

Decision No. 1022.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )	
MINKLER SOUTHERN RAILWAY COMPANY, )	
for permission to construct its main )	Application No. 783.
line track at grade across Fourteen )	
(14) Streets or public highways in )	
the County of Fresno, California. )	
.....) )	

O R D E R

By the Commission,

MINKLER SOUTHERN RAILWAY COMPANY, a corporation, having on October 6, 1913, filed with the Commission, an application for permission to construct its main line track at grade across fourteen (14) streets or public highways in the County of Fresno, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that all of the said crossings are not within the incorporated limits of a city or town, and therefore the railroad company has the statutory right to construct same, and it is not necessary that a franchise or permit be secured from the Board of Supervisors of said County to construct said highway crossings; and it further appearing that it is not reasonable or practicable to avoid grade crossings with said streets or public highways, and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby granted Minkler Southern Railway Company, to construct its track across the following streets or public highways in Fresno County, California:

Crossing No. 1. A public highway at engineer's station 1067 plus 55.

Crossing No. 2. A public highway at engineer's station 1055 plus 13.

Crossing No. 3. A public highway at engineer's station 946 plus 84.

Crossing No. 4. A public highway at engineer's station 919 plus 76.

Crossing No. 5. A public highway at engineer's station 893 plus 29.

Crossing No. 6. A public highway at engineer's station 865 plus 60.

Crossing No. 7. A public highway at engineer's station 833 plus 22.

Crossing No. 8. A public highway at engineer's station 793 plus 53.

Crossing No. 9. A public highway at engineer's station 664 plus 40.

Crossing No. 10. A public highway at engineer's station 622 plus 47.

Crossing No. 11. A public highway at engineer's station 611 plus 72.

Crossing No. 12. A public highway at engineer's station 578 plus 98.

Crossing No. 13. A public highway at engineer's station 492 plus 26.

Crossing No. 14. A public highway at engineer's station 449 plus 28, known as "National Boulevard".

All of the above as shown by the maps and profiles attached to the application and subject to the following conditions, viz.:

(1) The entire expense of constructing the crossings together with their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Applicant shall provide the necessary plank or guard rails for the construction of said crossings, and shall ballast same to a depth of not less than six (6) inches, with first-class stone or gravel ballast. Said crossings shall be of a length/<sup>sufficient</sup> to meet the demands of road traffic, in no case less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent.

(3) Said Company shall construct and maintain at its own expense, for the protection of each of said crossings, a first-class standard automatic flagmen which, upon the approach of a train shall display a red light, said light to have the motion of an inverted pendulum, and which shall at the same time sound an automatic warning bell. Attached to the support of this device shall be a first-class standard highway crossing sign, marked with appropriate black letters not less than six (6) inches in height, upon a white background.

(4) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 16th day of October, 1913.

John M. Eckelman  
John L. Edwards  
Max Thelen  
Edwin O. Edgerton

Commissioners.