

INTERSTATE COMMERCE COMMISSION  
WASHINGTON

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INVESTIGATION NO. 2725  
THE DELAWARE, LACKAWANNA & WESTERN  
RAILROAD COMPANY  
REPORT IN RE ACCIDENT  
AT WAYLAND, N. Y., ON  
AUGUST 30, 1943

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SUMMARY

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Railroad: Delaware, Lackawanna & Western  
Date: August 30, 1943  
Location: Wayland, N. Y.  
Kind of accident: Side collision  
Trains involved: Engine and cars : Passenger  
Train number: : 3  
Engine numbers: 1248 : 1151  
Consist: 6 cars : 11 cars  
Speed: Standing : 50 m. p. h.  
Operation: Timetable, train orders and auto-  
matic block and cab-signal system  
Track: Double; 1° curve; practically level  
Weather: Clear  
Time: About 5:23 p. m.  
Casualties: 27 killed; 114 injured  
Cause: Failure of operating officers of  
Delaware, Lackawanna & Western  
Railroad Company to adhere to and  
enforce operating rules which are  
essential to safety

INTERSTATE COMMERCE COMMISSION

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INVESTIGATION NO. 2725

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

THE DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY

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October 16, 1943.

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Accident at Wayland, N. Y., on August 30, 1943, caused by failure of operating officers of the Delaware, Lackawanna & Western Railroad Company to adhere to and enforce operating rules which are essential to safety.

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

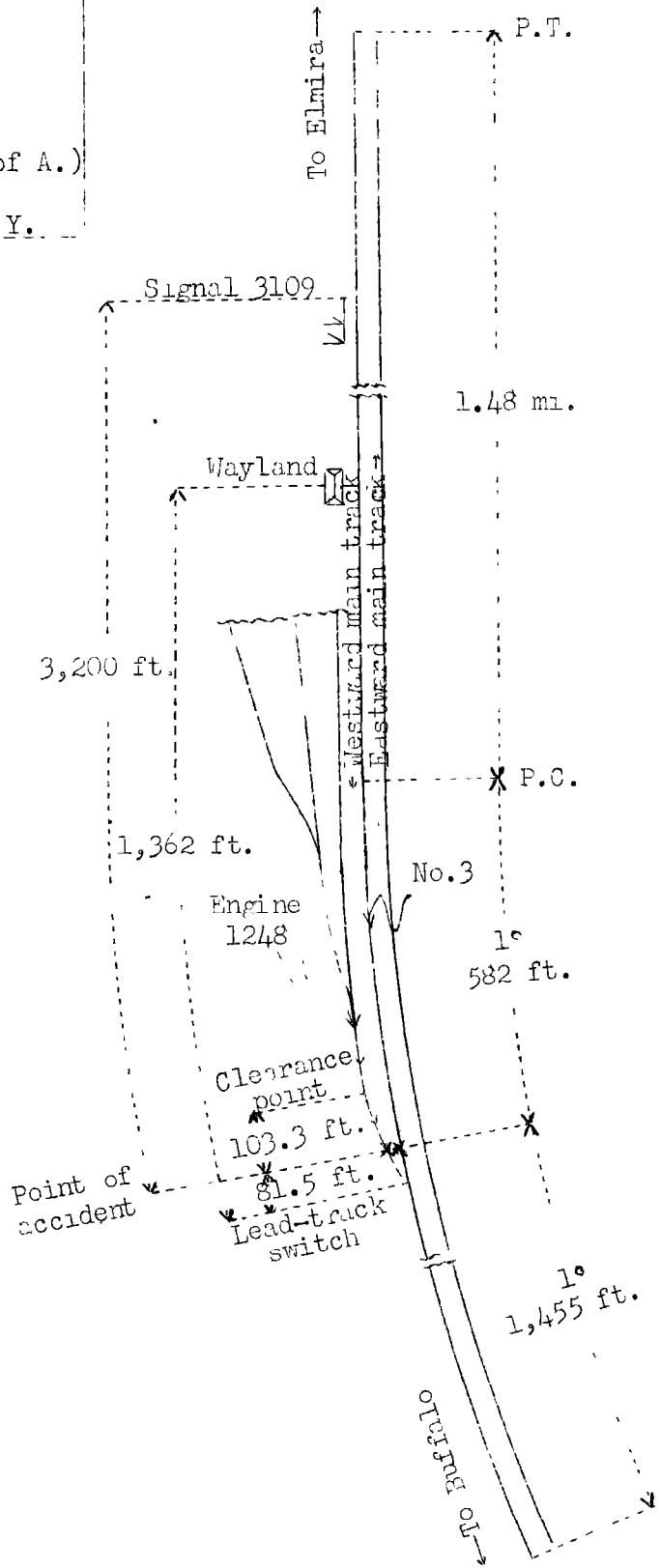
PATTERSON, Commissioner:

On August 30, 1943, there was a side collision between a passenger train and an engine on the Delaware, Lackawanna & Western Railroad at Wayland, N. Y., which resulted in the death of 26 passengers and 1 railroad official, and the injury of 107 passengers, 3 Pullman employees, 1 dining-car employee and 3 train-service employees. This accident was investigated in conjunction with representatives of the New York Public Service Commission.

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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 consideration and disposition.

- Elmira, N. Y. 36.92 mi.
- Bath 15.36 mi.
- Cohocton 10.37 mi.
- X Wayland (P. of A.) 83.78 mi.
- Buffalo, N. Y.



Inv. No. 2725  
 Delaware, Lackawanna & Western Railroad  
 Wayland, N. Y.  
 August 20, 1943

### Location of Accident and Method of Operation

This accident occurred on that part of the Buffalo Division extending between Elmira and Buffalo, N. Y., 146.43 miles. In the vicinity of the point of accident this was a double-track line within yard limits over which trains moving with the current of traffic were operated by timetable, train orders and an automatic block and cab-signal system. On the north side of the main tracks at Wayland a lead track about 300 feet long connected several industry tracks and the westward main track. The lead-track switch was 1,362 feet west of the station and was trailing point for west-bound movements. The accident occurred 103.3 feet west of the clearance point of the turnout and 81.5 feet east of the lead-track switch. From the east on the main tracks there was a tangent 1.48 miles in length, which was followed by a 1° curve to the left 582 feet to the point of accident and 1,455 feet beyond. At the point of accident the grade was practically level.

Automatic signal 3109, which governed west-bound movements, was located 3,200 feet east of the point of accident. This signal was of the two-arm, two-position, lower-quadrant, semaphore type.

Operating rules read in part as follows:

93. Within yard limits the main track may be used protecting against first-class trains. All other trains must move within yard limits prepared to stop unless the main track is seen or known to be clear.

Time-table instructions read in part as follows:

All trains must clear Nos. 3 \* \* \*  
at least 10 minutes.

The maximum authorized speed for the passenger train was 80 miles per hour.

### Description of Accident

Extra 1248 West, a west-bound freight train, consisting of engine 1248, 13 cars and a caboose, stopped clear of the main track at Wayland about 4:30 p. m. About 53 minutes later, during switching operations, the engine had moved six cars westward on the lead track and had stopped with the engine fouling the westward main track 81.5 feet east of the lead-track switch, and while an attempt was being made to back into clear the engine was struck by No. 3.

No. 3, a west-bound first-class passenger train, consisted of engine 1151, 1 mail-baggage car, 2 Pullman sleeping cars, 4 coaches, 1 dining car and 3 coaches, in the order named. All cars were of steel construction. This train passed Conocton, 10.37 miles east of Wayland and the last open office, at 5:10 p. m., 9 minutes late, passed signal 3109, which displayed proceed, and while moving at an estimated speed of 50 miles per

nour it collided with engine 1248.

Engine 1248 was derailed to the north and stopped upright and in line with the track. Steam and water connections were broken and the engine was otherwise badly damaged. Engine 1151 and its tender were derailed and badly damaged. Engine 1151 stopped on its left side, across the main tracks, 385 feet west of the point of accident. The tender, remaining coupled to the engine, stopped upright, at an angle of about 45 degrees to the engine. The first six cars of No. 3 were derailed and considerably damaged. The sixth car stopped against engine 1248, escaping steam and hot water from the engine entered this car and practically all the fatalities occurred therein.

It was clear at the time of the accident, which occurred about 5:23 p. m.

A supervisor of locomotive operation, who was on the engine of No. 3, was killed. The fireman, the baggageman and a brakeman of No. 3 were injured.

The lead-track switch at Wayland was of the hand-throw low-stand type and was located 4 feet 2 inches north of the north rail of the westward main track. The top of the stand was level with the top of the rail. No light or target was provided.

#### Discussion

The rules of this carrier governing operation within yard limits provide that a train or engine may use the main track but must protect against first-class trains. Timetable instructions provide that all trains or engines must clear the time of the first-class train involved in this accident at least 10 minutes. The employees of the inferior train understood these requirements.

Extra 1248 West stopped into clear at Wayland about 4:30 p. m. About 5:23 p. m., while the engine was engaged in switching, it fouled the westward main track on the turnout of the lead track and was struck by No. 3. No train order restricting the authority of No. 3 to proceed had been issued, and this train was due to pass Wayland at 5:13 p. m. Under the rules, engine 1248 was required to be into clear of the westward main track not later than 5:03 p. m.

As No. 3 was approaching Wayland, the speed was about 30 miles per hour. The enginemen and a supervisor of locomotive operation were maintaining a lookout ahead from the engine cab. The last automatic signal which this train passed displayed proceed. When the engine was in the vicinity of the station the engineer made an 8-pound brake-pipe reduction to test the brakes. The first warning the employees, who were on the engine had of anything being wrong was when the engine reached a point about 800 feet east of the lead-track switch and a restricting indication was displayed by the cab signal. The engineer immediately moved the brake valve to emergency position but he could

not stop the train short of engine 1248. The speed of No. 3 was reduced to about 50 miles per hour when the collision occurred.

The conductor of Extra 1248 received information from the train dispatcher that No. 3 had passed Bath, 25.73 miles east of Wayland, about 10 minutes late. He said he did not inform the members of his crew that this train was late as he expected it to be practically on time at Wayland. The members of his crew were engaged in switching that required the use of the westward main track, but he expected the engine to clear the schedule time of No. 3 at least 10 minutes. He was about 1,000 feet east of the lead-track switch and did not know that his engine had fouled the westward main track until after the accident occurred. The flagman and the swing brakeman said they understood the conductor to say that No. 3 was 10 minutes late. The flagman was on the rear car, and when he realized the engine had fouled the westward main track he made an attempt to flag No. 3, but the front end of that train passed him before he could reach a point where signals could be seen by the engineer. The swing brakeman was on top of the fifth car, and was giving signals for his engineer to stop the movement when the accident occurred. The front brakeman was in the vicinity of the lead-track switch, and gave signals for his engineer to stop the movement when the engine was about 350 feet east of the switch. The fireman was in the tender delivering coal to the conveyor of the stoker, and was not aware of anything being wrong until the accident occurred. The engineer did not receive information that No. 3 was late. He was aware that this train was overdue at Wayland, but thought other members of the crew had received information authorizing the use of the westward main track on the time of No. 3. He thought the lead-track switch was lined for his engine to move to the westward main track, and was not aware of anything being wrong until his engine reached a point about 80 feet east of the lead-track switch, where he saw the front brakeman giving stop signals. He immediately reversed the movement in an unsuccessful attempt to back the engine into clear.

The operating rules of this carrier provide that an inferior train must clear the time of a superior train in the same direction not less than five minutes, and by time-table instructions this provision was further extended to require that all trains must clear No. 3, and certain other trains, at least 10 minutes. However, the investigation disclosed that in practice and in this case these provisions were practically nullified. It had been the practice for train dispatchers to give time on first-class trains either orally or by message instead of issuing train orders as required by the rules, and this information was considered as authority for inferior trains to use the main track on the time of first-class trains. The chief dispatcher and the division superintendent admitted that this practice had

been in effect with their knowledge for a considerable time. The general superintendent also admitted that during the first eight months of this year time on first-class trains was issued in message form to inferior trains on the Buffalo Division on 347 occasions, and, in addition, that time had been given orally in many instances. The crews of the first-class trains had no knowledge that time against their schedules had been issued to other trains. The book of operating rules of this carrier contains rules that prescribe forms of train orders to be issued to authorize the use of the main track on the time of superior trains. If these rules had been enforced and if it had been intended for engine 1248 to use the westward main track on the time of No. 3, the crew of each train would have received definite information by train order authorizing such movement.

This accident was the direct result of the long-standing practice of inferior trains using the main track on the time of superior trains without procuring authority in the manner prescribed in the book of operating rules. The rules had not been rescinded or modified, but practices not provided for or authorized thereby were commonly followed. Operating officials are responsible for such practices. If they had conformed to the practices prescribed by the rules, the crew of the inferior train in this case would not have permitted their train to foul the main track on the time of No. 3 without protection. Similar accidents may be expected to occur as long as operating officials fail to conform to the practices prescribed by their rules. The unsafe conditions disclosed by this investigation should be corrected immediately.

Cause

It is found that this accident was caused by failure of operating officers of the Delaware, Lackawanna & Western Railroad Company to adhere to and enforce operating rules which are essential to safety.

Dated at Washington, D. C., this sixteenth day of October, 1943.

By the Commission, Commissioner Patterson.

(SEAL)

W. P. BARTEL,  
Secretary.