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INTERSTATE COMMERCE COMMISSION

REPORT OF THE CHIEF INSPECTOR OF SAFETY APPLIANCES COVERING HIS INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE INTERNATIONAL RAILWAY NEAR LOCK- PORT, N Y, ON JANUARY 25, 1913

MARCH 14, 1913

TO THE COMMISSION

On January 25, 1913, there was a rear-end collision on the International Railway near Lockport, N Y, between a northbound freight train and a northbound passenger train, resulting in the death of 1 passenger and 1 employee, and the injury of 40 passengers and 1 employee. After investigation of this accident, and of the circumstances connected therewith, I beg to submit the following report.

On January 24 an extra freight train left Lockport, N Y, at 8 30 p m, for Paynes Avenue, Tonawanda, N Y, leaving that point on its return or northbound trip at 11 53 p m. It consisted of electric locomotive No 1, 1 Q motor car, 13 freight cars and 1 Q motor car used as a caboose, and was in charge of Conductor Finn and Motormen Parker and Bradley. On this return trip a stop was made at a siding about one-half mile south of Lockport passenger station for the purpose of setting out some cars, the rear end of the train being left standing on the main track. While the necessary work was being done at this point, an extra passenger train collided with that part of the train occupying the main track.

The extra passenger train was conveying a party of Eagles from Lockport to a smoker at Buffalo, N Y, and return. This train consisted of 2 motor cars, Nos 4014 and 4017, both equipped with air brakes, and was in charge of Motorman Mack and Conductors Walk and Herbert. This train left Court Street, Buffalo, on its return trip at 1 25 a m, January 25, left Main Street, 4 93 miles from Court Street, at 1 55 a m, and collided with the rear of the extra freight train at about 2 20 a m. The distance from Main Street to the point of collision is about 19 miles, so that the average speed of the train between the two points was about 46 miles per hour, including two stops which were made en route.

The motor on the rear of the freight train and the freight car ahead of it telescoped, while the vestibules of both passenger cars were crushed, Motorman Mack being killed at his post.



This part of the International Railway is a single-track line, power being transmitted by an overhead trolley system. No block signals are used, trains being operated by train orders transmitted both by telegraph and telephone. Approaching the scene of the accident from the south the track is straight and the rear end of a train may be seen a distance of about 2 miles. The accident occurred within the yard limits of Lockport. Motormen on these cars are furnished with seats and are in a compartment separate from the passengers. The weather at the time was clear.

In his testimony Flagman Crogan of the freight train stated that the crew of his train had received a verbal order to look out for a special train leaving Buffalo at 1 30 a. m. When the siding at Lockport was reached he went back about 1,500 feet in order to protect his train. In the distance he saw flashes on the trolley wire which indicated that another train was approaching. This train was a long distance away and the headlight was not burning. He then ran back about 300 feet farther, swinging his red lantern. As it approached him, however, the train did not slow down, neither was any signal given. When the passenger train had nearly reached him he jumped from the track and threw his red lantern at the train, hitting the front vestibule of the first car. The motorman of the passenger train did not heed his signals or reduce the speed of his train, and it collided with the rear of the freight train while running at full speed. Flagman Crogan further stated that the rules only require the use of torpedoes in foggy or stormy weather, or when the view is obscured, and as the weather was clear and the view unobstructed, he did not think it necessary to take any with him when going back to flag.

Motorman Parker of the freight train stated that he heard the brakeman remark that the special was coming in another minute. He then heard someone call out, and on looking saw the flagman jump from the track and also saw the special coming at which time it was about at the point where the flagman jumped from the track.

Head Brakeman Kirkman of the freight train stated that while working at the siding he saw flashes on the wire toward Buffalo, indicating the approach of a train. He heard the flagman shout twice and just afterwards the passenger train hit the rear of the freight train. He thought the flagman was back quite a distance judging by the sound of his voice.

Conductor Finn of the freight train stated that he told Flagman Crogan to look out for the extras that were following them. He saw the flagman get off and go back just before the freight train came to a stop at the siding. After that he did not see the flagman until after the collision. He was at about the middle of his train when he heard the flagman call twice. He judged from the sound of the flagman's voice that the latter was a long distance back. After the accident he

ran to the rear of his train and saw the flagman about 400 feet away running in toward the point of collision. The rear car of his train was lighted and the two markers were burning.

Conductor Walk of the passenger train stated that at Paynes Avenue his train stopped and he and the motorman found an order in the operator's booth directing them to look out for a freight train ahead. He knew nothing about the accident. Conductor Walk also stated that he was a member of the local aerie of Eagles, and had requested and obtained permission from the superintendent to attend the smoker.

Conductor Herbert, in charge of the trailer on the passenger train, stated that he did not know how the accident occurred. He believed his train was running at full speed when it collided with the freight train. He stated that after reaching Buffalo and putting the train away he went to the smoker, accompanied by Conductor Walk and Motorman Mack, arriving there at about 9 o'clock and remaining until about 10 minutes of 12. He stated that while there all three drank some beer, at least two bottles apiece. On the way from the smoker to the car barn the motorman showed no signs of intoxication. All three employees were furnished tickets gratis for the purpose of attending the smoker.

Superintendent Cherry testified that a committee of the local aerie of Eagles had requested that Motorman Mack be placed in charge of the motor car on this trip, as he was a prospective member of the organization. This request was granted.

A chemical analysis of the stomach of Motorman Mack was made by Dr. A. P. Sy, of the University of Buffalo. This analysis showed the presence of alcohol, thus supporting the statements of Conductor Herbert that the motorman had been drinking.

On the evening of January 27 a test was conducted at the siding at Lockport, under conditions similar to those prevailing at the time of the accident. A motor car fully equipped with markers was placed at the point where the rear end of the freight train stood, and Flagman Crogan took his station at the point where he claims he stood when he first saw the extra passenger train approaching, with instructions to flag as on the morning of the collision. Another motor car was then backed to the last point from which the markers of the standing car could be seen, about 2 miles distant, and run at the regular rate of speed until opposite Flagman Crogan, the power was then shut off and the air brakes applied in emergency. The car was stopped in a distance of about 550 feet, or 360 feet from the standing car. The flagman could be plainly seen for a distance of nearly three-fourths of a mile. The extra passenger train consisted of two motor cars, while the test was made with one motor car, yet it is believed that Motorman Mack could have stopped his two-car train

in time to avert the collision, even though he had not shut off the power and applied the brakes until his car reached the flagman.

Time-card rule No. 18 provides that when protecting their trains flagmen shall go back 1,200 feet. It will be noted that while Flagman Crogan testified to going back 1,500 feet, and then running an additional 300 feet when he saw the approaching train, yet when the test was made he stood only 910 feet from the rear of the train he was supposed to be protecting. Under the favorable condition existing at the time of the accident, however, this distance was sufficient to enable an approaching train to be brought to a stop had the signals given by the flagman been obeyed.

Motorman Mack went on duty at 5 55 a. m., January 24, after a period of 10½ hours off duty, worked until 10 55 a. m., went on duty again at 1 10 p. m., worked until 4 50 p. m., went on duty at 7 p. m., and worked until 9 p. m. From 9 p. m. until 12 midnight he was at the smoker given by the Eagles, then he went on duty and remained on duty until 2 20 a. m., January 25, when the accident occurred. He was employed on June 9, 1898, and on December 25, 1905, he was removed from main-line service for one year on account of running orders, otherwise his record was good.

This accident was caused by Motorman Mack failing to see and obey stop signals given by Flagman Crogan, who was back a distance sufficient to protect his train had his stop signals been observed and obeyed. Motorman Mack also failed to obey time-card rule No. 9, which provides in part as follows:

All trains must reduce speed and be under full control in yard limits, expecting to find the main track occupied by other trains.

It is believed that Motorman Mack was either asleep or so incapacitated as to be unable properly to perform his duty. If he was asleep, the fact that he had been drinking, coupled with lack of opportunity for adequate rest, undoubtedly explains his condition.

While not strictly on duty when at the smoker, it is believed that Motorman Mack, together with Conductors Walk and Herbert, violated the spirit of rule No. 5a, prohibiting "drinking intoxicating liquors of any kind while on duty." These employees knew that they were to return to duty within a short time, and it is believed that proper observance of the real intent of the rules of the company relative to drinking intoxicating liquors should have required that they refrain from indulging in them during the short period of time in which they were relieved from duty. Railroad service requires steady, efficient, and ever alert employees, with a full appreciation of their duties and responsibilities, held up to their work by proper methods of supervision and discipline, and it is bad practice for any person connected with the operation of a railroad to indulge in intoxicating

liquors at any time, whether on duty or off duty, if the proper degree of safety and efficiency is to be maintained, in fact many railroads, by their rules, prohibit the drinking of intoxicating liquors at any time, under penalty of dismissal

The service performed by Motorman Mack was not a violation of the hours of service law, as he was not on duty more than 16 hours in the aggregate in the 24-hour period. In this particular case, Motorman Mack, on account of the short interval between trips, probably had had no sleep from the time he went on duty at 5 55 a m, January 24, until about 2 20 a m, January 25, or a period of 20 hours and 25 minutes. Such short intervals between trips as were enjoyed by Motorman Mack do not furnish opportunity for adequate rest, and employees working under such conditions can not be considered as having had the rest necessary to enable them to perform their duties in the best possible manner. To provide proper safety, interrupted service of this character, covering such a length of time as existed in this case, should not be required or permitted.

The rules of the International Railway do not require the use of torpedoes unless the view of an approaching train is obscured by fog, stormy weather, or in some other manner. Had the rules required their use under all conditions, and had they been obeyed, it is probable that if Motorman Mack was asleep the detonation of the torpedoes would have awakened him in time to enable him to bring his train to a stop and avert the collision. In the endeavor to secure the maximum degree of safety, the rules should require the use of torpedoes under all conditions.

Respectfully submitted

H W BELNAP,
Chief Inspector of Safety Appliances

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