

In re Investigation of accident which occurred
on the Chicago, Rock Island & Pacific
Railway near Marion, Kansas, on
November 22, 1916.

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On November 22, 1916, there was a rear-end collision between two freight trains on the Chicago, Rock Island & Pacific Railway near Marion, Kansas, which resulted in the death of one employee. After investigation of this accident the Chief of the Division of Safety submits the following report:

The division on which this accident occurred is a single track line. No block signals are in use, the operation of trains being handled by time-table and train orders. The accident occurred on an ascending grade of .7 per cent, about 500 feet west of the eastern end of a curve of 1 degree, this curve being 1,333 feet in length. The track at this point is on a fill of 10 feet. Approaching this curve the track is tangent for more than one mile. At the time of the accident a light snow was falling.

Westbound freight train No. 99 consisted of 30 cars and a caboose, hauled by locomotive 2101, and was in charge of Conductor LaFollette and Engineman Stevenson. It left Marion at about 12.05 p. m., and at a point about 2-1/2 miles west of Marion was struck by westbound freight train No. 87. At the time of the accident train No. 99 was moving at a speed of only 6 or 8 miles an hour, due to the fact that it was necessary for the engine to work steam easily on account of the engine foaming.

Westbound freight train No. 87 consisted of 11 cars and a caboose, hauled by locomotive 1445, and 3 empty stock cars pushed ahead of the locomotive. The train was in charge of Conductor Edwards and Engineman Solomon. It left Marion at 12.25 p. m., and collided with the rear end of train No. 99 at about 12.35 p. m., while traveling at a speed estimated to have been between 15 and 20 miles an hour.

Locomotive 1445 was derailed and turned over on its left side, while the tender remained upright on the fill. The caboose and last four cars of train No. 99 were derailed and turned over on the left side of the track. The wreckage caught fire, presumably from the stove in the caboose, and all of the derailed cars were destroyed by fire. Conductor LaFollette, of train No. 99, was killed in the accident.

Engineman Stevenson, of train No. 99, stated that his train arrived at Marion after train No. 87. He had no conversation with any member of the crew of that train while at Marion, and no one said anything to him about train No. 87 helping his train over Aulne Hill, Aulne being the next station, 6 miles beyond Marion. He thought his train left Marion at 12.08 or 12.10 p. m., and said that after starting, the condition of his locomotive, which had been foaming, became worse and that it was necessary to work a light throttle. The locomotive entered the curve on which the accident occurred while traveling at a speed of about 10 miles an hour, and at the time of the accident the speed had been reduced to about 7 miles an hour. The accident occurred at about 12.35 p. m. Engineman Stevenson further stated that the normal speed of his train at this point was 18 or 20 miles an hour, and while it was moving at a speed of only 7 miles an hour, and while he knew that train No. 87 would follow his train out of Marion, yet he did not think that his train was delayed under the wording of, or the interpretation generally placed upon, rule No. 99, and for this reason did not think it necessary to whistle for flag protection, saying that he never knew of its being done on hills so long as a train was moving. Engineman Stevenson also said that besides the fireman and the head brakeman, the conductor knew about the condition of the locomotive, as he had passed by while they were moving out the locomotive at Marion, and he had told the conductor about it.

Head Brakeman Hol is stated that his train left Marion at 12.10 p. m. When it started to ascend the grade it was traveling slowly, and he dropped off on the outside of the curve and allowed the train to pull past him in order to see if any of the brakes were sticking. About 12 cars had pulled by when the rear of the train was struck by train No. 87. He thought the speed at the time was about 6 or 8 miles an hour. He did not know anything about any arrangement having been made for train No. 87 to assist his train over the hill.

Rear Brakeman Haggard stated that on leaving Marion he bled the air cylinders on three cars on the rear of the train. He then told Conductor LaFollette that he thought some of the air brakes were sticking and went forward over about 12 cars and released the brakes on one car. As he descended to the ground by a side ladder he saw train No. 87 coming, apparently three-quarters of a mile distant, and he supposed that it was going to assist his train over the hill. He did not know that train No. 87 had cars ahead of its locomotive until after the accident, which occurred while his train was traveling at a speed of 6 or 8 miles an hour. He did not know anything

about any understanding that train No. 37 would assist his train up the hill. He knew that train No. 97 would follow his train out of Marion, and said that when the speed of his train was reduced to 6 or 8 miles an hour he did not think it necessary to protect the rear of the train, saying that there was nothing in sight at that time. At no time did he make use of any torpedoes or fuses and at no time was he instructed by Conductor LaFollette to use them.

Engineman Solomon, of train No. 87, stated that train No. 99 left Marion at 12.05 a. m., and that his own train left at 12.20 or 12.23 p. m., pushing 3 empty stock cars ahead of the locomotive. The cab window was open and he was keeping a sharp lookout, but at no time did he see the rear end of train No. 99 on the tangent track approaching the curve on which the accident occurred. He also said that he did not see Head Brakeman Dix after the latter went through the front cab window on the fireman's side, supposedly to ride on the head car, and he did not know whether or not he was on that car, as he should have been under the requirements of rule No. 102, which reads as follows:

"When cars are pushed by an engine (except when shifting and taking up trains in yards) a Flagman must take a conspicuous position on the front of the leading car."

Nothing had been said to him about the possibility of overtaking train No. 99 and assisting it up the hill, and he did not know anything about the nearness of train No. 9 until he saw the cars piling up. At this time he was working steam and the speed of his train was about 15 miles an hour, which was the highest rate of speed he had made since leaving Marion. Engineman Solomon further stated that he did not remember having seen bulletin No. 159, issued September 25, 1914, forbidding the pushing of cars ahead of a locomotive from one station to another. He said he had known of such movements being made, and did not know that they had ever been criticized. This bulletin reads as follows:

"ALL TRAIN AND ENGINEEN:

"Long time since bulletin instructions were issued prohibiting the shoving of cars between stations, ahead of engine. I have noticed in several cases recently that these instructions are not being complied with.

"The only exception that will be made to these instructions is that when a spur track is located between stations, and this will not apply to the transfer tracks at Alma or White City, neither will it apply to the westbound cars picked up on the stock track Peabody and shoved ahead to Elbing.

"W. S. Phillips, Trainmaster."

Engelman Solomon also said that it was snowing slightly, not enough, however, to interfere with his vision.

Fireman Pollatz stated that he did not know of any arrangement having been made for his train to assist train No. 99 up the hill. Leaving Marion, Head Brakeman Dix boarded the train three or four car lengths behind the locomotive and when he reached the cab remained there for a short time before going forward on the left side. He was busy working on the fire after the brakeman started forward, and did not know how far the brakeman went before the collision occurred. He did not think the accident would have been prevented even if the brakeman had been riding on the head car, partly on account of inability to see train No. 99, and partly on account of inability to transmit signals, due to the snow. He said the snow was quite heavy, with a strong wind. Between Marion and the point of accident he was on his seatbox two or three times, the last time being about one-half mile from the point of accident, but at no time did he see anything of train No. 99. The highest rate of speed attained by his train was 15 or 18 miles an hour; the locomotive was working steam at the time the collision occurred.

Head Brakeman Dix stated that when his train left Marion he boarded the third or fourth car behind the locomotive. He then went forward over the cars to the engine cab, reaching there by the time the train was .3 mile from the station at Marion. When going forward over the cars he had looked ahead, but had not seen anything of train No. 99. He said, however, that he was not thinking of that train, as it had left some time previously. He had a bad cold and as he had become heated up while working at Marion he remained on the locomotive for a minute to get cooled off before going ahead to ride on the cars. He then left the cab by the front window on the fireman's side, and had just reached the roof at the rear end of the car immediately ahead of the locomotive when the collision occurred. Brakeman Dix also said that nothing had been said to him either by the engineer or the fireman about riding on the cars. He thought, however, that under the weather conditions existing, particularly the wind, he could not have ridden on the head car, facing the snow and wind, and have been able to see anything on the track ahead. He did not remember having seen any bulletin forbidding the pushing of cars ahead of a locomotive from one station to another; if he had read it he had forgotten it. The highest speed attained by his train was 12 to 14 miles an hour.

Conductor Edwards stated that train No. 99 left Marion at 12.05 p. m. Before the departure of that train he had noticed that locomotive 2101 was foaming. The conductor had not said anything to him about engine trouble, but he had

talked with him and told him that if train No. 99 had trouble on the hill he would assist him. He did not, however, tell any member of his crew that they would assist train No. 99 over the hill if they overtook them, and did not tell Conductor LaFollette that he was going to push some cars ahead of the locomotive. After train No. 99 left, he did some switching, including the placing of three empty stock cars ahead of the locomotive. He did not have any conversation or understanding with any member of his crew as to what he was going to do with them, merely saying to the head brakeman that they would push them ahead of the locomotive. While the cars were billed to Peabody, the next station beyond Aulne, he thought the brakeman understood that they would be pushed only to Aulne. He could have put them in the train at Marion, but he had his mind on helping train No. 99 up the hill, and he thought his crew also understood that he intended to help that train, as was customary. He did not know how often he had assisted train No. 99, saying that this did not apply to that train in particular, but to any train. He also said that he did not instruct Head Brakeman Dix to ride on the head car, but felt sure he would obey the rules. Leaving Marion Head Brakeman Dix was riding on the head end of the train, and he was confident that he was on the head car, saying that if he was not there he would have been on the head end himself. His train did not leave Marion until 12.23 p. m., and he did not think that it would overtake train No. 99. He was at his desk in the caboose, and then went into the cupola, riding on the right side. It was snowing slightly, but not enough to interfere with his vision. Although from this point he could have seen a brakeman riding on the head car, in front of the locomotive, he said that he did not look. He could also have seen the rear end of train No. 99 if it had been on the tangent track, but again he did not look. Later he left the cupola, and the first he knew of the accident was when Rear Brakeman Embree said to look out. The rear brakeman had been riding on the left side of the cupola all the time. It was 12.32 or 12.33 p. m. when the collision occurred. He thought the highest speed attained by his train was 15 miles an hour, and that it was running at this speed when the collision occurred. After the accident Engineman Solomon told him that if he had been flagged in any way the accident would not have occurred. He asked the head brakeman where he had been riding, and understood him to say that he was on the running board of the locomotive, but was not positive. Conductor Edwards further stated that he did not remember seeing any bulletins during 1915 or 1916 forbidding the pushing of cars ahead of a locomotive, and stated that it was his understanding that special bulletin instructions were void at the end of each year unless reissued. If there was a bulletin issued in 1914, forbidding the pushing of cars he understood that the practice could be resumed on January 1, 1915, unless the bulletin was reissued. He also stated that he could not recall any instance in which bulletins

desired to be continued in effect had not been so reissued. He afterwards stated that instructions governing the operation of the road, once issued, are in effect until changed by subsequent instructions, and said he thought he remembered bulletin No. 159. The last time he had pushed cars ahead of his locomotive was four or five months previously, and he said that he had never heard of any conductor being criticized for moving cars in that manner, or having received instructions that it must not be done.

Rear Brakeman Embree stated that he heard nothing said about helping train No. 99 up the hill, and that he did not look to see if he could see that train. When about one mile from Marion he went into the cupola of the caboose, riding on the left side. He could not see whether or not there was a brakeman riding on the cars ahead of the locomotive, saying that the smoke interfered with his view. The highest speed attained by his train was about 18 miles an hour.

This accident was caused by train No. 87 being operated with cars being pushed ahead of the locomotive and by the failure of a flagman to be stationed on them when being handled in this manner, for which Conductor Edwards, Engineman Solomon and Head Brakeman Dix are responsible. These cars were placed ahead of the locomotive by Conductor Edwards, in violation of bulletin No. 159. After having placed them in that position, Conductor Edwards should have seen to it that a flagman was stationed on the head car before the train started from Marion, as required by rule No. 102, previously quoted. Engineman Solomon is equally responsible for starting his train out of Marion without a flagman on the head car, and for not having Head Brakeman Dix take his station as soon as he reached the locomotive. Head Brakeman Dix shares equally in the responsibility for his failure properly to observe and obey rule No. 102.

A contributing cause was the failure of Conductor LaFollette to have the rear of his train properly protected as required by rule No. 99. On account of the death of Conductor LaFollette, from injuries received, no statement from him could be obtained, but in view of the statement of Conductor Edwards that he had an understanding with Conductor LaFollette that his train would assist train No. 99 if it overtook it on the hill, Conductor LaFollette may have supposed that all the members of the crew of train No. 87 would know of the arrangement and would be expecting to find his train ahead of them.

Conductor Edwards was employed from 1892 to 1897 as a pipefitter, and for about six months in 1897 as a fireman. From December, 1897, to September, 1903, he was employed as a brakeman, being promoted to conductor in 1903. In November,

1915, he was given 30 demerits for responsibility in connection with an accident, and in February, 1918, he was given 10 demerits for failing to block. All of these demerits have since been cancelled.

Engineman Solomon was employed as a hostler from 1889 to 1892, as a fireman from 1892 to December 5, 1900, at which time he was promoted to engine man. He was given 15 demerits for an accident in July, 1910, and in January, 1911, he was given 20 demerits on account of an accident. In November, 1912, he was dismissed for unsatisfactory conduct, being reinstated in November, 1913. On February, 1914, he was given 10 demerits for failing to block 10 minutes.

Head Brakeman Dix was employed as a brakeman in November, 1910, and had a clear record.

Conductor LaFollette was employed as a brakeman in October, 1903, and was promoted to conductor in December of the same year. In December, 1914, he was dismissed for responsibility in connection with an accident, being reinstated in August, 1915. With this exception, his record was good.

All of the employees involved had been on duty from 3-1/2 to 4-1/2 hours, after periods off duty of 13 hours or more.