

## **CORONER'S JURY IS INVESTIGATING**

### **Inquest Into Last Wednesday's Disaster Resumed at City Hall This Morning —Several Witnesses Sworn—Another Session This Afternoon—Testimony of Injured**

The coroner's inquest into the accident of last Wednesday evening, which resulted in the death of 10 women and the serious injury of three others and the driver, was resumed at the city hall this morning by Coroner F. L. Sutton and the jury. District Attorney Burrell conducted the examination of the witnesses. The Shawmut railroad and several of the interested parties were represented by counsel.

The court room was crowded with spectators who followed the testimony of the several witnesses with close attention.

The morning session was brief, as a number of witnesses could not be present until afternoon.

#### **An Erie Engineer Testifies.**

The first witness called was George Huff, an Erie Engineer, who is employed in taking out engines for trial. He was at the V. N. Tower, about 30 car lengths from Stephens Crossing, when Shawmut train No. 9 passed. There were in the tower Tip Towser, the operator, Guy Terry, his fireman, Willard Perkins and another young man. He testified positively that the engine whistle on train No. 9 sounded the usual crossing signal, two long and two short blasts, between the tower and the whistling post. The tower is about 30 feet from the Shawmut track. He arrived at the tower at 7:15 and left at 7:45. Did not know of the accident until he reached Canaseraga. When he passed the crossing the Shawmut train was just starting back and he thought they had broken down or had lost something. It was snowing slightly. He saw the headlight of No. 108 when it turned the curve, a distance of over three-quarters of a mile.

#### **Testimony of Two Passengers.**

Guy Pixley, a passenger on the Shawmut train, was next called. He was sitting in the rear car, talking with his brother, and did not notice the crossing signals. When the train stopped he heard the fireman tell the conductor that the train had struck a sleigh. He and his brother had gone to assist in picking up the dead and injured. It was snowing lightly.. He did not know how fast the train was running.

Charles Pixley, brother of the previous witness, was then called. His testimony was practically the same as his brother's.

#### **Mrs. Smith Re-called**

Mrs. Sara Smith, who had been on the stand at the previous session, was recalled. She testified that the second load was as far from the city hall to Main street [in distance] behind the first one when they first saw the approaching train. She saw the headlight and knew it was a train coming, although the driver said it was a switch engine. It was approaching rapidly. Some of the party asked him not to cross, but he did so and had plenty of time. She did not hear the signals of whistle or bell. They had talked about the danger of crossing. It was snowing when they started. She saw the engine on the Erie track. They were at the end of the red barn when the second sleigh was struck. Warnings had been shouted to those in the second sleigh, but they seemed not to hear them, but later she had understood that they had. The horses were on a trot

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and going quite fast, but she thought they could have been stopped. She did not think at the time that the second sleigh could reach the crossing before the train. She had been told that those in the hospital said they heard the warnings and asked the driver to stop. She did not think the driver of the second sleigh had been drinking, as he spent most of the afternoon in the dining room, and slept in a chair.

### **Mrs. Aldie Petty.**

Mrs. Aldie Petty, wife of Rev. Charles Petty, was the next witness. She testified that she was the third one from the end in the front sleigh. She saw the headlight of the approaching train when they were very near the crossing. Did not remember anything being said. Some said they could not turn back, but to call to the others to warn them. This was just as they reached the crossing. She thought the other team was further than from the city hall to main street [in distance] behind at that time. They were going quite fast but did not think they were running. The first sleigh crossed all of the tracks slowly and stopped near the end of the red barn to see the others cross. She heard those in the second sleigh scream just before they were struck. It was not storming and she could see quite a distance. She did not hear either whistle or bell. Did not see the engine on the Erie, as she was watching the second load, as she was afraid they would be struck. Some cried out, "Oh! Go back, go back! a train is coming!" She did not think those in the second sleigh heard the cries, but that Mrs. Rowley had told her they did and that they pleaded with the driver to stop, but he had whipped up his horses. It did not seem at any time that the team was running away.

### **Rev. Chas. Petty Recalled.**

The Rev. Charles Petty was recalled and gave considerable additional testimony. He said that when picking up the dead and injured he heard a whistle, two long and two short blasts, and asked the trainmen if they had a flag out. They replied there was no danger and he then discovered the train was on the Erie. He saw the engine on the Erie near the tower. Noticed the headlight on the Shawmut engine as soon as he could see up the track. They were driving at a slow trot, passed over the crossings at a walk and waited fully fifteen seconds before the Shawmut train reached the crossing. The team of the second sleigh ran past them after the accident. The stars were shining brightly and there was no wind but some frost in the air. They were at least two or three rods from the track when they first saw the headlight. Had made up their minds there would be no regular train to bother them, and thought it was a switch engine until they were on the tracks. The people in their sleigh called out "Go back! Stop! Wait!" They did not appear to hear. Some of those who died told him before death they had heard and asked the driver not to go on. The team, he thought, was under perfect control.

### **An Adjournment Taken.**

As there were no more witnesses present an adjournment was taken until 2 p.m. The coroner, district attorney and stenographer then went to the hospital to endeavor to take testimony of Mrs. Clark and Mrs. Rowe.

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### **No Depositions Taken.**

The condition of the patients at the hospital this morning, when the coroner visited them, was such that the physicians would not allow them to give any testimony for fear the excitement might retard their progress toward recovery. The district attorney stated that it would be impossible to take any testimony from them for at least ten days.

### **Inquest Resumed.**

The taking of testimony was resumed in the city hall a few minutes after 2 o'clock. There was another large attendance at the afternoon session and much interest manifested in the proceedings.

### **Heard the Whistle.**

Guy Burdick, of Angelica, freight conductor on the Shawmut, was the first witness called at the afternoon session. He was at the Shawmut station the night of the accident, when No. 9 train pulled out. He had heard the train whistle for Stephens crossing as he had just stepped out of the door to convince a traveling man that the train had departed. He heard the whistle plainly. It was about three minutes after the train had started. It was snowing.

### **Did Not Notice Whistle.**

Willard Perkins, a celery grower, who was in the Erie tower the night of the accident, was next called. He had been there for some time and remembered the Shawmut train going by. He could not positively state whether the whistle was blown for the crossing. The train was running at the ordinary rate of speed. There was a light engine on the Erie track. Engineer Huff was in the tower. He thought it was snowing but still.

### **Shawmut Employees Called.**

Henry Halsey, baggagemaster at the Shawmut station, was on his way to his boarding house at the time of the accident, and plainly heard the whistle signal for the crossing. His boarding house is about 500 feet from the station. He is familiar with the whistle of this engine. Did not think it was storming.

Myron Depew, of No. 8 Fulton street, car inspector for the Shawmut, testified that he inspected the brakes on the train five minutes before the train left the station and found them in good condition. Did not leave the depot and was positive that he heard the whistle between three and four minutes after the train started. This is the first crossing after leaving the station.

### **Photographs in Evidence.**

Several photographs of the scene of the accident taken by Ralph Young in the presence of the jury were offered in evidence by District Attorney Burrell.

### **Says Quick is Safe Driver**

Dr. C. S. Parkhill, who had been on the stand at a previous session, was recalled. He testified that he had known Elisha Quick for 25 years, and had frequently employed him. He considered him a remarkably safe driver and had generally asked to have him sent when he engaged teams from where he [Quick] was employed.

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J. M. Harding, proprietor of the livery stable from which the teams were sent out with the party. The team which drew second load was a team used on hearse and carriages at funerals. They are high life but had been considered safe. Quick had always driven the team and Mrs. Graves had asked for this team with Quick as driver. Quick had been in his employ about two years, but had worked for him 20 years ago. He considered him the safest man he had in his employ. Thought he had told them they had better go the other way, but was not positive Quick had been intoxicated since being in [his] employ, but had not drank since July 4. He had never taken opiates. Thought each driver had a whip, as it was customary to take one. The team had been around [train] cars considerably for the past year and a half.

### **Worked for Rose.**

Charles O. Rose was then called to the stand and stated that he had known Elisha Quick for 20 years. He had employed him for about 10 years and considered him a pretty careful driver. Never had heard him spoken of as anything but a careful driver. It is about seven years since he [Quick] was in his employ.

### **An Adjournment Taken.**

The Inquest was then adjourned until February 16, at 10 a.m.

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