

ORIGINAL

Decision No. 44189

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
THE WESTERN PACIFIC RAILROAD COMPANY )  
for an order authorizing discontinuance )  
of operation of passenger trains Nos. 1 )  
and 2 between Oakland, California, and )  
Stockton, California, and reduction in ) Application No. 31012  
service by said trains from a daily to )  
a triweekly service between Stockton, )  
California, and the California-Nevada )  
State Line. )

(For appearances see Appendix "A")

O P I N I O N

In this application The Western Pacific Railroad Company seeks authority to discontinue the operation of its passenger trains Nos. 1 and 2 between Oakland and Stockton and to reduce the service provided by such trains between Stockton and the California-Nevada State Line from a daily service with conventional trains to a triweekly service using a newly developed self-propelled railway passenger car. Similar authority is being sought from the public bodies having jurisdiction between the California-Nevada State Line and Salt Lake City, Utah. The proposal as a whole contemplates operation of a triweekly service between Stockton and Salt Lake City.

A public hearing in this proceeding was held before Commissioner Potter and Examiner Paul at Oroville on March 8 and 9 and at Stockton on March 15 and 16, 1950, and the matter was submitted for decision.

The president of applicant testified that on March 20, 1949, applicant, in cooperation with Denver & Rio Grande Western and the Chicago, Burlington and Quincy railroads, placed into service between San Francisco, Oakland and Chicago, a modern high-speed, streamlined, diesel powered train known as the California Zephyr, trains Nos. 17 and 18. These trains make stops at the following points within California: Oakland, Niles, Stockton, Sacramento, Marysville, Oroville, Portola and Herlong. An additional stop would be made at Keddie, California, in the event the application should be granted. Service between San Francisco and the Oakland Pier is by Southern Pacific ferry.

Another witness testified that the California Zephyr and trains Nos. 1 and 2, the Royal Gorge, when concurrently placed into operation on March 20, 1949, replaced trains Nos. 39 and 40 known as the Exposition Flyer. Trains Nos. 1 and 2 serve all main line stations on the railroad, Oakland to Salt Lake City, inclusive.

According to this witness, trains Nos. 1 and 2 were initially operated with a standard consist of seven cars which included head-end, coach, sleeper and diner-lounge cars. On November 30, 1949, the operation of the diner-lounge and sleeping cars was discontinued, reducing the basic consist to two cars - a combination express and baggage car and a passenger coach. Because of the radical change in the consist of these trains, on November 30, 1949, which affected both revenues and expenses, the financial results developed have been divided into two periods, March 20, 1949, through November 30, 1949, and December 1, 1949, through

January 31, 1950. As shown by Exhibit No. 1, the net out-of-pocket loss for the eight and one-third months of operation ending November 30, 1949, was \$569,766, which expanded to an annual basis would amount to \$812,362. During the two months following reduction in the consist of trains Nos. 1 and 2, the net out-of-pocket loss was \$138,136 which expanded to an annual basis would amount to \$813,220.

According to the witness special arrangements were made on December 1, 1949, to record the number of revenue passengers boarding and leaving trains Nos. 1 and 2 at each station in California together with the revenues derived therefrom. Evidence was produced which indicated that during the period December 1, 1949-February 19, 1950, inclusive, a daily average of 26 intrastate revenue passengers used trains Nos. 1 and 2 between points in California. (Exhibit No. 5). The evidence further indicated that during the prior period, April 1, 1949-November 30, 1949, inclusive, when passenger traffic is heaviest a daily average of 108.5 intrastate revenue passengers including sleeping car passengers, used those trains between points in California. (Exhibit No. 4).

For the purpose of indicating California operating results (Exhibit No. 1) the revenue from trips made wholly within California was assigned 100 per cent to California operations. To this was added that portion of revenue derived from interstate passengers which the passenger miles traveled in California bore to the total passenger miles traveled. Percentagewise, using this method, 51.2 per cent of the total passenger revenue during December, 1949, and January, 1950, was assigned to California, 37.7 per cent to Nevada and 11.1 per cent to Utah.

A witness for applicant testified that a study had been made of the expected revenue and expense of operation of the self-propelled railway car on a triweekly basis between Stockton and Salt Lake City. The total annual estimated revenue from the transportation of passengers, express and other traffic would be \$28,600, while the annual out-of-pocket expenses of the operation would amount to \$184,450. This would result in a net annual loss of \$155,850. (Exhibit No. 2). The revenues were estimated at the rate of five cents per train mile for passengers; a prorate of the l.c.l. express revenue accruing to trains Nos. 1 and 2 after making allowance for loss of San Francisco Bay area traffic and for the lessened frequency of service; and the mileage rate for mail for which the Post Office Department had indicated it will contract. The basis for the use of the factors of five cents per train mile and six cents per train mile, hereinafter referred to, was the result of the expressed judgment of certain officials of applicant.

The self-propelled car utilizes a power transmission consisting of a mechanical drive with torque converter. With respect to the total annual out-of-pocket expenses of its operation it was stated that applicant had no long-term experience in its use, having operated it for a test period of only ten days. Applicant included in its estimate of the out-of-pocket cost of operation of this car all of the applicable expenses which it had experienced from its operation of trains Nos. 1 and 2. This included only items of expense of engine and train crews, proportion of express messenger cost, proportion of cost of Salt Lake City terminal and joint facilities, and maintenance of ways and structures. The expenses of engine and train crews was developed on a mileage basis

from the actual wages paid those crews under existing agreements. The wage cost of the operations was then determined by applying this unit cost to the miles which it would operate in the proposed service. The express messenger is a Railway Express Company employee who, in addition to handling express traffic, also handles baggage, mail and other commodities for applicant. Pursuant to an agreement between applicant and Railway Express, there is paid to the latter an agreed proportion of the wages of the messenger which has been included in the estimated out-of-pocket cost of the operation of the new car. Cost for the use of the Salt Lake Union terminal and other joint facilities is based upon a fixed charge for each use thereof by a train. The cost of maintenance of ways and structures includes an allowance for rail wear only. The life of a rail was established on a gross ton mile use basis. The proportion of the cost of rail installation assignable to the proposed operation was based upon the annual amount of gross ton miles involved in this operation.

Remaining items of out-of-pocket costs which depend on long-term experience such as maintenance of equipment, lubricants, locomotive and train supplies, depreciation and insurance were developed on the basis of a study made by a well known firm of consulting engineers. <sup>(1)</sup> In making such study, this firm obtained from various railroads operating cost data for existing gas or diesel driven rail cars; studied maintenance costs of modern lightweight coaches, their trucks and air conditioning equipment; studied operating and maintenance costs of diesel engines of various capacities in railroad service including both electrical and

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(1) Coverdale & Colpitts (Exhibit No. 2).

mechanical drives. This firm then interpreted these costs as they apply to the car which applicant proposes to use, taking into consideration all factors that would affect operating costs. In all cases where data were obtained covering a period of years these costs were adjusted to the bases of labor rates and material costs prevailing during the middle of 1949 for purposes of comparison. To establish a basis of determining costs, the following assumptions were made: 100,000 miles annual operation; 50 per cent average load factor on the power plant and drive; fuel consumption at the rate of three miles per gallon (established by a 430 mile test run); base price of car \$128,000 for determining depreciation, insurance, interest and taxes; and car body and truck maintenance cost similar to other modern lightweight cars.

As a basis for estimating maintenance cost of engine and drive, data applying to the operations of gas rail and diesel rail cars were obtained from several railroads. In most cases these data covered vertical engines installed in a compartment within the cars where maintenance operations must be performed under adverse conditions. Exceptions were five streamlined diesel powered passenger cars with mechanical drives and torque converters. The maintenance of these five cars was considered excessive due to the inaccessibility of the power plant and drives for repair and to the severe service under which they were operated. Due consideration was given to these conditions in making the estimates.

In order to obtain a pattern of maintenance costs for diesel engines in railroad service, a study was made of such costs of some 315 diesel locomotives. These figures were converted to a common basis of horse power miles and then adjusted to the horse power rating of the unit which applicant plans to use.

Car body, truck, air conditioning and other equipment repairs were assumed to be approximately the same as for other lightweight cars produced by the maker of the car involved herein. Records covering maintenance expenditures for over 60 of such lightweight cars covering a period of seven years' operation were studied and converted to the labor rates and material costs prevailing during the middle of 1949.

The cost figures, in the main, are the results of judgment and experience applied to mathematical calculations. These estimated costs were increased by 15 per cent to allow for any deviations in operating conditions from those assumed in the study.

An engineer of the Commission's staff estimated that the proposed operation of the self-propelled railway passenger car on a triweekly basis between Stockton and Salt Lake City, would produce an annual passenger revenue of \$28,800, as compared with applicant's estimate of \$13,100. This would increase to \$44,300 the total expected annual revenue from passenger, l.c.l. express, mail and baggage as compared with applicant's estimate of \$28,600.

Substitution of the passenger revenue estimate of the Commission's engineer for applicant's estimate would produce a net annual loss of \$140,150 instead of an annual loss of \$155,850 as estimated by applicant.

If the self-propelled car were operated three times weekly between San Francisco-Oakland and Salt Lake City, two units would be required. The witness for applicant estimated that the total expected annual revenue from such an operation would be \$36,070, of which \$17,360 would be passenger revenue. The annual out-of-pocket expense and annual loss would be \$218,960, and \$182,890, respectively. In developing this passenger revenue estimate applicant's witness applied six cents per train mile to the estimated annual train miles which would be operated under this plan. The engineer of the Commission's staff estimated that the annual passenger revenue from such a plan of operation would amount to \$73,500. Substituting this estimate for applicant's estimate the total annual revenue produced would be \$92,210, resulting in a net annual loss of \$126,750 as compared to applicant's estimate of \$182,890.

The details and development of the various estimates are set forth in Table A, infra. An explanation of the method



TABLE A

THE WESTERN PACIFIC RAILROAD COMPANY  
ESTIMATED OPERATING RESULTS OF TRAINS #1 & #2

	3/20/49 to 11/30/49 incl:	12/1/49 to 1/31/50 incl:	Annual Estimate Using Budd (RDC-2) Car Operation				
	Steam Train Including Sleeper and Diner	Steam Train Excluding Sleeper and Diner	One Car - 3 Times Wkly. Bet. Stockton and Salt Lake City Applicant's P.U.C. Staff Estimate of Estimate	Two Cars - 3 Times Wkly. Bet. S.F.-Oakland and Salt Lake City Applicant's P.U.C. Staff Estimate of Estimate	Three Cars-Daily Bet. S.F.-Oakland and Salt Lake City Estimate Based on Oral Evidence		
Revenues							
Passenger	\$ 332,831	\$ 20,188	\$ 13,100	\$ 28,800 <sup>(1)</sup>	\$ 17,360	\$ 73,500 <sup>(1)</sup>	\$ 171,606 <sup>(1)</sup>
Express	64,681	6,825	9,700	9,700	12,910	12,910	30,123 <sup>(4)</sup>
Other	126,915	12,130	5,800	5,800	5,800	5,800	13,533 <sup>(5)</sup>
Total	\$ 524,427	\$ 39,143	\$ 28,600	\$ 44,300	\$ 36,070	\$ 92,210	\$ 215,262
Direct or Added Expenses	\$ 1,094,193	\$177,279	\$184,450	\$184,450	\$218,960	\$218,960	\$ 494,569 <sup>(6)</sup>
Net Loss	\$ 569,766	\$138,136	\$155,850	\$140,150	\$182,890	\$126,750	\$ 279,307
Ratio Revenue To Expense %	47.9%	22.1%	15.5%	24.0%	16.5%	42.1%	43.5%
Net Loss Per Yr.	\$ 812,362 <sup>(2)</sup>	\$813,220 <sup>(3)</sup>	\$155,850	\$140,150	\$182,890	\$126,750	\$ 279,307

Notes:

- (1) P.U.C. Staff Estimates of Passenger Revenue. Remainder of revenue and expense estimates not footnoted were made by applicant.
- (2) Annualized by expanding 256 day period to 365 day year in proportion to number of days.
- (3) Annualized by expanding 62 day period to 365 day year in proportion to number of days.
- (4) Express revenue for 7 days weekly service estimated by expanding annual express revenue of \$12,910 for 3 day weekly service between S.F. and Salt Lake City in proportion to number of schedules operated.
- (5) Mail revenue for 7 days weekly service estimated by expanding annual mail revenue of \$5,800 for 3 day weekly service between S.F. and Salt Lake City in proportion to number of schedules operated.
- (6) Expenses for 7 days weekly service estimated by expanding all expenses, except depreciation, interest, and insurance expenses, for 3 day weekly service between S.F. and Salt Lake City in proportion to number of schedules (\$218,960 - \$19,600). The depreciation, interest, and insurance expense of \$19,600 was increased by 50% or in proportion to the 3 Budd cars required on daily service instead of 2 cars on tri-weekly schedules.

used by the Commission's staff engineer in developing the estimate of passenger revenues in Table A is set forth below in footnote (2).

The president of applicant testified that applicant felt justified in operating the proposed curtailed service at the estimated annual loss of approximately \$155,000 in view of the fact that trains Nos. 1 and 2, in addition to serving the public, also transport company employees and materials. If these trains were discontinued between Stockton and Salt Lake City it was estimated

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- (2) Re Commission's Staff Estimate of Revenue under various methods of operation of the self-propelled railway passenger car.
- (a) Operation 7 times a week, i.e., daily, between San Francisco-Oakland and Salt Lake City with 3 cars.

The \$171,606 annual passenger revenue was estimated by obtaining from the company's records the amount of coach revenue for the 11 months April, 1949, to February, 1950, inclusive, and expanding this to a 12-month basis by estimating March revenue as intermediate between January and April revenue. All dining car and sleeping car revenue was eliminated from this estimate, as well as revenue derived from large excursions.

- (b) Operation 3 times weekly between San Francisco-Oakland and Salt Lake City with 2 cars.

The \$73,500 annual passenger revenue estimate was developed by taking three-sevenths of the \$171,606 revenue as used for 7 times a week service. By this method it is assumed that the revenue derived will be in direct proportion to the number of schedules operated between San Francisco-Oakland and Salt Lake City. An estimate of the annual passengers was established at 10,710 in the same manner that the revenue estimate was developed.

- (c) Operation 3 times weekly between Stockton and Salt Lake City with 1 car.

It was first determined from an analysis of the traffic carried on trains Nos. 1 and 2 during December, 1949, January, 1950, and February 1-19, inclusive, 1950, that revenue passengers traveling 50 per cent of the passenger miles had either origin or destination at San Francisco or Oakland. Due to the peak seasonal nature of Western Pacific's passenger business involving additional long haul summer traffic, it was felt that much of this summer business would be lost to trains Nos. 1 and 2 if terminated at Stockton. The revenue estimate of \$28,800 was determined by taking 50 per cent of the annual passengers developed under paragraph (1) (5,355 passengers) and applying the average coach revenue per passenger (\$5.38) experienced during the three winter months. The average coach revenue per passenger estimated for the year under present operations is \$6.85.

by applicant that it would incur an expense of approximately \$165,000.annually to handle that company business.

Although there were a number of persons who made their appearances as protestants in this proceeding, many of them produced no evidence. There were some who confined their showing to a cross-examination of applicant's witnesses.

Several protestants, representing themselves or various civic groups, testified in opposition to applicant's plans. One of these, a member of the Board of Supervisors of Plumas County, presented testimony to the effect that the board had received many protests to said plan; that the citizens of Plumas County and in particular the Feather River resort operators desired a westbound overnight sleeper service which would leave Portola about 9 p.m. daily and arrive at San Francisco the next day about 8 a.m.; that the public desired a type of equipment superior to and maintained in a better condition than that now used in trains Nos. 1 and 2, and that the proposed substitute service would suffer a further decline in traffic, particularly the express traffic, due to the five days a week station rule and the proposed triweekly service. He also stated that in his opinion the self-propelled car which applicant proposes to use is too light in weight for safe operations in the Feather River Canyon due to the likelihood of derailment by rocks on the tracks; that said car is of insufficient passenger capacity and that for such reasons the public would be inclined to refrain from its use. Several resort owners in the Feather River area expressed various opinions in objecting to the proposed change in service. Generally they were apprehensive that such change would jeopardize their business investments; that more modern equipment should be used; that overnight sleeper service

should be provided; and that the present as well as the proposed schedules are inadequate to meet the needs of their patrons notwithstanding said patrons have seldom used the trains. One resort operator was unable to state that any of his guests had used rail service and another estimated that probably as many as five of his guests had used it during the last summer season. It was stated that most of the resort guests use private automobiles and a few use the passenger stage line which operates through Feather River Canyon. A merchant at Blairsden was of the opinion that the proposed triweekly service would cause a reduction of the summer tourist trade thereby adversely affecting local business. He further stated that he receives some shipments by rail express but uses a common carrier trucking service for most of his shipments. A representative of a womens' club objected to applicant's plan to discontinue operations of trains Nos. 1 and 2 between Stockton and Oakland as this would eliminate a through service between Portola and San Francisco needed by those desiring medical attention at hospitals in the San Francisco Bay area. The secretary of the International Wood Workers of America testified that families of members of that union have a need for a through passenger train service between Feather River Canyon points and cities in the vicinity of San Francisco Bay. Several employees of applicant who were representatives of various railroad unions produced testimony that some passengers using trains Nos. 1 and 2 had complained about the obsolete type of equipment of those trains and the unclean condition of the passenger coaches. Some of these expressed the opinion that modern equipment and improved schedules would sufficiently increase the public use of these trains to justify their continued operation.

An analysis of the evidence of record shows that under the proposal to provide a triweekly service between Stockton and Salt Lake City applicant estimates it would suffer an annual loss of \$155,850 as compared to the estimate of the staff engineer of \$140,150. Under such proposal no service would be provided between Stockton and San Francisco by trains Nos. 1 and 2. The record further shows that if the service were continued between Stockton and San Francisco on a triweekly basis the annual loss as estimated by applicant would be \$182,890 as compared with \$126,750 as estimated by the staff engineer. The difference in the latter estimates arises from the methods used in estimating potential passenger revenue. That used by applicant was a basis of six cents per train mile of operation, as hereinabove explained, while that used by the Commission engineer, as shown in marginal note (2), was by an allocation of three-sevenths of the annual coach passenger revenue calculated from the actual revenue derived during the past eleven months' operation of trains Nos. 1 and 2. This allocation was based on the assumption that the coach revenue derived would be in direct proportion to the number of schedules operated between San Francisco-Oakland and Salt Lake City. In our judgment the method followed by the staff engineer which was based on past actual revenues, would more nearly reflect the result which would obtain, thus producing the least financial loss. It should be noted that by continuing service between Stockton and San Francisco, although on a reduced basis, the amount of the increase of passenger revenue would be greater than that of the increased expenses.

The record further shows that by conducting a triweekly service between San Francisco-Oakland and Salt Lake City, the net annual operating loss would be reduced below the annual amount

(\$165,000) which applicant stated it would cost for a substitute service to transport certain of its employees and materials to and from various places of work between Stockton and Salt Lake City only, if the entire operation of trains Nos. 1 and 2 were discontinued.

By providing service between San Francisco-Oakland and Salt Lake City on a triweekly basis rather than between Stockton and Salt Lake City as proposed, applicant will have greater latitude to establish schedules at times best to serve the public need. Applicant will be required to submit time tables to the Commission for its approval, which show schedules designed to meet that need.

The record also shows, as detailed in Table A, that daily service by trains Nos. 1 and 2 with any type of equipment would result in an excessive net loss to applicant. Service on a triweekly basis would materially reduce the net loss and is therefore found to be justified. Applicant's vice president testified that conventional equipment would be available to care for any abnormal demand for service beyond the capacity of the new car, and that this is the same kind of protection given to all Western Pacific passenger trains.

After a careful review of all the evidence of record it is our conclusion that applicant should not be authorized to discontinue service between San Francisco and Stockton. It should be authorized to reduce service from a daily operation to a triweekly operation between San Francisco and the California-Nevada State line. Such will be the order.

In reaching such conclusions we are mindful of the fact that while there may be occasional inconvenience to some who use the trains involved and prefer a daily service, the extent thereof is not clear in this record. The record clearly shows that there has been a constantly declining use of those passenger trains as presently operated.

O R D E R

A public hearing having been held in the above entitled proceeding, evidence having been adduced therein, the matter submitted and based upon the evidence of record and the conclusions thereon expressed in the foregoing opinion,

IT IS ORDERED:

(1) That The Western Pacific Railroad Company is hereby authorized to reduce the operation of its passenger trains Nos. 1 and 2 from a daily service basis to a triweekly service basis between San Francisco and the California-Nevada State line by the use of self-propelled railway passenger cars.

(2) That in conformity with the applicable rules of this Commission, applicant shall reissue time tables to reflect the authority herein granted, provided said time tables shall be approved by the Commission before they may become effective.

(3) That applicant shall give not less than ten (10) days' notice to the public of the establishment of the reduced service as herein authorized, by posting appropriate notices thereof in the trains involved and at all agency stations in the State of California.

(4) That the authority herein granted shall expire one

year after the effective date hereof unless exercised within said one year.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 16th day of May, 1950.

R. E. Anderson  
Justus F. Casner  
Leah L. Lawell  
Harold P. Kule  
Desmet P. Potter  
COMMISSIONERS



# APPENDIX "A"

E. L. Van Dellen, for applicant; J. W. Collier, City Attorney, Archer Bowden, Assistant City Attorney and Loren W. East, Public Utility Engineer, for City of Oakland, protestant; Taubner G. Hamma, Assistant City Attorney, for City of Stockton, protestant; Frank G. Pellett, State Representative, Brotherhood of Railroad Trainmen, protestant; A. W. Harris, for Brotherhood of Railroad Trainmen, protestant; F. T. Wood, State Legislative Board, Brotherhood of Locomotive Enginemen, protestant; C. E. Geoble, for Order of Railway Conductors, protestant; Lester T. Davis, for Second Assembly District, protestant; W. G. Heckala, Legislative Representative Lodge 794, for Brotherhood of Locomotive Firemen & Enginemen; also California State Legislative Board of Firemen & Enginemen, protestants; A. W. Arnell, for Order of Railway Conductors, protestant; George Clark, for Switchmen's Union of North America, protestant; Eugene Morton, for Switchmen's Union of North America, protestant; C. E. Whitman, for Brotherhood of Locomotive Firemen & Enginemen, The Western Pacific Railroad Company, protestant; G. E. Irvine, State Legislative Board, Brotherhood of Locomotive Firemen & Enginemen, protestant; Walter Hoffman, Pacific Fruit Exchange and California Tree Fruit League, intervenor; Frank Good, City Attorney, for City of Oroville, protestant; J. B. Azevedo, for International Woodworkers of America, protestant; Arthur Coats, Jr., representing Fourth Assembly District, protestant; Mrs. Maxwell Sypher, for California Women's Clubs, Northern District, protestant; Mrs. Kate Mitzel, Safety Chairman of the Northern District of California Federation of Women's Clubs, protestant; F. Lyons and Steele Labagh, for California Packing Corporation, intervenor; Earl D. Schlaman, California Wool Growers Association; California Cattlemen's Association; Western States Meat Packers Association, intervenors; S. A. Stratton, for American Railway Supervisors Association, Lodge 261, protestant; M. E. McCann, for Lodge 843, Brotherhood of Railroad Trainmen, Local Legislative Representative, protestant; Frank James, for Brotherhood of Railway Clerks, protestant; R. W. Rich, for Railroad Yardmasters of America, protestant; T. E. Clifton, for the Carmen of the Western Pacific Railroad Company and Sacramento-Northern, Brotherhood of Railroad Carmen of America, protestants; Fred T. Huntington, for Oroville Laundry & Cleaners, protestant; H. L. Siemens, for Brotherhood of Locomotive Firemen & Enginemen, Sierra Lodge, protestant; E. D. Phelps, for the Resort Owners Association of Feather River Canyon, protestant; A. E. O'Connell, for Thermolito Market, Oroville, protestant; Ralph W. Peters, for Oroville Merchants, protestants; O. T. Stoy, for Feather River Stages, protestant; M. W. Swezey, for Oroville Inn, protestant; C. W. White, City Attorney of City of Hayward, interested party; A. C. Donnenwirth, for Board of Supervisors of Plumas County, protestant; G. T. Yonge, for Plumas County Chamber of Commerce, protestant; A. H. Nourse, for Switchmen's Union of North America, protestant; Samuel M. Dickey, for Mohawk Tavern, protestant; Florence Keas, for Feather River Park, protestant; John E. Farnsworth, for Plumas County Conservation League, protestant; Roy C. Stouky, for Mining Timber Industry, protestant; J. A. Ferrari, for Portola Rotary Club, protestant; Major T. H. Swan, 6th Army of the United States, interested party.