

## ALLEGED MANSLAUGHTER BY AN ENGINE DRIVER AT MIRFIELD.

WILLIAM McCONKEY surrendered his bail to an indictment charging him with having, on the 30th June, caused the manslaughter of Thomas Walton at Mirfield.—Mr. WADDY and Mr. BATTYS were for the prosecution; Mr. SHAW defended the prisoner.—The prisoner was for some time before, and up to the commission of the offence with which he was charged, an engine driver in the employment of the Lancashire and Yorkshire Railway Company; the deceased was also an engine driver of the same company, and it was alleged against the prisoner that he caused Walton's death by negligence. On the day in question the two men were with their respective engines near to the Cleckheaton Junction, and it was the proper course for deceased, who had charge of a train from Bradford, to drive right into the Mirfield Station on the main line, the prisoner being at the time up a siding in the engine shed. Before running into the station the deceased looked to see if the signals were all right, and after giving the necessary warning he ran his train up to the station. Just as he was going on the main line, however, the prisoner started with his engine from the shed, although the signal was against him. The deceased saw that a collision was imminent, and he cried out in a tone of alarm to the prisoner. It was impossible for the deceased to pull up in time, and the consequence was that the engines met at the points, and a violent collision took place. Immediately before the accident deceased had laid hold of the handle to reverse the engine, and seeing prisoner's engines close upon him he was about to jump off, but owing to being on the inside of the curve, the engine and tender pinched each other, and for a moment his foot was fixed. He was seen grasping the hand rails, and the next moment he was thrown from the engine and dragged about ten yards along the line, and killed on the spot. The deceased's engine was thrown off the line and the tender was pitched upon its side. The prisoner was still on his engine, the wheels of which were off the line. Witnesses for the prosecution admitted, on cross-examination, that as soon as the prisoner saw the deceased's train he reversed his own engine, and told a man named Willoughby, who was with him, to put on the brake, but instead of obeying Willoughby jumped off, and ran a distance of about 25 yards before he looked back. It was the opinion of Joseph Lee, McConkey's stoker, that as the engine was only going at the rate of about five miles an hour, the accident might have been avoided if the brake had been put on, notwithstanding that it was only about three or four yards from the points. Walton, the guard of deceased's train, spoke highly of McConkey, who had been in the employ of the company for 25 years, as a driver of great care, who had never once been reported for misconduct.—Mr. SHAW, in defence, remarked that the prisoner and the deceased had been the warmest friends, and urged that the long character for good conduct and carefulness possessed by the prisoner was entirely against the assumption that he had been guilty of neglect in causing the death of Walton. He analysed the evidence as it bore against the prisoner, and pointed out that the only man who stood by his engine in a proper manner was the prisoner, conduct which, he thought, did not show much neglect. There were circumstances of confusion in the case which he thought would raise doubts in the minds of the jury, and if that were so the jury would give the prisoner the benefit of it. The Learned Counsel then called several witnesses, all of whom spoke in terms of great commendation respecting the prisoner's character.—*Not Guilty.*