

SEPTEMBER 29,
1936

M.P. 7.24 ST
JOSEPH DE
BEAUCE,
TRAIN NO. 36,
ENGINE 878
ENGINEER J.J.
YOUNG

ENGINE 878 WAS EX QCR NO. 56. THE FIREMAN WAS E.E. LYFORD, WHO WAS KILLED AT SCOTTS JUNCTION MARCH 10, 1947 ON THE SAME ENGINE NO.878

THOMAS GILBERT WAS KILLED.

BOARD OF RAILWAY COMMISSIONERS FOR CANADA

Accident.

Date,

Date Received, November 13th, 1936.

SYNOPSIS:

November Ord. 1936.

Report of Inspector G. A. LaFontaine re accident on the Quebec Central Railway at private crossing at St. Joseph de Beauce, Quebec, mileage 7.31 Thérien Division, in which Thomas Gilbert was fatally injured and Arthur Gilbert was injured September 26th, 1936.

Thomas Gilbert

September 29 1936

RECORD ROOM TRANSFER FILE No. 7

FROM	to	
Chief Commissioner	Draw Order.....	
Assistant Chief Commissioner	For your information.....	
Deputy Chief Commissioner	For Report.....	
Commissioner Norris	Hold for..... days	
Commissioner Stoneman	Set down for hearing at.....	
Commissioner Stone		
Secretary		
Le Secrétaire Adjoint		
Counsel	What action should now be taken? Write as suggested.....	
Engineer	Take no further action.....	
Traffic Officer	Hold until we hear again.....	
Operating Officer	No answer necessary.....	
Accountant	Serve on Railway Company.....	
Record Room	Ask for a reply to your last letter.....	
Board Meeting Basket	Send copies of judgment to parties interested and let Order go.....	
	Please see me with this file.....	
	Would be glad to discuss this at your convenience.....	
	File away.....	

Date Mar 13/36

PURCHASE SECTION SECURES UNINCORPORATED IN THE

INITIALS

G.A.S.
S.M.

1936 • 135/36

BOARD OF RAILWAY COMMISSIONERS FOR CANADA

OPERATING DEPARTMENT

Inv. 29873

OTTAWA

C. C. STIBBARD

CHIEF OPERATING OFFICER

12th November, 1936.

Memo for the Secretary:

In connection with fatal injuries to Thomas Gilbert and personal injuries to Arthur Gilbert, by reason of their automobile stalling on track at farm crossing and being struck by G. C. R. train No. 36, on September 29th, 1936; Mileage 7.54 Chaudiere Subd., P. Q.

Particulars

As shown on attached report from Inspector LaFontaine.

Cause

Auto-truck stalled on railway at farm crossing and struck by train.

Remarks

This accident occurred at 2.05 p.m. As will be seen by the report the railway at this point curves to the left from the view of the Engineer. Fireman Lyford, who was looking out the cab window on his side, which would be on the inside of the curve, noticed an auto-truck standing on a farm crossing about 150 feet ahead. The fireman immediately shouted to the engineer to stop, and the latter applied the brakes in emergency, but train could not be stopped before the truck was struck.

An inquest was held on October 24th, at which the jury returned a verdict to the effect that the railway was to be held liable for having failed to sound the engine whistle when the engineman saw the truck. As already stated, this was a farm crossing, and the accident was caused entirely by the fact that the driver of the truck stalled on the railway track. I cannot see where the railway or its employees were to blame.

Chief Operating Officer.

CCS:H.

Y

BOARD OF RAILWAY COMMISSIONERS FOR CANADA
OPERATING DEPARTMENT

ACCIDENT INVESTIGATION REPORT

1. Railway G.C.R.R. Mileage 77.54 Subdivision Chaudière
2. Place (if town, village or city) St. Joseph de Beauce Province Quebec
3. Date and year September 29, 1936. Time (a.m. or p.m.) Railway Commission RECEIVED
4. Weather conditions Clear.
5. Train (passenger, freight, etc.) Mixed.
6. Number of train 36 Direction Eastbound GCR Office
7. Engine number 372 Number of cars in train & 4 loads, 5 empties and 2 gondolas
8. Engineer or motorman J. J. Young.
9. Conductor L. Gosselin.
10. Number of brakes in operation 110 operative.
11. Speed of train at time of accident 25 to 30 m.p.h.
12. Nature of accident Auto truck struck by train at farm crossing.
13. Cause of accident TRUCK DRIVER STOPPED his truck on the track 300 feet from a sharp curve while another man was opening the farm gate for him.
14. Result of accident (give names of killed and injured) Thomas Gilbert, 56 years, St. Joseph de Beauce, fatally injured, - other Gilbert, 31 years, St. Joseph de Beause, cut on head and other contusions. Auto truck, Ford, bearing Quebec license T-3063, owned and driven by RYTHM' GRIVATT, completely DESTROYED.
15. What attention was given to the injured Drs. Cliche and Lyger attended them. They were afterwards sent to St. Sacrement Hospital, Quebec, by ambulance.
16. Remarks and recommendation, if any This train left St. Joseph de Beause at 11:50 a.m. Brake man Faucher was riding in the engine cab. Fireman F. L. Lyford was on the seat looking out the cab window, and when rounding the curve (he was on the inside curve), he witnessed an auto truck stopping on a farm crossing about 100 feet away from him. There was one man sitting on the front seat. He immediately shouted to the engineer to stop. The latter applied the brakes in emergency, but could not stop before striking the truck. The train came to a stop in nine car lengths. The engineer was also on the lookout, but on account of the curve was blind to the cut, he could not see the truck until the train had about 75 or 100 feet from same. He had already applied the brakes when he was aware of the truck ahead.
- The truck was occupied, besides the driver, by Thomas Gilbert, who was a farmer living opposite the farm crossing referred to. These two men were coming from Valley Junction ahead of the train, along the highway from Valley Junction to their residence perched on the track. As they approached the farm crossing, they turned to the right and did not stop on account of the farm gate being left open on the highway side. There is a down-grade from the highway across the track, also from the track to the gate on the north side. The gate was closed according to the driver's statement to the Inspector.

Officer:

Date:

inquest, the truck came to a dead stop on the rails. His father then started to step down from the truck to go and open the farm gate on the north side, and almost at the same time, he saw the train coming. He returned to the truck expecting that the driver would have sufficient time to start the truck and clear the train. The driver started the truck, but, at the same moment, it was struck by the train and thrown into the ditch.

The inquest was held on October 24, with Coroner Dr. Fortin presiding, the jury returning a verdict to the effect that the Quebec Central Railway was to be held liable for having failed to sound the engine whistle when the engineman saw the truck. It was claimed that had the whistle been sounded, the occupants of the truck would have had time to get off.

According to the rules of the Quebec Central Railway, the engineman ~~are~~ to sound the whistle (14L) only at ~~public~~ crossings, at every public road crossing at grade, and at every whistle post. There are no whistle posts at the curve referred to, and for this reason, the engine whistle was not sounded.

I have driven on the engine, and round the curve referred to. There is no view of the farm crossing for the engineer before 75 or 100 feet, but the fireman can see the farm crossing at about 360 feet if he is looking between the boiler and the window. I am, therefore, of the opinion that the railway employees are not to blame for this accident. The farm crossing is standard and the grade is about 10%. I am informed that the jurymen rendered a verdict of sympathy, as several of them were relatives of the victim. I am attaching, herewith, a sketch of the farm crossing in question.

Respectfully submitted,

J. LaTouraine

Inspector Railroad Operation.

Ottawa, Ontario,
November 3, 1936.

BOARD OF RAILWAY COMMISSIONERS FOR CANADA
OPERATING DEPARTMENT

ACCIDENT INVESTIGATION REPORT

1. Railway	S.C.R.	Mileage	7.24	Subdivision	Chaudiere
2. Place (if town, village or city)	St. Joseph de Beauce	Province	Quebec,		
3. Date and year	September 29, 1936.			Time (a.m. or p.m.)	12.05 p.m.
4. Weather conditions	Clear.				
5. Train (passenger, freight, etc.)	Mixed.				
6. Number of train	66	Direction	Westbound.		
7. Engine number	978	Number of cars in train	9	4 loads, 5 empties and 2 coaches.	
8. Engineer or motorman	J. J. Young.				
9. Conductor	L. Gosselin.				
10. Number of brakes in operation	All operative.				
11. Speed of train at time of accident	25 to 30 mph.				
12. Nature of accident	Auto truck struck by train at farm crossing.				
13. Cause of accident	Truck driver stopped track on the track 360 feet from a sharp curve while another man was opening the farm gate for him.				
14. Result of accident (give names of killed and injured)	Thomas Gilbert, 25 years, St. Joseph de Beauce, fatally injured. Arthur Gilbert, 11 years, St. Joseph de Beauce, cut on head and other contusions. Auto truck, Ford, bearing Quebec license F-3035, owned and driven by Arthur Gilbert, completely demolished.				
15. What attention was given to the injured	Dr. Cliche and Loyer attended them. They were afterwards sent to St. Sacrement Hospital, Quebec, by ambulance.				
16. Remarks and recommendation, if any	<p>This train left St. Joseph de Beauce at 11.51 a.m. Engineer Faucher was riding in the engine cab. Fireman H. E. Lyford was on the seat looking out the side window, and when rounding the curve (he was on the inside curve), he noticed an auto truck standing on a farm crossing about 150 feet ahead. There was one man sitting on the front seat. He immediately shouted to the engineer to stop. The latter applied the brakes in emergency, but could not stop before striking the truck. The train came to a stop in nine car lengths. The engineer was also on the lookout, but, on account of the curve rounding the road out, he could not see the truck until the train was about 75 or 100 feet from it. He had already applied the brakes when he was aware of the truck ahead.</p> <p>The truck was occupied, besides the driver, by Thomas Gilbert, who was a farmer living opposite the farm crossing referred to. These two men were coming from Valley Junction ahead of the train. The highway from Valley Junction to their residence parallels the track. As they approached the farm crossing, they turned to the right and did not stop on account of the farm gate being left open on the highway side. There is a down-grade from the highway towards the track, also from the track to the gate on the north side.</p>				
	Inspector.				

Office:

Date:

Inquest, the truck came to a dead stop on the rails. His father then started to step down from the truck to go and open the farm gate on the north side, and about at the same time, he saw the train coming. He returned to the truck expecting that the driver would have sufficient time to move the truck and clear the train. The driver started the truck, but, at the same moment, it was struck by the train and thrown into the ditch.

The inquest was held on October 24, with Coroner Dr. Fortin presiding, the jury returning a verdict to the effect that the Quebec Central Railway was to be held liable for having failed to sound the engine whistle when the engineer saw the truck. It was claimed that had the whistle been sounded, the occupants of the truck would have had time to get off.

According to the rules of the Quebec Central Railway, the enginemen are to sound the whistle [141] only at railway crossings at every public road crossing at grade, and at every whistle post. There are no whistle posts at the curve referred to, and for this reason, the engine whistle was not sounded.

I have driven on the engine, and found the curve referred to. There is no view of the farm crossing for the engineer before 75 or 100 feet, but the fireman can see the farm crossing at about 200 feet if he is looking between the belljar and the window. I am, therefore, of the opinion that the railway employees are not to blame for this accident. The farm crossing is standard and the grade is about 10%. I am informed that the jurymen rendered a verdict of sympathy, as several of them were relatives of the victim. I am attaching, herewith, a sketch of the farm crossing in question.

Respectfully submitted,

Inspector Railroad Operation

Ottawa, Ontario,
November 3, 1936.

Verdict rendu par le jury du coroner Eugène Fortin, à St. Joseph de Beauce, à sa séance d'ajournement, le 24 octobre, 1936, sur la mort de Thomas Gilbert cultivateur de l'endroit, frappé par un train du Québec Central, à sa traverse de ferme, le 29 septembre 1936, et décédé à un hôpital, le 4 octobre 1936, viz:-

"Par la voix du président du jury, M. Raymond Poirier, les jurés rendent la Compagnie du Québec Central Responsable de négligence d'avoir fait crier la locomotive quand ils ont vu le camion. Si la locomotive avait crié les occupants du camion auraient eu le temps de se sauver en laissant le camion."

Le jury blâme ces deux hommes

VERDICT DU JURY
Un verdict de mort accidentelle a été rendu par le jury du coroner le Dr. Eugène Fortin dans le cas de Thomas Gilbert, de St. Joseph de Beauce, décédé ces jours derniers par un coups de la locomotive. Le jury a ajouté une note au verdict déclarant le mécanicien et le chauffeur de la locomotive coupables de négligence.

RIVET CHAUDIERE

GILBERT
MIRIN
HOUSE

GATE WAS CLOSED

TO BEAUCHE
Q.C.R.

PAYER

H

RIGHT WAY
NO 23 TO RY 15 →

TRAIN DIRECTION
VIEW FOR
END OF
ROUTE

ON 1400 FT
ROUTE

FROM
ROUTE
ACROSS
SECOND
FIREMAN

ST JOSEPH DE
BEAUCHE
P.Q.

MILE 7.24
CHAUDIERE
SUB

B.R.C. 703

BOARD OF RAILWAY COMMISSIONERS FOR CANADA
OPERATING DEPARTMENT

Ottawa, Oct. 16th, 1950.

O.D.X. 46107

Inspector Information:

Please investigate and report on the accident referred to in the copy
of Schedule Report hereto attached.

M.J. J.
Chief Operating Officer.

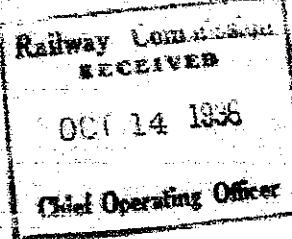
QUEBEC CENTRAL RAILWAY COMPANY
OFFICE OF SUPERINTENDENT

E. J. WALKER, SUPERINTENDENT

SHERBROOKE, P. Q. October 13th, 1936.

REFFER TO FILE C/3725.

Col. J.C. Stibbard,
Chief operating officer,
Board of Railway Commissioners,
Ottawa, Ont.



Dear Sir:-

I am enclosing herewith two copies of Schedule "A"
to cover accident which occurred two miles east of St. Joseph,
Chaudiere Subdivision, on September 29th, when Thomas Gilbert and
Arthur Gilbert were injured.

Yours truly,

E. Walker
Superintendent.

G.A.N.
Attach.

66187

SCHEDULE "B"

Sherbrooke, Oct. 13th, 1935 6.

QUEBEC CENTRAL

Railway

REPORT to the Board of Railway Commissioners for
Canada as required by Section 285 of the
Railway Act and General Order of
the Board No. 361.

Railway Commission

RECEIVED

OCT 14 1935

REG'D. MAIL

1. Date September 13th, 1935.

2. Hour 12:05 p.m.

3. Train No. 36 Conductor L. Gosselin Engine 373

Engineer J.J. Young

4. Place Two miles east of St. Joseph, Chaudiere Subr.

Province Quebec.

5. Name of Person Injured Thomas Gilbert, Jr.
Arthur Gilbert.

6. Age Thomas Gilbert, Jr. Age 53 years.
Arthur Gilbert, Age 31 years.

7. Passenger, employee
or others Trespasser.

8. Residence St. Joseph de Beauce, Que.

9. Description of
injury Thomas Gilbert had left leg broken between knee &
ankle, open fracture; general contusion, with
a possibility of internal bleeding. Died in hospital
October 4th, 1935.
Arthur Gilbert has cut on top of head, general
contusion.

10. How accident occurred
Note: If injury or damage
be to a bridge, culvert, viaduct
or tunnel, answer numbers 1, 2,
4, 9 and 10.

The injured men were driving a truck and stopped some
on private property to their farm, and were struck
by No. 36 train. They apparently did not see train
coming around curve, and stopped truck to open
gate leading to their farm.

11. Use only one form for each
accident, attaching plain extension
sheets if insufficient space here.

SIGNATURE *J. J. Young*

TITLE SUPERINTENDENT

SCHEDULE "B"

193

Railway Montreal, Oct. 1936.

QUEBEC CENTRAL RAILWAY to the Board of Railway Commissioners for ~~any~~ ^{any} Commission
Canada as required by Section 285 of the ~~any~~ ^{any} Railway Act and General Order of
the Board No. 361.

OCT 14 1936~~and Operating Officer~~

1. Date _____

September 29th, 1936.

2. Hour _____

~~10:45 p.m.~~

Conductor

3. Train _____

Engine _____

No. 36Engineer Le Gosselin970

4. Place _____

Yard

Province _____

Two miles east of St. Joseph, Quebec, Quebec,

5. Name of Person Injured _____

Thomas Gilbert, Jr.Arthur Gilbert.

6. Age _____

~~Thomas Gilbert, Jr., age 16 years.~~~~Arthur Gilbert, age 31 years.~~7. Passenger, employee
or others _____~~Passenger~~

8. Residence _____

St. Joseph de Beauce, Que.9. Description of
injury _____

Thomas Gilbert had left leg broken between knee & ankle. Other driver & general confusion, with
~~a probability of~~ ^{probability of} ~~injury~~ ^{injury} ~~placed in~~ ^{placed in} ~~injured~~ ^{injured}
~~October 1st, 1936.~~ ^{October 1st, 1936.}

10. How accident occurred _____

Arthur Gilbert had cut on top of head & general confusion.
~~Note: If injury or damage~~

~~be to a bridge, culvert, viaduct
or tunnel, answer numbers 1, 2,
4, 9 and 10.~~

The injured men were driving a truck and stopped same
~~on preference according to their taste, and were stopped
by No. 36 train. They apparently did not see train
coming around curve, and stopped truck to open
gate leading to yard train.~~

N.B. Use only one form for each
accident, attaching plain extension
sheets if insufficient space here.

SIGNATURE E. L. Walker, Jr.TITLE ManagerMontreal, Quebec.

CLASS OF SERVICE		NAME
1	2	D.
3	4	N.
5	6	N.
7	8	WALTER
9	10	THOMAS GILBERT JR.
11	12	ARTHUR GILBERT
13	14	JOHN GILBERT
15	16	EDWARD GILBERT
17	18	CHARLES GILBERT
19	20	ROBERT GILBERT
21	22	JOHN GILBERT
23	24	JOHN GILBERT
25	26	JOHN GILBERT
27	28	JOHN GILBERT
29	30	JOHN GILBERT

OTTAWA AND GATINEAU TELEGRAPH

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BELLEVILLE 29TH OUT 29 250P

OTTER OPERATING OFFICER OR THE BOARD OF ACCIDENT

Railway Commission
RECEIVED
SEP 29 1936
Chief Operating Officer

A BELLEVILLE 29TH 29TH BOURG CENTRAL C NO 36 ENG 873
B TWO PERSONS INJURED THOMAS GILBERT JR AND ARTHUR GILBERT
C THEY WERE RIDING ON TRUCK AND WERE CROSSING OVER PRIVATE
D FARMERS CROSSING AND STOPPED THE TRUCK ON THE TRACK TO OPEN
E J WALTER

BOARD OF RAILWAY COMMISSIONERS

OPERATING DEPARTMENT

Please quote 0-D-X-5117
File number Ottawa.

卷之三

MILLWATER

Teleggraphic report received from
Regarding personnel injury at . . .
Please forward schedule quickly.
P.S. If schedule already sent in, please ignore this
notice.

P.S. If schedule already sent in, please ignore this note.

C. C. STIBBES