

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA.

In the matter of the application)
of TIDEWATER SOUTHERN RAILWAY)
COMPANY, a corporation, for per-)
mission to issue Twenty Thousand)
Dollars par value of its bonds)
to guarantee the construction of)
an interlocking plant, in accord-)
ance with Decision No. 3499 of)
the Railroad Commission of the)
State of California.)

ApplicationNo. 2420.

Decision No. 3544

Byron A. Bearce for Applicant.

GORDON, Commissioner.

O P I N I O N

This is an application of TIDEWATER SOUTHERN
RAILWAY COMPANY for authority to issue Twenty Thousand
(\$20,000.) Dollars face value of its first mortgage
five per cent. bonds, and to deposit said bonds with
the New Amsterdam Casualty Company of New York. The
applicant has arranged with said casualty company, in
return for the deposit of said bonds, for a surety

bond in the sum of Ten Thousand (\$10,000.) Dollars.
This surety bond is to be given to the Southern Pacific Company to insure that the applicant will, within five months, construct a standard interlocking plant or device at a point of crossing of the line of the applicant with the tracks of the Southern Pacific Company one and one-half (1-1/2) miles south of Modesto.

Mr. Bearce testified that Tidewater Southern Railway Company was extending its line of railway to Turlock, and that it would proceed promptly to install the interlocking plant. The construction of this plant has heretofore been ordered by this Commission in Decision No. 3499, upon Application No. 2340, to which reference is hereby made.

I believe the applicant may be permitted to issue its bonds for the purpose stated, on condition, however, that the applicant should bind itself, by stipulation to be filed with this Commission, to construct said interlocking plant on or before five months from the date of this Commission's Order contained in Decision No. 3499.

Accordingly, I recommend the following form of order.

O R D E R

TIDEWATER SOUTHERN RAILWAY COMPANY having applied to this Commission for authority to issue Twen-

ty Thousand (\$20,000.) Dollars face value of its first mortgage five per cent. bonds,

And a hearing having been held and it appearing that the purposes for which it is proposed to issue said bonds are not reasonably chargeable to operating expense or to income,

IT IS HEREBY ORDERED that Tidewater Southern Railway Company be granted authority, and it is hereby granted authority, to issue Twenty Thousand (\$20,000.) Dollars face value of its first mortgage five per cent. bonds; said bonds to be deposited with the New Amsterdam Casualty Company of New York in return for a surety bond in the sum of Ten Thousand (\$10,000.) Dollars, said surety bond to be given to the Southern Pacific Company to insure the construction by the applicant of a standard interlocking plant or device at a crossing between the tracks of applicant and said Southern Pacific Company one and one-half (1-1/2) miles south of Modesto.

The authority herein granted is granted upon the following conditions, and not otherwise:

1. After the purposes of the surety bond herein referred to have been satisfied, said Twenty Thousand (\$20,000.) Dollars face value of applicant's bonds shall be returned to its treasury and not thereafter issued without the authority of this Commission.

2. The applicant shall bind itself by stipulation to be filed with this Commission within

two (2) days to construct said interlocking plant on or before five (5) months from the date of this Commission's Order contained in Decision No. 3499.

3. The authority herein granted is conditioned upon the payment by applicant of the fee prescribed in the Public Utilities Act, as amended.

4. The applicant shall, on or before the twenty-fifth day of each month, report to the Commission the number of bonds issued under this order.

5. The authority herein granted to issue bonds shall apply only to such bonds as shall have been issued on or before August 31st, 1916.

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 14th day of July, 1916.

Max Heeler

H. Howard

W. Gordon

Frazer R. Dyer

Commissioners.