

File Unit - 002/002.01-16810.00.43



Series Nbr: 002.01
File Unit Nbr: 16810.00.43
Catalog #: STEA 7158
Accession #: STEA-00033
Category: CORRESPONDENCE
Dates: 1937

Extent	
Count	[Count]1
Extent	[Extent]
Type of Unit	[Type of Unit]FOLDER

Title: DL&W RR--Correspondence--General Superintendent--16810: General crossing correspondence

Add By: RED
Add Date: 9/8/2009 5:03:22 PM
Change By: RED
Change Date: 9/8/2009 5:08:21 PM
Location: 002/002.01-B15-063

Proc By	
Processed By	Pat McKnight
Processing Date	September 2009

Record Id: 50491

16842
CSA
November 10, 1937.

Mr. G. J. Ray,

Vice President & General Manager.

Dear Sir:

I attach letter from Chief Special Agent Mackin.

Will you please advise if satisfactory for us to
prepare bill against the Starin Transportation Company for
the services of watchman provided because of their use of
our Pier 13 in order to relieve traffic congestion.

Yours truly,

EBM-4

16810

OFFICE OF CHIEF ENGINEER

Hoboken, N.J.
October 28, 1937.

Mr. Ray:

I made a report to you on this subject under date of March 1, 1935.

I would not recommend the installation of the automatic stop for the following reasons:

1. I believe such a device is an obstruction in the highway and liable to cause serious accident.

2. Many states, such as New Jersey, prohibit the installation of flashing signals in the center of the highway. Such installations would, in my mind, be far less dangerous than the automatic stop device, and still are not allowed to be installed.

3. Expense prohibitive for results obtained. Would cost about \$10,000 and requires flashing signals installed with it.

4. Such obstructions are operated by circuits in conjunction with train operations and, naturally, slow movements would have the highway obstructed much longer than high speed movements.

5. To me this device represents a hazard rather than a protection.

G.A. Phillips.

Mr. Davis,
To note.

G.J.R.
10/29

COPY

16810
September 28, 1937.

Mr. G. J. Ray,

Vice President & General Manager.

Dear Sir:

Referring to yours September 21, and returning enclosure.

The instructions, as we understand them, apply only to public grade crossings and there is only one place within the State of Pennsylvania where cars are stored less than 300 feet from such crossing, viz., the Stackhouse Switch at Shickshinny, Pa., but this is immaterial, because of the fact there is a large building which obscures the view of the cars and the latter do not interfere, in any way, with persons or vehicles moving over the crossing.

This situation is more or less covered in our Transportation Rules and I am quoting below Rule 757 (e) which you may desire to quote to Secretary Sheridan of the Pennsylvania Public Utility Commission:

" When leaving cars on sidings or side tracks air brakes must be bled and hand-brakes set. If on grade other necessary precautions must be taken. The cars must be entirely clear of any street, highway or private crossing, and so placed as to afford the best possible view of main line track from highway."

Yours truly,

EBM-4

Rule 757 e. When leaving cars on sidings or side tracks air brakes must be bled and hand-breaks set. If on grade other necessary precautions must be taken. The cars must be entirely clear of any street, highway or private crossing, and so placed as to afford the best possible view of main line track from highway.

Scranton, Pa., Sept. 25, 1937.

File 1059 - 1046

Mr. E. B. Moffatt,

General Superintendent.

Dear Sir:

Replying to your memorandum of Sept. 22 and returning papers in regard to order of the Pennsylvania Public Utility Commission to leave stored cars a distance of 300 feet from public grade crossings in the State of Pennsylvania.

While we have not in the past had any specified distance at which cars must be left from public grade crossings, it is the practice to place them at a sufficient distance from the crossings to avoid obstructing the view of approaching pedestrian and vehicular traffic.

A check of the situation indicates that we are complying with the requirements except as follows:

Shickshinny:

Cars in Stackhouse switch are not 300 feet from the crossing, but this is immaterial because of the fact that there is a large building which obscures the view of the cars and the latter therefore do not interfere with persons or vehicles moving over the crossing.

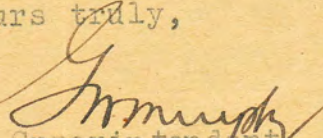
Briar Creek:

We have cars stored a distance of 210 feet east of a farm crossing, which we do not interpret as a public crossing.

Cameron:

We have cars stored close to a farm crossing. In this case, also, I feel that the order is not being violated, as this is a private rather than a public crossing. As a matter of fact, yesterday there was a car standing on the crossing from which material was being unloaded by consignee.

Yours truly,


Superintendent

1059e

Scranton, Pa., Sept. 25, 1937.

File 1059 - 1046

Mr. E. B. Moffatt,

General Superintendent.

Dear Sir:

Replying to your memorandum of Sept. 22 and returning papers in regard to order of the Pennsylvania Public Utility Commission to leave stored cars a distance of 300 feet from public grade crossings in the State of Pennsylvania.

While we have not in the past had any specified distance at which cars must be left from public grade crossings, it is the practice to place them at a sufficient distance from the crossings to avoid obstructing the view of approaching pedestrian and vehicular traffic.

A check of the situation indicates that we are complying with the requirements except as follows:

Shickshinny:

Cars in Stackhouse switch are not 300 feet from the crossing, but this is immaterial because of the fact that there is a large building which obscures the view of the cars and the latter therefore do not interfere with persons or vehicles moving over the crossing.

Briar Creek:

We have cars stored a distance of 210 feet east of a farm crossing, which we do not interpret as a public crossing.

Cameron:

We have cars stored close to a farm crossing. In this case, also, I feel that the order is not being violated, as this is a private rather than a public crossing. As a matter of fact, yesterday there was a car standing on the crossing from which material was being unloaded by consignee.

Yours truly,

(Sgd) G. W. Murphy

Superintendent

New York, September 21, 1937.

E. B. M.

Please note the attached from Secretary Sheridan of the Public Utility Commission of September 20th, with respect to storing cars adjacent to public highways:

For many years it has been the practice to keep cars away from public highway crossings as much as possible in order to avoid blocking the view of those using the highways.

Would be glad to have you advise me what instructions we now have in effect, and whether the request of the Commission to keep cars 300 feet away from all public grade crossings will in any way affect our operation. Generally speaking, it seems to me that we cannot complain of such an order and should go along on the request.

G. J. Ray.

16870
August 30, 1937

Contract work at Portland,

Mr. G. W. Morgan:

Referring to attached papers. It was very definitely understood that if we permitted a crossing over our tracks, that it would have to be protected by flagman and that we would be reimbursed for the expense providing flagman. Now there seems to be some question about it.

Please advise just what understanding you had and what arrangements will be made to see that we are reimbursed.

E. B. Moffatt.

EBM-h.

16810

✓ August 10, 1937.

Morgan
Mr. G. W. Morgan:

I quote Superintendent Murphy's letter to me of August 3:

'Your letter August 2, in connection with bills rendered against Contractor Edward H. Ellis for flagman service at Portland, Pa.

This matter was referred to General Attorney Morgan and Mr. Diehl of that office, with Trainmaster McClelland of the B&P Branch investigated the circumstances covering flagging service furnished this concern. It was agreed that the matter would be held in abeyance for the time being and after the crossing has been completed they will again confer and endeavor to reach some understanding. Mr. Morgan therefore notified Mr. Collins that we should continue to render bills for this service and we have arranged to handle accordingly.'

I hope that we shall be able to collect our money for the service rendered, as it was very definitely agreed that we would not permit the crossing under any other circumstances. Will you please follow up and advise?

E.B. Moffatt

EBM-4

*Hold
8/10*

Scranton, Pa., August 3, 1937.

G. Morgan

File 1089.

Mr. E. B. Moffatt,

General Superintendent.

Dear Sir:

"Your letter of August 2, file Crossing Elimination - Portland-Slateford, in connection with bills rendered against contractor Edward H. Ellis for flagman service at Portland, Pa.

X This matter was referred to General Attorney Morgan and Mr. Diehl, of that office, with Train Master McClelland of the B&P Branch investigated the circumstances covering flagging service furnished this concern. It was agreed that the matter would be held in abeyance for the time being and after the crossing has been completed they will again confer and endeavor to reach some understanding. Mr. Morgan therefore notified Mr. Collins that we should continue to render bills for this service and we have arranged to handle accordingly."

Yours truly,

G. Morgan
Superintendent

August 2, 1937

Crossing Elimination - Portland-Slateford.

Mr. G. W. Murphy:

What have you been able to develop in connection with billing contractor Edward H. Ellis, for services of flagman at Portland, Pa., as requested in letter from Superintendent Lerbs dated July 17.

E. B. Moffatt.

2-h.

Wm 30th
Hoboken, N.J., July 17th, 1937

Mr. G. W. Murphy,
Superintendent

Dear Sir:

You have received copy of Mr. Collins' letter of the 16th inst., file Contract 1944-1-A, in connection with bills rendered against Edward H. Ellis, Inc. for services of flagmen at temporary private crossing at Portland, Pa. Will you kindly get in touch with Mr. Morgan for the purpose of bringing the matter to a conclusion.

Yours truly,

J. Heros
Superintendent

CC: Mr. E. B. Moffatt;

of the 10th inst.

This refers to your letter

GEN'L SUPTS
NOT FILE

Roman
July 10, 1937.

Mr. J. H. Lerbs:

Yours July 7 to Asst. Comptroller Collins,
concerning the flagging of temporary ^{private} crossing at Portland.

Superintendent Murphy informs me it was the understanding with the contractor in charge of this work that men fully qualified would be assigned to the flagging work and that the expense therefor would be borne by the contractor.

This should be straightened out, and you will please handle accordingly.

EBM-4

Hoboken, N.J., July 7th, 1937

Mr. R. O. Collins,

Asst. Comptroller

Dear Sir:

In reply to your letter July 1st, Contract 1944-1-A, with reference to bills rendered against Edward H. Ellis, Inc. for service of flagmen at a temporary private crossing at Portland, Pa., beg to advise that when this work was begun it was found that our Track Dept. had provided a couple of laborers to act as flagmen and, as the physical conditions required them to regulate the movement of trains and also to supervise the use of the crossing as to when first class and other trains were due, it was decided that qualified flagmen who were conversant with the movement of trains, use of timetable and who could be held responsible for this work, should be employed instead of track laborers who barely understood English, to say nothing of reading timetable or conversing with Dispatcher on telephone provided for that purpose.

Employees in train service working between Washington and Slateford Jct. are assigned from the Scranton Division, therefore, two men from Stroudsburg were placed on this job.

Under date of May 13th I wrote Mr. G. W. Morgan, General Attorney at Scranton, as follows:

"In connection with the contract drawn up covering the highway work west of Portland, am advised by Mr. Ralph Sherwin that the flagmen we provide to protect this work against trains are to report to and be carried on the contractor's payroll.

This is rather contrary to previous practice in cases of this nature and men in train service used as flagmen should be carried on railroad payroll.

"This unusual clause in the contract would obviate the Railroad Co. receiving the 33 1/3% supervision charge which is usually made in such cases.

Will you please advise in connection with this."

Received reply from Mr. Morgan stating "the agreement between this Company and Ellis provides that the Contractor shall employ and pay for the services of a qualified watchman or watchmen, to be named by the Railroad Co. This contemplates that these watchmen are to be placed upon the Contractor's payroll, and in my opinion the Company will be better protected by following out the provisions of the contract."

To date have not been advised that the flagmen are not required. As a matter of fact, from personal observation I believe we should be protected by the use of qualified flagmen to prevent possibility of accident on this crossing.

This work is under the personal supervision of Trainmaster McClelland, who makes a practice of going there several times each week.

Yours truly,


Superintendent

CC: Messrs. E. B. Moffatt
M. M. McClelland

July 1, 1937
Contract 1944-1-A

Mr. J. H. Lerbs, Supt.,
M&E Division,
Hoboken, N.J.

Dear Sir:

Please note attached correspondence regarding bills rendered against Edward H. Ellis, Inc., for service of flagmen at a temporary private crossing at Portland, Pa.

Supt. Murphy states that these flagmen were furnished at your request. Please advise from whom you received a request that flagmen be supplied and if you are of the opinion that they were necessary, in addition to the two watchmen who Mr. Murphy states were employed by the contractor and whose duty according to his letter, consisted of keeping the crossing clear of dirt which fell from the contractor's trucks.

Attention is called to the fact that under the provisions of the agreement covering the crossing, the contractor is required to carry on its payrolls watchmen designated by this company to protect the crossing.

Please return enclosures with your reply.

Yours truly,

R. O. Collins

Asst. Comptroller

COPY

16810
July 26, 1937.

Mr. A. A. Johnson:

Yours April 12, regarding the situation
at Lackawanna Avenue and Cameron Street, Bath, N.Y.

I do not know whether Signal Engineer
Saunders sent to you a copy of his recent letter to
Superintendent Alexander, following investigation on the
ground and discussion of the entire subject with Agent
Guernsey at Bath.

I have discussed this matter with Mr.
Alexander and after reading Mr. Saunders' communica-
tion I concur in the conclusions reached by him.

EBM-4

Buffalo, N. Y., July 21st, 1937

File 300

Mr. E. B. Moffatt,
General Superintendent.

Dear Sir:

Referring to your letter of July 13th and returning papers relative to installation of flasher light signals at Lackawanna Ave. and Cameron St., Bath.

I have had the matter up with Signal Engineer Saunders and he advises under date of July 19th as follows:

"Referring to your letter of April 27th, file 300, above subject, and to our discussion with Mr. Gurnsey on June 3rd:

It would be possible to protect Lackawanna Avenue 24 hours of the day by means of flasher signals with a reasonable degree of satisfaction by putting cutouts on switch leading to freight-house track from track #2, located between Lackawanna Avenue and Cameron Street; also, on switch at west end of westward siding which is located just west of water tank. However, there would be times when trains were standing in front of the passenger depot on track #1 when warning would be given without another train approaching, under which condition vehicles might proceed over the crossing but at some later time be caught by train on track #2. The last situation might be met by trainman manually cutting out the warning by means of circuit controller at Lackawanna Avenue. You and Mr. Gurnsey did not consider this last expedient satisfactory. It is my understanding that protection is needed for one 10 hour trick only and bearing in mind such limitation on expense involved as well as special controls and consequent possibility of irregular performance, I agree with you that the change should not be made.

At Cameron Street the view of approaching trains is better than at Lackawanna Avenue. Westbound train movements would have to be protected to a considerable extent by special cutouts similar to those described above. There would be little difficulty in automatically protecting the crossing for eastward train movements. I understand the bridge over the river is to be replaced this year which will cause a material increase in traffic due to contractor's operations and which

Mr. E. B. Moffatt.

makes it desirable for the flagman to remain on duty to protect for the present. There is also the question of school children. Mr. Gurnsey stated that people regularly using this crossing, particularly the school children, are familiar with the limitation in hours protection is afforded and that to his knowledge there have been no accidents which would indicate the present protection to be inadequate."

I concur in the position taken by Signal Engineer Saunders.

Yours truly,

W. Alexander
Superintendent.

April 26, 1937.

Mr. A. A. Johnson:

I do not find reply from you to my letter reading:

"The attached file covers the question brought up by you of installing flasher signal at Lackawanna Avenue and Cameron Street, Bath, N.Y.

You will note this has been investigated further by Superintendent Alexander, who would like to confer with Signal Engineer Saunders on the ground before making a definite recommendation.

Will you please discuss the matter with Mr. Saunders and have him arrange to meet Mr. Alexander and go over the matter on the ground."

E. B. Moffatt.

1-h

April 16, 1937.

Mr. A. A. Johnson:

The attached file covers the question brought up by you of installing flasher signals at Lackawanna Avenue and Cameron Street, Bath, N.Y.

You will note this has been investigated further by Superintendent Alexander, who would like to confer with Signal Engineer Saunders on the ground before making a definite recommendation.

Will you please discuss the matter with Mr. Saunders and have him arrange to meet Mr. Alexander and go over the matter on the ground.

EBM-4

Mr. Moffatt: This will reply to your letters of
April 16th and 26th.

OFFICE OF THE SIGNAL ENGINEER

awf

Hoboken, N. J., July 19 1937.

Proposed Substitution of
Flasher Signals for Watchman
Lackawanna Ave. and Cameron St.
Bath.

Mr. W. G. Alexander:

Referring to your letter of April 27th, file 300,
above subject, and to our discussion with Mr. Guernsey on
June 3d:

It would be possible to protect Lackawanna Avenue
24 hours of the day by means of flasher signals with a
reasonable degree of satisfaction by putting cutouts on
switch leading to freight-house track from track #2, located
between Lackawanna Avenue and Cameron Street; also, on
switch at west end of westward siding which is located just
west of water tank. However, there would be times when
trains were standing in front of the passenger depot on
track #1 when warning would be given without another train
approaching, under which condition vehicles might proceed
over the crossing but at some later time be caught by train
on track #2. The last situation might be met by trainman
manually cutting out the warning by means of circuit controller
at Lackawanna Avenue. You and Mr. Guernsey did not consider
this last expedient satisfactory. It is my understanding that
protection is needed for one 10 hour trick only and bearing
in mind such limitation on expense involved as well as special
controls and consequent possibility of irregular performance,
I agree with you that the change should not be made.

At Cameron Street the view of approaching trains
is better than at Lackawanna Avenue. Westbound train movements
would have to be protected to a considerable extent by special
cutouts similar to those described above. There would be
little difficulty in automatically protecting the crossing for
eastward train movements. I understand the bridge over the
river is to be replaced this year which will cause a material
increase in traffic due to contractor's operations and which
makes it desirable for the flagman to remain on duty to protect
for the present. There is also the question of school children.
Mr. Guernsey stated that people regularly using this crossing,
particularly the school children, are familiar with the limit-
ation in hours protection is afforded and that to his knowledge
there have been no accidents which would indicate the present
protection to be inadequate.

July 13, 1937.

Mr. W. G. Alexander:

Referring to enclosure relative to installation of flasher light signals at Lackawanna Ave., and Cameron Street, Bath.

Have you conferred with Mr. Saunders on the subject?

E.B.Moffatt.

1-G

Buffalo, N. Y., April 15th, 1937.

File 300

Mr. E. B. Moffatt,
General Superintendent.

Dear Sir:

Replying to your letter of April 13th, re installing flasher signals at Lackawanna Avenue and Cameron Street, Bath.

Lackawanna Ave. crossing is the first crossing west of Bath Station, or opposite our freight house, and Cameron St. crossing is the first crossing west of Lackawanna Avenue, and as Mr. Johnson states, both crossings are protected ten hours each day, with the exception of Lackawanna Avenue, which is not protected on Sundays.

Mr. Johnson states in his letter of March 29th that the Erie has no protection at Lackawanna Ave. and have flashers at Cameron St., which is correct. Of course, there is no comparison with respect to the number of trains using the Erie tracks and the number using the DL&W, also the amount of switching done. If flashers were installed, it would mean that many times during the day and frequently during the night, the flashers would be in operation at both crossings, caused by Nos. 31 and 94 and other trains switching in the vicinity of these crossings, which would indicate to pedestrians and drivers of vehicles that a train was approaching and would pass over the crossing, when actually the crews would only be performing switching in the circuit, and would result in delays to vehicles.

At Cameron Street there is nothing to obscure the view but at Lackawanna Ave. our freight house and freight cars obscure the view in both directions. Agent Gurnsey is of the opinion that we would encounter trouble with the Village authorities if the change was made.

I am very much in favor of saving the \$2100 per year, but I hesitate to make the change if we are going to run into trouble and as a suggestion, I would like to meet Signal Engr. Saunders on the ground to go into the matter further before

- 2 -

making a definite recommendation.

Yours truly,

W. L. Anderson
Superintendent.

16810

OFFICE OF ENGINEER MAINTENANCE OF WAY

Hoboken, N.J., April 12th, 1937

Mr. E. B. Moffatt:

Please note my letter of March 29th to Superintendent Alexander and his reply of April 9th, attached.

It was not my idea to change the time of protection by crossing men but to eliminate crossing men and install flasher signals to give 24-hour service.

Will you please advise what is your reaction to this.

A. A. Johnson

AAJ:rrg

Buffalo, N. Y., April 9th, 1937.

File 300

Mr. A. A. Johnson,
Engr. M/W.

Dear Sir:

Replying to your letter of March 29th relative to possibility of eliminating flagman protection at Lackawanna and Cameron Street crossings at Bath, N. Y., and substituting flashers therefor.

This same question has been brought up several times and each time it has been decided that change could not be made safely for reasons about same as set forth in Agent Gurnsey's letter of March 22nd, attached hereto.

I do not feel that any change can be made safely at either of these crossings.

Yours truly,

W. J. Alexander
Superintendent.

April 13, 1937.

Mr. W. G. Alexander:

It could seem from the attached that you did not quite understand the question of Mr. Johnson.

What are your ideas about matter of installing flasher signals in order to provide 24-hour protection?

EBM-4

3953
Hoboken, N.J., Mar. 29th, 1937.

Mr. W. G. Alexander:

At Bath Lackawanna Avenue is protected 10 hours per day every day except Sundays for which the crossing man receives about \$75.00 per month.

Cameron Street is protected 10 hours every day for which the crossing flagman draws \$100.00 per month. These two crossings cost about \$2100.00 per year.

Would it not be advisable for you to see whether these crossing men could be eliminated and flashers substituted which would give 24 hour service and relieve the Transportation Dept., of the above expense except the overhead and up-keep of the flashers.

The Erie has no protection at Lackawanna Avenue and have flashers at Cameron Street.

A.A. Johnson

AAJ-1

Bath, N. Y., March 22nd, 1937.

Mr. Paul Lowe,
Roadmaster.

Dear Sir:

Your letter March 21st, 1937, relative crossing watchmen.

I don't believe you can shorten the hours unless you put on two men and of course that is out of the question. The crossing watchman (watchwoman) at Cameron St. Crossing, should be around there to protect the children going to school and from the fact school starts here at 8.30 am, the children began to cross there~~x~~ before 8 o'clock in the morning and you have Nos. 2 and 15. In the afternoon, you have the pick-up switching around there and No. 31, which always crosses over there, so I don't think it would be advisable to split the trick in the afternoon and the school kids cross from 4 until 5 pm and then you have No. 3. I believe you would encounter trouble with the village authorities if we make any changes.

With reference to Lackawanna St. Crossing, this flagman was put on to protect our interest, as there had been several accidents on this crossing and the man was put on for that purpose. The trucks start across the crossing about 7.30 and they do not stop much before 6.30 pm or until after No. 3 departs. You appreciate the view is almost impossible driving north across our tracks, and with the automobile speed today, you cannot see very well going south across our tracks account of the Coal Trestle and office from the west, and the station from the east.

You appreciate our speed is not slowing up much at the present time, but the trend is to make them go a little faster if possible.

We do not believe it is policy to shorten the hours any.

Yours truly,
O. W. Gurnsey,
Agent.

Bjhr

Buffalo, N. Y., July 20th, 1937.

T-38 7/17

Messrs. H. A. Rowe
J. M. Ward

Gentlemen:

Herewith report, form T-38, covering bruised side sustained by Switchman M. J. Crahan in the Coal Yard, East Buffalo, July 17th.

This man was riding on end ladder of car DL&W 47581, As he set brake, he leaned toward center of car and was caught between running boards of this car and DL&W 43477. No time lost.

Terminal Trainmaster Youst has handled for correction with Switchman Crahan for placing himself in the position he did, resulting in the injury, which fortunately was very slight.

Yours truly,

(Sd.) W. G. ALEXANDER
Superintendent.

T

Copy EBM WJW

16810

Mr. EBM

Cargo Lines

May 12-37

WHL

—The Lackawanna Railroad, last night, asked the Board of Trustees of the Village of Owego for permission to move its signal light on the southeast corner of West Avenue and McMaster Street to a point a few feet south in order to get better results in protecting the public. The railroad is to install, at its own expense, a concrete curbing on the theory that such a safeguard will prevent one or more persons from cutting corners with the result that they may meet their Maker unexpectedly.

—The Public Service Commission will hold a public hearing at the State Office Building in Albany, on May 18, with reference to the proposal of the Lackawanna Railroad to eliminate the Williams Street crossing in this village. The cost of such elimination, according to the railroad's figures, will be \$8,500. Neither an underpass nor an overhead can be built for \$8,500 and consequently the natives are expecting a barrier studded with precious stones. The Village Board has not yet acted on the matter, but all members thereof are of the opinion that if the Lackawanna really thinks the elimination of the William Street crossing is actually worth \$8,500 the railroad can bask in the grandeur of its fairy-like ideas.

GAP

To pls note
EBM

5/16

Noted
GAP

16810

May 1, 1937

16810: Corning, N.Y.

Mr. W. G. Alexander:

For your information, I enclose copy of letter from General Attorney Swift, dated April 29, to our legal representative at Elmira, with respect to providing crossing over our tracks west of Dodge Street, Corning, N.Y.

E.B.Moffatt.

l-h.

Legal Department

April 29, 1927

Re: Private crossing west of Dodge Street in Corning.

Sayles, Flannery, Collin & Evans, Esqs.,
415 East Water Street,
Elmira, N.Y.

Dear Sirs:

I return herewith file relating to a private crossing over our tracks west of Dodge Street in Corning, which at the present time is being used by the Thompson Motor Company as tenant of Vern V. Ryon.

The closing of this crossing is desired by our operating and engineering departments, and I wish you would therefore take steps to that end after terminating our lease with Ryon and giving the Thompson Motor Company notice, as suggested in your letter of April 8th. You can arrange with the local roadmaster for removing the crossing and fencing the right-of-way at the proper time.

Yours truly,

(s) Douglas Swift.

General Attorney.

DS:DB
encls.

cc to G.A.P.
E.B.M.
W.N.E.

COPY

68.711
THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

LEGAL DEPARTMENT
90 WEST STREET, NEW YORK CITY

April 29, 1937.

Re: Private crossing west of Dodge street in Corning;

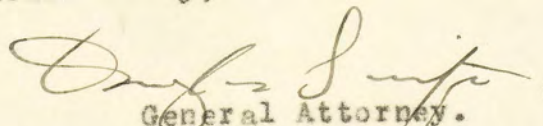
Sayles, Flannery, Collin & Evans, Esqs.,
415 East Water Street,
Elmira, N. Y.

Dear Sirs:

I return herewith file relating to a private crossing over our tracks west of Dodge street in Corning, which at the present time is being used by the Thompson Motor Company as tenant of Vern V. Ryon.

The closing of this crossing is desired by our operating and engineering departments, and I wish you would therefore take steps to that end after terminating our lease with Ryon and giving the Thompson Motor Company notice, as suggested in your letter of April 8th. You can arrange with the local roadmaster for removing the crossing and fencing the right-of-way at the proper time.

Yours truly,


General Attorney.

DS:DB
Encls.

CC: Mr. C. A. Phillips, Chief Engineer, Hoboken, NJ.
Mr. E. B. Moffatt, General Superintendent, Scranton, Pa.
Mr. W. N. Eastburn, Real Estate & Tax Agt., Hoboken, NJ.

16810

April 28, 1937.

Mr. Douglas Swift,
General Attorney.

Dear Sir:

Referring to your memorandum and returning papers
in regard to private crossing over our tracks west of Dodd
Street, Corning, N.Y.

From a transportation standpoint we would recommend
this crossing be eliminated.

Yours truly,

EBM-4

APM
WGA
74

Buffalo, N. Y., April 27th, 1937.

Mr. E. B. Moffatt,
General Superintendent.

Dear Sir:

Replying to your letter of April 20th file 16810 and returning all papers received therewith relative to private crossing over our tracks west of Dodd Street, Corning.

I know of no objection to taking up this crossing and fencing the right of way at that location. We have always considered that this crossing was dangerous account of the possibility of one of our trains striking a truck at this point and throwing same against coal trestle.

We would recommend that this crossing be eliminated if possible.

Yours truly,

W. J. Alexander
Superintendent.

MAKE APRIL THE PERFECT SHIPPING MONTH
AVOID LOSS AND DAMAGE

16810

✓ April 22, 1937.

Ind: Utica - Oriskany Street Trestle.
OF
✓ 16810

Mr. Frank Cizek;

Referring to your letter March 26, and accompanying correspondence relative to the delivery of coal to trucks at the Oriskany Street Trestle, at Utica. In this connection I enclose for your information copy of letter from Mr. G.A. Dayton to Mr. D.E. Young dated April 13 and from Mr. D.E. Young to Mr. G.A. Phillips, dated April 17.

B.B. Moffatt.

April 20, 1937.

✓ 16810? Vern V. Ryon, Corning, N.Y.
9814:

Mr. W. G. Alexander:

Herewith correspondence from General Attorney Seager, the papers dating back to November 1923, relative to private crossing over our trackswest of Dodd Street, Corning at present used by the Thompson Motor Company the rent ^{from} to Vern V. Ryon.

Note remarks of Chief Engineer Phillips in letter dated April 16, and advise if you know of any objection to taking up the crossing in question and fencing the right of way at that location.

E.B.Moffatt.

1-G

16810

April 2, 1937.

Mr. G. A. Phillips:

Referring to yours April 1, in regard
to control of automatic flagmen at Millington, NJ.

The bulletin issued by Superintendent
Lerbs, under date of March 22, 1937, should take care of
the situation.

ZBM-4

OFFICE OF THE CHIEF ENGINEER

9 MP

Hoboken, N. J., Apr. 1, 1937.

Mr. E. B. Moffatt:

Referring to control of automatic flagmen at Millington:

What Messrs. Lerbs and Saunders had in mind was for the trainmen and possibly the agent to manually flag the crossing. At a subsequent conference, they agreed upon the issuance of a bulletin as has been done by Mr. Lerbs (#363). I believe this is the best way in which to take care of the situation at Millington. Attached is copy of bulletin.

B. H. H. H.

COPY

BULLETIN ORDER No. 363

Office of Superintendent

At Hoboken, N. J., Mar. 22, 1937.

ALL CONCERNED:

Effective Thursday, March 25th, 1937, between the hours of 9:00 AM and 2:30 PM, ALL TRAINS must approach both highway crossings east and west of Millington depot prepared to stop for highway traffic on or closely approaching these crossings.

When switching at Millington is being performed, either before or after these hours, (9:00 AM to 2:30 PM), crew doing this switching must comply with provisions of rule 687-A, Rules of the Operating Department.

J. H. Lerbs,

Superintendent.

9095
16810

Hoboken, N.J., March 23, 1937

Mr. E. B. Moffatt,

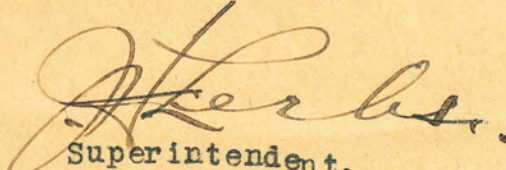
General Superintendent.

Dear Sir:

Your letter of March 12th, regarding protection of the two crossings adjacent to our Millington depot, beg to advise that after further discussion with Signal Engineer Saunders, have issued instructions as covered by Bulletin Order No. 363, dated at Hoboken March 22nd.

We feel that this arrangement will cover the situation very well.

Yours truly,


Superintendent.

cc:Mr. G. J. Ray

BULLETIN ORDER

No. 363

OFFICE OF Superintendent

At Hoboken, N.J., March 22nd, 1937

ALL CONCERNED:

Effective Thursday, March 25th, 1937, between the hours of 9:00 A.M. and 2:30 P.M., ALL TRAINS must approach both highway crossings east and west of Millington depot prepared to stop for highway traffic on or closely approaching these crossings.

When switching at Millington is being performed, either before or after these hours, (9:00 A.M. to 2:30 P.M.), crew doing this switching must comply with provisions of rule 687-A, Rules of the Operating Dept.

J. H. Lerbs,

Superintendent

This form to be used for all bulletin notices that affect the free movement of trains.

17015
4/1
Hoboken, N.J., March 13th, 1937

Mr. E. B. Moffatt,

General Superintendent

Dear Sir:

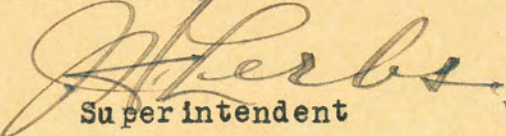
Your letter March 12th regarding question of cutting out the operation of automatic flagmen at two crossings adjacent to our Millington depot and installing a manually operated electric switch, etc., beg to advise that while this subject was discussed with me by Signal Engineer Saunders, no conclusion was reached, and, since receiving your letter, have spoken to Mr. Saunders and he admits that he assumed there was no objection on our part to the proposed change.

Believe that we should not go ahead with this until the matter has been further discussed, because to depend on a trainman to manipulate the electric switch properly and thereby remove the automatic element which is so valuable in crossing protection and substituting therefor the well known fallibility of the human element is not all together to be desired.

In this connection, I have had investigation made as to the practicability of having our Ticket Agent protect the crossings while the switching is being done at Millington, that is to signal vehicles to cross the track while the flashers are being caused to operate by the switching going on.

Mr. Saunders advises that he is going away for a week or eight days and when he returns will again go into the matter with him.

Yours truly,


Superintendent

CC: Mr. J. E. Saunders

March 12, 1937.

Mr. G. A. Phillips:

Referring to attached papers.

I take it from Mr. Ray's memorandum that he approved recommendation of Superintendent Lerbs and Signal Engineer Saunders to cut out the operation of the automatic flagmen at two crossings adjacent to our Millington depot and install a manually operated electric switch so that trainmen can cut out the operation of the automatic flagman when not needed and manually cut it in when the condition changes, and assume that you will make the necessary arrangements accordingly.

(s) E.B.Moffatt

EBM-4

Copy Mr.J.H.Lerbs:

When this has been done please issue proper instructions to all concerned.

EBM

16810
Binghamton, New York,
March 4th, 1937.

Noted
To please notes
EBM
3/5 ✓ *EBM*
W. L. ...
Mr. E. B. Moffatt:

Your further letter of the 2nd with regard to starting engines from the coal trestle at Syracuse in order to eliminate the two extra trips by hostlers over Magnolia St. crossing.

I have had this up with Master Mechanic Quinn, and we have arranged for the time being to dispatch ten engines in this manner, as per attached notice.

Mr. Quinn thinks if we increased this any more he would have to increase his force, but he thought he could take care of these ten engines without any increased help. However, this is quite an improvement over the old arrangement and will eliminate at least twenty engine movements over Magnolia Street crossing. We will keep at it and later on we may be able to add to this list. It still leaves eight engines that we will have to handle by hostlers as at present.

Franklyn
Superintendent

THIS FORM TO BE USED FOR ORDINARY BULLETIN NOTICES
PLACE ON FILE HOOK AFTER 30 DAYS

BULLETIN ORDER

No.

Office of Superintendent,

AT Binghamton, N.Y., March 4th, 1937.

ALL CONCERNED:

In order to eliminate unnecessary engine movements over Magnolia Street, Syracuse, which is a busy thoroughfare, it has been arranged that the following engines will be coaled and left in the coal hole where engine crews will get on same and pull out through the south end into the yard:

6:30 A.M. Yard
7:00 A.M. Yard
10:15 A.M. Hill Train
11:15 A.M. Oswego Local
2:00 P.M. Yard
4:00 P.M. Yard
No. 928.
SB-20
12:00 Midnight Yard
12:00 Midnight Yard

All concerned will be governed accordingly.

FRANK CIZEK,
Superintendent

March 2, 1937.

Mr. Frank Cizek:

I am awaiting reply from you to my letter dated February 18, reading:

"Referring to our conversation at Syracuse, in regard to the matter reducing movements of engine across Magnolia Street by having the coaling done on either in inbound or outbound movement.

Please advise what you are able to work out on this."

Please advise,

1-wlw

February 18, 1937.

Mr. F. Cizek:

Referring to our conversation at Syracuse, in regard to the matter of reducing movements of engines across Magnolia Street by having the coaling done on either in inbound or outbound movement.

Please advise what you are able to work out on this.

EBM-4

16810
New York, February 19, 1937.

G. A. P.

✓
Your letter of the 17th, concerning the question of placing illuminated stop signs at Drinker Street Crossing, Dunmore:

I see no objection to paying a small proportion of the expense of this work, but I fully agree with you and Mr. Moffatt that we should not go to any material expense in connection with this installation. In any agreement that you reach, I would have it understood that we are not permanently bound to any continued expense in connection with this protection.

G. J. Ray.

Copy EBM-✓

February 11, 1937.

Mr. G. A. Phillips:

I return correspondence received with yours February 8, in reference to providing illuminated stop signs for protection of Drinker Street, Dunmore, Pa.

I certainly do not think we should be put to more than a nominal expense in connection with any changes there.

In the first place, we have, as you say, but two movements per day and on certain days we do not have any crews at all working on the branch. Furthermore, a great deal of traffic has been diverted from this highway to the new Moosic-Daleville road, leading from South Scranton and connecting with the Pocono Mountain highway at Ellis Corners, situate about half way between Moscow and Tobyhanna, and the traffic is now less than formerly.

Again, there is the possibility, within the next few years, of abandoning this branch, particularly if we do not continue to receive coal tonnage from the Pancoast Breaker operation, as I think we could just as well get the Cambetti and Pompey coal down over the NYO&W, but this, of course, would require paying a trackage charge to both the Erie and NYO&W. On one or two occasions I discussed this matter with the Superintendent of the Erie and informed him of my position and I think they should, by all means, assume the largest part of this expense.

EBM-4

OFFICE OF CHIEF ENGINEER

Hoboken, N. J.,
Feb. 8, 1937

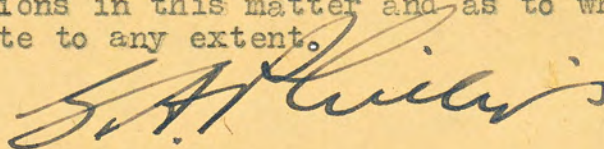
Mr. E. B. Moffatt:

I am sending to you the entire file on the installation of protection at Drinker Street, Dunmore.

As I understand it, we have about one round trip per day over this crossing, and the installation as proposed by the Erie would necessitate our trains stopping to operate the illuminated stop signs.

As you will note from the file, I wrote the Erie and advised them that we might be willing to bear a small portion of the expense in order to cooperate with them, but I would not recommend more than \$100.00.

Will you kindly give me the benefit of your recommendations in this matter and as to whether we should participate to any extent.



PM

COPY

16810

OFFICE OF THE SIGNAL ENGINEER

Hoboken, N.J., Feb. 18, 1937.

✓
Proposed Station Signal
Governing Westward Trains,
Atlanta.

Mr. E.B.Moffatt:

Referring to your letter of December 31st and
puncher of January 19th, above subject:

To provide a station signal of the lunar white
type at this location would cost approximately \$600.
I discussed this with you personally some time ago and in
view of the fact that only one train (#10) is particularly
concerned, it was thought that the installation would not
be justified. The decision was based somewhat upon the
fact that the two cases of westward trains running by while
#10 was unloading express, etc., were due to violation of
rules and good judgment on the part of the enginemen who
were disciplined therefor.

J.E.Saunders.

W.G.A.

Do you think we
should spend \$600.

EBM

2/20/37.

COPY

16810

February 1, 1937.

Mr. G. A. Phillips:

Referring to your letter of January 26 to Messrs Tallyn and Young, concerning gates on single crossings not operated 24 hours where train service exists over a 24-hour period.

Superintendent Cizek advises the gates at Waterville can be removed.

EBM-4

OFFICE OF CHIEF ENGINEER

Hoboken, N. J.,
Jan. 26, 1937

L. L. Tallyn
D. R. Young

We have several locations where gates on single crossings are not operated 24 hours in locations where train service exists over a 24 hour period. From my records the following are the locations:

	<u>Number of Men</u>	<u>Hours per Trick</u>	<u>Hours Pro- tected</u>	<u>Rate Paid</u>	<u>Period Protected</u>
Washington - Broad St.	1	12	12	\$108.00	5:45 A.M. to 5:45 P.M. daily
Bloomsburg - Locust St.	2	8	16	72.00	7 A.M. to 11 P.M. daily
Bloomsburg - East St.	2	8	16	72.00	7 A.M. to 11 P.M. daily
Waterville - White St.	1	12	12	135.00	6 A.M. to 6 P.M. daily

Gates up in the air are an invitation for people to cross our tracks, and I believe they should be removed.

Will you kindly arrange to interview the proper authorities in the respective towns if necessary and see if there are any objections to their removal. I call attention that this has been done in several instances of late, such as Wayland, N. Y., and I am sure the arrangement is much safer.

(Sgd) G. A. Phillips

PM

CC - E.B.M.
J.H.L.
G.W.M.
W.G.A.
F.C.

*Mr. E. M.
Noted - These gates
at Waterville can be
removed* *GC 1/27*

16810

February 4, 1937.

Mr. G. W. Murphy:

Referring to your memorandum February 1, file 1059.

It is the view of General Attorney Morgan and Track Engineer Lowe that we should continue to provide the crossing watchman at Smith's crossing, east of Mount Pocono, until such time as track changes are made in the spring.

EBM-4

16810

Scranton, Pa., Feb. 1, 1937.

Papers

File 1059.

Mr. E. B. Moffatt:

As the highway is now open thru Mt. Pocono, the barriers having been removed from the highway at the intersection of the Paradise Valley Road, I believe we can dispense with the crossing watchman at Smith's Crossing inasmuch as there are flasher light signals at that crossing and there should not be any more travel over this road than at any other time.

GWM organ
How about this
EBM
7/2

G. W. Murphy
Supt.
Save and discuss this matter with and conclude it would be unwise for the present.
G. W. Murphy

16810

August 1, 1936.

Mr. G. W. Morgan,

General Attorney.

Dear Sir:

Your letter July 27.

After conferring with Chief Engineer Phillips, arrangements have been made to provide three shifts of crossing watchmen at Smith's crossing, east of Mount Pocono station, but, as I advised you, I think we are creating a bad precedent in doing this at a crossing already protected by flasher signals.

Yours truly,

EBM-4



THE DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY

LEGAL DEPARTMENT

SCRANTON, PA.

WILLIAM S. JENNEY
VICE-PRESIDENT AND GENERAL COUNSEL

G. W. MORGAN
GENERAL ATTORNEY

NEW YORK

G. W. Morgan

July 27, 1936.

Mr. E. B. Moffatt,
General Superintendent,
Scranton, Pa.

Dear Sir:

Replying to your letter of July 24th,
relative to dangerous condition surrounding Smiths
Crossing east of Mount Pocono Station.

It is my opinion that this crossing should
have 24 hour protection by watchman.

Yours truly,

G. W. Morgan
General Attorney.

*Hold
7/21*

July 24, 1936.

8229:

Mr. G. W. Morgan:

You have copy of letter from Chief Special Agent Mackin to me, July 23, relative to dangerous condition surrounding Smiths Crossing east of Mount Pocono Station. Have you this in hand with the State Highway Department.

E.B.Moffatt.

1-G

Hoboken, N. J., July 23, 1936.

8397:
19324:

Mr. E. B. Moffatt,

General Superintendent.

Dear Sir:

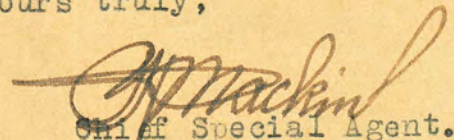
On July 21st, Inspector Thomas with Trainmaster Davis visited Smiths Crossing, concerning the complaint of auto trucks taking all sorts of chances to cross the tracks ahead of our trains.

At the crossing mentioned it was found the north side of tracks is protected by blinkers and the south side with wig-wag flasher. Also on the south side about three hundred feet distant from the tracks is a State Highway Standard with the initials "R.R", which Standard, however, was noted to be directly behind an old tree and hidden from the view of motorists approaching the crossing.

In a visit with Private Clauser of the Highway Patrol at Daleville, attention was directed to the Standard mentioned, and he promised the matter would be taken up with the proper authorities for immediate correction. He also advised several arrests had been previously made at that point, and he would get in touch with their Sub Station in Stroudsburg, asking that special attention be given that crossing, over which heavy traffic now operates account of the highway being blocked through Mt. Pocono.

In an attempt to warn motorists of the crossing before they actually reach it, probably danger reflector signs could be located some distance to either side of the crossing by the State Highway Department and perhaps you may wish to handle to that end.

Yours truly,


Chief Special Agent.

Cc-GWM
GWM

Scranton, Pa., July 23, 1936.

File 1069.

Mr. G. W. Morgan,

General Attorney, New York, NY

Dear Sir:-

Referring to Trainmaster Davies' conversation with your Mr. Diehl, in connection with the amount of traffic now passing over Smith's crossing east of Paradise cut account road construction work at Mt. Pocono.

It is our understanding that you will make some arrangements to see that sufficient number of signs are placed on the approach to this crossing, in order to prevent accidents.

Yours truly,

(Sgd) G.W.Murphy,

Superintendent.

cc-GEL EBM

Mr. Lowe: Will you kindly confer with Mr. Morgan, in order that the necessary protection will be installed as promptly as possible.

GWM

16810

OFFICE OF CHIEF ENGINEER

Hoboken, N.J.
January 26, 1937.

L.L.Tallyn:
D.R.Young:

We have several locations where gates on single crossings are not operated 24 hours in locations where train service exists over a 24 hour period. From my records the following are the locations:

	<u>Number of Men</u>	<u>Hours per Trick</u>	<u>Hours Pro- tected</u>	<u>Rate Paid</u>	<u>Period Protected</u>
Washington - Broad St.	1	12	12	\$108.00	5.45AM to 5.45PM daily
Bloomsburg - Locust St.	2	8	16	72.00	7 AM to 11 PM daily
Bloomsburg - East St.	2	8	16	72.00	7 AM to 11 PM daily
Waterville - White St.	1	12	12	135.00	6.AM to 6 PM daily

Gates up in the air are an invitation for people to cross our tracks and I believe they should be removed.

Will you kindly arrange to interview the proper authorities in the respective towns if necessary and see if there are any objections to their removal. I call attention that this has been done in several instances of late, such as Wayland, N.Y. and I am sure the arrangement is much safer.

Sgd G.A.Phillips.

c.c. E.B.M.
J.H.L.
G.W.M.
W.G.A.
F.C.

JHL
GWM
FC

To note
EBM 1.27

COPY

PERSONAL

Elmira, N.Y., Jan. 10, 1937.
File 1.

Mr. W. G. Alexander,
Superintendent.

Dear Sir:-

As per phone conversation, I made test observation of operation, protection of crossover movement, etc., Jan. 9th, at Coopers, Painted Post, Corning Jct. and Corning Frt Station.

Pick-up Extra 1126 East, in charge of Condr. O. F. Stricker, Engr. A. Geiger, Flagman S. Przymusiak, middle trainman Wm. Schroth and head trainman J. Graboski, arrived Coopers 4:05 p.m., left train on eastward track while detached engine and one car, and moved to crossover east of station, where waited passage of westbound train by 4:08 p.m. Flagman out protected rear on eastward track. One trainman at each switch of crossover, west switch thrown first, engine and one car backed over, one man accompanying movement, other man walking east of crossover protecting westward track while engine headed in to station track, switched out an empty tank, shoved it east of crossover and made running switch of it to train and then proceeded to Painted Post, where cars were picked up and train backed in to station switch to clear eastward train, no crossover movement involved, operation OK.

Train arrived east end of Corning Jct. 4:58 p.m. Engine and four cars detached and pulled east of crossover while head trainman went to booth telephone. No. 3 by Corning Jct. 5:01 p.m. Trainman lined crossover switches and then walked east protecting westward track while engine and four cars backed over and into No. 1 at Corning Junction and picked up about 25 cars. Flag out and properly protected rear on eastward track during this operation. Operation OK.

Extra 1126 arrived Corning Freight Station 5:20 p.m., detached engine and few cars west of road crossing, moved ahead to water tank and took water, while one man went to telephone at Corning Frt Station. Westward freight train in westward siding. Westward manifest by 5:22 p.m. Westward freight train from westward siding departed 5:25 p.m., 94's crew protecting switches, after which 94's engine and 1 or 2 cars backed over and into station switch and performed station switching by pulling up the west siding. The rear on eastward track, and crossover movement, protected OK.

Yours truly,

W. H. Kennedy
Trainmaster.

✓ Mr. EBM
We have observations
made at night also
1/11/37 22

16810

PERSONAL

Elmira, N.Y., Jan. 4, 1937.

WGA -

Referring to your notation of Jan. 2nd on the attached. My observation is that our men are careful about protecting crossover movements.

Noting Mr. McLaughlin's memorandum mentioning Cohocton, Avoca and Wayland as places necessary to cross over for potatoes, after pick-up goes. As you are aware, much more necessary crossing over is done after dark than at these points. That is, E. Bethany, BR&P Jct., Greigsville, Mt. Morris, Groveland, Wayland Tank, Bath, Painted Post, Corning Jct., Corning Frt. Station, etc.

GDK

Buffalo 12-28-36

W.G.A.

When we have potatoes to move east from Cohocton, Avoca or Wayland after pick up goes it is necessary for trains to crossover to get them/

A.H.M.

*Mr. E.B.M.
Do not know how
we can avoid a
certain amount of
crossing over.
WGA 12/28*

Personal

12/25

WQA

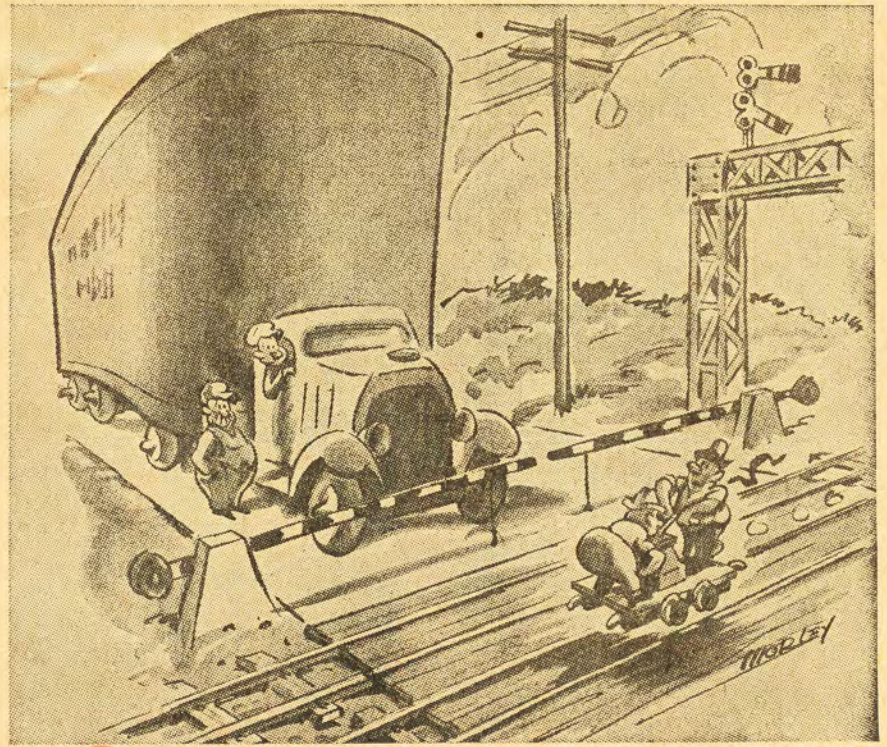
Are any trains on Rfo

Dir Crossing over to do local

work after dark ?

If possible we should
avoid it

EBM



—Judge.

G.A.P. Note how you fit up
Big Business EBMV 12/4

16815
 EBMV ✓
 I suppose this does
 actually happen
 GAP