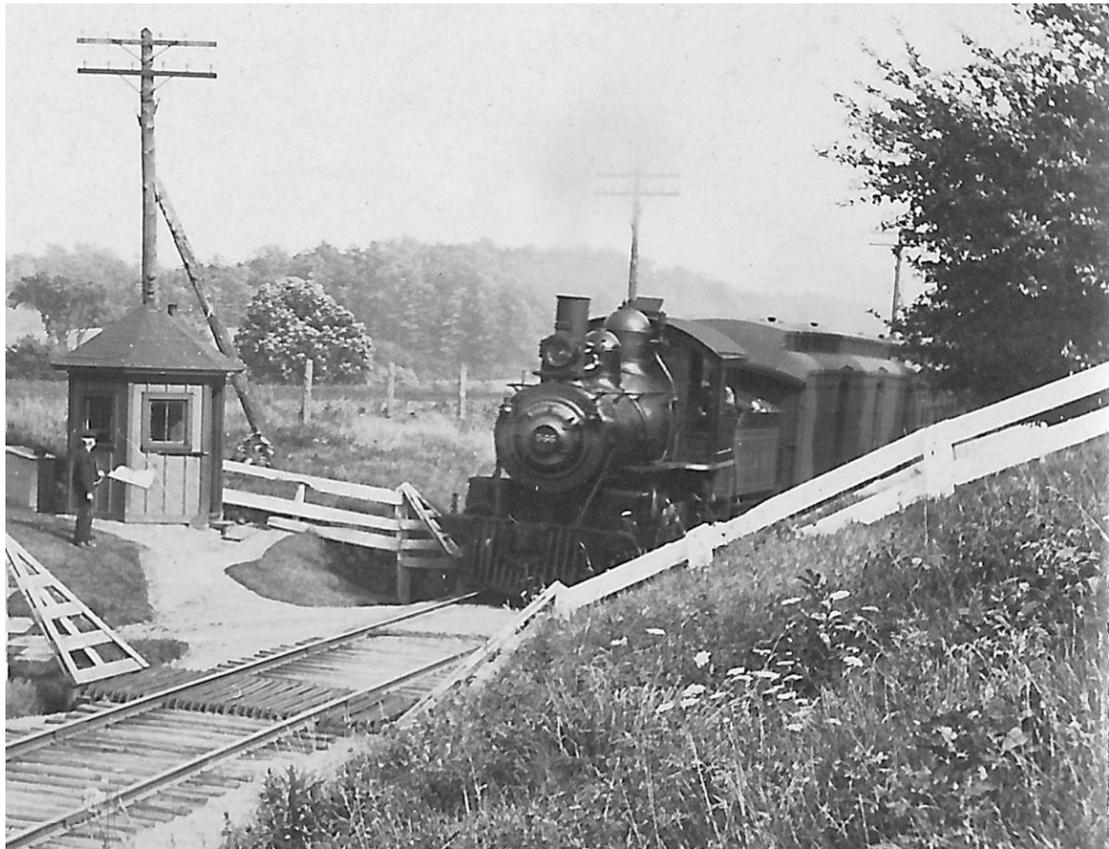


### Early Accident Put Spotlight on Railroad Crossings

A double funeral and burial at Perinton's Elmwood Cemetery was held for 35 year old Jay Hurlburt, and his father-in-law, Oliver Furman, 62 years of age. The men died on January 27<sup>th</sup>, 1915 when their automobile was struck by a train on Penfield Road. Perhaps you can't recall where railroad tracks cross Penfield Road. In fact, there is no railroad crossing anymore, but there was one hundred years ago. At that time, railroad underpasses and overpasses were rare, and most train crossings were at street level. Hurlburt, Furman, and another man, Clark Dey, were traveling to Rochester at about 10:00 am in Hurlburt's recently purchased automobile, when they approached the railroad crossing just west of Landing Road in Brighton and were struck by the train.

The aftermath of the accident led to a great deal of conflicting testimony at an inquest chaired by the Monroe County Coroner, Henry Kleindienst. One account said that Jay Hurlburt owned the car for only one day and because of this was unfamiliar with its operation. Other testimony indicated he had owned the vehicle for several weeks. Newspaper reports stated that it was difficult to see the approach of oncoming trains at the intersection, due to the presence of an embankment, but other reports said no such visibility issues existed.



*A flagman stands near his shanty at an early railroad crossing*

Perhaps the most conflicted testimony at Coroner Kleindienst's inquest related to the activities of the flagman assigned to the crossing. With no automatic gates, a flagman was on duty around the clock. A small enclosure, referred to as a shanty, was provided for his protection from the elements. Testimony indicated that the shanty had long served as a "booze emporium" in the neighborhood, and that at the time of the accident, the flagman was nowhere to be found. When asked at the scene, the flagman, Frank Vesce of Rochester, said he had been "up the road a piece" at the time of the accident. Others swore that he was frantically waving his flag to stop the Hurlburt auto, but the driver sped on through and was then struck by the train. The train's speed was also called into question. Some believed the train was traveling too fast, although the conductor estimated his train's speed at only 10 to 12 miles per hour.

The results of the inquest by Coroner Kleindienst included several recommendations to state, county, and railroad authorities, including the construction of a subway (underpass) at the intersection, and the immediate installation of crossing gates. He further asked the railroad to "investigate the charges of neglect of duty and using the flagman's shanty as a distributing point for liquor, beer and hard cider."

With the inevitable increase in auto traffic in the coming years, there was a growing recognition of the dangers associated with street level railroad crossings. Millions of dollars were eventually allocated for the construction of railroad overpasses and underpasses in New York State, including the intersection where Hulburt and Furman met their demise. The Penfield Road underpass was finally completed in 1929, fourteen years after the accident. One year later, the son of Oliver Furman would offer testimony related to another dangerous roadway involving trains and automobiles, this one in Perinton.

*To be continued.*