

## INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN  
ACCIDENT ON THE PENNSYLVANIA RAILROAD AT EARNEST, PA.,  
ON MARCH 23, 1934.

May 28, 1934.

To the Commission:

On March 23, 1934, there was a rear-end collision between an engine making a back-up movement with a caboose ahead of it and a transfer train on the Pennsylvania Railroad at Earnest, Pa., which resulted in the death of three employees.

## Location and method of operation


This accident occurred on a branch line of the Philadelphia Terminal Division connecting the Philadelphia Division with the Schuylkill Branch; the tracks between the eastern limit of Norris interlocking and the western limit of Marsh, within which territory the accident occurred, are yard tracks over which movements are made subject to operating rules and special time table instructions, these movements being controlled by the assistant yardmaster at Norris in conjunction with the signalmen at Norris and Marsh towers; no block signals are used. The accident occurred on the eastward yard track at a point approximately 4,227 feet east of Norris interlocking station. Approaching this point from the west, there is a 4° curve to the left 1,485 feet in length, followed by 915 feet of tangent, the accident occurring on this tangent at a point 465 feet from its western end. The grade for eastward movements is 1 percent ascending at the point of accident.

The weather was cloudy at the time of the accident, which occurred about 9:55 p.m.

## Description

The east-bound freight transfer involved consisted of engine 5219, a caboose, and 32 cars, in the order given, and was in charge of Conductor Batchelder and Engineman Plaine. This transfer train left Norris yard at 9:25 p.m., en route to Marsh, with the rear end unmanned and unmarked. On reaching

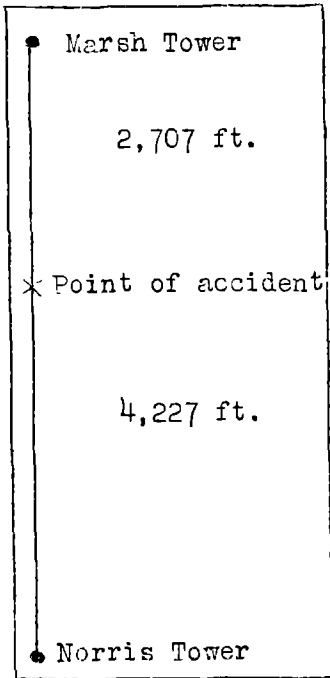
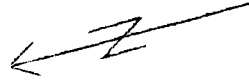
Inv. No. 1903  
Pennsylvania R.R.,  
Earnest, Pa.  
Mar. 22, 1934

Marsh 

Phila. Div.  
P.T. Div.

Scale  
Westward  
Yard track

Eastward  
Yard track



P.C.

Point of accident

465 ft.

P.T.

40°  
1,485 ft.

To Norris

Schuykill Branch

Marsh yard while passing through cross-over switches, the driving wheels of the engine commenced to slip and they continued to slip until the train stalled; slack had been taken several times in an effort to start the train when the rear end was struck by Extra 280.

East-bound Extra 280 consisted of engine 280 making a back-up movement and shoving steel-underframe caboose 476514 ahead of it, and was in charge of Conductor Minchhof and Engineman Kehoe. It departed from Norris yard about 9:50 p.m., en route to Marsh, and on nearing that point it collided with the rear end of the stalled transfer train while traveling at a speed estimated to have been between 8 and 12 miles per hour.

The caboose was telescoped several feet by the gondola at the rear of the stalled transfer and was destroyed, while the wreckage caught fire; the rear end of the tender of engine 280 was caved in and otherwise damaged and the cistern was torn from the frame, but engine 280 was not derailed or damaged. The gondola which telescoped the caboose was derailed. The employees killed were the conductor, brakeman and flagman of Extra 280, all of whom were riding in the caboose.

#### Summary of evidence

Conductor Batchelder, of Extra 5219, stated that the movement contemplated on this occasion was of such nature that it was necessary to have the entire crew at the front end of the transfer when it arrived at the east end of Marsh yard; ordinarily the cars in this transfer would be placed in the west end of the yard but on this occasion he was going to the east end and before leaving Norris he asked and received permission from Acting Assistant Yardmaster Phillips to make the trip with the rear end unprotected and unmarked, taking the flagman along at the head end. Conductor Batchelder said this was the first time he had left the rear end of the draft unprotected in any manner, but he felt safe in doing so as he was depending upon the yardmaster to protect the movement and not to permit any following movement until his own train had gotten into clear at Marsh; he admitted, however, that Yardmaster Phillips did not tell him the track would be held, saying he reached that conclusion because he was authorized to make the movement without a flagman on the rear end. After departing from Norris nothing unusual transpired until his engine reached the cross-over switches near the scale track at Marsh, where the driving wheels slipped on the damp rail, although it was not unusual to stall at this location. About 15 minutes were consumed in endeavoring to start by taking slack, and he was not aware that an accident had occurred until he went back to the rear, in company with the brakeman and flagman, after having felt a bump on the cars and noted that the train line

had been broken. Conductor Batchelder said he was prompted to ask permission to leave the rear end unprotected in order to speed up the movement with the help of the flagman, and after obtaining this permission he instructed the flagman not to go back and place a lighted red lantern on the rear car but to stay at the front end so as to be in position to help on arrival at the east end of the yard at Marsh; he added that the work could have been done without having the flagman at the head end. All of the other members of the crew of Extra 5219, namely, Engineman Plaine, Fireman Weiss, Brakeman Woodland and Flagman Strassner, also were at the front end of the transfer when the accident occurred. Flagman Strassner said he had two red lanterns in the caboose, lighted and ready for use, and one of them could have been placed on the rear car.

The first intimation Engineman Kehoe and Fireman Safko, of Extra 280, had of anything wrong was when the collision occurred; the engineman said that he had just opened the throttle, at which time the speed was about 8 or 10 miles per hour, and that he immediately applied the air brakes in emergency. The engine and caboose were under control from the rear platform and the engineman was depending upon the men on the caboose to maintain proper lookout ahead and to control the back-up movement accordingly. He could not see whether any of them were in position on the rear platform, nor could he see the track ahead of the caboose from his position in the engine cab. In his opinion the accident was due to a gondola car at the rear of the transfer not being equipped with a marker light or protected by a flagman and not being visible from the rear platform of the caboose. Fireman Safko estimated the speed to have been about 10 or 12 miles per hour when the accident occurred.

Acting Assistant Yardmaster Phillips stated that he gave Conductor Batchelder of Extra 5219 permission to make the movement without a red lantern on the rear car in order that the lantern might be used for protection when crossing the main track at Marsh, but that he did not relieve the conductor from the necessity of protecting the rear end as he had no authority to do so, nor did he tell the conductor that he would not let any other train or engine follow the transfer after making arrangements with the conductor to take the flagman along on the front end of the transfer. Yardmaster Phillips was of the opinion that Extra 5219 would make a direct movement to Marsh and that in the event it stopped for any reason a lantern would be placed on the rear end. He was at his desk in the yard office and saw Extra 5219 pass that point without any marker on the rear car, although it had been the practice with these movements to have a

trainman stationed on the rear car with both red and white lanterns, and involved a violation of the rules when crossing the main track without markers. Yardmaster Phillips said that about 25 minutes after Extra 5219 departed from Norris, Conductor Minchhof, of Extra 280, came into the tower for instructions and he said he told the conductor there was a train ahead and to be on the lookout for it, but he did not tell the conductor anything about the rear end being unprotected by either a lantern or a flagman.

Operator Corrigan, at Norris tower, stated that when Conductor Minchhof came into the office for instructions he telephoned to Marsh, inquired whether Extra 5219 had arrived, and was informed by that operator that he could see it, whereupon Operator Corrigan told that operator that Extra 280 would leave Norris in one or two minutes. Operator Corrigan heard the yardmaster tell Conductor Minchhof that there was a draft of 32 cars ahead, but did not hear him caution the conductor to be on the lookout for them nor did he know anything about the arrangements made between Conductor Batchelder and Yardmaster Phillips about leaving the rear end unprotected, although he did know that there was no red lantern displayed on its rear end when it departed and notified the assistant yardmaster to that effect.

Freight Trainmaster Headland stated that it was not a safe practice to permit cars to move unmarked from Norris to Marsh in the absence of definite arrangements to protect the movement against any following movement, and that there should have been a marker displayed at the rear end before leaving Norris yard and crossing the main tracks at that point.

### Conclusions

This accident was caused by failure to have the rear end of the transfer protected either by a flagman or by a marker.

Conductor Batchelder asked and received permission from Acting Assistant Yardmaster Phillips to make the movement without having the usual red lantern at the rear end of the transfer, and because of the fact that this method of making the movement had been authorized he assumed that the yardmaster would protect him and not permit a following movement to be made until his own train was in the clear; however, the yardmaster assumed that Extra 5219 would make a direct movement to Marsh and that in the event it stopped for any reason a red lantern would be placed on the rear end. Yardmaster Phillips said he told Conductor Minchhof, of Extra 280, that there was a draft of cars ahead and to look out for it, but he did not

tell the conductor that there would not be a red lantern on the rear end of it. The yardmaster admitted it was a violation of the rules for the transfer to pass a block station and cross main tracks without markers on the rear end, yet in authorizing Conductor Batchelder to make the movement to Marsh without a marker of any kind on the rear end, he practically authorized the conductor to violate the rules. If the requirements of safety are to be observed, not only should markers or a flagman with red and white lanterns be located at the rear end of these transfers when crossing main tracks, but such protection also should be afforded for the entire inter-yard movement. In this particular case the conductor said he could have done the work without the assistance of the flagman, while the flagman said there were two red lanterns in the caboose, lighted and ready for use; failure to utilize either method of protection led to the occurrence of this accident.

The rules further require that movements of this character be made prepared to stop within range of vision unless the main tracks are known to be clear and the switches properly set. All available evidence corroborates the statement of Engineman Kehoe to the effect that he was running slowly, but on a dark cloudy night it was necessary for him to depend on the conductor and other employees in the caboose to maintain a lookout and to apply the brakes in the event the track was occupied. All the employees in the caboose were killed, and it was therefore impossible to determine whether a lookout was being maintained or what action these employees may have attempted to take to avoid the occurrence of the accident.

Respectfully submitted,

W. J. PATTERSON,

Director.