

June 27, 1912.

IN RE INVESTIGATION OF ACCIDENT ON THE
DELAWARE, LACKAWANNA & WESTERN RAILROAD, Inv-63
May 21, 1912.

On May 21, 1912, there was a rear-end collision on the Delaware, Lackawanna & Western Railroad at Baldwin's Milk Station, N. Y., resulting in the death of one engineman and the injury of one employee and two passengers.

After investigation of this accident, the Chief Inspector of Safety Appliances reports as follows:

The division on which this accident occurred is a single track line running between Utica and Binghamton, a distance of 95 miles. No business is done at the station where this accident occurred except the handling of milk. No block signals are in use in the vicinity of Baldwin's Milk Station, although a part of the line is so equipped and the material is on the ground for completing the installation of the signals. South of the point of accident the track is straight for a distance of about 2,000 feet, then there is a four-degree curve about 500 feet long. About 1,000 feet north of the station is a highway crossing. Approaching enginemen can see the station when about 2500 feet away. The weather was cloudy but the air was clear, and it had been raining previous to the time of the accident.

North-bound milk train No. 845 consisted of 6 milk cars and a combination car, hauled by engine No. 981, and engine of the Mother Hubbard, or double cab, type. This train was in charge of Conductor Bennett and Engineman Mercer. It left its terminal at Binghamton at 2:53 P. M., 13 minutes late.

At Galena, 47 miles from Binghamton, this train was delayed 15 minutes, due to a hot box, and on this account milk train No. 843, which left Binghamton at 3:01 P. M., was run around it. Train No. 845 left Shelburne, N. Y., three miles south of Baldwin's Station, at 5:44 P. M., 14 minutes behind No. 843. At this time it consisted of two milk cars and a combination car, the other four cars having been set off at various points en route.

Milk train No. 843 consisted of 13 milk cars and a combination car, hauled by engine No. 930, also of the double cab type. This train was in charge of Conductor O'Neil and Engineman Mahaney. It was 36 minutes late leaving Binghamton, and as previously stated passed train No. 845 at Galena. It passed Shelburne at 5:30 P. M., and reached Baldwin's Station at about 5:38 P. M. At this time it consisted of nine milk cars and a combination car, having set off four cars en route. While this train was standing at Baldwin's Station the collision occurred, at about 5:50 P. M.

Conductor O'Neil, of train No. 843, stated that as soon as the stop was made at Baldwin's Station he got off and went back to flag. Just before reaching the highway crossing he put down two torpedoes, and then walked to a point just south of the crossing, where he was standing when No. 845 approached. He at once signalled the engineman to stop but no attention was paid to this signal, neither was any whistle signal sounded for the highway crossing. The engine was using steam when it passed him, and he estimated that the speed was at least 40 miles per hour. After the torpedoes were run

over he heard the engineman sound three short blasts of the whistle. He did not see the engineman when the engine passed him.

Engineman Mahaney, of train No. 843, stated that he was watching the men unload the milk when they suddenly signalled him to go ahead. His train had run about two car lengths before the collision occurred.

Brakeman Wilmsons, of train No. 843, stated that the unloading of the milk cars had been nearly completed when someone called attention to the fact that No. 845 was coming. He was in the third car from the end and at once jumped out of it, at which time the engine of No. 845 was about ten car lengths away. The only whistle he heard was three or four short blasts. He estimated the speed of the train to have been in the vicinity of 40 miles per hour.

Brakeman Walters, of train No. 843, stated that before reaching Baldwin's Station he had started for the rear end, but that the conductor told him he would do the flagging and asked him to help unload the milk cans. Just as this work was being finished he saw No. 845 coming and saw the conductor flagging it. He said the signal of the conductor was not answered by the engineman; also that no whistle signal was given for the highway crossing. He further stated that so far as he could see the engine was using steam when it passed over the crossing. He estimated the speed to have been more than 40 miles per hour.

Conductor Bennett, of train No. 845, stated that he heard the engine run over two torpedoes and thought he heard

two or three short blasts of the whistle just before the air brakes were applied in emergency. The brakes were not applied, however, until after the torpedoes were passed. Afterward he found the two skeletons of the torpedoes and estimated the distance between where they were run over and the point of collision to have been about 21 rail lengths. He thought the speed of his train was about 20 miles per hour, but was not sure on this point. He stated that a stop had been made between the point where the last milk car had been set out and the point of collision. In making this stop the brakes worked satisfactorily.

Fireman Weeks, of train No. 845, stated that he was working on the fire and did not notice anything until the engine ran over the torpedoes, at which time the engine was using steam. He estimated the speed at this time to have been from 50 to 55 miles per hour. After striking the torpedoes he at once looked out and saw the rear end of train No. 843, about 15 or 20 car lengths away. On account of the speed of the train he waited until they were about two or three car lengths away before jumping. He stated that as soon as the torpedoes were struck the engineman made an emergency application of the brakes and blew the whistle. He thought the speed had been reduced to about 20 miles per hour at the time of collision. The engine was working steam when the torpedoes were struck.

Engineman Mercer, of train No. 845, who was killed in the accident, had been in service more than ten years, in the last three of which he had been employed as an engineman.

He was considered to be an exceptionally capable employee. None of the employees connected with the two trains involved had been on duty in violation of the provisions of the Hours of Service law.

This accident was caused by the failure of Engineman Mercer to observe and be governed by the flagging signals given by Conductor O'Neil, who was protecting train No. 843. No explanation has been found for the failure of Engineman Mercer to bring his train to a stop in time to avert the collision. Being on the inside of the curve, he had a clear view of the train standing at the station when 2500 feet distant. The fact that he did not answer the signals given by the flagman of the train; that he did not sound the whistle signal for the highway crossing, and that he did not shut off steam until after passing the crossing, makes it seem evident that something was the matter with Engineman Mercer at this time, mentally or physically, which temporarily prevented his bringing the train under control in time to prevent the collision.

Rule No. 99 of the Delaware, Lackawanna & Western Railroad Company's Book of Rules, reads in part as follows:

"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."

Investigation showed that under the circumstances Conductor O'Neil went back far enough to have complied with this rule had Engineman Mercer been governed by his signals. At the same time, had he gone back a greater distance, which he had time enough to do, and placed torpedoes on the rails, it is

probable that the fireman's attention would have been attracted to the danger in time to have enabled him to prevent the collision. On account of the engine's being of the double cab type, the engineman and fireman not being in direct communication with each other, the fireman had no means of knowing whether or not anything was the matter with the engineman.