

Decision No. 24579

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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HARRY SEE, (the Brotherhood of
Railroad Trainmen, by Harry See,
its State Representative),

Complainant

vs.

THE WESTERN PACIFIC RAILROAD COM-
PANY,

Defendant.

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) Case No. 3183
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ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

The complaint in this matter alleges a violation by defendant of the Full Crew Law (Statutes 1911, p. 65, as amended.) It is alleged merely that defendant on December 11 and 12, 1931, operated a work train, consisting of a locomotive and several cars between Chilcoot and Tunnel No. 37 without a train crew as prescribed by Section 2 of said statute.

The defendant has answered admitting the allegations of the complaint. From other information received from defendant by letter, it appears that the train operation complained of was a movement of a disabled self-propelled car used in construction work at Tunnel No. 37 by means of an engine for a distance of more than one-half mile to a siding at the nearest station, and without being manned by a crew

as required by statute. Defendant states further that it has taken steps to prevent such operations in the future.

The violation of law being admitted by defendant, there is no occasion for a hearing by the Commission.

THEREFORE, IT IS ORDERED that copies of the complaint and answer herein, and of this opinion and order, be transmitted to the District Attorney of the County of Plumas, California, for such action in the matter as may be proper.

Dated at San Francisco, California, this 14th day of March, 1932.

C. L. Seaver
M. A. Lewis
W. B. Harris
James G. Stebbins
Commissioners