

File Unit - 002/002.01-16810.00.41



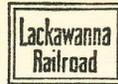
Series Nbr: 002.01
File Unit Nbr: 16810.00.41
Catalog #: STEA 7158
Accession #: STEA-00033
Category: CORRESPONDENCE
Dates: 1935 - 1936

Extent	
Count	[Count]1
Extent	[Extent]
Type of Unit	[Type of Unit]FOLDER

Title: DL&W RR--Correspondence--General Superintendent--16810: General crossing correspondence
Add By: RED
Add Date: 9/8/2009 5:03:22 PM
Change By: RED
Change Date: 9/8/2009 5:08:21 PM
Location: 002/002.01-B15-061

Proc By	
Processed By	Pat McKnight
Processing Date	September 2009

Record Id: 50489



16818

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

140 CEDAR STREET
NEW YORK CITY

H. A. ROWE, MANAGER
CLAIMS DEPARTMENT

94864-S

July 1, 1936.

Mr. E. B. Moffatt,
General Superintendent,
Scranton, Pa.

Dear Sir:

I think Mr. Saunders is quite correct in that each crossing controlled by automatic signals may require special treatment because of switching movements.

The purpose I had in calling the matter to attention, was to invite special attention to each of such crossings, not only in the State of New York, but in other States through which we operate to minimize the danger to the fullest extent possible. I have no doubt Mr. Saunders will give this matter continued attention.

I am returning your file.

Yours truly,

HAR:AS
Encl.

H. A. Rowe



948642

THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

OFFICE OF GENERAL SUPERINTENDENT

SCRANTON, PA.

June 16, 1936.

E. B. MOFFATT
GENERAL SUPERINTENDENT

16810:

R.F. Automatic Signals at Highway Grade Crossings - arrangements
for special control.

Mr. H. A. Rowe,

Manager, Claims Department.

Dear Sir:

Referring to your letters June 8 and 10th, file
94864-S, relative to the above subject. Note report from
Signal Engineer Saunders to me dated June 15, and return
papers when they have served your purpose.

E.B.Moffatt.

1-G

R

OFFICE OF THE SIGNAL ENGINEER

Hoboken, N. J., June 15, 1936.

Automatic Signals at Highway
Grade Crossings. Arrangement
for Special Control.

J. A. Rowe
Please note
& return
E. B. M.
6/16

Mr. E. B. Moffatt:

Referring to your letter of June 12th, above sub-
ject, and returning papers attached thereto:

There are various means of accomplishing the result apparently desired by Mr. Rowe but each of these introduces some liability. This question in general was discussed at a meeting of railroad representatives prior to a hearing before the Chief Engineer of the New York State Public Service Commission, Albany, several months ago and it was agreed that each crossing would have to be considered on its merit and that we seek to avoid any order from State authorities requiring such special arrangement. However, the opinion of the Commission as reflected by its Chief Engineer puts us in a position of having to give serious consideration to crossings where there is much delay to highway traffic because of train switching operations. As such cases come up, I will make it a point to discuss them with you. We are now considering a cutout to be operated by member of train crew at Center Street, Homer, to be made effective only while eastbound trains are on the approach control section and are switching. The Emma Street, Binghamton, flashing light type signals have been removed account grade crossing separation.

J. E. Saunders
J. E. S.

June 12, 1936.

Mr. J. E. Saunders, S.E:

Will you please note the attached papers.

Personally, I do not think we can install a system of flasher light signals which will work when fast trains are moving in either direction and be inoperative when switching movements are being performed in the area covered by the track circuit.

However, I would like to have your views, with return of enclosures.

EBM-4



THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

140 CEDAR STREET
NEW YORK CITYH. A. ROWE, MANAGER
CLAIMS DEPARTMENT

94864-S

June 10, 1936.

J. S.

Mr. E. B. Moffatt,
General Superintendent,
Scranton, Pa.

Dear Sir:

Replying to yours of June 9th, in the George Bennett matter, and the question of operation of flasher light signals at crossings during switching movements.

My personal view is that it is inimical to operate flasher lights when there is no intention of moving engine or cars over the crossing.

I do not know how the matter can be handled from a technical standpoint, but it would seem to me that if any switching movement is made over the crossing, it should be under manual protection by the train crew on the ground. This is partially provided for in rule 687-a, the last sentence.

Very truly yours,

HAR:MH

H. A. Rowe

June 9, 1936.

Mr. H. A. Rowe, Manager,
Claims Department.

Dear Sir:

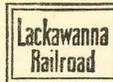
I have your letter June 6, file 94864-S, advising of payment of \$1,000.00 in settlement of injury to George Bennett, who, while driving automobile over Emma Street crossing, Binghamton, November 30, 1935, was struck by engine of No. 6. I note your statement:

'Due to the statement of witnesses that the flasher lights at that crossing are in operation for switching movements, and this has led to practice of people using the crossing assuming that a slow switching movement of a stopped train or car was operating the signal so that it lost its force and effect.'

Will you please let me know just what we can do in the future in regard to this matter? Would it be your idea that the flasher lights should not be operated during the time switching movements are being performed?

Yours truly,

EBM-4



THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

140 CEDAR STREET
NEW YORK CITYH. A. ROWE, MANAGER
CLAIMS DEPARTMENT

94864-S

June 6, 1936.

HAR

Mr. E. B. Moffatt,
General Superintendent,
Scranton, Pa.

Dear Sir:

On November 30, 1935, George Bennett was driving his automobile over Emma Street crossing when it was struck by the engine of train #6 and he sustained a fractured frontal area of the skull, fracture of ribs on both sides and a dislocated shoulder, together with destruction of his automobile.

Suit was brought against The Company in the Supreme Court, Broome County, and upon the advice of our counsel, it was deemed that a jury question was presented. Due to the statement of witnesses that the flasher lights at that crossing are in operation for switching movements, and this has lead to the practice of people using the crossing assuming that a slow switching movement of a stopped train or car was operating the signal so that it lost its force and effect, settlement has been made by the payment of \$1,000.

Very truly yours,

HAR:MH

A handwritten signature in red ink that reads "H. A. Rowe".

11/20
Scranton, Pa., December 3, 1935.

X
File 1061 - 286.

Mr. E. B. Moffatt,
General Superintendent.

Dear Sir:

Investigated with engineman J. Hartle and fireman C. Hallstead, who were in charge of engine 1649, train 6, Saturday, November 30, when this train struck Nash coupe, license 9 E 9046, driven by George Bennett of No. 1 Duke St., Binghamton, N.Y., on Emma St, crossing, Binghamton, 2:00 PM that date.

Fireman C. Hallstead advises that the car approached track at fairly high speed from his, or north, side of track and that he shouted to engineman Hartle, who immediately applied brakes in emergency and dropped sand.

Engineman Hartle advises that when fireman Hallstead shouted to him he made the best possible stop, train running about two train lengths by the crossing, and as fireman shouted Hartle saw the automobile thrown through the air on his side of the engine. ✓

Both men state that crossing whistle signal had been given and that whistle was blowing at the time engine was on the crossing and that engine bell was also ringing. ✓

Yours truly,

H. M. J. W.

cc: HAR JMW

Superintendent

11/30
Sern Nov 30, 1935

J M D, G J R, E B M

2-pm, date Emmet St Binghamton No-6 Engine 1649
Condr J Connolly Engr J Hartle 8 cars Struck Nash Coupe License 9 E 9046
Driven by Geo Bennett No 1 Duke St-Binghamton N.Y. Damaging car
and Slightly Injuring Driver who was removed to Wilson Memorial
Hospital Johnson City N Y by John Zepotonksy of 2 Judson St.

No-6 delayed 19 Mins, and acct Pilot down on Engine and one
step broken necessary to Sub-Engine 1401 at Binghamton.

This crossing protected by Flashers which was working
15 Train west and 20 Train East pass over this crossing
every 24 hours.

CY- HAR HSR-(WF) JMW DRY WBW GAP JES JHL CJS MAQ MRF

H.J.Mullaghy Supt.,

CLASS OF SERVICE DESIRED	
DOMI	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	NIGHT LETTER
NIGHT LETTER	WEEK END LETTER

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

1207-A

CHECK
ACCT'G INFMN.
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

315-pm Scranton, Penna. 19
November 30th, 1935.

To Public Service Comm.
Albany N.Y.

Street and No.

Place

2-pm, date Emmet St Binghamton N.Y. Passenger train No-6
struck Nash Coupe License 9-E-9046 Damaging car and Injuring
driver Geo Bennett No 1 Duke St-Binghamton N.Y.

H.J.Mullaghy, Supt.,
DL&W R.R.

Cy-EBM HAR

16810-

June 16, 1936.

16810:

R.F. Automatic signals at Highway Grade Crossings - arrangements for special control.

Mr. H. A. Rowe,

Manager, Claims Department.

Dear Sir:

Referring to your letters June 8 and 10th, file 94864-S, relative to the above subject. Note report from signal Engineer Saunders to me dated June 15, and return papers when they have served your purpose.

E.B. Moffatt.

1-G