

## INTERSTATE COMMERCE COMMISSION.

## REPORT OF THE CHIEF OF THE BUREAU OF SAFETY IN RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE INTERNATIONAL RAILWAY NEAR ELWOOD, N. Y., ON AUGUST 17, 1922.

September 8, 1922.

To the Commission:

On August 17, 1922, there was a derailment of a passenger train on the International Railway near Elwood, N. Y., which resulted in the injury of 21 passengers. The investigation of this accident was made in conjunction with the Public Service Commission of New York, Second District.

## Location and method of operation.

This accident occurred on the Buffalo and Niagara Falls High Speed Division, a double-track electric line extending between Main and Erie Station and Terminal Station, a distance of 17.84 miles, over which trains are operated by time-table, no block system being in use. The accident occurred about 1 mile north of Elwood; approaching this point from the south the track is tangent for more than 1 mile, and for most of this distance the grade is practically level. The track is laid with 85-pound rails, from 55 to 60 feet in length, with from 28 to 32 hardwood ties to the rail-length, single-spiked, and ballasted with slag. The general maintenance of the track was good. The weather was clear at the time of the accident, which occurred at about 11.05 p. m.

## Description.

The train involved was a northbound extra passenger train consisting of 3 passenger cars, coupled, in charge of Motorman Mason and Conductors Booth, Apothaker and Jarman. After receiving passengers at the New York Central Station, it proceeded from the city station to Main and Erie Station, the junction of the city line with the high speed line, arriving there at about 10.56 p. m. Conductor Booth endeavored to call the dispatcher on the telephone for the purpose of reporting his train, but after two or three unsuccessful attempts departed without having done so, his failure to report his train not affecting its right to proceed. The train left Main and Erie Station at 11.00 p. m., and was derailed at about 11.05 p. m. while traveling at a speed estimated to have been 28 or 30 miles an hour.

The first car came to rest in an upright position on the left side of the track about 250 feet beyond the point of derailment, the second car was diagonally across the track in an upright position, while the third car turned over on its left side.

Summary of evidence.

Motorman Mason noticed that the lights used for the purpose of illuminating the platform at Elwood were extinguished and reduced speed considerably when passing that point. Just before reaching the point of derailment, he noticed that the tops of the rails seemed to be covered with dust, immediately after which he saw a hole in the track and applied the air brakes in emergency. After the derailment, he examined the track and found a hole about 4 feet in depth and 10 or 15 feet in length, while the left rail was broken. The conductors also examined the track and saw the hole which had been made. After the accident a southbound train was flogged, and after it had been brought to a stop Conductor Pensel of that train found a bag of dynamite on the southbound track, while Motorman Garrigan, also of the southbound train, said this bag was about 5 feet in front of the head end of his train, resting against a rail, with a wire extending across the running surface of the rail. He estimated that there were 50 to 60 sticks of dynamite in the bag.

Motorman Mason also said two men told him during the afternoon that he had better leave while he was able to, as he might go out on the high speed line and find a rail gone. Conductor Apothaker told of a man on the platform where the cars were being loaded, calling out to the passengers not to ride on the car, that they were taking their lives in their hands, and that if they did not believe it they would read about it in the morning paper. Similar statements were heard by Conductor Jarman.

General Claim Agent Kline was traveling in an automobile on a nearby highway and heard an explosion a few minutes before the accident occurred. He noticed that it came from the direction of the railway tracks, and on continuing to look in that direction saw the train when it was derailed. He estimated the hole to have been about 3 feet deep and from 12 to 15 feet in length. A portion of the left rail was missing, but the receiving and delivering ends of the rail remained spiked to the ties with the receiving end bent inward toward the right rail, while the track in each direction from the hole was moved slightly out of line. Mr. Kline also said that the bag of dynamite found by Conductor Pensel contained 51 sticks, and that to one of them was attached a fuse and cap.

A portion of the rail about 4 feet in length was missing, but the running surface of this part of the rail was afterwards found among some trees about 1,200 feet distant.

Conclusions.

This accident was caused by malicious destruction of a section of track by means of some high explosive, probably dynamite.

The warning said to have been given to passengers before the departure of the train, the destruction of a portion of the track by the use of explosive, and the finding on the adjoining track of a bag containing dynamite, with fuse and cap attached to one of the sticks, clearly proves this to have been a case of malicious train wrecking. The identity of the person or persons responsible for this accident was not determined.

Respectfully submitted,

W. P. Borland.

Chief, Bureau of Safety.