

Thirty-Fourth Annual Report

OF THE

Railroad and Warehouse Commission

OF THE

STATE OF ILLINOIS

Railroads for the Year Ending June 30, 1904.

Grain Inspection Department for the Year Ending Oct. 31, 1904.

Office Expenses for the Year Ending Nov. 30, 1904.

COMMISSIONERS:

JAMES S. NEVILLE, Bloomington, *Chairman.*

ARTHUR L. FRENCH, Chapin.

ISAAC L. ELLWOOD, DeKalb.

WM. KILPATRICK, Chicago, *Secretary.*

CHAS. J. SMITH, DuQuoin, *Ass't Secretary.*

FRANK J. EWALD, Chicago, *Consulting Engineer.*



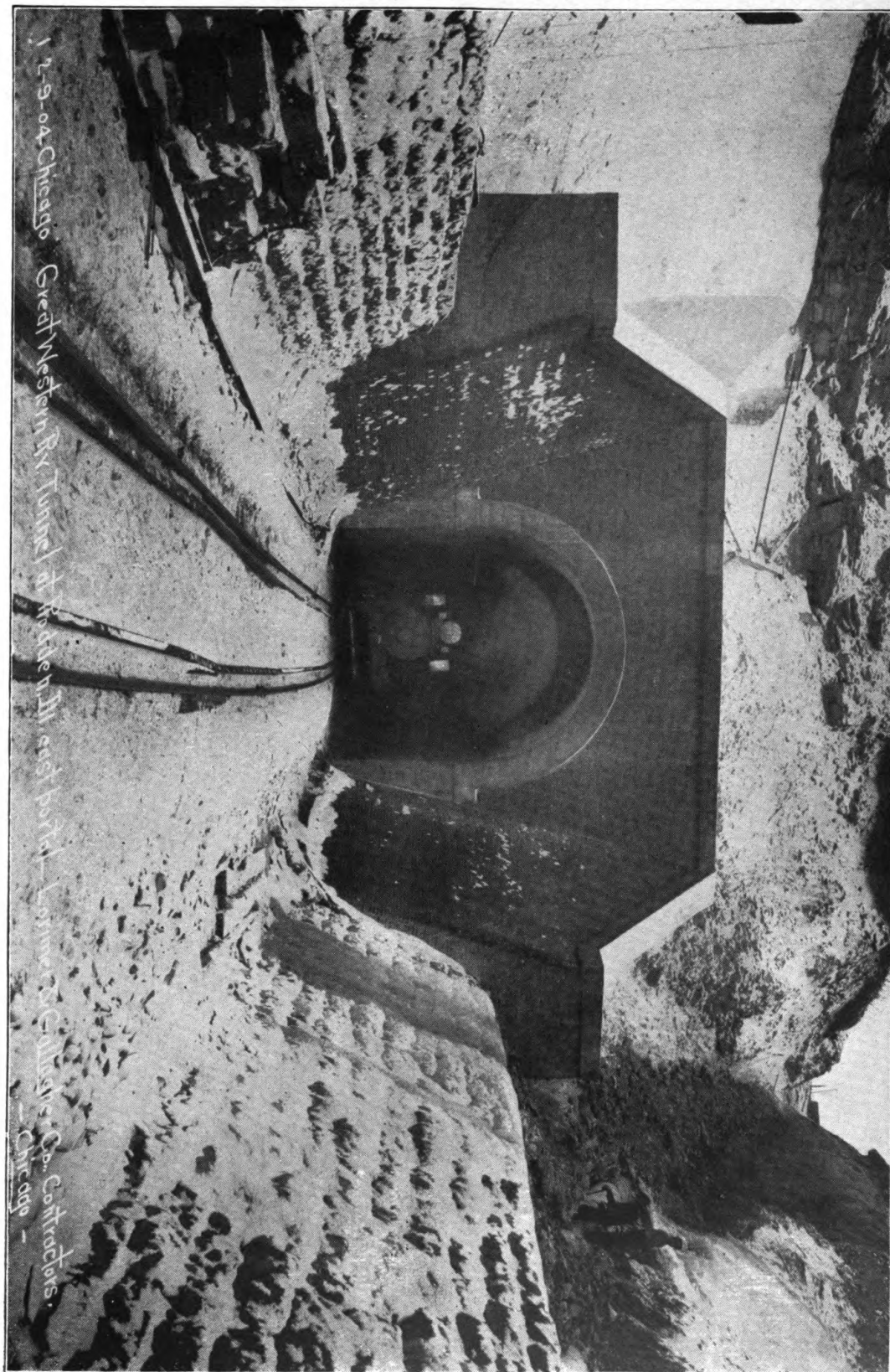
SPRINGFIELD:

ILLINOIS STATE JOURNAL CO., STATE PRINTERS,
1905.

ORDERS AND OPINIONS

Concerning

Complaints and Petitions
Filed Before the Commission



1-2-9-04 Chicago Great Western Ry Tunnel at Rodden, Ill. east portal. - Commercial College Co. Contractors - Chicago -

C. Gt. W. Ry. Co.
Showing east portal of tunnel at Rodden, Ill.

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SPRINGFIELD, ILL., April 8, 1903.

At the regular monthly meeting of the Board of Railroad and Warehouse Commissioners of the State of Illinois, held at their office in Springfield, Illinois, this 8th day of April, 1903, the matter of the proper protection of all frogs, guard rails and the heels of all switch points by foot guards or blocking, as set forth in their circular letter of Feb. 10, 1903, and the hearing of the case before the board on Feb. 24, 1903, was taken up for final decision.

From the files of the board, as to reports of personal injuries, and from the statements of the construction and operating departments of a large percentage of the railroads of our State, as developed at the hearing, that it is necessary as a measure of protection to the lives or serious injury of persons, more especially of employes in the operating departments of our railroads, that all frogs, guard rails and the heels of all switchpoints in all switches in this State be protected by foot guards or blocking.

It is therefore ordered, by said Board of Railroad and Warehouse Commissioners that under the provisions of "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," (approved April 13, 1871, in force July 1, 1871,) Section 11½. and after full compliance with all its requirements, and being fully advised." That it is absolutely necessary for the protection of life and from personal injury to persons in this State, that proper foot guards or blocking be provided for all frogs, guard rails and the heels of all switch points in all switches and the said Board of Railroad and Warehouse Commissioners by this, its Order, do therefore recommend to all corporations, or person, or persons owning or operating all railroads in the State of Illinois, that on or before the 1st day of July, 1903, they shall provide suitable foot guards or blocking for all frogs, guard rails and the heels of all switch points in all switches in the State of Illinois.

[Signed,] JAMES S. NEVILLE,
 ARTHUR L. FRENCH,
 Commissioners.

BEFORE THE BOARD OF RAILROAD AND WAREHOUSE COMMISSIONERS OF THE STATE OF ILLINOIS.

The Chicago & Alton Railway Company
vs.
 St. Louis & Springfield Railway Company.

This cause coming on again to be heard upon the petition and objections of the Chicago & Alton Railway company to the place and manner of crossing the right of way and railroad main tracks of said, The Chicago & Alton Railway company by the tracks of the said St. Louis & Springfield Railway company, said The Chicago & Alton Railway company, appearing by F. S. Winston, its general solicitor, and it appearing that said St. Louis & Springfield Railway company has submitted to the jurisdiction of this board and filed its answer herein, and this board having viewed the ground and given all parties interested an opportunity to be heard, this board, after full investigation and with due regard to the safety of life and property, hereby decides that said St. Louis & Springfield Railway company shall cross the right of way and railroad main tracks of The Chicago & Alton Railway company by means of a subway or under-crossing, and

It is therefore ordered as follows:

1. That said St. Louis & Springfield Railway company shall cross the right of way and main railroad tracks of The Chicago & Alton Railway company at Carlinville, in the county of Macoupin, in the State of Illinois, at the place shown on the blue print attached to Exhibit "A" to the petition of said The Chicago & Alton Railroad company.
2. That said crossing shall be made by means of a subway, and that the same shall be constructed by the said St. Louis & Springfield Railway company.
3. That said subway or under-crossing shall be made without disturbing or changing the grade of the tracks of said The Chicago & Alton Railway company, and said subway shall be provided with necessary stone or concrete abutments, carrying the track of the said, The Chicago & Alton Railway company, on a steel bridge of the standard of construction of said The Chicago & Alton Railway company for bridges of such length. The said subway and bridges shall be constructed in such manner as not to unnecessarily interfere with the operation of the trains, engines and cars of said The Chicago & Alton Railway company over the same during the period of such construction. Said St. Louis & Springfield Railway company shall furnish all necessary false-work for the purpose of supporting the tracks of The Chicago & Alton Railway company during such construction. The width between the walls of the subway shall be sufficient to provide for one or two tracks of the St. Louis & Springfield Railway company, but not to exceed two tracks, and the head-room in said subway shall be such as the said St. Louis & Springfield Railway company may desire, not, however, exceeding twenty (20) feet. The said subway and the abutments and bridges thereof shall be constructed in a good and workmanlike manner and to the satisfaction of the engineer of this board.

4. That the said The Chicago & Alton Railway company shall pay said St. Louis & Springfield Railway company, when said work is completed, the sum of three thousand dollars (\$3,000), and the remainder of the cost of such work shall be borne and paid by said St. Louis & Springfield Railway company.

5. The board hereby reserves to itself jurisdiction of the parties hereto and of the subject matter hereof until the full completion of the said under-crossing, subway and bridges, for the purpose of carrying into full force and effect the terms and provisions of this order, with the right to enter upon, by its agents or employes, the rights of way of the respective parties hereto to take up and remove any part of said work, in case same shall fail to comply with the orders and directions of the board with reference thereto, either as herein prescribed or as prescribed in the future. All expense of so doing shall be borne by said St. Louis & Springfield Railway company.

6. That the terms, provisions and conditions of this order shall apply and be binding upon the respective successors, lessees and assigns of the parties hereto.

7. It is further ordered that said St. Louis & Springfield Railway company forthwith pay the costs of this proceeding, which said costs shall be paid prior to said company entering upon the right of way of the Chicago & Alton Railway company for the purpose of constructing said subway.

8. That said subway or under-crossing shall be completed on or before July 1, 1905, unless the chairman of this board shall for good cause extend the time of completion, or same shall be delayed by strikes, accidents or other causes interfering with the progress of the work.

(Signed)

J. S. NEVILLE,
A. L. FRENCH,
I. L. ELLWOOD.

Approved this 6th day of October, 1904.

ST. LOUIS, MO., OCT. 8, 1903.

GENTLEMEN—I herewith attach notice this day served on the members of the Merchants' Exchange Weighing Committee, and you are hereby notified that inasmuch as the law of our State provides that our weighmasters and assistants shall supervise and have exclusive control of the weighing of all grain, subject to inspection within the limits of the city of East St. Louis, Ill., and St. Clair county, and that their certificate shall be conclusive between all parties interested; that we will not submit to the Merchants' Exchange having weighmasters to weigh or supervise the weighing of grain inspected or to issue certificates on same, and you are hereby notified not to permit said weighmasters to in any way interfere with our weighmasters, or to assume to act as weighmasters of grain subject to inspection at your elevator.

Very respectfully,

WILLIAM KILPATRICK,
Secretary,

ST. LOUIS, MO., OCT. 8, 1903.

Weighing Committee of Merchants' Exchange, St. Louis, Mo.:

GENTLEMEN—Referring to your conversation with our board this evening with reference to your weighmasters supervising the weights of grain inspected by our inspectors in East St. Louis, Ill., and St. Clair county, and the issuing of weight certificates, our board, after a conference, decided that inasmuch as the statutes provide that our weighmasters shall supervise and have exclusive control of the weighing of grain inspected, that you must immediately withdraw your weighmasters from all warehouses where grain is inspected within the limits of East St. Louis and St. Clair county, and you must cease issuing weight certificates, and you are hereby notified of said decision, and to abide by the same.

Yours respectfully,

J. S. NEVILLE,
Chairman.

BEFORE THE HONORABLE, THE BOARD OF RAILROAD AND WARE
HOUSE COMMISSIONERS OF THE STATE OF ILLINOIS.

Chicago & Northwestern Railway Co., Petitioners,
vs.
Wisconsin Central Railway Co., Respondent.

In the matter of the petition of the Chicago & Northwestern Railway company with respect to the protection by interlocking of the crossing of its tracks by the track of the Wisconsin Central Railway company. at Des Plaines, Ill.:

And now, having heard the evidence which has been introduced by the said petitioner and said respondent, and the arguments of counsel, and having considered the same, the commission finds that the public good requires that the said crossing be protected by interlocking and that the interlocking plant at said crossing, which was constructed in the year A. D. 1893, and has been in operation from that time until the destruction of the interlocking tower at said crossing in March, A. D. 1904, should be re-established and rebuilt and hereafter operated by the said petitioner and said respondent.

It is thereupon ordered that said Chicago & Northwestern Railway company and said Wisconsin Central Railway company, shall at once proceed to rebuild said interlocking tower so destroyed by fire in March, A. D. 1904, and replace the interlocking devices at said crossing in manner and form as shown upon the plan which is attached to said petition of said Chicago & Northwestern Railway company marked "Exhibit C," and that the said plan for the reconstruction of said interlocking plant at said crossing be and the same is hereby approved; and that the said petitioner and said respondent shall cause the said interlocking plant to be so reconstructed in accordance with said plan within 60 days from and after the date of this order.

It is further ordered that the said petitioner and said respondent shall each pay one-half of the cost of the reconstruction of said interlocking plant, as hereinabove ordered and prescribed and that the cost and expense of maintaining and operating the said interlocking plant, when the same shall be reconstructed and put in operation shall be divided between said petitioner and said respondent in the manner and form in which the cost of maintenance and operation of said plant was divided between said two companies prior to the destruction of said interlocking tower, namely, that the said Chicago & North Western Railway company shall pay seven (7) per cent of the cost of maintenance and operation of said plant and the said Wisconsin Central Railway company shall pay ninety-three (93) per cent thereof.

(Signed) J. S. NEVILLE,
Chairman.

Springfield, Ill., July 22, 1904.

BEFORE THE BOARD OF RAILROAD AND WAREHOUSE COMMISSION-
ERS OF THE STATE OF ILLINOIS.

Southern Railway Company
vs.
Louisville and Nashville Railroad Company.

E. C. KRAMER, for Petitioner.
J. M. HAMILL, for Respondent.

Petition for Protection of Crossing near Belleville, St. Clair county, Illinois.
Finding and Decision of the Commission by James S. Neville, Chairman.

On June 20th, 1904, the Southern Railway company, by Judge E. C. Kramer, its attorney, filed a petition with the commission, to which is attached a copy of a certain contract or agreement entered into between the Southern Railway company and the Louisville and Nashville Railroad company, of date the 26th day of October, 1902, in which the above named companies covenant and agree to a certain style of interlocking plant for the protection of the crossing of railroads of said companies at a point near the Crescent Nail Mill at North Belleville, Illinois, and the location and mode of operation thereof, as more fully described in a blue print attached and made a part of this petition.

The contract also prescribes the manner of operation and assigns the amount to be paid by each of said companies for the installation of said interlocking plant and designates which company shall bear the cost of maintenance.

The petition of the Southern Railway company further prays that the commission approve the contract and enter an order for the installation of the interlocking plant and its operation as described in the petition and contract.

On July 6th, 1904, the commission viewed the crossing at which time both companies interested were represented and suggestions were made as to changes in the arrangement of tracks, the engineer of the Southern Railway company to submit blue print showing conditions as they would appear under the new arrangement.

On July 22nd, 1904, new plans were submitted and with some amendments, were approved.

ORDER.

It is ordered by the Board of Railroad and Warehouse Commissioners of the State of Illinois that the prayer of the petitioner, the Southern Railway company, be granted and that the contract entered into by and between the Southern Railway company and the Louisville & Nashville Railroad company, for the protection of the crossing of said companies' tracks, near the Crescent Nail Mill at North Belleville, Ill, be approved, subject however, to the changes in track arrangement suggested by the commission and amendments to track connections, as shown on blue print submitted by the Southern Railway company and approved by the consulting engineer of the commission, dated July 22nd, 1904.

It is further ordered by the commission that the approval for a partial interlocker, as provided in the contract between the Southern Railway and the Louisville & Nashville Railroad company herein referred to, be issued for a limited period, the commission reserving to itself complete jurisdiction over the conditions of the protection of the crossing named herein, with the right to change said conditions by further order, when in the opinion of the commission the necessities of the case may demand.

Dated at Springfield, Illinois this 16th day of September 1904.

(Signed) J. S. NEVILLE,
Chairman.