

# 1909 Denver & Rio Grande Train Wreck

## Victims at Dotsero

To request copies of obituaries or photos, ask questions concerning the history of Eagle County, Colorado, or contact the EVLD Local History Librarian, please email:

[evldlochis@marmot.org](mailto:evldlochis@marmot.org). This email address is also appropriate should you have additional information to share about our photo collection or should you wish to donate materials relevant to Eagle County history.

### Story to follow

- CREGON, John P. - address unknown
- DAVIS, John C. - Denver, CO
- DUNN, Henry - St. Louis, MO
- EZELL, L. J. - Marshall, MO
- EZELL, Mattie - Marshall, MO
- GOODING, C. A. - Washington DC
- HAMILTON, A.A. - Pole, IL
- JEFFERIES, W. H. (engineer) - Glenwood Springs, CO
- KETTLE, Jennie - Ashton, NE
- KETTLE, May - Ashton, NE
- KETTLE, Paul - Ashton, NE
- KETTLE, Waunite - Ashton, NE
- KETTLE, W. C. - Ashton, NE
- LEWIS, Nancy - Hutonville, WI
- MAHON, George - Quinceton, IN
- MAHON, Lydia - Mechanicsville, PA

- MILEY, Rev. R. L. - Mechanicsburg, PA
- OLESON, Mrs. (wife of Orville)
- OLESON, Orville A. - Axtelle, NE
- ROSEN, A. P. - address unknown
- VANICKE, C. W. Denver, CO
- WILLIAMS, Bertha - Fruita, CO
- WILLIAMS, John - Clarks, NE
- WILLIAMS, Lulabelle - Fruita, CO
- WILLIAMS, Mildred L. - Fruita, CO
- WILLIAMS, Roley Earl - Fruita, CO

## **CORONER'S JURY**

### **Render Verdict at Inquest On Deaths of Dotsero Victims**

Dr. GILPIN, Eagle County Coroner, held an inquest as to the deaths of the 26 victims of the D. & R. G. wreck, at Red Cliff last Saturday. Witnesses were summoned to attend at 9 o'clock but, owing to the lateness of the trains, the inquest did not begin until 2 o'clock in the afternoon. The jury had been summoned and were sworn on the 16th instant and had viewed the bodies on that day. The members of the jury were Jake BORAH, A. E. MESSERSMITH, W. A. SKIFF, D. F. BONAR, William YATES and George MORGAN. District Court Clerk COURSEN was in attendance to administer oaths. The witnesses were examined by the Coroner and District Attorney HOGAN. Attorney C. W. DARROW, of Glenwood Springs, was present in the interests of the railroad company. The four stenographers on duty, were Miss MALPUSS, for the coroner, Miss O\_EY, for the District Attorney, C. G. ROWE, for the D. & R. G., and Division Supt. WILSON had his private stenographer present.

The press was represented by H. W. OVERBECK, of Glenwood Springs, for the Denver Post and several other papers; Shad O. KRAHTZ, for the Leadville Herald Democrat, and J. D. FILLMORE for THE BLADE, Grand Junction Sentinel and other papers. These, with something over a hundred spectators filled the court room.

The first witness sworn was Hugh WILSON, Asst., Division Superintendent of the second division of the D. & R. G. road. He testified as to the issuing of orders to train No. 5 and train No. 66 and as to the rules of the company in regard to train orders. Train Dispatcher C. D. WIGHTMAN, and operators CROUCH and ARGABRIGHT, testified as to the actual issuing and delivery of the orders to the crews of the wrecked trains. This evidence showed that an order known as a 31 order was issued to passenger train No. 5, instructing that train to wait at Dotsero until 9:55 p.m. for third 66; that a 19 order was issued to third 66 of the same import.

It was explained that a 31 order is issued to a superior train, i.e., a train having the right of way, and a 19 order is issued to an inferior or freight train. The orders in this case read exactly alike. It was shown further by the testimony of the operators that all orders were issued in duplicate and that the conductor first reads them and then delivers one copy to his engineer; the engineer, in turn, hands his copy to his fireman to read, after he (the engineer) has read it; the conductor reads his copy to his head brakeman and to his flagman or rear end brakeman. Conductor Al McCURDY was then called to the stand and testified that he received the order and understood it; that he delivered a copy to the engineer who read it and remarked about it saying: "They've got the cart before the horse." By this he referred to the second portion of the order which had been added to the order above mentioned. This read for train No. 5 to wait at Gypsum until 9:45 for 2nd 66. As the train reached Gypsum before it did Dotsero, that portion of the order referring to Dotsero would naturally come first, but owing to the way the trains were running, the dispatcher did not send out the Gypsum order until after the one for Dotsero, and as train No. 5 had not yet reached the station to which these orders were sent (Red Cliff) the operator simply added the second order to the foot of the first. The operator testified that this was the usual custom. McCURDY further testified that as soon as he realized that the train had passed Dotsero he gave the engineer the signal to stop at once and the engineer replied by applying the air; that by this application of the air the speed of the train was reduced from about 45 miles an hour to about 25 miles an hour before the collision occurred; that the emergency brakes were not applied; that, in his opinion, there was enough room in which to stop the train if the

emergency brakes had been applied. McCURDY said that his head brakeman, ROBERTS, looked out for the freight train at Dotsero and reported to him that "she wasn't there" and that he, McCURDY, immediately gave the signal to stop.

Head brakeman, F. J. ROBERTS, testified in corroboration of the statements of McCURDY. When he was asked if he had any theory as to how the Engineer Gus OLESON had come to run by the station contrary to his orders, ROBERTS replied that he had two theories: One was that OLESON might have misread his watch, and the other was that by reason of the first part of the order coming last, as it was transmitted, he might have mistaken Dotsero for Gypsum. Mr. WILSON then supplemented his testimony with a list of the dead which are as follows: (SEE LIST ABOVE)

The jury retired at 3 o'clock and after being out 51 minutes brought in the following verdict: That the said deaths were caused by Gus OLESON disobeying orders through negligence or some unknown cause."

One of the jury subsequently stated that while this verdict might seem to lay the whole blame on OLESON, such was not the intention, and the idea the jury intended to convey was that OLESON might have disregarded his orders through some unknown cause.(28 January 1909, Eagle County Blade, p.1)