

## INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY,  
IN RE INVESTIGATION OF AN ACCIDENT WHICH  
OCCURRED AT THE INTERSECTION OF THE TRACKS OF  
THE TEXAS & NEW ORLEANS RAILROAD, SOUTHERN  
PACIFIC LINES, AND THE PORT TERMINAL RAILROAD  
ASSOCIATION AT HOUSTON, TEX., ON JANUARY 7,  
1927.

January 29, 1927

To the Commission.

On January 7, 1927, there was a side collision between two freight transfers at the intersection of the tracks of the Texas & New Orleans Railroad, Southern Pacific Lines, and the Port Terminal Railroad Association at Houston, Tex., resulting in the death of one employee and the injury of one employee.

Location and method of operation

The Houston Terminals, Southern Pacific Company, are under the supervision of a superintendent of terminals, all yard engines being under his control and in direct charge of yardmasters and they are operated without train orders. The accident occurred within the city limits of Houston, at a point known as Galena Junction. There is no interlocking plant at this point, nor is either line equipped with a block-signal system, but it is required by the operating rules and special instructions in the time-table that all trains shall stop when approaching a railroad crossing at grade, provided it is not equipped with an interlocking plant. The tracks of the two roads intersect at this point at an angle of about  $27^{\circ}$ , the track of the T. & N. O. R.R. is tangent and practically level and extends from northwest to southeast, while the track of the P. T. R. A. extends almost north and south. Approaching from the south, the direction from which the P. T. R. A. freight transfer approached, and beginning at the southern end of the bridge spanning Buffalo River, the track is tangent for a distance of about 2,900 feet, followed by a  $5^{\circ}$  curve to the left about 500 feet in length which extends almost to the crossing, and it is then tangent to and beyond the crossing, the grade at the crossing is 0.4 per cent ascending for northbound trains. In the vicinity of the point of accident it is open territory, there being nothing to obstruct vision.

The weather was clear at the time of the accident, which occurred at about 9.40 p.m.

#### Description

The westbound T. & N. O. freight transfer involved in this accident consisted of 40 cars, hauled by M. L. & T. engine 161, and was in charge of Engine Foreman Vieman and Engineman Sproule. This train made a stop for the crossing and then proceeded a short distance and made another stop, with the rear end of the sixth car and the head end of the seventh car standing on the crossing. Engine 161 was then cut off in order to make a switching movement and it had been recoupled to the train and was about to start, after having blocked the crossing for a period of time estimated to have been from four to six minutes, when the cars on the crossing were struck by the lead car in the P. T. R. A. freight transfer.

The northbound P. T. R. A. freight transfer consisted of 21 cars, being pushed ahead of M. L. & T. engine 83, which was headed south and backing up, and in charge of Engine Foreman Fultz and Engineman Daggett. This train did not make the required stop for the crossing and the lead car, a box car collided with the cars on the crossing, both of which were gondolas, while traveling at a speed estimated to have been about 6 or 8 miles an hour. The rear truck of the sixth car and the forward truck of the seventh car in the T. & N. O. transfer were derailed and pushed to the north of the crossing a distance of about 4 feet, but without breaking the coupling between them. The lead car of the P. T. R. A. transfer was derailed to the left and overturned, coming to rest on its left side, while one pair of wheels of the forward truck of the car immediately behind it was also derailed. The employee killed was the engine foreman of the P. T. R. A. transfer, who was riding on the top of the lead car at the time of the accident.

#### Summary of evidence

Switchman Gudger, of the P. T. R. A. transfer, stated that he and Engine Foreman Fultz were standing on top of the lead car as it approached the crossing at a speed of about 3 miles an hour, and from this position he could see the switch lights in the yard beyond the crossing. There is a connection switch located just north of the crossing, however, and the light on this switch could not be seen on account of the cars standing on the crossing. Not realizing that the crossing was blocked and that they had been looking over the tops of the gondolas, no attempt was made to bring their train

to a stop and he told the engine foreman that he would get down on the side of the lead car in order to ascertain more readily whether or not the switch was properly lined, it was at about this time that the accident occurred, while he was still on top of the car. Switchman Gudger had not noticed the presence of the T & N. O. engine near the crossing. Switchman Gudger further stated that on some occasions engines with or without cars would stop for the crossing as required by the rules, while on other occasions no stop would be made. In this particular case engine 83 had about as many cars as it could handle and if a stop had been made for the crossing it would have been a very difficult proposition to get the transfer started again. The air brakes on this transfer were not coupled and in operation. Switchman Gudger said the accident happened on account of the fact that it was impossible for the engine foreman or himself to see the low-slee gondolas standing on the crossing, and he was of the opinion that the accident would have occurred even had their train stopped within 30 feet of the crossing, unless he or the engine foreman had climbed down from the box car on which they were riding and had walked ahead in order to ascertain definitely whether or not the crossing was clear of cars.

Switchman Christenot, of the P. T. R. A. transfer, stated that he was riding on top of the car next to the engine in order to transmit signals to the engineman. He saw the engine of the T & N. O. transfer but did not know in which direction it was headed, nor did he know that there were cars standing on the crossing, and he said that the first he knew of anything wrong was when the lanterns of the men on top of the lead car disappeared suddenly following which he felt a light shock.

Engineman Daggett, of the P. T. R. A. transfer, stated that he was watching closely for signals but that none was given after the back-up signal was received by him in the vicinity of the bridge about half a mile south of the crossing. As his train approached the crossing he could see switch lights in the yard beyond the crossing and this caused him to think that the crossing was clear, he could also see the lanterns of the two employees on top of the lead car, but he did not see the headlight of the other engine and did not know there was anything wrong until he felt the slight jar caused by the collision. Engineman Daggett further stated that the speed of his train was about 6 miles an hour, and that he was expecting to receive a stop signal when approaching

the crossing. He knew the location of the crossing and that the grade was ascending for northbound trains, and expressed the opinion that even though the air brakes were not coupled and in operation, he could have stopped for the crossing without any trouble although he did not know about getting started again. He said it was not the practice to run the crossing unless it was definitely ascertained that the way was clear or the crossing protected by flag, although all trains are required to stop and sound two long blasts on the engine whistle before proceeding over crossings not protected by an interlocking plant. The statements of Fireman Hoanett added nothing of importance.

The statements of the members of the crew of the T. & N. O. transfer were to the effect that their train was brought to a stop before proceeding over the crossing and that the headlights on each end of the engine were burning, none of them was able to give any information of importance concerning the occurrence of the accident. It further appeared from their statements that the air brakes on their train were not coupled and in operation, the engineman saying that this was the usual practice, although he had received instructions that the air brakes were to be used on all cuts of cars when making main track movements.

General Yardmaster Holmes, of the P. T. R. A., stated that he was aware that in some instances northbound movements were made over the crossing without first coming to a stop, as required, when it was seen that the crossing was clear and when it was protected by members of the switch crew, and he considered this practice to be safe, regardless of the fact that under special instructions in the time-table it is required that trains and engines must stop before crossing a railway at grade unless protected by an interlocking plant. Questioned further on this practice, Mr. Holmes said that while he did not consider it safe policy to operate a railroad without complying strictly and literally with the rules and regulations, yet on account of the location of this particular crossing and the physical conditions surrounding it he thought a full stop was unnecessary if the movement were made with caution and protected by a flag, although he realized that in proceeding over the crossing in this manner the rules must of necessity be violated.

Superintendent Drake, of the P. T. R. A., admitted that he had observed technical violations of the instructions, involving the failure of crews to come to a complete stop before proceeding over a crossing, but in those cases the crossing signal whistle was always sounded and the men were on the footboard prepared to flag the crossing. He had not observed nor had it been brought to his

attention that engines or transfer movements were failing to stop, as required, before proceeding over the crossing on which this accident occurred and he said instructions had been issued to the effect that the rules should be strictly complied with and that employees failing to observe them would be taken out of service. Superintendent Drake thought that Engine Foreman Fultz did not intend to run the crossing but that the collision was a result of his inability to ascertain his correct location with reference to the crossing.

### Conclusions

This accident was caused by the failure of the Port Terminal Railroad Association transfer to be brought to a stop before passing over the Texas & New Orleans crossing.

Crews of the Port Terminal Railroad Association often use the tracks of the Houston terminals of the Southern Pacific Company and are required to pass an examination on the rules of the Southern Pacific Company. These rules require that trains and engines must stop before crossing the tracks of another railway at grade unless such crossing is protected by an interlocking plant. The evidence indicated that this provision of the rules was fully understood by officials and employees alike, but it also appeared that this provision was often ignored by the employees with the full knowledge of the supervising officials of the Port Terminal Railroad Association. The superintendent admitted that he knew the rule requiring a full stop was not being obeyed in all cases, but he said that in such cases the crossing whistle would be sounded while there would be men on the footboard of the engine ready to protect the crossing by flag. The answer to this statement can be found in the accident which occurred in the Houston Terminals on September 13, 1923, where that proceeding was followed by an International & Great Northern transfer crew, with the result that when a Southern Pacific passenger train suddenly appeared from behind some nearby buildings it was too late to bring the transfer to a stop.

It is not believed that a consideration of the facts mentioned in the preceding paragraph warrants the placing of responsibility on any of the individual members of the Port Terminal Railroad Association crew for the occurrence of this accident, but rather that it should be placed on the officials, who, according to their own statements, were fully aware of the fact that the rule in question was not being obeyed at all times.

It is to be noted, that both of these transfer trains were being operated in violation of law, as the

air brakes were not coupled and in operation as required. A similar situation existed in the case of the transfer train involved in the accident of September 15, 1922.

The engine man of the Port Terminal Railroad Association crew had been employed as an engine man about four months after less than two years' service as a fireman; all the other members of this crew were inexperienced men. The crews of both of the transfers involved had been on duty approximately 6 hours, previous to which they had been off duty from 16 to 32 hours.

Respectfully submitted,

W. P. BORLAND,

Director.