



# Crime and Punishment

## *Minety*

### **Court Case**

### **Major Frank James**

Swindon borough magistrates sat for four hours yesterday to hear evidence of two charges of motoring offences against Major Frank James, of The Orchards, Minety, Wilts.

He was charged with driving a motor-car in a dangerous manner in Farrington Road, Swindon, on October 4, and also with driving the car while under the influence of drink at the same time and place.

Mr W Ireland of Messrs Wansbroughs, Robinson, Tayler and Taylor, of Bristol, prosecuted for the police and Mr S G Humphreys, of Swindon, represented James, who pleaded not guilty and elected to go for trial.

Part of the case was heard by the magistrates on Monday, when they sat for several hours. They adjourned the hearing until yesterday, when, after further evidence, they decided to commit James for trial at Wiltshire Quarter Session at Devizes on January 4.

James reserved his defence and was allowed bail in his own surety of £20.

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Formerly in the Indian Army, Major Frank James (51), of The Orchard, Minety, near Swindon, was at the Wiltshire Quarter Session at Devizes acquitted of charges of driving a motor-car when under the influence of drink.

Viscount Finlay presided over the court. The prosecution was conducted by Mr Malcolm McGougan, of Bristol, and Mr G D Roberts K.C. and Mr J L S Hale were for the defence.

Mr McGougan said that on October 4 about 8.25 pm, Det.-Sergt. Toop, of the Wiltshire police, was driving his car in Farrington Road, Swindon, towards the centre of the town, when he saw a fairly large car coming towards him on the wrong side of the road, with its headlights on.

In order to avoid a collision, Det.-Sergt. Toop had to swing his car into a side street. A man named Burnett, who had seen the incident, got in Toop's car and they gave chase. Burnett had seen a precisely similar piece of driving on the part of the same car a few moments before that involving Toop.

Toop and Burnett overtook the other car, and it was being driven in a zig-zag manner which made it unsafe to try to overtake. It went straight for a stationary 'bus that was on the opposite side of the road and facing towards the car, but swerved to avoid it at the last moment.

The car continued to pursue a zig-zag course, striking the grass verge at various points, sometimes on one side of the road and sometimes on the other. It also narrowly escaped hitting a railway bridge.

At Mannington, Toop stopped and picked up a police constable. A little further on the car went on its wrong side straight for three cyclists who were coming the other way, and they all had to throw themselves off on to the grass to avoid being struck.

Major James's car also narrowly missed colliding with another car coming towards it. At his own gate at Minety, 11 miles from Swindon, Major James stopped, and going up Det.-Sergt. Toop found that when he got out of the car he swayed and smelt of drink. When he went to open the gate he lurched in his gait.

Mr Roberts, for the defence, said there was no satisfactory proof that the car seen in Faringdon Road was Major James's car, as he was sure that Toop could not have identified it with the momentary glimpse he had. The car was driven 11 miles over a very difficult road without any accident.

Major James's staggering was no more than was to be expected in a man who had been cramped up in a car.

Mr Roberts suggested that the allegations with regard to drunkenness were wicked exaggerations. They were not dealing with a road hog, but with a man of unblemished character, and one who had driven since 1913 without a conviction.

The jury found Major James not guilty of either offence.

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