

FOURTH NIGHT OF THE REID INQUEST

Continued from page one

men, and the witness said that there was about a foot on one side difference between the line of the upper and lower windows, as far as he was able to judge.

Q.—Mr. Hammett said also that the south side of the windows was on a 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 an 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 openings 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 building.

Q.—Do you think that an 18-inch 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 warehouses of the city.

That's only a two-brick wall," said one of the jurors.

"It is a good wall, nevertheless," Mr. Graydon replied, 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 employee at Hamilton, Long & Co.'s store, was a victim of the disaster, and sustained slight injuries.

Q.—Where were you employed prior to the disaster?
A.—At Hamilton, Long & Co.'s store.

Q.—Where were you at the time of 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 I 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 Weist.

Fred Weist, a laborer, who was working for Mr. Calhoun, the plasterer, at the Reid building, was next called.

Q.—When did you start work 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.—Chiselling out cracks on the brick 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 the brick so as to make the plaster adhere?
A.—Yes.

Q.—Which side were you working on?
A.—On the Hamilton & Long store side.

Q.—Did you see anything wrong at 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 of the accident?
A.—I heard someone shout, "Look out, boys—it's coming."

Q.—Who shouted?
A.—I thought it was Alex. McWain.

Q.—Why did you think it was McWain?
A.—Because I saw him go across the 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 somewhere near the center wall, where the 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 ceiling opened out from the back.

Q.—What did you do?
A.—I stepped over the wall to get onto Reid's side, and was knocked down, and saw no more.

Q.—Did you go down with the floors?
A.—No.

Q.—Were there with you?
A.—The four other plasterers.

Q.—Was the crack in the center of the ceiling?
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 start?
A.—It started about the south end of the girder and a few feet from it.

Q.—Did you have occasion to go in to the upper part of the Reid building at any time?
A.—No.

Mr. John Jones.

Mr. John Jones, the contractor and builder, who tendered for the contract for all the work on the Reid building, was then examined.

Q.—Did you inspect the building?

A.—My brother did most of the inspecting and figuring.

Q.—Did you inspect the building to see what goods were stored there?

A.—I went through, but did not notice much about the goods stored.

Mr. Thomas Jones.

Mr. Thomas Jones, a brother of the previous witness, swore that he had tendered for the changes in the Crystal Hall. He had gone through the 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 job?
A.—No, I did not.

Q.—I may tell you, Mr. Jones, that you were brought here because of a street rumor to the effect that you had 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 moving out?
A.—I can't say what I would have done.

Q.—What is your opinion as to the east wall? Had it been weakened by the openings for the windows?
A.—That's a question for an expert.

Q.—Isn't a builder an expert?
A.—No. He gets his plans and goes by them. There are certain rules laid down for the government of such things, and these rules are to be found in books.

Q.—If you had taken the contract, would you have consulted these books?
A.—I can't say what I would have done. But as a rule the builder accepts as 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?
A.—I think that's a question for an expert, too, but I believe the pillars were sufficient.

Q.—What would you have done if you had been ordered to take out the 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 the shoring up, when the wall between Hamilton, Long & Co.'s and Reid's was 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 as he was handing out some of the old shoring to be carted away. Several other men—Ibbotson, Hall, and Anderson—were helping him. The first he heard was a cracking of timbers to the east of him, and then he saw the ceiling falling. He could not say which ceiling it was, he was so excited. Then he ran for the stairs to the 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 before the disaster he had removed the last of the shoring from the center wall. The only reason all the shoring 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 give way.

Mr. John Crockett.

Mr. Crockett is a carpenter, and was working for Mr. Wilson on the new Reid warehouse on Clarence street. He knew nothing of the affair and was allowed to go without further examination.

Mr. Geo. Ibbotson.

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 regard to goods being brought in?
A.—Yes.

Q.—When?
A.—On Monday and Tuesday previous 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 crates.

Q.—How big were they?
A.—About four by six feet.

Q.—When did they come in?
A.—Wednesday or Thursday before the wreck.

Q.—Where were they placed?
A.—On the second floor. They were taken off the elevator and carted to the front of the building.

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

Q.—Goods were piled close to Dundas street?
A.—Yes.

Q.—How many?
A.—Four or five crates.

Q.—Any to the east wall?

A.—Not that I saw.

Q.—Did you say anything to anybody about them?

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 second and third floors a week before the accident.

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?
A.—No.

Q.—What was over Hamilton & Long's?
A.—There was a lot of goods. There was a row of bins on the second floor along each wall, and a double row down the center. There was also a large weight of goods on the third floor, too.

Architect Thomas.

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. Andrews, a Greek friend of Mr. Smerlies.

The proposed alterations were 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 to cut larger windows than had been put in by the contractors.

Witness had pointed to the cutting of windows on the east wall as the hardest job of all, and had suggested 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 14½ tons, but the evidence showed 53 tons.

"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 windows would not carry the load expected of them.

Mr. Thomas then explained that the columns of the center wall were not bolted at top or bottom, and were liable to skid under a load. He had not inspected all the columns, but was basing 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. Smerlies?" Mr. McKillop asked.

A.—Yes, but I am not prejudiced. I am on my path.

Q.—You said that Mr. Murray had taken the work away from you unfairly, did you not?
A.—I said I was afraid that something unprofessional had been done.

Q.—You said also that Frank Reid had objected to you as architect?
A.—Mr. Smerlies swore in the box that Frank Reid had said to him, "If you engage that man Thomas I won't sign the lease."

This concluded Mr. Thomas' evidence.

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 lawyer, Mr. McEvoy.

Q.—Whom did you take the contract from?
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 contract?
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 ground floor.

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 floor?
A.—Put up the shoring to take the center wall out.

Q.—How much of the wall?
A.—About 40 feet.

Q.—How many openings did you put in the center wall?
A.—An opening at each column, and one to cut the pier at the right height.

Q.—Where did you rest your shorings?
A.—On the joists of the ground floor.

Q.—Is this customary and good practice?
A.—Yes, where the joists run the right way.

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

Q.—When did you start the work?

A.—On July 3.

Q.—How long before the disaster?
A.—About two weeks.

Q.—How long did the shorings remain?

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 removed?

A.—On Monday.

Q.—Did you take any particular notice 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 up?
A.—Properly.

Q.—Was there any sinking or sagging when the wall was taken out?
A.—No.

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 to assist, and the work is controlled by the builder.

Q.—Did you have anything to do with cutting the windows in the east wall?
A.—No more than putting the window frames and sashes in.

Q.—What did you notice in regard to the position of the windows on that side?
A.—The first pair to the south were one above the other.

Q.—The next two?
A.—About even on the south side.

Q.—Were Mr. Hammett's statements about all the windows in the south wall correct?
A.—I do not know.

Q.—In good buildings should such windows be in line, one above the other?
A.—They should be in line.

Q.—What other work did you do?
A.—Took out a cross-wall.

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 have on that part of the building?
A.—It remains standing with about 36 or 37 feet of building in front.

Q.—Did you put the window frames in the east wall?
A.—Yes.

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 inside 2 inches by 12 inches.

Q.—How far into each side of the wall did the lintels go?
A.—Six or seven inches on either 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 the building?
A.—The same thing on the first floor.

Q.—Had you ever done any work before by Mr. Murray's specifications?
A.—Yes.

Q.—What kind of an architect did you consider him?
A.—About the same as the rest of them.

Q.—Did you deviate any from the plans?
A.—Oh, no; not very much.

Q.—What change did you make on the work in the center wall?
A.—Put new caps in above the pillars at Mr. Murray's suggestion.

Q.—Were the new caps any improvement?
A.—Yes they were larger and stronger.

Q.—Were you at the building on the 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 by that time.

Q.—When was the first time you 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 the 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 second 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 up there?
A.—On the first floor there were 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.

Q.—Did you consider the weight very great?
A.—I thought that there was quite a 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?
A.—No.

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 needles through.

Q.—Did you consider the weight too great?
A.—No.

Q.—Did you go on with the work?

A.—Yes.

Q.—How many men were there on the job?

A.—Four or five men.

Q.—Who were they?

A.—McDonald, Hall, Crockett and Ibbotson.

Q.—When did you first hear of the accident?

A.—Someone telephoned to the office about it.

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

Q.—When you had made an examination 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 on with it.

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

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.