

CIVIL AERONAUTICS BOARD

ACCIDENT INVESTIGATION REPORT

Adopted: January 17, 1950

Released: January 18, 1950

**MICHIGAN STATE AIR NATIONAL GUARD B-26 AND CIVIL AERONCA NEAR
WYANDOTTE, MICHIGAN, SEPTEMBER 10, 1949****The Accident**

A Douglas B-26 airplane, 43-22399, operated by the Michigan State Air National Guard collided with an Aeronca airplane, N 47123 approximately two miles south of Wyandotte, Michigan, at an altitude of 2,400 feet at 1310,¹ September 10, 1949. Although both aircraft were damaged in the collision, none of the occupants was injured.

History of Flights

Lacy Nevills, the pilot and sole occupant of the Aeronca, departed from the Detroit City Airport, Detroit, Michigan, at approximately 1250 to fly VFR cross-country to Marion, Ohio. The flight was planned south to Toledo, Ohio, and from there to Marion, Ohio, at a cruising speed of about 80 miles per hour and at an altitude of 2,500 feet. Fifteen minutes after the Aeronca took off, at 1305, a National Guard engineering test flight, a B-26, departed VFR from Wayne Major Airport, Romulus, Michigan, 20 miles southwest of the Detroit City Airport. The crew consisted of Lt. Kenneth G. Keisel, pilot, and Technical Sergeant John L. Shields, flight engineer.

At approximately 1310 both aircraft were observed in the vicinity of the Hance Airport, located 18 miles south of the Detroit City Airport. They appeared to be in level flight, flying in a southerly direction at an altitude estimated to be about 2,500 feet. The B-26 was observed directly behind the Aeronca, and overtaking it very rapidly. No change in course or altitude of either aircraft was observed until a collision appeared inevitable. Then, the B-26 was

seen to dive under the Aeronca in an effort to avoid it. However, the B-26 did not entirely clear the Aeronca, and parts from the Aeronca were observed falling to the ground.

Following the collision, the Aeronca circled and landed in an open field two miles south of the Hance Airport. The National Guard B-26, after notifying the CAA controller in the tower at the Wayne Major Airport that an accident had occurred, returned to its base where a normal landing was made.

Investigation

Examination of the Aeronca showed that the right side of the landing gear and one blade of the wooden propeller were missing. The entire airplane structure was twisted and damaged by impact with the ground. The engine was found lying on the ground by the left side of the airplane but remained attached to the aircraft by control cables and lines. It had been partially torn from its mount at collision impact and had turned to the left where it hung in a nosedown position.

Examination of the military aircraft showed that there was a tear, about 18 inches in length, in the skin of the upper leading edge of the right wing approximately 10 feet inboard from the tip. The spar web was cracked and the wing center panel had buckled. There was no other damage to the aircraft.

Pilot Kenneth G. Keisel stated that his flight had been entirely routine; that both he and Sergeant Shields had been on the lookout for other aircraft except for short intervals when they checked their instruments, no aircraft had been seen throughout the flight. Having turned to a southerly heading at an altitude of approximately 2,500 feet

¹All times herein are Eastern Standard time and based on the 24-hour clock.

above the ground and at an airspeed of 230 miles per hour, both he and Sergeant Shields had concentrated their attention on the engine instruments. When they next looked up they were rapidly overtaking the Aeronca.

At the time and place of the collision, ceiling was unlimited and visibility was 10 miles or more. Since the sun was almost at its zenith it should not have impaired the vision of either pilot. The B-26 cockpit affords the pilot practically unlimited forward horizontal vision.

Lt. Kenneth G. Keisel, age 32, was a properly qualified and rated National Guard aviator. He also held a currently effective airman certificate with a commercial pilot rating, and had a total of 2,600 flying hours of which 1,100 were in B-26 type aircraft. Lacy Nevills, age 27, held a currently effective airman certificate with a private pilot rating. He had a total of approximately 350 flying hours.

Investigation disclosed that both aircraft were in an airworthy condition at the time of takeoff. Evidence indicated that there was no mechanical failure or malfunctioning of either aircraft prior to the accident.

Analysis

From a study of the facts and circumstances in this accident it appears that both aircraft were flying in the same direction and at the same altitude immediately prior to the collision. The B-26 was behind the Aeronca at the same altitude and was rapidly overtaking it.²

²CAR 60.14 (d) Overtaking An aircraft that is being overtaken has the right-of-way, and the overtaking aircraft, whether climbing, descending, or in horizontal flight, shall keep out of the way of the other aircraft by altering its course to the right, and no subsequent change in the relative positions of the two aircraft shall absolve the overtaking aircraft from this obligation until it is entirely past and clear, . . .

Accident Investigation Report

Although the military aircraft was flying in an area where other aircraft might normally be expected, the attention of its crew was concentrated on the engine instruments and they were not looking out of the cockpit just prior to the collision.

Findings

1. The Aeronca and its pilot were properly certificated.
2. Prior to the collision the Aeronca was proceeding on a straight course and at an altitude of approximately 2,500 feet.
3. The military aircraft was airworthy and its pilot was properly qualified and rated.
4. At the time of the accident the ceiling was unlimited and visibility at the flight altitude was 10 miles.
5. The crew of the B-26 did not maintain an uninterrupted lookout where other aircraft might normally be expected.
6. The B-26, flying at an altitude of 2,500 feet, overtook and collided with the Aeronca.

Probable Cause

The Board determines that the probable cause of this accident was the lack of vigilance on the part of the crew of the military aircraft to observe and avoid another aircraft, while in flight.

BY THE CIVIL AERONAUTICS BOARD:

/s/ JOSEPH J O'CONNEL, JR.
 /s/ OSWALD RYAN
 /s/ JOSH LEE
 /s/ HAROLD A JONES
 /s/ RUSSELL B. ADAMS

Supplemental Data

Investigation and Hearing

The Civil Aeronautics Board received notification of the accident at 1530, September 10, 1949, by CAA Communications and immediately initiated an investigation in accordance with the provisions of Section 702 (a) (2) of the Civil Aeronautics Act of 1938 as amended. As part of the investigation a hearing was held September 27, 1949, at Wyandotte, Michigan.

Flight Personnel

Lt. Kenneth G. Keisel, age 32, was a properly qualified and rated military aviator. He also held a currently valid airman certificate with a commercial pilot rating, and had a total of 2,600

flying hours of which 1,100 were in B-26 type aircraft.

Lacy Nevills, age 27, held a currently valid airman certificate with a private pilot rating. He had a total of approximately 350 flying hours.

The Aircraft

The Douglas B-26, USAAF airplane No. 43-22399, was assigned to and operated by the Michigan State Air National Guard at Detroit, Michigan. The Aeronca Model L-3 aircraft, N-47123, was currently certificated by the CAA and owned by the Wayne School of Aeronautics, Detroit, Michigan. It was a part of the school's equipment used for student instruction and was also leased to properly certificated pilots.