

DECISIONS OF

The Public Service Commission

OF THE

COMMONWEALTH OF PENNSYLVANIA

July 7, 1924, to June 1, 1926

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From all the evidence the Commission finds and determines that the Scranton Railway Company, applicant, can operate one-man cars with safety over the crossings heretofore described and that the requirements of General Order No. 5 of this Commission may be waived in so far as they are inconsistent with such operation, provided the following conditions are complied with:

(1) That standard metal trolley guards be installed and maintained at all crossings.

(2) That all one-man cars come to a positive stop within fifteen feet of each crossing and that before proceeding thereover the motorman-conductor by due diligence satisfy himself as to the safety of the proposed movement.

(3) That a watchman be maintained daily at the Providence Road and Albright Avenue crossing during the hours of street car operation thereover.

(4) That a watchman be maintained daily at the Capouse Avenue and Larch Street crossing during the hours of street car operation thereover.

(5) That a watchman be maintained daily by the applicant company at the Lackawanna Avenue crossing during the hours of street car operation thereover in addition to the present railroad watchman.

(6) That a watchman be maintained daily by the applicant at the Elm Street crossing during the hours of street car operation thereover in addition to the railroad watchman.

(7) That a safety stop be made at or near the Fourth Street intersection when descending eastwardly to the Elm Street crossing, and that immediately prior to this movement the hand and air brakes be tested and said tests made a matter of daily record. An order will issue in accordance with these findings.

BOROUGH OF SWOYERVILLE

vs.

DELAWARE, LACKAWANNA AND WESTERN RAILROAD CO.

COMPLAINT DOCKET No. 4226

Crossings—Railroads—Relocation.

The Commission refused to relocate a crossing at grade of a borough street over the main tracks of a railroad where it appeared that public convenience would be best served by not disturbing existing crossing conditions until a time when a more comprehensive plan could be undertaken.

Richard B. Sheridan for Borough of Swoyerville.

G. W. Morgan for Delaware, Lackawanna & Western R. R. Co.

D. O. Coughlin for Borough of Forty Fort.

REPORT BY THE COMMISSION, *May 25, 1926:*

This complaint, as amended, petitions in effect for the relocation of the crossing at grade of Warsaw Street in the Borough of Swoyerville, Luzerne County, over the two main tracks of the Bloomsburg Division of The Delaware, Lackawanna and Western Railroad Company, to Hughes Street, located about 250 feet to the north. The reasons assigned for the desired relocation are that the Warsaw Street crossing is dangerous and that its relocation to Hughes Street would be of greater convenience to the public.

It appears that the tracks now cross Hughes Street, but that this highway is barricaded on both sides of the utility's facilities and that those traveling along it must make a detour to the Warsaw Street crossing, 250 feet to the south, or to the Owen Street crossing, 440 feet to the north.

Answers were filed. The railroad company objects to the establishment of another grade crossing in the borough unless the grade crossings at both Warsaw and Owen Streets are abolished. Residents of the municipality and of the adjoining borough of Forty Fort object to closing these crossings.

After a careful consideration of the record in this case, the Commission is not persuaded that public safety would be promoted or the public convenience advanced by the relocation of the Warsaw Street crossing to Hughes Street. In the light of all the facts, the Commission finds and determines that the public safety and convenience is best served by leaving the situation remain as it now exists until such time as a more comprehensive plan can be undertaken for better promoting the public safety and convenience.

Accordingly an order will issue dismissing the complaint.