

COMPANY AT FAULT SAYS INSPECTOR

Order Issued at Marvine Last
February Was Ignored
by Officials.

PROBING THE RUNAWAY

That the Delaware and Hudson Coal company ignored his order that a manway along the No. 1 slope between the Clark and Dunmore No. 3 and 4 veins at the Marvine colliery be abandoned because it was unsafe and did not comply with law, was the testimony, last night, of Mine Inspector Llewellyn M. Evans before the coroner's jury that is probing the accident that occurred at the Marvine, last Tuesday, and in which the lives of three workmen were lost.

The men were killed by a runaway trip of five cars which dashed down a steep slope 1,200 feet long by which coal is lifted from the Dunmore No. 3 and 4 veins to the Clark vein. The accident was caused by the breaking of a wire rope while the cars were being hoisted.

VICTIMS OF ACCIDENT.

The men killed were John Zazortar, Alexander Kenevitz, of Wales street, and Paul Cyszko, of Durkin avenue. Two other men were injured.

Inspector Evans said that if his order to abandon the runway had been obeyed the accident could not have occurred.

He first notified the officials at the colliery to abandon the runway and at their request took the matter up with C. C. Rose, general superintendent of the coal department of the company, and in a formal letter notified him of the fact that the runway did not meet the mine regulations.

This was in February last and he was moved to take this course from the fact that on February 6, last a man was killed while traveling in this runway by runaway cars that dashed down the slope. The law says that a runway such as this must be separated from the slope by a pillar. In this instance there is a brick wall part of the distance and props for the remainder. After the accident the inspector examined the rope where it parted and could find no indication of a flaw in it. He could not explain the breaking unless there was some defect in the tempering of the wire. The break occurred about four feet from the end of the rope that was fastened to the car.

OTHER WITNESSES.

Superintendent Ross, Mine Foreman McGlynn, Patrick Naughton, a rope examiner, and others testified that the rope which snapped, causing the runaway in the plane, was in good condition, just previous to the accident.

It was put in last February and was entirely new. It was not a spliced rope. The runway they said was safe and kept in good condition.

Further testimony is to be taken at a hearing to be held at the court house at 7:30 this evening. The jurors are: T. Ellsworth Davis, James F. Mitchell, James Reardon, John Devanney, John Loftus and John Galligan. Attorney W. J. Torrey represented the company at the inquest. Attorneys Ralph L. Levy and Leon M. Levy looked after the interests of the victims' families.

None of the witnesses examined last night could explain why the men who met their death left the runway at the No. 3 vein and went out into the slope where cars were being hoisted. The men were warned repeatedly not to do this because of the danger to life and limb.