

[Smythe, Frederick John]

FATAL AUTO ACCIDENT

Frederick J. Smythe of Rochester, Formerly of Warsaw, Killed Last Sunday

Frederick J. Smythe, of Rochester, a former Wyoming County boy and well known to many Warsaw citizens was killed Sunday morning in an accident with his automobile. While going down what is known as Dumpling Hill about nine miles southwest of Rochester his machine skidded and turned completely over and then partly over again. Mr. and Mrs. Smythe were caught under the car and the son, Frederick Smythe Jr., had his collar bone broken but neither of the other members of the party [including his daughter Eleanor, his son Henry Porter Smythe and his sister-in-law Mrs. Jessica Davis] were seriously injured. Mr. Smythe died while being taken to the hospital.

Frederick J. Smythe was born in Portageville, Wyoming County, October 12, 1860. When he was very young his parents moved to the village of Warsaw. He lived in this village until 1880, preparing for college at Warsaw Union School. He entered the University of Rochester and graduated with honors in the class of '84.

Deciding upon the profession of law, Mr. Smythe was admitted to the bar in 1886. As a lawyer, Mr. Smythe often proved himself an advocate of more than ordinary ability. He had a keen legal mind, thoroughly grounded in all the intricate points of law. His opinion was often sought by other attorneys, and his judgment was seldom erroneous. He was a member of the Rochester Bar Association and a trustee of First Universalist Church, of which he had long been a member. Mr. Smythe had a wide acquaintance among the people of Rochester.

*The Western New-Yorker*, Warsaw NY, Thu. 5 Aug 1909

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LOST CONTROL OF HIS CAR AT TOP OF HILL  
Verdict of Accidental Death in F. J. Smythe Case

After listening to considerable testimony as to the accident in which Frederick J. Smythe lost his life last Sunday, Coroner Henry Kleindienst yesterday announced a verdict of accidental death. It was shown that the lawyer lost control of his touring car in descending Dumpling Hill in the Scottsville road and was unable to regain it. The car plunged into a ditch

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and so badly injured Mr. Smythe that he died on the way to the Homeopathic Hospital.

Dr. J. L. Hazen, of Brockport, who performed the autopsy, testified as to the fractures of the ribs and elbow, and said the ribs punctured the lungs.

Dr. L. W. Howk, who appeared on the scene soon after the accident, said that Mr. Smythe was unconscious [sic] and rational, and seemed more concerned about his wife and family than about himself. Smythe estimated the speed of the car at twenty miles an hour at the time of the accident. Dr. Howk thought the man must have lost control of the car.

Mrs. Avery [Jessica] Davis, sister of Mrs. Smythe, said that just before the car tipped over Mrs. Smythe cried out to her husband, "Fred, what are you doing?"

Henry Porter Smythe, son of the dead man, testified that the power was on as they began the descent of the hill. He said he told his father to throw on the clutch that would have disconnected the engine. He did not know whether that was done.

Arthur McNall, who sold the car to Mr. Smythe, described the method of teaching purchasers of cars how to run them. When he was notified of the accident he sent a man to the hill to take charge of the car, which was brought back to the city under its own power. Mr. McNall said he believed nothing had gone wrong with the machine before it tipped over, and that he had made no effort to cover up anything concerning the condition of the car. He believed Smythe became confused in steering the car when he reached the top of the hill.

Conrad Schmidt said it was apparent that the brakes had been applied suddenly, which had been a factor in overturning the car and caused the rear wheels to skid.

*Democrat and Chronicle, Rochester NY, Fri. 6 Aug 1909*

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FREDERICK J. SMYTHE  
[final two paragraphs omitted]

The sudden death of Vice President Frederick J. Smythe has cast a gloom over our Convention. His rare personal qualities of head and heart, his able services in years past, his prominent position on the Executive Board and the certainty of his election as President of the Convention in October next

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all testify to the great loss we have sustained. It is difficult to realize that he has gone.

Mr. Smythe's death occurred as the result of an accident while riding with his family in his auto-car, Sunday, August 1st, 1909.

The field of his usefulness was large. In the legal profession his intellectual attainments won for him an enviable and honorable place. Possessed of a keen legal mind, thoroughly grounded in the principles of law, with a rare clearness and simplicity of statement he was always a strong advocate and to his opponent, as fair as he was strong. Victory in the law was not victory to him, unless it revealed more of truth and justice than before. He sought to make the practice of law, the pursuit of truth and the triumph of right.

Whether his client's cause was large or small, he measured it by the same high standard and applied the same degree of fidelity.

In civil life Mr. Smythe was of that type of public spirited citizens whose influence is always cast on the side of civic righteousness. Strong in his political beliefs he yet knew and yielded to a higher call than that of subserviency to party politics. He was a firm believer in the principles of his party, but party service that did not have as its ultimate end, public service, could not have his voice and vote. He bore with fidelity his full share of the responsibilities of citizenship, ever watchful of the purity of civil government and public honor.

And in the church he occupied in the same unassuming manner a high place in its councils and bore his full share of responsibility for its maintenance and progress. He was a member and trustee of the First Universalist Church of Rochester, to which he had rendered official service for many years. His advice was frequently sought and his opinions always respected. His readiness to respond to any call, his fidelity to the trusts committed to his care, and the high order of ability he brought to their discharge made immeasurably valuable his services to the church and the larger interests of the denomination...

F. J. T.

*The Convention at Work*, Herkimer NY, September 1909  
[a publication of the NY State Convention of Universalists]

Transcribed on 11 Aug 2013 by Karen E. Dau of Rochester, NY