

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of  
the SOUTHERN PACIFIC COMPANY to make  
certain temporary changes in its  
station facilities at Dutch Flat,  
California.

Application No. 782.

George D. Squires and E. J. Foulds for applicant.  
James M. Oliver for protestants.

ESHLEMAN, Commissioner.

O P I N I O N.

The applicant, Southern Pacific Company, has maintained a station at Dutch Flat on its Central Pacific leased line for many years. In the immediate vicinity of this station there are a few buildings, including a hotel, a blacksmith shop and some Chinese houses. The main Town of Dutch Flat is slightly less than a mile down in the gulch from the present station. Notwithstanding the fact that the station has been maintained at this point for many years it is located upon land the title to which is in dispute. Suits to quiet title on behalf of the Southern Pacific Company are now pending in the Superior Court of Placer County, having been filed in 1905 but never prosecuted until recently..

The facilities at Dutch Flat have heretofore consisted of a main single track and what is known as a house track, and were apparently adequate for the needs of the shipping and traveling public. About two years ago the Southern Pacific Company began double tracking that portion of its line above Colfax, and when it was decided to put in a second track at Dutch Flat it was found that the undisputed right of way of the Southern Pacific Company was not sufficiently wide to accommodate two double tracks and the necessary house track, and claimants to the adjoining land upon which the

station of the Southern Pacific is located refused to permit the putting in of side track facilities, and the Southern Pacific thereupon began using the house track reconstructed as one of its double track main lines and to put in a spur a little more than a mile west of the present location and asks to have a temporary station established at that point, and that until the litigation is cleared up the old station at Dutch Flat may be abandoned.

I believe there is very small merit in the application. It conclusively appears to me that almost the entire population of this section will be greatly inconvenienced by a change, even though temporary. Approximately nine-tenths of the traffic originates in the Town proper or contiguous to the present station and abandonment of this station would make it necessary for the patrons of the Southern Pacific Company to patronize the station at Gold Run two miles distant.

Under the circumstances it seems impossible for the Company temporarily to pick up and send out carload freight at the present Dutch Flat station, and necessity requires that temporarily at least it be permitted to use the spur track at the proposed new station for this purpose. But I do not believe that the public in this vicinity should be required to suffer because of conflict of claimants to land on the part of the Southern Pacific Company and other alleged owners, and I recommend that the application be denied except as to carload freight, and that a limit of three months be placed upon the use of the present spur facilities for Dutch Flat carload business.

I recommend the following order:

O R D E R .

SOUTHERN PACIFIC COMPANY having applied to this Commission for an order authorizing the temporary abandonment of its station facilities at Dutch Flat, and a hearing having been held and being fully apprised in the premises,

THE COMMISSION HEREBY FINDS AS A FACT that public convenience and necessity would not be served but that great inconvenience would result to the patrons of the Southern Pacific Company if the application be granted,

And basing its order on the foregoing finding of fact and on the further findings in the opinion hereto,

IT IS HEREBY ORDERED that the application be denied, but that carload freight consigned to and from the station of Dutch Flat may be handled from the present temporary spur track for a time not to exceed three (3) months from the date hereof.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 17<sup>th</sup> day of  
December, 1913.

*John M. Washburn*

*W. J. Gordon*

*Max Thelen*

Commissioners.