

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
WESTERN PACIFIC RAILWAY COMPANY for )  
permission to construct its lead track )  
at grade across the track of Sacra- )  
mento Southern Railroad Company, in )  
the city of Sacramento, Sacramento )  
County, California. )  
..... )

Application <sup>No.</sup> 705.

O R D E R

By the Commission,

WESTERN PACIFIC RAILWAY COMPANY, a corporation,  
having on August 21, 1913, filed with the Commission an application  
for permission to construct its lead track at grade across the track  
of Sacramento Southern Railroad Company at a point between "P" and  
"Q" Streets in the city of Sacramento, Sacramento 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 Sacramento  
Southern Railroad Company has agreed to said crossing at grade, as  
shown by agreement made and entered into between the parties of date  
July 13, 1907, copy of which is filed with the application; and it  
further appearing that it is not reasonable nor practicable to avoid  
a grade crossing at said point of proposed crossing, and that applicant  
has secured the necessary franchise or permit for the construction of  
said crossing at grade from the Board of Trustees of said City of  
Sacramento, and that the application should be granted subject to the  
conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Western  
Pacific Railway Company to construct its lead track at grade across  
the track of Sacramento Southern Railroad Company at a point between  
"P" and "Q" Streets, in the city of Sacramento, Sacramento County,  
California, at Sacramento Southern Railroad Company's Engineer's  
Station 22 plus 51, as shown by the map and profile attached to the

application and subject to the following conditions, viz.:

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

(2) Applicant shall, for the protection of said crossing, at its own expense, construct and install crossing gates which shall normally be locked in the clear position for the Sacramento Southern Railroad Company's line.

(3) All engines, motors, trains or cars of 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 engine, motor, train or car of Sacramento Southern Railroad Company is approaching the crossing from either direction. Should no engine, motor, train or car be approaching, then said conductor or other employee may unlock the gates and swing same across the track of Sacramento Southern Railroad Company and permit the engine, motor, train or car to proceed over the crossing.

(4) The Commission reserves the right to make such further orders relative to the location, construction, maintenance, operation 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 30<sup>th</sup> day of August, 1913.

H. S. [Signature]  
[Signature]  
[Signature]

Commissioners.