

## INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE  
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE  
LOUISVILLE & NASHVILLE RAILROAD AT WALTON, KY., ON  
OCTOBER 24, 1929

February 15, 1930.

To the Commission:

On October 24, 1929, a passenger train struck a motor truck at a grade crossing on the Louisville & Nashville Railroad at Walton, Ky., resulting in the derailment of the train and the death of the operator of the motor truck and two employees, and the injury of one passenger and one other person.

Location and method of operation

This accident occurred on that part of the Cincinnati Division extending between Cincinnati, Ohio, and Louisville, Ky., a distance of 113.7 miles, in the vicinity of the point of accident this is a single-track line over which trains are operated by time-table, train orders, and an automatic block-signal system. The accident occurred at a highway crossing which crosses the track at an angle of about  $30^{\circ}$ , approaching this point on the railroad from the north there is a  $4^{\circ} 18'$  curve to the left 702.6 feet in length, from which point the track is tangent for a distance of approximately 900 feet, the accident occurring on this tangent at a point about 350 feet from its northern end. The grade is practically level at the point of accident. Approaching from the west on the highway a train approaching from the north can be plainly seen for a distance of 700 feet. The crossing is protected by a warning signal of the wigwag type, located just east of the track on the south side of the highway. This signal is equipped with a red light in the center of the disc which flashes at intervals when the signal is in operation. There is also a warning bell on the signal mast, the disc and bell are actuated by trains approaching from the north when they encounter the control circuit, which extends for a distance of about 1,780 feet from the crossing.

The weather was cloudy and a mist prevailed at the time of the accident which occurred at about 9.58 a.m.

#### Description

Southbound passenger train No. 7 consisted of one express car, one postal car, one storage car, one baggage car, two coaches and three Pullman cars, in the order named, hauled by engine 414, and was in charge of Conductor Gregg and Engineman Frazier. This train passed Latonia, 15.7 miles north of Walton, at 9.35 a.m., 30 minutes late, and was derailed after it collided with the motor truck at Walton while traveling at an estimated speed of 30 miles per hour.

The motor truck involved was a  $1\frac{1}{2}$ -ton Armleader truck, loaded, and was traveling east on the highway, known as Nicholson Road, the truck was moving over the crossing at a speed estimated to have been between 8 and 10 miles per hour when it was struck by train No. 7.

Engine 414, its tender, the first four cars, and the forward truck of the fifth car, were derailed. The engine came to rest on its right side, east of the main track, and approximately 375 feet south of the crossing. The tender was also overturned, but the derailed cars remained upright. The motor truck was demolished. The employees killed were the engineman and fireman.

#### Summary of evidence.

Conductor Gregg stated that the brakes were tested before leaving Cincinnati and that they functioned properly in making station stops en route. He was riding in the third car from the rear of the train when approaching the point of accident, but did not hear a whistle signal sounded for the highway crossing, although such a signal could have been sounded without his having heard it, in view of his location in the train. His first knowledge that something was wrong was when the brakes were applied in emergency, and after the train stopped he looked out and discovered what had occurred. He had not paid particular attention to the speed of the train but did not think it was above the average between Latonia and the point of accident. After the train came to rest, he went forward but at this time

he did not notice whether the crossing signal was operating, although some time afterwards he saw and heard it in operation when other trains reached the track circuit. He said that while the weather was cloudy and misty, he did not think these conditions interfered with the range of vision.

Flagman Wallace stated that the train was handled in the usual manner after leaving Latonia and approached the point of accident at a speed of about 40 miles per hour. When the car in which he was riding, the third car from the rear, reached a point a short distance north of the section house, located approximately 600 feet north of the crossing, he felt an emergency application of the brakes. He failed to hear a whistle signal sounded while the train was approaching the crossing, but thought it might have been due to his being near the rear of the train and the fact that the wind was blowing in about the same direction the train was moving.

Baggage ~~car~~ Lee stated that he was riding in the baggage car and noticed no unusual operation of the train at any time until the brakes were applied in emergency, at which time the baggage car was just leaving the curve north of the crossing. He heard the whistle sounded for the crossing, which was followed within a few seconds by the brake application. He estimated the speed of the train at the time it struck the motor truck at 30 miles per hour. After the accident he noticed that the crossing signal was not working, but later on it functioned properly when other trains approached.

Train Porter Blythe stated that he was riding in the forward part of the fifth car, but did not hear a crossing whistle signal sounded. He paid no attention to the crossing signal and did not know whether it was working subsequent to the accident.

Ernest Hartman, a truck driver for the Standard Oil Company at Walton, stated that at the time of the accident he was on the east side of the track about 200 feet from the crossing. When he heard an engine whistle he looked towards the crossing and noticed a motor truck approaching it from the west, the engine whistle was sounded continuously until the engine collided with the truck. He also heard the air brakes on the train apply when it was about 200 feet north of the crossing and noticed that some of the wheels were sliding prior

to the accident. Due to his attention being attracted by the train and the truck, he did not notice whether the crossing signal was in operation, and if the warning bell was ringing he was unable to hear it on account of the blowing of the engine whistle. He had, however, noticed that this signal was functioning when a train passed that point prior to the arrival of train No. 7 and also noticed that it operated when another train entered the circuit subsequent to the accident. Driver Hartman further stated that the truck approached the crossing at a speed of not more than 8 miles per hour, which led him to believe it was going to stop, but it failed to do so and started over the crossing directly ahead of the approaching train. He also said that the driver of the truck involved lived at Walton, had been driving a truck for the same firm for about nine years, and undoubtedly was familiar with the crossing. He described the approach to the crossing on the highway from the west as being at such an angle that the driver of the vehicle faces almost directly toward an approaching southbound train.

Robert Robinson, another truck driver, stated that he was following the truck involved in the accident and was about 100 feet behind it when this truck turned off the Dixie highway into Nicholson road, about 200 feet west of the crossing, and at that time he observed the train rounding the curve north of the crossing. He also noticed that the driver of the truck ahead of him was sitting erect and looking straight ahead, but could not account for his failure to see the train, as it was almost in line with his vision and there was nothing to obstruct the view. Just before the engine entered the tangent, the engine whistle started blowing and continued to blow until it was about 50 feet from the crossing, while steam was shut off about 100 feet from the crossing. He estimated that the truck was 75 feet from the crossing, moving at a speed of about 10 miles per hour, at the time the whistle first commenced blowing, but instead of stopping, the truck continued to the crossing without reducing speed. Driver Robinson did not notice whether the crossing signal was working, as he was engrossed in watching the train as well as the truck as they approached the crossing.

Signal Supervisor Welsh stated that he arrived at the scene of the accident at about 2.15 p.m. and

immediately communicated with the signal maintainer, in charge of the crossing signal, and was informed that the signal had not been inspected by him, the maintainer's helper also advised that there had been no repairs or adjustments made to the bell prior to his arrival. Supervisor Welsh then inspected the bell and found it to be working properly. He also made observations when other trains were passing over the circuit, and in no instance did the bell fail to ring, there being no necessity to make any adjustments subsequent to the accident.

### Conclusions

This accident was caused by the driver of a motor truck proceeding on a crossing at grade directly in front of an approaching train.

The evidence was to the effect that the baggageman and other witnesses heard a whistle signal sounded while the train was approaching the point of accident, although the train crew heard no such warnings, but they stated this might have been due to their riding near the rear end of the train; they all agreed, however, that the brakes were applied in emergency prior to the accident. The two truck drivers who witnessed the accident stated that the truck approached the crossing at slow speed but did not stop before it started over the crossing. Evidently the driver of the truck did not see or hear the approaching train, although the physical characteristics in that locality are such that the driver of a vehicle approaching from the west has an intermittent view of a train approaching from the north for a distance of approximately 2,300 feet and a full view of a train for a distance of 700 feet. The driver of the truck lived at Walton, had been operating a truck in that vicinity for several years, and it seems probable that he was thoroughly familiar with the crossing, but no reason can be advanced to explain why he did not see the approaching train and bring his truck to a stop.

There was no direct evidence that the crossing warning signal and bell were operating at the time of the accident, but there were statements that it had been operated by a southbound train which passed that point less than two hours prior to the accident, and also by trains approaching after the occurrence of the accident, while Signal Supervisor Welsh stated that

no repairs or adjustments to the signal were required subsequent to the accident.

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.