

SUPERIOR, WISCONSIN, ACCIDENT

Report of H. W. Belnap, Chief Inspector of Safety Appliances, to the Interstate Commerce Commission.

July 21, 1911.

Interstate Commerce Commission,
Washington, D. C.

Dear Sirs:

The Minneapolis, St. Paul and Sault Ste. Marie Railroad on July 5, 1911, reported a head-end collision occurring near Superior, Wis., which resulted in the death of 4 and the serious injury of 2 employees. This accident was investigated by Inspectors Merrill and Stricklan, who were in that immediate locality, and I submit herewith a synopsis of their report.

ACCIDENT.

On July 5, 1911, at 5:50 a. m., near Superior, Wis., on Menadji River Bridge, on the Minneapolis, St. Paul & Sault Ste. Marie Railroad, occurred a head-end collision of engine No. 2649 and caboose, north, with double-header engines Nos. 2414 and 2421, with 29 cars of gravel, south, the caboose of the latter train being ahead of the engines. As a result of the accident 4 employees were killed and 2 injured. The crew responsible had been on duty 18 hours and 50 minutes at the time of the accident.

DESCRIPTION.

The crew on extra No. 2649, north, went on duty at 11 a.m. July 4, at Stevens Point, Wis., and arrived by Ladysmith, Wis., a distance of 106 miles about 9 p. m. the same date. Leaving Ladysmith, the train consisted of 31 empty box cars, engine and caboose. The dispatcher gave two orders to this train at Ladysmith, which were properly signed for by the conductor and delivered to the engineman. These orders were received at 9:06 p.m., 8 hours and 44 minutes prior to the accident.

Failure to comply with the following order caused the accident:

"Train Order No. 29. Eng. 2649 will run extra from Ladysmith to South Superior protecting against work extra 111 between Gordon and Solon Springs after five 5 a.m., protecting against work extra 2415 between Solon Springs and Hillcrest after five 5 a.m. and protecting against work extras 2414 and 2421 between Hillcrest and South Superior after five 5 a.m. and will meet extra 2654 south at Stone Lake."

Order No. 29 gave engine 2649 the right to run extra from Ladysmith to South Superior, a distance of 106 miles, and re-

quired them to protect against work extras 2414 and 2421 between Hillcrest and South Superior after 5 a.m., July 5th.

The track where this accident occurred should have been clear for work extras 2414 and 2421, south, which had the right of way. Under its orders extra No. 2649 should not have attempted to have gone north to Bardon Avenue after 5 a.m., until the work extras 2414 and 2421 had arrived without proper protection.

At the time of receiving orders at Ladysmith, the crew of No. 2649, north, had been on duty 10 hours and 6 minutes. They were, at the time, 106 miles from their terminal and the order issued by the dispatcher evidently contemplated that they would be, or least had permission to be, on duty until 5 a. m., July 5th. There are no telegraph offices between Ladysmith, where these orders were received, and 28th street, Superior, a distance of 107 miles. Extra No. 2649, north, arrived at Bardon Avenue about 3:45 a.m., and after meeting extra No. 111, south, and doing the necessary work incident to setting out their train, there being no place to eat or sleep at this point, the conductor and engineer decided to take the caboose into Superior, a distance of 6 miles.

The investigation shows that engine No. 2649, being short of water, arranged to have engine No. 111, which they met at Bardon Avenue, shove them north of that station a distance of approximately 6 miles, and then proceeded from that place northwards towards South Superior to the place where the accident occurred on Nemaaji River Bridge.

CONCLUSIONS.

The cause of the accident was the failure on the part of Conductor Parker and Engineer Jackson of extra No. 2649, north, to be governed by and obey order No. 29, which required them to protect their train against work extras Nos. 2414 and 2421 after 5 o'clock a. m.

Section 2 of the Hours of Service Act provides:

"That it shall be unlawful for any common carrier, its officers or agents, subject to this Act to require or permit any employee subject to this Act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty."

The investigation shows that the crew responsible had been on duty, at the time of the accident, 18 hours and 50 minutes. The statement of the conductor at the investigation is that they had no delays, except meeting trains and doing work, after leaving Ladysmith, but in the earlier part of the trip they had a

hot driving-wheel box on the engine.

The dispatcher, by issuing the order to engine No. 2649 at Ladysmith, permitted this crew to have train rights so that they could work in excess of the hours of service permitted by statute. The crew had been on duty 10 hours and 6 minutes in making the first 103 miles of the trip, and it would appear from the time consumed that the dispatcher knew, or should have known, that they could not complete the remainder of the trip of 106 miles in the 5 hours and 54 minutes which this crew could remain on duty without exceeding the sixteen-hour limit.

The crew of engine No. 2649 also failed to comply with Bulletin 2955, issued May 16, 1910, which reads as follows:

***CONDUCTORS AND ENGINEERS:**

Hereafter the 30 minutes employees are required to be at their trains or engines before leaving time will be computed as time on duty as regards the 16 hour law and the total time figured accordingly.

In consequence crews must tie up for rest at the expiration of 15 hours and 30 minutes from the time that train is ordered to leave a terminal instead of 16 hours which has been the practice up to the present time."

It is recommended that

(1) A prosecution be filed against this railroad for violation of the Hours of Service Act.

(2) The attention of the railroad be directed to the danger of permitting 107 miles of track, the distance between Ladysmith and 28th Street, Superior, to be constantly used by trains without any telegraph office for the transmission of orders either day or night.

Respectfully submitted,

H. W. Belnap,

Chief Inspector.

