1934

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN ACCIDENT ON THE PENNSYLVANIA RAILROAD AT CONVOY, OHIO, ON SEPTEMBER 29, 1934.

November 15, 1934.

To the Commission:

On September 29, 1934, there was a derailment of a passenger train as a result of striking an automobile on the tracks of the Pennsylvania Railroad at Convoy, Ohio, which resulted in the death of 2 employees, and the injury of 7 passengers, 4 mail clerks and 1 employee.

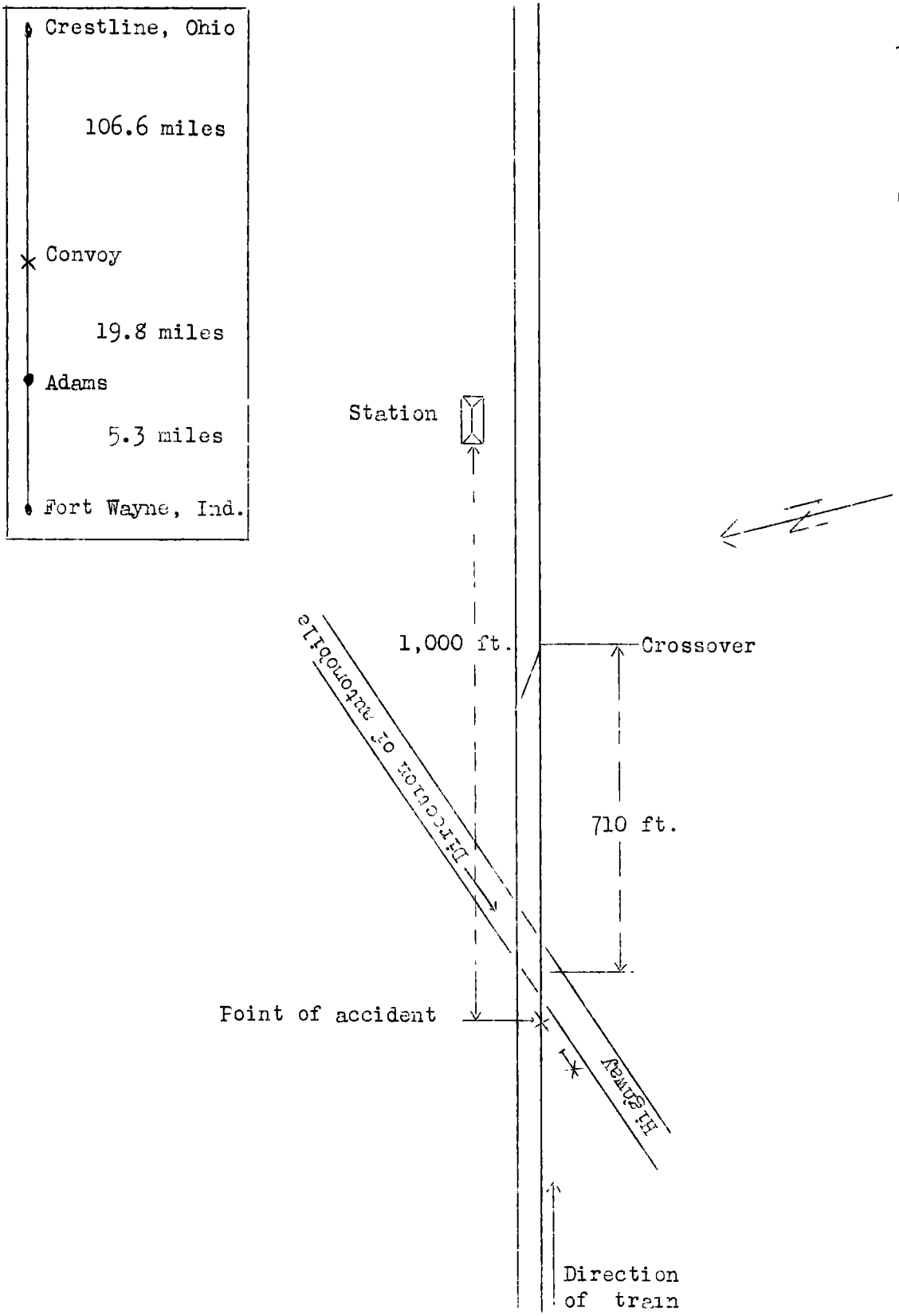
Location and method of operation

This accident occured on that part of the Fort Wayne Division extending between Crestline, Ohio, and Fort Wayne, Ind., a distance of 131.7 miles; in the vicinity of the point of accident this is a double-track line over which trains are operated by time table, train orders, and an automatic block-signal system. The accident occurred on the east-bound track at a point approximately 1,000 feet west of the station at Convoy, where Tully Street crosses the tracks. Approaching this point from either direction the track is tangent for several miles, and the grade is slightly descending for east-bound trains, being 0.03 percent at the point of accident. The maximum authorized speed for passenger trains is 70 miles per hour.

Tully Street is an improved highway which extends southwest and northeast and crosses the tracks at an angle of about 30 degrees; it is tangent for a considerable distance on each side of the tracks and is practically level except at the approaches to the crossing, where it ascends about 4½ feet to the approximate level of the rails. The crossing itself is 17 feet in width and is surfaced with emulsified asphalt and stone. This crossing is protected by gates between 6:15 a.m. and 10:15 p.m., by warning bells for the full 24-hour period, and also by a crossing sign of the cross-bar type with an additional panel underneath the cross bars bearing the word "Danger", located on the south side of the tracks and the west side of the highway.

The weather was slightly hazy and it was raining at the time of the accident, which occurred about 12:30 a.m.

Inv. No. 1934
Pennsylvania Railroad
Convoy, Ohio
September 29, 1934



Description

East-bound passenger Train First No. 54 consisted of 1 express car, 1 mail car, 1 coach, 4 Pullman sleeping cars, 1 dining car and 3 Pullman sleeping cars, in the order named and all of steel construction except the express car, which was of steel-underframe construction, hauled by engine 5492, and was in charge of Conductor Gilpen and Engineman Tourgee. This train departed from Fort Wayne, 25.1 miles west of Convoy, at 11:59 p.m., 2 minutes late, passed Adams, 5.3 miles beyond, at 12:09 a.m., 1 minute ahead of schedule, and was derailed when it struck an automobile at Tully Street, Convoy, while traveling at an estimated speed of between 60 and 65 miles per hour.

The automobile involved was a 1934 Ford V-8 coupe owned and driven by Fred Schilling, who was accompanied by his wife. The automobile approached from the north and was moving over the crossing at a low rate of speed when it ran off the west side of the highway and stopped with its forward end on the east-bound track and its rear end between the main tracks, where it was standing when it was struck by Train First No. 54.

The automobile was demolished, the wreckage being thrown north of the tracks approximately 1,060 feet east of the point of accident. The engine, tender, the first six cars and the forward truck of the seventh car were derailed. The engine stopped on its right side with its front end on the east-bound track opposite the wreckage of the automobile and its rear end about 60 feet south of the track; the tender stopped on its left side across the west-bound track against the front end of the engine; the first car was at right angles to the tracks immediately west of the tender; the second and third cars were diagonally across the east-bound track, and the remaining derailed cars remained practically in line with that track. The engine and first six cars were considerably damaged, while the wreckage struck the station and practically demolished it. The employees killed were the engineman and fireman and the employee injured was a dining car cook.

Summary of evidence

Conductor Gilpen stated that at Fort Wayne he checked with the engineman who appeared to be in normal condition. Before departing a terminal test of the brakes was made and they were reported to be in working order by the car inspectors, while a running test was made after leaving and the brakes functioned properly; no stops were made between Fort Wayne and the point of accident. Approaching Convoy a regulation crossing whistle signal was sounded and when the brakes were first applied he thought speed was being reduced for a curve, but when another and heavier

application was made he thought the train was approaching a signal in stop position; a moment later the coach in which he was riding began to rock and he realized that it was derailed. He estimated the speed just prior to the accident at 65 miles per hour, and noted the time of its occurrence at 12:30 a.m. Conductor Gilpen further stated that it was raining at the time of the accident, but from his observation shortly afterwards the view was not materially obscured and signals could be distinctly seen, including a switch light located a short distance west of the crossing; about 15 minutes after the accident he went back to the crossing and at that time the crossing bells were ringing.

Flagman Fox stated that approaching Convoy he was in the rear car when he felt an emergency application of the brakes, followed by two jolts and then the train stopped. He went back to flag immediately and on his way he heard the bells ringing at the crossing and saw the switch light between the main tracks just west of that point; it was raining at the time, but he could distinguish signal indications for a distance of about half a mile.

Fred Schilling stated that he had had 17 years experience as a driver and that he owned and was driving the car involved in the accident, being accompanied by his wife. They were en route from Convoy to their home about 3 miles west of that point, and upon arriving at Tully Street crossing he stopped the car, opened the windows and listened, then started in low gear, shifted to second gear, and was moving over the crossing at a speed of about 10 or 12 miles per hour when the rear wheels skidded on the wet rails and swerved the car to the right; his car stopped with the rear wheels between the main tracks and the right front wheel on the east-bound track, the left front wheel remaining on the crossing. Being unable to get the car off the track he sent his wife to summon aid and when an automobile arrived to assist, a rope was attached to the stalled car but broke when an attempt was made to pull the car off the track. A chain was then procured and while again trying to get the car back on the highway the headlight of an approaching train was seen. After giving instructions to unhook the chain he hurried towards the approaching train giving signals with a flashlight, but the signals were not acknowledged; he reached a point about 500 or 600 feet west of the crossing before the train passed him. He was familiar with Tully Street crossing and knew that a train could be expected at any time, but had nothing except the flashlight to use for flag protection, not having noticed the switch light west of the crossing that could have been used for that purpose. He estimated that his automobile had been standing on the track about 15 or 20 minutes before the accident occurred.

Mrs. Fred Schilling stated that she had driven an automobile over Tully Street crossing several times during the 10-day period prior to the accident and knew that the paving was rough, with the rails projecting above the surface in several places, making it necessary to drive slowly. When the car reached the crossing on the night of the accident, with her husband driving, it was stopped and then started moving over the crossing at slow speed, but upon encountering the wet rails it skidded and slipped off the roadway. She went to a restaurant several blocks distant and asked the proprietor for assistance.

Herbert Gehres, proprietor of the restaurant, said that as soon as possible he hurried to the crossing with his own car. An effort was made first to pull the car off the track with a rope but the rope would not hold and then a chain was attached, but it broke several times. While still trying to get the car off the track the headlight of an approaching train a short distance away was seen through the rain and fog and Mr. Schilling immediately ran in that direction waving a flashlight; he did not know how far Mr. Schilling went and did not remember hearing the engine whistle or the crossing bells ringing. He estimated that it was about 20 or 25 minutes after he arrived at the crossing before the accident occurred. He did not see any switch light near the crossing and as it was raining they could not build a fire to warn the crews of approaching trains, although the headlights of the stalled machine were burning continuously. Mr. Gehres also said that he was acquainted with Mr. Schilling, that he and his wife were in the restaurant during the evening of the accident, and at that time, as well as while attempting to get the car off the crossing, Mr. Schilling appeared to be in normal condition.

G. N. Alspach stated that he supplied the chain and assisted in trying to get the automobile off the track, but it appeared to be wedged between the rails of the two tracks and could be moved only a few inches in either direction. After working about 20 minutes the train approached and Mr. Schilling took the flashlight he had been using and went in that direction; Mr. Alspach did not see the switchlight just west of the crossing, did not hear the engine whistle sounded or the crossing bells ringing, and did not notice whether the train was reducing speed before it struck the automobile. Mr. Alspach further stated that during the past year a number of automobiles and wagons had been off the highway at this crossing, some of which he assisted in getting back on the highway, and he thought it was due to the rough condition of the crossing and to the vehicles slipping on the rails projecting above the uneven surface.

Arthur Wagner, an automobile mechanic, had been requested to hurry to the crossing with a wrecking truck, and had reached

a point about 115 feet from the crossing when he heard an engine whistle and stopped the truck; he saw fire flying from the wheels of the engine both before and after it struck the automobile.

Master Mechanic Brower stated that on examining the track after the accident he found a flange mark on the inside of the north rail extending over about two-thirds of the crossing and from that point eastward the flange marks appeared on the ties to a trailing-point cross-over between the main tracks; these marks indicated that the engine truck became derailed when it struck the automobile, the final derailment occurring at the cross-over.

Division Engineer Gillum stated that the highway across the tracks is 17 feet wide, although on account of the crossing being at an angle its total width is 42 feet measured along the rails; this street is not a federal or state highway and is not heavily traveled. He considered the surface of the crossing to be in fair condition; the paving had settled in some spots, but he did not believe it was in such condition as to cause an automobile to be driven off the side of the street. The depth of the space between the main tracks immediately west of the crossing was 19 inches below the tops of the rails.

Subsequent to the accident an examination of the wreckage of the automobile, railroad equipment and physical characteristics of the railroad and crossing, was made by the Commission's inspectors. The automobile was practically new and apparently had been in good condition; the wheels running gear and brake rigging of the engine were in good condition, and the track was generally in good condition. Just west of the highway crossing, there was a shortage of ballast or filling between the main tracks reaching a maximum depth of 22½ inches below the tops of the rails at a point about 6 feet from the edge of the crossing. The surface of the roadway across the tracks was in poor condition, being full of waves varying from nearly level with the rails to about 1½ inches lower, with two low spots or holes about 3½ inches deep near the west side of the crossing. One of these holes was between the rails of the west-bound track close to the south rail and the other between the rails of the east-bound track and extending about 4 feet along the inside of the south rail. The asphalt and stone material of which the highway is constructed at this point is retained in place by 4-by-10-inch wooden timbers; on the west side of the crossing these timbers were between the main tracks and also between the rails of each main track. The timber between the rails of the west-bound track was broken, while the abrupt drop on the outside of the timber between the main tracks would make it extremely difficult for a motor vehicle getting off the highway at that point to get out without assistance.

Conclusions

This accident was caused by Train First No. 54 striking an automobile which had become stalled on the track adjacent to a highway grade crossing.

The driver of the automobile was familiar with the crossing; he stopped his car before starting across the tracks, and was moving at a moderate rate of speed over the crossing when the rear wheels skidded against the wet rails, resulting in the car swerving to the right and stopping with the rear wheels off the crossing and between the two tracks and the front end on the east-bound track. He made an effort to remove the car and later was assisted by other persons, but they were unsuccessful. When a train was seen to be approaching the driver of the automobile attempted to flag it with a flashlight and it appears that the engine crew either observed the warning signals or saw the automobile on the track, as the evidence indicates that the brakes were applied before the train struck the automobile. There was also evidence to the effect that the automobile driver was in normal condition shortly prior to and after the accident.

According to the testimony the automobile was stalled on the track for a period of from 15 to 25 minutes before the accident occured and there was a switch light located a short distance west of the crossing that could have been used for flag protection, but none of the parties in the vicinity noticed it in their efforts and anxiety to get the car off the track. According to the evidence a period variously estimated at from 15 to 25 minutes elapsed between the time when the automobile became stalled on the track and the time of accident. When the driver found that it was necessary to secure assistance to move the stalled car steps should have at once been taken to provide protection in case of an approaching train, either by having some person go out to flag or by notifying some railroad employee. When the train was seen to be approaching it was then too late, with the facilities at hand, to provide the required protection.

The surface of the crossing was in poor condition and at some points was more than 3 inches below the tops of the rails and there was evidence that during the past year several vehicles had been off the roadway at this crossing. A highway grade crossing at its best is a potential source of danger at all times, and yet on many highways the worst condition from the standpoint of maintenance is to be found at such points. There is no excuse for the existence of such conditions and they should be corrected as quickly as possible, not only at this crossing but at all other crossings where similar conditions may be found to exist.

Respectfully submitted,

W. J. PATTERSON,
Director.