

December 14, 1914.

In re investigation of accident which occurred
on the Missouri, Kansas & Texas
Railway of Texas near
Sargent, Texas, on
November 10, 1914.

On November 10, 1914, there was a head-end collision on the Missouri, Kansas & Texas Railway of Texas near Sargent, Texas, which resulted in the injury of 5 employees. After investigation of this accident, the Chief of the Division of Safety reports as follows:

On the day of the accident southbound freight train No. 83, a second-class train, was running in two sections, en-route from Dallas, Texas, to Bellmead, Texas. The first section consisted of 30 loaded cars, 2 empty cars and a caboose, hauled by locomotive No. 553, and was in charge of Conductor Thrake and Engineman Reynolds. It left Dallas at 9.05 p.m., 5 minutes late, and at about 9.22 p.m. collided with second No. 94 at a point about 400 feet south of the north passing track switch at Sargent, which is 3.8 miles south of Dallas.

Northbound freight train No. 94, a third-class train, was also running in two sections, the second section being involved in this accident. It was made up of 10 loaded cars, 12 empty cars and a caboose, hauled by locomotive No. 534, and was in charge of Conductor Loding and Engineman Twinford. This train left Honey Springs, Texas, 1.9 miles south of Sargent, at about 9.15 p.m., colliding with first No. 94 as above stated. The speed of each train at the time was about 20 miles per hour.

The locomotive of second No. 94 was badly damaged and the first car of the train was destroyed, while the next two cars were slightly damaged. The locomotive of first No. 83 was slightly damaged, the first car badly damaged and the next four cars destroyed, while the sixteenth car in the train broke in two. With the exception of the tender of the locomotive of second No. 94, neither locomotive was derailed.

This part of the Missouri, Kansas & Texas Railway of Texas is a single-track line. No block signal system is in use, trains being operated by train orders and time-card rights. This accident occurred on practically level track, on a curve of 2 degrees leading to the right for northbound trains. There were trees on the inside of this curve which prevented the engine crews from seeing each other until about 1700 feet apart. The weather at the time was cloudy.

Engineman Twinford stated that at Waxahachie, 27.3 miles south of Tarrant, train orders were given to him by Brakeman Stoner who did not read them to him. Among the orders was train order No. 76, reading as follows: "Second No. 94, Engine 534, has right over second 2nd 83 to Dallas." He then read them aloud himself and said they had rights over train No. 83 to Dallas, to which Brakeman Stoner replied in the affirmative. After picking up a car at Honey Springs he whistled off brakes and received a proceed signal from the caboose. Approaching Tarrant, he sounded the whistle signal required by the rules when passing a side track and again received a proceed signal from the caboose. He then looked ahead and saw a headlight approaching. He did not realize that it was an engine until he

saw the reflection from its fire box. He then told the members of the crew who were on the engine to get off, at the same time applying the emergency air brakes and sounding the whistle, after which he jumped. Engineman Swinford further stated that when reading over the order he must have overlooked the word "second" and therefore had been under the impression that his train had rights over train No. 83 to Dallas, when as a matter of fact it had rights only over train second No. 83.

Conductor Dowling stated that on arrival at Waxahachie at 6.10 p.m. he received an order giving his train rights over train second No. 83 to Dallas. He then inquired of the operator as to train first No. 83 and was told that it would be on time. After attending to the unloading of some freight, he sent the orders to the engineman by Brakeman Stoner, telling him that they ought to be able to reach Honey Springs for train first No. 83. After stopping at Lancaster, 11.9 miles south of Wargent, he again mentioned the matter to Brakeman Stoner and told him that after picking up the car at Honey Springs they would wait at that point for train first No. 83. When the stop was made at Honey Springs he was busy making out his reports. The car was picked up and the train was 10 or 15 car lengths beyond the north switch before he realized where he was. He then asked the brakeman if the engineman had received anything on train First No. 83 and when the latter replied in the negative, he told him to signal the engineman to stop. The car immediately ahead of the caboose had a broken angle cock on the rear end, and Conductor Dowling therefore started to climb over this car to the car ahead in

order to apply the air brakes. He then saw the headlight of first No. 83 and was afraid to climb over the car, returning to the caboose and giving stop signals from there. He further stated that he always kept his orders where the rear brakeman could read them whenever he wanted to. Conductor Dowling also said that he always gave a proceed signal whenever the engineman whistled for it when approaching a passing track.

Brakeman Stoner stated that he did not know what orders were received at Waxahachie, that no one read them to him, that he did not see them and that he did not carry them forward to Engineman Twinford. Leaving Waxahachie he was riding on the engine and heard the engineman and fireman discussing the orders. The engineman said that they had rights over train No. 83 to Dallas. Brakeman Stoner further stated that he did not know whether the engineman whistled off brakes leaving Honey Springs and did not look back to see if a proceed signal had been received from the caboose; neither did he know whether or not the engineman whistled on approaching the passing track at Sargent.

Rear Brakeman Gault of Second No. 94 stated that he did not read the orders as the conductor did not make it a practice to let him see them. When asked by the conductor whether or not the engineman received any orders at Honey Springs relating to train first No. 83, the brakeman said that he did not think he did and at once began to give stop signals from the cupola of the caboose. No response to these stop signals was received from the engine crew. Rear Brakeman Gault further stated that he did not think the engineman whistled for the passing track at Sargent, also that he himself would not give a

proceed signal in response to such whistle signal unless instructed by the conductor. Head Brakeman Sifers said that he saw Conductor Dowling give the train orders to Engineman Swinford at Waxahachie. He did not read the orders himself and when he asked about them he was told that they had rights over train No. 83 to Dallas.

Fireman Spears stated that Brakeman Stoner gave the orders to the engineman, who read them and put them into his pocket. After leaving Waxahachie he asked the engineman where they were going for train No. 83 and the engineman said that they had rights over that train to Dallas.

This accident was caused by train second No. 94 occupying the main track on the time of train first No. 83, which was a superior train, for which Conductor Dowling and Engineman Swinford are responsible. While there is a dispute as to whether Conductor Dowling gave the orders to the engineman in person or whether he delegated this duty to Brakeman Stoner, the fact remains that Engineman Swinford and Conductor Dowling were each in possession of copies of train order No. 78, which gave train second No. 94 rights to Dallas only over train second No. 33. This order in no way relieved the crew of train second No. 94 of the duty of keeping clear of train first No. 83.

The testimony of the employees involved indicates that they failed absolutely to carry out the requirements of the rules governing the handling of train orders. Rule No. 210 reads in part:

"The copy for each engineman must be delivered to him personally by the conductor."

while rule No. 210-A reads in part as follows:

"Enginemen must read their orders aloud to conductors and understand them before acting upon them. Conductors must read their orders to rear brakemen and enginemen to their firemen, and when practicable, to the head brakeman."

While there is a question as to whether or not the conductor obeyed rule No. 210, the statements of these employees clearly indicates that rule No. 210-A was not obeyed by any member of the crew.

The statements of the conductor and rear brakeman also indicated a general laxity in the observance of rule No. 84-A, reading as follows:

"Enginemen of freight trains must get a 'proceed' signal from the rear end of train before passing any station or side-track that is designated on timetable. Brakeman must not give 'Proceed' signal without instructions from conductor."

From the statements of all the employees it is impossible to say definitely whether or not this rule was complied with in this case, neither does it definitely appear whether or not a 'proceed' signal was given to the engineman when leaving Honey Springs.

Engineman Winford had been an engineman since 1903, and had been suspended once for sixty days for responsibility in connection with a head-end collision. Conductor Dowling had been a conductor since 1901. He was discharged in 1903 for responsibility with two trains meeting on the main line, and was reinstated in connection to former rights in 1904. Neither of these employees had been on duty in violation of any of the provisions of the Hours of Service Law.