

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 NEAR REYNOLDS,
NEBR., ON OCTOBER 11, 1930

November 13, 1930

To the Commission:

On October 11, 1930, there was a derailment of a passenger train as a result of striking an automobile on the tracks of the Chicago, Burlington & Quincy Railroad at a grade crossing near Reynolds, Nebr., resulting in the death of two employees, and the injury of one passenger.

Location and method of operation

This accident occurred on the Wymore and Red Cloud Sub-Division which extends between Wymore and Red Cloud, a distance of 108.05 miles, in the vicinity of the point of accident this is a single-track line over which trains are operated by time-table and train orders, no block-signal system being in use. The accident occurred at a highway crossing which crosses the tracks at right angles at a point approximately 4,100 feet west of the station at Reynolds; approaching this point from the west, the track is tangent for a distance of 2,115 feet, followed by a 30° curve to the left 1,015 feet in length, the accident occurring on this curve at a point about 235 feet from its western end. The grade at the point of accident is 0.2 per cent ascending for eastbound trains. Approaching the railroad track from the north, the highway passes through a cut which is approximately 8 feet in height on its right side. The crossing is marked by a standard state approach sign located 300 feet north of the crossing, and a "RAILROAD CROSSING" sign located 20 feet south of the crossing.

The weather was clear at the time of the accident, which occurred about 1 42 a. m.

Description

Eastbound passenger train No. 14 consisted of one combination mail and baggage car, two baggage cars, two coaches, one dining car, and two Pullman cars, in the order named, hauled by engine 2968, and was in charge of Conductor Sherman and Engineman Longquist. This train left Chester, 7.33 miles west of Reynolds, at 1.24 a. m., six minutes late, and was approaching Reynolds when it was derailed after colliding with an automobile while traveling at a speed

estimated at 50 miles per hour

The automobile involved, a Ford roadster, approached the crossing from the north, but just before reaching the crossing it left the right side of the highway, and finally became stalled on the track just west of the crossing, where it was still standing when it was struck by train No. 14.

The engine and its tender were derailed and came to rest on their right sides, with the forward end of the engine about 240 feet east of the crossing. The first three cars and the forward truck of the fourth car were also derailed, the first car being overturned on its left side and the other cars remaining upright, although the second car was off the roadbed and almost at right angles to the track. The engine, tender and the first car were badly damaged and the two following cars were slightly damaged. The automobile was demolished. The employees killed were the engineman and the fireman.

Summary of evidence

Conductor Sherman was riding in the fourth car while approaching the point of accident and heard the whistle sounded for the crossing, and as it was being sounded the brakes were applied in emergency, the crash occurring about 10 seconds later. He estimated the speed of the train at the time of the emergency application of the brakes at 50 miles per hour and the distance the train travelled after that time at 200 yards. As soon as the train stopped, he got off and observed the wreckage of an automobile just east of the crossing and on the south side of the track. A man was standing in that vicinity, whom he later learned was the owner of the car, he did not notice anything unusual about the condition of that person other than the fact that he appeared to be greatly excited.

Brakeman Kinsey stated that while the train was at Chester he walked around the front end of the engine and noticed that the headlight was burning brightly. He heard the road crossing whistle approaching the point of accident, and there was nothing about it to indicate to him that there was anything wrong. He also was riding in the fourth car of the train, and when it stopped after the accident he saw an object alongside the track which, upon examination, he found to be a wrecked automobile, and there was a young man in the vicinity who seemed to be a little nervous. This man asked him to assist in turning the car over but upon learning there was nobody beneath it, he continued towards the head end of the train. He later examined the crossing and noticed where the automobile had crossed the track and struck the embankment on the south side, about 10 feet west of the crossing.

Flagman Graham stated that he was riding in the rear car and heard the whistle sounded while approaching the crossing. When the brakes were applied just prior to the accident, he jumped from his seat and was still standing when the accident occurred. He estimated the speed at the time of the brake application at 50 miles per hour, which he thought had been reduced to not more than 10 miles per hour at the time of the accident. When he got off he saw two persons who were conversing in a hysterical manner, and after ascertaining from them that no occupant of the automobile was injured, he proceeded back to flag.

Tom Menke, owner of the automobile, stated that he attended a dance at Mahaska on the night of October 10 and that he was returning to his home at Morrowville, over a road that he had never been over before, and that he did not know there was a railroad crossing in the vicinity in which the accident occurred. His car was traveling southward at a moderate rate of speed when he lost control, due to a blow-out of the tire on the right rear wheel, causing the car to leave the highway and start across the track a short distance west of the crossing, where it became stalled. He attempted to get the car off the track and was still trying to do so when a young man arrived and assisted him, but they were unable to remove it. When they observed a train approaching, the other man ran towards the train in an effort to stop it. The driver continued trying to get the car off the track until the train was so close that he had to leave it to avoid injury, and was standing along the south side of the track when the train struck the machine. He said that the headlights of his car were good and that he could see the road ahead, also that he did not fall asleep. He further stated that he did not drink anything during the night except one or two bottles of soft drinks.

Lyle Priefert stated that he also attended the dance at Mahaska and that about 1.40 a.m. he was driving northward towards Reynolds when he passed over the crossing in question and saw an automobile standing on the track about 15 feet west of the crossing. He continued beyond the crossing but soon realized that something was wrong, so he stopped his car, and ran back and asked the driver of the car on the track what the difficulty was, and that person replied that he could not move the car. Mr. Priefert then returned to his own car and backed to a point near the stalled machine, coupled the two cars together by using skid chains, and attempted to pull the car off the track. He was unable to do this, however, because both of the rear tires were off and one front tire was flat, and it was impossible for the rims of the wheels to climb over the rails. As soon as he saw the reflection of the headlight of an approaching train, he uncoupled his car and instructed his sister, who was accompanying him, to hurry for assistance, after which he immediately ran up the track, swinging his coat over his head

in an attempt to warn the engine crew of the danger. Apparently he reached a point on the tangent track west of the curve, but if his signals were observed, it was too late to avert the accident. Mr. Priefert also said that he did not pay much attention to the actions of the driver of the stalled car prior to the accident and did not see him after its occurrence.

Harry Wilt stated that he was an occupant of Mr. Priefert's car and that he assisted in the attempt to remove Mr. Menke's car from the track. While doing so, he conversed with Mr. Menke and the latter appeared to be in normal condition, there being no evidence of the odor of liquor about his person or car. Another witness, Charlie Rose, stated that during the night of November 10 he was acting as police officer, that he arrived at the dance hall at Mahaska about 9:30 p. m., and that he noticed Tom Menke was present. Some time later he saw Mr. Menke attempt to enter the hall through a window which was boarded up, then stagger back, and finally enter through the door, which actions indicated to him that the man was intoxicated. George Williamson stated that he was the proprietor of the dance hall at Mahaska and that he first observed Mr. Menke between 10 and 10:30 p. m., and at that time there appeared to be nothing wrong with him. Some time before midnight he noticed Mr. Menke was not in a very good condition and he advised him to go home. About 1 o'clock Mr. Menke stated that he was going home, at which time he seemed to be in better condition, although Mr. Williamson considered him under the influence of liquor. Lloyd Craig stated that he talked to Mr. Menke while at the dance and that he could smell liquor on his breath, but he did not show any effects of it. Miss Emily Craig stated that she also attended the dance and that during a conversation with Mr. Menke she smelled the odor of liquor, but did not consider him to be in an intoxicated condition.

Conclusions

This accident was caused by striking an automobile which had become stalled on the track adjacent to a highway crossing.

According to the statements of the driver of the automobile, he was unfamiliar with locality in which the accident occurred and was traveling at moderate speed, but the right rear tire of his car blew out, resulting in his losing control of the car, which left the highway and stopped on the track west of the crossing. He made an effort to remove the car and was later assisted by other parties, but they were unsuccessful. One of those assisting him attempted to flag the train as soon as possible after he noticed

its approach, and it is apparent the engine crew either observed this warning or saw the automobile on the track, as the evidence indicates that the brakes were applied in emergency a short time before the occurrence of the accident.

There was testimony to the effect that Mr Menke appeared to be under the influence of liquor while he was attending the dance at Mahaska, but he denied this accusation. The persons who tried to help him remove the car from the track prior to the accident did not notice anything unusual about him, and Conductor Sherman stated that the only thing he noticed about his condition after the accident was that he was in a highly nervous state.

The employees involved were experienced men, and 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. BORLAND,

Director.