

**REPORT OF THE PENNSYLVANIA
STATE RAILROAD
COMMISSION FOR THE YEAR
ENDING DECEMBER 31ST, 1910**

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1910 by Pennsylvania State Railroad Commission

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PENNSYLVANIA STATE RAILROAD COMMISSION

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Commonwealth of Pennsylvania.

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HARRISBURG:
C. E. AUGHINBAUGH, PRINTER TO THE STATE OF PENNSYLVANIA,
1911.

PENNSYLVANIA STATE RAILROAD COMMISSION.

NATHANIEL EWING, Chairman.
CHAS. N. MANN, Commissioner.
JOHN Y. BOYD, Commissioner.
W. S. SEIBERT, Acting Secretary.
WILLIAM H. ALLEN, Attorney.
JOHN P. DOHONEY, Marshal.



Harrisburg, Penna., January 9th, 1911.

TO THE HONORABLE EDWIN S. STUART,
Governor of the Commonwealth of Pennsylvania.

Sir:—In submitting our report for the calendar year nineteen hundred and ten, we deem it unnecessary to enter into any detailed statement of the ordinary business of this Commission inasmuch as that has been done in our two previous reports and the full details of that business will be found in the appendices. There are several unusual features of our work, however, to which some specific reference should be made.

PITTSBURG TROLLEY SITUATION: During the early months of this year, we completed the investigation, alluded to in our last report, into the street railway situation in the city of Pittsburg, and on the report of our expert, after conference with both the Mayor of Pittsburg and the Pittsburg Railways Company, we made a recommendation covering substantially all the points in dispute over which we had jurisdiction and which admitted of compliance by the Railways Company without prior additional franchise grants from the city and neighboring municipalities.

In addition to the specific recommendations made at that time, there were also a number of suggestions looking toward more harmonious and cordial relations between the city and the Railways Company, and having reference to some action on the part of the city which seemed to be necessary in order to permit the Railways Company to put into effect other improvements which the city desires and which the Commission thought should be made. The Railways Company promptly accepted the recommendations of the Commission and expressed its determination to comply therewith as speedily as possible, and also to make application to the city authorities for the additional franchises it thought necessary in order to enable it to make the other improvements which had been suggested. In consequence of the action by the Railways Company pursuant to our recommendation, we have had numerous assurances that the situation there has been substantially improved and that such improvement would be still further enhanced when all the recommendations have been fully complied with. To do this a lapse of some time is necessary as all the recommendations were impossible of immediate fulfillment.

LOCOMOTIVE BOILER INSPECTION: During the past year we have also completed the work of preparing regulations for the inspection of locomotive boilers, and now have promulgated rules

for that purpose, adopted blanks for reports of the railroad companies, and have in general put into effect the plan which the Brotherhood of Locomotive Engineers, through its committee, suggested to us sometime ago. The rules adopted by the Commission for this work have had the approval of an expert, of the Brotherhood of Locomotive Engineers and of the railroads, and are printed herein in Appendix "II". It is hoped that their observance will minimize the number and the destructiveness of accidents arising from lack of care of locomotive boilers.

PHILADELPHIA TROLLEY SITUATION: By reason of many complaints received concerning the street railway conditions in Philadelphia, the Commission was obliged to institute a very thorough expert investigation of that situation. For that purpose the firm of Messrs. Ford, Bacon & Davis was employed, and their work which was undertaken during the past summer, we are advised, is now nearing completion.

It is expected that the report of these experts will furnish the Commission with very complete and detailed information respecting the transportation problems in the city of Philadelphia, the general conduct of the business of the Philadelphia Rapid Transit Company and the character of accommodations it is furnishing the public, together with suggestions for the improvement thereof. So soon as this report is received, it will be acted upon by the Commission as speedily as possible, and we expect that it will in some measure at least indicate a way in which substantial improvement in the street railway service in that city can be obtained.

RESOLUTION OF THE SENATE: By Resolution passed by the Senate of Pennsylvania March 31st, 1909, this Commission was directed to make an investigation of certain service furnished by the Philadelphia & Reading Railway Company, and of the character of the equipment used, with special reference to suggesting improvements in both. In obedience to that instruction several inspections of that service were made, and numerous conferences held both with the Railway Company officials and with Senator Snyder, the author of the Resolution. The results achieved are specifically set forth in a report of the case, to be found in Appendix "A", and will be seen to include improved service, both in the number of trains and in the running time of the same, and in the addition of a considerable number of the new cars to the road's equipment. This improvement embraces not only the territory traversed by the lines of the company between Pottsville and Harrisburg, both via Auburn and via Reading, but also its service in Schuylkill County north of the mountain. As was to be expected, all the improvements

sought by the various communities affected could not be obtained but it is felt that the results which have been secured will contribute largely to the convenience of the patrons of the road.

INVESTIGATION OF TELEPHONE RATES: A very considerable amount of labor has been the result of the passage of the joint resolution of the Senate and House of the last Legislature requiring this Commission to make an investigation of the rates and tolls charged for telephone service in the State. This work, which has necessitated the creation of a special department for its prosecution, has been diligently pursued, and in it we have had expert guidance and assistance, and during its prosecution the telephone companies have greatly revised their schedules and rates, doubtless in anticipation of the result of this investigation.

The collection of the necessary information is about completed, and the deductions to be made therefrom are now in course of preparation. When this work is completed the Commission will make a report to the Legislature, furnishing detailed information in regard to the matters specified in the Resolution aforesaid, which report will be accompanied by such suggestions for legislation as we may deem necessary in order to secure the establishment of equitable and uniform rates for the use of telephones by the public.

ACCIDENTS: In Appendix "B" will be found a tabulated statement of the accidents reported to the Commission during the past year. Even a cursory examination of these accident reports will convince any one that as yet this State is far behind where it should be in effective measures for the prevention of serious injury and loss of life, not only to employees and passengers upon our transportation lines but also to the public which is obliged to travel on highways laid out along and across these lines, as well as to trespassers upon the roadbeds.

Accompanying our first report will be found bills, drafted by this Commission, designed to prevent trespassing upon the tracks or roadbeds of railway companies (see Appendix "I"), and to bring within the jurisdiction of this Commission the crossing at grade of highways of the Commonwealth by railroad tracks (see Appendix "J"), in order that where found necessary the Commission might prescribe some method for so protecting the public from the danger of these crossings as would tend to prevent the great number of fatalities and serious accidents that annually occur thereat. These measures did not then receive the consideration the Commission thought the importance of the subjects demanded, and we now again recommend them for passage by the present Legislature.

The reports received by this Commission for the twelve months ending December 31st last show that 86 persons were killed at these grade crossings, being 14 more than for the twelve months preceding.

RECOMMENDATIONS: The work of this Commission has necessarily been conducted in a judicial and therefore unobtrusive manner and it is possible that the public has formed an erroneous impression of the results and effectiveness of its recommendations. We are led somewhat to this conclusion by the repeated statements that the work of the Commission was wholly ineffective, and this notwithstanding the declaration made in our two previous reports that all the recommendations of the Commission have been promptly complied with. We therefore desire now and here to repeat that all the recommendations of the Commission up to the present time—with but two recent exceptions, hereafter more fully referred to—have been promptly complied with, and we call the attention of the public specifically to the accurateness of this statement.

It is, however, true that in some directions we lack authority, and this is particularly the case with respect to grade crossings of highways, to which we have already called attention, and which defect we again ask to have remedied by proper legislation.

It is also true that the Act creating this Commission does not specifically designate what shall be the force and effect of a recommendation by this Commission, and naturally some doubt has arisen on that point. Heretofore the support of public sentiment has been relied upon as the most potent factor in securing compliance with our recommendations, but in view of the uncertainty referred to, as well as the general public impression which exists, it would in our judgment be an improvement in the Act to specify just what should be the effect of a recommendation by this Commission. If, in the view of the public, it is so desired, the Act could be amended to state that a finding and recommendation made by this Commission shall be equivalent to one made by a court of record of this State; or if it be deemed best not to go to that extent, the amendment could declare that such finding and recommendation should have at least the force and effect of a verdict by a jury or a conclusion reached by an auditor appointed by a court. The effect of such an amendment as the latter would be, in case of a contest respecting compliance with our recommendations, that the action by this Commission would be taken as making out a prima facie case and throw the burden of proof upon the contestant; and it would seem that after this Commission has made an examination of a case, has heard the parties and their counsel, and arrived at a conclusion therein that such at least should be the effect of its determination.

It is with reluctance and only in consequence of statements recently noticed in the press of this State that this matter is referred to here, the Commission having been satisfied to proceed diligently