

explosion would not have taken place and his wife and five little ones would not now be mourning their irreparable loss.

No. 49, John Kentos, Hungarian, slate picker, twenty-three years old, single, was fatally burned and injured by a boiler explosion at Jeddo No. 3 on the night of November 12. John had worked at the breaker until after 7 o'clock, and instead of going right home to Ebervale, a mile and more away, he went to the boiler house, two hundred yards west of the breaker, along his way, and went in to see Andrew Westa, the fireman in charge of the boilers which supply steam for the mine pumps. While engaged in conversation a boiler of the set in front of which John was sitting exploded, and a portion of the front was thrown on him, and he was burned and injured so severely that he died about three-quarters of an hour after the explosion. Andrew Westa, the fireman, was badly scalded by steam, and was taken to the State hospital, where with good care, he fully recovered. I notified T. A. Buckley, J. P., deputy coroner, to hold an inquest, which he did, and the jury rendered as their verdict: "That John Kentos came to his death by being struck by a piece of casting, caused by a boiler exploding, and that said death resulted through the negligence of the fireman, Andrew Westa, in allowing the water to get too low in the boilers."

THE JEANESVILLE DISASTER.

On the 4th day of February, 1891, there occurred one of the greatest disasters that ever happened in this district. No. 10 slope in the Wharton vein is opened up by a tunnel from No. 1 slope of the Spring Mountain Coal Company. No. 1 slope is sunk on the Mammoth vein from the surface, while No. 10 is a subterranean slope, from near the top of which another tunnel is driven into the Mammoth vein to a point from whence the gangway passes the second opening of the Mammoth vein near the large barn of the company.

The No. 10 slope is about 600 feet long and has a vertical depth of 158 feet where it reaches the basin, which rises westward very rapidly. On this basin gangway, breasts were driven on both pitches, and in breast No. 11, shown on both of the maps with this report, is where the water from No. 8 slope gangway was tapped by a miner, who had no idea of his danger, as will be seen from the evidence, which is given in full, as taken at the coroner's inquest held over the victims of the disaster. No. 8 gangway had been abandoned since the 1st of June, 1886, and the slope was allowed to fill up with water to the level of No. 7 slope gangway, where it ran to the pumps in that slope and was pumped out. Relying on the map, which showed a strong pillar for a vein four to five feet thick, the superintendent and mine foreman laid out No. 11 breast in No. 10 gangway, and let miners Patrick Coll and Charles Boyle drive it. On the 4th day of February the No. 8 gangway was broken into, and, while Coll and Boyle made their escape, Edward Gallagher, miner;

Patrick Kelly, laborer; James Ward, miner; Samuel Porter, laborer; Michael Polish, laborer; Bernard McCloskey, miner; James Griffiths, bottom man; Joseph Orsock, laborer, and Thomas Geke, laborer, were drowned by the flooding waters, and their bodies were recovered in the order in which their names occur here between February 18 and 23 inclusive.

As soon as I received notice of this disaster I went to Jeanesville, and with Engineer A. J. Womelsdorf, Superintendent David MacFarlane and Lehigh Valley Inspector Caleb Williams, went into the mines and on reaching the No. 10 slope, found the water within 18 feet vertical of the top of the slope or 140 feet vertical over the foot of slope, and more than 80 feet higher than the tops of any of breasts in the southeast gangway, and over 40 feet above the top of No. 5 breast on the northeast gangway where living men were found. Finding that everything possible was being done, and that two pumps had already begun to work on the flood, we came away and examined the maps, and after a careful look over them it was decided to place a pump in No. 7 slope and follow down on that side with the pump until it was ascertained that the water from No. 8 workings was no longer discharging into No. 10 workings, and so faithfully was the work prosecuted that two weeks from the day of the accident, the body of Edward Gallagher was recovered, and on Monday afternoon, February 23, by one o'clock, all the missing persons but four had been accounted for. As on Sunday the 22d, the bodies of Harry Ball, miner; Lawrence Reed, miner; James Balock, laborer, and Michael Smith, laborer, were discovered in breast No. 1 of the southeast gangway, and on examination of the breast, it was found that they had been closed in at the top of the breast, and for 18 feet from the high water mark in the breast their footprints were found in the mud, showing how they had followed and noted the receding of the waters. For some reason they had built a fire, and placing it in an iron powder keg, had put coal on it and by this act had consumed the life-sustaining oxygen from their compressed air, in which they were hermetically sealed as it were by the water, and then their lives went out with the fire and they were asphyxiated by carbonic oxide gas, as were even the rats which were found with them dead.

Finding that all the bodies that were supposed to be on the lower levels were recovered, and that the last four missing would be likely to be found in the pitch in one of the breasts we were in that afternoon, and finding black damp in the manway of No. 5 breast, a brattice was carried along the gangway from the pillar on the south side of the gangway before it branches into the two gangways, and the brattice was run to the pillar between breasts 5 and 6, and it being after five o'clock it was determined to go out and have supper and let the air work on the damp while we were gone. About seven o'clock mine foreman Kelshaw and Hale with James Sterling, Alexander Morton and James Neilson went

in as an exploring party, and started up the inside manway of No 5 breast, and after going to the first heading Foreman Kelshaw rapped on the manway and halloed, and then in the silence that followed what was his surprise and that of those with him to hear a weak faint voice halloo back, then indeed there was excitement in that mine, for word was passed out for a doctor, that one man had been found alive and it seemed as if everybody was endowed with new strength, and while Superintendent Macfarlane went to the top of the breast, some tried to get more air to the upper heading and some were dispatched to the slope for bed quilts and blankets and to hurry the doctor in so as to give the men, who all four by this time were discovered to be alive, some proper nourishment and to advise about their removal from the mine.

Doctor Mears of Audenried who was visiting in Jeanesville came right into the mines and down the slope to the foot of the breast where the men were and advised getting them down as soon as possible and into better air, and this was the hardest part of all the rescue, for here were four men helpless as babes to be taken down a narrow space of less than three feet wide in many places and not more than two feet high in some places, but Edward Good, Alexander Morton and Duncan Macfarlane formed the human toboggan to carry this precious freight down this 45° pitch and they landed them all one at a time safely at the foot of the breast, from thence willing hands carried them to the slope where they were placed on a truck and hauled to the top of the slope and placed in improvised beds in the engine room, where the doctor thought best to keep them till the next day, and very early in the morning they were removed from the mines to the Sons of Temperance Hall where Mrs. J. C. Haydon took charge of them, and with the help of other ladies, and under the direction of Dr. Mears, did everything possible to nurse the men back to health, and in a few days three nurses were brought up from St. Luke's Hospital at Bethlehem who stayed and nursed them until they were out of danger.

The names of the four survivors of an imprisonment in compressed air for nineteen days and eight hours are as follows: Joseph Matuscowitz or "Big Joe," John Tomasuzsci, Wasil Frinko and John Barno, and as I am able to learn they have all recovered their health nearly if not altogether.

As this accident occurred in Carbon county, I notified the coroner, W. W. Buck, of Weatherly, that I wished an inquest held and he empanelled the following named persons a jury, viz: E. P. Williams of Weatherly, Jed L. Hollenbeck and Thomas Dougherty of Audenried, and W. D. Thomas, James Wear and Philip Edwards of Beaver Meadow, who viewed all the bodies of the victims and who, after the water was all out of the slope, and a travelling way had been made up to the scene of the breaking through into No. 8, on the 26th of February visited the

place, with one exception, and on Friday, February 27, met at the Spring Mountain Hotel and there took the evidence of the following persons who they had summoned to appear before them. The following is a true copy of the evidence as taken by a stenographer at the inquest, and which I submit with the verdict and the maps without any further comments, feeling sure that the public will judge justly:

A. J. WOMELSDORF, being duly sworn testified as follows:

Q. Where do you reside?

A. Pottsville.

Q. Have you done work for the firm of J. C. Haydon & Co.?

A. For the past twenty-eight years.

Q. Have you made maps of the workings of the Jeanesville mines?

A. I continued the extensions. They were made before my time.

Q. Did you make a map of No. 1 slope?

A. I made extensions of No. 1 slope.

Q. Did you make a map of No. 8 gangway?

A. I extended the workings of No. 8 gangway.

Q. Did you make a map of No. 10 gangway under No. 1 slope?

A. That was an extension of old No. 1.

Q. Have you the maps which you could produce?

A. I furnished them for the inspectors and superintendents of different collieries.

Q. Do you recognize this map as the map you have platted?

A. That was a map made about the time I succeeded the Harris Brothers; this map is not correct; it has been called in; that is not an accurate map.

Q. Have you ever put any work on this map?

A. I put work on this map for Mr. Macfarlane so that he could sketch his work on it; I have advised him not to use this map; this map was never accurate and was discovered by me as inaccurate; this is utterly worthless and always has been. I cannot be strong enough in my objections to that map.

(Another map is brought in by Mr. Macfarlane.)

Q. Do you recognize this map?

A. Yes, sir, that is one of the four maps I make every quarter.

Q. Do you then certify to the correctness of this map?

A. That map I have always considered correct. It was made from the surveys of many engineers.

Q. Was this map made by you?

A. That tracing was made by us. This is nearly worn out; we will make a new map.

Q. What we want to know is whether you surveyed No. 8 gangway?

A. Yes, sir.

Q. This is a true map of No. 8 gangway?

A. I supposed it was.

Q. Did you survey No. 10?

A. Yes, sir.

Q. And in your opinion this is a true map of No. 10?

A. Yes, sir.

Q. And this map you furnished as a working map?

A. Yes, sir; as a working map for the removal of coal.

Q. Will you state when you surveyed No. 8?

A. I cannot unless it is written on this map; my notes have been destroyed.

Q. Have you any knowledge of any work having been done in No. 8 gangway after you surveyed it last?

A. I cannot say. It has been a long time. If I were put on my oath as to whether No. 8 stood as it is on this map I should take the benefit of the doubt.

Q. You testify that you have surveyed both No. 8 and No. 10 gangways under No. 1 slope?

A. Yes, sir.

Q. Did you find that No. 8 and No. 10 overlapped?

A. Yes, sir.

Q. When you found that the workings overlapped, did you give any directions as to the opening of No. 10?

A. I never give any directions. It is not my duty. My duty is to make the surveys and submit them to the company. The Lehigh Valley Coal Company and the inspectors. I have nothing to do with the drainage, ventilation, or mining of coal.

Q. Then why do you plat a breast in the gangway?

A. I plat a breast and submit to their own guides.

Q. Take this map, when it was made the breasts which you see were not in existence, were they?

A. They were not.

Q. Mr. Womelsdorf, did you know there was water in No. 8 workings?

A. No, sir, I never did. Had I known there was water, there would have been no accident. I would have insisted on the work being stopped at once. When I made the survey we were twenty-two feet away from the other mines. That was in November. In January there were only ten feet between the openings. It showed I could not have known there was water in No. 8.

Q. If you had known there was water in No. 8, would you have considered that distance sufficient to hold it?

A. If I had known there was water I should not have gone in myself, and certainly would not have allowed the men to go in.

Q. Was your attention called to the fact in January that there was water?

A. My attention was not called to it.

Q. When you were making January survey, did you say anything about putting in breast No. 12?

A. No, sir; I did not sketch No. 12 in January. I put another breast in there. I was looking for that gangway to go through an opening.

Q. Did you make the survey from No. 8 slope from the surface?

A. I think so.

Q. Did you ever try to make a tie in No. 1 slope through Wharton vein?

A. Yes, sir; that was a test of our own work. That was to make the steam hole.

Q. According to their report to you they came out correct?

A. Yes, sir.

Q. Then in the survey of No. 1 slope you had a chance to test that survey from your own surveys did you not?

A. Yes.

Q. Even from the surface of No. 7 to the top of No. 1, to the outer hole, you had a chance to see that your map was correct?

A. I have never made any surveys in relation to No. 8 since it was abandoned.

Q. Did I understand you to say you did not know the pumps were taken out of No. 8?

A. I have no recollection of ever seeing the pumps in No. 8 at all.

Q. Don't recollect that they told you that the last survey you made in there was the final survey?

A. I don't recollect.

Q. You understand on that point in the surveys before a mine is abandoned?

A. It must be surveyed and the survey verified.

Q. I want to know if you were notified of that?

A. No, sir.

Q. Have you ever received notice to make any special surveys?

A. Yes, for other purposes.

Q. No special workings of underground surveys?

A. I always made surveys everywhere.

Q. Do you know when this No. 8 was abandoned?

A. I have no record.

Q. Were you never required to put old No. 8 on the map?

A. No, sir.

Q. Did you never place tidal elevations on the map?

A. We put elevations on the greater part of our work.

Q. Were you requested by Mine Inspector Roderick to put them on?

A. They were put on at my request.

Q. Mr. Womelsdorf, what was the distance between No. 8 gangway and No. 11 breast? What does your map show?

A. About 38 feet according to the maps, at right angles about 28 feet. In solid coal 38 feet.

Q. How could it work through to No. 8 gangway if you left twenty-eight (28) feet between it?

A. I suppose that was the face of the gangway and the breast was going up this way. I thought there were twenty-eight (28) feet looking at the map.

Q. You platted it that way?

A. Yes, sir.

Q. We understand you to say that you considered there was thirty-eight (38) feet of solid measure between No. 11 breast and the terminus of No. 8 gangway?

A. That was what I thought when I looked at the map.

Q. You however platted that for the information of this colliery?

A. Yes, sir.

Q. Do you think the mine-boss would be perfectly safe in driving No. 11 breast out on your survey?

A. It would not make any difference where he went if it was empty.

Q. If he had driven out No. 11 breast, say for 300 feet would he in your opinion have struck No. 8 gangway?

A. He would have struck the breast from No. 6 gangway.

Q. How far was breast No. 6 in No. 8 gangway, from No. 11 breast in No. 10 gangway?

A. It was not much further than 38 feet. If the breast went at right angles it would go into No. 6 breast. My attention was never called to the presence of danger.

Q. Does it not show that in this survey?

A. The map shows it.

Q. Was your attention called to the putting in of the inside rib of No. 11 breast on the survey of January?

A. No, sir. Then I would have been sure of something wrong there.

Q. Mr. Womelsdorf, was your attention called in any manner to lead you to believe that there was water in No. 8 gangway?

A. No, sir. If I had known it at all I would have been on my guard.

Q. Now, as a practical man, what would you naturally believe?

A. My duties are not to watch the water at all. Of course I have this colliery on my mind, but I have thousands of others also on my mind. My recollection of No. 8 gangway is that it went out and down to No. 7. Anything beyond that had entirely gone out of my mind. I had forgotten all about it in connection with many other places I have gone into. I know those mines fully. The last ten (10) or fifteen (15) years I have had many other collieries on my mind, and I cannot recollect all about this one. I only visit this colliery four (4) times a year.

Q. Does the law require the survey?

A. So far as the law is concerned, J. C. Haydon employed me to make

these surveys, and whenever there is anything we believe the law requires I go and do it. Whenever David sees anything he wants done he tells me and I do it. It does not make any difference when; when the inspectors ask anything they get it. There are some parts of these mines that are accurate, so accurate as to have attracted attention in years gone by. I do not know anything on this map that I could condemn, or I would rectify it at once.

Q. If your map is true, could No. 11 breast cut into No. 8 gangway?

A. If it went into the gangway there was something wrong in the survey of No. 8.

Q. Then you testify that if No. 11 breast could possibly cut into No. 8 gangway there was a mistake in your map?

A. Yes; there was a grievous mistake. Had I known that there was water the work would not have been done without my protest. If I had been told that the gangway than it was on the maps I would not have been surprised. There was a mismeasurement in the gangway.

Q. You don't pretend to be infallible?

A. No, sir.

Q. As I understand it, you make the surveys by which the mine-boss is to be governed in his mining operations?

A. In the removal of coal, yes, sir.

Q. And he is to be governed by your maps?

A. Yes, sir. It would not be safe to take any engineer's maps in certain quarters.

Q. If there were forty (40) feet of pillar there, do you think it would be proper for the superintendent to work that breast under your impression?

A. I cannot tell you.

Q. Would not the mine-boss be perfectly justified in driving that breast?

A. I could not be sure.

Q. There was no possibility of No. 10 going into No. 8?

A. If the gangway was not right it could.

Q. Are you willing to testify that your map is correct?

A. As far as I know it is correct.

CHARLES BOYLE, the second witness, being sworn, testified as follows:

Q. Where do you reside?

A. Beaver Meadow.

Q. Are you in the employ of J. C. Haydon?

A. Yes, sir.

Q. Where did you work within the last month?

A. Down in No. 10 gangway.

Q. What breast did you work in?

A. In No. 11 breast.

Q. What course, east or west gangway?

A. West.

Q. What pitch were you working on?

A. I can't exactly tell you.

Q. Were you in north or south side of west gangway?

A. I was driving toward No. 8.

Q. Then you were on the south pitch?

A. Yes, sir.

Q. Will you tell the jury what work you were doing that day, the 4th of February, 1891, how long you worked, how much you cut, and all about your work that day and what happened?

A. We went up in the morning.

Q. Who was with you?

A. Patrick Coll. I was driving a cross heading into No. 10; my buttty fired a hole in the face of the breast; we came down till the smoke cleared away; we sat down there awhile and went up again; I had a charge ready to tamp my hole, when he came running to me, saying: "There is something funny over there—like water;" I began to smile; then I heard a piece of coal fall; said he: "Let us get out of this;" then it went off like a shot.

Q. What went off?

A. The whole face.

Q. Did you fire a shot in the face of that breast?

A. I did not; but one was fired.

Q. There had been no other fired except that?

A. No, sir.

Q. Did you know there was any water above?

A. No, I did not know there was water above. I heard some men talking about water being in No. 8; I believe I heard there was water there.

Q. You believe, but cannot be positive?

A. No, sir; I am not positive.

Q. Did you ever work in No. 8?

A. No, sir, I did not.

Q. Did you ever work in any other part of the mine for J. C. Haydon & Co.?

A. No, sir.

Q. Did you have any wet holes in your breast at this time?

A. No, sir; every hole I had driven was dry.

Q. Was the last hole you were going to tamp dry?

A. Yes, sir.

Q. You were going to fire it with a needle?

A. Yes, sir.

Q. The hole you were going to fire was in the heading was it not?

A. Yes, sir.

Q. How close is the heading to the face?

A. It is right across from the face.

Q. You never saw any sign of dampness in the face of your breast?

A. Not a bit.

Q. Did you ever hear any of the officials say there was water in the abandoned No. 8?

A. Well, no, I did not. Not to my knowledge. I know I asked for a breast inside there, and he said "no we are going to leave that."

Q. Who told you they were going to leave the two breasts?

A. The inside foreman.

Q. Why did you hurry to get down the breast when your buttie said "there was something comical in the breast?"

A. Because I thought there was something that was not very healthy.

Q. What did you think it was?

A. I did not know what it was.

Q. You knew when you got down?

A. Yes, sir.

Q. How much water did you expect was coming?

A. That was more than I can tell you. When it broke I did not know whether it was a mountain or what it was.

Q. What kind of a noise did it make?

A. It was like the explosion of a blast. Something similar to that.

Q. You stated before you went down the manway you heard a piece of coal rally?

A. Yes, sir.

Q. It shot right out from the face, did it not?

A. Yes, sir.

Q. Did you find any water in Coll's manway?

A. No. As soon as we came to the platform we found a stream coming down. No water followed down our gangway, not a drop. Both of us went down the same manway.

Q. You were not in the face?

A. I was not there that morning.

Q. That was the only shot fired in the breast that morning?

A. It was.

Q. You did go over to his side of the breast at times, did you not?

A. No, I very seldom went over. Every man used to handle his own.

Q. Did you expect that your breast was finished when you asked if you could have breast 12?

A. No, sir.

Q. You were not afraid to work breast 12 on account of the water?

A. I was not.

Q. Had you at any time previous to February 4, felt any fear of working in the breast?

A. No, sir; I did not.

Q. You felt no fear when you drilled a hole there?

A. No, sir: not the least.

Q. Was your breast comparatively dry?

A. No. It had wet holes down there.

Q. You say you never heard of any water being in No. 8, still at the same time you knew it was there, did you not?

A. I was not sure of it.

Q. Had you any idea you were anywhere near No. 8?

A. No, sir.

Q. When you heard the water coming did you notify any of the others?

A. Told every one that was down the place. We made for the airway, the others that were outside made for the bottom.

Q. Who came out with you?

A. William Coyle and Patrick Coll.

Q. What day did this occur?

A. February 4, 1891. It happened between ten and eleven o'clock.

Q. When you were making your escape did you have to run?

A. I did not go up more than thirty (30) feet until the water caught me.

Q. Did the water follow you up?

A. Yes, sir.

Q. You did not get into it, did you?

A. Yes, sir, I did.

Q. Where did it catch you?

A. In the airway.

Q. That airway is a traveling way, is it not?

A. No, sir.

Q. Is there a ladder there?

A. Yes, sir.

Q. Had you ever gone up there before?

A. Yes, I went up to see what it looked like.

Q. Your partner went up too?

A. Yes, sir.

Q. And a young man named Coyle went up too?

A. Yes, sir.

Q. Did you warn Edward Gallagher?

A. Yes, sir. And his boy yelled for all he was worth. I yelled for Gallagher but could not hear any answer.

Q. You did not get any report from him at all?

A. None that I could hear.

WILLIAM COYLE, the next witness, being sworn, testified as follows:

Q. Where do you reside?

A. Jeanesville.

Q. Where do you usually work?

A. I was working about six (6) weeks with my stepfather in No. 1 slope.

Q. What day did you work there last?

A. The 4th of February.

Q. What day of the week was that?

A. Wednesday.

Q. Did you work there all day?

A. No, sir.

Q. Why did you not work there all day?

A. This water broke and I got out of it.

Q. What water?

A. From No. 8 slope.

Q. Where were you when it broke in?

A. I was down on the platform of the lower breast.

Q. Which was your breast?

A. I don't know the number of it.

Q. Where was your breast situated in relation to Coll's and Boyle's breast?

A. Right across the gangway.

Q. Where did it stand in relation to the airway you came up?

A. It was the next breast to the airway.

Q. Had you a hole through the airway?

A. Yes, sir.

Q. From the inside manway or the outside manway?

A. The inside manway.

Q. Which way did you come up? Did you come up the gangway or up your manway?

A. I got off our platform and came up our manway.

Q. How deep was the water in the gangway when you came up?

A. There was none at all.

Q. You came up past the hole that was in your breast into the airway?

A. Yes, sir; I stood and yelled.

Q. To whom?

A. My stepfather.

Q. Who is your stepfather?

A. Edward Gallagher.

Q. Did you hear any answer?

A. No, sir.

Q. Did the water come up to you?

A. No, sir.

Q. Did you hear any shot go off in your breast before you went up?

A. No, sir.

Q. Had you been up the outside manway at all with your stepfather?

A. Yes, I have been there.

Q. He was firing the shot and you expected he would come down to the platform?

A. Yes, I expected that.

Q. How long had you been there when you heard these men call?

A. A second or so.

Q. What did they say?

A. I can't say; I remember calling out to Charlie Boyle, "Look out boys."

Q. What did you think was wrong when they yelled?

A. I thought their battery had burst out.

Q. Where were they?

A. Down the gangway.

Q. Between you and the airway?

A. Right down at their own breast.

Q. You did not know there was water coming when they called?

A. No.

Q. Did you know there was any water in No. 8 workings?

A. No, sir.

Q. Did you know there was such a place as No. 8?

A. Yes, I knew that, but did not know we were so close to it.

Q. Did you hear the noise of the water before or after this?

A. Right when they yelled it made a break.

Q. There was no water in the gangway at the time?

A. No, sir.

Q. Did your light go out at once?

A. No, my light went out when I got up to this heading?

Q. Had you warned your stepfather before this?

A. I do not know whether I called before or not; I only remember I called when I was up at this heading.

Q. While you were at this heading did Patrick Coll pass you?

A. I don't remember.

Q. Was any one ahead of you when your light went out?

A. I did not remark it; I thought I was the last on the platform.

Q. Did the water come up to you at all?

A. No, sir.

Q. Did you assist Boyle out of the water?

A. No, sir.

Q. Did your stepfather tell you he was going to fire that shot?

A. No, sir.

Q. Did you call to him?

A. Yes, but I got no answer.

Q. You thought he was all right?

A. No, I was most sure he was caught in the water.

Q. When did you first find out where this water came from?

A. I kind of remember hearing one of the men saying No. 8 had burst in.

WILLIAM HALE, the next witness called, being duly sworn testified as follows:

Q. What is your employment?

A. Mine foreman.

Q. In charge of what?

A. In charge of No. 1 colliery.

Q. Were you in the mines on February 4th?

A. Yes, sir.

Q. Do you remember what occurred that day? Will you please state all you know of this matter?

A. Well, I went down No. 10 slope about ten (10) o'clock. On my way down I found the wind from something on my lamp and stopped to find which way the wind was coming from; I found it was coming from the slope. I ran to see what had happened, and met the men who had escaped coming up and they told me the water had burst in. I went down until I had to retreat back; I came up to the counter gangway and got out five (5) men from there. I sent some of the other men who had escaped into the west gangway to get the other men out.

Q. What water did you suppose had broken in?

A. When I saw the water I thought it was from No. 8.

Q. You were under the impression it was No. 8 water?

A. Yes, sir.

Q. What reason had you to think so?

A. Because it was the only place that contained water.

Q. You knew the water was there?

A. Yes, sir.

Q. Did you ever have access to any of these mining maps?

A. Yes, I looked over them with Mr. Macfarlane.

Q. Your business was to examine the breasts every day or frequently?

A. Yes, sir.

Q. Did you examine No. 11 breast on the No. 8 side that day?

A. No, sir.

Q. How recently had you examined them?

A. I think it was on Monday.

Q. The Monday previous; February 2d?

A. Yes, sir.

Q. Were you not expected to go into your breasts every day?

A. If they needed it.

Q. Did you know or think this breast was working in close proximity to No. 8?

A. I knew it was there, but thought we were safe in working it.

Q. Did you make any special examination to see if there was any water?

A. I did, sir.

Q. Did you see any sign of more water than ordinary in the face of that breast?

A. No, sir.

Q. Did you have any drill holes anywhere in that breast so as to find out whether you were approaching water?

A. No, sir.

Q. Are you fairly acquainted with mine law?

A. Pretty fairly.

Q. Do you know what it says about drill holes when working in the vicinity of old workings that contain water?

A. Yes, sir.

Q. Why did you not have drill holes in that breast?

A. Because we thought there was sufficient distance between them.

Q. What made you think that?

A. The map.

Q. What did the map show according to your recollection?

A. Sixty (60) feet.

Q. This map?

A. I won't be positive whether it was that map or not.

Q. It was the office map, was it?

A. Yes, sir; it was.

Q. Who furnished it?

A. Mr. Macfarlane.

Q. You say it was sixty (60) feet; did you measure it or did you guess?

A. Mr. Macfarlane made the measurement, I did not make it.

Q. Did you consider that sixty (60) feet was close to old workings?

A. No, I did not consider that too close.

Q. Did you consider that sixty (60) feet was close enough to comply with the mine law?

A. Yes, sir.

Q. You would not, when approaching old workings, begin to bore until you were within sixty (60) feet?

A. It would depend on the thickness of the vein.

Q. How long have you been engaged in the business of mine foreman?

A. I have been under J. C. Haydon for three years and a half.

Q. Were you engaged by any one else previously?

A. By Mr. Pardee six months.

Q. Did you always, as mine foreman, have access to the maps?

A. Yes, sir.

Q. Did you always find the maps accurate?

A. We had to go by the maps whether they were accurate or not.

Q. Did the maps come out correct with your work in the mines?

A. No, sir.

Q. You have found places where they did not come out correct?

A. This was the first place.

Q. Then you had entire confidence in the maps?

A. Yes, sir.

Q. Did you notice that the course of No. 11 breast, No. 10 gangway, would take you into No. 6 breast, No. 8 gangway, if you continued far enough?

A. No, sir.

Q. Were you inside foreman at that place when No. 10 gangway was stopped?

A. Yes, sir.

Q. Your maps showed that No. 10 gangway was very close to No. 8 gangway?

A. Yes, sir.

Q. Did you ever have any bore holes in that gangway?

A. No, sir.

Q. Why not?

A. Because we did not think it was necessary, all the coal running out in that gangway.

Q. Was the coal run out at the airway that you drove?

A. Yes, sir.

Q. How thick was the vein in the airway?

A. Three (3) feet, maybe.

Q. And at the face, where it is stopped, it is how thick?

A. In the face there was no coal at all.

Q. Have you had any experience in faults?

A. Not a great deal.

Q. Have you had enough to know that veins sometimes open out very suddenly?

A. Yes, sir.

Q. Were you expecting No. 10 gangway to open out?

A. No, sir.

Q. How much distance was there between the inside of No. 11 breast, No. 10 gangway, and the face of that gangway?

A. About one hundred feet.

Q. There was room then for one or two breasts, was there not?

A. Yes, sir.

Q. Was the vein thick enough to open another breast?

A. Yes.

Q. Why did you not open a breast on it?

A. Because we thought it was too near No. 8.

Q. Did any one ever ask for a breast there?

A. Yes, I was often asked for a breast there.

Q. Did any of the officials want a breast opened there?

A. No, sir.

Q. Did you ever get any directions from the surveyors?

A. No, sir.

Q. Had you any idea that you were close to the water?

A. Not the least.

Q. Do you recollect the direction of No. 11 breast?

A. I believe it was about north ten (10°) degrees west.

Q. How many feet was the face of the breast up from the gangway?

A. One hundred (100) feet.

Q. You have always worked according to the drawings you got from the surveyors, have you not?

A. Yes, sir.

Q. You supposed them to be right?

A. Yes, sir.

Q. Were you present when the last survey was made in January?

A. Yes, sir.

Q. You generally go with the engineers when they are surveying your mine, do you not?

A. Yes, sir.

Q. Then you were present when this gangway was surveyed?

A. Yes, sir.

Q. Was that gangway stopped previous to this January survey?

A. Yes, sir.

Q. When this survey in January was made where were you when the instrument was placed at the foot of No. 11.

A. I did not see it placed there.

Q. Were you in No. 11 breast at all while the surveyors were there?

A. I was on the gangway close by.

Q. Did you hear anything said about putting No. 11 breast on accurately?

A. Yes, sir.

Q. Will you please state what was said?

A. I heard Mr. Macfarlane ask Mr. Womelsdorf to take a sight back to that breast and see that it was put on right.

Q. Did he ask anything about the rib of the breast being put on accurately?

A. He asked one of the miners to hold his light up the breast; I was about ten (10) yards below; I heard him ask if he had his light in the right place.

Q. Who asked if the light was in the right place?

A. I believe it was Mr. Womelsdorf.

Q. You did see him take a course with his instrument?

A. No, sir; I could not tell where it was.

Q. You overheard the request that the breast be put on right?

A. Yes, sir.

Q. Did Mr. Macfarlane state why he wanted it put on accurately?

A. Because there was water in No. 8.

Q. When you understood there was water in No. 8, did you feel any fear of No. 11 going through ?

A. Not the least.

Q. What did you rely on ?

A. On the map.

Q. When did you see this map last ?

A. Some time in January.

Q. After its return from Pottsville ?

A. Yes, sir.

JOHN BOYLE, the next witness being sworn, testified as follows :

Q. Where do you work ?

A. I worked in No. 1 last.

Q. Where do you live ?

A. I live in Jeanesville.

Q. Are you a miner or laborer ?

A. Generally a miner.

Q. What were you doing at No. 10 ?

A. Mining.

Q. Where ?

A. No. 9 breast.

Q. Are you in possession of a mining certificate ?

A. Yes, sir.

Q. Were you working in your breast No. 9, on February 4 ?

A. Yes, sir.

Q. Did you discover a rush of water into the gangway ?

A. I was on the gangway when the thing happened.

Q. Will you tell what you know about it ?

A. I don't know anything, only I heard the stuff thundering. I knew it was water, for it was not like rock or coal. It made a different noise. It was thundering and hissing and I called out, "It is water." Some of the men did not know what it was till I yelled. Instinct told me what it was; and I believe it was that that saved me.

Q. You were in the gangway when it happened were you not ?

A. Yes, sir.

Q. Did the water strike you ?

A. No.

Q. Did you know where the water came from ?

A. I did sir. I knew it was No. 8 water.

Q. You knew then that No. 8 was filled with water ?

A. I did sir.

Q. Did you ever have any fear ?

A. I did not.

Q. You would not have worked there if you had thought so ?

A. I guess not.

Q. To whom did you call out to that "it was water" ?

A. I know I told John Nelms who was with our laborer at the time. He was loading a car on the platform.

Q. Did you see Porter or Ward?

A. I did, they were on their platform.

Q. When you started to go down the gangway, did McCloskey have a light?

A. I believe he had.

Q. Did he start to follow you?

A. Yes, sir.

Q. Had John Nelms gone away?

A. He had started, but I could not say how quick he went.

Q. You did not know who was behind you?

A. I knew McCloskey was twenty (20) or thirty (30) yards behind me.

Q. When you got to the slope, had any of the boys gone up?

A. No, sir.

Q. You turned right up the slope?

A. Yes.

Q. Did the water overtake you in the slope?

A. No, sir. Outside of No. 9 breast McCloskey drove a breast, John Nelms and I both fell there and that is where the water caught me. We had to go through the dog hole and up around the slope. The cars were behind and they broke the water.

Q. Did you hear the cars running?

A. It was as if there were a hundred (100) cars.

Q. You did not see McCloskey after, did you?

A. No, sir.

Q. Did you communicate to Ward and his partner or did they know?

A. They knew something was the matter. I did not see them go down the gangway. Saw them jump. That was all.

JOHN NELMS being called and sworn, testified as follows:

Q. What is your name?

A. John Nelms.

Q. Where do you reside?

A. No. 4, Jeunesville.

Q. Where are you engaged?

A. I am engaged under Mr. Haydon.

Q. What is your business?

A. Company work. Turning off branches.

Q. Where do you work?

A. Down at No. 10 slope.

Q. What were you doing on the fourth of February?

A. We were turning a branch off for a breast. We were starting to load a car. We were the only men in that gangway.

Q. You were in there on February 4.

A. Yes, sir.

Q. Please state what you know about this ?

A. All I know is a Hungarian who worked with me, and I were loading a car when heard a noise and supposed it was a car coming down the slope from that branch into the next branch. Soon Boyle came down yelling, "hurry up, here is water coming." And I stood a second and John came down to me "hurry up" he said "the water will catch you." So I went to the next branch. Before I got to the bottom my light went out

Q. Did you know where this water came from ?

A. I thought it was from No. 8.

Q. Did you know that No. 8 workings were full of water ?

A. Yes, sir.

Q. And you knew that the No. 10 workings were somewhere in the vicinity of the old No. 8 workings ?

A. Yes, sir; I did not know how close. I judged it was from 60 to 70 feet from No. 8.

Q. Did you never see the maps ?

A. No, sir.

Q. You never felt alarmed ?

A. Never felt a bit alarmed sir.

PATRICK COLL. the next witness, being sworn, testified as follows :

Q. What is your name ?

A. Patrick Coll.

Q. Where do you live ?

A. Beaver Meadow.

Q. Where are you engaged usually ?

A. Jeanesville.

Q. How long have you worked in these mines of J. C. Haydon and Company ?

A. About eight months.

Q. Are you a miner by trade ?

A. Yes, sir.

Q. Where did you work on the 4th of February ?

A. I worked in this breast.

Q. What was the number of it ?

A. Number eleven (11).

Q. Will you please tell the jury all you know about the accident ?

A. I went up there that morning and drilled a hole and fired it; I then returned to the face and barred some coal, then picked away some soft stuff. I went over to my partner and told him I had found the face "dribbling" out like a squeeze, and would not work in that place. "I am going to get down I said." I went down to the platform. Then he said, "If we are going to get any more water it will wash all the coal out." With that the whole face came bursting out and I yelled to my partner to make for the airway.

Q. What were you afraid of when you told the man it was working?

A. I did not like to see that water coming; there was a little water from the day before.

Q. Was more water than usual coming in the day before?

A. The day before we struck the first water.

Q. Did you tell the mine boss when you found that water?

A. No, sir; I did not.

Q. Did you know of any water being above you there?

A. I heard of it.

Q. Was that what you were afraid of?

A. Yes, sir; I did not know what it was; did not know anything about it. I heard there was water in No. 8, that was all.

Q. What part of the breast did you drill the last hole in?

A. In the rib; a four and a half foot hole.

Q. Was the hole visible on the rib?

A. No, it was not.

Q. Do you think it is visible now?

A. I do not know.

Q. Did you know anything about No. 8 being full of water?

A. No, I did not.

Q. Did you ever have any fear of working that breast before?

A. Well, the day before I spoke of it I borrowed six squibs from a man, Nelms, to fire a wet hole. I burned the six squibs in it before I got it fired. The next day I said to him, "Do you think there is any danger from No. 8 water?" "I don't think there is," said he.

Q. Did you notify the mine foreman when you first saw the water?

A. No, sir.

Q. Why not?

A. I did not think it was necessary at the time. Westruck water the same way up the last breast we drove.

Q. What other breast did you drive in that gangway?

A. Number five.

Q. Any other one?

A. Number three.

Q. Did you have more water in No. 3 or No. 5 than you did in No. 11?

A. I don't know about that. It came out on the platform of No. 11 stronger. It was pretty wet on Boyle's side.

Q. You had a dry breast until the day before you tapped this water?

A. Yes, sir.

Q. Did you not think you ought to have notified the mine foreman of that wet hole?

A. Then at that rate I could be notifying them all the time.

Q. Did you ever fire a hole in No. 5 breast and use six (6) squibs?

A. I do not know if I did.

Q. Did this hole explode?

A. No, I drilled it out.

Q. You charged it again?

A. Yes, sir.

Q. Was your breast pretty well squared up before you began to drill the first hole?

A. This was a hole drilled in my side of it.

Q. After the fatal shot was that the squaring up hole?

A. Yes, sir; it was.

Q. When you went in there on Wednesday morning, was it very wet in the face?

A. Well, it was not so very wet. There was a little dripping. I told Boyle, I think it was, "this manway is getting pretty wet".

Q. Was it not wet enough to make you think of the No. 8 water?

A. I don't know how it was. But I guess if I had been afraid, I would not have gone up picking.

Q. Don't you make it a rule to notify the mine foreman when anything extraordinary occurs in your breast?

A. Well, no, I have not.

Q. Who was your partner in this breast?

A. Charles Boyle.

Q. How long had he been your partner?

A. Since I started there.

Q. Did you and your partner have any talk about No. 8 water before the break occurred?

A. I don't know. I might have mentioned it to him.

Q. Did you ever work for J. C. Haydon & Co. before last May.

A. No, sir.

Q. When you made your escape, did you say that you tried to notify all within hearing?

A. I did not notify any one until it burst out and then I yelled.

Q. Did you see anything of Edward Gallagher?

A. No, sir.

Q. Did you call to him?

A. Yes, sir we called to him.

Q. Did you get any answer?

A. No, sir we did not.

DAVID MACFARLANE, being duly sworn, testified as follows:

Q. Where do you reside?

A. Jeanesville.

Q. What is your business?

A. Superintendent of these coal mines?

Q. What coal mines?

A. Jeanesville coal mines, for J. C. Haydon & Co.

Q. Will you please state to this jury what your duties are in connection with your position?

A. My duties are to direct and instruct the inside workings, being governed by a map.

Q. How long have you been directing this work?

A. Since December, 1881 as general superintendent. As mine foreman since the year 1873.

Q. Was gangway No. 10 driven under your direction?

A. It was.

Q. Did you direct the working of No. 10 gangway west?

A. I did, sir.

Q. Do you know anything about No. 8 gangway?

A. Yes, sir. Had the opening of No. 8.

Q. Full directions?

A. Yes, sir; had charge of the work when it was opened and when it was abandoned. It was in four lifts.

Q. When did you abandon No. 8?

A. May 30, 1888.

Q. Was that before or after the last survey?

A. Long after.

Q. Do you mean by abandonment that you stopped taking out coal and took out pumps?

A. Yes, sir.

Q. Was the east gangway driven after the last survey?

A. None whatever.

Q. When you had concluded to abandon No. 8, did you have it surveyed, as is required?

A. Had it surveyed square to the face with my own light against the face of the gangway.

Q. No. 8 gangway east?

A. Yes, sir.

Q. You say there was no more cutting or work done in the east gangway after that survey?

A. I certify to such.

Q. You state that No. 10 west gangway was driven under your direction. Now, did you anticipate any trouble from the water in No. 8 when you drove that gangway?

A. None whatever, sir, as my knowledge led me to know that we had sufficient pillar between us and the gangway.

Q. What do you call sufficient?

A. I call anything from forty (40) to fifty (50) feet sufficient.

Q. Did the map show from forty to fifty feet?

A. The map showed me from fifty to sixty feet.

Q. And you drove the gangway?

A. Yes.

Q. Is this the map?

A. I had access to that map and also to a map at home.

Q. Does this map show forty (40) feet?

A. Not quite; my map showed more than that.

Q. How did you reconcile the difference in the maps?

A. I was led to believe there was more distance between the gangways than this map shows.

Q. So you were not satisfied that the relative positions of No. 8 east and No. 10 west gangways were correct?

A. I was satisfied that they were not correct.

Q. Did we understand you to say that you knew that No. 8 was full of water?

A. Yes, sir; I knew it full well.

Q. Did you order No. 11 breast to be started?

A. No. 11 breast was put on survey some time last October, but I would not allow it to start until the map was sent back showing sufficient pillar to allow No. 11 to start. It did not start until December, until my instructions were given, when I knew there was nothing but solid coal, and did not anticipate any danger from No. 8 water whatever.

Q. If you thought the relative position of No. 10 and No. 8 gangway was not correct, would it not naturally lead you to doubt the accuracy of the entire map?

A. I had no reason for thinking so; I had no reason to believe there was anything wrong east or west. The airway was 115 feet between the counter; I had measured it myself.

Q. Why should the map be wrong in one direction and right in the other?

A. I had no reason to believe there was anything wrong, only in that which I knew positively.

Q. Do the workings of No. 1 slope run in almost every direction?

A. Yes, sir.

Q. So that any error that might be made in those surveys might be multiplied in any other direction, and might be wrong east and west as well as north and south?

A. Yes, sir.

Q. It did not strike you that if the map was wrong in one direction it might be wrong in the other?

A. No, sir, or I assure you No. 11 breast would not have started in December. In October I told Mr. Womelsdorf that he should put No. 11 breast on the map accurately in order to show sufficient pillar between No. 8 water and No. 11 breast. I told the mine foreman when the map came back in December. On the 19th day of January our surveyor returned to survey it; I made a special request of Mr. Womelsdorf to survey No. 11 accurately. He wanted to know why; I told him so that I would know whether I had still pillar enough left, as it had advanced forty (40') feet up. The gangway drove one hundred (100') feet past the station where he sat. He called to one of the men to hold their light

whether they did or not I do not know, but I asked when I came back whether he had got that breast accurately and right for me. He said he had. When the map returned after the survey, the first thing for me to do was to find that that breast was up past the No. 8 gangway some forty-six (46') or forty-eight (48') feet.

Q. How did you know that, by the map or by measurement?

A. By accurate measurement.

Q. You say you were accustomed to use the map to direct this working.

A. Yes, sir.

Q. Did you not notice that breast on the map was further than you thought it was?

A. I gave very little thought to that, I gave the thought to the sufficiency of pillar between the end of the gangway and breast.

Q. How much did the maps show between the end of the gangway and the west rib of No. 11 breast?

A. About forty-eight (48') feet. On the other map it was a little more than this. I was as much under the direction of the other map as I was of this.

Q. Did you ever compare the maps?

A. Not particularly.

Q. Did you ever have any thought as to the possibility of striking into that water?

A. Not one thought of it, sir. Felt as easy on No. 11 breast being driven as on any other part of the work that was being executed in town.

Q. You understand that the mine law provides for anything like this?

A. I understand that. And if we had been approaching water we would have had the usual precautions we always had, but we were not going toward that water. If we had been going toward that water, we would have started a breast in that hundred feet of gangway. We were not desirous of taking that water out through No. 10 slope.

Q. You consider then, that when you find inaccuracies in a map that you are perfectly safe in working by it?

A. I felt safe by having forty-eight feet of pillar between that water and myself.

Q. And would not consider your driving a breast within forty-eight feet of a large body of water that you were approaching that water?

A. Would not consider I was in any danger.

Q. Even when you knew that the map was inaccurate in one respect at least?

A. Would not have the least fear.

Q. Did you ever instruct your mine foreman to keep a lookout in that portion of the workings?

A. I gave that portion of the workings my usual supervision. I told the mine foreman to look at the map and see as well as myself that we had sufficient pillar between the No. 8 water and that breast to work in

it. But I never told the foreman to use any precautions toward that water, as my maps showed that there was no necessity.

Q. Did you ever know engineers to make mistakes before this one?

A. Never knew it before.

Q. Have you had Mr. Womelsdorf do your surveying ever since you have been superintendent here?

A. Yes, sir.

Q. Was he the mining engineer previous to that?

A. He was.

Q. Have you had him make any special surveys in putting down bore holes or anything of that kind?

A. Yes, but not doing it himself, Mr. Brooks did it under the charge of Mr. Womelsdorf.

Q. Did those bore holes come out correct?

A. Yes, sir.

Q. Had you confidence in Mr. Womelsdorf as a mining engineer?

A. I had all confidence in him. Thought his map was as nearly accurate as possible. Felt it was accurate and felt safe in his hands.

Q. Did you believe No. 8 gangway was on the map in its full length?

A. I believed it was accurate.

Q. How was breast No. 6 put on?

A. By measurement from No. 5.

Q. Have you been in the mines with Mr. Womelsdorf when he made surveys?

A. Yes, sir.

Q. Did he not locate the openings along the gangway?

A. Not in all cases. He did on the No. 10, going back along the south side of these breasts. The airway he located by survey at the bottom.

Q. Could you not tell then from examination of the map, whether they had been located properly?

A. I could tell, sir. In that gangway it did not matter whether it was ten feet in too far, or ten feet out too far.

Q. Did you ever notify Mr. Womelsdorf that you had water in No. 8?

A. I did sir. In the month of October, also in the month of January. And he asked me why I did not put in No. 12 breast, I told him it would approach the water of No. 8, and we did not want the water of No. 8 down into No. 10. I requested that the No. 11 breast be put on accurately.

Q. Have you made the measurement of No. 8 gangway since the water is out?

A. Yes, sir.

Q. Do you know the distance from the No. 6 breast to the face of the No. 8 gangway?

A. I think fifty-four or fifty-five feet.

Q. How do you account for the distance being so much greater than you thought?

A. My recollection was thirty-six feet or over.

Q. You are sure that No. 8 did not go on after Mr. Womelsdorf made the last survey?

A. I am sure; that was stopped in the year 1886, on the first of June. It was surveyed on the 29th day of June, and never worked after it was surveyed. My daily record book will show such if it is necessary.

Q. Did you ever refer to those records in any of your deliberations about this water in No. 8?

A. Never sir; I trusted to memory and the map.

Q. You say you have a working map at home which you produced here this morning?

A. Yes, sir.

Q. Mr. Womelsdorf testified that he had notified you that that map was incorrect. Were you not working with that same map all the time?

A. Working with that map, and the tracings were put on that map by himself and were supposed to be accurate.

Q. Had he ever recommended the abandonment of that map?

A. No, sir; it was his business to provide me a new one if it was not correct, but he gave it to me and showed it to be as accurate as the work he was doing on this.

Q. In this connection were all arrangements about surveying made by you with Mr. Womelsdorf?

A. He made his own arrangements; made his own time, then sent word to see if it would suit me; but I did not direct him any.

Q. Had he informed you that the map was not accurate, you would have instructed him to give you another, would you not?

A. That would have been my place, and I would have done it at once. I would have told him to take the other away and burn it.

Q. Give us the reason for this accident?

A. The gangway ought to have been back from No. 11 breast at least forty or fifty feet.

Q. If it had been accurately measured this accident would not have occurred?

A. It would not.

Q. Do you think this accident would have occurred if you had kept bore holes in the breast?

A. No, sir.

Q. You say you found the map inaccurate?

A. Yes, sir; the distance from the gangway to No. 11 breast was not equal to that laid down on the map.

Q. Can you testify that you notified the mining engineer that there was water in old No. 8?

A. I testify to such in the months of October, 1890, and January, 1891.

Q. You drove this breast up from suggestions you had from this map?

A. Yes, sir.

Q. And you find a mistake now?

A. A great mistake.

Q. How much of a mistake?

A. About ninety-five feet.

Q. Might not that error be in the angles as well as in the distances?

A. It might be; I am only saying how I found the gangway.

Q. And you notified Mr. Womelsdorf of water lying in old No. 8?

A. I did.

Q. And you thought there were from forty to fifty feet of solid rock between No. 11 breast and terminus of gangway of No. 8?

A. Yes, sir.

Q. Now, in your opinion, as a matter of fact, did No. 11 breast drive into old No. 8 gangway through that error?

A. No. 11 breast drove into No. 8 gangway through that error or it would not have driven in.

Q. And in your judgment that was the cause of these men's deaths?

A. That was the cause of their deaths.

Q. Who placed this pencil sketch on this map?

A. Mr. Womelsdorf placed it there and showed it to me. Then he said we had driven our breast into breast No. 6 of No. 8 gangway.

Q. We would like to know who died on account of this accident?

A. Edward Gallagher, breast No. 12 on south side of gangway; Patrick Kelly, breast No. 11, south side of the gangway; James Ward, breast No. 9, north side of gangway; Michael Polish, found in top of breast No. 9 north side of gangway; Samuel Porter, in breast No. 9 in the western manway, north side of gangway; Lawrence Reed, Henry Ball, Michael Smith and James Balack, found in breast No. 1 south side of the southeast gangway; Joseph Orsock, breast No. 1 south side of southeast gangway; Bernard McCloskey, found at the junction of the northeast and southeast gangways, in front of a mine car; James Griffiths, found at the same place between cars and pillar; Thomas Geke, found in the northeast gangway floating on the water.

CALEB WILLIAMS, a witness, being sworn, testified as follows:

Q. What is your business?

A. I am inspector for the Lehigh Valley Coal Company.

Q. What are your duties?

A. I see that the coal is taken out properly from the mines.

Q. Have you inspected these mines where this accident occurred?

A. Yes, sir.

Q. Do you use any map to govern you?

A. Yes, I have a map. The Lehigh Valley Coal Company furnished it.

Q. Who makes the map?

12-12-91.

A. Mr. Womelsdorf.

Q. Do you recognize this map as a copy of the one you use?

A. Yes, sir; an accurate copy of the one I use.

Q. You take it for granted that these maps are correct and you work according to them?

A. Yes, sir; I find the gangways are surveyed, but a number of these workings are platted on by bosses.

Q. If they had been surveyed by the mining engineer and placed upon that map, you would look upon them as a correct measurement?

A. Yes, sir.

Q. If you were to examine this map and find a breast surveyed that would run out to the surface in a parallel line forty to fifty feet to one side of an old working and the heading of an old working showing fifty feet of solid measures between them, would you consider you were working toward water?

A. I should judge forty feet would be safe in that vein.

Q. If you were to go up a certain distance according to the map and would drive into No. 8. What would be your opinion of that?

A. I would think there was a mistake in the survey.

Q. Then you would consider that a mine foreman or a miner would be perfectly safe in driving by a gangway that was shown on the map beyond any workings?

A. Yes, sir; I think he would be safe.

Q. You have been governed by this map?

A. Yes, sir; I visit Jeanesville two or three times a month and have always been governed by that map.

Q. Did you know of the water in No. 8 workings?

A. No, sir, I did not. It was abandoned previous to my coming here.

Q. Have you authority in case you find that workings are going into dangerous places to stop them?

A. No, sir; I have no authority.

Q. You report, do you?

A. I report to my superior.

Q. You knew nothing about the water in No. 8?

A. I did not.

Q. Do you find that this map and the workings correspond?

A. Not by the way I found them yesterday.

After hearing Mr. Williams' testimony an opportunity was given to anyone who desired to testify as to any knowledge they had of the accident or any information which had not already been given to the coroner and his jury. No one appearing or even suggesting any other witnesses, the inquest was adjourned until Wednesday, March 4, when the stenographer, having transcribed her notes and sent them to the jury, they met and deliberated and prepared the following verdict which was signed on the 6th of March, 1891.

We the coroner and jurors in this inquisition do say that:—

Deceased were drowned or suffocated at the date (February 4, 1891) or soon thereafter, by a rush of water from an old and abandoned working known as No. 8, at a much higher level, said water having been tapped by a blast by miner Patrick Coll, through a breast No. 11 of No. 10 slope west gangway.

That we find from the evidence that said accident occurred by reason of an incorrect map of said mines, made at some time in the history of the old workings of No. 8, which showed the gangway of the old workings to be about fifty feet shorter than it actually was, and an apparent discrepancy in location of No. 11 breast of No. 10 gangway of forty feet, making an error of ninety feet in the map; thereby permitting breast eleven to be driven directly toward this water; whereas the map showed that the driving up of breast eleven would leave forty feet of a pillar between it and the old workings, viz: No. 8 gangway."

In witness whereof, as well the coroner as the said jurors, have to this inquisition set their hands and seals this sixth day of March, A. D., 1891.

W. W. BUCK,

Coroner of Carbon county.

E. P. WILLIAMS,

Foreman.

J. I. HOLLENBECK,

THOMAS DAUGHERTY,

W. D. THOMAS,

JAMES WEAR,

PHILIP EDWARDS,

Jurors.

The map of the closed survey made under the supervision of Mr. Thomas S. McNair, resident engineer of the Lehigh Valley Railroad Company and Lehigh Valley Coal Company, compared with the map of the workings previous to the disaster, will show how careful the mining engineer should be to have his map accurate and also show good reason for the superintendent and mine foreman to have something more than blind faith in the map furnished by any engineer.