

Decision No. 13571

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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City of Stockton, a municipal corporation,

Plaintiff,

vs.

Southern Pacific Company, a corporation, The Western Pacific Railroad Company, a corporation, The Atchison, Topeka and Santa Fe Railway Company, a corporation.

ORIGINAL

Case No. 1761.

BY THE COMMISSION:

ORDER OF DISMISSAL

In the above entitled matter the City of Stockton asked the Commission to issue its order directing each of the defendant railroad companies to provide more adequate protection at most of the grade crossings of city streets over the respective railroads. Subsequently the City of Stockton filed an amended complaint in which it asked for additional protection at a lesser number of grade crossings than outlined in its original complaint.

This case was called for hearing before Commissioner Martin at Stockton, April 2, 1924 in connection with the hearing in Case No. 1963. City Attorney for Stockton advised the Commission at this time that the defendant railroad companies had each agreed to provide the protection asked for in the amended complaint and that the City was satisfied this agreement

would be carried out. Whereupon applicant asked that the matter be dismissed and no objections were offered to such dismissal.

THEREFORE, IT IS HEREBY ORDERED, that the above entitled complaint be and it is hereby dismissed without prejudice.

Dated at San Francisco California, this 2<sup>nd</sup> day of May, 1924.

C. D. Seavey

Egon S. Shore

J. S. Whittey  
Commissioners.