

Decision No. 779.

ORIGINAL

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the Application of
STOCKTON TERMINAL AND EASTERN RAILROAD
COMPANY for permission to construct its
main line track at grade across the tracks
of the Central California Traction Company,
in the City of Stockton, San Joaquin
County, California.
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Application No. 634.

ORDER

By the Commission.

STOCKTON TERMINAL AND EASTERN RAILROAD COMPANY, a corporation, having on July 3, 1913, filed with the Commission an application for permission to construct its single main line track at grade across the track of the Central California Traction Company, at the intersection of Union Street with Park Street, and also across the transfer track of the Central California Traction Company to the Western Pacific Railway Company, at a point which is twenty-six (26) feet south of the intersection of the center lines of Union Street and Park Street, 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 Central California Traction Company has agreed to said crossings at grade, as shown by agreement made and entered into between the parties, of June 26th, 1913, a copy of which is filed with the application; and it further appearing that the necessary franchise or permit has been granted applicant by the City Council of the City of Stockton for the construction of said track; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing at said points of proposed crossings, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted the Stockton Terminal and Eastern Railroad Company to construct its single main line track at grade across the track of the Central California Traction Company at the

intersection of Union Street and Park Street, and also at grade across the transfer track of the Central California Traction Company at a point in the center line of Union Street, which is twenty-six (26) feet south of the intersection of the center lines of Union Street and Park Street, as shown by the maps and profiles attached to the application, subject to the following conditions, viz.:

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

(2) All overhead wires or obstructions constructed at the crossings shall have a clearance above the rails of either Company of twenty-two (22) feet. All pole lines or other obstructions constructed at the crossings shall have a clearance from the center line of the track of either Company of eight (8) feet.

(3) No train, motor or car owned or operated by applicant shall be permitted to pass over the crossings without first coming to a full stop within fifty (50) feet thereof, nor until one of the crew or other employee of applicant, shall have first gone upon the crossings and ascertained that no engine, train or car of the Central California Traction Company is approaching the crossings from either direction. Should no such engine, train or car be approaching, then said member of the crew or other employee of applicant may signal and permit applicant's train, motor or car to proceed over the crossings. Central California Traction Company may operate its engine, trains or cars over the crossings without stopping, provided that proper signal is given by whistle or bell within sufficient distance before reaching the crossings to advise the employees of Stockton Terminal and Eastern Railroad Company of such approach.

(4) Should applicant or Central California Traction Company hereafter construct an interlocking device for the protection of said crossings, either upon their own motion, or in pursuance of an order from this Commission, said device shall be constructed, operated and maintained in accordance with plans and specifications as provided for in this Commission's General Order No.33, and under such other rules and regulations as this Commission may issue governing in such

matters.

(5) 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 9th day of July, 1913.

John McEshleman

Chas Gordon

Max Thelen

Commissioners.