COURTH NIGHT OF REID INOUEST

Continued from page one

ion, and the witness said that there as about a foot on one side difference etween the line of the upper and lower windows, as far as he was able

Q .-- Mr. Hammett said also that the south side of the windows was on line. Would you contradict him?

A.—No. I took only casual notice.
Q.—Would the way the windows were cut weaken the wall very much? A .- Any openings would weaken it. Strength of Pillars.

Q.-The evidence is that a wall in the center had been removed and pillars were put in. Were these as strong as the old wall.

A .- I am not prepared to give opinion on that matter now. Q .- You spoke to Mr. Hammett about the cutting of so many openings in the east wall, and also about the open-

ings not being one above another? A .- Yes. Q.-Under the circumstances there, would you think that an 18-inch wall on the ground and first floors sufficient

for a four-story building? A .- An 18-inch wall is always considered a safe wall for such a build-

Q.-Do you think that an 18-inch pert. wall between the stores of Hamilton, Long & Co. and Reid's thick enough? A:-Yes. I don't believe you would find as thick a wall in half of the factories or wholesales of the city. That's only a two-brick wall," said

one of the jurors. "It is a good wall, nevertheless," Mr. Graydon replied.

The engineer also added that he had told Mr. Wilson that the placing of steel girders instead of wood lintels in the east wall, where the windows had been cut, would greatly strengthen it. But he had not advised Mr. Wilson. Mr. Hammett or anyone else to do anything in this line.

Mr. Percy Robinson.

Mr. Percy Robinson, an employe at Aamilton, Long & Co.'s store, was a victim of the disaster, and sustained slight injuries. Q.-Where were you employed prior

the disaster? A .- At Hamilton, Long &

Q.-Where were you at the time the disaster? A .- Twenty or thirty feet from the

front of the store. Q.-Where was Mr. Gifford? A .- I do not know.

Q.-Where were you in the store? A .- I was coming from behind the counter when I saw, some dust and a brick falling from the west wall. Q.-What next did you see?

A .- I did not know any more until f found myself down in the cellar. Q.-Where did the brick come from? A .- The brick seemed to come from

half-way down the west wall. Mr. Fred Weise.

there? A .- On Monday at noon Q .- Where were you working? A .- At the front end of the store.

Q.-What were you doing? A.-Chiseling out cracks on the pier for the plaster to stick to. Q.-How big was the pier?

A .- It was about 3 feet south from the front wall, and was the thickness of the wall.

Q.—Was this work completed? A .- Yes. Q.-You were chipping out joints in

adhere? A.-Yes Q .- Which side were you working

A .- On the Hamilton & Long store sida. Q.-Did you see anything wrong any time?

A.-No. Q.—Did the iron posts appear to be strong enough and all right? A .- They seemed all right.

Q.-What was the first you knew the accident? A.-I heard someone shout out, boys-it's coming."

Q.—Who shouted? A .- I thought it was Alex. McWain Q.-Why did you think it was Mc-

A.-Because I saw him go across th room to the west side, and just after I heard the call from his direction. Q.-Did you hear anyone else shout?

A.-No. Q.-What next? A .- The moment I heard the voice

there was a crash, and the building collapsed. Q.-What kind of a noise did you hear first? A -Like timbers breaking som

where near the center wall, where th new iron girders were on the Hamilton & Long side. Q.-What did you see? A .- I looked up at the ceiling and

saw a crack come down the ceiling from the back of the store. The ceil ing opened out from the back.

O-What did you do? A .- I stepped over the wall to ge ento Reid's side, and was knocked down, and saw no more.

Q .- Did you go down with the floors?

Q.-Who were there with you? A .- The four other plasterers. .

Q.-Was the crack in the center of the celling? A .- Near the center wall, but I did not have time to look long enough to

see exactly where. Q.-How far back did the crack

-It started about the south en of the girder and a few feet from it.

Q.-Did you have occasion to ge into the upper part of the Reid building

Mr. John Jones.

Mr. John Jones, the contractor an for all the work on the Reid building

Q.-Did you tender for the contract

see what goods were stored there?

Mr. Thomas Jones revious witness, swore that he had endered for the changes in the Crystal Hall. He had gone through building, but had not examined it minutely

Q.-Did you have any conversation with Mr. Hamilton on the subject? A -I may have.

Q.-Did you say anything to Mr. Hamilton to the effect that he would have to move out before you would go ahead with the work, if you got the

Q.—I may tell you, Mr. Jones, that street rumor to the effect that you had fore the accident. said it would be dangerous to make repairs to the building with the people in there, and that if you had secured the contract you would have insisted upon Hamilton, Long & Co. moving out?

A.-It's entirely wrong. I said no such thing at any time. Q.-If you had taken the contract,

would you have insisted on the firm A .- I can't say what I would have

Q.-What is your opinion as to the large weight of goods on the third east wall? Had it been weakened by floor, too. the openings for the windows?

A.-That's a question for an ex-Q.-Isn't a builder an expert? A.-No. He gets his plans and go

by them. There are certain rules laid things, and these rules are to be found in books. Q-If you had taken the contract, you have consulted these would

books? A .- I can't say what I would have done. But as a rule the builder accepts aes all right the plans of the architect

Q.—Did the taking out of the center wall and the putting in of iron pillars weaken the building? Were the pillars

as strong as the old wall? expert, too, but I believe the pillars put in by the contractors. were sufficient. Q.-What would you have done

you had been ordered to take out the hardest job of all, and had suggest center wall and put in pillars? A .- I'd have shored it up, the same as was done. I suppose.

Mr. John McDonald. Mr. John McDonald, a carpenter, was

working for Mr. Wilson on the job. The first thing he did was assist in Hamilton, Long & Co.'s and Reid's was 53 tons. being taken out. It took nine or ten days to do the work. The job was carried through without any mishaps. The wall had been removed in the usual way so far as he had seen, all the shoring being done for the ground floor. He was about 30 feet from the front, over Reid's, when the building fell, and was handing out some of the old shelving to be carted away. Several other men-Ibbotson, Hall, and Anderson-were helping him. first he heard was a cracking of timbers to the east of him, and then he Fred Weise, a laborer, who was saw the ceiling falling. He could not working for Mr. Calhoun, the plasterer, say which ceiling it was, he was so exthe west, but he was covered with dust and could see nothing, nor could he locate the stairway.

To a juror-The floor upon which I was standing—at least, a part of it went down. To Mr. McKillop-I don't know what

part of the ceiling it was I saw come down first. The joists below my feet went down.

Mr. John Hall.

Mr. Hall also worked for Mr. Wilson. He had not had anything to do with the putting in of frames and casings in the east wall. The day bethe brick so as to make the plaster fore the disaster he had removed the last of the shoring from the center wall. The only reason all the shoring you engage that man Thomas I won't had not been removed the Friday or Saturday before the crash was that quitting time came as the men were at work on the job.

When the accident occurred he heard a noise to the east. He did not know whether the center wall was the first to gave way.

Mr. John Creckett

Mr. Crockett is a carpenter, and was working for Mr. Wilson on the new yer, Mr. McEvoy. Reid warehouse on Clarence street. He from?

knew nothing of the affair and was allowed to go without further examina-

Mr. Geo. 1bbotson. Mr. Ibbotson, a carpenter for Mr. Wilson, was on the ground floor. The first he heard was a crash at the center wall between Reid's and Hamilton & Long's. The sound was in Reid's, but near to Hamilton & Long's.

Mr. Wm. Foley.

Mr. Foley was Mr. Smerlies' manager, and was around the building all the time. He had seen the center wall removed, but had noticed nothing wrong.

Q.-Did you notice anything in re gard to goods being brought in? A.-Yes.

Q.-When? A .- On Monday and Tuesday prevous to the wreck.

Q.—What did you see come in? A.-About two carloads of stone

jars came in. Q.-How many lorry loads? A .- About eight or nine.

Q.-Where were they piled? A .- Just inside the building. Q.-Did you make any remark to Mr. Reid, or anyone else about these

goods coming in? A.-Not about the jars, but the

Q.-How big were they? A .- About four by six feet. Q.—When did they come in?

A .- Wednesday or Thursday b ore the wreck. Q.-Where were they placed? A .- On the second floor. They we aken off the elevator and carted to

Were any, so far forward they went down in the crash? A.-I wouldn't say how many but

ome did. Q.-Goods were piled close das street?

A-Yes

Q.—Any to the cast wall? ... Not that I saw.

Q.—Did you say anything to any-

A.-I told Mr. McLean it looked as though they were moving in instead of moving out. Later Mr. Reid and his son came to me and told me I had too much to say, and that it would be time enough for me to talk after the 15th of the month, when Mr. Smerlies' possession would take place. Mr. Reid said, "You ought to be satisfied with the way the work is going, as you do not take possession until the 15th"

Q.-You saw goods come in on the Friday before the crash?

A .- Yes; two crates. Q.-Did you notice what goods were up on the second and third floors? A.-I saw Mr. Loney and a man named Harry unpacking goods on the you were brought here because of a second and third floors a week be-

Q.—How many crates? A .- I saw them at work only once. Q.—You can't say how the quantity of goods at the time of the accident compared with the usual stock?

Q.-What was over Hamilton Long's? A .- There was a lot of goods. There was a row of bins on the second floor

Architect Thomas.

along each wall, and a double row

down the center. There was also a

Mr. J. L. Thomas, the local architect, swore that he had occasion to go through Reid's Crystal Hall in April with Mr. Smerlies and Mr. Geo. down for the government of such Andrews, a Greek friend of Mr. Smer-

The proposed alterations pointed out, including the conversion of the first floor, by the removal of two walls into a bowling alley; also, more windows in the east wall to light Hamilton & Long's store, as certain windows in the south end were

to be blocked. The changes proposed were not practically the same as had been made, as Mr. Smerlies had asked him A.-I think that's a question for an to cut larger windows than had been Witness had pointed to the cutting

of windows on the east wall as the ed that steel girders be put in instead of wood lintels. Mr. Thomas declared the columns which had been put in when the center wall had been torn down, were too

weak. They were only 5-inch columns which would only carry a load of the shoring up, when the wall between 141/2 tons, but the evidence showed "But we have no evidence to show that the posts gave way," said Mr. McKillop.

"You don't know that yet," Mr Thomas replied, "There's one post out there now. Wait till the debris has been cleared away." Q.—How about the wood lintels?

A .- The pine lintels over the win-

dows would not carry the load expected of them. Mr. Thomas then explained that the columns of the center wall were not floor. bolted at top or bottom, and were liable to skid under a load. He had before by Mr. Murray's specifications? at the Reid building, was next called. cited. Then he ran for the stairs to not inspected all the columns, but was asing his statements on the one column he had seen, which showed that it could not be bolted to a plate. In nine cases out of ten the cap, column

and base are one. "You had a lawsuit with Mr. Sme lies?" Mr. McKillop asked. A.—Yes, but I am not prejudiced. am on my oath

Q.-You said that Mr. Murray had taken the work away from you unfairly, did you not? A.-I said I was afraid that thing unprofessional had been done. Q.-You said also that Frank Reid had objected to you as architect?

A -Mr Smerlies swore in the how that Frank Reid had said to him. "If sign the lease."

This concluded Mr. Thomas' evi-

Contractor Wilson.

Mr. R. G. Wilson, the contractor who was awarded the contract for all the alterations at the Reid building, was called. Before giving evidence Mr. Wilson asked for the protection of the Canada evidence act through his law-

Q.-Whom did you take the contract

A .- From Mr. Smerlies Q.-How did you tender for it?

A .- I tendered for it on plans submitted by Mr. Murray, the architect. Q.—Have you got these plans? A .- I have part of the blue prints of the copy of the plans I had. I lost the rest.

Q.-When did you take the tract? A .- About June 1. Q.-What work was done there by

your own men? A .- We took down the fixtures, put the shoring down the center, and did the carpenter work required. Q.-Where did you do this work?

A .- We took the fixtures from the first floor of Reid's store, which we moved into the Clarence street store. Q.-What else did you do? A .- Nothing more on the gro

Q.-Did you interfere with any wall on that floor? A .- Not in Mr. Reid's store. Q.-In Hamilton & Long's store?

A .- Yes. We built a new wall inside at the back of Hamilton & Long's store. Q.-Did you interfere with the outer wall?

A .- No, not on the ground floor. Q.-What did you do on the first A .- Put up the shoring to take the

Q .- How much of the wall! A .- About 40 feet. Q.-How many openings did you pu in the center wall?

The Openings A .- An opening at each column, and one to cut the pier at the right height Q.-Where did you rest your shor-

A .- On the joists of the ground

Q.—How were the shorings carried by the joists? A .- We put a continuous timber al the way down.

Q-When did you start the work?

On July 3.

How long before the disaster?

About two weeks. Q.-How long did the shorings re

A.—Until Friday morning, July 12. Q.—Were the shorings all taken away on Friday?

A.—All but two or three pieces, which were left until Monday. Q.—Where were these pieces left? A .- At the center. Q.-When were these pieces re-

A .- On Monday. Q.-Did you take any particular no tice of the work being done at the removing of the wall?

A .- Not particularly, but I looked after the shoring. Q.-Were the shorings properly put A.-Properly.

Q.—Was there any sinking or sagging when the wall was taken out? Q.—Did you see anything to cause you to fear trouble?

A.-No.

Q.—The work of putting in the columns, guides and pillars was whose work? A .- The bricklayers are supposed

assist, and the work is controlled by the builder. Q.-Did you have anything to do with cutting the windows in the east

A .- No more than putting the window frames and sashes in. was there? Q.-What did you notice in regard to the position of the windows on that A.—The first pair to the south wer

Q.-The next two? A.-About even on the south side. Q.-Were Mr. Hammett's statements about all the windows in the south in any other way? wall correct?

one above the other

A.-I do not know.

windows be in line, one above the other? A .- They should be in line. Q.-What other work did you do? Took Out a Cross-Wall.

Q.-In good buildings should such

A .- We took out a cross-wall about 26 feet back from the rear wall of Hamilton & Long's store. Q .- On which floor? A .- On the first and second floors Q.-What effect did the accident

A .- It remains standing with about 36 or 37 feet of building in front. Q.-Did you put the window frames n the east wall? A .- Yes.

lave on that part of the building?

Q.-Did you notice anything weakening? A.-No. Q.-What kind of lintels did you put in at these windows? A.-Wooden lintels on the outside 6 inches by 12 inches, and on the in-

job to have no needles, but that I side 2 inches by 12 inches. would try it without them, and see how Q.-How far into each side of it would do. wall did the lintels go? A .- Six or seven inches on eithe side of the window. Q.-At any time did you notice any

weakening of any of the walls? A.-No Q.-What other work did you do on he building? A.-The same thing on the firs

Q.-Had you ever done any work

A.-Yes. Q.-What kind of an architect you consider him? A .- About the same as the rest

them.

Q.-Did you deviate any from plans? A .- Oh, no; not very much Q.-What change did you make or the work in the center wall? A.—Put new caps in above th

pillars at Mr. Murray's suggestion. Q.—Were the new caps any improvement? ly inaccurate. A .- Yes they were larger and strong.

O -Were you at the building on th day of the disaster? A .- At noon. Q.-Did you see the shoring on the

day before the disaster? A .- Yes: it was all taken out that time. Q.-When was the first time voi visited the building on the day of the

disaster? A .- In the morning. Q.-Where did you go?

A .- On the ground floor and on th first floor. Q.—Did you see anything wrong? A .- No; nothing wrong. Q .- In the course of the work did you have occasion to go onto the sec-

ond and third floors? A .- Yes. Q.—Did you notice what goods were stored up there? A .- Yes; quite a lot.

Q .- When did you go up there? A .- On the 3rd of July, when they started the shoring. Q.-Why did you go up? A .- To see what was up there, and

to see about the room we would need to put in needles for shoring up the second floor. Q.-What goods did you see there? A .- On the first floor there

racks filled with white dishes on both sides of the center wall. Q.-Were these racks on the Hamilton & Long wall?

A .- The same on both sides. Quite a Weight. Q.-Did you consider the weight ery great? A .- I thought that there was quite weight on both sides of the wall

on the 3rd of July. Q.-How long were you up there? A .- Five or six minutes. Q.-What did you see on the next floor? A.-Barrels of light stuff.

Q.-Did you test the weight of any of these barrels? A .- Yes; I tested their weight. Q.-As a result of your inspection did you consider there was any danger?

Q.-When taking out such walls what was your custom regarding shorings? A.-We generally put needles through the upper part of the wall to support it. We purposed putting them

through this wall, and I went up to

see what room there was to get the

edles through. Q.-Did you consider the weight too

Q.-Who were they? A .- McDonald, Hall, Crockett and

Q.-When did you first hear of the A .- Someone telephoned to the office

bout It. Q.-From what you knew of th work done at the building what do you think caused the accident? A .- I could not say.

Q.-When you had made an examnation of the building, its contents, etc., did you feel satisfied it was all right to continue with the work? A .- Yes; I felt satisfied to go or

Q.-Did you notice anything of the quality of the center wall? A .- I took no particular notice of the

Saw Mr. Reid There. Q.-Did you see Mr. Reid at the building at all when there? A .- Mr. W. J. Reid was there once or twice, but I did not see Mr. Frank Reid there.

Q.-It has been said that this cen-

ter wall was a very poor one. What about that? A .- I did not take sufficient notice of the wall to see whether it was or Q.-Were you ever asked to go up to the second or third floors to see what

A.-No; I was not. Q.-Did you consider it necessary to shore up the east wall from the wall across the alleyway at Brewster's?

Q.-Did any person find any fault or suggest that the work should be done A .- No. Only that the caps be changed, which was done. Q.-When you went up to the second and third floors to see about putting in the needles who went with you?

Q.-Did any discussion take place up

A.-I went up alone the first time;

but the second time Mr. Reid and Mr.

Murray went up with me.

weight while up there?

Needles Were Not Used. A .- Yes. Mr. Reid did not want to move some of the goods which I thought we would have to have moved if we were to put the needles through the floor for shoring. Q.—Was anything said about the

Q.—Did you say anything about the quantity of goods there? A .- No. Only as to those which were in the way. Q.-Did you say anything about the weight of the floors for such a job? A .- Yes; I said that it was a heavy

Q.-Did you fully explain to Mr. Reid what was to be done, and how you purposed doing it? Q.—There were bins on the second floor above Hamilton & Long's store

and above Reid's store? A .- Yes, there were. Q.-It has been stated that on the upper floor there were barrels piled two and three high, is that correct? A .- I do not know.

lot of barrels on the upper floor? A .- Yes, there were barrels on the upper floor, but they were all very light in weight. Mr. Frank Reid. Mr. Frank Reid was recalled. Q.-Was there any complaint made

Q.—Is it a fact that there were

by any of your stenographers about the quantity of goods being moved upstairs? A .- No; the statement is absolute-

Mr. W. J. Reid. Mr. W. J. Reld, proprietor of the Reid building, was then sworn. G.-You leased your building

Mr Peter Smerling? A .- Yes. Q.—Have you the lease here? A .- No; but it can be produced. A copy of the lease was then produced by Mr. Kerwin, Mr. Smerlies' solicitor. It was dated April 27, 1907,

and covered a period of 25 years, the annual rental to be paid on Aug. 1 of each year. Mr. Smerlies was to take possessio on the 15th day of July, 1907. The conditions stipulated were tha Mr. Smerlies was to keep the building, including the roof, in good repair, and was to make good any damage done by fire, lightning or

tempest. It also made allowance for Mr. Smerlies making the alterations which were in progress at the time of the accident. Another agreement was then pro duced which had been drawn up between Messrs. Hamilton & Long, and Mr. Smerlies, but to this contract Mr. Reid was not a party. The Hamilton & Long and Smerlies contract stipulated that Hamilton, Long & Co. were to turn over the first floor above the ground floor of the store, which they had leased from Mr. Reid to Peter Smerlies 35 days after the 30th of April, 1907. It also arranged for certain alterations to be made. Two-

and-a-half years was the period of this agreement. Copies of all the leases concerned were put in as exhibits.

Mr. W. J. Reid's examination was then continued. Q.-After giving the lease to Mr Smerlies you knew that Mr. Smerlies started the work on your building? A.-Yes.

Q.-Did you know who was doing

the work? A.-The work was carried on b Mr. Wilson, under Mr. Murray's supervision, and I had every confidence in Mr. Wilson and Mr. Murray. Q .- Did you at any time find any fault with the work? A.-No:

the disaster? A .- Out of town. Quantity of Stock. Q.-How much stock had you hand at the time of the disaster? A.-Hard to say. It is always light

Q.-Where were you at the time o

in the spring. O.-Was there less stock in building on the 15th of July than there was on the 30th of April?

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Q.-How much stock was there on

Insist on having Clark's.

the second and third floors? A .- Not one-half the usual quantity Q.-How do you know? A .- From my knowledge of what vas going on. Q.-Was there much goods being

shipped in between April 30 and June 15th? A .- An occasional package to keep up the stock Q.-How did the quantity going out

and the quantity coming in compare? A .- A larger quantity went out. Q.-What stock was over Hamilton & Long's store? A.-There was 50 to 75 per cent less

than usual.

Q.-What did it consist second floor? A .- Light earthenware. Q .- On the third floor? A.-Light glassware. Q.-How was the stock over your

A.-Also very light, and we getting nothing in but what was absolutely necessary. Q.—Were you there when the was being torn out? A .- I was there occasionally. Q .- Did you know anything of the

poor mortar told of by other witnesses? A .- How long ago and at what season was that wall built? A .- Thirty-two years ago, not know the season. Q.-Was there ever a fire building? A .- Yes, ten years ago Q.-Where was it?

A .- In the back part of the build-Q.—Did the fire reach the center part of the wall which gave way? A.-No; positively, it did not. Q.-How near did the fire come to

A .- The fire was back 35 feet from the part of the building which fell. Q.—Could it in any way have caused the disaster? A.-No. Q.-Could it have had anything

do with loosening the mortar? A.-No. Didn't Interfere.

Q .- Did you hire the architect? Q.-Who are there in your firm A .- I am the sole member. Q.-The lease stated that you were to turn over the building on July 15. When did you turn it over?

Q.-When were the alterations com-

A .- Some time in June.

A .- No: I didn't interfere.

menced? A .- I could not say when Mr. Smerlies' men got to work. Q.—Did you have anything to do with engaging either the architect or contractor?

Q.-What was the extent of the

damage from fire ten years ago? A .- I cannot tell from memory. Q.-What was the damage to A .- I don't think it was much m than \$4,000-mostly the roof at the

WM. CLARK MFR., MONTREAL.

A .- I think that there was about

\$35,000 or \$40,000 loss.

Q.-Were all your goods kept in the Dundas street warehouse ten years ago? A -- Yes most of them Q.-Name your different places for storage two weeks ago. A .- The C. P. R., Ann street, and the

the cellar filled at the Clarence street warehouse. Q.-Was there as much stock at the time of the disaster as there was ten years ago?

London Drug Company building; also

A.-Three times as much ten years Q.-Give the value of your stock as recorded at stock-taking time. A.—From \$50,000 to \$75,000.

Q.-What was the amount of weight sustained on the three floors for the last fifteen years? Weight on Floors. A .- One hundred and fifty tons, or about 300 crates on all floors. Before renting Hamilton & Long's store we used the floor above there for storage

they came in. Q.-How did the weight at the time of the accident compare with the weight usually carried? A .- About one-half. Q.-Did you direct Mr. Smerlies to hire a certain contractor?

A .- No: Mr. Smerlies asked me

about the contractors, and I recome

Q.—Did you advise him to hire

mended Mr. Wilson.

purposes, but moved our stock when

certain architect? A .- Yes; I recommended Mr. Murray as a good, reliable man. Q.-Did you insist on his hiring Mr Murray? A .- I did not insist, but recommend-

ed Mr. Wilson and Mr. Murray as good men. Q.-Did you object to Mr. Smerlies employing any architect? A .- I did not. Q .- Do you know anything about

telling him to hire a certain architect?

A .- No, I cannot say that I do. There

was some discussion and I warned him

to be sure to select the best man. DR. CHASE'S OINTMENT.

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