

INTERSTATE COMMERCE COMMISSION.

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON A
MINE SIDING, LEADING FROM THE LOUISVILLE & NASH-
VILLE RAILROAD, AT ALDRIAN, KY., ON FEBRUARY 14,
1924.

April 17, 1924.

To the Commission:

On February 14, 1924, there was a collision between a freight train and a cut of loaded coal cars which were standing on an industrial spur track leading from the Louisville & Nashville Railroad, at Aldrian, Ky., resulting in the death of two employees.

Location and method of operation.

This accident occurred on what is known as the Terry's Fork Branch of the Kentucky & Virginia Railroad. This is a spur track which is the property of the Wallins Creek Collieries Company, movements of cars to and from this track being made by the railroad company. It is about a mile in length, extending generally southward from its junction with the main line of the Louisville & Nashville Railroad at Landis, Ky., located 516 feet south of Wallins, which station is on the Cumberland Valley Division 7.32 miles north of Loyall, Ky. Aldrian is situated at the southern end of the spur. The north switch of the load track at this point is a facing-point switch for southbound trains and leads off the spur through a No. 9½ turnout, the load track paralleling the spur on the east for a considerable distance. The spur is protected by a split-switch derail located in the load track at a point 204 feet south of the spur track switch-stand; the accident occurred on the load track, 264 feet south of this switch-stand. The switch-stand, of the low type, is on the engineman's side of a southbound engine; it is not equipped with a switch-light. The spur track, its subsidiaries and switches, are maintained by the Louisville & Nashville Railroad at the expense of the collieries company. The speed is restricted to 10 miles an hour. Approaching the point of accident from the north the track is composed of several sharp curves and short tangents, followed by a tangent of 695.3 feet, the accident occurring on this tangent at a point 239 feet from its southern end. The grade is ascending for southbound trains, varying from 1.28 to 3 per cent, being 2.74 per cent at the point of accident. The track is in bad condition and poorly maintained. The view was considerably restricted. It was nazy at the time of the accident, which occurred at about 11.05 p.m.

Description.

Freight extra 1525 consisted of engine 1525 and a steel underframe caboose with end platforms, and was in charge of Conductor Williams and Engineman Marcum. This train left Loyall at 9.55 p.m., with instructions to clear the loaded cars from several mines, including Aldrian. It arrived at Wallins at 10.25 p.m., and departed from this point at 10.54 p.m., making a back-up movement over the Terry's Fork Branch to Aldrian. At this point the north switch had been lined and spiked for the load track, however, no notice of this fact was given to the crew of extra 1525, and just after being diverted to the load track the rear end of the caboose collided with the north end of a cut of seventeen loaded coal cars while traveling at a speed of about 4 miles an hour.

None of the equipment was derailed. The tender was slightly damaged and the adjacent caboose platform was broken. The employees killed were two brakemen, who ran through the caboose from the rear platform just prior to the accident and were crushed between the tender and caboose.

Summary of evidence.

Conductor Williams stated that extra 1525 backed up the industrial spur toward Aldrian with a lighted fuses on the rear end of the caboose, the caboose lights and markers burning, and the back-up nose in its proper position. The three brakemen were riding on the platform at the rear end of the caboose, each having a lighted lantern, and the conductor was in the cupola. Just before the accident occurred Conductor Williams started to descend from the cupola, when he heard Brakeman Mays shout, "Look out!" Then Brakemen Bishop and Gobble ran through the caboose and immediately afterwards the rear end of the caboose struck the cut of loaded coal cars. Conductor Williams estimated the speed of the train to have been between 6 and 8 miles an hour when passing over the load track switch, and from 4 to 6 miles an hour at the time of the accident. He stated that he had received instructions to move the loads from Aldrian, but had no information in regard to the track conditions at that point. It was intended to back up beyond the switch, uncouple the caboose and leave it standing on the spur while the coal cars were pulled from the load track, then recouple the caboose on the rear end of the loads. After the accident he inspected the back-up hose and brake valve and found them to be in good working order; he stated that it was the duty of Brakeman Bishop, the ranking brakeman, to have operated the back-up hose brake valve or to have seen to it that one of the other brakemen attended

this duty. Conductor Williams further stated that the main driving wheels of the engine came to a stop immediately over the point of the switch point derail, which was set in derailing position.

Engineman Marcum stated that the speed of extra 1525 while backing up the hill was about 10 miles an hour. He did not realize that his train was on the load track until the caboose was within a few feet of the coal cars, when he saw by the reflection from the lighted fusee at the rear of the caboose. Thereupon he immediately shut off and applied the air brakes in emergency, after which he received a stop signal from the caboose, and although the air brakes took effect properly it was too late to avert the accident. He estimated the speed at the time of the accident to have been about 4 miles an hour, and stated that had the air brakes been applied from the rear end of the caboose by means of the back-up hose brake valve the speed would have been reduced sufficiently to have prevented damage of any consequence. Engineman Marcum further stated that he had received no notice of track conditions, and there was no switch light or danger signal displayed at Aldrian.

Brakeman Mays stated that there was no target on the switch-stand and he did not realize that the caboose was on the load track until its rear end was about over the derail. On seeing the coal cars a short distance away he shouted a warning of danger, then got off the caboose, gave a stop signal, and Engineman Marcum applied the air brakes. He stated that had Brakeman Bishop and Gobble gotten off the caboose when he gave warning of danger they probably would have been unhurt; that the front end of the caboose stopped just about opposite where he jumped off; and that the back-up hose was hanging on the caboose ladder, the brake valve being within easy reach of Brakeman Gobble.

Section Foreman Hyden stated that two days prior to the accident a train was derailed at the north switch of the load track at Aldrian, damaging the frog to such an extent that it was necessary to remove it, which was done the following day and a new one ordered. Mr. Hyden said he then went to the operator's office at Fallins with the intention of notifying the chief dispatcher of the track condition, but on learning that the assistant trainmaster had already sent two messages fully setting forth the

conditions in this respect he did not deem further action necessary in this connection. On the day prior to the accident the mine superintendent at Aldrian requested him to install a section of rail at the point where the frog had been removed, in order to haul empty cars to the mine, and accordingly the track was temporarily repaired for movements over the spur, he then sent a joint message from Wallins shortly after 4.30 p.m., addressed to Chief Dispatcher Corden and Car Distributor Stopinski, reading as follows:

"You can place empties in Aldrian but
can't move the loads unless section men
are on hand to change the track."

Early in the morning of the day of the accident he was called to cut the spur over to the load track, which was done, in order to pull loaded coal cars out. The track was then left lined and the switch spiked for the load track, it having been necessary to remove a section of rail from the spur, leaving a space of about 15 feet in that track, in order to cut the track over, the derail in the load track was set to derail. At 5.32 p.m. the day of the accident he sent the following message, addressed to the same officials as in the message previously quoted:

"You can move the loads from Aldrian but
can't place empties unless section men
are on hand to change track."

Section Foreman Hyden was of the impression that this action on his part would suffice to protect the abnormal condition of the track at Aldrian, and that necessary bulletins would be issued to cover the situation; also that he would be called to make any changes necessary in the event movements were to be made requiring this to be done, as was the case early in the morning of the day of the accident. Mr. Hyden further stated that there was no light on either of the switches at Aldrian, and that switch lights are not used on branch lines leading to mines.

Chief Dispatcher Warren stated that when he went on duty the morning of the day prior to the accident, among the papers on his desk was a message from Mr. Corden, addressed to himself and two other officials, relative to a derailment at Aldrian on the night of the 12th. He laid the message aside, intending to give it further attention after he disposed of the usual morning reports, but he was extremely busy this particular morning and it escaped his memory and he had no recollection of seeing it again; this derailment occurred on a branch line, but had

it been on the main line no doubt immediate action would have been taken. Shortly after 5.30 p.m. of the day of the accident he stated another message was received relative to the track at Aldrian, but he did not remember having seen this message. Chief Dispatcher Warren said he does not look at message after the assistant chief dispatcher comes on duty at 2.30 p.m., as his time is taken up in handling correspondence and other duties. He considered it of the utmost importance, and it is customary, to notify trains of unsafe track conditions, and stated that it is the duty of the chief dispatcher or his assistant to issue special bulletin order, Form 49, in this connection. In the majority of cases this is done, but there have been instances when the car distributor, who also has the designation of assistant chief dispatcher, has issued bulletins. Also that in the event a message is received in regard to track conditions addressed jointly to the chief dispatcher and the car distributor it is the duty of the chief or the assistant chief dispatcher, whichever one is on duty at the time, to arrange for the issuance of a Form 49 bulletin to protect the situation. He further stated that Assistant Chief Dispatcher Vaughn was on duty at the time the message relative to track conditions at Aldrian was received on the afternoon of the day of the accident, and should have issued a new special bulletin order, Form 49, covering the situation as it existed at that time. Mr. Warren stated that had he received either message sent by Section Foreman Hyden in both instances he would have issued Form 49 accordingly, and admitted that he was negligent, to a certain extent in overlooking the message sent by Assistant Master of Trains Cowden and not issuing Form 49 to all concerned, his only excuse being pressure of routine work.

Assistant Chief Dispatcher Vaughn stated he saw the message sent by Assistant Master of Trains Cowden, in regard to the derailment on February 12th, and also the message sent by Section Foreman Hyden, relative to track conditions at Aldrian, shortly after 5.30 p.m. on the date of the accident herein under investigation. He understood that there was some defect in the track at Aldrian but assumed that as customary a bulletin covering the situation had been put out at the time Mr. Cowden's message was received, although he made no check to see whether or not a 49-order had been issued. Upon receipt of the section foreman's second message he showed the same to Car Distributor Stopinski, who informed him that he had received a copy of the message and if he had the loads moved he would instruct the crew moving them. He also stated that in his opinion had a bulletin been originally issued regarding track conditions, at the time Mr. Cowden's message was received, sufficient protection would have been afforded, except in the event

of any special movement to be made over the damaged track, then the crew should be specifically instructed. In regard to the issuance of special bulletin orders, Form 49, ordinarily when information, requiring that a bulletin of this character be issued, is given direct to the track dispatcher by section foreman or others, the track dispatcher issues the bulletin without further instruction, but at times when the chief dispatcher receives information of this nature in the form of a message, he notifies the track dispatcher who in turn issues the bulletin. Had a special bulletin order been issued in the first instance, he did not think it would have been proper to issue a second bulletin, modifying the original one, as this may have been confusing to crews. Also that there are precedents of like nature where the attention of a crew has been called to modification of certain parts of an existing special bulletin order, in lieu of issuing a new one. Assistant Chief Dispatcher Vaughn further stated that he assumed that some other official had issued a bulletin as it is customary for the party on duty receiving the message to do this, but did not make any check to ascertain definitely whether that had been done.

Car Distributor Stopinski stated it is his duty to instruct mine crews in the handling of coal cars to and from the mine tracks. In the event it is necessary to bring the attention of trainmen to unusual conditions affecting the movement of trains a special bulletin order, Form 49, is issued from the chief dispatcher's office. Mr. Stopinski also stated that he does not handle any messages addressed to the chief dispatcher, that he received a copy of the joint message sent by Assistant Master of Trains Cowden, and also copies of the two joint messages sent by Section Foreman Hyden; that he issued instructions calling a mine crew for 9.30 p.m. on the night of the accident to move loads from mine tracks, including Aldrian, that he understood from the section foreman's second message that movements could not be made south of the north load track switch without calling the section men; that it did not occur to him that the existing track conditions at Aldrian had not been protected by special bulletin order, that at the time Assistant Chief Dispatcher Vaughn showed him the second message sent by Section Foreman Hyden he had no intention of having the loads moved that night, and that in this instance it was the duty of Assistant Chief Dispatcher Vaughn to have issued a special bulletin order.

Night Chief Dispatcher Mitchell stated that in the event a joint message is received, addressed to the chief dispatcher and the car distributor, relative to any condition of which train crews should be informed it is the duty of the chief dispatcher to see to it that bulletins

are put out immediately upon receipt of such information, and that they are addressed to the car distributor merely as a matter of information so that he can arrange his mine work accordingly. Mr. Mitchell stated that about midnight the 13th the car distributor turned over his transfer to him with instructions to have the mines at Aldrian worked, and a note in that empties could be placed at this mine but that loads could not be moved unless the section force was on hand to make some change in the track. He then instructed the conductor of the crew that moved the loads from Aldrian early in the morning of the day of the accident to have the section men make the necessary change in the track in order to make this movement, which was done.

Road Master Gloster stated that the industrial spur and load tracks were put in about 1911 or 1912, and at that time the output of the mines was such that it was not considered necessary to equip the load track switches with switch lights, and although the output of the mines has increased considerably, making night switching necessary at times, nothing has ever been done toward installing switch lights. He was of the opinion that had the north load track switch at Aldrian been equipped with a switch light the accident would not have occurred.

Conclusions.

This accident was caused by the failure of Chief Dispatcher Warren and Assistant Chief Dispatcher Vaughn to issue proper notice to train crews of defective track conditions at Aldrian.

Rule 118 of the rules of the operating department reads as follows:

"Special bulletin order, Form 40, will be used as prescribed to notify trains by wire of defects in tracks, switches, bridges and other structures, also of obstructed passing sidings, and for any other purpose where the safety of trains is involved."

It is the duty of the chief dispatcher or his assistants, as the case may be, to see to it that the necessary special bulletin orders, Form 49, are properly issued. Had Chief Dispatcher Warren immediately issued a special bulletin order upon receipt of the message from Assistant Master of Trains Cowden on February 12 instead of laying it aside, this accident probably would have been avoided. Had Assistant Chief Dispatcher Vaughn properly handled the second message from Section Foreman Hyden, which he received shortly after 5.30 p.m. February 14, this accident undoubtedly would have been prevented.

Had this switch been equipped with a switch light this accident probably would not have occurred.

All of the employees involved were experienced men. 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.