequence of the view being obstructed by the ramp of a bridge; and therefore it is necessary, in order to prevent collisions, that a policeman should be stationed near the crossing to give notice to both. For the purpose of being enabled to pull up, if requisite, and to guard against the consequences that might arise from the policeman being absent, or neglectful of this important duty, both trains should pass the crossing at a speed *not exceeding* five miles an hour.

In the course of my inspection I observed that at the point where the Lancaster line unites with the North Union, near Dock-street, Preston, the railway is not properly fenced in. This I was informed is intended to be done by a stone wall, but it should be pressed upon the company to put up some temporary fence to prevent cattle straying on the line until the permanent fence can be completed.

I have to add that Mr. Bolden put into my hands a copy of a code about to be issued for regulating the duties of the servants of the Lancaster company. This code seems to have been drawn up with considerable pains and judgment, and there is only one clause (*viz.* the xxii.) to which I have occasion to call your Lordships' attention, as it may be considered to exceed the powers of the company, although useful in itself.

The accident which has been under consideration suggests the propriety of no line being opened for public traffic till the company shall have engaged a sufficiency of servants for properly conducting its operations, and prepared a code of instructions for their guidance.

Had either been the case, in all probability Henry Taylor's life would not have been lost, for the policeman alluded to (George Smith) would have had instructions for his guidance in the event of being disobeyed by a person so self-willed as the deceased is represented to have been; and the policeman would have been warned by the code, as is usual in, I believe, all companies, never to go on duty without his signal-lamp.

It does not appear that the Wyre company have as yet printed a code of regulations, or that the periods of the arrival of their trains at the several stations on the line are properly recorded. I consider both to be essential.

I cannot conclude this report without observing, that the secretaries of the Lancaster and the Wyre railways evince the strongest desire to adopt every precaution that can be suggested to them for increasing the safety of the traveller. Nothing would tend more to effect this in regard to the passengers on *both* lines than the adoption of some arrangement by which the crossing of the Lancaster railway by the Wyre train could be avoided, and the companies concerned should, for the sake of the public, come to some equitable arrangement on this point at an early period.

I have, &c.

Frederic Smith,

Lt-Colonel, Royal Engineers.

Correspondence subjoined to Sir F. Smith's Report on the Lancaster and Preston.

Copy of Letter sent to the *Lancaster and Preston Junction Railway Company*, with Extract from *Sir F. Smith's Report on the Accident of the 16th December.*

Sir,

Board of Trade, 13 January 1841.

I AM directed by the Lords, &c. to enclose the accompanying extract from Lieut.-Col. Sir F. Smith's report upon the late accident on the Lancaster and Preston Railway for the information of the directors, and to call their attention to the recommendations therein contained, and to the necessity which exists for extreme caution in working the junction of the Lancaster and Preston and Preston and Wyre Railways.

With reference to that part of the report which relates to the want of fencing at the point where the Lancaster line unites with the N. Union, I am directed to say, that their Lordships consider it indispensable that the provisions of the Lancaster and Preston Act of incorporation should be complied with without delay, and that a fence sufficient for temporary

porary purposes should be erected until the stone wall or permanent fence is completed; and I am to request that you will state, for their Lordships' information, whether the company have complied with this requisition.

To the Secretary of the
Lancaster and Preston Junction Railway Company.

I am, &c.

S. Laing.

Correspondence
subjoined to Sir F.
Smith's Report on
the Lancaster
and Preston.

Copy of Letter sent to the *Preston and Wyre* Railway Company, with Extract from Sir F. Smith's Report on the Accident on the *Lancaster and Preston* Railway of the 16th December.

Sir,

Board of Trade, 13 January 1841.

I AM directed by the Lords, &c. to enclose the accompanying extract from Lieut.-Col. Sir F. Smith's Report, for the information of the directors of the *Preston and Wyre* Railway Company, and to call their attention to the recommendations therein contained, and the importance of adopting, without delay, the necessary arrangements for ensuring the public safety upon their line, and at the junction with the *Lancaster and Preston* Railway.

I am, &c.

S. Laing.

8.—REPORT of Sir F. Smith on the *Monkland and Kirkintilloch* Railway.

Report of Sir F.
Smith on the
Monkland and
Kirkintilloch.

REPORT of Lieut.-Colonel Sir Frederic Smith, of the Royal Engineers, to the Lords of the Committee of Privy Council for Trade, respecting the Accident which occurred on the 24th December 1840, on the *Monkland and Kirkintilloch* Railway.

My Lords,

Glasgow, 2 January 1841.

PURSUANT to your Lordships' orders, I have inquired into the circumstances connected with the accident, attended with loss of life, on the 24th ultimo, on the *Monkland and Kirkintilloch* Railway, and I have the honour to submit the following Report for your Lordships' information:—

It may be well, in the first place, to observe, that the *Monkland and Kirkintilloch* Railway is placed in connexion with Glasgow by means of the *Garnkirk* Railway, and it serves to unite the *Forth and Clyde* Canal with the *Ballochney* Railway, and this last-named railway joins the *Slamannan* Railway, which runs to the *Edinburgh and Glasgow Union* Canal, at a point considerably to the eastward of that where the *Monkland and Kirkintilloch* line intersects the said canal.

By means of these railways and the canal, passengers are conveyed between Glasgow and Edinburgh, at a cheap rate, in about four hours and a half.

The distance by the *Edinburgh and Glasgow* Railway, which is expected to be opened to the public in August or September next, will be 46 miles between these two cities, and as the ruling gradient does not exceed 1 in 880, it will be easy to perform the journey between the termini in little more than an hour and a half, including stoppages.

The *Monkland and Kirkintilloch* Railway was incorporated in 1824, and opened to the public in 1826. It was formed with a 4½ feet gauge, as a mineral line only, but it is now used also by the *Garnkirk*, *Ballochney* and *Slamannan* companies for passengers; this renders it necessary that the working of this line should be conducted with the utmost care and attention.

The accident which your Lordships have instructed me to inquire into took place at about a quarter before five o'clock in the afternoon of the 24th December last, shortly after it had become dark.

I was informed by Mr. Leish, the engineer of the *Monkland and Kirkintilloch*, that on the said afternoon a train of coal-waggons came off the *Ballochney* Railway, and was proceeding along the *Kirkintilloch* to the *Garnkirk* Railway, for the purpose of being conveyed by the last-mentioned line to Glasgow, when the accident in question took place.

The name of the driver of the engine was James Tennant, and that of his assistant, whose duty it was to act both as breaksman and fireman, was Daniel Macconochie. The latter was unfortunately killed.

It appears that the accident happened at a point on the *Kirkintilloch* Railway which is nine miles and a quarter from Glasgow, measured along the *Garnkirk and Kirkintilloch* Railways, and at about half a mile from the junction with the *Ballochney* line; here a gradient, falling at the rate of 1 in 400, commences;