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INTERSTATE COMMERCE COMMISSION

WASHINGTON

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INVESTIGATION NO. 2456

THE WESTERN PACIFIC RAILROAD COMPANY

REPORT IN RE ACCIDENT

AT DEL PASO, CALIF., ON

OCTOBER 23, 1940

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SUMMARY

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Railroad: Western Pacific  
Date: October 23, 1940  
Location: Del Paso, Calif.  
Kind of accident: Side collision  
Trains involved: Passenger : Passenger  
Train numbers 12 : 11  
Engine numbers: 84 : 81  
Consist: 4 cars : 4 cars  
Speed: 5 m. p. h. : 10 m. p. h.  
Operation: Timetable and train orders  
Track: Single; tangent; practically level  
Weather: Clear  
Time: 2:55 a. m.  
Casualties: 4 injured  
Cause: Accident caused by failure of inferior train when entering siding with headlight obscured to provide proper flag protection and failure of superior train to obey meet order

INTERSTATE COMMERCE COMMISSION

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INVESTIGATION NO. 2456

IN THE MATTER OF MAKING ACCIDENT INVESTIGATION REPORTS  
UNDER THE ACCIDENT REPORTS ACT OF MAY 6, 1910.

THE WESTERN PACIFIC RAILROAD COMPANY

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January 2, 1941

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Accident at Del Paso, Calif., on October 23, 1940,  
caused by failure of inferior train when entering  
siding with headlight obscured to provide proper  
flag protection and by failure of superior train  
to obey meet order.

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REPORT OF THE COMMISSION<sup>1</sup>

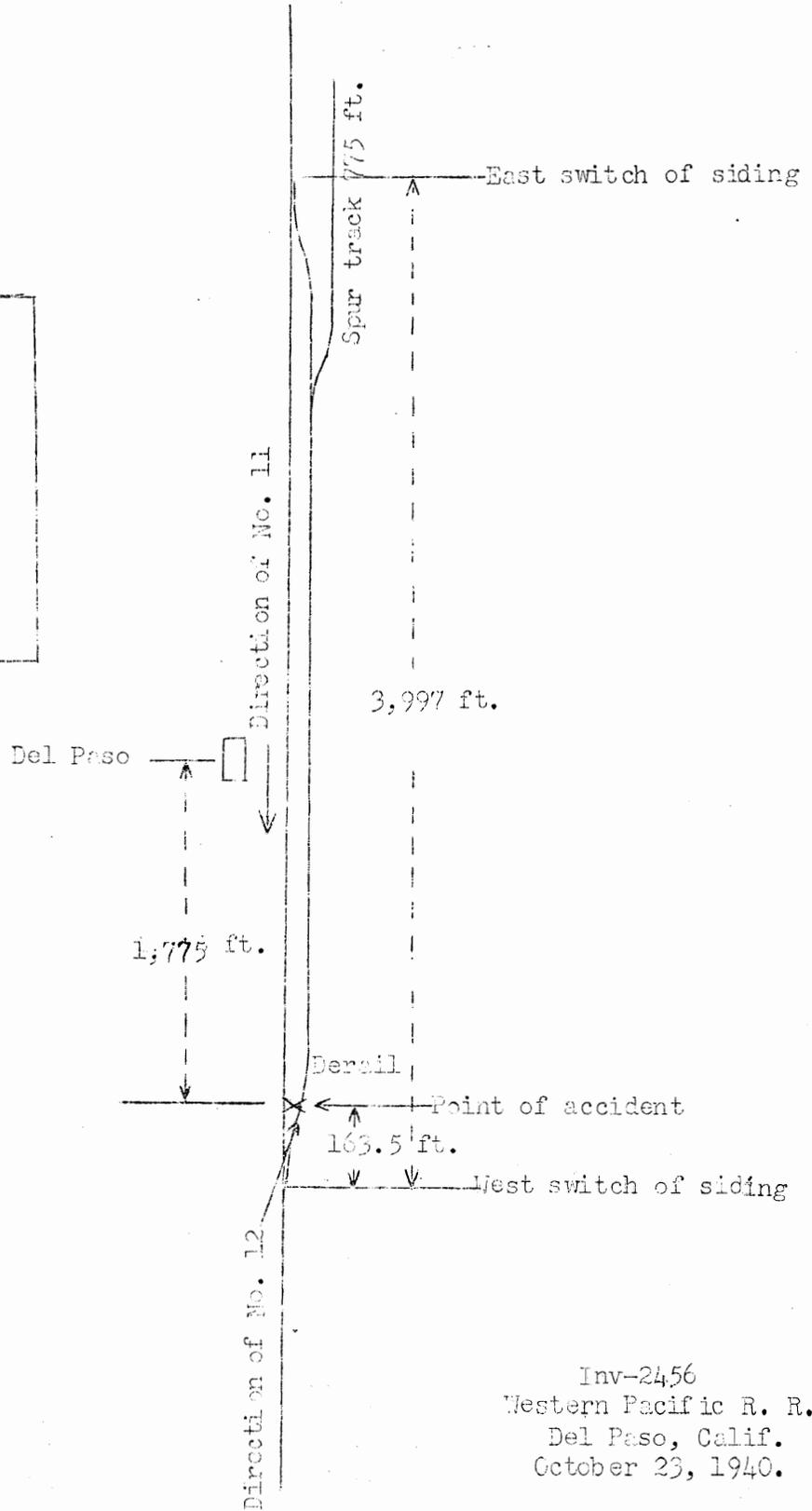
PATTERSON, Commissioner:

On October 23, 1940, there was a side collision  
between two passenger trains on the Western Pacific  
Railroad at Del Paso, Calif., which resulted in the  
injury of four passengers.

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<sup>1</sup>Under authority of section 17 (2) of the Interstate  
Commerce Act the above-entitled proceeding was referred  
by the Commission to Commissioner Patterson for consider-  
ation and disposition.

- o Oroville, Calif.  
26.3 mi.
- o Marysville  
35 mi.
- o Del Paso
- X Point of accident  
5.2 mi.
- o Sacramento  
24.7 mi.
- o Thortnton  
20.1 mi.
- o Stockton, Calif.



Inv-2456  
 Western Pacific R. R.  
 Del Paso, Calif.  
 October 23, 1940.

### Location and Method of Operation

This accident occurred on that part of the Western Division designated as the Second Subdivision which extends between Oroville and Stockton, Calif., a distance of 111.3 miles. In the vicinity of the point of accident this is a single-track line over which trains are operated by timetable and train orders; no form of block system is in use. At Del Paso a siding 3,997 feet in length parallels the main track on the south. A derail is located on the siding 175 feet east of the west switch. The accident occurred 1,775 feet west of the station at the fouling point of the west switch of the siding. As the point of accident is approached from either direction the track is tangent; the grade is practically level for several miles.

Rules and Regulations of the Transportation Department read in whole or in part as follows:

12.(H) Any object waved violently by anyone on or near the track is a signal to stop.

14. Engine Whistle Signals.

Note.-The signals prescribed are illustrated by "o" for short sounds; "—" for longer sounds. \* \* \*

14. (n) — — o. Approaching meeting or waiting points. \* \* \*

S-17. Until the headlight of a train turned out to meet another is extinguished, it is an indication that main track is obstructed. The opposing train must approach with caution, and, when the head end of train is clear of main track, it may proceed with caution to the point where the main track may be obstructed.

When necessary to head in on cars, to meet a train, thereby obscuring the headlight, a flagman must be sent ahead first, as prescribed by rule 99, until main track is clear.

S-90. At meeting points, trains must stop short of fouling point of switch to be used by the train entering the siding.  
\* \* \*

99. \* \* \*

The front of the train must be protected

in the same way, when necessary, by the brakeman; if not available, the fireman.

\* \* \*

840. \* \* \*

They (cars) must not be left on sidings or tracks principally used for meeting or passing of trains, when there is room for them on other tracks; if left on sidings or other such tracks for any reason whatever, except when performing switching at that station, the conductor must advise the Chief Train Dispatcher promptly. \* \* \*

Westward trains are superior to eastward trains of the same class.

The maximum authorized speed for passenger trains on this subdivision is 60 miles per hour.

The weather was clear at the time of the accident, which occurred about 2:55 a. m.

#### Description

No. 12, an east-bound passenger train, with Conductor Campbell and Engineman Metzger in charge, consisted at the time of the accident of engine 84, one mail car, one baggage car, one coach and one Pullman sleeping car, in the order named; all cars were of steel construction. At Thornton, 29.9 miles west of Del Paso, the crew received copies of train order No. 206, Form 19, as follows:

No. 11 Eng 81 meet No. 12 Eng 84 at Del Paso

This train departed from Thornton at 1:45 a. m., according to the train sheet, 10 minutes late, departed from Sacramento, 5.2 miles west of Del Paso, at 2:43 a. m., 18 minutes late, stopped at the west switch of the siding at Del Paso at 2:52 a. m., according to the statements of the crew, and started to enter the siding. After the train coupled to four cars which were on the siding, it proceeded, and, while moving at a speed of about 5 miles per hour, the rear car was struck by No. 11.

No. 11, a west-bound passenger train, with Conductor Stone and Engineman Popple in charge, consisted of engine 81, one mail car, one baggage car, one coach and one Pullman sleeping car, in the order named; all cars were of steel construction. At Marysville, 35 miles east of Del Paso, the crew received copies of

train order No. 206, Form 31, previously quoted. This train departed from Marysville at 2:13 a. m., according to the train sheet, 8 minutes late, passed Pleasant Grove, 12.3 miles east of Del Paso, at 2:40 a. m., 4 minutes late, passed the fouling point of the west switch of the siding at Del Paso where it was required to stop to meet No. 12, and, while moving at a speed estimated to have been between 10 and 20 miles per hour, collided with No. 12.

The pilot beam on the left side of engine 81 damaged the left side of the rear car of No. 12 a distance of about 49 feet; side posts, side and intermediate sheets, the window belt rail and 20 windows were broken. The pilot beam and various appurtenances on the left side of engine 81 were broken. The first car in No. 11 was slightly damaged.

#### Summary of Evidence

Engineman Metzger, of No. 12, stated that at Thornton he received train order No. 206. He stopped his train at the west switch of the siding at Del Paso about 2:52 a. m., 3 minutes prior to the schedule leaving time of No. 11. At that time he could see the headlight beam of No. 11 approaching in the distance. Cars were on the siding but he thought sufficient space remained for his train to clear the main track. After his train started to enter the siding it became apparent that the cars must be moved so that his train could clear. His engine was coupled to the cars and pushed them about two car lengths; however, before the rear of his train was into clear the rear car of his train was struck by No. 11. Engineman Metzger said that his headlight was burning brightly and he did not dim it in the vicinity of Del Paso. He understood that when the headlight is obscured by cars on a siding Rule S-17 requires a train to furnish flag protection against an opposing train, however, he did not sound the whistle signal for a flagman to protect against No. 11. Because train order No. 206 fixed the meeting point at Del Paso between Nos. 11 and 12, he thought that No. 11 would be under control prepared to stop short of the fouling point of the west switch if No. 12 was not into clear. Also, he thought sufficient light from the headlight would be reflected along the sides of the cars ahead so that the crew of No. 11 could see that it was not extinguished. He said that his fireman lighted a red fusee and held it out the side cab-window as a warning to the crew of No. 11.

Fireman Spoon, of No. 12, stated that he understood train order No. 206. When his train stopped at the west switch at Del Paso he saw cars on the siding. He remarked to the engineman that the headlight would be obscured by the cars. The engineman

replied that sufficient space remained for their train to clear the main track. The fireman understood that when cars were on a siding to be used in meeting a train, if the headlight is obscured by such cars, flag protection is required before the train starts to enter the siding. The engineman neither sounded the whistle signal for a flagman to furnish flag protection nor instructed the fireman to flag. The fireman said that after his train started to enter the siding, he called to the engineman that No. 11 was approaching at a high rate of speed. When No. 11 was about five or six car lengths from his engine the fireman lighted a red fusee and held it out the left side-window of the engine. At that time his conductor was giving stop signals with a white lantern about two cars to the rear of his engine.

Front Brakeman Damaske, of No. 12, stated that he opened the switch for his train to enter the siding at Del Paso. As the train started to enter the siding he boarded the pilot-step of the engine and observed that the engine was properly coupled to cars on the siding about one car length east of the derail. His train, pushing the cars ahead of it, was moving at a speed of about 5 miles per hour and had proceeded about three car lengths when the accident occurred. He estimated the speed of No. 11 at 35 or 40 miles per hour when its engine passed his engine. He stated that he did not comply with the rule requiring flag protection because 3 minutes were available for his train to move into clear before No. 11 was due to leave Del Paso and because No. 11 was required not to pass the fouling point of the west switch until No. 12 was into clear on the siding. Since his duty required him to open the switch and line the derail, he did not think the duty of furnishing flag protection rested upon him unless instructed to do so by the conductor. At the time he opened the switch he saw his conductor walking toward the front end of the train.

Conductor Campbell, of No. 12, stated that when his train stopped at the west switch at Del Paso he alighted and proceeded to the switch. When he arrived at the switch he first became aware that cars were standing on the siding and realized that his train would have to push these cars ahead to clear the main track. At the same time he saw No. 11 approaching but thought there was ample time for his train to clear before the schedule leaving time of No. 11 and therefore it would be unnecessary to provide flag protection in compliance with Rule S-17. He understood the requirements of train order No. 206 and expected No. 11 to approach Del Paso under control prepared to stop short of the fouling point at the west switch in compliance with Rule S-90. When he saw that No. 11 was not being operated under

control he started to give stop signals and at the same time he saw his fireman display a lighted red fusee from the left-side cab-window; No. 11 was then near the cars being shoved by his train. He did not hear the engine of No. 11 working steam. He saw fire flying from the wheels of No. 11 and thought the air brakes were applied in emergency about four car lengths east of the fouling point of the west switch. The conductor was standing between the siding and the main track and estimated that the speed of No. 11 was 35 miles per hour when it passed him. If No. 12 had received advance notice of cars being on the siding, he said he would have provided flag protection before No. 12 entered the siding. The accident occurred at 2:55 a. m., at which time the weather was clear.

Flagman Shortt, of No. 12, stated that when his train stopped at Del Paso he alighted at the rear end to furnish flag protection and to close the switch when his train was into clear on the siding. When the rear car passed over the west siding-switch he lined it for the main track but had not locked it when the accident occurred. The marker lights on his train were burning and he thought that the marker on the north side of the rear car could have been seen by the engineman of No. 11.

Engineman Popple, of No. 11, stated that he made a running test of the air brakes after his train left Croville and the brakes functioned properly en route. At Marysville he received train order No. 206 and understood that his train was required to stop short of the fouling point at the west siding-switch at Del Paso if No. 12 was not into clear. As his train approached Del Paso the speed was between 50 and 55 miles per hour. At a point about 1 mile east of the east siding-switch he heard the meeting-point signal sounded on the train air-signal whistle and acknowledged it by sounding the proper signal on the engine whistle. Since the weather was clear and the track tangent, he could see the headlight beam of No. 12 a distance of about 4 miles. When his train reached the east siding-switch the speed was reduced to about 30 miles per hour. At a point about 2,000 feet east of the west siding-switch the headlight of No. 12 disappeared from view and he assumed that it was extinguished and No. 12 was into clear on the siding. He saw a stop signal given by a white lantern, which indicated to him that No. 12 was in the clear and some member of the crew of that train was giving signals for it to stop. He did not think the stop signal was meant for his train as he would not expect to be flagged with a white light. He could not see the switch light of the west siding-switch but attached no significance to this since it is not unusual for a siding switch-light to be extinguished. When his train was 600 or 700 feet distant he saw cars on the siding ahead of No. 12 and at the same time he observed that the

rear car of No. 12 was on the main track; at this time the speed was between 30 and 35 miles per hour. He immediately applied the brakes in emergency and closed the throttle, and the train stopped within a distance of 500 feet. He did not see any reflection of the headlight over the top of the cars or along the sides. He did not see a lighted red fusee displayed from the engine of the opposing train, nor did he see a marker light on the rear car. He understood that Rule S-90 required his train to stop short of the fouling point of the switch used by the inferior train to enter the siding; however, since the headlight of No. 12 appeared to be extinguished and this indicated that the train was in the clear, he did not think it necessary to stop. He said that had flag protection been provided by No. 12, he could have stopped his train in time to prevent the accident. In one instance when it was necessary for an opposing train to push cars ahead on a siding to get into clear at a meeting point the brakeman flagged him with a lighted fusee.

Fireman Vinton, of No. 11, stated that the speed of his train was about 50 miles per hour as it approached Del Paso. At the east switch of the siding the speed was reduced and after his train passed the switch it was further reduced. Soon afterward the headlight disappeared from view; he thought it was extinguished and that No. 12 was in the clear. When his train was in the vicinity of the east switch of the siding he saw a stop signal given with a white light but he did not think that it was meant for his train. When his engine was about 600 feet east of the fouling point of the west switch his train was moving about 30 or 35 miles per hour; he observed that No. 12 was not in the clear and he saw a dim green light which he thought was a marker light on the rear car. He called a warning to the engineman, who had already applied the brakes in emergency but too late to avert the accident. Prior to the occurrence of the accident the fireman did not see a lighted red fusee; however, after the accident occurred he looked back and saw a fusee near the engine of No. 12. He understood that his train was required to stop short of the fouling point at the west switch if No. 12 was not into clear but he thought that No. 12 was in the clear and he did not see any necessity for stopping.

Conductor Stone, of No. 11, stated he understood that his train was required to stop short of the fouling point of the west siding-switch at Del Paso if No. 12 was not in the clear. As his train approached Del Paso he heard the meeting-point whistle signal sounded. He noticed a reduction in speed at the east switch of the siding. He stationed himself in the left side-door of the front vestibule of the rear car to identify No. 12.

He saw the headlight beam of that train while it was yet on the main track. He then saw it enter the siding and the headlight disappeared from his view; therefore, he thought it was extinguished, and this indicated to him that No. 12 was in the clear. At that time his train was moving at a speed of 30 or 35 miles per hour. He did not again see the headlight of No. 12 until his engine was opposite the engine of No. 12. He could see neither the marker light at the rear of No. 12 nor the switch light at the west switch. He estimated that the speed of his train was about 10 miles per hour at the time of the accident. He understood that if the engineman failed to prepare to stop short of the fouling point the conductor must take action to stop the train; however, since the speed was being reduced he depended upon the engineman to determine if No. 12 was clear. The conductor did not know definitely whether No. 12 was in the clear, but all indications were that it was clear of the main track.

Front Brakeman Poor, of No. 11, stated he understood that his train was required to stop short of the fouling point of the west siding-switch if No. 12 was not in the clear. As his train approached the point where the accident occurred he sounded the meeting-point signal on the train air-signal system, then stationed himself on the front platform of the third car and looked ahead. After the train passed over the east siding-switch he felt a heavy application of the air brakes, which reduced the speed to 15 or 20 miles per hour. He saw No. 12 enter the siding; then the headlight disappearing from his view indicated that the train was in the clear. He felt confident that his train was under control. The first knowledge he had that No. 12 was not in clear was when the brakes were applied in emergency. A lighted fusee was displayed from the engine cab of No. 12 as his car passed that engine.

The statement of Flagman Carroll, of No. 11, added nothing of importance.

Superintendent Leary stated that Rule S-17 required the crew of No. 12 to furnish flag protection against No. 11 before No. 12 entered the siding occupied by cars which obscured the headlight, and employees are so instructed during rules instruction classes. He said that the cars involved were placed on the siding at Del Paso after Nos. 11 and 12 had passed points where messages conveying that information could have been delivered to them.

According to data furnished by the carrier, during the 30-day period preceding the day of the accident the average daily movement of trains in the territory involved was 18.2.

### Discussion

According to the evidence, the crew of No. 12 understood that their train was required to take siding at Del Paso for No. 11. No. 12 started to enter the west siding-switch when it was found that cars were on the siding. These cars were placed on the siding after No. 12 had passed the last open office where a message concerning the occupancy of the siding would have been delivered. Until the inferior train had stopped to enter the switch the engineman did not know that cars were on the siding; however, after he observed them he thought sufficient space remained for his train to clear before No. 11 arrived. The rules required that flag protection be provided against a superior train at a point where cars obscured the headlight of the inferior train. After it was found that the cars would have to be pushed ahead, thereby obscuring the headlight, he did not sound the whistle signal for a flagman to protect the front of the train because he thought sufficient light would be reflected along the sides of the cars to warn the engineman of the opposing train that No. 12 was not clear. He depended also upon No. 11 being operated prepared to stop short of the fouling point of the west switch. The fireman was not instructed to furnish flag protection, but when he saw No. 11 approaching rapidly he lighted a fusee and displayed it from the left cab-window. However, this warning was not given in time for the crew of No. 11 to take action to avert the accident. The front brakeman of No. 12 was occupied in attending to the coupling of his engine to the cars and did not furnish flag protection because, under such circumstances, he depended upon receiving instructions to flag. The conductor thought his train would be able to push the cars ahead on the siding and to clear the main track before the schedule leaving time of No. 11, and therefore flag protection would not be necessary; however, he understood that under the circumstances the rules required flag protection after the schedule leaving time of No. 11. When he saw No. 11 approaching rapidly he gave that train stop signals with a white lantern. Had the crew of No. 12 furnished adequate flag protection against No. 11, undoubtedly this accident would have been averted.

When No. 11 was approaching Del Paso, the meeting-point whistle-signal was sounded as required by the rules. The engineman reduced speed to about 30 miles per hour at a point about 3,300 feet east of the west switch. He was maintaining a lookout ahead to see if No. 12 was into clear on the siding. He could see the headlight of that train as it started to enter the siding. When the headlight disappeared behind the cars on the siding both he and the fireman thought it was extinguished, which condition indicated to them that No. 12 was clear of the

main track. At the same time both the engineman and the fireman saw stop signals being given with a white lantern but thought it a signal to the engine crew of No. 12 that their train was clear. The engineman of No. 11 did not expect to be flagged with a white lantern. The rules required No. 11 to be operated prepared to stop short of the fouling point of the west switch if the train to be met was not clear. To know with certainty that No. 12 was clear, the crew would have to identify the train by engine number, by its markers, and see that the main-track switch was lined for the main track. The engineman of No. 11 did not see the markers, nor could he see the switch light; however, he attached no significance to his inability to see the switch light as it is not unusual to find switch lights extinguished. He did not see the lighted red fusee displayed from the cab window of the opposing engine; however, he thought that had the crew of No. 12 provided proper flag protection he could have stopped his train in time to avert the accident. Had the engineman of No. 11 complied with the provisions of the meet order by approaching the fouling point with caution until he determined that No. 12 was clear, had he definitely determined that the markers of No. 12 were clear of the main track and that the switch was lined for the main track, or had he obeyed the stop signals of the conductor of No. 12, this accident would have been averted. The conductor and the front brakeman of No. 11 had stationed themselves where they could identify the opposing train when it was clear. Both said that their train was moving at a speed which they considered under control and were confident that the engineman would stop clear of the fouling point if No. 12 was not clear. When it became apparent that No. 11 would not stop and that No. 12 was not clear it was then too late to take action to avert the accident.

The evidence indicates that the crew of No. 12 depended upon No. 11 being operated prepared to stop short of the fouling point of the west siding-switch, and that the engineman of No. 11 depended upon the obscuring of the headlight as an indication that the opposing train was clear of the main track. This situation resulted in each crew placing dependence upon the rule affecting the operation of the other train, rather than upon the proper performance of their own duties.

If an adequate block system had been in use on this line, it is probable this accident would have been prevented.

Cause

It is found that this accident was caused by failure of the inferior train when entering a siding with the headlight obscured to provide proper flag protection, and by failure of the superior train to obey a meet order.

Dated at Washington, D. C., this second day of January, 1941.

By the Commission, Commissioner Patterson.

SEAL

W. P. BARTEL,

Secretary.