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IN RE INVESTIGATION OF AN ACCIDENT RESULTING FROM A COLLISION BETWEEN A CAR OF THE CHICAGO & WESTERN INDIANA RAILROAD AND A STREET CAR OF THE CHICAGO SURFACE LINES AT CHICAGO, ILL., SEPTEMBER 14, 1918.

November 12, 1918.

On September 14, 1918, there was a collision between a Chicago & Western Indiana Railroad freight train and a street car of the Chicago Surface Lines at Michigan Avenue, Chicago, Ill., resulting in the death of four and the injury of 75 street car passengers, and the death of the street car conductor.

The tracks of the C. & W. I. Railroad at the point of collision run northwest and southeast, while Michigan Avenue runs north and south. At this point the steam road has four tracks, three of which are used as main tracks, numbered 2, 1 and 3, beginning with the south track. Tracks 1 and 2 are equipped with automatic block signals and are used for through freight and passenger traffic, track 2 being for eastbound and track 1 for westbound movements. Track 3 is for freight movements only, and the 4th track is an industrial team track. The street car line is a double track road, both tracks crossing the tracks of the steam line at grade at Michigan Avenue.

Approaching the scene of accident from the west there are 2820 feet of tangent track which continue for 1875 feet east, all on a descending grade of .45 per cent. The street car tracks are practically level where they cross the railroad right of way, but the approaches both north and south are on

a descending grade.

The train involved in this accident was a Chicago & Western Indiana freight doing industrial switching between the 83rd Street yard of the railroad company and Kensington. It consisted of 11 loads, 5 empties and a caboose hauled by C. & W. I. locomotive 204 in charge of Engineer J. C. Bratton and Conductor E. J. Hunt. This train entered Kensington moving with the current of traffic over the eastbound or No. 2 track, pulled across the street car track on Michigan Avenue, passed Kensington station, and stopped east of a cross-over switch about 1200 feet east of Michigan Avenue. From this point it backed westward through the crossover and onto the No. 3 track, again passing the depot, crossing the street car tracks, and stopping just west of an industry switch located about 1050 feet west of Michigan Avenue. At this point a flying switch was made of the entire train, the locomotive entering the industry track and the 17 cars moving eastward over the same track used in the westward movement. It was in the course of this movement that the train collided with the street car, which was just then on the crossing at Michigan Avenue.

Conductor Hunt of the C. & W. I. train stated that his train consisted of five empties, eleven loads, and a caboose, and that coming down the southbound track, he crossed over on track No. 3, shoving cars ahead. He backed up to within about 23 car lengths of Michigan Avenue, when he made a drop of the cars, his engine moving into a side track and the cars being

let down on track No. 3. At the time switch was cleared, train was moving at the rate of seven miles an hour. He had made this kind of movement practically every day and the towerman and policeman were relied upon for proper protection. There is no rule against making flying switches except within interlocking limits. The point where the accident occurred is not within such limits. Conductor Hunt stated that in order to make a drop at this point it is only necessary to take slack in order to permit cars to run past the engine, and in his opinion one good brake would stop a train of 17 cars at any place where it was desired to stop. He said that from the point where the drop was made a train would need to be 20 or 22 cars long to reach over the crossing. He was 3 blocks away from the crossing and did not know whether the gates were up or down. Switchman Stoops, who rode the cars, told him that he had set three brakes, but he did not know of his own knowledge how many were set.

Switchman Stoops stated that he rode the cars when the flying switch was made, that he had set the brakes on the 2nd, 3rd and 4th north end cars, the first being an empty coal car, that when engine cut loose from cars he just pulled slack out, and the track being on a grade the cars gained momentum as they moved along. He was five or six car lengths from Michigan Avenue when he was setting the third brake, and did not have sufficient time to set another brake before the accident occurred. He said the first brake did not take hold properly and he hurried as fast as he could to the other brakes, and felt confident that train would stop before reaching the crossing. He shouted at

the street car conductor when he saw him standing on the track, but the conductor did not hear him and did not look in his direction. The conductor was standing on the first track, and did not walk over the crossing ahead of his car. He did not try the brakes before starting to make the drop, as he had no opportunity to do so, and as far as he knew there might have been no brakes on the train that would hold. At the time the leading car passed the switch the train was running about 5 miles per hour, and he began to set brakes as soon as the engine was cut off.

Motorman Walsh of the street car stated that he left 119th and Morgan Streets at 12.08 p.m. and proceeded along Michigan Avenue and when he got to 116th Street he made a stop 100 feet from the railroad crossing and then a second stop 10 feet from the crossing. The conductor got off rear end of car and ran across the tracks and signalled him to go ahead, whereupon he rang his gong and started to cross the track. He saw no sign of freight cars and as he crossed the track heard the tower man ringing bell and hollering as though he was trying to get his gates down. He then saw train coming down on him, but was too far across track to reverse his car. Seeing no chance of backing up he put on all speed possible as the only means of avoiding the crash. When nearly across the track the crash came. The street car tipped upside down when freight car hit it, throwing him to the floor amidst broken glass. He further stated that the crossing gates were up as he approached the

crossing, that the weather was fair, and that no traffic officer or flagman was in sight so far as he observed. He said he complied with the rules by looking both ways before taking the conductor's signal to proceed, and saw nothing but an empty coal car standing on No. 3 track; that was the only car he saw and he was positive it was standing still. He said this car started to move while his car was on the crossing, his conductor was on the last track or next to the last when he gave the signal to come ahead. He said that when the crossing gates were up the street car crew generally took that as an invitation to proceed over the crossing.

Switchman Beren stated that he cut the engine off from the cars at the time the flying switch was made and that the start given the cars was at the rate of about three miles per hour. He noticed Switchman Stoops on the second head car as it passed by him, and at that time he had not started to set brakes, he did not see Switchman Stoops when he started to set brakes on that car.

Engineer Bratton stated that when he got to Kensington, going south, he crossed over and moved onto No. 3 track beyond Lafayette Avenue, stopping just over switch. After his engine got onto the side track it came back to the main line again and had gone about five or six car lengths when fireman told him that the cut of cars would not be stopped quick enough. He gave the crossing whistle, but this was of no effect. Switchman was setting brakes on cars at the time and train was moving at the rate of about 4 to 5 miles an hour. Speed of train was

not greater than usually made when making drop.

Fireman Bansback stated that train came down No. 2 track and moved across tracks at Kensington and Michigan Avenue and shoved back over switch at Lafayette Avenue, where the flying switch was started. The engine went in on team track and train went on down on No. 6 track. He thought train could not be stopped in sufficient time and engineer blew crossing whistle. He left engine and started to get on caboose to see if he could not help in stopping the train. He had just got on top when train stopped, he looked ahead and saw car standing up in the air. He went to the crossing and saw that a gondola was on top of street car. While cars were moving toward Michigan Avenue he saw the switchman setting brakes. He had been making these drops every day for a week. He could not see street car approaching from where he was.

Towerman Wise stated that he has been working at this crossing for over four years. At the time of the accident or a minute before a train was moving north and a train moving south. A little girl being in the way, his attention was drawn to her and he called to her to get out of the way, which she did. He then looked out and observed that a drop of cars had been made on the No. 3 track. The engine on the north track somewhat obscured his view and he kept his gates up, though he had a moment before had them down in order to let a C. & E. I. engine pass.

He stated that the street car had not waited more than two minutes for the trains to clear the crossing. His atten-

tion was first drawn to the oncoming cut of cars when he saw the street car conductor come out on the No. 2 track and give the signal to go ahead. He then looked around and heard the switchman on the cut of cars call out to the street car conductor to let the car remain where it was. He also called out and at the same time kept ringing his bell as a further warning. At this time the cut of cars was but half a car length or a car length from the crossing. He thought that if the conductor had gone far enough across the tracks he would have observed the oncoming cut of cars.

Just previous to the accident the crossing gates were down in order to let by a C. & E. I. engine, and no sooner were the gates up than the motorman started across. He further stated that before the car started and while it was going over the crossing, the motorman was engaged in conversation with one of the passengers. Had the motorman looked around he might have seen the cut of cars coming along. On being given a go-ahead signal by the conductor, however, he immediately started forward. After he called out to the conductor to let car remain where it was, it was impossible to lower gates in time to avoid accident. The rear end of the C. & E. I. train was just going over the crossing when he put the gates up, and the street car started as soon as the train cleared the crossing. He said that both the conductor and the motorman could have seen the cars moving down on the crossing had they

looked that way. He said it was not the general practice of street car conductors to go entirely across the tracks at this crossing before signaling their cars to come ahead, some go across the first track and some across the second one, but none goes further across than the second track.

The primary cause of this accident was the failure of Conductor Maher and Motorman Walsh of the street car to properly protect their car by observing the train movement on the C. & W. I. tracks. From the time this flying switch was started to the time of the collision there must have been a constant movement of this train towards the crossing, and both the conductor and motorman could have observed this movement had they been alert. One of the operating rules, No. 41, of the Chicago Surface Lines, reads, in part, as follows:

> Motormen will bring their cars to a full stop between 15 and 25 feet from steam railroad grade crossings, and will not enter such crossings until signaled forward by our signalman, or by conductor after he has gone at least half way across the tracks, looked both ways, and given the signal "come ahead, all clear;" in no case will the motorman proceed, even after being signaled, until he also has observed the crossing and found it safe to cross.

Contributing to the accident was the failure of the C. & W. I. train crew to control the speed of their train and to protect its movement over the crossing as required by rule 759. This rule reads as follows.

> 759. Cars must not be backed, nor cut loose and allowed to run over a street, highway, or private crossing without a flagman on the front of or preceding the leading car.

This rule was not complied with, and while the train would not

have reached the crossing if the movement had been made as intended, neither Conductor Hunt nor Switchman Stoops took measures to assure themselves that the train could be stopped short of the crossing, depending entirely on the towerman and traffic policeman to protect the crossing.

It also appears that the towerman was not as vigilant as he might have been, for had he been thoroughly alert he might have observed the approach of the cars being dropped on track 3 and would have therefore kept the crossing gates down until assured that the cars would be stopped before reaching the crossing.

Still another matter contributing to the accident was the failure to have a traffic policeman stationed at the crossing when the accident occurred. It appears that a traffic policeman is stationed at this crossing from 8 a.m. until 12 noon and from 1.30 until 6 p.m. As cars are constantly moving along the tracks, it is just as essential that a traffic policeman be stationed at the crossing during the noon hour as at other times. Had an officer been present at the time of the accident it might have been prevented.

The train crew, the street car crew and the towerman had been on duty but a few hours at the time of the accident, and had had ample rest prior thereto.

H.P.