

IN RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
CHICAGO & ERIE RAILROAD AT NEWTON, IND.,
ON DECEMBER 9, 1919.

January 26, 1920.

On December 9, 1919, there was a rear-end collision between two freight trains on the Chicago & Erie Railroad at Newton, Ind., which resulted in the death of one employee of the Vandalia Railroad Company and injury to two employees of the Vandalia Railroad Company and one joint employee of the Vandalia Railroad Company and the Chicago & Erie Railroad Company. After investigation of this accident, the Chief of the Bureau of Safety reports as follows:

The accident occurred on the Second District of the Marion Division of the Chicago & Erie Railroad, which in the vicinity of Newton is a double-track line. Trains are operated by time-table, train orders and an automatic block-signal system. At Newton there is an interlocking plant controlling movements over a grade crossing between the Chicago & Erie and Vandalia Railroads; the accident occurred about three car lengths west of this crossing. Beginning at Bolivar, Ind., and proceeding westward to Newton, a distance of 1.8 miles, the track is practically level, and straight for the entire distance, the point of accident being visible a distance of 7,800 feet. At the time of the accident the weather was cold and slightly hazy, but not sufficiently so to interfere materially with the range of vision.

Westbound freight train extra 2026, consisting of engines 2026 and 1756, 84 loaded cars and a caboose, left

Huntington, Ind., en route to Hammond, Ind., at 4.45 a.m., in charge of Conductor Ott and Enginemen Hensel and Kessler. At 5.58 a.m. it passed Bolivar, at which point a hot journal box was discovered. The train was brought to a stop with its rear end about 3 car lengths west of the Vandalia grade crossing at Newton and the head end at Laketon, .6 miles west of Newton. The car with the hot journal box was the forty-sixth car from the head end and in setting this car out on the siding at Laketon, a knuckle was broken and two draw bars were pulled out on the eleventh and twelfth cars in the train. This necessitated taking these cars to a siding about one-half mile farther west. In returning to the head portion of the train, which was partly on the Laketon siding and partly on the main track, further delay was encountered on account of having to cut this portion of the train in two for the purpose of permitting milk train No. 229 to load milk from the Laketon platform, this train being operated against the current of traffic in order to pass extra 2026. After the departure of train No. 229, the head portion of extra 2026 was returning to the rear portion at Newton when the rear portion was struck by westbound extra 2006, the collision occurring at 7.25 a.m.

Westbound freight train extra 2006 was in charge of Conductor Faurot and Engineman Gorman and consisted of engine 2006, 33 loaded cars, 33 empty cars and a caboose. It left Huntington, Ind., at 5.50 a.m., took the siding at "WO", 6.8 miles west of Huntington to clear westbound milk train No. 229, passed Bolivar at 7.22 a.m. and at 7.25 a.m., while traveling

at a speed of about 25 miles an hour, collided with the rear end of extra 2026.

The caboose and three rear cars of extra 2026 were demolished and the debris thrown to both sides of the track. Engine 2006 came to rest on the north side of the westbound track at an angle of about 45 degrees, in an upright position. The tender came to rest on the south side, nearly at right angles to the track and on top of the debris of the last car of extra 2026. The head car of extra 2006 came to a stop diagonally across the eastbound track, while the second and third cars were derailed and rested on the ties of the westbound main track. The next five cars were not derailed or damaged. The ninth car, however, was derailed and the next eight cars were totally destroyed, the wreckage from these cars demolishing the interlocking tower; the remaining forty-nine cars of extra 2006 sustained no damage. Three employees of the Vandalia Railroad Company were in the upper part of the tower at the time, one of whom was caught in the debris and killed, while the other two were injured. A towerman employed jointly by the two companies was also injured.

Conductor Ott, of extra 2026, stated that when passing Bolivar he noticed a hot journal box on about the forty-sixth car in the train and signalled the engineman to stop. The train came to a stop with the rear end two or three car lengths west of the crossing of the Vandalia Railroad at Newton and the car with the hot journal box was set out, as were also two other cars which became crippled in this movement. The

head portion of the train was returning to the portion left at Newton when the caboose was struck by extra 2006. He stated that the collision occurred at about 7.25 a.m. at which time he was about 40 car lengths from the caboose.

Flagman Sellers, of extra 2026, stated that his train was brought to a stop with the rear end 5 or 6 car lengths west of the Vandalia Railroad crossing. He went back to protect the rear end of the train and was about one-half mile from his train when he flagged extra 2006. He stated that when extra 2006 approached the whistle was being sounded and when the engine of that train was about one-half mile from him, he saw two men jump off. He continued giving stop signals and then saw the fireman hanging from the step of the engine and giving him signals to get out of the way. The flagman stated that he then ran down the embankment and climbed over the fence. As extra 2006 passed him he did not notice any of the brakes applied. Flagman Sellers further stated that there were two men on top of extra 2006, near the rear end, setting hand brakes and they were still setting the brakes when they passed him. He estimated the speed of extra 2006 to have been about 20 or 25 miles an hour.

Engineman Gorman, of extra 2006, stated that after he coupled his engine to the train at Huntington and the train line was coupled up, the brake pipe pressure on the engine dropped to about 10 pounds. He then pumped up air, which took about 15 minutes, and on receiving a signal from the rear end to proceed, he departed from Huntington without an air brake

test being made and with the gauge indicating 70 pounds train line pressure and 90 pounds main reservoir pressure. He stated that it is not the practice to leave without making a test except when in a hurry and on this particular instance they were in a hurry. No one asked him to make a test, as is the custom, and he had no conversation whatever with the air brake inspectors, but he said that he had reason to believe that the air was operating throughout the train because of the fact that the gauge dropped to 10 pounds pressure when he first coupled to the train, it was not customary to make a running test of the air brakes unless the train consisted of 50 cars or less. The first stop he made after leaving Huntington was at "NO" Tower for the purpose of permitting train No. 229 to pass. He stated that in taking the siding he did not use the automatic air brake, only shutting off steam for the purpose of allowing the head brakeman to run ahead and open the switch. When taking the siding he noticed the air pump was working as if pumping up pressure in a long train line. The gauge then indicated a pressure of 70 pounds. He did not have occasion to use the brakes at any time after coupling to the train at Huntington until he had reached a point about 200 feet east of the west passing track switch at Bolivar, or a distance of 5,100 feet east of the point of accident. At this time the gauge indicated that he still had 70 pounds pressure, but when he applied the brakes, before having seen the flagman, he received such a short exhaust from the brake valve that he knew something was wrong and immediately applied the brakes in emergency. This did not

have any appreciable effect and he then opened the sanders, sounded the whistle for hand brakes, as well as for the Vandalia grade crossing at Newton, and applied the independent brake. He then jumped off the engine, being about 60 car lengths from the rear of extra 2020 when he did so. The reason for his jumping at this point was that the interlocking signals were against him and he thought his engine would turn over at the derail. He also stated that he saw the flagman of extra 2026 giving stop signals, the flagman being about one-half mile east of the point of collision, and when he jumped from his engine the flagman was 20 or 30 car lengths west of him and running towards him. He stated that the speed of his train was about 25 miles an hour approaching Newton and it was not noticeably diminished before the collision occurred. Engineman Gorman was unable to explain why his brakes failed to work, but stated that after the accident he, in company with his fireman, shut off the air pump, which was racing, and then disconnected the hose coupling between the first and second cars of the train and found a piece of ice and some water. He said that the piece of ice was not large enough to close the opening, but steam from a broken injector had been blowing directly across the hose. He made no further inspection of his train and apparently assumed that the brake pipe had been obstructed by ice at that point.

Fireman Pegan, of extra 2006, corroborated the most essential statements of Engineman Gorman. When he jumped from the engine fire was flying from the engine wheels but he did

not notice any indication of the brakes being applied on the cars. About 25 cars passed him after he got off, and immediately after the accident he examined the brakes in this part of the train and did not find any of them applied. He also stated that he noticed the air gauge approaching Servia, which is 2.4 miles east of Bolivar, and it then showed 70 pounds train line and 90 pounds main reservoir. The piece of ice discovered in the hose coupling between the first and second cars was about the size of a man's little finger and there was also about one-half cup of water in the hose. This was about 15 minutes after the accident and about 5 minutes after the engineman had shut off the injector and steam had begun to blow across the hose. He had not noticed any dragging of the train as if leakage in the train line was causing the brakes to apply.

Head Brakeman Walker, of extra 2006, stated that when Engineman Gorman applied the air brakes, just west of Bolivar, he noticed that they did not seem to have the desired effect; it was at about this time that he turned on his seat and saw that the gauge showed a pressure of 70 pounds. In this connection attention is called to the fact that Brakeman Walker could not see the gauge from his seat on the left side of the boiler. He also stated that the engineman then applied the brakes in emergency, which application failed properly to check the speed; the engineman then began sounding the whistle, at the same time telling the fireman and himself to jump. He did not know whether or not the engineman applied the brakes before

leaving Huntington.

Brakeman Guy, of extra 2006, stated that he was riding in the caboose approaching the point of accident, but at no time noticed the indication of the air gauge. He also testified to the fact that passing Bolivar the engineman whistled for hand brakes and that the conductor and flagman started setting the brakes. He estimated the speed at the time of the collision at 20 or 25 miles an hour.

Conductor Faurot, of extra 2006, stated that Brakeman Walker coupled the engine to the train, after which an inspector started to inspect the air brakes, working from the head end back toward the rear end. After posting a new brakeman at about the middle of the train for the purpose of repeating signals, he then proceeded toward the rear of the train. He noticed a disconnected air-brake hose between the second and third cars from the caboose and heard the air blowing through it; he coupled the hose together and started ahead, met Car Inspector Payne and walked back toward the caboose with him. He asked the inspector about the condition of the train and the inspector replied, "Everything O.K., highball." He did not know whether or not the car inspectors had made any application of the brakes, and all he knew of their condition was what Inspector Payne told him. Conductor Faurot thereupon gave a signal to proceed and walked toward the head end of the train. He had gone about 25 car lengths when his signal was answered and the train departed. All he knew about the brakes was what the inspector told him.

When he boarded the caboose he looked at the air gauge and noticed that it indicated a pressure of between 60 and 65 pounds. Conductor Faurot further stated that his train drifted into the passing track at "WO" without a brake application being made, and the train was inspected at that point by Brakemen Jones and Guy. He also stated that approaching Bolivar he noticed that the air gauge in the caboose indicated 20 pounds pressure and he thought that the gauge hand had caught in some manner, but after jarring it with his hand he decided that the air was gone. He immediately started to set hand brakes with the assistance of Flagman Jones, although he had not heard the whistle signalling them to do so; the speed of the train at this time was 28 or 29 miles an hour. After setting 6 or 8 brakes he saw Engineman Gorman on the ground and heard him urge them to jump, but he and the flagman remained on the train and shortly afterward the collision occurred. Conductor Faurot was of the opinion that the 6 or 8 set hand brakes had very little effect on the speed of the train and that the train was running at a speed of 25 miles an hour at the time of the accident. After the accident he looked over the angle-cocks but found none closed. His statements were corroborated by those of Flagman Jones.

Car Inspector Schwartz stated that when locomotive 2006 coupled to the train at Huntington he took a record of the engine number and the time it coupled to the train, and coupled the air-brake hose. He then started back over the train looking for leaks in the train line and met Inspector Payne at about

the middle of the train. Neither of them found any leaks so he gave the engineman a signal to apply the air brakes. The brakes were applied and he started toward the head end of the train while Inspector Payne started toward the rear end. The pistons were out and the brake shoes against the wheels. Upon reaching about the fourteenth car from the engine the brakes were released, the whistle sounded and the train departed. He then stood at that point watching the brakes as the train passed him for the purpose of seeing if any were sticking. There were two brakes out out in about the middle of the train but it was not customary to make any record of such cars and he did not do so in this case. He also said that it was customary not to say anything to the crew about the brakes until they were found to be all right, when the conductor would be so advised. In this case the signal for the train to depart was given from the rear end, and he made no attempt to prevent its departure, although he admitted that he supposed he should have done so. He said that occasionally crews would take a signal to apply the air brakes for a signal to proceed.

Car Inspector Payne stated that when the engine was coupled to the train at Huntington he opened the angle cock on the caboose in order that he might know when the air had been pumped up. He waited until air came through, but did not at any time see what the pressure was. He then walked over the train looking for leaks and met Inspector Schwartz at about the middle of the train. An application of the brakes was then made and

he walked back toward the caboose to see if all the brakes were applied, and communicated this information to Inspector Schwartz. He stated that he then gave a signal to release the brakes, being then 4 or 5 car lengths from the rear of his train, but the brakeman on the middle of the train took his signal for a proceed signal, repeated it as such to the engineman and the train departed. He did not tell any member of the train crew about the brakes. They were all working, however, and he communicated this information to Inspector Schwartz.

Conductor Grappy, in charge of the wreck train, stated that when he arrived at Newton he had his engine coupled to the rear 49 cars of extra 2006 preparatory to taking them to the Bolivar passing track. In filling the train line with air, he discovered that the air went through the entire 49 cars with the exception of the one at the extreme western end of the cut, the hose of which was not connected up with the car next to it. In handling this cut of cars no trouble with the air brakes was experienced. Head Brakeman Swank, of the wreck train, verified Conductor Grappy's statement about the air hose not being coupled between the first two cars of the cut of 49 hauled back from the wreckage.

Division Car Foreman Brubaker stated that in inspecting a train preparatory to its departure, while the engine is pumping up the train line, one man starts from the head end and another from the rear end, working toward each other, looking for leaks in the train line. When they meet, a signal is given to the engineman to apply the air brakes and they then work back

toward their respective ends of the train, making a record of those brakes applied and those not applied. After this has been completed, a signal to release brakes is given and the two inspectors again work toward each other in order to see that all the brakes have released. No written report is made except to show the amount of time consumed by the inspection and also by the test. He said it rarely happened that a train left without the proper test, and that when this occurred the matter was taken up for correction.

Under date of December 16 Mr. Brubaker advised the master mechanic that a test of the air brakes on the 54 cars of extra 2006 removed from the scene of the accident, made on the day after the accident, developed that the train line was in good condition, only one slight leak being discovered. This test of the brakes also showed the following results:

8	with	6"	piston	travel
23	"	7"	"	"
10	"	8"	"	"
2	"	9"	"	"
2	"	10"	"	"

Of these 45 brakes, 9 did not apply with a service application. Of the remaining 9 brakes of the 54 tested, 8 did not apply with an emergency application, while 1 was out out.

The evidence developed as a result of this investigation is conflicting as to the extent of the air-brake test made before extra 2006 departed from Huntington. Car Inspector Payne, who inspected the rear portion of the train, stated that after the engine coupled to the train and the air hose was connected, as evidenced by air coming through an angle cock opened by him

on the caboose, he started forward looking for leaks and then returned to the rear of the train looking at the brakes to see that they had been applied. In the meantime, according to the conductor, he found an air hose disconnected between the third and fourth cars from the caboose and personally made the connection, after which he met Inspector Payne, walked back with him to the rear of the train and was then told that everything was all right. If this statement of the conductor is correct, then air could not have come through the angle cock on the caboose as claimed by the inspector, and his examination of the train line for leaks was extremely negligent and failed entirely of its purpose; the conductor also should have known that no proper inspection and test of the brakes had been made. The statements of the two car inspectors are further discredited by the engineman, who said that he made no application of the air after coupling to the train. It also appears that when the engine of the wreck train reached the scene of the accident and hauled back the undamaged portion of the train of extra 2006, the air hose was disconnected between the 18th and 19th cars in the train. If this was its condition at the time the train left Huntington, it is apparent that the train line was entirely inoperative so far as that part of the train inspected by Inspector Payne is concerned, and it is also apparent that the conductor could not have heard air escaping between the 3rd and 4th cars from the caboose. The results of the air brake test conducted on the day following the accident indicated that the air brakes were not in proper working order, for out of a

total of 54 cars tested, the air brakes on one were cut out, while on 17 others the brakes did not apply on a service application. If this was their condition at the time the train left Huntington on the preceding day, and assuming that the air brakes on the balance of the train were in proper condition, then there were 18 defective brakes in a train consisting of an engine, 66 cars and a caboose, or a total of 69 brakes; the percentage of air brakes in proper working order therefore was about 74 per cent, which would constitute a violation of the requirement of the safety appliance law that at least 85 per cent of the cars of a train shall be equipped with air brakes in working order and in operation.

In view of these conflicting statements, it is impossible to say definitely what the condition of the brakes was at the time extra 2006 left Huntington, but it is believed that the statement of the engineman is more nearly correct, and that the train departed without proper inspection and test of the air brakes having been made, and without any one knowing whether or not there were sufficient brakes in operation to enable the speed of the train to be properly controlled.

This accident was caused by the failure of the brakes in extra 2006 to be in proper working order, due to the fact that the train left Huntington without any adequate inspection and test of the brakes having been made, for which Conductor Flurot, Engineman Gorman and Car Inspectors Payne and Schwartz are responsible.

Under the rules of this company, the car inspectors are

required to make the air brake test. Engineman Gorman knew that such a test had not been made, and in view of Conductor Faurot's experience it is difficult to see how he could have failed to know that the proper test had not been made. The statements of the car inspectors do not agree with the facts as stated by the conductor and engineman, but the results of the test of the 54 cars on the following day indicate that the inspectors were extremely negligent in the performance of their duties, and their statement that the train departed before they had completed their work does not relieve them from responsibility.

Inspector Payne had been employed about three years as a box packer and car inspector, about half of which had been as a car inspector. Inspector Schwartz had been employed about three years as a car repairer, box repairer and car inspector, about two years of which had been as car inspector. Engineman Gorman was employed as a fireman in 1902 and promoted to engineman in 1907. At the time of the accident his record was clear. Conductor Faurot entered the service as a brakeman in 1891 and was promoted to conductor in 1899. He had been disciplined at various times for minor offenses.

At the time of the accident, the crew of extra 2006 had been on duty about 5 hours, previous to which they had been off duty various periods in excess of 9 hours.

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