

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE ATCHISON, TOPEKA & SANTA FE RAILWAY NEAR THOREAU, N. M., ON AUGUST 25, 1926.

October 9, 1926.

To the Commission:

On August 25, 1926, there was a collision between a freight train and a hand car on the Atchison, Topeka & Santa Fe Railway near Thoreau, N. M., resulting in the death of 1 employee and 1 other person, and the injury of 12 employees.

Location and method of operation

This accident occurred on the First District of the Albuquerque Division, which extends between Albuquerque and Gallup, N. M., a distance of 161.5 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 eastbound main track at a point one-half mile east of Thoreau, approaching this point from either direction the track is tangent for several miles, while the grade at the point of accident is 0.59 per cent descending for eastbound trains.

The weather was clear and the moon shone brightly at the time of the accident, which occurred at about 12.15 a.m.

Description

Eastbound freight train extra 3240 consisted of 55 cars and a caboose, hauled by engine 3240, and was in charge of Conductor Tucker and Engineman Nezzar. It departed from Gallup, its initial terminal, 33.5 miles west of Thoreau, at 9.40 p.m., August 24, with instructions to move a bridge outfit from Perea, located 17.8 miles west of Thoreau, to North Chaves, located 3.8 miles east of Thoreau. On arrival at Perea the bridge outfit, consisting, from east to west, of 1 pile-driver tender, 1 pile driver, 1 coal car, 7 outfit cars, 3 material cars, and 1 water car, was coupled to and shoved ahead of the engine. The train passed Thoreau,

the last open office, at 12.14 a.m., and shortly afterwards, while traveling at a speed estimated to have been between 20 and 30 miles an hour, collided with a hand car and was derailed.

The hand car involved had been taken without permission by three boys 11, 13 and 15 years of age, and moved against the current of traffic. On definitely realizing that a train was approaching they brought the hand car to a stop and had succeeded in getting all but one wheel off the track when it was struck by extra 3240.

The entire bridge outfit was completely demolished, while engine 3240 was derailed to the left but remained upright; nine freight cars were also derailed. The employee killed was the conductor, who was thought to have been riding on the pile-driver tender.

Summary of evidence

Engineman Nezzar, of extra 3240, stated that he suggested to Conductor Tucker that the bridge outfit be hauled at the rear of the train but that the conductor insisted on having it shoved ahead of the engine, and said he would ride the head end of the leading outfit car and would flag with a fusee if necessary. After the bridge outfit was picked up at Perca the air brakes were tested and worked properly, and the train departed. Engineman Nezzar said the conductor gave a proceed signal with his lighted lantern from the head car as the train was going through North Guan, 11.1 miles west of Thoreau, and that he again saw the conductor's lighted lantern while rounding the curve at Gonzales, 4.6 miles west of Thoreau. Engineman Nezzar estimated the speed of the train to have been about 20 miles an hour passing the station at Thoreau, and said he had just placed the brake valve in release position when he saw fire fly from the head car; he immediately applied the air brakes in emergency. Engineman Nezzar further stated that while he knew of no rules against shoving cars ahead of the engine, yet he did not consider it safe to handle occupied outfit cars in that manner at night, and that it was the practice to haul them at the rear end of a train. The statements of Fireman Pugh and Head Brakeman Oelke practically corroborated those of Engineman Nezzar. Head Brakeman Oelke also said that he protested to Conductor Tucker relative to shoving the outfit cars ahead of the engine, saying that in his estimation it would be unsafe to ride the head car, the conductor then

decided to ride the head car and instructed Head Brakeman Celke to ride one of the outfit cars near the engine. Head Brakeman Celke said that when approaching Thoreau he was riding on a flat outfit car near the engine, sitting on a coal box, from which position he could see the side of the train while rounding curves, while passing the station at Thoreau he looked ahead and saw a westbound train approaching and from the headlight of that train he saw what appeared to be the outline of a hand car ahead of his own train. He then crossed over to the other side of the flat car and on looking ahead saw fire fly and the forward outfit car was derailed. Flagman Johnson stated that he heard Engineman Nezzar protest to Conductor Tucker against moving the outfit cars ahead of the engine.

Operator Walker, stationed at Thoreau, stated that at the time extra 3240 passed, at a speed of about 25 miles an hour, he noticed a trainman stationed on the head car with a lighted lantern, and about six or eight cars back there was another trainman with a lighted lantern.

Bridge Foreman Henson, in charge of the bridge outfit, did not accompany the outfit cars to North Chaves but drove over in his automobile. He said it was customary to haul outfit cars at the rear of a train, ahead of the caboose, although to the best of his recollection there was one previous occasion when outfit cars were shaved ahead of the engine of a local train between North Chaves and Baca, a distance of 7 miles.

Extra Gang Foreman Early stated that there were nine hand cars assigned to extra gang No. 20, that he was in charge of and responsible for these hand cars, and that when not in use they were supposed to be locked. He had recently been assigned to gang No. 20 as a relief foreman for 60 days and the hand cars were not locked when he assumed charge. On learning that the hand cars were not locked he asked the timekeeper if there were any locks for the cars and was told there was none, also being informed that the cars had not been kept locked. Foreman Early said that he then looked around in an endeavor to locate some locks and chains, not finding any, he approached the commissary attendant and inquired as to whether or not he had any locks, and was told he had some but if the foreman wanted them he would have to pay for them. Foreman Early said he then instructed the timekeeper to order locks and chains, but the timekeeper showed him a letter to the effect that supplies for August

and September should be ordered in July, consequently, the foreman let the matter drop, without having brought it to the attention of his superior officer. On the night of the accident, around midnight, he heard a hand car approaching the section house from the east, got up and went to the door, and heard the hand car going toward Thoreau. At first he thought of getting in his car and trying to overtake the hand car, but then he thought that it was not assigned to his gang and that it was probably some one on an important errand; the moon was shining brightly and he could see the hand car but could not distinguish how many were on it. Foreman Early said that he had never given any one permission to use hand cars after working hours, and was unaware at the time the hand car passed that it was one assigned to his gang. Subsequently he found three locks and chains back in a corner under some old tools, apparently having been in that location for some time, and he utilized them to keep the hand cars chained together and locked.

Assistant Extra Gang Foremen Acre and Martinez stated that they had been assigned to gang No. 20 for some time, and that it had not been the practice to keep hand cars chained and locked after working hours.

Extra Gang Flagman Loren Kuykendall, one of the boys involved, stated that he was 15 years of age, and had been working with the extra gang about 2½ months. After working hours on August 24, he proceeded to a point about one-fourth mile from North Chaves and in company with other boys placed a push car on the track and played with it for about two hours. A suggestion was made that they go to Thoreau to play on the school slides and it was decided to take a hand car in order to get there. Three of the boys proceeded toward Thoreau on the hand car, and while en route they saw a light, on three or four occasions, but did not definitely realize that a train was approaching until it was right upon them. They endeavored to remove the hand car from the track, and did succeed in getting three wheels off, but could not get the other wheel off in time to prevent it from being struck by extra 3240. The statements of the other two boys, William and Elmo McCollough, aged 13 and 11 years, respectively, corroborated in substance those of Loren Kuykendall. The boys also said that the headlight of extra 3240 was not visible, owing to the outfit cars being shoved ahead of the engine.

Conclusions

This accident was caused by extra 3240 colliding with a hand car which was being used without authority.

Three boys, 11, 13 and 15 years of age, the eldest of the three having been employed as flagman of the extra gang, admitted that they took the hand car without permission for the purpose of going to Thoreau and playing on the school slides at that point. They moved the hand car against the current of traffic on the eastbound main track and on definitely realizing that a train was approaching endeavored to remove it, but did not have time enough in which to do so.

Under the rules of the maintenance of way department of this railroad hand cars must not be used except for the business of the company, and when hand, push or motor cars are not in actual use, they must be lifted off the track and placed entirely clear of passing trains, and when not under the immediate eye of the men, must be locked. Had this rule been complied with by Extra Gang Foreman Early and Assistant Extra Gang Foremen Acre and Martinez, or had the officials in charge exercised proper supervision and seen to it that the rule was properly enforced, this accident undoubtedly would have been prevented.

Not only is it dangerous to handle outfit cars ahead of an engine, but in this particular case had Conductor Tucker, of extra 3240, seen to it that the outfit cars were handled at the rear of the train, instead of insisting, over the objection of Engineman Nezzar and Head Brakeman Oelke, that they be shoved ahead of the engine, the lighted headlight on the engine would not have been obscured by the outfit cars and the boys on the hand car would probably have seen the headlight of the approaching train in ample time to have removed the hand car from the track as the track is tangent for nearly 7 miles west of North Chaves.

None of the employees involved had been on duty in violation of any of the provisions of the hours of service laws.

Respectfully submitted,

W. P. BORLAND,

Director.