

## INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY  
IN RE INVESTIGATION OF AN ACCIDENT WHICH  
OCCURRED ON THE NEW YORK, CHICAGO & ST. LOUIS  
RAILROAD AT CLEVELAND, OHIO ON MAY 6, 1929.

September 26, 1929.

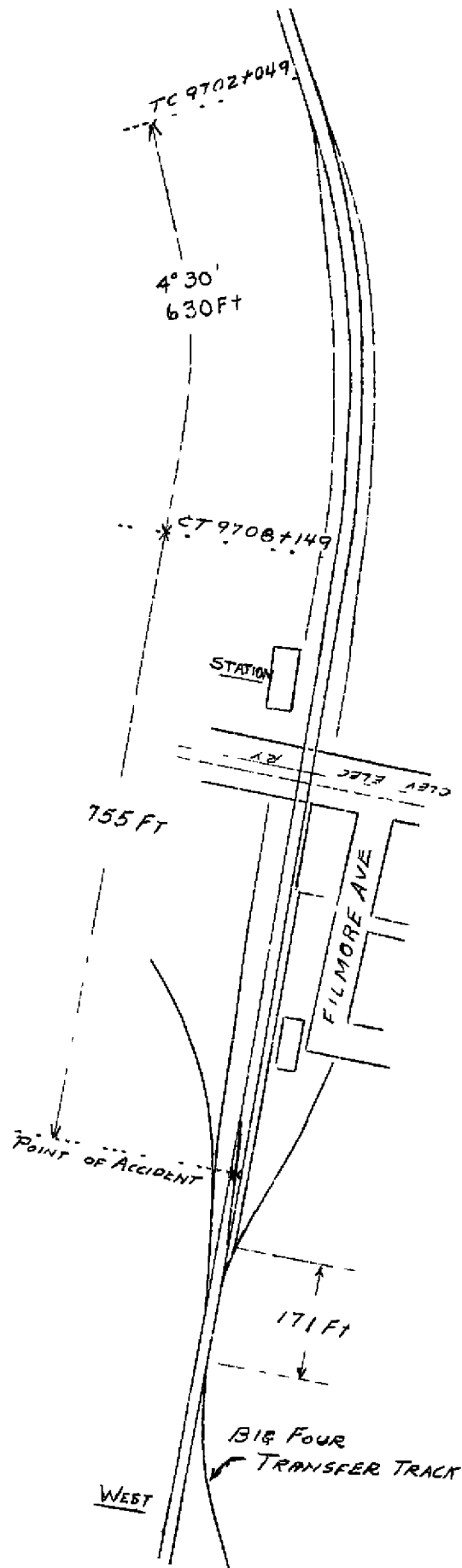
To the Commission:

On May 6, 1929, there was a side collision between two transfer trains on the New York, Chicago & St. Louis Railroad at Cleveland, Ohio, which resulted in the death of one employee.

Location and method of operation

This accident occurred on the Nickel Plate District of the Cleveland Division, extending between Conneaut and Bellevue, Ohio, a distance of 131.4 miles, in the vicinity of the point of accident this is a double-track line over which trains are operated by time-table, train orders, and an automatic block-signal system. The accident occurred within yard-limits at a facing-point crossover between the two main tracks, located immediately west of 25th Street station. At a point 171 feet west of the west switch of this crossover there is a trailing-point switch for eastbound trains leading off the eastbound main track to the south to transfer tracks of the Big Four Railroad. Approaching the point of accident from the east there is a 4°30' curve to the right 610 feet in length, from which point the track is tangent for a distance of approximately 1,750 feet, the accident occurring on this tangent at a point about 755 feet from its eastern end. The grade at the point of accident is 0.739 per cent ascending for westbound trains. The abutments of an overhead bridge at the station interfere greatly with the view along the north side of the tracks.

The weather was cloudy at the time of the accident, which occurred at about 11.25 p.m.



No. 1534  
N.Y C & St.L. R R.  
Cleveland, Ohio  
May 6, 1929.

### Description

The westbound transfer train consisted of 14 cars, hauled by engine 112, and was in charge of Conductor Hearn and Engineman Kiley. This train left Broadway yard en route to West 25th Street, a distance of about 1.3 miles, at 11.05 p.m., and was brought to a stop clear of the crossover at the latter point. The engine was then cut off and run around its train, making this movement by heading through the crossover and then backing up on the eastbound main track. The east crossover switch was left open. Shortly afterwards engine 112 began shoving the cars ahead at a low rate of speed and they entered the open crossover switch and collided with the side of engine 205, which was on the eastbound track.

The eastbound transfer train consisted of 33 cars, hauled by engine 205, running backwards, and was in charge of Conductor Garrison and Engineman Keep. This train left 110th Street yard at 10.35 p.m., en route to Broadway yard, a distance of about 4 miles. Upon arrival at West 25th Street the first five cars were cut off and pulled eastward preparatory to placing them on the transfer tracks, this cut being brought to a stop with the engine fouling the west crossover switch, where it was still standing when it was struck by the cut of cars being shoved through the crossover by engine 112.

None of the equipment was derailed, although engine 205 and the leading car in the moving cut were slightly damaged. The employee killed was the engineman of engine 205.

### Summary of evidence

Conductor Hearn, of engine 112, stated that when his engine entered the crossover, preparatory to running around its train, he did not close the east switch but rode on the engine to the west switch and while the run-around movement was being made he noticed an engine approaching on the eastbound main track, but did not think it was going to continue eastward as far as it did. It stopped west of the transfer switch, some cars were cut off, and it then continued eastward. He gave the engine crew an "easy" signal and then started walking towards the

east switch, located on the westbound track, and when the engine passed him, moving at low speed, he called to the engineman to wait until he could close the switch but the cut of cars it was handling was not brought to a stop until the engine had fouled the crossover. At about the same time he heard the slack bunched on his train, whereupon he started running towards the open switch but before he could reach it the head end had entered the crossover and it then collided with engine 305. Conductor Hearn further stated that he did not see any signals transmitted by the crew of the opposing train prior to the accident, while from his position in the center of the westbound track and from the position of the other members of his own crew he thought it would have been impossible for any of them to have seen a proceed signal even if he had given such a signal. He gave as his reason for not closing the east switch, after his engine passed through it, the fact that it was the intention to shove his train through the crossover en route to the transfer yard as soon as his engine had run around the train, although he knew it was in violation of the rules to leave main line switches open.

Brakeman Hunter, of engine 112, stated that after the engine was cut off and had started to run around its train, he started ahead to flag the eastbound track. An eastbound train was seen to be approaching and his conductor told him that if it was the eastbound transfer he was to let it pass and then line the switches for the movement of his own train to the transfer yard. Upon reaching the transfer switch the conductor of the eastbound train informed him that they also had some cars to be set out on the transfer tracks. Brakeman Hunter then continued down the transfer lead, south of the eastbound main track, opened the derail and the switch leading to track 1, and was returning towards the main-track switch when the cut of cars from the eastbound transfer pulled by. He saw no signals given by anyone other than a stop signal given by the conductor of that train just before the cars came to a stop at the west switch of the crossover.

Flagman Kelley, of engine 112, stated that while approaching West 35th Street he got off at a crossover, located approximately 2,000 feet east of the station, for the purpose of lining the switch to permit his engine to cross back to the westbound

track to couple to the rear of the train. After this movement of the engine had been completed he proceeded to a point about four car-lengths ahead of the engine, on the north side of the cars, from which point he could see the east crossover switch lamp displaying a red indication. He remained at this point for about two minutes watching for signals and then returned to within two car-lengths of the engine to see if anything was approaching on the westbound track. As no train was in sight he returned to his former location and received a signal to shove the cars ahead, which he in turn transmitted to the engineman. The train had been moved ahead a distance of about three or four car-lengths when he heard a sound which resembled the noise of coupling to other cars, and about one-half minute later he received a stop signal. Flagman Kelley said he had not seen any engine or cars on the eastbound track and that he did not see any other white lights at the head end except the signals to start and stop, he did not know who gave these signals. After the accident he was informed by his conductor that the latter had not given any signals but he was positive that a signal to start was given by some one, and he did not think that an "easy" signal could have been mistaken for a signal to shove the cars ahead.

Engineman Kiley, of engine 112, stated that after the engine had been coupled to the rear end of the train the flagman started towards the head end and as soon as he had reached a point about three car-lengths from the engine he gave a signal to come ahead. Not being certain as to what this signal was intended for, Engineman Kiley waited until a second signal was given by the flagman before starting the movement. Engineman Kiley said that the only signals he saw were those given by the flagman, and that he could not see the east crossover switch lamp at any time prior to the accident. The statements of Fireman Cox, of engine 112, added no additional facts of importance except that he thought his engine had been coupled to the cars about three or four minutes before the forward movement was started. He also stated that his view of the track ahead was obscured on account of his position on the outside of the curve.

Fireman Haber, of engine 205, stated that after his train came to a stop west of the transfer switch the cars for the Big Four transfer were cut and pulled ahead to clear the switch. A stop was then made and the engine was still standing at this point when the collision occurred, about one or two minutes later. There was no warning of danger prior to the occurrence of the accident.

Conductor Garrison, of engine 205, stated that the five leading cars in his train were to be placed on the Big Four transfer. He had been riding on the north side of the cars but when they came to a stop he crossed over to the south side, assisted in making the cut, and the cars were pulled ahead, or eastward, a sufficient distance to clear the transfer switch. He proceeded to the switch but before it could be thrown the cut of cars moved westward about 3 or 4 feet and he quickly gave a stop signal, it was his opinion that the cars were moved ahead as a result of the collision. Conductor Garrison did not know that another crew was working in that vicinity until he reached the transfer switch, where he met Brakeman Hunter.

Brakeman Mott, of engine 205, said he pulled the pin in making the cut west of the transfer switch and then got on the rear step of the fifth car on the north side, gave the engineman a back-up signal, and when the cars cleared the switch he signalled the engineman to stop. He then crossed over to the opposite side of the track and started to unlock the switch, and while doing so the cars moved about one-half a car-length. Thinking they were being moved without a signal he again gave a stop signal, and after throwing the switch he crossed back to the engineman's side and gave a signal to come ahead, but as he got no response he looked towards his engine and observed that a collision had occurred. He said that it had not been necessary to give any signal to the engineman to take care of the slack when the cars were uncoupled from the train, and that the only signal to move ahead was given after he had opened the transfer switch, or after the occurrence of the accident.

### Conclusions

This accident was caused by an open switch, for which Conductor Hearn, of engine 112, is responsible.

There was a conflict in the statement of the various witnesses concerning the giving of a signal for the movement of engine 112. Flagman Kelley said he saw some one give such a signal from the head end of the train and that he repeated this signal to the engineman, who acted accordingly. Conductor Hearn, however, said that he did not give any

such signal, and it could not be determined from the statements of the other witnesses whether such a signal actually was given, or whether some other signal was given which could have been accepted erroneously by Flagman Kelley. Under these circumstances, the responsibility for the movement of engine 112 can not be definitely determined. Regardless of the confusion with respect to signals, however, the fact remains that the east crossover switch, located in the westbound track, was left open after having been used by engine 112. Conductor Hearn said it was his intention to use the switch again as soon as his engine had run around its train, but having left the switch open when not actually in use, it was Conductor Hearn's duty either to remain at the switch himself or to have some member of his crew remain near enough to it so that it could be closed immediately should occasion arise. The rules require that main track switches be left in proper position at all times except when being used, or else be protected by the train using them, and it is also provided that crossover switches must not be opened until the train or engine intending to use them has a right to use the adjacent track. Conductor Hearn should have seen to it that these provisions of the rules were obeyed, and, in the absence of adequate flag protection, both of the crossover switches should have been restored to their normal closed position.

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.