

The Chairman

CIRCULATED 4/10/19

IN RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
NEW YORK, NEW HAVEN & HARTFORD RAILROAD NEAR
TOUISSET, R. I., ON MARCH 1, 1919.

April 4, 1919.

On March 1, 1919, there was a head-end collision between a passenger train and a wire extra on the New York, New Haven & Hartford Railroad near Touisset, R.I., which resulted in the death of 1 employee and the injury of 25 passengers and 8 employees. One of the injured passengers afterwards died. After investigation of this accident, the Chief of the Bureau of Safety submits the following report.

The Providence, Bristol and Warren Branch of the Providence Division is an electrically operated road and is single track from Fall River to Warren and double track from Warren to Providence. The accident occurred on the single-track line at a point a little over 1 mile west of Touisset, which is 5 miles from Fall River. Trains are operated by time table and train orders with a manual block system in use which affords protection to following movements only. Approaching the point of accident from the east, there is about 2,100 feet of tangent track, followed by a curve to the left of 2°30' about 600 feet in length. The collision occurred on this curve about 100 feet from its western end. Approaching this curve from the west, there is about 2,700 feet of tangent track. The grade is .7% descending for westbound trains. It was raining at the time of the accident.

Westbound passenger train No. 23 consisted of motor car 3714 and 1 trailer, in charge of Conductor Walsh and Motor-

man Wixon. It left Fall River at 9.00 a.m., passed Touisset at 9.15 a.m., 1 minute late, and at about 9.17 a.m. collided with eastbound wire extra 3903 while traveling at a speed estimated to have been about 20 miles an hour.

Eastbound wire extra 3903 consisted of wire car 3903 and was in charge of Conductor Russell and Motorman Foote. At Warren orders were received to work between Warren and Fall River from 8.00 a.m. to 4.30 p.m., not protecting against extras. An order was also received to close in on train No. 22 from Warren to Touisset. The flagman was then sent on train No. 22 to Touisset with instructions to hold all trains until the wire extra arrived. The wire extra left Warren at 9.02 a.m., 2 minutes behind train No. 22, made 3 stops for the purpose of making slight repairs to wires, and then proceeded toward Touisset, colliding with train No. 23 at a point about 5,700 feet west of the station.

The first car of the passenger train was telescoped a distance of about 12 feet and badly damaged, while the wire car was also badly damaged. The employee killed was the motorman of the wire extra.

Motorman Wixon of train No. 23 stated that when about 600 or 700 feet from the passenger station at Touisset he looked out of the side window and saw the train order board in the clear position. The speed of his train at the time was about 35 miles an hour. He then saw a man coming out of the station with something in his hands. He shut off the power, and on

getting closer saw that the man had a flag in his hands. He then applied the brakes. The man went to a post and stood leaning against it, giving him a signal which he understood as a salute or a wave of the hand. He acknowledged it with 2 short blasts of the whistle and, just as he had passed the flagman, looked back at him to make sure. The flagman again gave him a salute, and he acknowledged it with a wave of his hand. At no time did the man unfurl the flag in his hand. He first saw the wire extra coming around the curve when about 300 feet distant and at once applied the air brakes in emergency.

Conductor Walsh of train No. 23 stated that at a point a little west of Touisset he heard the motorman sound 2 blasts on the whistle, at the same time shutting off the power and applying the brakes. He looked out to see the position of the train order board and saw one or two men standing at the station, but did not see any flag. In a few seconds, the brakes were released and the power applied. Immediately before the collision, the motorman sounded one long blast on the whistle and applied the air brakes in emergency. After the accident, his motorman told him that he had seen a man with a flag rolled up and took his signal for a proceed signal, indicating that the train which he had been flagging was into clear.

Flagman Holmes of train No. 23 confirmed the conductor's statements about the brakes being applied approaching Touisset. He did not see anything of a flagman. After the accident, he ran back to Touisset, and on seeing Flagman LaLiberte asked him why he was not out with his flag, and the flagman said that he

had flagged the train and that the operator saw him. The operator also said that he saw the flagman flag the train.

D. M. Callis, the agent at Touisset, on March 5th made the following signed statement:

On March 1st, 1919, while confined to my bed with "influenza" and "colitus" and my bed being raised to a high position on account of threatened pneumonia it gave me such a high position in bed that I could see everything that was going on west of the station. At just 9.14 A. M. I saw the flagman of the wire train extra (March 1st) standing about two telegraph poles west of the station and saw him have a red flag rolled up in his hand and saw him swing the flag (flag not unfurled). The way the flag was swung would lead one to take the signal as a "clear" signal. About that time at just 9.14 A. M. (my watch) I heard train E-23 acknowledge the signal by two blasts and train E-23 running at or near 25 miles per hour. In about ten minutes after that the acting agent came up to my sick room and asked where he could get some doctors. I told him the quickest way to get physicians and he immediately done as I told him. I affirm the above statement, and cannot add any more than the above as that is all I saw on that day.

Conductor Russell of the wire extra stated that after receiving a close-in order he instructed his flagman to go to Touisset on train No. 22 and hold all trains until the wire extra arrived. After giving these verbal instructions, he asked the flagman if he understood them, and the latter said that he did. The wire extra started about 2 minutes after the departure of train No. 22, made 3 stops for the purpose of making slight repairs, and then proceeded toward Touisset. Conductor Russell estimated the speed at the time of the collision to have been about 25 miles an hour.

Flagman LaLiberte stated that he was instructed by Conductor Russell to go to Touisset on train No. 22 and hold all

trains until the wire extra arrived. He took fuses and a red flag with him. He remained in the vicinity of the station for a few minutes, and at the time he saw train No. 23 approaching, about 1 mile distant, he was standing about 120 or 130 feet west of the station. He then unrolled his flag and began giving stop signals, which were acknowledged by the motorman with 2 short blasts on the whistle. The train passed him at a speed estimated by him to have been 30 or 35 miles an hour while he was still giving stop signals. He was positive that the flag was unfurled and said that he gave his stop signals in the same manner he had always given them. After the train had passed him, he went to see the operator to find out why it had gone by his signals. Afterwards the flagman of train No. 23 asked the operator if he had seen Flagman LaLiberte flag the train, and the operator said he had. Flagman LaLiberte further stated that he was examined and put to work as a freight brakeman on October 18, 1918, after having studied the book of rules for 6 days. His experience as a flagman consisted of one trip to New York with deadhead equipment and a few trips with light engines. He had also flagged a few times as a head brakeman. He had never been given a written examination and had never had the flagman's examination, but was to have taken it in the near future. This was his first trip on the wire train, and he stated that when he reported for work he did not know what his duties were to be; that he did not know whether or not there were any torpedoes on the wire car, and that if he had had them with him, he would not

have used them as he did not consider it necessary under the circumstances, although their use is required by Rule No. 99.

Operator Bak, on duty at Touisset, stated that he saw Flagman LaLiberte before train No. 23 passed. He did not see a flag in his hands and thought he was a passenger. The flagman was about 30 or 35 feet west of the station when train No. 23 passed and about 2 or 3 feet from the track. He heard the motorman sound the whistle twice. He said he did not see any flag in the flagman's hands and then said that he saw only a small part of it on account of the flagman being turned partially away from him. His statements as to whether or not the flagman flagged the train were also contradictory. He also said that the flag was not unfurled, but later on said that he did not know whether it was unfurled or not. After train No. 23 passed, the flagman came in, unrolling the flag, and placed a fusee in it, rolled it up, and said that the passenger train probably had orders. He did not tell the flagman of train No. 23 that he had seen Flagman LaLiberte giving stop signals. When asked about the statement of Flagman LaLiberte, who claimed he had said, "Boy, don't be afraid. I saw you flag the train," he said that he was considerably excited and could not recall what he had said or had not said. He then practically admitted that he had made the statement just quoted, but said that it was done to encourage the flagman.

Rule No. 99a of the operating rules of this railroad provides as follows:

When work train crews, trackmen or other employees, are performing work requiring flag protection, the flagman will be furnished written instructions, which must be shown the enginemen of all trains stopped by him.

He written instructions were issued to Flagman LaLiberte by Conductor Russell.

The statements of Operator Bak are so conflicting in every important detail as to be practically useless, while on account of conflicting statements of the various employees, it is impossible to say what conversation passed between them immediately after the accident. That Flagman LaLiberte was not fully acquainted with the flagging rule, however, is indicated by his statement that if he had had torpedoes, he would not have used them because in his judgment the circumstances did not require them, when, as a matter of fact, the use of torpedoes is an absolute requirement, no discretion in the matter being left to the flagman. There is considerable doubt as to whether Flagman LaLiberte unfurled his flag when giving stop signals to the motorman of train No. 23. In either case, however, the signals which he gave were of such a nature that the motorman took them for a proceed signal. Flagman LaLiberte had never qualified as a flagman and had acted as such on only a few occasions, but he had been in railroad service between 4 and 5 months and certainly knew how to stop a train. He understood what he was to do and no excuse can be offered for his failure to stop train No. 23. Conductor Russell, however, should have given him written instead of verbal instructions, and had the flagman known that he had to show such instructions to the motormen of

all approaching trains, it is probable that he would have made a more determined effort to stop train No. 23.

This accident was caused by the failure of Flagman Laliberte to hold train No. 23 at Touisset in accordance with the verbal instructions he had received from Conductor Russell.

Flagman Laliberte was employed as a brakeman in October, 1918, having had no previous railroad experience. At the time of the accident, he had been on duty about 2 hours, after about 15 hours off duty. His record was good.

Conductor Russell is open to censure for his failure to comply with the requirements of Rule No. 99a previously quoted.

G.V.L.