

Special Attorney Roberts Outlines Evidence in D'Autremont Trial

(Continued from page one)

ly khaki material, both wore caps, one was approximately two inches taller than the other. They weighed approximately 140 and 165 pounds, and were from five feet six inches to five feet seven inches in height. The train proceeded through the tunnel and when almost to the other end slowed down somewhat and finally came to a stop at a point where the middle of the engine, the tender, all of the coaches were in the tunnel.

Shots Are Heard

The stop was made in the ordinary manner. Just after the train came to a stop two or three sharp cracks, such as would be made by a pistol shot, were heard by Mr. Haffey in the baggage mail car, and by Mr. Mitchell in one of the ice cars. Mr. Haffey immediately looked out of the door, the car being approximately 150 feet in the tunnel, and as he looked out of the door he saw two men run out of the tunnel, one running to the right as he emerged from the portal of the tunnel, and the other running straight ahead. He could not distinguish their features because of their backs being turned. One of them had on the kind of hat that cowboys sometimes wear, which is sometimes called a sombrero, having a wide brim and high crown. Their clothing, or rather trousers, appeared to be brown. He could not distinguish what the other man wore on his head, nor could he distinguish any further identifying marks on their person, but they appeared to be young men. As his eyes became accustomed to the darkness and light, he noticed the fireman standing alongside the steps and right under the cab with his hands upraised. He did not know him to be the fireman at that time, but could tell he was a young man, and knew that he was not the engineer. He then came to the conclusion that it was a holdup and closed the door and started back to give a warning. Shortly after that an explosion occurred.

Haffey Knocked Unconscious
Mr. Haffey was rendered temporarily unconscious. As soon as this explosion occurred panic-stricken broke out in the train.

This tunnel, as I have said before, is a very long tunnel and the grade is somewhat heavy down hill; glass was shattered, doors were broken, various passengers and members of the crew were cut by falling glass. The conductor, Mr. Marrett, was sitting in what had formerly been the women's toilet, but which he was then using as an office, and his hands were cut by the falling glass. He immediately thought of his passengers and started to go among them and reassure them that there was no danger. His conclusion at that time being that the boiler on the engine had blown up. He passed back and found much confusion present among his passengers. He attempted to reassure them in every way, and finally got a fusee from the rear end of the train and started forward with a man by the name of Micander, likewise in the employ of the Southern Pacific company, on the right side of the train, and went as far as the catcher on the mail car, and then discovered that the mail car had been blown up, and Coyle Johnson started to crawl under the train from the right to the left side and this was the last time he was seen alive. The conductor returned and got some volunteers from among the passengers, together with some extra trainmen, but in the meantime the rear brakeman had gone toward the east portal of the tunnel for the purpose of flagging the second section of 13, which was following very closely thereafter. Mr. Grim, the head brakeman, was in the party with the conductor, but having an open lamp was told by the conductor to go back because of the fear on the part of everyone that these gases which were filling the tunnel might explode. It was impossible to see farther than several feet in advance and the extent of the damage and injury at that time was unascertainable.

Finally the conductor started forward again and in his party this time were the deadhead brakemen, a nurse by the name of Joers and several other trainmen of the Southern Pacific company. They went forward as far as the mail car. Smoke, steam and gas filled the whole side and top of the tunnel. No one knew what had happened; no one knew to what extent the injury and dam-

age had been. The nurse went into the mail car and Mr. Carter, who lives at Ashland, likewise found his way therein. Prior to that time some of the ice helpers had gone into the mail car with fire extinguishers for the purpose of putting out the fire and had thought that this had been accomplished. Mr. Carter and Mr. Joers found the mail car practically demolished, the partitions blown down, the mail sacks scattered hither and thither, and the mail burned, charred and helter-skelter all over the car. There was no light except the light of a small flashlight. The medical nurse, Mr. Joers, ran against something. His foot slipped and finally by the aid of a flashlight he discovered that he had run in to the flesh and fustiness of a man. He looked down on the floor and there was the chest of a man lying head first. He and Carter turned this torso over, which was naked, except for certain parts of clothing around the neck, and discovered it was the remains of a man, the other parts, his legs and the rest of his body had been blown asunder and wherein small and minute pieces scattered around the car. They tried to put out the fire as well as they could, and then got out of the car. In the meantime, Mr. Marrett had succeeded in crawling under the car and had gotten up to the cab. He climbed up the steps and in the cab discovered the body of his co-worker and friend, Sidney Bates, dead in the course of duty. Bates' body was lying on the fireman's side with the head pointed toward the engine in a sort of reclining position. The fireman's seat had been disturbed. He noticed that the oil valves, which were used for the purpose of putting oil into the firebox and the blower valves were turned off. Then he went over to the right side, or the engineer's side, and looking down he discovered the body of Marvin Seng slumped down, and shortly in advance of this body he saw Coyle Johnson lying in a crouched or hunched position, gasping for breath.

He immediately got out of the cab, because he saw that poor old Sidney Bates had passed beyond all mortal fate and went over to where Johnson was lying. He thought Johnson was gasped and with the help of another trainman took him up in his arms and attempted artificial respiration. In passing over the body of Marvin Seng, he discovered that life was extinct, and so that his whole attention was directed to this attempt at the resuscitation of Johnson. In applying this artificial respiration, blood began to ooze out on Johnson's overalls or shirt or trousers, thereupon the medical nurse, Mr. Joers, opened up Johnson's clothing and discovered in the pit of his stomach eight wounds which had apparently been made by buckshot and one by a .45 automatic bullet. Immediately it was known and discovered by those present that Johnson had been shot. Then an examination was made of the lifeless bodies of Marvin Seng and Sidney Bates, and the same discovery was made that each of these had been shot through the head, and Sen, in addition, had been shot through the arm. The conductor then called up his immediate superiors and advised them that a holdup had taken place. In the meantime, the rear brakeman and the head brakeman, Conductor Stevens, and several other of the trainmen who had been deadheading on the train, had come into the tunnel on the engine which had been pulling second 13, and they drew out the coaches and express cars, with the exception of the mail car, the tender and the engine of first 13.

Knapsacks Found
Shortly thereafter, the section crew who had first come into the tunnel for the purpose of removing the debris therein had not been sent out, because of fear that their lanterns and torches might ignite the gas, had come over the top of the mountain to the west portal, and their foreman, Mr. Bonderson, discovered on a slight promontory near the west portal, approximately 48 feet west of the portal and the same distance from the track, three knapsacks or knapsacks, and in these three knapsacks or knapsacks there were six foot pads made out of jute or the material used in sacks, and alongside of these a pair of overalls. These foot pads, which had string over them and apparently ready for instant use,

were heavily saturated with sheep dip or creosote, and gave a most pungent odor. Near these was a battery. This battery is what is known as a DuPont detonating type having a handle in the battery, which is operated and causes a spark to emanate therefrom by working up and down. From this battery wire led into the tunnel. Approximately 180 feet of this wire was discovered leading into the tunnel and to a place almost at the end of the mail car next to the tender and had been doubled back, however, evidently by the force of the explosion or by somebody getting it caught in his feet, and in the tunnel were likewise found an exploded detonating cap and fuse.

Revolver Is Found

Benjamin, the rear brakeman, in going back to flag second 12, at a point between the passing track and the braking power track and approximately 400 feet from the east portal of the tunnel, found an automatic .45-caliber revolver, fully loaded and cocked, without the safety thereon. On the side of the barrel the number of this gun had been gouged out. This gun was found at the point where the two men had been seen approaching the train and at a point almost opposite the place where the trail leads up to the old Dollarhide toll road, which goes over the top of the mountain at this place. The gun was turned over by Mr. Benjamin to another brakeman, who, in the excitement and becoming nervous, discharged one of the shells therein and the gun was subsequently turned over to Mr. Bonderson, and found its way to the sheriff, and will be produced in the trial here.

Confusion Begins

The scene at the west portal of the tunnel was chaotic. There was nothing but confusion. No one knew what to do, no one knew what to say. Everyone was trying to do what he could to aid in the apprehension of those who had committed this terrible deed.

In the tunnel were found 12-gauge shotgun shells, one of the Ajax brand and the other a Climax brand, both U. S. One of them was found approximately 30

feet within the tunnel, and the other was found near the entrance. A number of .45 automatic exploded shells and a steel jacketed bullet were likewise found in the tunnel and around the engine, as was found some wadding which had evidently been fired from a shotgun. From this battery wire led into the tunnel. Approximately 180 feet of this wire was discovered leading into the tunnel and to a place almost at the end of the mail car next to the tender and had been doubled back, however, evidently by the force of the explosion or by somebody getting it caught in his feet, and in the tunnel were likewise found an exploded detonating cap and fuse.

In the meantime, after the engine and mail car had been pulled out of the tunnel, the mail car showed that it had been practically asunder. The steel of its sides was split widely open and the air rushing through these openings fanned the smoldering embers in the mail and paper and caused a conflagration to ensue, as a result of which practically the whole contents of the car were destroyed and the torn body of the mail clerk was burned into unrecognizable and burned maps, so that only his vertebrae and liver and fillings of his teeth could be distinguished as being that of a human being.

Secret Service Men Arrive

That day and the day following the postal inspectors of the United States department, special agents of the Southern Pacific company, peace officers of this country, and National Guardsmen made a search of the surrounding hills and as a result thereof, approximately 30 feet away from where the infernal machine rested, Corporal Moore found a one-pound Carnation brand pepper can. About a quarter of a mile away from the west portal of the tunnel and up along the mountain on the right hand side toward the old Dollarhide toll road is a cabin, which was then owned by Mr. Reginald H. Parsons and used by him relative to his cattle operations in this ranch at Mountcrest, situated near Hill, which cabin had been locked when left by the employees of Mr. Parsons about August 28. This whole country in the vicinity of the west portal of this tunnel is very mountainous; from the track the cliffs rise almost precipitously. The ground is very thickly and heavily overgrown with underbrush and

it is a wild and virgin unexplored country.

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