

MORE EVIDENCE OF LOOSE TIES

Two Witnesses Say They Saw
Them.

ROADBED WAS IN BAD SHAPE

First Suit Against the Shelton Com- pany—Motorman's Trial.

After the examination of a couple of witnesses into the causes of the Shelton extension horror yesterday afternoon, the coroner's inquest was adjourned until 10:30 o'clock next Tuesday morning.

At that time it is thought that several witnesses will be secured who will be able to throw additional light on what caused the car to jump the track.

Robert G. Andrews of 53 Congress street, assistant foreman in the tube room of the Bridgeport Brass factory went to the scene of the accident Sunday evening and about ten feet from the abutment saw a hollow place in the track; the ties were loose and the rails were about an inch and a half lower at that particular point.

He was not positive that the track was lower on the left side than the right. He jumped on the rail and ties and he is positive that there was a depression of fully an inch. He saw a large number of people going up and down on the embankment.

Joseph B. Barton, a carpenter in the employ of the same company, who resides at 43 Orchard street, went to the scene of the accident between 7 and 8 o'clock Monday morning and made a casual examination of the road bed a few feet back of the abutment. He found that it was not up to the ties. He noticed two dump carts on the north side of the track come across the bridge and unload sand on the road bed about 50 feet from the bridge on the south side. He was not on the track and said he was not allowed to be on it.

After this testimony had been given the jury went into the jury room to consider the evidence. It was after 4 o'clock before they emerged into the court room again and then the coroner announced that the adjournment would be made as there were no other witnesses available.

THE FIRST SUIT.

The first suit for damages against the road, will probably be brought by Stoddard & Goodhart of New Haven who are retained by the relatives of Selectman Elias E. Bradley and wife.

The New Haven Leader is authority for the statement that suit will be brought against the road unless the officials are disposed to settle for a substantial sum.

Without delay the attorneys will communicate with the officials of the road and if reasonable terms cannot be made will at once bring suit to recover. The paper also states that Attorneys Stoddard & Goodhart have also been retained by heirs of other persons who were killed in the accident.

Former Judge William B. Stoddard said when seen that he had made a thorough study of the questions involved and had failed to find that the supreme court of this state had ever held that where a human being was instantly killed in an accident damages exceeding \$100 could be collected from the party or parties responsible for said death. It has been alleged that the supreme court has decided that unless suffering could be proved as a result of the accident before death only damages could be claimed.

Judge Stoddard contends that there is no such decision on record and says he will have no hesitancy in bringing suit for damages as heavy as the law allows unless the officials of the Shelton Street Railroad company make proper settlement with his clients.

He claims that in all the cases on record in the Connecticut reports the court has never held that simply because a person was killed instantly in an accident for which some one else was responsible, the heirs of the victim could recover nominal damages only.

HEARING ON MONDAY.

The case of Motorman George A. Hamilton, charged with manslaughter, will come up before Judge Charles E. Peck at Stratford on Monday morning for a hearing and will, in all probability be postponed until after the inquest has been ended.

Motorman Hamilton when seen by a Post reporter, said that he had not retained counsel as yet and did not think he would do so until after the findings of the inquest.