

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
CHICAGO, BURLINGTON & QUINCY RAILROAD AT ST. PAUL,
MINN., ON MARCH 23, 1928.

April 18, 1928.

To the Commission:

On March 23, 1928, there was a rear-end collision between two transfer trains on the Chicago, Burlington & Quincy Railroad at St. Paul, Minn., resulting in the death of one employee and the injury of one employee.

Location and method of operation

St. Anthony interlocking tower is located at a point about 2,300 feet west of the point of accident, just north of the main tracks of the Great Northern Railway, which tracks extend east and west in this vicinity. Koppers lead track extends eastward from the tower and parallels the main tracks of the Great Northern Railway on the north. At a point approximately 1,900 feet east of the tower a single-track connection, known as the Burlington cut-off, 2,052.6 feet in length, leads off of Koppers lead track toward the northeast and connects with the main tracks of the Northern Pacific Railway, which at this point parallel those of the Great Northern Railway. The accident occurred on this cut-off at a point approximately 650 feet east of the lead-track switch, approaching the point of accident from the west around the cut-off, beginning at the switch, there is a 5° curve to the left 140 feet in length and then the track is tangent for a distance of 65 feet followed by a 4° curve to the left 583 feet in length, the accident occurring on this curve at a point approximately 436 feet from its western end. The grade for eastbound trains is 0.22 per cent ascending at the point of accident. The view from the fireman's side of an eastbound engine is unobscured from the switch to the point of accident.

The weather was clear and the sun was shining at the time of the accident, which occurred at about 7.03 a.m.

Description

Eastbound transfer train extra 5251 consisted of 21 cars and a caoose, hauled by engine 5251, and was in charge of Conductor Rodgers and Engineer Davis. This train left Clearwater Junction yard, of the Great Northern Railway, about 5 miles distant, at about 6 a. m., and was

brought to a stop on the east end of the Burlington cut-off at about 6.55 a.m., with its rear end approximately 650 feet east of the lead track switch. Permission was then obtained, by telephone, to use the Northern Pacific Railway main tracks and just as extra 5251 started to move its rear end was struck by transfer train 5265.

Eastbound transfer train extra 5265 consisted of nine cars and a caboose, hauled by engine 5265, and was in charge of Conductor Allert and Engineer Brown. This train left Minneapolis Junction yard, of the Great Northern Railway, about 2 miles distant, at about 6.40 a.m., and was moving through the cut-off at a speed estimated to have been between 10 and 15 miles per hour when it collided with the rear end of extra 5251.

The caboose of extra 5251 was demolished and the two rear cars were slightly damaged, as was the case with engine 5265. The employee killed was the conductor of extra 5251.

Summary of evidence

Flagman Fliesbach, of extra 5251, stated that after proceeding around the cut-off his train was brought to a stop in order to get permission to use the Northern Pacific main tracks and he went outside of the caboose. Shortly afterwards he went back inside the caboose and as the train started it was struck by extra 5265, he had not heard that train as it approached the point of accident. Flagman Fliesbach also stated that trains are operated around the cut-off the same as elsewhere in the terminals within yard limits, that is, only as the track is seen or known to be clear, and he said that he had never made it a practice to afford flag protection on this cut-off, nor was flag protection afforded under ordinary conditions, although occasionally he did afford rear-end protection from the platform of the caboose, he stated, however, that he never got down on the ground for that purpose.

Engineer Davis, Fireman Simen and Head Brakeman Spreigl, of extra 5265, were unaware of anything wrong prior to the occurrence of the accident, at which time their train had just started. Engineer Davis said it had always been his understanding that yard rules governed the operation of trains over the lead track and around the cut-off and that he had always operated accordingly, expecting to find the track occupied, that it had never been the custom to flag on the cut off nor did he remember or ever having been flagged there, and that frequently trains are left standing on the cut-off while the engine proceeds to a nearby yard to pick up cars.

Engineman Davis also stated that the type of engines used on these transfers are stoker-fired and that on approaching the cut-off he makes it a point to know that the fireman is maintaining a proper lookout ahead, the curve being on the fireman's side, and that he depends on the fireman to ascertain whether the cut-off is clear. It also appeared from his statements that the switch leading from the lead track to the cut-off is left in either position after being used. The statements of Fireman Sinnen and Head Brake Man Spreigl corroborated in substance those of Engineman Davis, particularly with respect to yard rules governing the operation of transfer trains over the cut-off and also as to the practice for the fireman to maintain a proper lookout across the inside of the curve on entering the cut-off so as to inform the engineman if the track is not clear.

Fireman Kallin, of extra 5265, stated that he was riding on his seat box looking ahead on entering the cut-off and that there was nothing to prevent him from seeing extra 5251, but that he must have been thinking of something else because he did not see that train until about the time that the engineman saw it, when it was not more than two car-lengths distant, at this time the speed of his train was about 15 miles per hour, and the engineman immediately applied the air brakes in emergency and shut off steam, this being followed by the occurrence of the accident. Fireman Kallin said it was his understanding that trains should be operated over the lead track and cut-off the same as on the main track, on the other hand, however, he acknowledged that so often his train would be left standing on the cut-off without protection while the engine proceeded to a nearby yard to pick up cars, also that it is the practice to operate only as the track is seen or known to be clear, expecting to find it occupied. Fireman Kallin said he was not asleep when his train was approaching the point of accident, but he could give no reason for not observing extra 5251 and warning Engineman Brown accordingly, he said that he should have seen the train ahead when it was about 12 car-lengths distant and that had he given Engineman Brown proper warning there would have been ample time in which to have brought the train to a stop. He underwent a physical examination on March 20, 1928, which developed nothing wrong, and said that on the morning of the accident he was feeling all right, he accepted full responsibility for the occurrence of the accident.

Engineman Brown, of extra 5265, stated that on entering the cut-off, the switch having been left lined for the cut-off, he observed the fireman sitting on the left seat box, erect, with his arm on the arm rest, eyes

wide open, and apparently maintaining a proper lookout ahead, and as the fireman did not give any warning of danger the engineer assumed that the track was clear. When about one or two car-lengths from the train ahead, at which time his own engine was working steam and the speed of his train was about 15 miles per hour, Engineman Brown saw extra 5251 and immediately applied the air brakes in emergency and shut off steam; the brakes seemed to take hold properly but it was too late to avert the accident. Engineman Brown said it was the practice at this location for the fireman to notify the engineer of the condition of the track ahead, and he felt that the fireman should have done so, saying that had the fireman given proper warning of danger the accident could easily have been averted, without resorting to an emergency application of the air brakes. This cut-off is not shown on the time card and Engineman Brown said that to his knowledge no instructions had ever been issued covering its operation. It was his understanding, however, that it was operated the same as main track, although he acknowledged that he had found the cut-off occupied by cars without flag protection and that on previous occasions he had left his own train standing on the cut-off without protection while the engine proceeded to a nearby yard to pick up cars, at other times he had been flagged by preceding trains.

Head Brakeman McKusick, of extra 5265, stated that he was riding on top of the second car in the train approaching the cut-off, from which position he could plainly see the engineer and also the fireman leaning out of their respective cab windows. At about the time the car on which he was riding entered the switch the engineer began to work steam and, realizing that the members of the engine crew were unaware of the presence of the train ahead, Head Brakeman McKusick began giving stop signals and at the same time he shouted to them in an attempt to attract their attention, but was unable to do so. Head Brakeman McKusick stated that there was no doubt in his mind that the train could have been brought to a stop in time to have averted the accident had the fireman properly warned the engineer of the presence of the train ahead.

Conductor Allert, of extra 5265, was unaware of anything wrong until the slack of the train ran in immediately prior to the accident. While he considered this cut-off as a yard track, yet he stated that as an additional precaution he afforded rear-end protection when conditions would so permit, by what he termed, "short flagging", that is, having the flagman remain in the immediate vicinity of the rear of the train, the same as would be done on any yard track. The statements

of Flagman Cleary, of extra 5265, were so conflicting, and in some instances so far from the truth, as to be valueless.

Assistant Superintendent Jones, of the Great Northern Railway, said the switch leading to the cut-off is left in the position in which it is last used. Superintendent Brown, of the C. B. & Q. R. R., stated that the Burlington cut-off was considered as a yard track and is so used while engines of transfer trains proceed to a nearby yard and pick up cars, but to his knowledge no instructions of record have ever been issued covering the operation of trains over this track. He also said that rule 308, under the special rules contained in the Rules of the Operating Department of the C., B. & Q. R. R., governs the protection of trains on the cut-off, this rule reads as follows:

"Engines and cars must be moved on yard tracks only as such tracks are seen or known to be clear."

Conclusions

This accident was caused by the failure of Fireman Kallin, of extra 5235, to maintain a proper lookout and to notify Engineer Brown that the track was not clear.

Fireman Kallin acknowledged that there was nothing to have prevented him from seeing the train ahead in ample time to have averted the accident. According to his statements he was not asleep but was looking straight ahead, and could have seen extra 5251 for a distance of about 12 car-lengths; he could give no reason for not observing the train ahead and warning Engineer Brown accordingly, other than the fact that he must have been thinking of something else, and said that had he warned the engineer the accident could have been prevented. Fireman Kallin accepted full responsibility for the occurrence of the accident, he had had 17 years' experience, was promoted in 1920, and had been employed regularly in transfer service for some time.

On entering the cut-off Engineer Brown observed the fireman sitting on the left seat box, erect, apparently wide awake, in full possession of his faculties and maintaining a proper lookout ahead, in which latter statement he is supported by the statement of the head brakeman. Under these circumstances, since the fireman gave no warning of danger, the engineer assured that the track was clear and did not know there was a train ahead until he saw it when it was only two car-lengths distant, at which time it was too late to

avert the accident. Under an operating rule of this railroad it was the duty of Engineer Brown to "see or know" that the track ahead of his engine was clear before moving, and he admitted his responsibility under the rule. Under the circumstances of this case, however, it is believed that Engineer Brown was justified in assuring that Fireman Kallin was alert and paying proper attention to his duty.

The investigation developed that a uniform understanding apparently does not exist among the employees as to the method of operation on Koppers lead track or on the Burlington cut-off, and it also appeared that no instructions of record had ever been issued governing train movements over the cut-off. It may be admitted that some of the opinions advanced by the employees probably were influenced by their possible responsibilities in connection with the occurrence of the accident, but at the same time this is a matter which should be cleared up beyond any question by the issuance of the necessary bulletin instructions.

While there was nothing to indicate that the condition of the air brakes had anything to do with the occurrence of this accident, yet the statements of the members of the two train crews clearly showed that no proper air-brake test was made before these trains departed from their respective yards, and that in neither case did they have any real knowledge as to the condition of the air brakes, about all that the tests showed was the fact that there were no closed angle cocks. This matter also is one for the attention of the proper supervising officials.

All of the employees involved were experienced men, at the time of the accident none of them had been on duty in violation of any of the provisions of the hours of service law.

Respectfully submitted,

W. P. Boardman,

Director.