

## Jury Can't Say.

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Return Open Verdict in Accident Which  
Caused Fireman's Death.

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BARRIE, July 24.—(Special.)—The inquest into the wreck of the Cobalt Special at Gilford ten days ago was resumed. Evidence was heard from J. Wisdom and E. J. Benn, passengers; Art Meeking, engineer; J. R. Donnelly, master mechanic, and Assistant Superintendent P. J. Lynch. It showed that train was running from 35 to 40 miles an hour; also that where the first marks of the derailment occurred the ties were new oak ties, but a couple of car lengths farther south the ties were of cedar with an odd hardwood tie.

Engineer Meeking thought that the engine did not leave the rails first. It seemed to be forced off from behind. He was not trying to make up time although the train was forty minutes late leaving Allandale. He had frequently rounded the curve at the rate of 50 miles an hour.

J. R. Donnelly, master mechanic, testified that the engine had not had any heavy repairs since July, 1907 when she had been rebuilt. She left Allandale in perfect order. If the speed had been excessive the wreck would have lain in the opposite side of the track. He was confident that the engine had not left the rails first.

The jury tendered an open verdict, not being able to fix the responsibility.