

A Shocking Story by Noel West

The digitised pages of the Brisbane Courier are a mine of information on a vast array of topics including the early days of Brisbane's Tramways. I was seeking information on tram lighting and found some of my answers in this court case! I have made a précis of the case as the newspaper reports cover over 16,000 words but they are well worth reading. You can find the access to them at the end of this article.

In the early evening of 21st May 1898, Miss Margaret McLean, escorted by her brother-in-law, attempted to board tram 63 when it stopped at the Harcourt Street loop in Brunswick Street, New Farm. With one hand on a hand rail and one foot on the footboard she screamed out and suddenly fell backwards into her brother-in-law's arms and onto the roadway.

She became upset and wanted to return home but she was coaxed into continuing her journey to meet her friend for a performance at the Opera House. She was distressed enough to cut the evening short and returned home to her sister's residence by tram accompanied by her friend. Over the following several weeks she suffered various symptoms and was regularly attended to by doctors.

In what was believed to be the first case of a passenger receiving an electric shock from a tramcar in Brisbane, it culminated in a damages claim against the Brisbane Tramways Company for £1000, being held in the Supreme Court during November 1898.

The hearing lasted several days with a jury of four. Much of the evidence for the plaintiff centered on that given by her doctors who recorded her slow recovery.

The Tramway Company produced various eminent witnesses, including Mr. Badger, who explained how safely the cars were constructed and to receive a shock from a tram was highly unlikely provided the wheels were making good contact with the rails and in dry conditions. Tests were carried out with car 63 when it was driven onto dirty rails.

The testers even subjected themselves to a full 550 volt shock! The track at the incident site was carefully measured as it was thought the old horse tram rails could have been worn enough to prevent good contact with new wheels. Measurements were satisfactory. Electric traction commenced on this section on the 22nd September 1897.

The old rails were not renewed but simply bonded for electrical continuity. Track cleaners testified that the rails were clean and the motorman and conductor also gave evidence.

After seeking clarification on some points the jury returned a finding against the Company that it, its servants or agents negligently, carelessly and unskillfully managed the tramway for the plaintiff to receive an electric shock to cause injury.

What seems odd today is that the jury awarded Miss McLean £150 in damages. A very interesting aspect of the hearing was that a good deal of conflicting evidence was presented by witnesses, particularly surrounding the time of the incident.

The tram involved, No. 63, was one of four nine bench cars obtained in 1897-98. Their origin is a mystery and may have been assembled by the Company from cars imported in a knocked

down condition. As the construction of the Combination cars progressed they were renumbered in the 81 -84 range. The last Combination car was also numbered 63. The accompanying photograph is of Car 63 at North Quay in 1898 and shows the tram involved in the incident.



Photo from the
BTMS archives

For those readers who would like to read the newspaper reports online go to the (Google) Trove website, click on "digitised newspapers" on the home page. On the next page click "advanced search" under Search Articles.

In the top bar of the keywords section type "action against tramway company". In the publication date section select 14 November 1898 in the first and 22 November 1898 in the second. In the Newspaper title section scroll down and select Brisbane Courier. Select Article in next section then select earliest in the Sort section. Click Search.