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Railway Accident Inquiry

INQUIRY CONTINUED.
 Conductor Lush, Cross Examined by Government Engineer Hall, said—
 The weather was frosty, dull night and no moon showing. We were one hour and fifty minutes late arriving at Clarenville. The delay was caused by a lot of snow on this division. We had on a plough. We had about ten minutes delay at Clarenville as we had to put a steam hose on between the baggage car and tender. When I stated I arrived at Benton about four hours after leaving Clarenville, I mean I should have arrived there. I don't know actually when I did arrive. The accident occurred seven posts East of the 220th mile. On an ordinary run we should have arrived there about 12 o'clock. The accident occurred any time between three and three thirty. I did not think of the time. We were roughly three to three and a half hours late. We lost roughly two hours on the first division. That left us with a loss of an hour to an hour and a half on the second division. We met with no unusual delay and we did not meet very much snow. We had a pilot plough on. We did not stop to syphon water anywhere between Clarenville and the scene of the wreck. We did not take coal at Benton. We got no special running orders. The numbers of the cars were, Baggage, 616, Second Class 302, Diner No. 5 and first class No. 22, Sleeper Trinity, and the Government Engineer's car on the rear end. Pictures handed witness by Mr. Hall give a correct representation of the scene of the accident. (Put in marked "C. L. 1", "C. L. 2", "C. L. 3", "C. L. 4", and "C. L. 5.") A Colonist car has upper bunks in it. The bunks were open when I went through. They were being used. Mrs. Rodway was in a lower bunk. The bunks are not provided with tying down wire. If a car fell over on its side the bunks may close up. I mean the top bunk. There is a spring catch on them when they are closed to keep them up. I don't know if it can be operated from the inside of the bunk. The first thing that attracted my attention was the train stopping. The bump that I felt was not very severe. I cannot tell of my own knowledge if the engineer made an application of the brakes at that time. I was sitting up at the time. I did not get flung about. When I felt the bump I went right out on the platform. The car was on fire when I got on the platform. I was sitting in the west end of the day coach, just inside of the smoker. I was in the body of the car near the smoker. The doors of the burnt car were hinged on the top. I smashed in the sash of the door. I cannot tell what part of the car the fire originated in. It was all alive from end to end when I got there. I could see the reflection through the windows from end to end. Some of the wooden screens were down in the second class car when I passed through it after leaving Benton. It was just after I left Benton I passed through the second class car on my way to the first class car. None of the passengers gave us any assistance at the time of the burning of the second class car, but they did assist us in our endeavour to put out the fire in the diner. I don't think it possible to have rescued any of those people through the side windows of the second class car. I don't remember how the bodies were lying in the car. I went round to the west end of the car before all the people got out at the east end. I cannot say if there was any struggle or jamming of the passengers. I saw the coupling at the rear end of the tender after the accident. It is a tower coupling, not a link. I did not make any examination of the track and cars. We report the accident, but when we don't know the cause we don't report it. I know the existence of Rule 103 in the Company's rule book. After the accident, I took the names of the passengers and the names of those injured and wired them to Headquarters. It is part of our duty to try and find out the cause of any accident that may occur. We were there from 3:30 in the morning until 5 o'clock in the evening and I made an examination of the track or cars. We cut in on the telegraph wires as soon as the accident happened. Pike, the brakeman, is an operator. I handed my message to him. I have not got a copy of it. I am able to furnish a copy and it will be produced. The first class car was derailed. The front truck was off, but I am not sure about the rear truck. One pair of the leading wheels of the sleeper were derailed. The wrecking gang from Bishop's Falls arrived first, but I cannot say the time. I noticed the rail of the track broken, but I cannot say if it was the upper or lower leg of the curve. I have been conductor about 12 years. I never had an accident with an oil lamp during those twelve years. I never saw them go on fire. I was in a derailment when a car went over on its side. That was in daylight. I was never in one at night. I don't remem-

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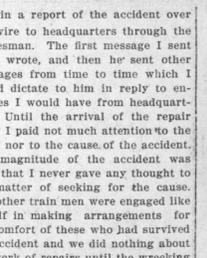
ber seeing any traces of oil being spilled about on the occasion of the daylight derailment. The lamps in the Colonist were the same as are used in the other carriage. In the daytime we lift the cylinders. If there was a leaky valve with the cylinder raised up the oil would drop in the brake cylinder socket. There were three lamps not lit. If there was any oil in the socket when the car turned over it would run out on the floor. All the cars were down the bank before I got out of the train. When I was assisting to get the passengers out I did not see any flames coming out through the windows. I did not get a smell of kerosene oil at all when helping the passengers out. A flame came out the east end door when I kicked in the door. There was a furnace in No. 302, but it was not lit. No passenger made any statement to me as to the cause of the fire. I did not make any enquiries as to the cause of the fire from the passengers. There was no telescoping or damage as far as I could see done to either end of the second class except by fire. The couplings at both ends held good. When I saw the broken rail the two ends were separated sufficiently to let a wheel pass through.

Re-Examined by Mr. Hutchings, K. C.—Statement put in marked "C. L. 6" is a list of the sleeping car passengers. "C. L. 7" is a list of the first class passengers. "C. L. 8" is a list of the second class passengers. "C. L. 9" is a list of the second class passengers who lost their lives. In addition to these passengers, Mr. R. G. Reid, Mrs. Reid and Miss Reid were passengers in the Government Engineer's car.

Cross-Examined by Mr. Higgins.—At the time of the accident the train was running along very steadily. I

should say that at the time of the accident, coming around this curve she was running about 10 miles per hour. For the few minutes before this, before we took the curve, she was running along at her usual rate. We were making no effort to make up the lost time. In winter time in practice we never try to make up time when we are behind. From the time I first felt the first class coach go off until I got out and found her stopped, the car had not travelled along very far along the line of track. She did not go a half car length along the line of track from the time the wheels left the rails. When I spoke of the door of the car being hinged on top, as the car lay upon its side, I was then referring to the Eastern door to which I went and which I knocked in with the baggage man. The door on the Western end of the car would be hinged on the opposite side. There would be another door just inside the Eastern door which we smashed, and any attempt to go in from the outside by any one would block the passage of any persons who might be attempting to get out that way. No attempt was made by me or the baggage man to break in the windows on the top side of the car. From that time, as Conductor of the train, I was mainly concerned in looking after the passengers who had escaped including those who were injured, and also in trying to definitely ascertain how many passengers were missing. I could not say exactly how many passengers escaped through the Eastern door, but I certainly was positive that eight or ten came out that way. The burst of flame that I referred to as coming through that door was after those passengers got out. The work of looking after the passengers practically occupied my time all along till the arrival of the relief train. I had

sent in a report of the accident over the wire to headquarters through the brakeman. The first message I sent in, I wrote, and then he sent other messages from time to time which I would dictate to him in reply to enquiries I would have from headquarters. Until the arrival of the repair party I paid not much attention to the track nor to the cause of the accident. The magnitude of the accident was such that I never gave any thought to the matter of seeking for the cause. The other train men were engaged like myself in making arrangements for the comfort of those who had survived the accident and we did nothing about the work of repairs until the wrecking train arrived from Bishop's Falls in charge of Mr. Graham, Roadmaster. From the time of his arrival he took charge. He would look entirely after the track and would be in a better position consequently to give definite details as to the condition of the track and the possible cause of the trouble than I am. Nothing was started at all with regard to the rolling stock or the track until Mr. Graham arrived. With regard to my answer as to the number of passengers on the train, we keep no record or check of the number. Passengers get on and off the train at different stations, and the number on board at any given time could only be ascertained by checking up all the tickets at the end of my run. At the time I last passed through the second class passenger there were only three lamps burning. As far as I knew the lamps were burning alright and in good condition. From the time they were lit that evening nothing ever came to my knowledge to indicate there was any trouble with them. I could not say whether the cylinders of oil on the sides of the lamps which were not in use were lifted up out of the sockets or were



screwed down. The looking after the lamps is the brakeman's work. As regards the matter of reporting accidents, so far as I am concerned myself, the last time I had to report a run-off was over two years ago. At that time there was no passenger or other person injured and it was simply a matter of wiring the trouble about the train. During the past two years I did not have anything to report in the way of accidents. We carry no forms with us for reporting accidents. The practice is to immediately cut in and wire if we are between stations, and subsequently on our arrival at Headquarters to report personally to the Superintendent, and if the accident is of a character that a particular detailed report is necessary, we write it out. In the present case that is exactly the course that has been followed, except instead of a written report there was a formal enquiry made by the Superintendent. (To be continued.)

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