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THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of the Department of Highways,
etc.

Application Docket No. 83618

Lancaster, Pa., January 17, 1957

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ENTRY NO. *100*

RECORD
FOLDER

ROY S. MOHRBACH
30 SUSQUEHANNA STREET
JIM THORPE, PA.

SECRETARY OFFICE
PUBLIC UTILITY COMMISSION

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1 THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

2 - - - - -

3
4 In re: Application of the Department of Highways for
5 approval of the alteration and reconstruction of the
6 crossing where State Highway Route 148 crosses above
7 the grade of the tracks of The Pennsylvania Railroad
8 Company, in East Lampeter Township, Lancaster County,
9 and the allocation of the costs and expenses incident
10 thereto.

11 Initial hearing.

12 - - - - -

13 Application Docket No. 83618

14 - - - - -

15 Stenographic report of hearing held in
16 Court Room, Court House, Lancaster,
17 Lancaster County, Pennsylvania, Thursday,

18 January 17, 1957,
19 at 10:00 o'clock A. M.

20 - - - - -

21 GEORGE B. STUART, ESQ., EXAMINER

22 - - - - -

23 APPEARANCES:

24 THOMAS H. CRIDER, ESQ., Harrisburg, Pa.
25 For - Department of Highways,
Applicant.

VIOLET H. MEEHAN, ESQ., Transportation Center,
6 Penn Center Plaza, Philadelphia, Pa.
For - The Pennsylvania Railroad Company.

1 APPEARANCES (cont'd): *Helmark*

2 WILLIAM M. HELMARK, ESQ., 1835 Arch Street,
3 Philadelphia, Pa.

4 For - The Bell Telephone Company of
5 Pennsylvania.

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 2 THE EXAMINER: We will now hear the application
 3 of the Department of Highways for approval of the alteration
 4 and reconstruction of the crossing where State Highway Route
 5 148 crosses above the grade of the tracks of The Pennsylvania
 6 Railroad Company in East Lampeter Township, Lancaster County,
 7 and the allocation of the costs and expenses incident thereto.

8 In this hearing the Commission has submitted to
 9 all parties a set of questions and proposed procedure to be
 10 followed. In order to expedite the hearing, I would ask that
 11 the questions be answered as nearly as possible in chrono-
 12 logical order and at the conclusion of those you may call any
 13 other witnesses you desire.

- - - - -

14 ERNEST LEHMER, Department of Highways, Harris-
 15 burg, Pa., a witness called upon the part of the Applicant,
 16 being duly sworn according to law, testifies as follows:

DIRECT EXAMINATION

17 MR. CRIDER: If the Examiner please, this is a
 18 hearing by the P.U.C. at Application Docket No. 83618 upon
 19 application of the Department of Highways for the approval of
 20 the alteration and reconstruction of the crossing where State
 21 Highway Route 148 crosses above the grade of the tracks of
 22 The Pennsylvania Railroad Company, in East Lampeter Township,
 23 Lancaster County.
 24 Proof of publication of notice of this hearing

1 in the Lancaster Intelligencer Journal was forwarded to the
2 Commission by our letter of January 10, 1957.

3 BY MR. CRIDER:

4 Q Will you state your name, sir?
5 A Ernest Lehmer.

6 Q By whom are you employed?
7 A Pennsylvania Department of Highways.

8 Q In what capacity are you employed there?
9 A Grade Crossing Engineer.

10 Q Are you familiar with the crossing involved in
11 this proceeding?
12 A I am.

13 Q Are you authorized to testify in your capacity
14 as Grade Crossing Engineer on behalf of the Department of
15 Highways in this proceeding?

16 A I am.

17 Q Are you familiar with the prepared questionnaire
18 submitted by the Commission to the parties in this proceeding?

19 A I am.

20 Q I refer your attention to that questionnaire and
21 to Question No. 1, which reads as follows:

22 "Applicant submit testimony regarding the name,
23 general location, termini and traffic route number of the
24 existing public highway involved in this proceeding."

25 Will you answer this question, please?

1 A The highway involved in this proceeding is
2 Legislative Route 148, a primary highway 31 miles in length
3 extending in a general northeasterly direction from a point
4 on Legislative Route 142, 2 miles east of Lancaster in
5 Lancaster County to a point in the City of Reading, Berks
6 County. The section of Legislative Route 148 in the vicinity
7 of the crossing is traversed by Traffic Route 772.

8 Q "Applicant submit testimony describing the exact
9 location of the existing crossing, above grade, involved in
10 this proceeding."

11 A Will you answer this question, please?
12 At a point in East Lampeter Township, Lancaster
13 County, 762 feet northerly from Legislative Route 142, Legis-
14 lative Route 148 crosses over and above the grade of three
15 tracks of The Pennsylvania Railroad Company.

16 Q "Applicant submit testimony describing in detail
17 the general type, number of spans and principal dimensions,
18 including width of roadway, type of roadway paving, number and
19 width of sidewalks and clearances of the existing crossing,
20 above grade."

21 A Will you answer this question, please?
22 The existing bridge was constructed by The
23 Pennsylvania Railroad Company as a temporary bridge in
24
25

1 accordance with order of the Public Service Commission dated
2 September 23, 1929, in Application Docket No. 21419. The
3 order provided:

4 FIRST: That the bridge shall be constructed in
5 accordance with the requirements of the Public Service
6 Commission.

7 SECOND: That at each end of the bridge on the
8 approaches, at a point not less than 100 feet slow signs shall
9 be erected, reading, "Temporary Bridge-Run Slow."

10 THIRD: That within one year the temporary bridge
11 shall be replaced with a permanent structure on an approved
12 alignment in a location such as to eliminate reverse curves
13 in the approaches, and subject to the approval of the Public
14 Service Commission.

15 We have no records showing that a permanent
16 bridge was constructed. The reverse curves remain in the
17 existing highway on each side of the bridge. The construction
18 of the existing bridge is similar to that shown on The Penn-
19 sylvania Railroad Company plan attached to and made a part of
20 Application 21419. The existing bridge has a single span 73
21 feet in length and a vertical clearance of 20 feet 2 inches.
22 The superstructure consists of steel girders, steel floor
23 beams with a timber floor and rests on stone abutments. The
24 clear roadway width of the bridge is 18 feet.

25 Q Question No. 4 reads as follows:

1 "Applicant submit testimony describing the general
2 physical condition of the substructure and superstructure of
3 the existing bridge."

4 Will you answer this question, please?

5 A The physical condition of the bridge is fair.

6 Q Question No. 5 reads as follows:

7 "Applicant submit testimony as to the type, width
8 of pavement, alignment, grade and general physical condition
9 of the highway approaches to the existing crossing, above
10 grade, involved in this proceeding."

11 Will you answer this question, please?

12 A The alignment of the highway approaches showing
13 reverse curves on each side of the bridge is shown on the plan
14 to be submitted as Exhibit No. 1. The highway grades on each
15 side of the bridge is descending from the bridge 8 per cent
16 the first 100 feet, 4 per cent the second 100 feet and 1 per
17 cent the third 100 feet. The highway is surfaced with macadam
18 to a width of 20 feet on a 30-foot graded roadbed.

19 Q Question No. 6 reads as follows:

20 "Applicant submit testimony as to the average
21 volume of vehicular traffic presently sustained by the highway
22 at this location and an estimate of the 1964 daily traffic
23 that may be expected to use the existing bridge upon comple-
24 tion of the improvement."

25 Will you answer this question, please?

1 A The average daily traffic over the crossing is
2 675 passenger cars, 125 trucks, or a total of 800 motor
3 vehicles. It is anticipated that the 1964 average daily
4 traffic will consist of 1,000 motor vehicles.

5 Q Question No. 7 reads as follows:

6 "Applicant submit complete testimony setting
7 forth the reasons or necessity for altering the existing
8 crossing, above grade, involved in this proceeding."

9 Will you answer this question, please?

10 A The narrow width of the existing bridge, the poor
11 alignment and grades of the existing highway make it necessary
12 to alter the existing crossing so that the highway will be
13 adequate to accommodate modern traffic needs.

14 Q Question No. 8 reads as follows:

15 "Applicant submit of record complete general
16 construction plans showing the manner in which it proposes to
17 construct the portion of the highway involved in this
18 proceeding."

19 In connection with this question, I call your
20 attention to Department of Highways Exhibit No. 1 and ask you
21 to answer the question and identify the exhibit?

22 A Exhibit No. 1 consists of Sheets 2, 3 and 4 of
23 drawings of the Department of Highways for construction of
24 State Highway Route 148, Section 11, in East Lampeter Township
25 Lancaster County. Sheet No. 2 shows the alignment of the

1 section of highway to be reconstructed and the location where
2 the tracks of The Pennsylvania Railroad Company crosses the
3 highway. Sheets 3 and 4 show details of the proposed
4 construction.

5 MR. CRIDER: I would like to ask the Reporter to
6 mark this for identification.

7 (Stenographer marks Blueprint, consisting of
8 3 sheets, entitled, District 8-0, Lancaster County,
9 Route 148, Sec. 11, East Lampeter Township, as
"Applt. Ex. No. 1.")

10 BY MR. CRIDER:

11 Q Question No. 9 reads as follows:

12 "Applicant submit of record complete construction
13 plans showing the details of the substructure and super-
14 structure of the proposed new bridge involved in this
15 proceeding."

16 In connection with Question No. 9, I call your
17 attention to Exhibit No. 2 and ask you to answer the question
18 and identify the exhibit?

19 A Exhibit No. 2 is a plan S-2478, consisting of
20 7 sheets, and showing details of the proposed bridge to carry
21 the highway over tracks of The Pennsylvania Railroad Company.
22 The bridge will consist of 3 spans, 50 feet $6\frac{1}{4}$ inches; 69 feet
23 10 and $\frac{1}{8}$ inches and 51 feet 2 and $\frac{7}{8}$ inches in length
24 center to center of bearings. The roadway width on the bridge
25 will be 28 feet. A 5-foot sidewalk will be provided on the

1 right side. The vertical clearance over the tracks of The
2 Pennsylvania Railroad Company will be 23 feet 6 inches.

3 MR. CRIDER: I would ask the Reporter to mark
4 this for identification.

5 (Stenographer marks Blueprint, consisting of 7
6 sheets, entitled, East Lampeter Bridge, Route 148
7 (Reloc.), Sect. 11, Sta. 7+58.73, Lancaster County,
General Plan, S-2478, as "Applt. Ex. No. 2.")

8 BY MR. CRIDER:

9 Q Question No. 10 reads as follows:

10 "Applicant submit testimony describing in detail
11 the nature and extent of all work contemplated by the general
12 and detail construction plans."

13 Will you answer this question, please?

14 A The plan provides for reconstructing the highway
15 on the improved alignment and grade. The approaches to be
16 surfaced with a 2½ inch bituminous surface course on a 10 inch
17 crushed aggregate base course to a width of 20 feet with
18 6 foot shoulders in cut sections and 8 foot shoulders in fill
19 sections. The bridge will be 3 simple girder spans as
20 described in my answer to Question No. 9.

21 Q Question No. 11 reads as follows:

22 "Applicant submit of record a detailed estimate
23 of the cost of constructing the proposed crossing improvement,
24 in accordance with its general and detail construction plans,
25 exclusive of the cost of altering facilities of The

1 Pennsylvania Railroad Company or other public utilities, but
2 including an estimate of the cost that will be incurred by the
3 vacation, relocation, removal or demolition of any nonutility
4 structures, including occupied dwellings located upon property
5 necessary for the construction of the improvement."

6 In connection with this question, I call your
7 attention to Exhibit No. 3 and ask you to answer the question
8 and identify the exhibit?

9 A Exhibit No. 3 is a single sheet showing the
10 estimated cost of the proposed construction amounting to
11 \$157,850. from Station 0+0 to Station 10+20 which is the portion
12 over which the Public Utility Commission will assume juris-
13 diction.

14 MR. CRIDER: I will ask the Reporter to mark
15 this for identification.

16 (Stenographer marks Statement entitled, Estimated
17 Cost of Railroad Crossing Improvements, as "Applt. Ex.
18 No. 3.")

18 BY MR. CRIDER:

19 Q Question No. 12 reads as follows:

20 "Applicant state whether it will be necessary for
21 this Commission to appropriate any private property for the
22 purpose of the construction of the crossing improvement and,
23 in event additional property will be required, applicant
24 submit of record accurate descriptions by metes and bounds of
25 each parcel of property to be appropriated; said descriptions

1 in each case to contain the name and post-office address of
2 each record owner and reference to the recording of title
3 thereof."

4 In connection with Question No. 12, I call your
5 attention to Exhibit No. 4 and ask you to answer the question
6 and identify the exhibit?

7 A It is requested that the Public Utility Commis-
8 sion appropriate additional property necessary for the
9 proposed construction between Station 0+0 and Station 10+20.
10 Exhibit No. 4 consists of 16 sheets showing descriptions of
11 the properties to be appropriated and the Court Record
12 information relating thereto.

13 MR. CRIDER: I will ask the Reporter to mark
14 this exhibit for identification.

15 (Stenographer marks Blueprint, consisting of
16 16 pages, showing Descriptions of Properties to be
Appropriated as "Applt. Ex. No. 4.")

17 BY MR. CRIDER:

18 Q Question No. 13 reads as follows:

19 "Applicant submit of record an estimate of
20 damages, if any, for property that may be taken, injured or
21 destroyed by reason of the construction of the proposed
22 improvement, exclusive of the cost which may be incurred by
23 the vacation, relocation, removal or demolition of any non-
24 utility structures, including occupied dwellings located upon
25 property necessary for the construction of the improvement."

1 Will you answer this question, please?

2 A Damages for property that may be taken, injured
3 or destroyed by reason of the proposed construction is
4 estimated to be \$6,750.

5 Q Question No. 14 reads as follows:

6 "Applicant submit testimony as to the portion of
7 the resulting damages it will agree to assume and the party or
8 parties who should be made responsible for the settlement and
9 payment of any such damages."

10 Will you answer this question, please?

11 A The Department of Highways will agree to be made
12 responsible for the settlement and payment of property damages
13 The Department of Highways will agree to construct the entire
14 improvement in accordance with the plans Exhibits Nos. 1 and 2
15 at the estimated cost of \$157,850.

16 Q Question No. 15 reads as follows:

17 "Applicant submit testimony describing in detail
18 all portions of the actual work of constructing the proposed
19 crossing improvement, including any alterations of the
20 facilities of The Pennsylvania Railroad Company and other
21 public utilities, which will be performed by Department of
22 Highways and all portions of the work which Department of
23 Highways suggests be performed by The Pennsylvania Railroad
24 Company or by other parties in interest."

25 Will you answer this question, please?

1 A The Pennsylvania Railroad Company should be
2 required to make any necessary changes in their facilities.

3 Q Question No. 16 reads as follows:

4 "Applicant submit testimony as to its present
5 obligation with respect to the maintenance and reconstruction
6 of the existing crossing, above grade, and the highway
7 approaches thereto, and state what portion of the actual cost
8 of constructing the proposed crossing improvement, including
9 the cost of any necessary alterations of the facilities of
10 The Pennsylvania Railroad Company and other public utilities
11 that it will agree to bear; what federal funds, if any, will
12 be used to defray a portion or all of such costs and by what
13 Act of Congress such funds have been appropriated."

14 Will you answer this question, please?

15 A The highway approaches to the crossing are
16 presently maintained by the Department of Highways. The
17 bridge was constructed by The Pennsylvania Railroad Company as
18 ordered by the Public Service Commission and outlined in my
19 answer to Question No. 3. The Pennsylvania Railroad Company
20 presently maintains the existing bridge. Funds used to defray
21 the costs of the proposed construction will be 100 per cent
22 State. No Federal funds will be involved. Because of the
23 facts as outlined in my answer to Question No. 3, it is sug-
24 gested that The Pennsylvania Railroad Company be ordered to
25 assume the major portion of the proposed construction costs.

1 The Department of Highways will agree to assume any fair
2 share of the construction costs which the Commission imposes
3 upon it.

4 Q Question No. 17 reads as follows:

5 "Applicant state whether it will be necessary to
6 detour highway traffic over other public highways during such
7 time as may be required to complete the construction of the
8 proposed improvement and, if so, state what arrangements will
9 be made for the establishment and maintenance of such detours
10 and the party that should be required to establish and main-
11 tain such detours."

12 Will you answer this question, please?

13 A It will be necessary to provide a temporary route
14 for highway traffic during the proposed construction. The
15 location of the temporary route is shown on the lower lefthand
16 corner of Sheet No. 3 of Exhibit No. 1.

17 Q Question No. 18 reads as follows:

18 "Applicant submit testimony describing in detail
19 all portions of the crossing improvement, including the
20 substructure and superstructure of the reconstructed bridge,
21 and the highway approaches thereto that it will agree to
22 maintain in the future."

23 Do you have an answer to that question?

24 A The Department of Highways agrees to maintain the
25 State Highway approaches to the bridge. The Pennsylvania

1 Railroad Company owns and maintains the existing bridge. It
2 is our opinion that they should be required to maintain the
3 proposed new bridge.

4 Q Question No. 36 reads as follows:

5 "Query regarding the date the order of the
6 Commission should fix as the time for the completion of the
7 improvement in event the application is approved and the
8 crossing improvement constructed in accordance with this
9 order."

10 Will you answer this question, please?

11 A The order of the Commission should require
12 completion of the improvement September 30, 1958.

13 Q Do you have any further relevant testimony at
14 this time?

15 A No, sir.

16 MR. CRIDER: Cross examine.

17 CROSS EXAMINATION

18 BY MISS MEEHAN:

19 Q Mr. Lehmer, what is the length of the entire
20 highway improvement here?

21 A Approximately two miles.

22 Q I believe you testified that the purpose here is
23 to improve the grade and alignment of the highway, is that
24 correct?

25 A That's right.

1 A The Department of Highways.

2 Q Did the P.U.C. ever order the Department of
3 Highways to do anything about the alignment of this road?

4 A No, ma'am.

5 Q In other words, that order of 1929 is the only
6 order that you know of that the Public Service Commission has
7 handed down - - -

8 A That is right.

9 Q With respect to this bridge and the highway?

10 A That is right.

11 MR. CRIDER: If the Examiner please, if there is
12 no further cross examination, I would like to offer
13 Applicant's Exhibits Nos. 1, 2, 3 and 4 into evidence.

14 I would also like to offer the questions prepared
15 by the Commission in this hearing into evidence, if that is
16 proper.

17 THE EXAMINER: Any objection?

18 (No response to the query of the Examiner.)

19 THE EXAMINER: If not, Applicant's Exhibits Nos.
20 1 to 4, inclusive, are admitted in evidence, provided they
21 are submitted in triplicate in accordance with the rules and
22 regulations of the Commission.

23 The questions prepared by the Commission are also
24 incorporated into the record.

25

1 H. M. EMERY, Harrisburg, Pa., a witness called
2 upon the part of The Pennsylvania Railroad Company, being
3 duly sworn according to law, testifies as follows:

4 DIRECT EXAMINATION

5 BY MISS MEEHAN:

6 Q Mr. Emery, by whom are you employed?

7 A Pennsylvania Railroad Company.

8 Q In what capacity?

9 A Assistant Engineer of Construction.

10 Q Are you familiar with the crossing involved in
11 this proceeding?

12 A I am.

13 Q Are you authorized to testify on behalf of The
14 Pennsylvania Railroad Company in this proceeding?

15 A I am.

16 Q I call your attention to the Commission's
17 questionnaire in this proceeding, certain questions of which
18 are directed to The Pennsylvania Railroad Company to answer.

19 Question No. 19 reads as follows:

20 "The Pennsylvania Railroad Company submit testi-
21 mony as to the exact corporate name of the owner, and of the
22 operator of the line of railroad involved in this proceeding."

23 What is your answer to this question?

24 A The line of railroad involved in this proceeding
25 is owned and operated by The Pennsylvania Railroad Company, as

1 the Main Line Tracks of the Harrisburg District, Philadelphia
2 Region.

3 Q Question No. 20 reads as follows:

4 "The Pennsylvania Railroad Company submit testi-
5 mony as to the number of its tracks presently located at the
6 site of the existing crossing, above grade, involved in this
7 proceeding, and the volume, class and approximate speed of all
8 trains operated daily over these tracks."

9 What is your answer to this question?

10 A There are three main tracks presently located at
11 the site of the existing crossing involved in this proceeding.
12 Normally 21 passenger trains are operated westbound daily and
13 20 passenger trains eastbound daily at a maximum authorized
14 speed of 75 miles per hour.

15 Normally 12 freight trains are operated west-
16 bound daily and 14 freight trains eastbound daily at a maximum
17 authorized speed of 50 miles per hour.

18 Q Question No. 21 reads as follows:

19 "The Pennsylvania Railroad Company submit testi-
20 mony as to the date of construction of the existing crossing,
21 above grade, the purpose of this construction and the party or
22 parties responsible for its construction and maintenance."

23 What is your answer to this question?

24 A This section of railroad is part of the old main
25 line of the Public Works of the Commonwealth and prior to 1893

1 there was a bridge of some sort. Our records do not show the
2 nature of that bridge or when it was constructed. However, in
3 1893 the railroad took down the then existing bridge and
4 constructed a timber trestle bridge. This trestle bridge was
5 replaced in 1902 with a half thru truss, consisting of cast
6 iron top chords and posts. This bridge collapsed on August 25,
7 1929, when a motor vehicle struck one of the vertical posts.
8 The existing bridge was constructed in 1929 by the railroad
9 company at its expense replacing the damaged half thru truss,
10 to provide a highway over tracks, and has since been maintained
11 by the railroad company. This bridge is a permanent structure
12 and is in good condition. There are substantial stone
13 abutments. The superstructure is steel girders which are in
14 good condition, with wood stringers and wood flooring, which
15 are also in good condition. Therefore, it will be seen that
16 this bridge is in every sense of the word a permanent and
17 substantial structure.

18 In connection with this bridge, the Commission
19 never took any further action in directing the Railroad
20 Company to take any further steps in respect to the construc-
21 tion of a new bridge. Apparently in view of the fact that the
22 bridge when reconstructed was built as a permanent structure,
23 the Commission was satisfied and did not deem it necessary to
24 take any further steps in respect thereto. Our files are not
25 too clear, but we believe that an examination of the

1 Commission's files will substantiate this statement.

2 Q Mr. Emery, also in connection with your answer
3 to that question, at the time the existing bridge was con-
4 structed, was its capacity the legal limit for loads?

5 A It was designed and built for the maximum legal
6 capacity at the time.

7 Q Question No. 22 reads as follows:

8 "The Pennsylvania Railroad Company state whether
9 it has any objections to the construction of the crossing
10 improvement, in accordance with the general and detail
11 construction plans submitted of record by the applicant and,
12 if so, submit complete testimony as to the nature and reasons
13 for its objections and submit definite recommendations for
14 the remedy thereof."

15 What is your answer to that question?

16 A The Pennsylvania Railroad has no objections to
17 the construction of the crossing improvement in accordance
18 with the general and detail construction plans submitted of
19 record by the Applicant. However, the railroad reserves the
20 right to review the methods and procedures of the State's
21 contract or before any work is progressed.

22 Q Question No. 23 reads as follows:

23 "The Pennsylvania Railroad Company state whether
24 it will be necessary to alter or remove any of its tracks,
25 signals, wire lines or other facilities in event the

1 application is approved and the crossing improvement ordered
2 constructed in accordance with the general and detail con-
3 struction plans and, if so, submit complete testimony describ-
4 ing in detail the nature, extent and estimated cost of all
5 such work."

6 What is your answer to that question?

7 A In the event the application is approved and the
8 crossing improvement constructed in accordance with the
9 general and detail construction plans, it will be necessary to
10 alter temporarily as well as permanently the Communication and
11 Signal Cables, and catenary facilities at the site as follows:

12 The communication and signal cable will be
13 temporarily relocated underground to permit construction.
14 Upon completion of the improvement the facilities will be
15 re-routed on poles and carried under the north side of the
16 North Pier, attached to the superstructure and reconnected to
17 the existing poles west of the bridge. Temporary hold down
18 structure for catenary system will be required to remove
19 existing attachments on present structure, also to permit the
20 removal of the existing bridge superstructure, and to permit
21 construction of the proposed improvement. Upon completion,
22 attachments will be made to the new structure, catenary
23 attached thereto and temporary facilities removed.

24 Total estimated cost to perform this work as
25 outlined is \$9,100.

1 Q Mr. Emery, in connection with that question I
2 show you a paper which I have marked for identification
3 Pennsylvania Railroad Exhibit No. A. Was this prepared under
4 your direction?

5 A It was.

6 (Stenographer marks Statement entitled, Detailed
7 Estimate of Pennsylvania Railroad Force Account Work,
8 as "Penna. RR. Ex. No. A.")

8 BY MISS MEEHAN:

9 Q Will you briefly explain that exhibit?

10 A This is a detailed estimate of the Pennsylvania
11 Railroad's force account work to do the work in answer to
12 Question No. 23 involving temporary relocation of the communi-
13 cation system. It lists the labor and material required,
14 also, upon completion of the facility, the restoration of
15 that communication system as outlined in 23. Also, the
16 temporary arrangement of the catenary system, which consists
17 of the hold down structure, and the restoration of the catenary
18 system to its permanent location upon completion of the
19 improvements.

20 Q Question No. 24 reads as follows:

21 "The Pennsylvania Railroad Company submit
22 testimony describing in detail all portions, if any, of the
23 actual work of constructing the proposed crossing improvement,
24 including any alterations of its tracks, signals, wire lines
25 and other facilities, which will be performed by the railroad

1 company in event the application is approved and the crossing
2 improvement ordered constructed by the Commission."

3 What is your answer to that question?

4 A The Pennsylvania Railroad Company will perform
5 all the actual work required to alter temporarily and
6 permanently its facilities as outlined in answer to Question
7 No. 23.

8 Q Question No. 25 reads as follows:

9 "The Pennsylvania Railroad Company state whether
10 it will be necessary to maintain watchmen or flagmen to pro-
11 tect its train movements during the time the bridge structure
12 extending over its tracks is being reconstructed and, if so,
13 submit testimony to show the party or parties that should
14 assume the cost of such watchmen or flagmen."

15 What is your answer to that question?

16 A The Railroad Company will expect to have watchmen
17 and/or flagmen at the site of the improvement during con-
18 struction, when it is necessary, in the opinion of the Railroad
19 Company, to provide protection for railroad operations. The
20 number and type of employees to be determined by the character
21 and extent of the work being performed. The Railroad Company
22 will furnish such employees and submits that any costs
23 incurred in the performance of such duties should be borne
24 by others.

25 Q Question No. 26 reads as follows:

1 "The Pennsylvania Railroad Company state whether
2 it will be necessary to maintain construction or engineering
3 inspectors to observe the progress of the work during the
4 time the bridge extending over its tracks is being recon-
5 structed by Department of Highways."

6 What is your answer to that question?

7 A During the time work is being performed on
8 railroad right-of-way in connection with the substructure and
9 superstructure of the bridge extending over its tracks the
10 Railroad Company will expect to have construction and/or
11 engineering inspectors on the site, when deemed necessary in
12 the opinion of the Railroad Company. The number and type of
13 employees shall be determined by the character and extent of
14 work being performed. The railroad will furnish such employees
15 and submits that costs incurred in the performance of such
16 duties should be borne by others.

17 Q Mr. Emery, when you mention employees for the
18 protection of railroad operations, will you particularize to
19 some extent the nature of some of these employees?

20 A Yes, they are classified as bridge and building
21 inspectors, wherein any time that the contractor, or the
22 State's contractor, or subcontractors, are working close to
23 the tracks it is railroad policy to protect railroad operation
24 that nothing will occur to interrupt that operation by having
25 a bridge and building inspector to inspect such excavation, or

1 close clearances, with the contractor's construction to see
2 that everything is safe. Also, as you know, there is 13,000
3 volts in the catenary system, and any time that a contractor's
4 force is working in close proximity to those catenary systems
5 we must have an A-man, a clearance man, whose duty it is to
6 see that the contractor doesn't get close to the wires, or to
7 get the use of the wires to de-energize them at such a time as
8 is approved by the railroad engineer.

9 Q Question No. 27 reads as follows:

10 "The Pennsylvania Railroad Company submit
11 testimony as to its present obligation with respect to the
12 maintenance and reconstruction of the existing crossing, above
13 grade, and the highway approaches thereto, and state what
14 portion, if any, of the actual cost of constructing the
15 crossing improvement and of altering its tracks, signals,
16 wire lines and other facilities that it will agree to bear in
17 event the application is approved and the crossing improvement
18 ordered constructed by the Commission."

19 What is your answer to that question?

20 A The Pennsylvania Railroad has been maintaining
21 the existing structure, including painting and repairs when
22 required, and also maintaining the deck flooring. The rail-
23 road company has not maintained the highway approaches. The
24 railroad company does not believe it has any obligation with
25 respect to the proposed reconstruction of this bridge and is

1 unwilling to assume any costs in respect thereto. The bridge,
2 as I have indicated, is a permanent structure and is in good
3 condition, and this matter does not involve a grade elimina-
4 tion project. The Highway Department here is doing nothing
5 more than realigning its highway in general and reconstructing
6 it, and in connection with such reconstruction it desires to
7 reconstruct and widen the bridge, the sole purpose of which is
8 to promote and benefit modern highway traffic, and is of no
9 benefit or advantage to the railroad company.

10 Q Question No. 28 reads as follows:

11 "The Pennsylvania Railroad Company submit
12 testimony describing in detail all portions, if any, of the
13 crossing improvement, including its altered facilities, it
14 will agree to maintain in the future in event the application
15 is approved and the crossing improvement ordered constructed
16 by the Commission."

17 What is your answer to that question?

18 A The Pennsylvania Railroad will agree to maintain
19 at its expense in the future its relocated or altered communi-
20 cation lines, signal lines and catenary system and tracks and
21 roadbed beneath the new structure. The railroad company is
22 also willing to maintain at its expense the sub- and super-
23 structure exclusive of the roadway and sidewalk, which should
24 be maintained by others.

25 Q Question No. 36 reads as follows:

1 "Query regarding the date the order of the
2 Commission should fix as the time for the completion of the
3 improvement in event the application is approved and the
4 crossing improvement constructed in accordance with this
5 order."

6 What is your answer to that question?

7 A The Railroad Company concurs in the date stated
8 by the Applicant.

9 Q Do you have any additional testimony to submit?

10 A Reference is made to note on sheet 1 of 7
11 regarding temporary protection shield to be provided by
12 contractor over the energized trolley wires. The railroad
13 company requests the right to approve any such protection
14 previous to installation.

15 MISS MEEHAN: Mr. Examiner, if there is no
16 objection, I would like to offer in evidence "Penna. RR. Ex.
17 No. A."

18 MR. CRIDER: No objection.

19 THE EXAMINER: "Penna. RR. Ex. No. A" is accepted
20 provided it is submitted in triplicate in accordance with the
21 rules and regulations of the Commission.

22 MISS MEEHAN: Cross examine.

23 CROSS EXAMINATION

24 BY MR. CRIDER:

25 Q Mr. Emery, you stated that the capacity of this

1 bridge when originally built was the required legal capacity
2 at that time, is that correct?

3 A That's right.

4 Q Do you know what that capacity was at that time?

5 A I can't answer the question because it was not
6 posted, being built to the legal limits it wasn't posted for
7 any limit.

8 Q Do you know what the capacity is now, by any
9 chance?

10 A I would say it is good for 15 ton.

11 Q Do you know whether or not this bridge was
12 rebuilt or reconstructed by the railroad at any time since
13 1929?

14 A It has not been reconstructed.

15 Q It has only been maintained?

16 A Maintained.

17 Q Then, this is the bridge that was built in 1929
18 or '30 pursuant to the Commission's order about that time, is
19 that correct?

20 A Yes, it was built in 1929 in accordance with the
21 order, but was not built as a temporary structure.

22 Q But it was built in accordance with the order at
23 that time?

24 A Yes, it was.

25 Q Can you tell us the difference between a

1 temporary structure and a permanent structure?

2 MISS MEEHAN: Mr. Examiner, I object to that
3 question. I think that calls for a conclusion of law upon
4 the part of the witness.

5 MR. CRIDER: If the Examiner please, he has
6 already concluded that it is a temporary structure and I want
7 to know - - -

8 THE WITNESS: I beg your pardon. I didn't say
9 it was a temporary structure.

10 MR. CRIDER: Well, you stated or concluded it
11 was a permanent structure, and I would like to know the
12 difference between a temporary structure and a permanent
13 structure.

14 MISS MEEHAN: I think Mr. Emery has told you how
15 the bridge is constructed and I think that is a question for
16 the Commission to determine whether or not a bridge of this
17 nature is a temporary or permanent structure.

18 THE EXAMINER: Read the question, please.

19 (The Stenographer reads the previous question as
20 follows: "Q. Can you tell us the difference between a
21 temporary structure and a permanent structure?")

22 THE EXAMINER: I will overrule the objection and
23 note an exception. If you know.

24 (Exception noted for The Pennsylvania Railroad
25 Company.)

1 BY MR. CRIDER:

2 A That could be answered in a lot of ways.

3 Q Just answer it in one of those ways, if you
4 please.

5 A Well, a temporary structure could mean anything,
6 like wooden stringers that would be thrown up across any kind
7 of an obstruction, either across a railroad or across a
8 stream, that would get traffic over that obstruction tempo-
9 rarily. I wouldn't think that anyone, railroad or the State
10 Highway Department, would construct a bridge with heavy steel
11 girders, with steel stringers and a heavy timbered deck, and
12 call it a temporary bridge. I rather think the Highway
13 Department would not, also.

14 Q Are you familiar with that old order under which
15 this bridge was built, Mr. Emery?

16 A I have seen some correspondence on it.

17 Q Has the railroad at any time since 1929 made an
18 effort to change the alignment of the bridge as it exists now
19 and as it was built in 1929?

20 A No, because the railroad feels that that is a
21 permanent structure and it is adequate across its tracks and,
22 as has been stated in answer to these questions, the Highway
23 Department has maintained the approaches thereto. So the
24 railroad company I do not think could go outside of the limits
25 of that bridge and alter the approaches.

1 Q Well, in your statement that this is a permanent,
2 or was a permanent, structure, would it be correct to say that
3 that would mean the alignment was also permanent?

4 A Well, I would say yes. The bridge across the
5 railroad tracks going across at right angles, if you straighten
6 the approaches out to a bridge at right angles across the
7 tracks, you would also have a good alignment.

8 Q My question is: If this bridge was a permanent
9 structure, as you stated, would it be correct to say that
10 part of being a permanent structure would include a permanent
11 alignment, that is, an alignment as it was originally built in
12 1929 would be presumed to be a permanent alignment?

13 MISS MEEHAN: Mr. Examiner, I must object to
14 that question. I don't think alignment has anything to do
15 with whether a bridge is a temporary bridge or a permanent
16 bridge. I think that is an altogether different thing.

17 MR. CRIDER: If the Examiner please, it seems to
18 me that the purpose of the bridge would be very closely
19 connected with the alignment of that bridge, the alignment
20 would certainly have to accommodate that purpose. I think it
21 is a relevant question. I am just trying to find out whether
22 the railroad feels this is a permanent structure.

23 MISS MEEHAN: Mr. Examiner, I think the witness
24 has already answered what he means when he says that the
25 railroad company thinks this structure is a permanent

1 structure. After all, the State Highway Department has been
2 maintaining the approaches to this bridge, they have never
3 done anything up to this time about straightening the align-
4 ment of the highway, nor has the Commission ever ordered the
5 State Highway Department to do that.

6 THE EXAMINER: It is my understanding that the
7 witness thinks that it is a permanent bridge, is that correct?

8 MR. CRIDER: Well, I have a right to know if he
9 also thinks that this was a permanent alignment.

10 THE EXAMINER: I will overrule the objection.

11 BY THE EXAMINER:

12 Q If you know, do you think the alignment was also
13 permanent? If you know?

14 A I don't know.

15 MR. CRIDER: No further questions.

16 RE-DIRECT EXAMINATION

17 BY MISS MEEHAN:

18 Q Mr. Emery, this bridge is presently in good
19 condition, is that correct?

20 A Presently in good condition.

21 Q Of what are the abutments of this bridge?

22 A Stone abutments in good condition. I think I
23 answered that in answer to the questions.

24 Q What is the superstructure?

25 A The superstructure is heavy steel girders, full

1 girders.

2 Q What about the flooring?

3 A The flooring is heavy timbers with a wood deck.

4 Q And they are in good condition?

5 A In good, sound condition.

6 Q Are other permanent bridges on the railroad built
7 like this bridge?

8 A Yes, in other locations with that type of girder
9 and that type of construction it is a permanent bridge.

10 Q Since the P.U.C. order of 1929, has the P.U.C.
11 ever held any further hearing with respect to this bridge?

12 A No further hearings.

13 Q Has it ever ordered us to put up any other type
14 of bridge?

15 A Never.

16 - - - - -

17 THE EXAMINER: The County of Lancaster? The
18 County of Lancaster?

19 (No response to the query of the Examiner.)

20 THE EXAMINER: Let the record show no one
21 appeared for the County of Lancaster.

22 East Lampeter Township? East Lampeter Township?

23 (No response to the query of the Examiner.)

24 THE EXAMINER: Let the record show that no one
25 appeared for East Lampeter Township.

1 Bell Telephone Company?

2 - - - - -

3 JOSEPH J. MACHLAN, 761 New Holland Avenue,
4 Lancaster, Pa., a witness called upon the part of The Bell
5 Telephone Company of Pennsylvania, being duly sworn according
6 to law, testifies as follows:

7 DIRECT EXAMINATION

8 BY MR. HELMARK:

9 Q Your full name and address are what?

10 A Joseph J. Machlan, 761 New Holland Avenue,
11 Lancaster, Pa.

12 Q You are an employee of The Bell Telephone Company
13 of Pennsylvania and have been for how long?

14 A Yes, I am and have been since September, 1927.

15 Q Your present title is what?

16 A District Plant Engineer.

17 Q You are a graduate of what institution of higher
18 education and of what class and course?

19 A I was graduated from Penn State University with a
20 Bachelor of Science Degree, majoring in Electrical Engineering,
21 graduating in 1926.

22 Q Does the location of the proposed improvement in
23 East Lampeter Township, Lancaster County, come within the area
24 for which you are responsible?

25 A Yes.

1 Q Are you familiar with the project proposed by the
2 Department of Highways which is the subject matter of this
3 proceeding, and are you authorized to testify on behalf of
4 the Telephone Company in this matter?

5 A Yes, I am.

6 Q I show you the Questionnaire which the Commission
7 has issued in this proceeding in regard to that project, and
8 I read you Question No. 35 as follows:

9 "The Bell Telephone Company of Pennsylvania and
10 Pennsylvania Power and Light Company each state whether the
11 construction of the crossing improvement in accordance with
12 the general and detail construction plans submitted of record
13 by applicant will necessitate any alteration or relocation of
14 its facilities and, if so, submit complete testimony describing
15 in detail the nature, extent and estimated cost of all such
16 work and the party or parties who should perform the work and
17 the party or parties who should assume the cost thereof."

18 I ask you whether the Telephone Company has any
19 objection to the construction of the improvement in accordance
20 with the general plan submitted of record by the Department of
21 Highways.

22 A No. The Telephone Company has no objection.

23 Q Will it be necessary for the Telephone Company to
24 alter any facilities by reason of the reconstruction of the
25 bridge crossing proposed in this project?

1 A It will be necessary to temporarily relocate our
2 existing aerial line which consists of 5 circuits of wire,
3 presently within the confines of Route #148. These facilities
4 will interfere with the contemplated reconstruction of the
5 bridge and the adjacent highway relocation. The line will
6 have to be temporarily relocated to points on private property
7 where it will not interfere with the proposed construction.
8 The estimated cost of removing our present plant is \$300;
9 placing temporary plant \$800; and subsequently removing
10 temporary plant \$100. This work will be done by the Telephone
11 Company at its own expense prior to the reconstruction of the
12 present bridge.

13 Q Does the Telephone Company desire to place any
14 facilities on the reconstructed bridge?

15 A Yes. The Telephone Company desires to permanently
16 relocate its line in ducts to be placed on the reconstructed
17 bridge. We desire to place two 3½ inch transite ducts within
18 the concrete curb on the west side of the bridge, which loca-
19 tion is so shown on the general construction plans of the
20 proposed reconstructed bridge, submitted of record by Applicant
21 as Applicant's Exhibit No. 1. These two ducts will terminate
22 in pull boxes on both ends of the bridge. These pull boxes
23 will be 3 feet long, 1 foot wide, and 9 inches deep, and the
24 outside end of these boxes will be 1 foot from the end of the
25 curb on both ends of the bridge. The duct run will be

1 continued off the bridge from the pull boxes by use of cast
2 iron bends which will terminate in the bottom of the pull
3 boxes and extend through the bottom of the bridge and out
4 through the back wall to the ground fill.

5 Q Have you calculated the weight of these ducts
6 and the associated facilities, and, also, have you estimated
7 the weight of any cables that may be placed in these ducts in
8 the future?

9 A Yes. The weight of the two transite ducts is
10 1,020 pounds, which weight will be equally distributed over
11 the length of the bridge. The four cast iron bends will weigh
12 232 pounds, and the two pull boxes will weigh 20 pounds. It
13 is estimated that the weight of cable which could ultimately
14 be placed in these ducts will amount to 214 pounds, making a
15 total estimated ultimate weight of telephone plant on the
16 bridge in the amount of 1,486 pounds.

17 Q Have you prepared an estimate of the cost of
18 this work?

19 A Yes. We have estimated a cost of \$700 for
20 installing the ducts, pull boxes, and cast iron bends in the
21 reconstructed bridge. In addition, it will cost approximately
22 \$1,300 to relocate the company's lines to this new location.

23 Q Who will do the necessary work?

24 A The Telephone Company will negotiate with a
25 private contractor to place the duct facilities on the bridge

1 and the Telephone Company expects to bear all the cost of
2 such work.

3 Q What about future maintenance?

4 A Since the ducts will be encased in the concrete
5 curb, we anticipate no future maintenance.

6 MR. HELMARK: Mr. Examiner, that is all the
7 Telephone Company has from this witness, and he is our only
8 witness, but before I turn him over for any possible cross
9 examination, I would like to state for the record, the
10 Telephone Company's position.

11 The Telephone Company desires to have duct
12 facilities in the reconstructed bridge which it expects the
13 Commission will direct be built. In doing so it expects to
14 bear all the additional expense involved and to avoid putting
15 any of the public treasuries involved to any such expense on
16 our account.

17 Since it has been testified, however, that the
18 Telephone Company, at its own expense, will arrange directly
19 with the contractor building the bridge to place these duct
20 facilities, and since there will be no future maintenance of
21 these facilities, there will be no occasion in this proceeding
22 for the Telephone Company to be ordered by the Commission to
23 reimburse any of the parties herein involved, or to make any
24 future annual payments resulting from its occupancy of the
25 bridge.

1 The Telephone Company requests of the Commission:

2 (1) That the bridge be ordered built so as to
3 include the locations for the telephone ducts and associated
4 facilities on the bridge as shown by the plans offered in
5 evidence, and

6 (2) That the Company be directed at its own cost
7 and expense to place in the structure ducts and associated
8 facilities necessary to accommodate its cables.

9 THE EXAMINER: Any cross examination?

10 MR. CRIDER: No cross examination.

11 MISS MEEHAN: No cross examination.

12 THE EXAMINER: Any further testimony?

13 MISS MEEHAN: Mr. Examiner, could I recall Mr.
14 Lehmer at this time?

15 THE EXAMINER: Yes, you may.

16 - - - - -

17 ERNEST LEHMER, Department of Highways, Harrisburg
18 Pa., a witness upon the part of the Applicant, being recalled,
19 testifies further as follows:

20 RE-CROSS EXAMINATION

21 BY MISS MEEHAN:

22 Q Mr. Lehmer, would you normally call a bridge of
23 this type, that is, one with stone abutments and thru steel
24 girders with heavy deck construction a temporary structure?

25 A As it was constructed, yes. Regardless of the

1 type of the construction, it was constructed on a temporary
2 alignment and with temporary grades leading to the crossing.
3 I would refer you to the third paragraph of the order of
4 September 23, 1929, in Application 21419, which I have read
5 into the record, which requires that the railroad company
6 within a year reconstruct the bridge on an improved alignment
7 and grade.

8 Q Where do you see in that order that it requires
9 the railroad company to reconstruct that bridge?

10 A It was a railroad company application.

11 Q That's correct, but doesn't the third paragraph
12 read:

13 "That within one year the temporary bridge shall
14 be replaced with a permanent structure on an approved align-
15 ment in a location such as to eliminate reverse curves in the
16 approaches, and subject to the approval of the Public Service
17 Commission."

18 A But it was the railroad company that applied to
19 the Public Service Commission for approval, and the third
20 paragraph requires that within one year, a period of one year,
21 the temporary bridge shall be replaced with a permanent
22 structure on an approved alignment in a location such as to
23 eliminate reverse curves in the approaches, and subject to the
24 approval of the Public Service Commission.

25 Q But that order does not direct the railroad

1 company to construct that bridge, isn't that correct?

2 A Not directly, but you could only infer one thing,
3 that the railroad company is the one the order applies to
4 since they made the application.

5 Q You are inferring that yourself. I mean, there
6 is nothing in that order that directs the railroad company to
7 do that, is that correct?

8 MR. CRIDER: If the Examiner please, I think the
9 order speaks for itself.

10 MISS MEEHAN: That is correct, but Mr. Lehmer is
11 interpreting the order and saying it directs the railroad
12 company to do that. Now, I am trying to get the record clear
13 as to what his basis is for that. There is nothing in that
14 order directing the railroad company to reconstruct that
15 bridge.

16 MR. CRIDER: If the Examiner please, I think it
17 is a matter of argument. We don't object to endless question-
18 ing on that point, but I still think the record will speak
19 for itself.

20 THE EXAMINER: The Commission will make the final
21 decision as to what it meant by that order. However, she can
22 question on what he thinks it is.

23 BY MISS MEEHAN:

24 Q Mr. Lehmer, I don't think you answered my
25 question. I said, irrespective of this order, would you

1 normally call this type of bridge a temporary structure?

2 A I certainly would. After reading the order - - -

3 Q I say, irrespective of the order. I am not
4 talking about this bridge with respect to this order, I am
5 talking about a bridge of this type. Would you normally call
6 it a temporary structure?

7 A Any bridge that is in the condition that this
8 bridge is after a period of less than 30 years could be
9 considered as a temporary structure. It certainly isn't
10 permanent. A permanent structure would last for many, many
11 years from now.

12 Q I believe you testified that this bridge was in
13 all right condition, isn't that correct?

14 A It is in fair condition, yes.

15 Q And you are asking now for a bridge which will
16 carry 1964 average daily traffic, motor vehicles, over it,
17 isn't that correct?

18 A That's right.

19 Q Mr. Lehmer, is there any reason, in your opinion,
20 why the railroad company could have built a permanent bridge
21 in 1929 and complied with the Commission's order, instead of
22 first putting up a so-called temporary bridge?

23 A The only reason that I know that a permanent
24 bridge would have cost more. It would have been necessary--to
25 comply with the third paragraph of this order, the permanent

1 bridge would have been built across the tracks on a skew and
2 it would have been necessary to raise the approach grades.

3 Q And in raising those approach grades, who would
4 be the party to do that?

5 A Well, at that time the railroad company partici-
6 pated. It is only in recent years that the orders of the
7 Commission are as they have been.

8 Q The Highway Department at that time was maintain-
9 ing the approaches and has still been maintaining the
10 approaches to the bridge, is that correct?

11 A I cannot answer that question.

12 Q The highway approaches presently are maintained
13 by the Department of Highways, isn't that correct?

14 A They are.

15 MISS MEEHAN: That's all, Mr. Lehmer.

16 BY THE EXAMINER:

17 Q Mr. Lehmer, one question. The Department of
18 Highways filed this application, did they not?

19 A Yes, sir.

20 Q And in paragraph 6 of the application requested
21 the reconstruction, alteration, and so on of the bridge,
22 stating that it is necessary and proper for the safety,
23 accommodation and convenience of the public, is that correct?

24 A Yes, sir.

25 Q Wherein is it necessary and proper for the safety

1 and convenience of the public?

2 A As I stated in my previous answers to the
3 questionnaire, the present bridge is narrow and it was built
4 at right angles to the tracks, with reverse curves on each end
5 of the bridge and with steep grades leading up to the bridge.
6 All these things should be corrected.

7 THE EXAMINER: Any further testimony in Docket
8 83618, application of the Department of Highways?

9 (No response to the query of the Examiner.)

10 THE EXAMINER: Mark the record closed. Submitted
11 on the record?

12 (Discussion off the record between the Examiner
13 and Counsel for the parties.)

14 MR. CRIDER: We will file briefs, Mr. Examiner.

15 MISS MEEHAN: We will file briefs, too.

16 THE EXAMINER: Briefs to be filed by both parties

17 (Whereupon the hearing is declared closed at

18 11:04 o'clock A. M.)

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me during the hearing on the above cause before the Pennsylvania Public Utility Commission of the Commonwealth of Pennsylvania, and that this copy is a correct transcript of the same.

Roy S. Mohrbach

Reported by:
Roy S. Mohrbach,
30 Susquehanna St.,
Jim Thorpe, Pa.

OVERSIZE

DOCUMENTS

OVERSIZE

DOCUMENTS

Docket No. A. 52018 Roads
Location East Lampeter Township Railroad The Pennsylvania

Item

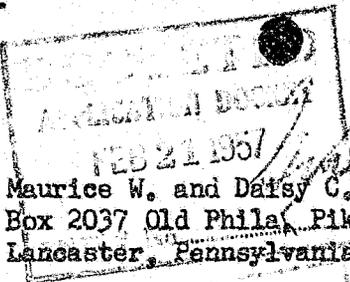
HIGHWAY WORK

STATION 0/0 TO STATION 10/20

| | |
|-----------------|----------------------|
| Grading | \$ 25,000.00 |
| Drainage | 2,200.00 |
| Pavement | 8,400.00 |
| Bridge | 106,000.00 |
| Curb & Sidewalk | 100.00 |
| Guard Fence | <u>1,800.00</u> |
| | \$ <u>173,500.00</u> |
| Contingencies | <u>14,350.00</u> |
| TOTAL | \$ 157,850.00 |

Property Damages \$ 6,750.00

Lancaster County
Route 148, Section 11
East Lampeter Township
PUC. A. 83618



duplication
A-83618
Subject to
10-27
10-27

91 (2) Maurice W. and Daisy C. Sullivan,
Box 2037 Old Phila. Pike
Lancaster, Pennsylvania.

FEB 19 11 12 AM 1957

ALL THAT CERTAIN TRACT OF LAND, situated in East Lampeter Township, Lancaster County, Pennsylvania, bounded and described as follows, to wit:

Beginning at a point on the westerly side of State Highway Route 148, Section 11, said point being on the northerly legal right of way line of State Highway Route 142 and on the required right of way line for State Highway Route 148 and distant seventy-eight (78) feet westerly from the construction center line of State Highway Route 148 at or about Station 0/15 thereof and measured at right angles thereto; thence in a northeasterly direction along said required right of way line and along the arc of a circular curve to the left with a radius of fifty-five (55) feet to a point distant thirty (30) feet northerly and measured at right angles from the construction center line of Route 148 at or about Station 0/70 thereof; thence in a northerly direction along the required right of way line to a point distant thirty (30) feet northerly and measured radially from the construction center line at or about Station 3/16 thereof; thence in an easterly direction to a point on the legal right of way line distant twenty-eight and five tenths (28.5) feet westerly and measured radially from the construction center line at or about Station 3/16 thereof; thence in a southerly direction along the legal right of way line to a point distant twenty-eight (28) feet westerly and measured radially from the construction center line at or about Station 2/92 thereof; thence in a southerly direction along the legal right of way line to a point distant twenty-five (25) feet westerly and measured at right angles from the construction center line at or about Station 0/65 thereof; thence in a southwesterly direction along the legal right of way line and along the arc of a circular curve to the right to a point and place of beginning and containing five-hundred seventeen ten thousandths (0.0517)^{of a} acres of land, more or less.

PUC. A. 83618

The above tract of land is a portion of real estate which became legally vested in Maurice W. and Daisy C. Sullivan by deed of Omer W. and Ida B. Landis, dated March 31, 1931 and recorded March 31, 1931 in Deed Book N, Volume 30, Page 380 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
PJC. A. 83618

v.
(2) Paul W. March, *March*
R. D. # 4
Lancaster, Pennsylvania

ALL THAT CERTAIN TRACT OF LAND, situated in East Lampeter Township, Lancaster County, ~~Pennsylvania~~, bounded and described as follows, to wit:

Beginning at a point on the easterly side of State Highway Route 148, Section 11, said point being on the northerly legal right of way line of State Highway Route 142 and $\frac{1}{2}$ distant ninety (90) feet easterly from the construction center line of State Highway Route 148, Section 11 at or about Station $0\frac{1}{36}$ thereof and measured at right angles thereto; thence in a westerly direction along said legal right of way line to a point distant forty-five (45) feet easterly and measured at right angles from the construction center line of State Highway Route 148 at or about Station $0\frac{1}{31}$ thereof; thence in a northwesterly direction along the legal right of way line of the present State Highway Route 148 and along the arc of a circular curve to the right to a point distant twenty-five (25) feet easterly and measured at right angles from the construction center line of State Highway Route 148, Section 11 at or about Station $0\frac{1}{48}$ thereof; thence in a northerly direction along said legal right of way line to a point distant twenty-one (21) feet easterly and measured radially from the construction center line at or about Station $2\frac{1}{92}$ thereof; thence in a northerly direction along said legal right of way line to a point distant twenty (20) feet easterly and measured radially from the construction center line at or about Station $3\frac{1}{35}$ thereof; thence in a westerly direction along said legal right of way line to a point distant ten (10) feet easterly and measured radially from the construction center line at or about Station $3\frac{1}{35}$ thereof; thence in a northerly direction along said legal right of way line to a point distant ten (10) feet easterly and measured radially from the construction center line at or about Station $3\frac{1}{50}$ thereof; thence in a northerly direction along said legal right of way line to a point distant fourteen (14) feet easterly and measured radially from the construction center line at or about Station $4\frac{1}{47}$ thereof; thence in a northeasterly direction along

← said legal right of way line to a point distant eighteen (18) feet easterly and measured radially from the construction center line at or about Station 4/72 thereof; thence in an easterly direction to a point on the required limit of slope line distant forty (40) feet easterly and measured radially from the construction center line at or about Station 4/75 thereof; thence in a southwesterly direction along the required limit of slope line to a point distant thirty (30) feet easterly and measured radially from the construction center line at or about Station 4/00 thereof; thence in a southerly direction along the required right of way line to a point distant thirty (30) feet easterly and measured at right angles from the construction center line at or about Station 0/90 thereof; thence in a southeasterly direction along the required right of way line and along the arc of a circular curve to the left with a radius of fifty-five (55) feet to a point and place of beginning and containing one thousand two hundred five ten thousandths (0.1205)^{of an} acres of land, more or less.

The above tract of land is a portion of real estate which became legally vested in Paul W. March by deed of Amos L. Smucker, ^{administrator of the} Adm_x estate of Katie L. Smucker, dated May 6, 1955 and recorded May 6, 1955 in Deed Book G, Volume 44, Page 146 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
PUC. A. 83618

3. ^{7A}
(3) Omer W. and Ida B. Landis, ~~second owners~~
R. D. # 4
Lancaster, Pennsylvania

ALL THAT CERTAIN TRACT OF LAND, situated in East Lampeter Township, Lancaster County, Pennsylvania, bounded and described as follows, to wit:

Beginning at a point on the westerly side of State Highway Route 148, Section 11, said point being on the required right of way line and distant thirty (30) feet westerly from the construction center line at or about Station 3/16 thereof and measured radially thereto; thence in a northerly direction along the required right of way line to a point distant thirty (30) feet westerly and measured radially from the construction center line at or about Station 3/50 thereof; thence in a northerly direction along the required limit of slope line to a point distant forty (40) feet westerly and measured radially from the construction center line at or about Station 4/50 thereof; thence in a northerly direction along the required limit of slope line to a point distant forty-five (45) feet westerly and measured radially from the construction center line at or about Station 5/00 thereof; thence in a northerly direction along the required limit of slope line to a point distant fifty-one (51) feet westerly and measured radially from the construction center line at or about Station 6/00 thereof; thence in a northerly direction along the required limit of slope line to a point distant fifty-two (52) feet westerly and measured radially from the construction center line at or about Station 6/50 thereof; thence in a northeasterly direction along the required limit of slope line to a point on the southerly right of way line of The Pennsylvania Railroad company distant thirty-eight (38) feet westerly and measured radially from the construction center line at or about Station 6/81 thereof; thence in an easterly direction along said railroad right of way line to a point distant twenty-eight (28) feet westerly and measured radially from the construction center line at or about Station 6/85 thereof; thence in a southerly direction along said railroad right of way line to a point on the legal right of way line distant five (5) feet westerly and measured radially from the construction center

line at or about Station 6/08 thereof; thence in a southwesterly direction along the legal right of way line to a point distant nine (9) feet westerly and measured radially from the construction center line at or about Station 5/50 thereof; thence in a southwesterly direction along the legal right of way line to a point distant nineteen (19) feet westerly and measured radially from the construction center line at or about Station 4/55 thereof; thence in a southerly direction along the legal right of way line to a point distant twenty-two (22) feet westerly and measured radially from the construction center line at or about Station 3/50 thereof; thence in a southerly direction along the legal right of way line to a point distant twenty-two (22) feet westerly and measured radially from the construction center line at or about Station 3/35 thereof; thence in a westerly direction along the legal right of way line to a point distant twenty-nine (29) feet westerly and measured radially from the construction center line at or about Station 3/35 thereof; thence in a southerly direction along the legal right of way line to a point distant twenty-eight and five tenths (28.5) feet westerly and measured radially from the construction center line at or about Station 3/16 thereof; thence in a westerly direction to a point and place of beginning and containing two thousand three hundred fifty-three ten thousandths (0.2353)^{frac} acres of land, more or less.

The above tract of land is a portion of real estate which became legally vested in Omer W. and Ida B. Landis by deed of Freda V. Hart, dated December 18, 1936 and recorded December 18, 1936 in Deed Book U, Volume 32, Page 596 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
PUC. A. 83618

4.
(4) Kenneth Wilkinson, *AS AID TO THE*
1914 Eden Road
Lancaster, Pennsylvania

ALL THAT CERTAIN TRACT OF LAND ^A situated in East Lampeter Township, Lancaster County, Pennsylvania, bounded and described as follows, to wit:

/Section 11

Beginning at a point on the easterly side of State Highway Route 148, said point being on the required limit of slope line and distant forty (40) feet easterly from the construction center line at or about Station 4/75 thereof and measured radially thereto; thence in a westerly direction to a point on the legal right of way line distant eighteen (18) feet easterly and measured radially from the construction center line at or about Station 4/72 thereof; thence in a northeasterly direction along the legal right of way line to a point distant twenty-four (24) feet easterly and measured radially from the construction center line at or about Station 5/50 thereof; thence in a northeasterly direction along the legal right of way line to a point distant thirty (30) feet easterly and measured radially from the construction center line at or about Station 6/50 thereof; thence in a northerly direction along the legal right of way line to a point distant twenty-five (25) feet easterly and measured radially from the construction center line at or about Station 7/03 thereof; thence in a northerly direction along the legal right of way line to a point on the southerly right of way line of The Pennsylvania Railroad Company distant twenty-three (23) feet easterly and measured radially from the construction center line at or about Station 7/12 thereof; thence in an easterly direction along said railroad right of way line to a point on the required right of way line distant thirty (30) feet easterly and measured radially from the construction center line at or about Station 7/14 thereof; thence in a southerly direction along the required right of way line to a point distant thirty (30) feet easterly and measured radially from the construction center line at or about Station 7/00 thereof; thence in a southerly direction along the required limit of slope line to a point distant fifty (50) feet

PUC. A. 83618

easterly and measured radially from the construction center line at or about Station 6+50 thereof; thence in a southerly direction along the required limit of slope line to a point and place of beginning and containing one thousand sixty-two ten thousandths (0.1062)^{from} acres of land, more or less.

The above tract of land is a portion of real estate which became legally vested in Kenneth Wilkinson by deed of Amos L. Smucker, Administrator of the estate of Katie L. Smucker, dated May 5, 1955 and recorded June 2, 1955 in Deed Book K, Volume 44, Page 86 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
PUC. A. 83618

51
RD.
(5) Christian D. and Grace W. Landis, *Allegheny Co. Pa.*
R. D. # 4, Box 312
Lancaster, Pennsylvania

ALL THAT CERTAIN TRACT OF LAND, situated in East Lampeter Township, Lancaster County, ~~Pennsylvania~~, bounded and described as follows, to wit:

Beginning at a point on the northwesterly side of State Highway Route 148, Section 11, said point being on the northerly right of way line of The Pennsylvania Railroad Company and on the northwesterly required limit of slope line and distant fifty-two (52) feet northwesterly from the construction center line at or about Station 8/67 thereof and measured radially thereto; thence in a northeasterly direction along the required limit of slope line to a point distant fifty-two (52) feet northwesterly and measured at right angles from the construction center line at or about Station 9/00 thereof; thence in a northeasterly direction along the required limit of slope line to a point distant forty-seven (47) feet northwesterly and measured at right angles from the construction center line at or about Station 10/14 thereof; thence in a southeasterly direction to a point on the legal right of way line distant sixteen (16) feet northwesterly and measured at right angles from the construction center line at or about Station 10/20 thereof; thence in a southwesterly direction along the legal right of way line to a point distant twenty (20) feet northwesterly and measured at right angles from the construction center line at or about Station 9/79 thereof; thence in a southwesterly direction along the northerly right of way line of The Pennsylvania Railroad Company to a point distant fifty (50) feet northwesterly and measured radially from the construction center line at or about Station 8/69 thereof; thence in a westerly direction along said railroad right of way line to a point and place of beginning and containing sixty-three thousandths (0.063)^{of an} acres of land, more or less.

PUC. A. 83618

The above tract of land is a portion of real estate which became legally vested in Christian D. and Grace W. Landis by deed of J. Lloyd and T. Susan Wenger, dated April 2, 1949 and recorded April 2, 1949 in Deed Book C, Volume 40, Page 211 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
P.O. A. 83618

6.
(6) Russell C. and Hazel E. Hauf, *new owners*
R. D. # 4, Box 311
Lancaster, Pennsylvania

ALL THAT CERTAIN TRACT OF LAND, situated in East Lampeter Township, Lancaster County, Pennsylvania, bounded and described as follows; to wit:

Beginning at a point on the southeasterly side of State Highway Route 148, Section 11, said point being on the northerly right of way line of The Pennsylvania Railroad Company and on the required limit of slope line and distant forty-nine and five tenths (49.5) feet southeasterly from the construction center line at or about Station 9/14 and measured at right angles thereto; thence in a westerly direction along said railroad right of way line to a point on the legal right of way line distant two (2) feet southeasterly and measured radially from the construction center line at or about Station 8/91 thereof; thence in a northeasterly direction along the legal right of way line to a point distant ten (10) feet southeasterly and measured at right angles from the construction center line at or about Station 9/50 thereof; thence in a northeasterly direction along the legal right of way line to a point distant fifteen (15) feet southeasterly and measured at right angles from the construction center line at or about Station 10/20 thereof; thence in a southeasterly direction to a point on the required limit of slope line distant forty-three (43) feet southeasterly and measured at right angles from the construction center line at or about Station 10/20 thereof; thence in a southerly direction along the required limit of slope line to a point distant fifty (50) feet southeasterly and measured at right angles from the construction center line at or about Station 9/50 thereof; thence in a southwesterly direction along the required limit of slope line to a point and place of beginning and containing one-thousand four ten thousandths (0.1004)^{if all} acres of land, more or less.

PUG. A. 83618

The above tract of land is a portion of real estate which became legally vested in Russell C. and Hazel E. Hauf by deed of Alice M. Otto (Widow), dated January 25, 1947 and recorded January 25, 1947 in Deed Book P, Volume 38, Page 367 in the Lancaster County Courthouse.

Lancaster County
Route 148, Section 11
East Lampeter Township
PUC. A. 83618

* * * 30th

(7) The Pennsylvania Railroad Company,
30th Street Station
Philadelphia, Pennsylvania

ALL THOSE CERTAIN TRACTS OF LAND, situated in East Lampeter Township, Lancaster County, Pennsylvania, bounded and described as follows; to wit:

No. 1
TRACT # 1

Beginning at a point on the westerly side of State Highway Route 148, Section 11, said point being on the required limit of slope line and distant thirty-eight (38) feet westerly from the construction center line at or about Station 6/81 thereof and measured radially thereto; thence in a northeasterly direction along the required limit of slope line to a point on the required right of way line distant thirty (30) feet westerly and measured radially from the construction center line at or about Station 7/00 thereof; thence in a northeasterly direction along the required right of way line to a point distant thirty (30) feet northwesterly and measured radially from the construction center line at or about Station 7/72 thereof; thence in a southerly direction along the legal right of way line to a point distant seven (7) feet northwesterly and measured radially from the construction center line at or about Station 7/00 thereof; thence in a southerly direction along the legal right of way line to a point on the construction center line at or about Station 6/50 thereof; thence in a southwesterly direction along the legal right of way line to a point distant five (5) feet westerly and measured radially from the construction center line at or about Station 6/08 thereof; thence in a northerly direction to a point distant twenty-eight (28) feet westerly and measured radially from the construction center line at or about Station 6/85 thereof; thence in a westerly direction to a point and place of beginning and containing five hundred seventy-four ten thousandths (0.0574)^{if all} acres of land, more or less.

Beginning at a point on the northwesterly side of State Highway Route 148, Section 11, said point being on the required limit of slope line and distant thirty-nine (39) feet northwesterly from the construction center line at or about Station 8/20 thereof and measured radially thereto; thence in a northerly direction along the required limit of slope line to a point distant fifty-two (52) feet northwesterly and measured radially from the construction center line at or about Station 8/50 thereof; thence in a north-easterly direction along the required limit of slope line to a point distant fifty-two (52) feet northwesterly and measured radially from the construction center line at or about Station 8/67 thereof; thence in an easterly direction to a point distant fifty (50) feet northwesterly and measured radially from the construction center line at or about Station 8/69 thereof; thence in a northeasterly direction to a point on the legal right of way line distant twenty (20) feet northwesterly and measured at right angles from the construction center line at or about Station 9/79 thereof; thence in a southwesterly direction along the legal right of way line to a point distant twenty-three (23) feet northwesterly and measured at right angles from the construction center line at or about Station 9/40 thereof; thence in a southwesterly direction along the legal right of way line to a point distant thirty (30) feet northwesterly and measured at right angles from the construction center line at or about Station 9/00 thereof; thence in a southwesterly direction along the legal right of way line to a point distant forty (40) feet northwesterly and measured radially from the construction center line at or about Station 8/50 thereof; thence in a southwesterly direction along the legal right of way line to a point and place of beginning and containing three hundredths (0.03)^{th an} acres of land, more or less.

Beginning at a point on the southeasterly side of State Highway Route 148, Section 11, said point being on the required right of way line and distant thirty (30) feet southeasterly from the construction center line at or about Station 7+14 thereof and measured radially thereto; thence in a westerly direction to a point on the legal right of way line distant twenty-three (23) feet southeasterly and measured radially from the construction center line at or about Station 7+12 thereof; thence in a northerly direction along the legal right of way line to a point distant eight (8) feet northwesterly and measured radially from the construction center line at or about Station 8+50 thereof; thence in a northeasterly direction along the legal right of way line to a point distant two (2) feet southeasterly and measured radially from the construction center line at or about Station 8+91 thereof; thence in an easterly direction to a point on the required limit of slope line distant forty-nine and five tenths (49.5) feet southeasterly and measured at right angles from the construction center line at or about Station 9+14 thereof; thence in a southwesterly direction along the required limit of slope line to a point distant forty-nine (49) feet southeasterly and measured radially from the construction center line at or about Station 8+50 thereof; thence in a southwesterly direction along the required limit of slope line to a point on the required right of way line distant thirty (30) feet southeasterly and measured radially from the construction center line at or about Station 8+00 thereof; thence in a southwesterly direction along the required right of way line to a point and place of beginning and containing one thousand six hundred sixty-four ten thousandths (0.1664) of an acre of land, more or less.

The above three tracts of land are portions of real estate which became legally vested in The Pennsylvania Railroad Company by deed of John Panner, et ux, dated January 1, 1876, 1878 recorded January 24, 1879 in Deed Book G, Volume 11, Page 576, by deed

PUC. A. 83618

of David H. Buckwalter, dated December 23, 1893 and recorded January 1, 1894 in Deed Book N, Volume 14, Page 133; by deed of Abraham K. Landis, et ux., dated January 17, 1893 and recorded January 25, 1893 in Deed Book N, Volume 14, Page 48; by deed of Jacob Landis, et ux., dated January 13, 1877 and recorded December 13, 1877 in Deed Book C, Volume 11, Page 223; by deed of David L. Mower, et al., dated January 15, 1912 and recorded July 19, 1912 in Deed Book D, Volume 21, Page 356; by deed of George E. Burkholder, dated September 25, 1937, and date not recorded, Deed Book F, Volume 33, Page 365, and by deed of Aaron D. Buckwalter, et ux., dated September 23, 1937, and date not recorded, Deed Book F, Volume 33, Page 367, all recorded in the Lancaster County Courthouse.

Detailed Estimate of Pennsylvania Railroad Force Account Work.

PA. 583618.
Penna. R.R.

Est. For G.

1/20/57

Temporary Relocation of Communication System

| | | |
|-----------------------------------|------|--------|
| 37 Quad. 74 Pr. Cable Underground | - \$ | 2,000. |
| 12 Cond. Signal Cable Underground | - | 652. |
| Neut. Cable /Cond. 4/o | - | 300. |
| 7/16 Messenger Strand | - | 70. |
| Miscellaneous Hardware | - | 139. |

Labor,

| |
|-------------|
| 3,161. |
| 1,940. |
| \$ 5,101.00 |
| DOCKET |
| FEB 21 1957 |

Restore Communication System

| | | |
|------------------------|------|------|
| 37 Quad. Aerial | - \$ | 500. |
| 12 Cond. Aerial | - | 200. |
| Miscellaneous Hardware | - | 100. |

Labor,

| |
|----------|
| 800. |
| 1,699. |
| 2,499.00 |
| DOCKET |
| FOLDER |

Temporary Arrangement of Catenary System

| | | |
|-----------------------|------|------|
| 2 - 60' Wood Poles | - \$ | 120. |
| Hold-down Steady Span | - | 250. |
| | | 370. |
| Labor | - | 600. |

970.00

Restore Catenary System

| | | |
|--------------------------|------|------|
| Hardware for Br. Attach. | - \$ | 180. |
| | | 180. |
| Labor | - | 350. |

530.00

Total

\$ 9,100.00

DOCKETED
APPLICATION DOCKET
FEB 21 1957
ENTRY No. *114*

RECORD
FOLDER

SECRETARY'S OFFICE
PUBLICATIONS DIVISION

FEB 19 11 14 AM 1957

RECEIVED