**Railway Accident at Beecroft – death of Mary Ann Roylson**

Marriage 1872 – James Boylson & Mary A. Molloy, Bathurst

Children:

1873 – Michael Francis, parents: James & Mary Anne, Bathurst

1875 – Mary Josephine A., parents: James & Mary Anne, Bathurst – died 1876

1878 – Frederick J., parents: James & Mary A., Bathurst

1881 – Joseph Patrick, parents: James & Mary Anne, Bathurst

1882 – Mary, parents: James & Mary A., Bathurst – died 1882

1883 – Walter T., parents: James & Mary Anne, Bathurst

1885 – Ellenor M., parents: James & Mary A., Bathurst

1886 – Mary C., parents: James & Mary A., Burwood

1888 – Marcella, parents: James & Mary A., Burwood

Death 1911 – James Boylson, parents: Michael & Catherine

Death 1913 – Mary A. Boylson, father: Michael, Ryde

**Cumberland Argus and Fruitgrowers Advocate (Parramatta, NSW: 1888 - 1950), Saturday 19 July 1913, page 5**

Shocking Accident.

Woman Killed on the Line.

A shocking fatality occurred at Bee croft on Tuesday evening, when Mrs. Mary Boylson, a widow, residing at Beecroft, was killed whilst crossing the line. Mrs. Boylson was the proprietor of Ellswood College; Malton-road, Beecroft, where she resided with several of her daughters. On the day of her death, she had been in Sydney, and had returned to Beecroft in the 5.20 p.m. train. Alighting at Beecroft, she walked to the northern end of the station, and waited until the train went on. She then attempted to cross the line, unaware that a passenger train from Hornsby was approaching the station. Several men, however, saw the train, and called out to her. Mrs. Boylson stopped, and looked around; and in that instant the front of the engine struck her, and hurled her, lifeless, on to the space between the two sets of rails. Dr. Rygate was sent for, and on examining the body he expressed the opinion that the injuries had been instantaneously fatal. The body was taken to deceased's late residence.

The crossing where the accident occurred is considered a very dangerous one, as there is a curve in the line near the northern end of the station, and as this is on a down grade, trains approaching from Hornsby make little noise, and can be seen under favorable conditions but a short distance away. With a train leaving the station at the same time as one coming into it, the danger is greatly intensified, as the noise of the outgoing train drowns that made by the other, and the first train also obscures the view of the second train from the passengers on the western platform.

A peculiar fact in connection with the accident was that both of deceased’s shoes were stripped off her feet.

At the meeting of the Beecroft Progress Association on Tuesday, feeling reference was made to the fatality. A number of the members spoke as to the danger existing at this station, and as to the repeated efforts made to get the Chief Commissioner to provide a safe means for crossing the line. A suggestion was made that the Association should send a delegate to the inquest to give evidence on this point, but the suggestion was not adopted.

**Cowra Free Press (NSW: 1911 - 1937), Saturday 19 July 1913, page 4**

OBITUARY.

The late Mrs. James Boylson.

News was received in Cowra yesterday of the death of Mrs. James Boylson, as the result of a railway accident. The deceased, whose late husband was formerly a miller in Bathurst, had lately been residing at Beecroft, where she and her daughters carried on a school. The late Mrs. Boylson just left a train at Beecroft, and was in the act of crossing the line when a train from Sydney knocked her down and cut her to pieces. The deceased lady was very well-known and highly respected locally, having lived for some time in this district, and her untimely end came as a great shock to her many friends. We extend our sincere sympathy to the sorrowing family in their great loss.

**Cumberland Argus and Fruitgrowers Advocate (Parramatta, NSW: 1888 - 1950), Wednesday 23 July 1913, page 3**

The Beecroft Fatality.

Death of Mrs. Boyison.

The Inquest.

An Inquest was hold at Hornsby on Friday afternoon by Mr. E. L. Maitland, SM, concerning the death on the railway line at Beecroft of Mrs. Mary Ann Boylson.

Dr. Rygate, of Beecroft, stated that on the 15th inst., just before 6.30 p.m., he was called to the Beecroft railway station. On the platform he saw the body of Mrs. Boylson lying on a stretcher. Life was extinct, but the body was quite warm, and death had only occurred a short time. Examined the head, and found a large bruise over the left temple, and oozing of blood from both ears and the mouth. The skull was fractured from the vault to the base. The injuries described were the cause of death. Frank Boylson, tea merchant, eldest son of deceased, residing at Glebe Point, staid that his mother was a widow, 59 years of age. She was born ln Galway, and had been in New South Wales for 45 years. She possessed no property. Witness did not know anything about the accident. She was very active for her age, and enjoyed very good health.

Arthur John McGrath, relief officer in the Railway Department, said that on the 15th inst. he was at Beecroft railway station. The deceased alighted from the down train at 6.21 p.m. Did not see the accident himself, but was told that a lady had been knocked down by the up train. Went to the rear of the up train, and saw the body lying between the two sets of rails, about 45 feet from the northern crossing place. Witness placed the body in a stretcher, and sent for Dr. Rygate. The down train left at 6.22, and the up train came in at 6 22 p.m. Usually the down train left Beecroft at 6.12 p.m., but on this night the train was about 10 minutes late. Passengers crossed by means of a level crossing at the northern end. There were two notice boards, warning passengers to beware of trains. Could not say that the station was a dangerous one.

To Inspector Reeves: The lamps were all alight that night, and a bright moon was shining. I don't know much about Beecroft station. The nearest lamp to the level crossing was on the up platform, about 10 yards from the crossing, and that on the down platform would be about 15 yards. There is a bridge over the line by which passengers could get to their homes on the north-eastern end if they wished to avoid using, the level crossing. There

was no necessity for passengers desiring to leave the station to use this crossing. The outgoing train, going up-grade, would make a lot of noise, whilst the other train would come down comparatively noiselessly.

To To Mr. Carlos: There is a considerable curve coming into Beecroft from the north, and the curve tends towards the eastern side. If a passenger were standing on the down side when a train was going out, it would be impossible for that person to see or hear an approaching train.' Between the passing of the tall-end of the down train over the level crossing and the coming of the up train more than two seconds would elapse. He collected the tickets from the down train; crossed the line, and entered the office before the other train came in. In that time the passengers should have crossed the line. Did not know that only one man had had time to cross the line that night. Witness collected the down tickets at the exit from the station opposite to the store, and this would be about 80ft. from the ramp. Did not know that all the passengers living on Malton-road left that night by the ramp and crossing. Relieved at the station for the first time on Sunday night. At the time of the accident, he and a junior porter were the officials in charge of the station. The guard and ticket collector on the trains assist in the collection of tickets. The Junior porter also assists the guard to take off luggage. Witness considered that a sufficient staff for Beecroft station.

Mr. Carlos: Oh, for Beecroft, Is it? That death-trap!

Witness, continuing, said that he had left the block Instruments before the up train left Pennant Hills, but he had received warning of its coming, and had put the ''sticks” up. There was no ground bell to warn people that the train was coming, and there was no bell on the train to be rung when approaching dangerous crossings. Was not aware that the train would come in when the down train was going out. He knew that it might. He did not warn anybody of the coming of this train, and there was no official at the ramp to warn people. Saw the up train when the engine was about to enter the station. The tail of the down train was then passing the home signal. The signal would be about 75 yards from the platform. Could have blocked the up train if he had seen any necessity to do so. The “Beware of trains” notice on the down platform was 'at the end of the ramp, on the outside of the railway at the end, and at the back of the ramp. The size of the notice would be about 18 x 12. Would not swear to the size of the notice, as, he had not measured it. The letters would be about two inches high. The notice would be visible at night. Would say that it would be legible at 3 feet distance. The light there at the time of the accident would be pretty good. The light of the lamp shines on this notice. The down train was late - 10 minutes. Had it been running to time there would have been no danger. Had he known that the up train was so close, he would have warned the passengers, but, until he went into the office, he did not know the exact position of the train. Witness crossed the line opposite to the office. The down train had then passed. He did not remember whether he collected tickets from a lady and gentleman then in court. Could not say if the trains crossed 30 feet from the station.

Ralph Nixon, engine-driver of the up train stated that he left Hornsby on time. The head lamps on the engine were both shining brightly, and were alight when he arrived in Sydney. Arrived on time at Beecroft. Sounded the whistle when about 50 yards from the station. Witness, who was on the right-hand side of the engine, did not see anything unusual or anyone near the engine.

To Inspector Reeves: Witness was driving an 8-class engine with eight carriages – a load of about 186 tons. The train was fitted with quick-acting Westinghouse brakes. The load was about 80 tons less than the engine’s capacity. The engine was running bunker first, and witness would therefore be about three or four feet from the leading part of the engine. Witness would be on the inside of the track, and was keeping a look-out. In entering the station, the train was travelling at the ordinary rate of speed, about eight or nine miles per hour. Witness' engine passed the last car of the down train about 20 or 30 yards from the north end of the station. There is a regulation requiring drivers to sound their whistles when passing other trains or approaching a station. Witness, sounded the whistle. Witness had had 12 years' experience as a driver. The first intimation that he received that an accident had happened was at Epping. The signals were all showing clear.

To Mr. Carlos: My train came in at the ordinary rate of speed. I did not see anyone near the line, but the end of the other train blocked my view for a time. Whistled the other side of the bridge, near the signal, and again when passing the other train, and coming to the crossing. Did not know that there were people waiting to cross that night. Had seen people waiting on other occasions. There Is a big curve there. Would be able to see any person crossing the line 20 yards ahead. Did not see a gentleman cross the line in front of his engine. Was not aware that since the station was lengthened trains came into the station faster. Witness came in at the usual rate, about eight or nine miles per hour. When passing the home signal his speed would about 20 miles. That signal would be about 50 yards from the end of the platform.

Frederick Nancarrow, fireman, gave similar evidence, save that he was not sure whether the whistle was sounded more than once. He was keeping a lookout when approaching the station, but did not see anyone on the crossing. It would be impossible for: anyone to cross without him seeing them or their being run over. Did not know of a crossing more dangerous than that at Beecroft.

The Coroner remarked that Mr. Carlos was taking a wrong view of this matter. He was not there to take cognisance, of any dispute, but, to inquire into the cause of death.

Mr. Carlos: And, I submit that you are entitled to take evidence as to negligence.

The Coroner: To a certain degree.

The Coroner to witness: If you and the driver were at your posts keeping a sharp look-out, how is it that this lady got on the line without you seeing her? - We have to look at the signals and at the platform, and the driver would have to attend to the engine.

Frederick Sutton, clerk in the District Superintendent's office, Sydney, but residing in Beecroft, said that he was a passenger by the 5.29 p.m. from Sydney. The train arrived at Beecroft about 6.18 or 6.19 p.m. It was running late. Witness alighted and walked to the northern end of the down platform up to the fence. When the train passed, he proceeded to go down the ramp, when he heard someone call. He saw a lady crossing the line at the northern crossing. There were five or six other passengers a short distance behind her. She was in the centre of the line when the up train was about 20 yards away, arid was coming in at about six or eight miles per hour. Called out, and heard others call out to warn deceased, who appeared to be oblivious of any danger. When the train was almost on top of her, she turned with her back towards the engine to step off the line, and had almost succeeded in doing so when she was caught by the right-hand buffer of the engine, and thrown headlong about 30 feet. She fell on the six-feet between the tracks. She must have been killed instantly, as he did not notice her move. As soon as the train stopped, witness ran round the rear car on to the up platform, and notified the station staff of the accident, and assisted them to pick up the lady.

Inspector Reeves: Had no one called out Mrs. Boylson would not have turned to go back, and would have got clear? – I hardly think so, but it is possible.

Continuing under examination, witness said that he lived in the same street as the deceased. It would be possible to leave the station on the western side, walk along the street, and cross the overbrldge to get to Malton-road. The bridge would be about 600 yards from the station. Witness sometimes walked- round that way. Had known Beecroft 15 or 20 years, and such matters as this came under his notice. This was the first accident of the kind occurring at Beecroft that he recollected. A start was made about 12 months ago to construct a subway at the northern end of the station, but the matter had had to be held over owing to lack of funds. During the early part of the month, instructions had been given for the work to be put in hand.

The Coroner: I don't know if this is material. The subway is not there yet.

By Mr. Carlos: The only alternative to crossing the Iine on the level Is to walk 600 yards around by the overbrldges, situated at either end of the station. Most of the people living in Malton-street crossed the line. There Is a gate leading to this level crossing on the eastern side of the line. The noise of the down train prevented his hearing the other train approaching. Had never seen a railway official up near the ramp to warn passengers. Passengers had to be careful about crossing the line. Did not anticipate that the up train was so close, but knew that it was coming because the signals were off. There were

other places as dangerous as the crossing at Beecroft. Was aware that there were only a man and boy on the station that night lo look after both trains. People made a practice of rushing across the line at the back of the outgoing train without looking to see if any other train were coming.

Rhoda Hunt, of Beecroft, gave a similar account of the accident. Witness was waiting at the end of the ramp, and when she first saw the up-train, the engine was only a few yards away. The Coroner found a verdict of accidental death, and added that in his opinion there should be some means adopted to warn persons intending to cross the line, when another train was approaching. The crossing was a most dangerous one. As to whether there was negligence on the part of anyone, that was a matter for another court to decide.

**Sun (Sydney, NSW: 1910 - 1954), Saturday 26 July 1913, page 9**

IN THE SUPREME COURT OF NEW SOUTH WALES. —PROBATE JURISDICTION. —In the Estate of MARY ANN BOYLSON, late of Beecroft, near Sydney, in the State of New South Wales, Widow, deceased, Intestate.

APPLICATION will be made after fourteen days from the publication hereof that Administration of the Estate of the abovenamed deceased may be granted to FRANCIS BOYLSON, the eldest son of the said deceased, and all notices may be served at the office of the undersigned. THOMAS JOSEPH PURCELL, Proctor, Culwalla-Chambers, Castlereagh-street, Sydney.

**Bathurst Times (NSW: 1909 - 1925), Tuesday 28 April 1914, page 2**

BEECROFT RAILWAY, ACCIDENT.

£1000 CLAIMED.

SYDNEY. Monday.

In the Banco Court to-day, Francis Boylson, administrator of the estate of Mary Boylson, deceased, claimed £1000 from the Railway Commissioners in respect to alleged negligence. Plaintiff' stated that he brought the action on behalf of his sisters. Deceased had been a school proprietress, and was killed by a tram at Beecroft when crossing the line. Evidence was entered upon.

**Cumberland Argus and Fruitgrowers Advocate (Parramatta, NSW: 1888 - 1950), Saturday 2 May 1914, page 12**

£1000 Claimed for the Death of a Mother.

A Beecroft Crossing Fatality. Boylson v. The Commissioner.

An action against the Chief Railway Commissioner, in which £1000 damages were claimed, was commenced in the Banco Court before Mr. Justice Ferguson on Tuesday. The plaintiff was Francis Boylson, administrator of the estate of his mother,

Mrs. Mary Ann Boylson, who was killed through being run over by a train at the level crossing at Beecroft on July 15, 1913. He alleged that the accident was caused through negligence. Mr. Carlos and Mr. John Hughes, instructed by Mr. J. T. Purcell. appeared for the plaintiff; and Mr. Balston, K.C., and Mr. Weigsall, instructed by the Solicitor for Railways, for defendant. Before opening the case, Mr. Carlos asked that the Jury should be sent to look at the scene of the accident before evidence was entered on, because alterations were at present being made to Beecroft station. He wanted the jury to see the line before it was altered beyond recognition. His Honor said that the jury would go to Beecroft as early as was practicable. Mr. Carlos said that the Beecroft level crossing was about the most dangerous spot on the whole Northern line. The present action was brought on behalf of the plaintiff's three sisters, who suffered the most serious loss by the death of their mother. On the night of July 15 last, Mrs. Boylson, who had been to Sydney on business, caught the 5.29 Hornsby train, which should have reached Beecroft at 6.12. It was running late, however, and did not pull into the station until 6.21. The passengers alighted, and those living on the eastern side of the line, including Mrs. Boylson, waited for it to pull out, and started to walk across the level crossing to reach their homes. One man got across, and then, while Mrs. Boylson was on the track, an up train dashed past, and she was knocked down. It was alleged that this train, instead of coming slowly up to Beecroft station, dashed past the crossing at a rate of 20 miles an hour, and that no warning was given of its approach. Mrs. Boylson, when struck by the train, was thrown 10 feet along the line, and killed instantly. The jury found for the plaintiff, awarding damages to the amount of £750.

**Sun (Sydney, NSW: 1910 - 1954), Wednesday 27 May 1914, page 9**

MRS. BOYLSON'S DEATH.

£750 VERDICT ATTACKED. APPEAL TO FULL COURT,

At the last nisi prius sittings Francis Boylson, administrator of the estate of the late Mrs. Boylson, claimed, on behalf of his three sisters, from the Chief Railway Commissioner, £1000 compensation in respect of the death of their mother, who. on July 15, 1913, was killed by a train at Beecroft. The deceased was a teacher of music and languages. Mr. Justice Ferguson and a jury of four heard the action, and the jury found in favor of the plaintiff, assessing damages at £750, apportioned as follows: — Eleanor May Boylson, £225, May Boylson, £225, and Marcella Boylson, £300.

The defendant commissioner now appealed against the verdict, and asked that a nonsuit, a verdict for the defendant, or a new trial be granted, on a number of grounds, including that his Honor should have directed the jury that there was no evidence that the accident was caused by the defendant's negligence; that Mrs. Boylson's negligence was the approximate and effective cause of the accident;- and that his Honor should also have directed the jury that there was no evidence that the defendant, by the exercise of due care, could have obviated the consequence of Mrs. Boylson's negligence. Mr. A. G. Ralston. K.C., and Mr. Weigall (instructed by Mr, Cargill, Solicitor to the Railway Commissioners) appeared in support of the appeal; and. Mr. Carlos and. Mr. John Hughes (instructed by Mr: T. J. Purcell) for the plaintlff-respondent, in support of the verdict

Argument was entered upon.

**Evening News (Sydney, NSW: 1869 - 1931), Friday 29 May 1914, page 6**

THE BEECROFT FATALITY.

APPEAL FOR NEW TRIAL.

The hearing of the appeal on behalf of the Railway Commissioners against the verdict of a Jury In awarding damages to Francis Boylson, administrator of the estate of the late Mary Ann Boylson, was concluded before tbc Full Court this morning. The court was composed of the Chief Justice (Sir William Cullen), Mr. Justice Prlng, and Mr. Justice Sly.

The case arose out of a fatal accident which occurred at the Beecroft Railway, Station, in June, 1913. Mrs. Boylson was crossing the line at the level crossing, when she was run down and killed by a train bound for Sydney. Her son brought an action for damages on behalf of his three sisters, and the jury gave a verdict for £750. The railway commissioners appealed against this, and asked for a new trial.

The Court reserved judgment.

**National Advocate (Bathurst, NSW: 1889 - 1954), Friday 9 April 1915, page 2**

The Boylson Case.

APPEAL BY RAILWAY COMMISSIONERS.

DISMISSED BY HIGH COURT.

SYDNEY, Thursday.

On July 15, 1915, Mrs. Annie Boylson, a widow, formerly of Bathurst, was run over by a train at Beecroft, and killed. Subsequently, the Railway Commissioners were sued, and the jury awarded the son and daughters of Mrs. Boylson £150 damages.

The Commissioners appealed unsuccessfully to the Full Court against the decision, and the High Court was called on to-day to consider a further appeal by the Railway Commissioners against the Lower Court's decision. The appeal was dismissed.

**Cumberland Argus and Fruitgrowers Advocate (Parramatta, NSW: 1888 - 1950), Saturday 10 April 1915, page 8**

THE BOYLSON CASE.

The Railway Commissioners are appealing in the High Court again the decision of the State Full Court, which declined to upset the jury's verdict for £750 in the claim made by Francis Boylson on behalf of three sisters for £1000 compensation for the death of their mother, Mrs. Mary Ann Boylson, who was killed by a train at Beecroft level crossing in July, 1913. The appeal is made on the ground that there was contributory negligence on the part of deceased; no negligence on the part of the Chief Commissioners' servants; and that the damages allotted to one of the daughters, viz., £225, were excessive, as she was not dependent upon her mother. The case was concluded on Thursday, when the appeal was dismissed.

**Co-operator (Sydney, NSW: 1910 - 1917), Thursday 15 April 1915, page 4**

COMMISSIONER'S APPEAL FAILS.

NO CONTRIBUTORY NEGLIGENCE

In July, 1913, Mary Ann Boylson, a widow, was run over and killed by a train at a level crossing at Beecroft. Francis Boylson, son of the deceased, brought an action for damages and claimed £1,000 compensation for his three sisters. The case was heard before Mr. Justice Ferguson and a jury, and the jury awarded £700. The Commissioner then appealed to the State Full Court, which upheld the jury's decision. The Commissioner then appealed to the Federal High Court, and the hearing concluded last week. The Chief Justice, Sir Samuel Griffiths, in delivering judgment, said the position of the station, the curve in the line, and the speed of the train, the darkness of the night, and the absence of whistling, were in circumstances which a jury could consider on the question of negligence. He thought there was evidence upon which it could be found that defendant was guilty of negligence, and found that Mrs. Boylson was not guilty of contributory negligence. With regard to the question of damages, there was some evidence of prospective pecuniary loss. It was not necessary that there should be evidence of immediate pecuniary loss. He was of the opinion that the appeal failed on both points, and must be dismissed, with costs. 'The other members of the court concurred.

**Catholic Press (Sydney, NSW: 1895 - 1942), Thursday 9 January 1919, page 22**

The following nurses from St. Vincent's Hospital, Sydney, were successful in passing the Australian Trained Nurses' Association examination, which was held early in December: Marcella Boylson, … …