

November 21, 1912.

In re Investigation of Accident on the Louisville & Nashville R. R., at Kiser-ton, Ky., September 20, 1912.

On September 20, 1912, there was a derailment of a passenger train on the Louisville & Nashville Railroad at Kiser-ton, Ky., resulting in the injury of 22 passengers and 3 employees.

After investigation, I beg to submit the following report:

This accident occurred on the Kentucky Division of the Louisville & Nashville Railroad. At the time of the accident this part of the road was being double-tracked, and to assist in the construction work a temporary switch had been placed in the track just north of Kiser-ton. The points of this switch faced north; approaching from the north there is a curve to the left of about $2\frac{1}{2}$ degrees and about 1200 feet long, extending to the switch. About 300 feet south of the switch there is an operator's cabin, and beginning there is a curve to the right about 2200 feet long. At this point the grading and excavating were being done by a construction company which had two engines in use for operating ballast trains. The conductors in charge of these trains were employed by the Louisville & Nashville Railroad Company, but the other trainmen were employed by the construction company.

On the morning of the accident this temporary switch was left open, and at 9:50 a. m., southbound local passenger train No. 37, consisting of an engine and two baggage and two passenger cars running from Cincinnati to Knoxville, ran into this open switch and struck some empty construction cars. The engine and tender went off on the right-hand side of the track and turned over on their left sides. The front trucks of the first baggage car were derailed but the other three cars remained on the track.

At the time of the accident the weather was warm and clear. The country in the vicinity of the place where this accident occurred is hilly and as the switch was located near the end of a curve which passes through a cut about ten feet high, the view of both the engineman and fireman of train No. 37 was obstructed, the engineman not being able to see the switch until within about 200 feet of it. The switch was not damaged and after the accident was found locked in the side-track position. Owing to the construction work in progress, orders had been issued requiring trains to run at low speed over the track just north of where the derailment occurred, and it was estimated that the speed of the train at the time of the accident was 18 or 20 miles per hour.

About an hour before this accident occurred, engine No. 21 had pushed the construction cars over this switch into the siding. Conductor Brown in charge of this engine had operated the switch, and the members of

the crew of this train state positively that after this movement had been completed Conductor Brown closed the switch and locked it in main track position. Operator Blevins who was on duty at the cabin near the switch stated that when this train passed his cabin he got on the pilot and rode to the switch. He stood there talking with Conductor Brown until the cars had been set out and stated that the conductor then threw the switch to the main track position and locked it, taking his key from the lock. The switch lock was so constructed that the key could not be withdrawn until the switch was locked.

The construction crew was working near this switch. The assistant foreman in charge of this crew stated that on the morning of the accident he had not been nearer the switch than about 600 feet. The section foreman had been at work at Kierston since seven o'clock, and the foreman of the extra crew stated that he had not been near the switch on the morning of the accident. Each of the men known to have had switch keys in their possession states positively that he did not leave this switch in the side-track position, and unless some unknown person had a switch key, the problem of fixing the responsibility for this accident resolves itself into a question of the veracity of the men involved.

This derailment was caused by an open switch which had been left in that position by some unknown person.

Had there been a distant signal installed in connection with this switch it is probable that the accident would not have occurred, and in a situation of this kind where the view of the switch for approaching trains is obstructed until within a very short distance of the switch, it is believed that a distant signal should be installed.

All of the employees involved in this accident were experienced men with good records, and none of them was working contrary to any of the provisions of the hours of service law.