

DAVIS, DYING, SWORE ENGINE WAS FAULTY

Steam Hid Signals and Led to the Graceland Disaster.

Reading Railway Employes Declare the Machinery Was Sound—Survivors Tell Their Stories

at the Inquest.

Special to The New York Times.

PLAINFIELD, N. J., Feb. 3.—There was direct contradiction in the testimony adduced to-day at the first session of the Coroner's Jury, called to place the responsibility for the railroad disaster near Westfield on Jan. 27. The death-bed affidavits of James Davis, who was the engineer of the Philadelphia express that crashed into the rear end of the Easton local passenger train, were read, and the testimony of many railroad employes was taken.

Davis swore that the condition of his engine was poor; that steam escaped from a crack in the steam chest in such quantities that his vision was obscured, and that it was impossible for him to see the block signals at the side of the track; that the front injector broke when the train was between Cranford and Westfield, and that he had to jump up and fix it; that while so engaged the train sped past the danger signals, and that when he again looked out of the window he saw the lights on the rear end of the passenger train into which his engine smashed before the emergency brakes, which he said he applied, could stop his train.

Against these statements were the witness-stand stories of the Master Mechanic and the Road Foreman of the Philadelphia and Reading Railroad, and of engineers who were familiar with the engine at the time of the accident, or had been previously. These were to the effect that the engine was in good condition. That it had not been a short time previous to the fatal run, was evident from the story of the Master Mechanic, who testified to many repairs having been made on it at Philadelphia on Jan. 7, but he contended that the fact that these repairs had been made certified to her good condition on the date of the accident.

Another man, W. H. Wilkinson, an engineer who turned the engine over to Davis, promises to corroborate the testimony as to the good condition of the locomotive. He arrived too late to be heard this afternoon, but in an interview he said that when Davis took the engine from him, the injector, of which Davis complained, was in perfect order, and that he had not noticed any leak in the steam chest. He believed he would have noticed such a leak had there been one.

Asked as to the strength or delicacy of an injector, Wilkinson said:

"Its hard to break one. I haven't had one break on me during the last ten years. It is a most unusual trouble."

Several points are conspicuous in the trend of the investigation. It was shown that the Easton local, designated as No. 13, was on the main track on the night of the accident, whereas it is the custom, seldom unobserved, for that train to proceed at that place on the southern track, designated as Track No. 4; that the "hot box" on the engine of No. 13 caused the train to stop, and that No. 13 had orders to proceed to Dunellen ahead of No. 621, the express.

THE POINT OF DISPUTE.

The contradicted point is as to the condition of the engine. Officials of the railroad said that if, as Davis said in his affidavit, the engine was in poor condition, he would not have been compelled to take her out on the trip had he reported the defects. Whether Davis made such a report the jury was not able to ascertain, but hopes to do so. Upon this, it appears, rests the question of the engineer's responsibility.

N. C. J. English of Elizabeth, Prosecutor of Pleas for Union County, conducted the inquisition to-day. John K. Large, general claim agent for the Central Railroad of New Jersey and John F. Conover, an attorney for the Reading Company, were the only representatives of the railroads in attendance. They took no part in the proceedings. The inquest was held over the body of John Currid of Dunellen, a telegraph operator in the employ of the Central Railroad.

Stories of the wreck were obtained from almost all of the witnesses who were in it, or had been at the scene soon after its occurrence. County Physician F. W. Westcott of Fanwood submitted the statement he had secured from Engineer Davis, which was signed by the engineer. This statement was as follows:

I started from Jersey City, going west, at 6:13 P. M., with a badly leaking steam chest, which had been cracked for a month or so. Steam in large quantities was escaping, and it was necessary for me to shut down steam to see the tower signals. I said to the fireman: "We must go carefully in order to see signals." We arrived at Elizabeth two minutes late. Between Cranford and Westfield the front injector broke and, jumping up to put it back, I missed my signal after passing Cranford. I saw the Westfield station and the passenger train when within sixty feet of it. I applied the emergency brakes and knew no more until I found myself in the back of the cab, with a car seat upon me and fire all around me.

I am thirty-four years old, and have been an engineer for twelve years.

Sworn and subscribed to and before me on this 28th day of January, 1903. JAMES DAVIS.

F. W. WESTCOTT, Commissioner of Deeds.

There was another statement given by the engineer and signed by him. That was submitted by Frederick J. Huff, a Justice of the Peace and notary public, who had taken it at the bedside of the injured man at the hospital in the presence of Chief of Police Patrick S. Kiely, as witness. This statement was in somewhat greater detail than that obtained by Dr. Westcott, and was as follows:

NEW JERSEY, ss.—James Davis, being duly sworn, according to law, on his oath, deposes and says: That he lives at No. 1,555 Seltzer Street, Philadelphia, Penn., and that he was the engineer of the express train, Engine No. 323 of the Pennsylvania and Reading Railroad Company, leaving Jersey City at 6:13 o'clock. We left Philadelphia with Engine No. 323, cut off at Trenton on account of being hot; that is, a hot box. They gave us Engine No. 27 there. Took her to Jersey City. The engine had a crack in the steam chest on the left side; the valve stem packing blowing very bad, which prevented me from seeing signals at every junction or crossing. I had to shut the engine off to see signals.

Signals at Roselle and Cranford were all right. I shut the engine off and let her drift to get view of signals, and they were both white. It became necessary for me to get the injector, and passed one signal and could not see what it was and passed it. The first I knew of the accident was when I saw the train ahead of me about sixty feet ahead, and I put the emergency brake on and then the crash. I stayed right in my cab. I felt something burning my leg and I thought I would burn.

I asked the fireman on the way to West Eighth Street if he could see anything wrong, and I told him that we would have to lose time at every station to see signals. This engine has been leaking for a month. The local train is run on track No. 4, but last night they run it on track No. 2.

Sworn and subscribed to this 28th day of January, 1903. JAMES DAVIS.

FREDERICK J. HUFF,
Notary Public of New Jersey.

Witness: PATRICK S. KIELY.

STORY OF A SURVIVOR.

Frank S. Martin, who lives on Hillside Avenue, Plainfield, and is in business in New York, testified that usually he returned to Plainfield from New York on

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the "5:45 train," the one that was wrecked. On the night of the collision he was sitting in the rear car when the train stopped west of Westfield. He noticed it was an unusual place, and, looking out of the window, saw that the train was not on the track it usually ran on at that point.

He went to the back door and stood on the platform. Just then he saw a brakeman walking down the track to the east, carrying two lanterns, one with a white globe, the other with a red globe. He watched him and saw him turn and come back to the train at a signal of several toots of the whistle given by the engine. He thought them to be a signal from the engineer that all was ready to start up again. About the time the brakeman with the lanterns reached the steps and mounted them he saw the headlight of an approaching train, evidently bearing down on them at a very high rate of speed.

"I saw in an instant," said Mr. Martin, "that the train was on our track, and was seized with fear for myself and others in our train. I stopped only long enough to shout with all my might into the car that there would be a wreck and for everybody to jump, and then leaped from the platform. The crash came a moment later, and when I fully recovered my senses I was on the top of the high bank which I had scaled in my flight. I realized that if I did not get far away I might be injured by flying wreckage."

Mr. Martin then told of the work of rescue. Asked questions as to how long it was from the time the train stopped until he saw the brakeman walking down the track, or until the whistle blew, or until the crash came, Mr. Martin was unable to answer any of them, saying that in the tremendous excitement he had lost all idea as to the number of minutes. He said in some instances that it might have been half a minute, or it might have been two or three, or four. He could estimate no nearer than that. He testified that it was a custom that he had noticed many times, that the local took the side track at Cranford, but that it did not on the night of the accident.

Roger F. Murry of Plainfield, ex-Assemblyman, was in one of the forward cars, and told of the accident as he had seen it, and of the rescue work.

Charles Burnett of 830 Madison Avenue, Plainfield, a New York business man, told of the unexplainable feeling of uneasiness he had on the trip that caused him to leave his seat in the second car from the rear and go into a forward car just before the collision occurred. This transfer, he believes, saved his life.

Mr. Burnett, replying to a question, said his recollection was that the two rear cars were old cars and heated with old-fashioned stoves.

The conductor of No. 13, the local, John R. Day, told of the orders he had received, and of the hot box that caused his engineer to stop the train where the wreck occurred.

"We left Jersey City at 5:59—5:57 was the right time, but we were two minutes late. We had no special instructions at Jersey City. At Elizabeth, the first stop, we received an order from the Superintendent, and it was delivered to me and a copy to my engineer. This order was as follows:

Conductor and Engineer No. 13: No. 13 will run ahead of No. 621 from Cranford Junction to Dunellen. No. 621 will pass No. 13 at Dunellen.

E. E. K.
"Instead of switching on to the side track at Cranford Junction," continued the witness, "we ran on the main track. We knew that the Philadelphia train was behind us, but did not know how close. At Westfield we received no other instructions. Just as we were pulling out of that town I heard the squeaking, which I knew was that of a hot box. I was in the rear of the train and started forward to learn where it was. I met the baggage man, who said it was on the engine. Already the train was coming to a stop. When we had stopped I ran back to see about sending out a flagman, but found that the rear brakeman had gone back without special orders. He was already some four or five car lengths down the track, carrying his lanterns.

"I then returned to the engine to see how serious the damage was, and to see if I could help along any. The fireman, with a small hose, flooded the journal box, and it soon was cool. The engineer was back in his cab, and he whistled for the flagman to come in—three long and two short toots. He received the signal from the flagman that he was aboard the rear steps, and started out. We had gone, I should judge, about 300 yards when the crash came."

NECESSITY FOR STOPPING.

Prosecutor English asked Day why his engineer stopped at that point; if the conductor had given orders to do so; if the engineer had a right to stop without orders from the conductor, and if he could not just as well have proceeded to the next station, and there repaired the damage.

The conductor replied that the engineer should stop in the case of so serious an injury as a hot box; that he did so on his own responsibility; that he could not have proceeded with the engine in that condition without great danger.

"Had the engineer run on with that hot box," said the conductor, "the whole train might have been thrown off the track, and the catastrophe have been greater."

"No, it could not have been greater," said the Prosecutor.

Daniel H. Deeter, the master mechanic of three of the Philadelphia shops of the Philadelphia and Reading Railway, was called. He testified that he had known Davis for more than two years, and said his reputation was that of an efficient engineer. He told of the repairs that had been made recently on the engine. On Jan. 7, he said, he had noticed the engine in the Philadelphia yards, and had noticed that steam leaked from her cylinders. He ordered that the engine be sent to the shops and the necessary repairs made. The repairs found necessary, and which Mr. Deeter enumerated, made the jury-men open their eyes wide and look askance at each other. Among the other things Mr. Deeter said were done to the engine were a crack in the back end of the left valve chamber repaired; a new head put in the back end of the left valve chamber; two new pistons put in on the right side, and one new piston put in on the left side; new list pin inserted; new brasses at both ends; both of the main rods filed and lined; new cylinder packing rings on all pistons; new metallic packing attached, and several other things. The engine, he said, was in the shop from Jan. 9 to Jan. 17. He had not examined the engine personally after she left the shop, but had reason to believe that the repairs reported had been made. He said the leak he had noticed was on the left side, and he did not believe steam escaping there could obscure the vision of the engineer at the window at the right side of the cab. He said he had never received any complaints of the condition of the engine after the repairs had been made.

Foreman Fiske asked if an engineer should find an engine in bad condition and refuse to take the train out and in that way delay an important train several minutes or several hours, would that engineer lose his job?

"Not on your life," shouted Mr. Deeter. "He is supposed not to do so."

Another repair, he said, had been made on the engine as late as Jan. 27, but that was to a flange or some part of a wheel, and did not have any relation to the steam chest. He did not know whether Davis had complained about the engine at the Jersey City roundhouse.

"If an engine man cannot see the signals, it is his duty to stop the train until he can see them," said the Master Mechanic. "There is no printed instruction as to this, but any good engine man would do so for the safety of himself and those behind him."

Thomas F. Foertsch, road foreman for the Philadelphia and Reading, who assigns engines to runs and in a general way looks after their condition, said that no repairs on engines were made except those reported by the engineers, as they were the only ones in a position to know the defects of a locomotive. He told how the engine, No. 27, which Davis was driving at the time of the wreck, happened to be on the express run, and said: "I am certain that she was all right, for on the two hours' trip to Jersey City she made up seven minutes of time that had been lost."

The Prosecutor requested an adjournment until Thursday at 2 o'clock, which was ordered.

ACTED ON ANONYMOUS LETTER.

There were many stories floating about Plainfield regarding the procedure. In the first place there was much talk about the witnesses called at the first day's session. Prosecutor English said that he had received an anonymous letter from Philadelphia telling him that if he would call certain railroad men they would expose "some of the iniquities of the railroad." The names of these men were given, and those who were called to-day were among them, but there were others.

"I don't like this a bit," said Mr. English, after the session. "Here I was told that if I would call these men they would expose some of the iniquities of the railroad, and I called them, only to have them tell exactly opposite what I had expected. Their testimony went all against us."

"Who asked you to call these men?" was asked.

"I don't know who he was," he replied. "I got a letter from Philadelphia, but it was unsigned. The handwriting looked like it might be that of a workman."

Then there is much dissatisfaction because of the outlook for the long dragging out of the inquest. Foreman Fisk wanted the jury to sit until 10 o'clock to-night, but the Prosecutor said he could not do so, as he had a case in court in the morning and had to be back in Elizabeth. The Grand Jury, it is understood, will reconvene on

Feb. 9, and as it has expressed its intention to probe the accident, there may be a confliction, as at the present rate the inquest will not be over by that time.

Furthermore, Floyd T. Woodhull, a member of the Coroner's jury, is also a member of the Grand Jury, and his services may be desired in both offices at the same time. There may be some conflictions, too, in the Grand Jury's and the Coroner's jury's work. Some fifty subpoenas have been issued for appearance at the inquest, and many of these will be wanted before the Grand Jury.

Lawyers to-night expressed their doubt of the value of the statements obtained from Davis. Neither of them purports to be a deathbed statement. In neither does the man say that he makes the statement knowing he is about to die. In fact, according to the testimony of the Coroner's physician, the man thought he might recover.

On Tuesday Mr. English says he hopes to clear up questions relating to the condition of the signals and to show whether or not the engineer reported before he left Jersey City that the engine was out of order.

While the jury was holding the inquest the body of J. Everitt Reighton, one of the wreck's victims, was being buried with military honors.

The one remaining body at the Morgue is still unidentified. County Physician Westcott says that if identification is not made soon, the remains shall not be buried in the Potter's Field, but in the cemetery at the expense of the county.