

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
MISSOURI PACIFIC RAILROAD NEAR LA RUSSELL, MO., ON
DECEMBER 13, 1928.

February 28, 1929.

To the Commission:

On December 13, 1928, there was a head-end collision between a freight train and a work train on the Missouri Pacific Railroad near La Russell, Mo., resulting in the death of four employees and the injury of six employees.

Location and method of operation

This accident occurred on the Carthage District of the White River Division extending between Carthage, Mo., and Cotter, Ark., a distance of 146.09 miles; in the vicinity of the point of accident this is a single-track line over which trains are operated by time-table and train orders, no block-signal system being in use. The accident occurred at a point about 6,625 feet south of the south switch of the passing track at La Russell; approaching this point from the north, beginning at the south switch of the passing track, there is 2,014.6 feet of tangent, a 30° curve to the right 2,200 feet in length, 1,763.1 feet of tangent, and then a 50° curve to the left 1,093 feet in length, the accident occurring on this last-mentioned curve at a point approximately 647.7 feet from its northern end. Approaching from the south the track is tangent for 1,512 feet, followed by the curve on which the accident occurred. The grade at the point of accident is practically level. The southern half of the curve extends through a cut, and on account of this cut, together with trees just south of the curve, the view of the point of accident is restricted to a very short distance.

The weather was cloudy at the time of the accident, which occurred at about 11.20 a.m.

Description

Work extra 6511 was in charge of Conductor Weeks and Engineman Darrell. Before departing from Carthage, at about 8.45 a.m., copy of train order No. 4, Form 31, was received, reading as follows:

"Eng 6511 works extra 7.30 am until 6.01 pm
between Carthage and Stotts City Protects
against third class trains Not protecting
against extra trains "

Carthage is 14.52 miles north of La Russell, while Stotts City is 6.3 miles south thereof. After unloading some ballast near the south switch at La Russell, engine 6511 started a back-up movement southward, without the authority or knowledge of the conductor, hauling five cars of ballast and a caboose. It was intended to unload the ballast south of bridge No. 32, located about 1-5/8 miles south of the south switch of the passing track, but on observing the opposing train approaching the work extra was brought to a stop at a point approximately 1,638 feet north of the bridge, the accident occurring immediately afterwards.

Northbound third-class train first No. 294 consisted of 35 cars and a caboose, hauled by engine 1208, and was in charge of Conductor Novinger and Engineman Proctor. At Crane, Mo., 35.33 miles south of La Russell, a copy of train order No. 4, Form 19, previously quoted, was received. The train departed from Crane at 9.45 a.m., according to the train sheet, 15 minutes late, passed Stotts City, 29.03 miles beyond and the last open office, at 11.10 a.m., 10 minutes late, and collided with the work extra while rounding the curve at a speed estimated to have been between 10 and 20 miles per hour.

The tender of engine 6511 was derailed but remained on the roadbed; the engine was not derailed, but the first three cars ahead of the engine were demolished and the adjacent car was slightly damaged. Engine 1208 had its front end damaged but was able to continue the trip with its train, the first car in the train, a wooden stock car, was demolished and the second car was slightly damaged. The employees killed and injured were section laborers on work extra 6511.

Summary of evidence

When the work of unloading ballast in the vicinity of the south switch of the passing track had been completed, at about 10.35 a.m., Conductor Weeks instructed Brakeman Wagon to go south and afford flag protection against train No. 294, but gave him no specific instructions as to how far he should go nor was any understanding had with Engineman Darrell. Engineman Darrell saw Brakeman Wagon going out to flag but made no inquiry as to what instructions he had received or as to how far he was going. The empty cars were then moved northward to La Russell and while they were being exchanged

for five loaded cars Conductor Weeks conferred with Track Foreman Gage, whose duty it was to determine where the ballast was to be unloaded, and the conductor understood that the five loaded cars would be unloaded on the straight track just south of the south switch of the passing track. He considered that his flagman was out far enough to protect work done near the switch, and nothing was said to him about the intention to unload some of the cars south of bridge No. 32. The train then returned to the vicinity of the south switch while Conductor Weeks remained behind to secure the numbers of the empty ballast cars, and then started southward toward his train. In the meantime after finishing the work near the south switch, Track Foreman Gage got on the engine and asked as to the whereabouts of the conductor, the engineman informing him that the conductor was in the caboose, the track foreman told the engineman that he had been in the caboose looking for the conductor and that he was not there, and then said he wanted to move south of bridge No. 32. Engineman Darrell claimed the track foreman told him that the flagman had been instructed to protect as far as bridge No. 32 and consequently he instructed Brakeman Walker to take up a position on the rear step of the tender and started a back-up movement, at about 11.15 a.m., leaving the conductor behind. On reaching a point about 4,200 feet south of the south switch, while moving at a low rate of speed, Brakeman Wagon was picked up, the brakeman boarding the rear end of the tender on the engineman's side, and when work extra 6511 reached a point in the immediate vicinity of the station mile board, an additional distance of 800 feet, the two torpedoes Brakeman Wagon had placed on the rail were exploded. Shortly afterwards train first No. 294 was observed approaching and the work extra was brought to a stop.

Conductor Weeks stated that when he instructed Brakeman Wagon to flag against train No. 294 it was his intention that the brakeman should go out a sufficient distance to protect the work train while work was performed on the straight track just south of the south switch of the passing track and that the work train would enter La Russell passing track to allow train No. 294 to pass, the movement the work train was making to bridge No. 32 was not authorized by him and was made without his knowledge.

Track Foreman Gage stated that when Brakeman Wagon was preparing to go out to flag the brakeman inquired as to how long the work train would remain in the vicinity of the south switch and was informed it would be there about one-half hour, the track foreman said that the brakeman then inquired as to whether the work train was going to proceed beyond the second curve, which is the one on which the accident occurred, and was informed in the affirmative. The track foreman denied that when he got on the engine preparatory to starting the movement southward, he informed the en-

gineman that the brakeman had been instructed to afford flag protection as far as bridge No. 32, but said that when he told the engineman of the intention to proceed south of the bridge in order to unload ballast the enginemen remarked that the flagman was out and that they would ease around there. Track Foreman Gage did not hear Brakeman Walker tell the engineman that they could not go far because of train No. 294. He also stated that he did not think Engineman Darrell applied the brakes until after the opposing train had come in sight.

Engineman Darrell stated that at the time Brakeman Wagnon started out to flag he made no inquiry as to how far the brakeman was going or as to what instructions the brakeman had received.

When the track foreman got on the engine and told him it was desired to proceed to bridge No. 32 he told the track foreman that they could not go, as train No. 294 was due out of Stotts City at 11 a.m. and it was then 11.15 a.m., but after this conversation, however, during the course of which he was told they were protected as far as bridge No. 32, the engineman started the back-up movement with Brakeman Walker on the rear of the tender, assuming that Brakeman Wagnon was out far enough to protect the movement, he made no endeavor to get in touch with the conductor. The back-up movement was continued at a speed of about 7 or 8 miles per hour until the two torpedoes were exploded and the engineman said he then looked out and saw Brakeman Wagnon on the step at the rear of the tender, realizing then that he had no flag protection he said he at once made a service air-brake application and that before the train was brought to a stop he saw train first No. 294 rounding the curve through the cut. Engineman Darrell made an attempt to get the work train started northward but the collision occurred before this could be done. Engineman Darrell further stated that he did not see Brakeman Wagnon get on the rear of the tender and was unaware that the brakeman was there until the torpedoes were exploded, and that he would not have attempted the movement to bridge No. 32 had he known how far Brakeman Wagnon had gone in protecting against the opposing train. He acknowledged that it was not good policy to make a movement in the face of a train, such as was done on this occasion, without knowing definitely where the flagman was stationed.

Fireman Ellis stated that when the back-up movement was started he knew that train No. 294 was due out of Stotts City but he did not question the movement as he felt satisfied that everything was safe and that those in charge knew what they were doing. Fireman Ellis did not hear the conversation between the engineman and the track foreman; at the time the movement was started, however, he saw the con-

ductor some distance back from the rear of the train and notified the engineman and track foreman accordingly.

Brakeman Wagnon stated that after he boarded the rear end of the tender, north of the station mile board, he inquired of Brakeman Walker as to where they were going and was told they were going around the curve to unload ballast and would look out for train No. 294; Brakeman Walker, however, denied having had any conversation with Brakeman Wagnon. Brakeman Wagnon said that at the time he boarded the tender the train was backing up at a low rate of speed; he knew that no other flag protection was being afforded against train No. 294, yet he made no inquiry of Engineman Darrell as to protection or as to whether time had been given on that train; in fact, the only conversation in connection with protection being when he asked Brakeman Walker where they were going. Brakeman Wagnon could give no reason for his failure to make an attempt to have his train brought to a stop as it approached the point where he was stationed.

Brakeman Walker stated that when the back-up movement was started he got on the engine and asked the engineman as to where they were going and was informed that they were to finish unloading ballast, whereupon Brakeman Walker said he told the engineman that they could not go far because train No. 294 was due out of Stotts City at 11 a.m. but the engineman made no reply. Engineman Darrell, however, denied having heard Brakeman Walker say anything to him about the movement being made or question his right in making it. Brakeman Walker also stated that he gave a stop signal when he saw Brakeman Wagnon but that the work train nevertheless continued the back-up movement.

None of the members of the crew of train first No. 294 was aware of anything wrong until just prior to the accident. Engineman Proctor stated that while drifting through the cut at a speed of from 20 to 22 miles per hour he saw work extra 6511 rounding the curve, about 300 feet away, and he immediately applied the air brakes in emergency. He estimated the speed of his train to have been between 10 and 12 miles per hour at the time of the collision.

Conclusions

This accident was caused by work extra 6511 making a movement against an opposing scheduled train without flag protection, for which Engineman Darrell and Brakeman Wagnon are responsible.

According to all the evidence in this investigation work extra 6511 was provided with adequate flag protection against train No. 294 while engaged in its work near the

south passing-track switch. The subsequent movement of the train southward en route to bridge No. 32, more than 1 mile distant, resulted in the crew picking up their own flagman and leaving the train without any protection against opposing trains. The evidence is conflicting as to whether Track Foreman Gage told Engineman Darrell that they were protected as far as the bridge, and also as to whether Brakeman Walker cautioned the engineman about going very far on account of the fact that train No. 294 was then due out of the next station in advance. It is clear, however, that all of the employees on the train had in mind the schedule of train No. 294 and that they also had in mind the fact that protection against that train would be necessary. Under these circumstances, and in the absence of the conductor, it was the duty of Engineman Darrell to know just what protection he had before starting to make the movement. The track foreman had nothing to do with the actual operation of the train and Engineman Darrell should have ascertained the exact situation from the members of his own crew, waiting to talk with the conductor, if necessary, before leaving the vicinity of the passing track switch. It also appears that Engineman Darrell was negligent in failing to know when he had picked up his flagman, in then proceeding an additional distance of 800 feet to where the torpedoes were exploded, apparently in the vicinity of the station mile board, and in then continuing a further distance of approximately 1,200 feet to where the accident occurred.

Brakeman Walker, who was riding on the rear of the tender, said he gave a stop signal when the back-up movement had progressed far enough for him to see the flagman. If this statement is to be believed then Brakeman Walker himself should share a large measure of responsibility for the occurrence of this accident in allowing his train to continue for an additional distance of approximately 1/2 mile without giving any further stop signal, without finding out why his signal was being ignored, and without making any attempt to stop the train himself by opening the angle cock on the rear of the tender.

Brakeman Wagon, who had been protecting the train while it was working at the south switch, said that when he boarded the tender as the train approached the point where he had been flagging he asked Brakeman Walker where they were going and then apparently paid no further attention to the matter. Had Brakeman Wagon been a little more energetic in his endeavor to ascertain what movement was being made and what authority the crew had for making the movement it is possible the accident would have been prevented.

All of the employees involved were experienced men and 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