

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN
ACCIDENT ON THE CHESAPEAKE AND OHIO RAILWAY NEAR
PEMBERTON, VA., ON SEPTEMBER 9, 1935.

October 17, 1935.

To the Commission:

On September 9, 1935, there was a head-end collision between a freight train and a rail motor car on the Chesapeake and Ohio Railway near Pemberton, Va., which resulted in injury to 4 employees.

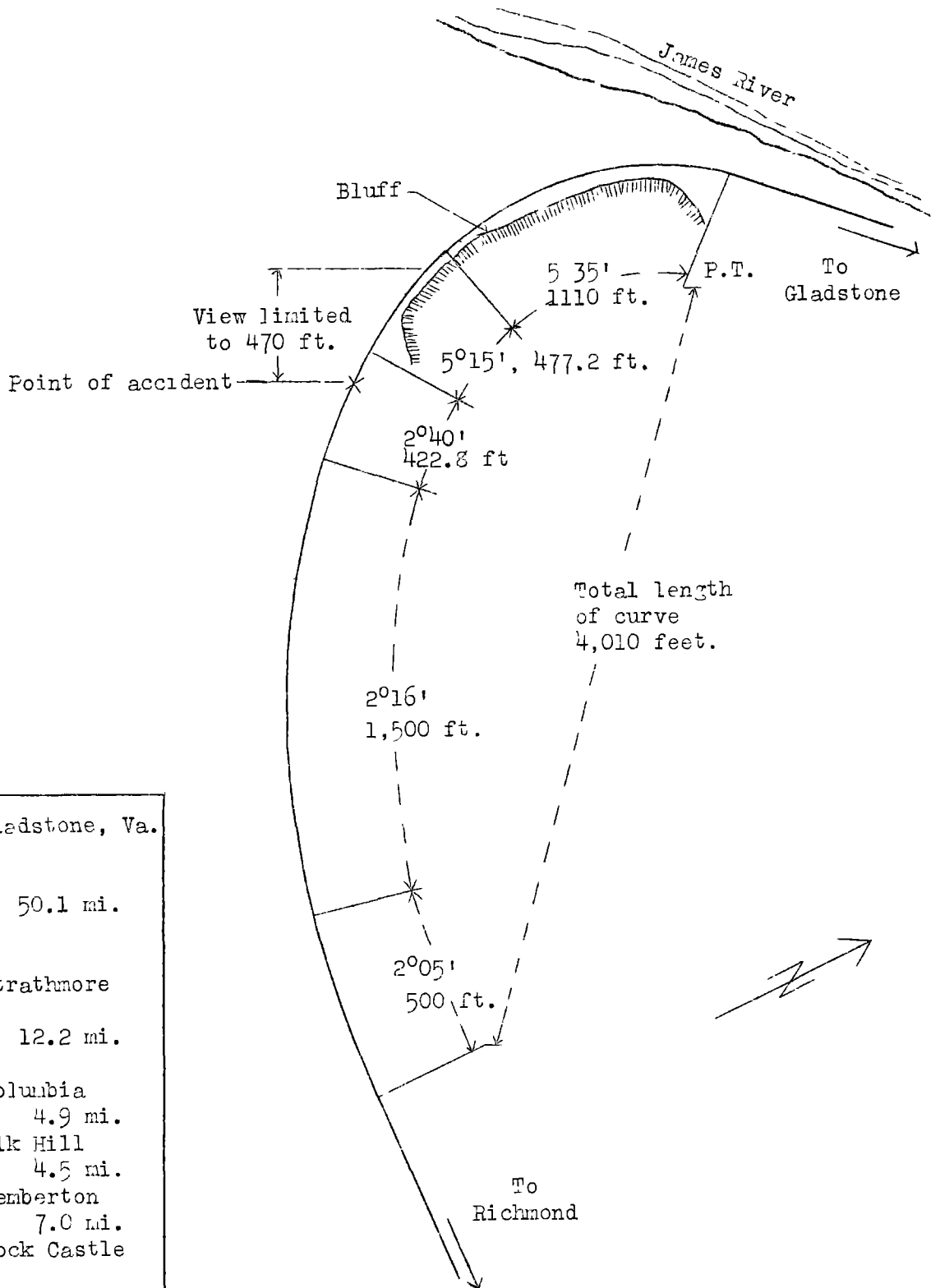
Location and method of operation

This accident occurred on the Rivanna Sub-division of the Richmond Division, extending westward from R Cabin, Richmond, to Gladstone, Va., 120.7 miles. Stations named are distant from R Cabin, respectively: Rock Castle, 42 miles; Pemberton, 49 miles; Elk Hill, 53.5 miles, and Columbia, 58.4 miles. In the vicinity of the point of accident this is a single-track line over which trains are operated by time table, train orders and a manual block-signal system. Motor cars are moved by authority of written line-ups or information concerning expected movements of trains, issued by dispatchers, and are neither governed nor protected by manual block-signal indications. This accident occurred approximately 1.2 miles west of Pemberton; approaching this point from the east, a compound curve to the right, varying from $2^{\circ}05'$ to $5^{\circ}35'$, extends 2,322 feet to the point of accident and continues westward a distance of 1,688 feet. Curvature is $2^{\circ}40'$ at the point of accident and increases to the maximum as the west end of the curve is neared. Approaching from the west, tangent track 1,232 feet in length extends to the curve previously described. Grade is practically level in the vicinity of the point of accident. This accident occurred within a shallow cut, banks of which and trees thereon restrict vision in the vicinity of the point of accident approximately to 470 feet.

The accident occurred about 2:42 p.m., at which time the weather was clear.

Description

No. 92, an east-bound third-class freight train, in charge of Conductor Lacy and Engineman Thornton, consisted of 149 cars



• Gladstone, Va.	
	50.1 mi.
• Strathmore	
	12.2 mi.
• Columbia	
	4.9 mi.
• Elk Hill	
	4.5 mi.
* Pemberton	
	7.0 mi.
• Rock Castle	
	42.0 mi.
• Richmond (R Cabin)	

Inv. No. 2008
 Chesapeake & Ohio Ry.
 Pemberton, Virginia
 September 9, 1935

and a caboose, hauled by engine 1216. This train passed Columbia at 2:20 p.m., 3 hours 25 minutes late, and passed Elk Hill at 2:35 p.m., 3 hours 31 minutes late, according to the train sheet, continued eastward approximately 3.3 miles and collided with a rail motor car.

Two section gangs, consisting of Foreman Mann and Pace and nine laborers, moved westward from Rock Castle toward their headquarters at Columbia on a motor car assigned to Foreman Mann and driven by a laborer under his direction. Prior to departure from Rock Castle, Foreman Pace obtained from the operator a written line-up on the prescribed form, issued at 2:16 p.m. which conveyed information that No. 93, a west-bound freight train was expected to depart from Maidens at 2:19 p.m., that No. 92 was expected to depart from Columbia at 2:21 p.m., and that No. 10, an east-bound passenger train, was on time; no reference was made to the time that No. 92 was expected to depart from Elk Hill and Pemberton, intermediate stations. The motor car departed from Rock Castle about 2:20 or 2:25 p.m. and did not stop at Pemberton, but continued westward approximately 1.2 miles beyond that station and collided with No. 92.

Speed of No. 92 at time of collision is estimated at about 25 miles per hour and speed of the motor car at 5 or 6 miles per hour. Equipment of No. 92 was not damaged appreciably. The motor car was slightly damaged but was not derailed. Foreman Pace and three laborers on the motor car were injured; the foreman died, apparently as a result of this injury, two weeks after the accident occurred.

Summary of evidence

Section Foreman Mann stated that a washout between Irwin and Columbia required him and his force to work continuously from 7 a.m., Sunday, September 8, until relieved about 2 p.m. September 9, after which he and Foreman Pace and their respective forces prepared to return to their headquarters; he was very tired and Foreman Pace was exhausted. Both foremen were of equal rank but Foreman Mann assumed responsibility for operation of the motor car used by both forces. He obtained gas for the motor car while Foreman Pace obtained from the operator at Rock Castle a regular line-up giving location of trains. Foreman Mann stated that Foreman Pace delivered this line-up to him, remarking that No. 10 was on time, which conveyed to him the impression that No. 10 was the next train due. Glancing at the line-up and placing it in his pocket, failing to read that portion which indicated that No. 92 would pass Columbia at 2:21 p.m., he departed from Rock Castle about 2:20 or 2:25 p.m., the car being operated by Laborer Tinsley under his direction.

Approaching Pemberton and being unfamiliar with that section of track, Foreman Mann asked Foreman Pace whether they had sufficient time to go to the east switch at Elk Hill and received an affirmative answer. Foreman Pace also said the driver of the motor car wanted to know if they were going to stop, but Foreman Pace did not say that a stop should be made. Foreman Mann instructed Laborer Tinsley that it was not necessary to stop, although he acknowledged that passing Pemberton without obtaining information concerning the location of trains was an oversight. When the motor car reached a point about one mile west of Pemberton, moving about 12 miles per hour, No. 92 was seen coming around a curve; smoke of the train could be seen 800 or 900 feet distant. Speed of the motor car was reduced to about 5 or 6 miles per hour and all employees got off before the collision occurred at 2:42 p.m.

Section Foreman Pace stated that he was at the washout from Sunday morning, September 8, until about 2 p.m., September 9. At the request of Foreman Mann, he obtained a line-up at Rock Castle from Operator Meachum, who read the line-up to him at time of delivery. Understanding that No. 92 was ahead of No. 10 and would meet No. 93 at Pemberton, he delivered the line-up to Foreman Mann and saw him look at it. At Pemberton he asked Foreman Mann if he desired to stop, but Mann waved to Tinsley to proceed. Aware that motor cars are required to stop at each open telegraph office, Foreman Pace expected to stop at Pemberton for No. 92; he thought, however, that No. 92 might be delayed sufficiently that the motor car might pass Sand Pit, near which this accident later occurred, and that the motor car might then be removed from the track. He reiterated that he had expected No. 92 to be ahead of No. 10, but he stated afterward that he understood that No. 10 would arrive first.

Laborer Tinsley, who operated the motor car involved in this accident, stated that he did not see the line-up and that he was instructed by Foreman Mann to take siding for No. 10 at Elk Hill. He reduced speed to about 10 or 15 miles per hour when approaching Pemberton and, when about 100 yards from the station, having been signaled by Foreman Mann to proceed, he asked Mr. Mann if he intended to stop for a line-up but received a negative reply. He increased speed and proceeded to the vicinity of Sand Pit curve where, seeing the engine of No. 92, he applied the brake and jumped off. He stated that he had been examined and qualified as a motor car operator and that he operated this motor car under direction of Foreman Mann, but, had he been alone, he would have stopped at Pemberton.

The statement of Laborer Tinsley was corroborated by statements of Laborers Lewis Young and Jessie Young. Statements of

six other laborers, questioned subsequently, added nothing to testimony previously presented.

Operator Meachum stated that he was on duty at Rock Castle when Foreman Pace requested a line-up to Columbia. He obtained this line-up from the dispatcher, issued it on the regular form, read it and delivered it to Mr. Pace, whom he informed that No. 92 was by Columbia and that No. 93 was leaving Maidens at 2:19 p.m., with orders to meet at Pemberton.

Operator Palmer, agent at Pemberton, stated that No. 92 has passed Elk Hill when the motor car passed his station, running about 20 or 25 miles per hour. He was working in his office at that time and had no opportunity to stop the motor car.

Engineman Thornton of No. 92 stated that he received a clear block-signal indication at Elk Hill and was unaware that a motor car was in the block. He sounded a road crossing signal and then a meeting-point signal about one-fourth mile west of the point of accident. No. 92 had been directed to meet No. 93 at Pemberton and was moving about 25 miles per hour, on a heavy curve, when he was warned by the fireman and felt the impact of collision almost simultaneously. He made a service application of the brakes and ran 25 or 30 car lengths before stopping. Although he saw men jumping off, he did not see the motor car until after the collision occurred.

Fireman Swanson stated that brakes of his train were tested prior to departure from Gladstone. He was unaware of the motor car between Elk Hill and Pemberton until he was warned by the brakeman and immediately afterward observed the motor car not more than a car length distant from the engine. He shouted to the engineman, who applied the brakes and stopped the train after running 20 or 25 car lengths. The weather was clear at the time of accident.

Brakeman O'Brien stated that his train reduced speed for a meeting point at Pemberton and was moving about 25 miles per hour at the time of accident. He was riding on the left side of the engine and, immediately after the meeting-point signal was sounded, he observed the motor car about 100 feet distant and warned the engineman, who immediately applied the brakes and stopped the train after running about 25 car lengths. The motor car was caught beneath the pilot of the locomotive and was not derailed.

Discussion

The motor car involved in this accident was a Fairmont Mudge heavy-duty section car, 8-12 h.p., with nominal seating capacity

for eight men. This car carried 11 men at the time of accident. Maintenance-of-way employees involved had been on duty more than 31 hours at the time of accident. Repairing track damaged by recent floods, Foreman Mann and Pace and their men had no opportunity to rest during this tour of duty; they were physically and probably mentally fatigued when they started upon their return trip from Rock Castle to Columbia. Foreman Mann failed to read carefully the line-up received at Rock Castle and to note that No. 92, an opposing train, was expected to depart from Columbia, 16.4 miles distant, at 2:21 p.m., substantially at the same time that the motor car departed from Rock Castle.

Rule 9 of the Chesapeake and Ohio Railway motor car rules reads:

"When employees operating cars have means of communication with dispatcher or operator, they must not proceed until the dispatcher has been informed of their movement and has furnished them in writing on the prescribed form, a line-up of trains and other equipment operating in the section in which the movement is to be made, but this will not relieve those in charge of cars from full responsibility of protecting them. Cars must be kept clear of main tracks for all scheduled trains, and no movement must be made on the time of such trains unless full flag protection is afforded or written information is obtained from the dispatcher or operator as to the location of trains, and there is ample time to make the movement to the next open telegraph office or point of clearing main track. No open telegraph office will be passed without stopping and ascertaining the location of trains. When impracticable to communicate with the dispatcher or operator to obtain information with regard to the movement of trains, unless the track is seen or known to be clear extreme precaution must be observed and full flag protection afforded."

Had the foremen on this motor car conferred with the operator at Pemberton, ascertaining the location of trains as required by Rule 9, quoted above, probably this accident would have been averted.

This motor car was assigned to the force supervised by Foreman Mann; but both foremen were of equal rank and it was his duty to stop the motor car at Pemberton; instead, he permitted the motor car to proceed in violation of Rule 9.

Columbia is 16.4 miles west of Rock Castle. The line-up was issued at 2:16 p.m. to the motor car at the latter station and fixed time of departure from Columbia of No. 92 at 2:21 p.m., but did not refer to time of that train at Elk Hill and Pemberton, intermediate stations. The motor car left Rock Castle approximately at the time No. 92 passed Columbia, no meeting point being fixed by line-up or otherwise. No. 92 was 3 hours 25 minutes late at time of departure from Columbia. The motor car was not protected by the line-up at intermediate stations and should not have departed from Rock Castle until information had been received concerning probable passing time of trains at Pemberton.

Movement of motor cars for considerable distances, subjects them to hazards similar to those attending movement of trains, and when practicable should be authorized by train orders, and protected by block-signal indications. Similar responsibility rests upon employees charged with movement of motor cars and those charged with movement of trains; therefore employees exhausted by long hours of service should not be permitted to operate motor cars under circumstances similar to those surrounding this accident.

Conclusion

This accident was caused by failure of a rail motor car to keep clear of an opposing scheduled freight train.

Respectfully submitted,

W. J. PATTERSON,

Director.