



Crime and Punishment

Oaksey

Claims Court

Walter Jack Gould v Walter Percy Hawkins

Walter Jack Gould, plasterer's labourer, of Pagenshill, Stroud, claimed £7 10s 0d from Walter Percy Hawkins, a student, of Glencroft, Oaksey, near Swindon, for damage to a motor-cycle and clothing. There was a counter-claim for £3 2s 8d on account of damage to a Morris Cowley car.

The proceedings arose out of a collision between Gould's motor-cycle and Hawkins's car at a curve in the Stratford road. Plaintiff alleged he was passing a lorry, which was stationary on the right side of the road when defendant's car emerged from behind the lorry. Both parties pulled to plaintiff's left side of the road, with the result that plaintiff was pinned between the hedge and the car.

Defendant said he first saw Gould when he was 60 yards away, and thought he was going to pass between the lorry and the car. When 12 yards away, however, he turned to the side of the road and witness at once applied his brake. When the impact occurred, his car was stationary.

His Honour remarked that the lorry should not have been left where it was and if he had his way, there would be summonses for obstruction in such cases. Though he did not think the motor-cyclist could have been keeping a good look-out, blame in the matter rested on the driver of the car who insisted on going to his wrong side of the road.

There would be judgment for plaintiff on claim and counter-claim, with appropriate costs.

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