69TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 1146

MAURICE E. KINSEY

MAY 8, 1926.—Committed to the Committee of the Whole House and ordered to be printed

Mr. CARPENTER, from the Committee on Claims, submitted the following

REPORT

[To accompany H. R. 7156]

The Committee on Claims, to whom was referred the bill (H. R. 7156) for the relief of Maurice E. Kinsey, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

In line 5, after the word "appropriated," insert "and in full settlement against the Government."

In line 6, strike out the figures "$7,457.35" and insert in lieu thereof "$5,000."

STATEMENT OF FACTS

The papers in the case show that the claimant, Maurice E. Kinsey, was injured on May 14, 1924, when an elevator in the Government building at Rochester, N. Y., fell, resulting in a fracture of the spine on the part of Mr. Kinsey. A report of the inspector of the Supervising Architect's Office indicates that the fall of the elevator was due to a defect in the installation of the cable. At the time of the accident Mr. Kinsey was in the Federal building in connection with duties as a member of the Federal grand jury.

Your committee believes that the claimant should be reimbursed for his medical expenses, amounting to $2,464.35, and compensated for loss of services and suffering, and therefore recommends a payment of $5,000. The claimant was examined by one of the surgeons of the Public Health Service, who states that "Mr. Kinsey, as a result of his injury, is totally disabled for manual labor and for any work which requires lifting, walking, or much standing." As a matter of fact, as a result of the physical injury and its detrimental effect on his vitality and vigor and on his mental outlook he is practically totally disabled for any occupation. At his age (he gives it as 55)

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the improvement will be slow and will not be great. The expectancy of life which he possessed at the time of the accident has undoubtedly been materially shortened.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., March 8, 1926.

Hon. CHARLES L. UNDERHILL,
Chairman Committee on Claims,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: With your letter of January 12 last you transmitted a copy of H. R. 7156, a bill for the relief of Maurice E. Kinsey, with a request that there be forwarded for the use of the Committee on Claims, all papers, or copies of same, on file in this department relative to the claim of Mr. Kinsey, together with my opinion as to its merits.

As the files of this department contain nothing relating to the said claim, I directed the United States marshal for the western district of New York to investigate the matter and submit a report at the earliest practicable date. There has been some delay in securing this report and it was not received in the department until the 5th instant. A copy is inclosed herewith, together with a copy of the statement referred to therein, by Dr. Harry D. Clough, surgeon in charge of the medical staff of the Rochester General Hospital, in which Mr. Kinsey received treatment. The facts contained in these communications are all of which this department has any knowledge respecting the claim of Mr. Kinsey and the circumstances out of which it grows, and I do not regard them as sufficient to justify me in making any recommendation on the merits of the proposed measure.

Respectfully,

JNO. W. SARGENT, *Attorney General.*

OFFICE OF UNITED STATES MARSHAL,
WESTERN DISTRICT OF NEW YORK,
Rochester, March 4, 1926.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: In reply to your request for report, made on January 21 and February 19, 1926, regarding accident to and injuries sustained by Maurice E. Kinsey, I respectfully submit the following:

Maurice E. Kinsey, residing at Rush, N. Y., was summoned as a Federal juror to serve at the May, 1924, term of court, held at the Federal building in the city of Rochester, N. Y. On May 14, 1924, after court was adjourned for the day the said Maurice E. Kinsey, with other Federal jurors, entered the elevator in the Federal building, at the third floor; after proceeding to a point beyond the second floor, the said elevator without warning dropped a distance of four feet. Upon removal of the passengers from the said elevator it was discovered that Kinsey had fainted. He was removed in an ambulance to the Rochester General Hospital. His treatment there and a description of the injuries sustained are set out in a letter attached hereto and made a part of my report, dated March 4, 1926, and signed by Harry D. Clough, M. D., surgeon in charge of the hospital medical staff.

I know the facts of said accident, as set out above, from personal experience having heard the concussion of the dropping elevator and saw Maurice E. Kinsey in the condition described heretofore.

I have talked with a clergyman residing in Rush, N. Y., who seemed very familiar with the facts of Kinsey's illness and he informed me that Kinsey is still suffering as the result of the injuries sustained as set out above. He, judging from Kinsey's infirmity at the present time, gives it as his opinion that Kinsey's injury is permanent. He stated to me that Kinsey's back is rigid; that he is unable to stoop or to bend his back. He walks very slowly and is not enabled to go about his work as he had prior to May 14, 1924. He stated further that Kinsey had been in very good health prior to this accident. Kinsey's reputation in his community is excellent.

Regarding my delay in presenting this report beg to say I had experienced some difficulty in communicating with the clergyman, whom I had interviewed as above, who is the only resident of the town of Rush with whom I had any acquaintance and further the rules of the hospital, where the said Kinsey was treated, require compliance with much formality before such information as I obtained from them, is given. Besides this I was compelled to be absent from this office for sometime owing to the death of my father and to my illness with grippe, for a period of a week.

Should you desire anything further in connection with this accident I will be glad to supply the same.

Respectfully,

JOSEPH FRITSCH, JR.,
United States Marshal.

THE ROCHESTER GENERAL HOSPITAL,
Rochester, N. Y., March 4, 1926.

On the admission of Maurice E. Kinsey to this hospital on May 14, 1924, he stated that about 3 p. m. while descending in an elevator, loaded with people the elevator fell three stories and came to a sudden stop. He immediately had "awful pain" in his back, low down. Does not remember much more than a terrible jar. Almost fainted, had numbness in both legs; faint feeling; gasping for breath. Walked with the assistance of two men to the steps outside; then the ambulance brought him to the accident room of the Rochester General Hospital.

The physical examination showed no evidence of intra-abdominal injury but tenderness was felt in each flank and on both sides of the spine in the low dorsal region. X-ray examination made May 14 showed a compression fracture of the body of the twelfth dorsal vertebra.

On May 27 spinal fusion of the eleventh and twelfth dorsal and first lumbar vertebra was done and a plaster jacket applied.

Patient was discharged on June 14, 1924, to return later for removal of cast. Patient was readmitted August 27, 1924, at which time the plaster jacket was removed and a Taylor back brace applied. X-ray examination on September 1, showed no variation in lumbar bodies (in region taken); no production about lumbar bodies.

On September 12, 1924, the history states that the patient is up on his feet and taking some steps. Gets along very well; some backache but no severe or radiating pain. Patient discharged to return to the office of his attending physician October 17.

HARRY D. CLOUGH, M. D.

TREASURY DEPARTMENT,
Washington, February 27, 1926.

Hon. CHARLES L. UNDERHILL,
Chairman Committee on Claims, House of Representatives.

DEAR MR. CHAIRMAN: Acknowledgment is made of your letter of February 16, 1926, transmitting a copy of bill (H. R. 5878) for the relief of Maurice E. Kinsey for injuries sustained in the elevator in the Federal building at Rochester, N. Y.

In compliance with your request, there are inclosed copies of all papers on file in the office of the Supervising Architect, Treasury Department, bearing on this case. The department does not feel warranted in expressing an opinion as to the merits of this claim or as to the amount of relief proposed, $50,000.

It is noted, however, that in a similar bill (S. 2125), introduced during the present session, Sixty-ninth Congress, the amount of compensation is stated as $7,467.35.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

[Western Union telegram]

ROCHESTER, N. Y., *May 14, 1924.*

SUPERVISING ARCHITECT,
Treasury Department, Washington.

Elevator this building dropped 4 or 5 feet to-day. Three persons injured by being forced through door at main floor and striking floor. Accident caused by cables giving away at shackles; apparently babbitting became loose. Operator reports eight or nine persons on board. United States court in session here third floor and elevator absolutely necessary, have therefore directed Otis Elevator Co. to install new cables and proposal will be forwarded immediately with sample; request immediate thorough inspection this equipment.

An M. E. inspector should be detailed to investigate this accident, endeavor to fix the responsibility for same if possible, and report fully.

It would appear to be due to negligence on the part of the custodian's force to make even a cursory inspection of the machine from time to time as required by the "Instructions to elevator conductors." (In connection with this inspection, attention is invited to my indorsement October 6, 1923, on Inspector Peterson's report October 3, 1923.) This indorsement requests that the next inspector who visits building inspect hydraulic lift and make usual inspection of passenger elevator. Peterson reported passenger elevator in good condition October 3, 1924. No M. E. inspector there since.

SUPERINTENDENT M. E. DIVISION.

NEW YORK, *May 16, 1924.*

The SUPERVISING ARCHITECT,
Treasury Department, Washington, D. C.

SIR: Receipt is acknowledged of telegraphic instructions to proceed immediately to Rochester, N. Y., to investigate elevator accident, etc. It is noted that this telegram was not delivered until 9.15 a. m., daylight saving time, this morning. The delay in delivery is probably due to the fact that while the telegram was sent from Washington at 3.23 p. m., standard time, this is 4.23 p. m., daylight saving time, which is effective in this State.

The writer did not leave the office last night until 4.50 p. m., daylight saving time, anticipating receipt of this telegram, having seen an account of the elevator accident at Rochester in the morning paper.

Consideration should be given to the difference in time in the future in order to permit receipt of instructions of an exigent nature.

Respectfully submitted.

F. J. BANKAUF, *Inspector.*

NEW YORK, N. Y., *May 19, 1924.*

The SUPERVISING ARCHITECT,
Treasury Department, Washington, D. C.

SIR: In compliance with telegraphic instructions SA–C dated May 15, 1924, I have made an investigation of elevator accident at the above building and report as follows:

The accident was caused by the failure of the hoisting cables at the thimble shackles connected to crosshead. These cables were installed under contract with Graves Elevator Co., authorized September 25, 1922, and completed October 2, 1922.

The failure of cables is caused by careless workmanship in the connection of cables to thimble shackles. It was found that all of the free ends of cable after hooking same were not turned to the center of shackle; that friction tape had been used for holding cable in thimble during filling of shackle with lead; that this friction tape was loose and is embedded in lead; that the thimble shackles had not been properly heated to permit the free running of lead through thimble and around cable ends to secure same; that this portion of the work was done in a careless, unworkmanlike manner.

The total failure of these cables occurred in the following manner in my opinion. Due to the ends of cables not having been properly secured in thimble shackles, several strands slipped putting excessive strain on secured strandage which in time parted putting entire strain on remaining cable which then parted.

At time of accident I am advised that the car was loaded with 10 passengers and the operator and traveling downward. The cables parted after car had passed the second floor landing. The cab came to a stop within 44 inches after safety tripped.

The cable did not show any sign of excessive wear or broken strandage, rusting, or other defect, the brake equipment is in good operating condition, but there is a slight amount of backlash due to loose hard rubber drum bumpers. This latter however is not sufficient to part the cables had they been properly secured. As a matter of fact it is not perceptible when riding on the car but can be seen only by watching the hoisting machine in operation.

I am advised that in the past as many as 20 passengers and the operator are carried on this elevator during court sessions when the travel is heavy. The custodian has been advised that this is excessive and that in the future the carrying capacity should be limited to approximately 2,500 pounds, or 14 passengers and the operator.

I am forwarding under separate cover the two lead encased cable ends from thimble shackles that broke. One of these has been sawed in half for examination by the writer. The conditions noted in paragraph 3 of this report are plainly discernible.

I am advised by the custodian that one of the persons injured is in the hospital with a fractured spine.

Respectfully submitted.

C. J. BANKHAUF, *Inspector.*

ROCHESTER, N. Y., *June 3, 1924.*

The SUPERVISING ARCHITECT,
Treasury Department, Washington, D. C.

SIR: As requested in department letter of May 24 last, file SA*F, I have to report on the elevator accident at this building on the 14th of May as follows:

On the afternoon of the day in question the elevator was in charge of Ellsworth Keller, laborer in this building, who had relieved the regular elevator operator, James O'Connor. United States court was in this building and traffic on the elevator was, therefore, heavy.

At about 3 p. m. the machine was loaded on the third floor, according to the statement of the operator, with about 10 persons and had proceeded down and directly after passing the second-story landing the cables gave way and dropped with much noise and force down the shaft to the top of the car. The safety clutch worked within about 3 feet 8 inches and the car came to a very sudden stop about 3 feet above the level of the first story. The clutch worked with such effect that the stop was very sudden and unexpected.

According to the statement of the operator, when everything was quiet he opened the door of the car and one man, Mr. Harry Bastianelli, either fell or was pushed out, striking his head on the tile floor. Mr. George J. Sullivan, assistant postmaster, was the first person to reach the scene of the accident and assisted Mr. Bastianelli, whose legs projected into the elevator, to one side and after cautioning the remainder of the passengers not to jump, assisted them out of the car. Mr. Bastianelli was found to be unconscious and Dr. William Barron was called and rendered first aid.

The cause of the giving away of these cables was determined to be faulty workmanship on the part of the Graves Elevator Co., and is taken up in detail in Inspector Bankhauf's report dated May 18. The injured persons so far as is known to this office are the following:

Mr. Harry Bastianelli, of 310 Seneca Parkway, the person who fell out of the car, striking on his head, suffered severe nervous shock and has been unable to transact any business until to-day. A statement from Mr. Bastianelli is inclosed herewith. Mr. Morris Kinsey, who was assisted from the car by Mr. Sullivan, fainted, and while he did not fall to the floor from the car, an examination disclosed a fracture of the twelfth dorsal vertebra. He was taken immediately to the Rochester General Hospital, where subsequent examination and X rays determined the above diagnosis. An operation consisting of a spinal fusion of the eleventh and twelfth dorsal vertebræ and the first lumbar vertebra was performed May 27. He is at present in a plaster of Paris jacket, and his period of disability according to a statement of his attending physician herewith inclosed will extend for about one year and may be followed by partial disability for an indefinite period.

An effort was made to secure a written statement from Mr. Kinsey and from the hospital authorities without success. Mr. Kinsey informed a representative of this office that the matter must be referred to his attorney. Mr. F. A. Tice, Federal prohibition agent, residing at Adams, N. Y., and stationed at 515 Federal Building, Buffalo, N. Y., suffered shock and a minor injury to his cheek.

He, however, needed no medical treatment and was able to proceed without assistance.

Mr. Bastianelli and Mr. Kinsey were both serving as Federal grand jurors, which was the occasion of their visit to this building at the time of the accident.

Statements of Mr. George J. Sullivan, assistant postmaster; Ellsworth Keller, elevator operator; Dr. William Barron, who attended the injured persons; Dr. Frank L. Slater, now attending Mr. Kinsey; and Mr. Harry Bastianelli, one of the injured persons, are inclosed herewith.

Respectfully,

A. WIEDENMANN, *Custodian.*

ROCHESTER, N. Y., *May 23, 1924.*

With reference to the recent accident to the elevator of the Federal Building, I wish to make the following statement:

I was in Mr. Schake's office when I heard a loud noise. I came out of his office into the north corridor and looking toward the elevator I saw a man fall out of the elevator to the floor of the corridor. When I arrived at the elevator I found the door partly open and the floor of the elevator about 3 feet above the floor of main corridor.

The men in the elevator were crowding to get out and I cautioned them to wait until I could pull the man's legs out of the elevator well. The man in question, laying with left side of face down, seemed to be unconscious and his legs extended into well. After pulling his legs out, I helped the men to jump out of the elevator.

I do not know how many were in the elevator and I did not ask anyone if they had been injured.

GEORGE J. SULLIVAN.

ROCHESTER, N. Y., *May 27, 1924.*

On the day of the accident, May 14, 1924, I was in charge of the elevator, having relieved the regular elevator conductor for the afternoon. Just before the accident happened 9 or 10 persons entered the car on the third floor. I started the car up and immediately after passing the second floor I noticed that the elevator speeded up unnecessarily and I tried to stop it, but couldn't. I heard the cables coming down on the elevator and immediately afterwards the car was brought to a stop, about 3 feet above the first floor. I waited until after everything was quiet and then opened the door of the car. One man fell out, whether he was pushed out or not I do not know. Another man in the car said that his back was hurt. I was the last person to leave the elevator.

ELLSWORTH KELLER.

ROCHESTER, N. Y., *May 27, 1924.*

On May 14, 1924, having been called to the post-office building to attend persons injured there in an elevator accident, I examined Mr. Bastianelli, who was on the floor unconscious and evidently suffering from shock. I transferred him to his home on Seneca Parkway and attended him for a few days thereafter. In all probability he suffered from a strain of the muscles of the left neck.

A casual examination failed to reveal any injuries to Mr. Kinsey, also in the elevator, but he was, however, removed to the hospital.

WILLIAM M. BAUM, M. D.
40 North Fitzhugh Street.

ROCHESTER, N. Y., *May 28, 1924.*

Re: Morris E. Kinnsey.

CUSTODIAN POST OFFICE BUILDING,
Rochester, N. Y.

DEAR SIR: The above captioned sustained compression fracture of the body of the twelfth dorsal vertebra May 14, 1924, about 3 p. m., when he was descending in an elevator in the post-office building on Church Street.

He was admitted to the Rochester General Hospital at once where physical examination and X-rays determined the above diagnosis. In view of the fact that he has this injury and is a heavy man, a spinal fusion of the eleventh and

twelfth dorsal vertebrae and the first lumbar vertebra was done yesterday. At the present time he is in a plaster of Paris body jacket. His period of disability will certainly extend for about a year. Following this, there may be some partial disability for an indefinite period.

Very truly yours,

WENTWORTH & SLATER,
By FRANK L. SLATER.

JUNE 3, 1924.

CUSTODIAN, FEDERAL BUILDING,
Rochester, N. Y.

DEAR SIR: On May 14 last, having been summoned for jury duty at the Federal building, and being excused for the day at 3 p. m., I started to leave the building. I entered the elevator at the third floor. A number of persons were in the car, probably 10 or 12. Two other persons came along and got into the car. I do not remember anything from the time the car started down until I was assisted to my feet by Mr. Sullivan, the assistant postmaster, on the first floor. Doctor Barron, near the Federal building, was called, and after examining me said he didn't think mine was a hospital case. I told him I preferred to be taken to my residence, which was done. He said in my case there did not appear to be any bones broken. After a thorough examination the next day by my family physician, Dr. D. G. Hastings, he pronounced my case one of severe nervous shock, ordered a complete cessation from all business and other activities and absolute rest and quiet until my nervous system was restored to normal condition.

Very truly yours,

HARRY BASTIANELLI.

ROCHESTER, NEW YORK, *June 20, 1924.*

SUPERVISING ARCHITECT,
Treasury Department, Washington, D. C.

DEAR SIR: We represent Morris Kinsey, who was injured in May when an elevator in the Federal building here in Rochester, N. Y., fell.

We have made an examination in an attempt to find out who was responsible for this accident and Mr. Gallagher, who is in charge of your Federal building here, informed us that an investigation and report had been made by your department through F. Bankauf. His report is dated May 18.

Mr. Gallagher suggested that he would prefer to have us secure this report through your office than through him direct. Will you be kind enough to furnish us with a copy of this report and any other facts in connection with the case, which may have been brought to your attention. We have learned that the Graves Elevator Co. installed this elevator and that there was a defect in their cables, and we are anxious to secure such evidence as we can to perfect the case against them.

If there is any charge, we will be very glad to remit, if you will send us a bill.

Yours very truly,

WARREN, SHUSTER & CASE.

JUNE 26, 1924.

This division has no information on this subject other than the papers on file, particularly Inspector Bankauf's report May 19, 1924.

Per SUPERINTENDENT M. E. DIVISION.

ROCHESTER, N. Y., *June 30, 1924.*

Messrs. WARREN, SHUSTER & CASE,
Rochester, N. Y.

GENTLEMEN: Receipt is acknowledged of your letter of the 20th instant, requesting a copy of the report made by Inspector Bankauf May 18, last, of the elevator accident in the Federal building at Rochester, N. Y., in which your client, Mr. Morris Kinsey, is alleged to have been injured.

The regulations of the department provide that when copies of documents, etc., from its files are desired for use in suits in which the Government is not interested as a party they shall be furnished to the court upon a rule of the court,

for the use of both parties. The particular document to which you refer is a report of an inspector. These reports are regarded as privileged communications and copies are not ordinarily furnished. However, in this case if a rule of the court is received consideration will be given to providing the desired copy.

A copy of this letter has been forwarded to the custodian of said Federal building for his guidance.

Respectfully,

McKenzie Moss, *Assistant Secretary.*

Rochester, N. Y., *July 3, 1924.*

Treasury Department,
Washington, D. C.

Gentlemen: Your favor of June 30, 1924, at hand. We note that you state your policy is to furnish on a rule of the court this report for the use of both parties in this case. It is obvious that the report will not be necessary for the use of the Otis Elevator Co. as their men made the construction complained of and the report will be of value only to the claimant to get the matter into court and then of course your inspector's testimony can be taken as proof in court for both parties.

We would simply like a copy of this report as information on which to get into court. The actual testimony of the inspector will then be taken by both parties. We fail to see any fair reason why a copy of such report of this could not be sent at the present time to both the Otis Elevator Co. and ourselves. We have no method of subpœnaing this report into court at any time as the report is not evidence, neither is it competent as evidence and it is necessary for us to take action and get into court before we can take the inspector's testimony. After reading this letter surely you will see the fairness of furnishing us with the report at our expense and then if you can not do this will you please refer us to the department which would have the authority to authorize you to furnish us with copy and we will take it up with that department and see if we can get it.

Thanking you for the favor, we are, yours very truly,

Warren, Shuster & Case.

Rochester, N. Y., *July 10, 1924.*

Messrs. Warren, Shuster & Case,
Rochester, N. Y.

Gentlemen: Receipt is acknowledged of your letter of the 3d instant renewing your request for a copy of the report made by Inspector Bankauf on May 18 last, of the elevator accident in the Federal building at Rochester, N. Y., in which your client, Mr. Maurice Kinsey, is alleged to have been injured.

As previously stated to you, the regulations of the department provide that when copies of documents, etc., from its files are desired for use in suits in which the Government is not interested as a party they shall be frunished to the court only and on a rule of the court upon the Secretary of the Treasury requesting the same for the use of both parties. The particular document referred to is a report of an inspector. These reports are regarded as privileged communications and copies are not ordinarily furnished.

The department does not desire to establish a precedent contrary to a well-settled policy, and therefore, your request is not granted. However, if a rule of the court, as above referred to, is received, consideration will be given to providing the desired copy.

A copy of this letter has been forwarded to the custodian of the said Federal building for his guidance.

Respectfully,

McKenzie Moss, *Assistant Secretary.*

January 15, 1926.

Chairman Committee on Claims,
United States Senate.

Sir: Receipt is acknowledged of your letter of the 7th instant transmitting a copy of S. 2125, for the relief of Maurice E. Kinsey on account of injuries alleged to have been sustained in the elevator in the Federal building at Rochester, N. Y.,on May 14, 1924.

In compliance with your request, there are inclosed copies of all correspondence now on file in the office of the Supervising Architect bearing on this case. While these papers establish the fact that the accident occurred, they do not contain sufficient data to enable this department to express an opinion on the merits of the claim, or on the amount, $7,467.35 as provided for in said bill.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

[H. R. 7156, Sixty-ninth Congress, first session]

A BILL For the relief of Maurice E. Kinsey

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury, not otherwise appropriated, to Maurice E. Kinsey, the sum of $7,467.35, in full compensation for injuries sustained in an accident in the elevator in the Federal building at Rochester, New York, on May 14, 1924, and for the expense of medical treatment thereby made necessary.

COMMITTEE ON CLAIMS,
Washington, D. C., January 7, 1926.

The SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: Inclosed herewith find copy of S. 2125, for the relief of Maurice E. Kinsey, now pending before the Committee on Claims. Kindly forward for the use of the committee all papers, or copies of same, in the files of the department relating to the matter, together with an opinion as to its merits, and oblige,

Yours very truly,

RICE W. MEANS, *Chairman.*

[S. 2125, Sixty-ninth Congress, first session]

A BILL For the relief of Maurice E. Kinsey

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maurice E. Kinsey, the sum of $7,467.35, in full compensation for injuries sustained in an accident in the elevator in the Federal building at Rochester, New York, on May 14, 1924, and for the expense of medical treatment thereby made necessary.

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