

February 18, 1915.

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In re: Investigation of accident which occurred on
Cincinnati, Georgetown & Portsmouth R. R.,
near Fair Oak, Ohio
February 1, 1915.

On February 1, 1915, there was a head-end collision between a passenger and a freight train on the Cincinnati, Georgetown & Portsmouth Railroad, near Fair Oak, Ohio, resulting in the death of one passenger, and two employees and injury to six passengers and three employees.

After an investigation of this accident, the following report is submitted by the Chief of the Division of Safety.

East-bound passenger train No. 2, enroute Cincinnati, O. to Georgetown, O., consisted of electric passenger car 145, of steel underframe construction. It was in charge of Conductor Gilfellen and Motorman Smith, and left Cincinnati at 6.50 a.m. on time, and passed Lake Allyn, the last station at which time was taken, at 7.47 a.m. on time, made stops at Brasiers, Judie and Amelia and when about 1,000 feet west of Fair Oak, collided with freight extra 12 west at about 8.02 a.m.

West-bound freight extra, enroute Georgetown to Cincinnati, O., consisted of engine 12, 5 loaded cars and 1 empty car and a caboose, and was in charge of Conductor Jacobs and Engineman Flaucher. At Georgetown they received by telephone an order reading as follows:

"Extra 12 run extra Georgetown to Lake Allyn."

This order was not written down and no record of it was kept by the train crew. After receiving this order they departed from Georgetown at 8.43 a.m. The last stop made by this train prior to the accident was at Bethel, 5.7 miles east of Fair Oak. They departed from Bethel at 7.45 a.m. and collided with No. 2 just west of Fair Oak.

The force of the collision drove the passenger car backward about 80 feet, telescoping and completely destroying it. The front end of the engine was damaged and the engine truck and two drivers were derailed.

The Cincinnati, Georgetown & Portsmouth Railroad is a single track line, 42 miles in length. Passenger trains are operated by electricity, obtained from an overhead wire,

and freight trains by both electric motor and steam locomotive. The movement of trains is governed by time-table and train orders, the latter being transmitted by telephone.

The track is tangent for a distance of 1,700 feet west of, and 3,000 feet east of the point of accident and the view is unobstructed. The point of accident was at the bottom of a sag, on a 15-foot fill, there being a grade of 2.8%, 1,350 feet in length on the west, and of .93%, 1,636 feet in length on the east.

There was a dense fog at the time of the accident.

Conductor Jacobs of the freight extra stated that at Georgetown, he received by telephone an order to run extra Georgetown to Lake Allyn, which he did not write down. The dispatcher did not give the time the order was made O.K. His train left Georgetown about 6.34 a.m., made a stop at Bethel, and departed from that point about 7.45. As the train crossed the bridge near Burlington, .83 miles east of Fair Oak, he looked at his watch and it was then 7.59. At that time he expected that his train would reach Wiltsie, 1.69 miles west, about 8.03, and take the siding for No. 2 which was due to leave there at 8.04. At the time of the accident he was riding in the caboose and had no warning of the impending accident until the engineer whistled for the brakes a few seconds before they collided. As soon as he could get himself together, he looked at his watch and it was then 8.08. He stated that he has been in the employ of the Cincinnati, Georgetown and Portsmouth R. R. for a total of about four years, and during that time he has not seen a book of rules, had never been examined on them, and further, that he had never known of an instance, during that period, where an inferior train cleared a superior train five minutes.

He stated that it is the general practice to proceed against a superior train without clearing them as required by rule, and sometimes the superior train is found to be ahead of time. He mentioned one instance in which Superintendent of Transportation V. M. Loudon was riding on a train which was six minutes ahead of time by Loudon's watch and four minutes by the watch of one of the crew. He further stated that his watch had never been examined or tested and that he did not know of a watch inspector. Before starting out on Sunday night he compared his watch with the standard clock at Carrol St., and at that time it was about one-half a minute fast. Sometime during his trip, but at what point he could not say, he compared watches with the

engineer, and the engineer's watch was about 3 minutes 30 seconds slower than his. Shortly after the accident he again compared with the engineer and at that time the engineer's watch was two or three minutes faster than his. On January 27th he registered his watch and at that time it was 30 seconds fast. Since that time it had not been set and on the day of the investigation it was 2 minutes faster than the dispatcher's watch.

Brakeman Harris of the freight extra stated that before starting out on that trip he compared his watch with the standard clock and it was half a minute fast. When crossing the bridge at Burlington, he remarked to Conductor Jacobs, that it was going to be a close clearance and that he would not have such time to get out with a flag at Willsee. At that time he looked at his watch and it was 7.59; he also compared with Conductor Jacobs and the Conductor's watch was about two minutes faster than his. Immediately after the accident, he again looked at his watch and it was 8.02. He stated that he had been in the employ of the company seven years, two years as a brakeman and prior to that five years as a motorman. It had been his observation that sometimes during clear weather, and where the track was straight, trains sometimes made close clearances, but that it was not always done. He had also observed regular trains running three or four minutes ahead of time. He further stated that Conductor Jacobs and Engineer Flaughter did not always run on close time, but only occasionally, on straight track. At times they had cleared superior trains five minutes. He had called Conductor Jacobs' and Engineer Flaughter's attention to the danger of close clearances but did not receive any satisfactory reply.

Brakeman White of the freight extra stated that he had been in the employ of the company nearly two years and during that time had not been examined on the operating rules. On Saturday night, prior to the accident, he compared his watch with the standard clock at Carrol St., and found it to be correct. When the train was crossing the bridge at Burlington, he looked at his watch and it was then 7.59. He estimated the speed of the train to have been about 20 miles per hour at the time of the accident. Shortly after the accident, he and conductor Jacobs looked at their watches and

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both were 8.02. He stated that he had observed that trains made close clearances; in his opinion it occurred more frequently than once a week.

He had also observed regular trains leaving stations in advance of their schedule, even in foggy weather.

Fireman Lewis, of the freight extra, stated that approaching Hurlington, engineman Flaughner asked him what time No. 2 was due at Fair Oak, and he replied: "8.04." At the time of the accident he was looking ahead and saw No. 2 approaching when they were about one telegraph pole distant and he noticed that their headlight was burning. Immediately after the accident he asked Engineman Flaughner what time it was and Flaughner replied: "8 o'clock." He did not have his watch with him on the day of the accident. He stated that it had been the custom for trains to run on short time.

Engineman Flaughner stated that he has been an engineer about two years, and at the time he was promoted he was not examined on the book of rules. Before starting out on this trip Sunday night, he compared his watch with the standard clock at Carrol St., and it was correct. He seldom compared with the clock at Georgetown, as that usually varied from two to three minutes from the clock at Carrol St. He stated that when receiving orders the dispatcher gives the time the order is made C.K. and they compare their watches with that. On the morning in question at Georgetown he repeated the order which was received by Conductor Jacobs, but not written down, but the dispatcher did not give the time. His train left Bethel about 7.45 and at that time his headlight was burning. When going over the bridge at Hurlington, he looked at his watch and it was then 7.56; he expected he could make Wiltsee at 7.59 for No. 2. He saw No. 2 about two telegraph poles distant, made an emergency application of the brakes and reversed his engine. Immediately after the accident he looked at his watch and it was then 7.59. He did not recall whether he compared watches with Conductor Jacobs on this trip before the accident or not, but did compare shortly after the accident, and at that time his watch was about two minutes slower than the conductor's. He stated that he did not always clear superior trains five minutes, but tried to get over the road, and usually tried to clear them four or five minutes.

Conductor Gilfollen stated that he looked at his watch at Lake Allyn, (about 7 miles west of the point of accident); it was then 7.47, which was on time. He was engaged

in sorting mail pouches and making out his reports and did not watch his motorman. He had had to watch his motorman on several occasions, and only the Sunday previous he had to stop in several times because he was running ahead of schedule. He further stated that on account of the slow time on that run, it is possible that his train was running two or three minutes in advance of schedule at the time of the accident.

Motorman Smith was killed in the accident.

Dispatcher Dunn stated that the rules require all orders to be written by the crew receiving them, but occasionally they do not write them down. This he considered unsafe. He stated that if the telephone had been out of order on the morning in question, the crew of this train would have run as an extra just the same without any order. When the crew of extra 12 called him by telephone, from Bethel, he told them "No orders," and did not figure where they would be able to make for No. 3, but left it entirely to their judgment. In reply to a question: "Have you ever had any complaints of extra trains getting on the time of regular trains?" he says: "I can't say; if I have, it has been some of the boys over here and I would hear them and would not know whether they were joking or not."

A grocer, living within 100 feet of Hurlington station stated that he looked at his watch and clock at the time Extra 12 passed over the bridge and it was then 7.58. A check of his clock and watch showed them to be 60 minutes slow, which would indicate that Extra 12 passed over the bridge at 8.00 a.m.

A comparison of watches made at 10.43 a.m. on the day of the accident by General Manager Kifner, showed engineer Plaugher's watch to be one minute slow; and conductor Jacobs' and brakeman White's to be correct.

This accident was caused by freight extra 12 occupying the main track on the time of an opposing superior train without proper protection, for which Conductor Jacobs and Engineer Plaugher are responsible.

General Rules 39, 40 and 42 provide as follows:

39. An inferior train must keep out of the way of a superior train.

40. A train failing to clear the main track by the time required by rule, must be protected as provided in rule 52.
42. At meeting points between trains of different classes, the inferior train must take the siding and clear the superior train at least five minutes, and must pull into the siding when practicable. If necessary to back in, the train must first be protected as per rule 52, unless otherwise provided.

These rules required that extra 12 should have been clear of the main track, at some point, not less than five minutes before No. 2 was due, or else be properly protected. While the evidence is somewhat conflicting as to the exact time the collision occurred, there can be no doubt but that these rules were not obeyed.

Contributing to this accident was the failure of Conductor Giffellen and Motorman Smith to observe rule 45 which provided as follows:

45. A train must not leave a station in advance of its schedule leaving time.

No. 2 was due to leave Wiltsee at 8.04. The evidence indicates that this train was at least three minutes ahead of time when the collision occurred.

From the facts developed in the investigation of this accident, it is manifest that not only did the crews of the trains involved violate the rules of the company in this particular instance; but that it had been done in the past to a greater or less extent and the officials were cognizant of the fact.

Practically all of the employees admit that it is not an unusual occurrence for inferior trains to clear superior trains less than 5 minutes as required by rule, neither is it unusual for trains to run in advance of their schedule. From the statement of Conductor Jacobs it appears that Superintendent Loudon, in one instance, was riding on a train which was running from four to six minutes in advance of its schedule.

In order to provide that degree of safety to which the travelling public is entitled, it is not sufficient for a railroad

company merely to provide rules to govern the operation of its trains; but it is its duty to know beyond question that the rules are obeyed.

The evidence indicates that the operating practices on this road, generally, are bad. Many of the rules are disregarded by the employees and officials alike.

Rule C. requires that employees must pass the required examinations. Conductor Jacobs had never seen a book of rules; Engineman Flaughter had been running an engine about two years but passed no examination on rules at the time of his promotion. Brakeman White had never been examined.

Rule 2 requires enginemen and conductors to carry watches that have been examined and certified by a designated inspector, and a certificate filed annually with the Superintendent. The railroad company had no designated inspector. Conductor Jacobs' watch had never been examined.

The time-table designates the clock at Georgetown ticket office as a standard clock; but engineman Flaughter stated that there is usually a variation of two to three minutes between the clock at Georgetown and the clock at Carrol Street.

Rule 48 provides that on single track, an extra must not be run without orders. Dispatcher Dunn stated that in case the telephone was out of order, Extra 1st would have made the trip as an extra without any orders.

Rule 64 requires that the Conductor shall write all orders on blanks provided for that purpose, and that the dispatcher will give the time at which the O.K. is given. The evidence shows that it is not uncommon for verbal orders to be given. Dispatcher Dunn knew this, and notwithstanding he considered it a dangerous practice, corrective measures were not taken.

Rule 65 requires that orders will be retained by Motormen and Enginemen and sent daily to the Superintendent. Had a check of the train orders received been made by the Superintendent or one of his subordinates, it would have been quickly discovered that verbal orders were being used for the movement of train, which is not permitted by rule.

General Rules for Conductors and Enginemen require that Conductors and Enginemen must compare watches with each other before starting out on each trip. It appears that this rule is not generally observed.

Time-table instructions designate Georgetown as a register station, it being the terminus of a single track line, but both Conductor Jacobs and Engineman Flaugher stated that they had never registered there.

When such conditions exist, it is not surprising that an accident such as this occurred. It is remarkable only that accidents of this character have not occurred on this line with greater frequency.

In this connection, attention is again called to the report of the Commission covering an investigation of the accident which occurred on the New York, New Haven and Hartford Railroad, near North Haven, Conn., on September 2, 1913, wherein it was stated that:

"Dereliction of duty by those who are charged with the making and with the enforcement of safety regulations cannot fail to weaken respect for all rules and render nugatory to a large extent all efforts to maintain effective discipline. Rules that are not intended to be enforced have no proper place in a railroad company's code of regulations, and when the operating officers of a railroad permit rules which have been established to secure safety to be violated with impunity they cannot reasonably expect to escape responsibility for the consequences of such violations."

Conductor Jacobs was employed as a brakeman March 15th, 1913, and promoted to Conductor January 1, 1914, and had served one week's suspension for reckless running. He has had five years experience in train service with another road.

Engineman Flaugher was employed as fireman June 17, 1911, and was promoted to engineer June 12, 1913. He has practically a clear record.

Conductor Giffollen was employed as conductor October 26, 1908, and has a clear record.

Motorman Smith was employed as Motorman October 19, 1914, and has a clear record.

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At the time of the accident the crew of Extra 12 had been on duty eight hours and two minutes and the crew of No. 8 had been on duty two hours forty-two minutes.

For the prevention of similar accidents on its line, the Cincinnati, Georgetown and Portsmouth Railroad Company should take immediate steps to secure proper enforcement and observance of its operating rules.