

Decision No. 1340.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
WILLIAM G. HENSHAW, doing business )  
as a railroad corporation under the )  
name and style of CRESENT CITY RAIL- )  
WAY, for permission to construct a )  
street and interurban railroad track )  
of said corporation across the tracks )  
of The Atchison, Topeka & Santa Fe )  
Railway Company, at Rialto, San Ber- )  
nardino County, California. )  
..... )

Application No. 1012.

O R D E R

By the Commission,

WILLIAM G. HENSHAW, doing business as a rail-  
road corporation under the name and style of CRESENT CITY RAILWAY,  
having on February 26, 1914 filed with the Commission an appli-  
cation for permission to construct a street and interurban rail-  
road track of said corporation across the tracks of The Atchison,  
Topeka & Santa Fe Railway Company, at the intersection of River-  
side Avenue with the right of way of said Atchison, Topeka & Santa  
Fe Railway Company, as hereinafter indicated; and it appearing to  
the Commission that this is not a case in which a public hearing  
is necessary; that applicant on the 1st day of May, 1913 entered  
into an agreement with said Atchison, Topeka & Santa Fe Railway  
Company, whereby the permission of the latter company was secured  
for the construction of said track at grade across the tracks of  
the latter company; and that arrangements have been made which  
are mutually satisfactory to both parties relating to the con-  
struction, maintenance and protection of said crossing, a copy  
of which Agreement, dated May 1, 1913, is attached to the appli-  
cation; and it further appearing that it is not reasonable nor  
practicable to avoid grade crossing at the intersection of said  
railways, and that the application should be granted subject to

the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be hereby granted William G. Henshaw, doing business as a railroad corporation under the name and style of Crescent City Railway, to construct its track at grade across the tracks of The Atchison, Topeka & Santa Fe Railway Company, at the intersection of Riverside Avenue with the right of way of the latter company, in the town of Rialto, San Bernardino County, California, as shown by the map and profile attached to the application and subject to the following conditions viz:

(1) The entire expense of constructing and installing the crossing frogs, together with the cost of their maintenance thereafter in good and first-class condition, shall be borne by applicant.

(2) After the installation of the frogs for said crossing, all engines, motors, trains, and cars of the applicant shall come to a full stop before passing over the crossing and within fifty (50) feet thereof, and shall not pass over the crossing until the conductor or other employee of applicant has first gone thereon and ascertained that no engines, motors, trains or cars of The Atchison, Topeka & Santa Fe Railway Company is approaching the crossing from either direction.

(3) Said crossing shall be constructed in accordance with the terms of this Commission's General Order No. 26, relating to clearances for street railroads and wire lines.

(4) The Commission reserves the right to make such further order relative to the location, construction, operation, maintenance and protection of said crossing 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 11<sup>th</sup> day of  
March, 1914.

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*A. D. Howard*

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*Wm. Thelen*

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*Edwin D. Edgerton*

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Commissioners.