

**In re Investigation of an accident which  
occurred on the Louisville, Henderson  
& St. Louis Railway, near Baskett,  
Ky., on May 29, 1917.**

**July 16, 1917.**

On May 29, 1917, there was a head-end collision between a freight train and a light engine, near Baskett, Ky., on the Louisville, Henderson & St. Louis Railway, which resulted in the death of three employees and the injury of one employee. After investigation of this accident the Chief of the Division of Safety reports as follows:

This railway is a single track line extending westward from Strawberry, Ky., to Henderson, Ky., a distance of 157.1 miles. Between Louisville and Strawberry, a distance of 5.9 miles, and between Henderson and Evansville, Ind., 12.2 miles, the trains of this railway are operated over the tracks of the Louisville & Nashville Railroad. No block signal system is in use, train movements being governed by time-table and telegraphic train orders.

Approaching the point of collision from the east there is a 0.5 per cent. ascending grade, 1.5 miles in length, which extends to within 500 feet of the point of accident; at that place there begins a 0.4 per cent. descending grade, one mile in length. The collision occurred in what is known as Posey's Cut, the sides of which extend 8 feet above the level of the rails; and 435 feet from the western end of a 3-degree 40-minute curve to the left for westbound trains, 1,420 feet in length; westward from this curve the track is tangent for 2-1/2 miles.

On the morning of May 29th, locomotive 23, in charge of Engineman Wilson and Fireman Jolly, assisted in hauling extra 22 westward from Louisville to Henderson, 143 miles. At Henderson locomotive 23 was removed from the front end of the train and coupled to the rear, and then helped the train on to the Ohio River bridge. It was then detached and returned to the telegraph office at Henderson, where the following train orders were received by the engineman:

Order No. 13: "Let 163 Eng. 23 wait at Spotteville until Five 5.00 a. m. and at Baskett until Five Ten 5.10 a. m. for Exn. 23 East."

Order No. 24: "Eng. 23 run Exn. Henderson to Shops and has right over and No. 163 Eng. 704 Henderson to Owensboro."

Extra 23 left Henderson at 4.57 a. m., and collided with train 1st No. 163 in Posey's Cut, 1.7 miles west of Baskett and 5.4 miles east of Henderson.

Westbound freight train 1st No. 163 consisted of 18 loaded cars, 1 empty car and a caboose, hauled by locomotive 53, and was in charge of Conductor Rice and Engineman Penner. It left Louisville at 8.40 p. m., May 28th, en route to Howell, Ind., and reached Owensboro at 3.33 a. m., May 29th, where some cars were set out and water was taken, and where the conductor received two Form 19 orders, Nos. 16 and 19, as follows:

16. "No. 146 Eng. 27 run ten 10 mins. late  
Conway to Shops."

19. "1st No. 163 Eng. 33 has right over No.  
166 Engs. unknown Owensboro to Henderson."

He also received order No. 18, on Form-31, previously quoted, to which order he signed his own and his engineman's name. The operator gave him two sets of copies of the orders, and he boarded the locomotive and handed the engineman his set, the latter without reading them handing the orders to the fireman. Train 1st No. 163 left Owensboro at 3.45 a. m., 30 minutes late, picked up some cars at Conway, 0.8 mile distant, there being 15 loaded cars and a caboose in the train when leaving there. It passed Baskett at about 5.00 a. m., where train order No. 18 required that it wait until 5.10 a. m., and at about 5.05 a. m. it collided with eastbound extra 23.

Both locomotives were telescoped and two cars in train 1st No. 163 were practically destroyed. Both the engineman and fireman of extra 23 were killed, as was the fireman of train 1st No. 163. At the time of accident the weather was clear.

The time-table of this railway contains the following speed restrictions:

"Passenger trains will not exceed fifty (50) miles per hour and other trains thirty-five (35) miles per hour.

In addition, Bulletin No. 4139, issued May 1, 1917, provides as follows:

"All Trains! Do not exceed ten (10) miles per hour over track in Posey's Cut."

Rule 210, of the book of rules of the Louisville &

Nashville Railroad, which is used by this railway, provides that before an operator delivers a Form-31 order to members of a train crew, those to whom the order is addressed must first sign it. After the "complete" has been received from the dispatcher, a copy of the order is delivered to each person addressed, and each must then read his copy aloud to the operator. Conductors must show to their flagmen, and engineers to their firemen, promptly, all orders received by them, and know that they are understood. Should the conductor fail to show the orders to the flagman, or the engineer fail to show or read the orders to the fireman, the flagman or fireman must ask for the orders.

Conductor Rice, of train 1st No. 163, stated that his train reached Owensboro at 3.30 or 3.35 a. m.; that the engineer and the rest of the crew then engaged in setting out cars and taking water; and that he himself went to the telegraph office, got orders Nos. 16 and 19, on Form 19, and order No. 18 on Form 31. He stated that, in order to save time, he did not have the engineer come to the office to sign order No. 18, but personally signed the engineer's name, in addition to his own. He said that the operator then gave him two sets of the orders, one for himself and the other for the engineer; that he boarded the locomotive and, without unfolding or examining it, gave the engineer one set of the orders; that he stood back of the engineer from Owensboro to Conway, where there were cars to be picked up, and opened his orders and read them. He thought he read them aloud, and for that reason believed that the engineer was acquainted with their contents. Conductor Rice stated that the engineer, without looking at his orders, handed them to the fireman, who read them, although he did not know whether or not order No. 18 was among them, as he did not pay any attention when the fireman opened them. He further stated that, when he got off the engine at Conway the fireman still had the orders, so far as he knew. His train departed from Conway immediately after the arrival of eastbound train No. 146. Conductor Rice also stated that he knew that order No. 18 required that his train wait at Baskett until 5.10 a. m., but that he was busy with his reports, did not mention anything about the orders to his flagman and the head brakeman, who were riding in the caboose, and overlooked the orders until the collision occurred, about 5.05 a. m.; the speed of his train was about 18 miles an hour at the time. Conductor Rice stated that he has not made a habit of receiving orders without reading them or having them read to him, but did it in this instance in order to save time; he also said that it is not the custom for the engineer to hand orders to the fireman without reading them.

Engineman Penner, of train 1st No. 163, was injured in the collision, and was unable to be present at the investigation, but a statement was made and signed by him, and filed by Trainmaster Hensley, part of which is as follows:

"I left Owensboro on train No. 163, morning of May 29, 1917. It seems we had three orders; Conductor Rice handed me the orders but I didn't read them, but passed them to the fireman to read. When he passed them back, two or three minutes later, I got only two orders. I read them and they gave me the right of track to Henderson. He must have lost the third order, although I am not sure the third order was handed me by Conductor Rice. At the wreck Conductor Rice said that it was an extra east and that we were to wait at Baskett until 5.10 for them. I think it was 3.07 a. m. when we struck. It was 4.55 when we passed Spottsville; we slowed through Spottsville, and I think it was about 12 minutes after I looked at my watch until the wreck."

Head Brakeman Morierity, of train 1st No. 163, stated that he was in the telegraph office at Owensboro when the operator gave the conductor his orders; he did not hear the operator read the orders to the conductor, but did hear him say that there was a "wait" order, a "time" order on eastbound train No. 146, and a "right of track" order on eastbound train No. 163. Brakeman Morierity stated that he boarded the locomotive at Owensboro and rode on it to Conway; he was in the cab while the conductor read to the engine-man order No. 16, but he then crossed over the fireman's side and heard no more of what was said by the conductor and engine-man concerning the orders. He also stated that he did not ask the conductor to read the orders to him, and the latter said nothing about them; and that he did not know that it was intended that his train should wait at Baskett until 5.10 a. m. for extra 23. Brakeman Morierity stated that he did not ask to see the orders, or to have them read to him, because he was busily talking about the work to be done at Conway, where cars were to be picked up, although after leaving Conway there was opportunity to read the orders, if he had desired to do so.

Flagman Wilson, of train 1st No. 163, stated that the conductor usually showed him all orders, but in this instance failed to do so after getting the orders at Owensboro, and he did not see the orders or have anything said to him about them until after the collision. He thought the speed of his train was about 20 miles an hour at the time of the collision.

Operator Rice, at Owensboro, stated that when Conductor Rice, of train 1st No. 163, came into the telegraph office, he took order No. 18, put it in the window and Conductor Rice signed it, writing his own and the engineman's name. Order No. 18 was then made complete and he delivered to the conductor two copies of each of two Form-19 orders and of order No. 18; one set of these orders, containing order No. 18, was for the engineman and was folded once through the middle, the other set being for the conductor. Operator Rice stated that rule 210 required that Form-31 orders be compared by the operators with those who sign them; and that when he delivered the orders to the conductor he read to him, from his own copy, the most vital portions. He stated that it is the practice at Owensboro for a conductor to sign the name of his engineman to orders, then taking the orders to the engineman.

Trainmaster Hensley stated that, according to the switch tower operator at Henderson, eastbound locomotive 23 departed from that place at 4.57 a. m. The distance between Henderson and Baskett is 7.1 miles, and, according to train order No. 18, westbound train 1st No. 163 was to wait at Baskett until 5.10 a. m., thus leaving 13 minutes for locomotive 23 to run to Baskett. The speed limit for other than passenger trains is 35 miles an hour, and the speed through Posey's Cut, a distance of about 2,500 feet, is restricted to 10 miles an hour. To comply with these restrictions, about 14 minutes would have had to be consumed by locomotive 23 in making the run between Henderson and Baskett. Trainmaster Hensley stated that, judging from conditions found at the scene of accident, the speed of locomotive 23 must have been at least 45 miles an hour when the collision occurred.

Concerning Form-31 train orders, Trainmaster Hensley stated that he knew that it was the practice at times for the conductor to sign both his own and the engineman's name thereto, and he admitted that he by his silence had sanctioned that practice.

Regarding the employees involved, Trainmaster Hensley stated that he knew all of them personally, had ridden with them on different occasions, and considered them above the average as to reliability.

Train Dispatcher Myers, at Louisville, stated that train order No. 18, on Form 31, was made complete at Henderson at 4.55 a. m., at which time the engineman of extra 23 signed it, thus providing only 15 minutes in which to go to Baskett; that, in order to comply with all speed restrictions, between 12 and 15 minutes would be consumed in the run from Henderson

to Baskett; that locomotive 23 should have had 19 or 20 minutes, to cover that distance and clear a train; and that there was no open telegraph office between Owensboro and Henderson at the time train order No. 18 was made complete. Dispatcher Myers stated, however, that if he had known positively that extra 23 was going to leave as soon as order No. 18 was received, he would not have issued it, but would have issued a "meet" order.

This accident was caused by the failure of the crew of train 1st No. 163 to comply with the requirements of order No. 18 and wait at Baskett until 8.10 a. m. for extra 23. The investigation disclosed that there existed a very lax method of handling train orders. Rule 210 plainly requires that Form-31 train orders shall be signed by those to whom they are addressed; and that each person, after receiving his copy of the order, must read it aloud to the operator. Order No. 18 was addressed to the conductor and engineer of train 1st No. 163; the conductor, however, was the only one who signed it, at Owensboro, he signing the engineer's and his own name. Conductor Rice stated that because of work on his reports, he overlooked the order requiring his train to wait at Baskett until 8.10 a. m., and did not think of it until after the accident occurred. When the conductor delivered to the engineer his set of copies of the orders at Owensboro, the engineer, without reading them, turned them over to his fireman, and claims that order No. 18 was not among those handed back to him by the fireman. Such disregard of so important a rule as No. 210, as was displayed by the crew of train 1st No. 163 in this instance, cannot fail sooner or later to result in accidents of this character.

However, much as the conductor and engineer of train 1st No. 163 are at fault for their careless manner of handling train orders, especially in receiving them, no small share of the responsibility for such laxity must be borne by those who are charged with the operation of this railway. The trainmaster admitted that he knew that conductors signed the names of their engineers to orders, and that silently he permitted this practice,--an especially dangerous one on roads such as this, where there is no block signal system in use and where train orders serve as the only notice of the approach of extra trains.

Conductor Rice entered the service of this railway as a brakeman April 30, 1905, and was promoted to conductor March 20, 1910. Engineer Penner was promoted to engineer December 12, 1910. Both had good records.

At the time of the accident the entire crew of train 1st No. 163 had been on duty 8 hours and 55 minutes, and the crew of extra 23 had been on duty 13 hours. The shortest period off duty of any of the employees involved, prior to starting on this trip, was 14 hours and 50 minutes.