

October 11, 1913.

(In re Investigation of Accident on the Chicago, Rock Island & Pacific Railway on August 12, 1913, near Richfield, Neb.

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On August 12, 1913, there was a rear end collision on the Chicago, Rock Island & Pacific Railway at Richfield, Neb., which resulted in the injury of 29 passengers, 10 of them seriously.

In connection with the investigation of this accident a public hearing was held at Lincoln, Neb., August 15, 1913, conducted jointly by the State Railway Commission and the Interstate Commerce Commission.

This hearing developed the following facts:

East-bound train Extra 1750, was a circus train, en-route from Lincoln, Neb., to Council Bluffs, Ia. This train consisted of Chicago, Rock Island & Pacific Railway Engine 1750, 22 cars of the Barnum & Bailey circus, and a caboose, and was in charge of Conductor Spence and Engineman Bell. This train left Lincoln at 10.30 P.M., and while pulling in on the passing track at Richfield, a station 43 miles east of Lincoln, the rear end of the train was struck by train Second No. 6.

East-bound passenger train Second No. 6, was en-route from Pueblo, Colo., to Chicago, Ill., and consisted of 1 combination car of steel construction, and 1 chair car, 1 day coach and 1 Pullman sleeping car of wooden construction. This train was hauled by Chicago, Rock Island & Pacific Railway Engine No. 904, and was in charge of Conductor Brooks and Engineman Bitzer, and

was due to leave Lincoln, Neb., at 2.08 P.M. This train had been delayed before reaching Lincoln, and left that station at 11.26 P.M., 9 hours and 18 minutes late, and passed South Bend, the last open telegraph office West of the point of collision at 12.18 A.M., made the run from South Bend to Richfield, a distance of 12.8 miles in 17 minutes, and collided with the rear end of train Extra 1750 at 12.35 A.M., 390 feet west of the west passing track switch at Richfield. The force of the collision demolished the caboose, and badly damaged the first coach next to the caboose, which was a bunk car in which the injured circus employees were riding. All the sills were broken off at the transoms, and the end platform crushed in. Very little damage was done to the equipment of train Second No. 6. The weather at the time of the accident was clear.

This Division of the Chicago, Rock Island & Pacific Railway, extending from Lincoln, Neb., to South Omaha Junction, Neb., a distance of 54 miles, is a single track line, and trains are operated under the train order system. A manual block system is in use, and is so operated as to allow permissive movements for trains running in the same direction after a time interval of 10 minutes, by issuing a "Clearance card, form "A", and block restrictions card." This card is issued to both the Conductor and Engineman by the block operator. It informs them the number and kind of train orders they receive, advises them why train order signal was displayed, and if the block is occupied furnishes them the number and class of the train in the block. This form has no instructions on it that the train receiving it shall proceed

with caution, but a train entering a block upon authority of this card is not expected to exceed the speed of any train it may be following. The speed of freight trains is limited to 35 miles per hour by time card rule.

The track at point of accident is straight on about a 1 per cent ascending grade for east-bound trains. Beginning 307 feet west of the point of collision there is a 3 degree curve to the left, 2,522 feet long, running through a deep cut that obstructs the view so that the Engineman of an approaching train cannot see the rear end of a train more than 650 feet. Beginning at the west end of this curve the track is straight for about 1½ miles, and then curves slightly to the right.

Conductor Spence on Extra 1750 states he received orders at Lincoln to run extra to Albright, and also order No. 71 reading as follows:

"Second (2nd) No. Six (6), Engine 904, waits at Lincoln until eleven ten (11.10) P.M., Alvo until eleven forty (11.40) P.M. Murdock until eleven forty-eight (11.48) P.M. Rumsey until twelve fifteen (12.15) A.M."

On arrival at Havelock, a station 4 miles east of Lincoln, he received order No. 74, reading as follows:

"Order No. 71 is annulled. Second (2nd) No. Six (6) Engine 904, waits at Lincoln until eleven twenty (11.20) P.M. Havelock until eleven twenty-seven (11.27) P.M. Prairie Home until eleven thirty-six (11.36) P.M. Alvo until eleven forty-five (11.45) P.M. Murdock until eleven fifty-three (11.53) P.M. South Bend until eleven fifty-nine (11.59) P.M. Meadow until twelve nought six (12.06) A.M. Richfield until twelve fifteen (12.15) A.M."

After taking coal and water at South Bend they left that station at 11.59 P.M., on the time of train Second No. 6. He further states that he knew he was running on the time of that

train, but that the Trainmaster at Lincoln had told him to keep on going and give his train a good run, and his understanding of these instructions was that he was to keep on going ahead of Second No. 6, and he relied on the Trainmaster to furnish him protection. He stated that he threw off a yellow fusee 1 mile west of South Bend, and another one 1 mile west of Meadow, a station 7.4 miles west of Richfield, but none were thrown off between Meadow and Richfield. He further stated that his reason for taking the siding at Richfield was on account of meeting train No. 7, a west-bound train. When the train was going up Richfield hill the Flagman was in the cupola of the caboose watching the train, and he was busy making out reports; when the train was pulling in the siding at Richfield, knowing he was on the time of Second No. 6, he took a red lantern and got off the train while it was moving about 10 or 12 miles per hour, for the purpose of flagging them. He had time to go back only about 400 feet when that train approached at high speed, ran past him and struck the rear end of his train.

Engineman Bell on Extra 1740 states that on leaving Lincoln he had an understanding with Conductor Spence that they would run ahead of train Second No. 6 as far as they could, and Conductor Spence would look out for them. He received the same orders as Conductor Spence, and knew he was on the time of Second No. 6 leaving South Bend. His understanding of the use of "Clearance card, form "A", and block restrictions card," was that a train entering a block holding this card should be under control at all curves and obscure places so that it could be stopped within

the range of vision.

Head Brakeman Gossett on Extra 1750 states he knew they were on the time of Second No. 6, and spoke to Engineman Bell about it on leaving Meadow, and at that time he looked back but could not see the headlight of any following train. He thought his train ran at a speed of about 20 miles per hour from South Bend to Richfield.

Rear Brakeman Nuckolls on Extra 1750, states he read the train orders, and knew they were on the time of Second No. 6 leaving South Bend. He stated that Conductor Spence said that they were to run ahead of that train. The Conductor threw off fuses at several places before reaching Meadow, but no fuses were thrown off between Meadow and Richfield. He was riding in the cupola of the caboose and did nothing to protect the train, supposing the Conductor would look out for Second No. 6. He looked back several times, but at no time did he see the headlight of any following train. As the train was pulling into the passing track he was on the rear platform of the caboose, and the Conductor got off to flag, and the first he saw of Second No. 6 was when it came in sight around the curve, ran by the Conductor with the red light, and did not answer the stop signal he gave. He jumped off just prior to the collision.

Fireman King on Extra 1750 states that this was his third trip as a Fireman. He stated that the Conductor told the Engineman when he gave him his train orders to keep on going ahead of Second No. 6, as they would look out for them. He knew they were on the time of that train but did not hear the Engineman say anything about it.

Conductor Brooks on train Second No. 6, stated that at South Bend he received a "Clearance card, form "A", and block restrictions card," which notified him there was a circus train in the block. He understood this card permitted first class trains to enter a block occupied by inferior trains, and not to run to exceed the speed of freight trains, which was 30 miles per hour. He stated his train was running at a speed of 55 or 60 miles per hour between South Bend and Richfield. The air brakes were applied in emergency just before the collision occurred.

Engineman Bitzer on train Second No. 6, states that at South Bend he received a "Clearance card, form "A", and block restrictions card," which was notice to him there was a circus train in the block. His understanding of the use of this form was that he was supposed to restrict his speed only to the extent of being able to stop within flagging distance, which he thought would be one-half mile. He estimated the speed of his train between South Bend and Richfield to be 55 or 60 miles per hour. He did not see the Conductor with the flag until about 100 feet from the rear end of the circus train. He then made an emergency application of the air brakes which reduced the speed of the train to about 35 miles per hour. He further stated that the electric headlight on his engine was burning brightly.

Fireman Raines on train Second No. 6, states he saw one red marker when his train was about 200 feet from the rear end of the circus train, and jumped off. His understanding of the "Clearance card, form "A", and block restrictions card," was that it did not require any reduction of speed.

Chief Dispatcher Cavanaugh, one of the examining board, stated that the "Clearance card, form "A", and block restrictions card," is used to inform a train that there is a train ahead of them in the block, and that they shall govern their speed according to the speed of the class of the train ahead of them and look out for it. At obscure places train shall be under control, so that it can be stopped within the range of vision. He further stated that he had examined Engineman Bitzer, and he had been instructed as to these requirements.

Road Foreman of Engines Oakford, also a member of the examining board, stated that trains entering a block under a "Clearance card, form "A", and block restrictions card," are supposed to run with their train under such control that it can be stopped within the range of vision.

Train Master Cameron stated the only conversation he had with Conductor Spence at Lincoln was an inquiry as to how much time they had on train Second No. 6, and being informed that train would wait at Lincoln until 11.10 P.M., stated to Conductor Spence that he would have to hurry in order to reach Alvo, a station 15 miles from Lincoln, ahead of them. Any conversation the Conductor had with the Train Master at Lincoln relative to his occupying the main track ahead of train Second No. 6 could not be considered as superseding his train orders.

The direct cause of this accident was the failure of Conductor Spence and Engineman Sell of train Extra 1750 to keep their train clear of the main track on the time of a superior train, as required by rule No. 86 of the Chicago, Rock Island & Pacific Railway Company,

which reads as follows:

"Rule No. 86: An inferior train must clear the time of a first class train, in the same direction, not less than 10 minutes and, unless otherwise provided by time table rules, must be clear at the time the first class train, in the same direction, is due to leave the next station in the rear where time is shown."

Conductor Spence was doubly negligent for his failure to take proper measures to protect his train, knowing that he was occupying the main track on the time of a superior train in violation of rule No. 86. Proper regard for the safety of his train should have prompted him to see that Brakeman Nuckolls used fuses between Meadows and Richfield, and flagged train Second No. 6 a sufficient distance west of Richfield to give that train ample time to stop. Brakeman Nuckolls was also to blame for improper flagging, knowing that his train was occupying the main track on the time of a superior train. Contributing to the accident was the failure of Engineman Bitzer, of train Second No. 6, to comply with the instructions of the examining board to reduce the speed of his train to the maximum speed allowed the train which preceded him in the block. Had he complied with these instructions this accident might have been avoided.

None of the employees involved in this collision had been on duty in violation of the provisions of the hours of service law, and all, except the Fireman on Extra 1750, were experienced men. Conductor Spence entered the service as Brakeman in 1905, and was promoted to Conductor in 1910. He had received demerit marks on five occasions, among which were 30 demerit marks March 12, 1908, for improper flagging which resulted in an accident, and 30 demerit marks March 26, 1913, for responsibility in an accident.

Brakeman Nuckolls entered the service as Brakeman in 1909. He had received 10 demerit marks May 9, 1911, for rough switching.

Engineman Bitzer entered the service in 1897, and was promoted to Engineman in 1901. He received demerit marks on five different occasions, on one of which, November 23, 1907, he received 30 demerit marks for failure to approach a terminal under control, resulting in a collision.

This investigation also discloses the fact that employees do not have a uniform understanding of the requirements of "Clearance card, form "A", and block restrictions card." There is nothing on this card to indicate that it is a caution card, or that a train shall not exceed the time of an inferior train which it is following. The only protection provided by the use of this card is to space trains 10 minutes apart at open telegraph offices.