

CIRCULATED *Aug 5 1920*

IN RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE LINE OF THE DELAWARE AND HUDSON COMPANY, NEAR GANSEVOORT, N. Y., ON JUNE 14, 1920.

July 29, 1920.

On June 14, 1920, there was a rear-end collision between two freight trains on the line of the Delaware and Hudson Company near Gansevoort, N. Y., which resulted in the death of 2 employees and the injury of 1 employee. After investigation of this accident the Chief of the Bureau of Safety reports as follows:

This accident occurred on the Saratoga Division, *and* at the point of accident is a double-track line, trains being operated by time-table, train orders, and an automatic block-signal system. The accident occurred about 50 feet north of block signal 49-2 and 3,400 feet south of block signal 50-2, about one-half mile north of Gansevoort station. Approaching the point of accident from the north the track is tangent for more than 2 miles and the grade is ascending, the grade at the point of accident being .7 per cent. The weather at the time of the accident was extremely foggy.

Southbound freight train extra 815, in charge of Conductor Wilson and Engineman Phillips, consisted of engine 815, 76 freight cars, 1 coach, 1 caboose, and pusher engine 727, in the order named. Extra 815 originated at Whitehall, N. Y., and was bound for Albany, N. Y. It left Fort Edward, 6.3 miles from Gansevoort, at 3.10 a. m., and at about 3.45 a. m., while travel-

ing at a rate of speed variously estimated at from 5 to 10 miles an hour, its rear end was struck by extra 858.

Southbound extra 858, consisting of engine 858 and 28 cars, in charge of Conductor Chappelle and Engineman Bush, en route from Fort Edward to Oneonta, N. Y., left Fort Edward at 3.28 a. m., 18 minutes after the departure of extra 815. Extra 858 found signal 51-2 at caution and signal 50-2 at stop. After coming to a stop at signal 50-2, and before this signal cleared, this train proceeded and was traveling at a speed variously estimated at from 8 to 12 miles an hour when it overtook and collided with the rear of extra 815.

The caboose of extra 815 was telescoped by the coach in front of it, both of which caught fire and were destroyed. The car next to the coach was destroyed and the two preceding cars were derailed and damaged, one of them being forced over upon the northbound track. No damage was sustained by the engine or the cars of extra 858. Brakemen Gallagher and Phillips, who were riding in the caboose of extra 815, were killed.

Engineman Phillips, of engine 815, stated that between Fort Edward and the point of accident the speed had varied from 20 or 25 miles an hour at one place to about 5 or 6 miles an hour; he thought that at the time the accident occurred his train was moving at the rate of 8 or 10 miles an hour. He did not feel any shock from the impact and until told by one of the firemen did not know an accident had occurred. On account of the fog he was not able to see signals over 100 feet; he said that if he had found

one of the automatic signals in the stop position, in view of the weather conditions he would have stopped until the signal cleared.

Engineman Davis, of pusher engine 727, estimated that extra 815 was traveling about 8 or 10 miles an hour at the time of the accident, but he could not say how fast the following train was going at that time. The shock of the collision seemed to him a little greater than if he had been making a coupling.

Fireman Mosher, of pusher engine 727, thought the rate of speed of his train was about 6 or 7 miles an hour when it was struck. The flagman had told him about 5 minutes before that a train was following and he was watching for it, but the first thing he saw of the approach of extra 858 was the glare of the headlight just before the accident occurred.

Flagman Comiskey, who was riding on engine 727 at the time of the accident, stated the minimum speed had been about 5 miles an hour, but was about 8 or 10 miles an hour when the accident occurred. The flagman's duties, according to the rules, are to go back immediately with stop signals when his train is stopped or delayed, but he said that when going up grade he would not put down a fusee unless he saw another train coming. He had his flagging equipment on the engine, including fusees and torpedoes, and although he was watching for the following train it was so close when he saw it that he did not have time to light a fusee. He stated that there was quite a severe shock from the collision, also that the markers on his engine were burning both before and after the accident.

Engineman Bush of extra 858, stated that his train waited at Fort Edward about 20 minutes after extra 815 departed, at which time he noticed a red light on the side of the pusher. He knew the extra was just ahead and for this reason was running at a low rate of speed; he found one signal at caution and the next one, signal 50-2, at danger, for which he stopped, and then proceeded with caution as authorized by the rules. He expected to see the rear end of the preceding train in time to stop, although he could not see more than an engine-length ahead of his train, and the fog was getting thicker as he went up the hill. He saw the outline of the tender of the pusher looming up in the fog, but the accident occurred before he had time to make an application of the brakes. He estimated the speed of his train at the time of the accident at 8 or 10 miles an hour and thought the preceding train had stopped. Engineman Bush stated that "proceed with caution" means prepared to stop within range of vision, and admitted that if he had waited at the stop signal until it cleared, or if the speed of his train had been such that he would have been "prepared to stop within range of vision", the accident would not have occurred.

Conductor Chappelle, of extra 858, supposed the last stop was made for the block signal and after 2 or 3 minutes started toward the head end of his train. When he got there the coach and caboose were on fire, but the fog was so dense that he could not distinguish the fire a distance of more than three or four car lengths. In view of the weather conditions, he thought 8 miles an hour, which he estimated to have been the speed, was too fast to "proceed with caution" which he understood to mean "prepared to stop within range of vision".

This accident was caused by the failure of Engineman Bush

of extra 858, to operate his train under proper control in an occupied block after passing an automatic block-signal at danger.

A contributing cause was the failure of Flagman Comiskey, on helper engine 727, properly to protect his train while running at a reduced rate of speed in a dense fog.

Rule 504 of this railroad reads as follows:

"504. When a train is stopped by an automatic block signal, it may proceed when the signal is cleared. If not immediately cleared, train may proceed with Caution."

Under this rule an engineman after coming to a stop at a block signal indicating stop is permitted to proceed under caution, and this is what Engineman Bush claimed he was doing, but although the weather was so foggy that objects could be seen for only a very short distance, he proceeded at such rate of speed that he overtook extra 815 and was so close to it when he saw it through the fog that he was unable to make any effort to stop his train before the accident occurred. According to his own statement, Engineman Bush failed to "proceed with caution", as required by rule 504, and he is therefore primarily responsible for this accident. In view of the dense fog, Engineman Bush would have exercised good judgment had he waited at signal 50-2 until extra 815 cleared the block and the signal displayed a caution indication, in which event this accident would have been averted.

Rules Nos. 99 and 99-A of this company read as follows:

"99. When a train stops or is delayed, under circumstances in which it may be overtaken by another train, the flagman must go back immediately with stop signals a sufficient distance to insure full protection, and place and leave two torpedoes on the rail. When recalled he may return to his train.

99-A. When conditions require it a fusee must be used. A train finding a fusee burning on the engineer's side within the right-of-way, must, after having stopped, proceed cautiously, looking out for a stop signal."

Owing to the condition of the weather and the fact that the speed of extra 815 had been considerably reduced in the ascent of the grade, as well as the fact that he knew another train was following his train, Flagman Comiskey should have thrown off lighted fusees. It is evident from this investigation that on the night of the accident the conditions were such as to require the use of fusees, and had Flagman Comiskey thrown off lighted fusees this accident might have been prevented.

The employees involved in this accident were experienced men with good records, and none of them had been on duty contrary to the provisions of the Federal hours of service law.