

ORIGINAL

In the matter of the application of the TIDEWATER SOUTHERN RAILWAY COMPANY for permission to construct a spur track at grade across the spur track of Southern Pacific Company, in Stockton, San Joaquin County, California.

Application No. 1365.

ORDER

By the Commission,

TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation, having on October 10, 1914, filed with the Commission an application for permission to construct its spur track at grade across a spur track of Southern Pacific Company, in the City of Stockton, San Joaquin County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that applicant has secured a franchise or permit from the City Council of the City of Stockton, of date, October 2, 1913, granting them permission to construct this crossing at grade; and it further appearing that Southern Pacific Company, under date of October 31, 1914, signifies its willingness to permit its track to be crossed at grade, and that it is not reasonable nor practicable to avoid a grade crossing at the point of intersection of said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Tidewater Southern Railway Company to construct its spur track at grade across a spur track of Southern Pacific Company, on Weber Avenue, in the City of Stockton, San Joaquin County, California, as shown by the map attached to the application, and subject to the following conditions, viz.:-

- (1) The entire expense of installing the crossing frogs, together with the cost of their maintenance thereafter in good and

first-class condition shall be borne by applicant, subject to such agreements as have been or may hereafter be made between applicant and Southern Pacific Company.

(2) After the installation of said crossing frogs by applicant, all engines, motors, trains and cars of both Applicant and Southern Pacific Company shall, before proceeding over said crossing, come to a full stop within fifty feet thereof, and shall not proceed over same until it has been ascertained that it is safe to do so, and until after proper signals have been given.

(3) The Commission reserves the right to make such further orders 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 5<sup>th</sup> day of November, 1914.

W. H. Hubbard

W. J. Fox

Max Thelen

Edwin O. Edgerton

Commissioners.