

## Capt Benett-Stanford's Driving Altercations 1904-1922

### Guildford County Petty Sessions (Saturday)

Captain John Montague Benett-Stanford, a magistrate for Dorset and Wiltshire, residing at 9 Charles-street, Berkeley-square, W., and Hatch House, Tisbury, was summoned for having assaulted James Hunt, a carter, at Godalming, on October 15<sup>th</sup>.

Hunt was also summoned by Captain Benett-Stanford for having obstructed the highway.

Mr E Jackson appeared for Hunt and Mr E Grinwood Mears for Captain Benett-Stanford.

Mr Jackson stated that Hunt was driving a horse and trolley from Godalming to Minstead Rough when he heard a motor-car coming behind at a speed which he estimated at about 20 miles an hour. Hunt, who was in the centre of the road, pulled in to the near side.

When Captain Benett-Stanford had passed the trolley, he stopped his car, and then got out and tried to pull Hunt off his vehicle, accusing him of having obstructed the King's highway. Eventually he got Hunt off the trolley, tearing his clothes in so doing, and he and his chauffeur proceeded to twist the rope reins, which they had taken from Hunt's horse, round Hunt's neck. When they left him, Hunt was bleeding at the neck and face.

Hunt bore out his solicitor's statement, and said he would not give his name because he had not obstructed the road. Other evidence in support of the charge of assault was given, and Police-constable Galloway, who was fetched by Captain Benett-Stanford, said Hunt's face and neck were covered with blood. Hunt was sober, and gave the witness his name and address. The road was 23ft wide.

For the defence, Mr Mears stated that the case had been greatly exaggerated. His client, being unable to obtain the man's name and address, proceeded under section 78 of the Highways Act, in the absence of a police-constable, summarily to arrest Hunt for the purpose of taking him before a magistrate. He used no more violence than was necessary.

Captain Benett-Stanford stated that his chauffeur and valet were with him in his motor-car. Hunt was on the wrong side of the road, and the car had to be driven on to the grass to get past. As Hunt refused his name and address, the witness tried to arrest him. Hunt struck him with his whip stock, breaking the skin of his nose. They took of the rope reins with a view to securing the man. The rope was placed over his left wrist, and in his struggle, the rope got round his neck. There were scratches on Hunt's face before any struggle took place. The road was only 16ft wide.

Evidence was given by Henry Hamilton, chauffeur, and George Hutley, valet, to prove that Captain Benett-Stanford did not put the rope round Hunt's neck. They also asserted that Hunt did obstruct the highway.

Captain Benett-Stanford was fined £2 for the assault and Hunt was fined 10s for obstructing the highway.

On Hunt applying for time to pay his 10s, Captain Benett-Stanford said he would pay both fines if Hunt would promise to keep on his right side in future. This the man did and his fine was paid.

Taunton Courier & Western Advertiser Wednesday 09 November 1904

### Weymouth Police-court (Friday)

Captain Benett-Stanford, of Tisbury, was summoned for driving a motor-car at a pace dangerous to the public in the Dorchester-road at nine o'clock on the night of July 7<sup>th</sup>.

Mr A Pengilly appeared for the prosecution and Mr Staples Firth defended.

Mr Pengilly pointed out that it was not necessary for there to be any traffic on a highway at the time a car was being driven, but what had to be taken into consideration was the amount of traffic that might reasonably be on the highway at the time. Consideration was also to be given to the number of roadways leading to the main thoroughfare and the speed of a motor-car.

Captain Benett-Stanford drove a powerful and large motor-car from Dorchester to Weymouth, and he had to be by the Spa Hotel, and pass the two roads which led from Fernhill-terrace on the one side and Milton and Argyle-terrace on the other side. It was at that particular point that the police alleged that he was driving at a pace dangerous to the public.

PS Webb deposed that he saw a car coming down the road at a speed of 30 miles an hour, but he failed to see the number of the car as it was going so fast. He went to Messrs Tilley's garage and identified the car.

He afterwards went to the Yacht Club and saw Captain Benett-Stanford, who asked him his business. Witness told him that he had come to see him respecting the fast speed of his car down the Dorchester-road. Defendant asked him what he meant by fast speed, and he replied "30 miles an hour". Defendant said "I have done more on a straight clear road. I drive like the very devil".

Witness told him that it was far too fast for that part of the road. Defendant spoke about police traps in the county, but witness told him that this was not a police trap, and added that he had come to caution him, to which he replied "I am an officer, and I should not dream of taking a caution from a police-sergeant".

In cross-examination witness said the car passed him in about two seconds, but Mr Firth ridiculed this statement and said that worked out at 100 miles an hour.

Captain Benett-Stanford, in his defence, said he had been a county magistrate for Dorset and Wiltshire for 22 years. He had driven a motor-car since 1897. On the night in question he had been fishing in the Fishing club waters at Dorchester and returned to Weymouth for the purpose of staying the night at the Yacht Club. He could never swear with confidence that his pace was within a small item of 16 miles an hour.

When the sergeant came to him at the Yacht Club he was very civil, but somewhat supercilious. He denied driving at 30 miles an hour, or at a speed dangerous to the public. He had a clean licence and produced his Dutch, German, French, Austrian and other foreign certificates. In cross-examination, the defendant admitted having been convicted at Haywards Heath, Andover and Basingstoke Police-courts in respect of motor-car offences.

The Bench eventually dismissed the case.

Western Gazette Friday 16 August 1912

#### Blandford Petty Sessions (Tuesday)

Colonel John Benett-Stanford, of Hatch House, Tisbury, was summoned for not having taken due precautions to prevent his motor-car being started when left on the highway. Defendant did not appear and PC Squibb stated the facts. Fined £1.

A second charge against the defendant was one of failing to produce his driving license and for this offence, a fine of 5s was imposed.

Before the business of the Court was finished, the defendant put in an appearance and the Bench decided to re-hear the cases. The defendant pleaded not guilty to the first charge.

He said he would like to call the attention of the Bench to the fact that he was not charged with leaving his engine running. He was charged with not taking due precautions against the car being started in his absence. PC Squibb deposed that on September 1<sup>st</sup> he was in the Market-place when he saw a motor-car outside the Post-office. It was unattended but the engine was running. He kept observation on it for about five minutes and when defendant came from the post-office, witness told him he had committed an offence.

Frank Crew, chauffeur, of Child Okeford, gave corroborative evidence as to the engine of the car being running. He did not hear the conversation between the defendant and the constable.

Defendant again called attention to the offense with which he was charged. He admitted that the engine was running, but said that on the car, which he almost might call a clutch, which fitted over the clutch pedal in such a way that it absolutely locked it. In this instance also the gears were out, so that nothing in the wide world could have started the car. He contended very strongly that he had taken reasonable precautions that the car should not be started in his absence.

The car was outside the Court, and several of the magistrates inspected it. On their return, Mr Farquharson said he had seen the car and in his opinion the catch was perfectly safe. Inspector White contended it was a device which could have been easily moved by anyone who got into the car. Defendant said if anyone wanted to do mischief they would do so. Inspector White enquired how long the catch had been fixed on the car. Defendant: About six weeks.

After a short retirement, the Chairman said the Bench had decided to dismiss the case as they thought it would be impossible for anyone to start the car without getting into it.

In reference to the second charge, PC Squibb said he had asked defendant twice for his driving license and each time he replied, "I have not gone one". Cross-examined: Defendant did not say "I have not gone one on me"

Defendant then asked that the Inspector of Police should be called, as he wished to put some questions to him regarding his instructions in these cases. Inspector White entered the box and was asked "Have you ever received any instructions from the Chief Constable that if a license is produced within 48 hours, no proceedings shall be taken"?

Inspector White: I refuse to answer the question

Defendant said that no doubt the Bench would take notice that the Inspector refused to answer a very important question.

Defendant next asked witness if he did not look upon the Metropolitan Police as being at a rather high standard in the Police Force? Inspector White said that had nothing to do with the case.

Defendant: Are you aware the Metropolitan Police do not prosecute if a license is produced within 48 hours?

Witness: It does not matter to me whether they do or not.

Defendant contended that being known to the police all over the county, and as a Justice of the Peace, it was not necessary to always have his license with him. Recently, when coming from London, he was asked by the Police for his license, he did not have it with him, but sent it for their inspection, and there was no prosecution. In the present case, he sent his license to the Inspector and he suggested to the Bench that in the circumstances, there should have been no prosecution and that the case should be dismissed.

The Bench decided to convict and imposed a fine of 5s.

Western Gazette Friday 22 September 1922