

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
ERIE RAILROAD AT LAWTONS, N.Y., on JANUARY 20, 1930

February 28, 1930.

To the Commission:

On January 20, 1930, there was a rear-end collision between a light engine and a freight train on the Erie Railroad near Lawtons, N.Y., which resulted in the death of two employees

Location and method of operation

This accident occurred on that part of the Erie Railroad known as the Buffalo and Southwestern Railroad, which extends between Buffalo and Jamestown, N.Y., a distance of 69.1 miles, and is a single-track line over which trains are operated by time-table, train orders, and a manual block-signal system. The point of accident was nearly 2,600 feet west of the station at Lawtons, approaching this point from the west, the track is tangent for a distance of nearly 4,000 feet, with a descending grade of 0.75 per cent.

It was just getting dark, and the weather was cloudy at the time of the accident, which occurred about 5.40 p.m.

Description

Eastbound freight train extra 3040 consisted of 55 cars and a caboose, hauled by engine 3040, and was in charge of Conductor White and Engineman Trombley. This train left Gowanda, 6.1 miles west of Lawtons, at 5.18 p.m., with helper engine 3083 coupled behind the caboose for the purpose of assisting the train to the top of Collins hill, a distance of $2\frac{1}{2}$ miles while another helper engine also assisted the train in getting started. Engine 3083 was cut off without bringing the train to a stop, and the train passed Collins at 5.34 p.m., receiving at that point a message to pull in at North Collins, 7 miles farther east. As extra 3040 was approaching Lawtons, an intermediate station, Engineman Trombley thought that on account of the slow order in effect near North Collins,

in connection with grade crossing elimination work being done at that point, he would not have time enough to reach that point and clear train No. 519, and accordingly he brought his train to a stop at the west switch at Lawtons, and it was while standing at this point, waiting for the switch to be opened, that the rear end of the train was struck by helper engine 3087.

Engine 3083, which was being operated backing up, was in charge of Enginemen Glair and Flagman Rogers. After cutting off at the top of Collins hill, engine 3083 followed extra 3040 closely in order to assist it when it approached North Collins. Engine 3083 passed Collins at 5.35 a.m., one minute behind extra 3040, running under a caution block-signal indication, and collided with the rear end of extra 3040 near Lawtons while traveling at a speed estimated to have been from 15 to 20 miles per hour.

The caboose of extra 3040 was demolished and the car ahead of it was damaged and partly derailed. The tender of engine 3083 was partly derailed and was considerably damaged. Fire broke out in the wreckage. The employees killed were the flagman of extra 3040 and another employee who was conducting in the engine.

Summary of Evidence

Engineman Trembley, of extra 3040, said that after receiving the message to pull in at North Collins, he remarked that it did not mean anything, since he would not have time to go to that point and clear train No. 519, an opposing first-class train due at North Collins at 6 p.m. When approaching Lawtons, he again looked at his watch, decided that there was not time enough to make the movement, and applied the brakes preparatory to heading in at that point. After the train came to a stop, the brakemen started ahead to open the switch, Engineman Trembley whistled off and then tried to start his train, but was unable to do so. He then looked back and saw fire at the rear of his train, this being his first knowledge of anything wrong. Engineman Trembley further stated that he did not know that he was to have a helper between Lawtons and North Collins, although the conductor had told him to hold the main track at Collins as the dispatcher intended to help them against train No. 519, and he also said that he did not whistle out a flag when making the stop at Lawtons as required by rule No. 99A, which says

that such a signal shall be given "should a train for any cause be required to gradually reduce its speed between stations or at an unusual point." The statements of Fireman Spisiek and Head Brakeman Ohlson, of extra 3040, brought out nothing additional of importance.

Conductor White said that while at Gowanda he was told that the dispatcher wanted them to hold the main track at Collins and that he would get them to Eden Center for train No. 519, Eden Center is the next station east of North Collins. Conductor White said he gave this information to the enginemen and then boarded the caboose as it passed him. When the train passed the station at Collins, Conductor White went out on the caboose platform and received a copy of the message to pull in at North Collins and he stated that at this time engine 3083 was about 1,000 feet behind the caboose. He was aware, however, that the helper engine was to assist his train between Lawtons and North Collins and supposed that it would be kept a safe distance from his train until that time. He therefore went back inside the caboose and as the train was approaching Lawtons, after having attained a speed of 30 miles per hour, he noticed that it was being brought to a stop. Thinking that there was time enough in which to proceed to North Collins, he went out on the front platform of the caboose, by which time his train had come nearly to a full stop, and gave a proceed signal to the enginemen. About this time his attention was attracted by the headlight of engine 3083 and on looking back he saw it about five or six car-lengths distant, moving at a speed of 15 or 20 miles per hour, and at once called to the men inside the caboose and jumped.

Middle Brakeman Craft was riding in the cupola of the caboose when it reduced speed as it approached Lawtons, when it had come nearly to a stop he noticed the reflection of the headlight of engine 3083 on the caboose windows. Realizing that it must be close to his train, he took his white lantern, got out of the caboose, and went out on the rear platform, but by that time the approaching engine was only 30 or 40 feet distant, with his own train standing still, and he at once jumped off without having had time even to give a stop signal to the enginemen of the helper engine.

Engineman Glair, of engine 3083, said that before leaving Gowanda, he received instructions to assist extra 3040 through North Collins. When approaching Collins, his

engine was cut off and he said that extra 3040 was at least 1,500 feet ahead of him when he passed the station under a caution signal indication. On reaching the straight track approaching the point of accident, he saw the rear end of the train, with the markers and deck light lighted and showing up well, and he estimated that the caboose at that time was in the vicinity of the station at Lawtons, nearly 1 mile distant, and therefore withdrew his head inside the cab and increased the speed to 20 or 25 miles per hour. Finally he looked out again, saw that he was closing up on extra 3040, and suddenly realized that the extra was either standing or moving very slowly, only a short distance ahead of him. He at once applied the brakes, but it was then too late to avert the accident, which occurred while his engine was moving at a speed of 18 miles per hour. Engineman Glair further stated that he knew that when running under a caution signal indication, he should operate so as to stop short of a train or obstruction, and about the only reason advanced by him for his failure to notice that he was closing up on extra 3040 was that there was a strong cold wind blowing, so that he could not keep his head outside of the cab all of the time. It was Engineman Glair's opinion that if a fusee had been thrown off, he would have noticed its reflection and could have stopped without difficulty.

Fireman Hamm, of engine 3083, said his engine was 1,500 or 2,000 feet behind extra 3040 when passing the signal at Collins, which was displaying a caution indication, and after reaching the straight track approaching the point of accident, he saw the caboose of the preceding train, apparently about 1 mile distant, with the markers and deck light burning brightly. The fireman then got down on the deck of the engine, attended to the fire, and after he had finished with this work he got back on his seat box and on looking ahead he saw the rear end of extra 3040 only 40 or 50 feet distant, at which time his own engine was moving at a speed of 15 or 20 miles per hour. Fireman Hamm said the engineman had his window open and was standing up, facing the direction in which the engine was moving. It further appeared from Fireman Hamm's statements that before cutting off from the rear of extra 3040, a brakeman had told them that the dispatcher had intended to have extra 3040 go to North Collins or Eden Center for train No. 519, and he took it for granted that extra 3040 would proceed to that point and did not expect it to head in at Lawtons.

Flagman Rogers, of engine 3033, said that he did not look out after his engine reached the straight track approaching the point of accident. The fireman was on the deck of the engine, and after getting back on his seat box the fireman looked ahead and called attention to the rear end of extra 3040. Flagman Rogers then looked out, saw the caboose, and started through the cab window, and as he did so he heard the engineman apply the brakes, the collision occurring immediately afterwards, while the engine was traveling at a speed of 15 or 20 miles per hour. The only reason advanced by Flagman Rogers for not maintaining a lockout was the fact that he took it for granted the extra would not stop and also took it for granted that the engineman, who was looking in the direction in which the engine was moving, would watch the train ahead of him.

Operator Maloney, on duty at Collins, said he gave the crew of extra 3040 a message to pull in at North Collins and reported the train by at 5.34 p.m. He then placed the block signal in the caution position and received permission from the dispatcher to allow engine 3083 to proceed into the block, the engine passing the office at 5.35 p.m., at which time it was from 1,500 to 2,000 feet behind extra 3040. Operator Maloney was familiar with the rule authorizing an operator to allow a train not carrying passengers to follow another train not carrying passengers, under a caution indication, provided five minutes have elapsed since the passage of the first train, and said that he violated the rule in allowing extra 3083 to pass his office only one minute behind extra 3040. On the other hand, however, he said that it had not been the practice recently to adhere to the five-minute rule when helper engines were involved, saying that since the grade crossing elimination work at North Collins had been in progress, beginning during the first part of January and necessitating a slow order, helper engines had been following trains after cutting off at the top of Collins hill, in order to assist them through the territory covered by the slow order, and this had resulted in the development of the practice of permitting these helper engines to enter the block less than five minutes behind the train which they were to assist, although he said he had never been told that he should not hold them until the full five-minute period had elapsed.

Conclusions

This accident was caused primarily by the failure of Engineer Glair, of helper engine 3023, to maintain a proper lookout when running under a caution block-signal indication.

The statements of the three men on engine 3023 indicate that after reaching the long stretch of tangent track and seeing the rear end of extra 3040, a considerable distance ahead of them, none of them paid any further attention to where they were going, and the result was that it was not until the fireman had finished attending to his fire, and had gotten back on his seat box, that they saw the rear end of extra 3040, this being only a few seconds before the collision occurred. The track approaching the point of accident was straight for a distance of nearly 4,000 feet, the weather was favorable to the observation of signals, and according to Engineer Glair's own statements, the markers on the rear of extra 3040 were burning brightly. Under such circumstances, even though no flag protection was provided, and even though his engine had not been properly spaced according to the rules, the action of Engineer Glair in running down the train which he was following was inexcusable.

Rule 99A of this railroad provides that when a train gradually reduces speed between stations or at an unusual point, the engineer must whistle out a flag, and the conductor and flagman are expected to provide proper protection even though no such signal is given. Under this rule, the engineer of extra 3040 should have whistled out a flag when bringing his train to a stop preparatory to heading in at Lawtons, while it was incumbent on the conductor and flagman to take such measures as were necessary for the protection of their train, and it is probable that had a fusee been thrown off, it would have attracted the attention of Engineer Glair.

Operator Maloney did not comply with the rules requiring movements of this character to be spaced five minutes apart. The investigation showed that on account of the work in progress at North Collins, necessitating a 5-mile-an-hour slow order, the practice had developed of cutting off the helper engines as usual when approaching North Collins, and then having them follow the train and couple on again when approaching North Collins, it being considered inadvisable to have the helper engines

remain coupled to the train throughout the entire distance. It was in connection with the development of this practice that the further practice developed of allowing such helper engines to follow trains closely out of Collins, this being done in nearly all cases without enforcing the five-minute spacing requirement. If it is decided to allow such movements to be made, however, then the proper instructions should be issued to govern the situation, instead of permitting operators to violate the spacing rules and then having them placed in the position of being partly responsible in the event an accident occurs.

Attention is called to the fact that there was considerable confusion surrounding the operation of extra 3040 in this particular case. The crew had received instructions that they were to hold the main track at Collins and that the dispatcher would try to assist them against train No. 519, and on passing Collins they received a message instructing them to pull in at North Collins. The engineman, however, did not know he was to have a helper, and as he had not been given any time on train No. 519 he did not consider that he could reach North Collins for that train and therefore made the stop at Lawtons. He also stated that the message in question was the first message of this kind he had ever received on this line, and that it occurred to him it was intended to take the place of a train order, but that he did not accept it as such as it was not on the prescribed form and gave him no rights over train No. 519. His conductor, however, knew they were to have a helper into North Collins, and even when the train had been brought nearly to a stop at Lawtons, he considered that there was time enough in which to reach North Collins and went outside on the caboose platform and gave the engineman a proceed signal. It also appeared that the engineman of the helper engine thought the engine was going to North Collins for train No. 519, although he said he would have kept the same kind of a lookout even had he known the train was going to stop at Lawtons. All these facts indicate a lack of uniform understanding, which was not conducive to the safe operation of the train.

All of 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.