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INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN  
RE INVESTIGATION OF AN ACCIDENT WHICH OCCURRED  
ON THE WESTERN PACIFIC RAILROAD NEAR NILEGARDEN,  
CALIF., ON JULY 1, 1929.

October 8, 1929

To the Commission:

On July 1, 1929, there was a head-end collision between a freight train and a light engine on the Western Pacific Railroad near Nilegarden, Calif., which resulted in the injury of two employees.

Location and method of operation

This accident occurred on the First Sub-Division of the Western Division, which extends between San Francisco and Stockton, Calif., a distance of 93.8 miles, and is a single-track line over which trains are operated by time-table, train orders, and a manual block-signal system. The accident occurred at a point approximately three-fourths mile west of Nilegarden; approaching this point from the west the track is tangent for more than 1 mile, followed by a 50' curve to the left 8,342 feet in length, the accident occurring on this curve at a point 1,559 feet from its western end. Approaching from the east the track is tangent, leading to the curve on which the accident occurred, while the grade is practically level for more than 1 mile in either direction.

The weather was clear at the time of the accident, which occurred at about 11.45 a.m.

Description

Eastbound helper engine 81 was in charge of Engineman Woodruff and Fireman Miller. At Niles, 53.1 miles west of Nilegarden, the crew received a copy of train order No. 47, Form 19, reading in part as follows:

"Eng 81 run extra Altamont to Stockton Yard with right over No. 61 Eng 38 and No. 77 Eng 23 to Carbona\*\*\*"

Engine 81 helped train No. 4 to Altamont, 26.8 miles beyond Niles, and then proceeded light from that point, passed Carbona, and was approaching Nilegarden, which is 11 miles from Carbona, when it collided with train No. 77 while traveling at a speed estimated to have been 18 or 20 miles per hour.

Westbound freight train No. 77 consisted of 45 cars and a caboose, hauled by engines 49 and 23, and was in charge of Conductor Hardy and Enginemen Duarte and Hamma. This train left Stockton Yard, 9.2 miles east of Nilegarden, at 10.55 p.m., 3 hours and 10 minutes late, having previously received a copy of train order No. 77, and after passing Nilegarden engine 81 was seen approaching and the train was brought to a stop just before the accident occurred.

None of the equipment was derailed, although engines 81 and 49 were quite badly damaged. The employees injured were the engineman and fireman of engine 81, who jumped off prior to the accident.

Engineman Woodruff, of engine 81, stated that the conductor of train No. 4 delivered train order No. 47 to him at Niles, this order being his authority to move his engine from Altamont to Stockton Yard, there being no office at Altamont. He read and thoroughly understood its contents and then handed it to his fireman, but did not remember if they discussed it. After assisting train No. 4 to Altamont his engine proceeded light, met train No. 61 at Midway, and upon arrival at Carbona he found a stop signal displayed. He went into the telegraph office, where the operator handed him another copy of train order No. 47, this being a middle order addressed to the operator, and also a clearance card indicating that his departing time would be 11.29 p.m., or 10 minutes behind train No. 4. As it was only 11.26 p.m., he waited a few minutes and during that time the operator remarked that he would have "clear sailing" from there, to which he replied in the affirmative, although the operator also stated that train No. 77 might not have left Stockton Yard before train No. 4 arrived. Engineman Woodruff returned to his engine, started ahead, and then failed to stop and go in on the passing track but proceeded eastward instead, and was approaching the point of accident when both he and the fireman observed the headlight of train No. 77 about 800 or 900 feet distant; he immediately closed the throttle, applied the brakes, opened the sanders and reversed the engine, jumping off when his engine had reached a point about 10 car-lengths from the opposing train. He

estimated the speed of his engine at 30 miles per hour at the time he first observed the approaching train, and he did not think it had been appreciably reduced when he got off. Engineman Woodruff further stated that there was nothing misleading about train order No. 47 and he could not account for his failure to remain at Carbonsa for train No. 77 other than to say that when he arrived at that point he fully expected to find the train there and that after his conversation with the operator it never occurred to him again that he was required to wait until the arrival of the superior train.

Fireman Miller, of engine 81, stated that he read the train order received at Niles and clearly understood its requirements, but did not read the copy of the middle order received at Carbonsa although it was delivered to him by the engineman with the remark "let's go". He was riding on his seat box looking ahead as his engine approached the point of accident and observed a light some distance ahead, but as there is a highway crossing in the vicinity of the point of accident and lights could be expected at that point at any time, he did not realize that it was the headlight of an approaching train until it was only about 1,000 feet distant. He immediately shouted a warning and the engineman crossed over to his side of the cab and looked ahead; Fireman Miller then got down on the steps and jumped off. He estimated the speed of his engine to have been 30 or 40 miles per hour at the time he first definitely ascertained that a train was approaching and did not think the engineman had taken any action to reduce its speed before he got off.. He also said that he knew the rules required him to read all orders but did not do so in the case of the middle order received at Carbonsa as he was relying on the engineman and took his word for it, consequently he did not know whether they had further rights over train No. 77.

Engineman Duarte, of the leading engine of train No. 77, stated that train order No. 47 was received at Stockton Yard, giving engine 81 rights over his train to Carbonsa. The headlight of his engine was burning brightly and the speed of his train was about 25 miles per hour approaching the point of accident. Upon reaching a point approximately 3/4 mile from where the collision occurred he observed the headlight of engine 81 and at once shut off steam and applied the brakes, bringing the train to a stop about 10 or 12 seconds prior to the accident, and at that time engine 81 was about four pole-lengths distant. He estimated the speed

of engine 81 at 18 miles per hour at the time of the accident and thought from the noise it was making just prior to the accident that it was in reversed position. He also said that in the vicinity of the point of accident it is open country and there is nothing to obstruct the range of vision except an occasional clump of trees.

The statements of Engineman Hamma, of the second engine, practically corroborated those of Engineman Duarte. He also noticed the headlight of engine 81 about 3/4 mile ahead and said that one blast was sounded on both engine whistles, while it required 25 or 30 seconds to bring his train to a stop. He estimated the speed of engine 81 at the time of the accident at 20 miles per hour. The statements of Fireman Boone, of the leading engine, and Fireman Bruce, of the second engine, brought out no additional facts of importance as they knew of nothing unusual until the engine whistles were sounded and the brakes applied, while Head Brakeman Ketchmark, who was riding on the leading engine, was not in position to have seen the headlight of engine 81 as soon as it came into view. Conductor Hardy and Flagman Fielder were riding in the caboose and did not know why their train was brought to a stop until the accident occurred.

Operator Schulte, on duty at Carbons at the time of the accident, stated that he had the train-order signal displayed for engine 81, which arrived at his station at about 11.24 p.m. When the engineman entered the office he informed him that he was "stuck" for train No. 77 and the engineman inquired as to the status of that train. The dispatcher had previously notified Operator Schulte that he was not certain whether train No. 77 had left Stockton Yard, and Operator Schulte informed Engineman Woodruff accordingly. He then delivered the middle order to the engineman but the engineman did not read it back to him and there was no discussion concerning the order. He also delivered a clearance card, on which was noted the leaving time of engine 81 as 11.29 p.m., which was done in accordance with the rules requiring the spacing of trains in the same direction 10 minutes apart, train No. 4 not having left that point until 11.19 p.m. Engine 81 departed at about 11.28 p.m., but at the time the operator was of the opinion that it would pull down and back in on the siding, and he said he did not know it had passed the east switch until he heard a whistle-signal sounded for a road crossing beyond that point. He immediately notified the dispatcher and they both made an effort to get in communication with other points in order to prevent the

accident but were unsuccessful. Operator Schulte was certain that he did not tell Engineman Woodruff that he would have "clear sailing" from Carbona, neither did he make any remark that would lead the engineman to believe that engine 81 could depart before the arrival of train No. 77.

### Conclusions

This accident was caused by the action of Engineman Woodruff and Fireman Miller, of engine 81 in overlooking an opposing superior train.

Train order No. 47 gave engine 81 rights over train No. 77 from Altamont to Carbona but beyond the latter point it had no authority over the superior train. It appears that both Engineman Woodruff and Fireman Miller read this order, understood its requirements when it was received at Niles, and knew they would have to remain at Carbona until train No. 77 arrived. A copy of this order was also delivered to them upon their arrival at Carbona, which was again read by the engineman but not by the fireman. Shortly after this middle order was delivered to them, however, they departed and then collided with train No. 77. The only excuse Engineman Woodruff could offer for his failure to remain at Carbona was that he had expected to find train No. 77 at that point upon his arrival there and after talking with the operator it never occurred to him to get into clear until the train had arrived. Fireman Miller did not read the middle order, neither did he make any inquiry as to its contents, although he knew that his engine had no right to proceed unless further authority were received. He seemed to have been content to depend on the engineman for the safe movement of the engine.

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.