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ORDER.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Order.	10
ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY, *Defendant.*		20

By consent of the parties in the above-entitled causes it is hereby on this 16th day of August, 1929, Ordered, that there be one return to the two writs 30

of certiorari allowed in the above-entitled causes, and that the same state of the case be used in both cases, and that the said state of the case be entitled as above; that the two causes be argued and heard together; and that this order be filed in the case first above entitled.

FRANK T. LLOYD,
J. S. C.

NOTICE OF APPLICATION FOR WRIT.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Notice of Application for Writ.

To the Board of Public Utility Commissioners of the State of New Jersey:

Please take notice, that on the 26th day of July, 1929, at 2 o'clock in the afternoon (daylight saving

time), at the Yacht Club, Seaside Park, Ocean County, New Jersey, we shall apply to the Honorable Frank T. Lloyd, Justice of the Supreme Court of New Jersey, or to such Justice thereof as may be sitting then and there, for a writ of certiorari to review the order made by you on June 27, 1929, among other things approving certain municipal consents of the Public Service Coordinated Transport and others for bus operations on the Camden-Atlantic City route, and denying certain municipal consents of the Pennsylvania General Transit Company for bus operations on the same route.

Annexed hereto is the petition and affidavit upon which the said application will be made.

Dated, July 25, 1929.

OSBORNE, CORNISH & SCHECK,
Attorneys for and of Counsel with Prosecutors.

PETITION AND AFFIDAVIT.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Petition and Affidavit.

To the Justices of the Supreme Court of the State of New Jersey:

The joint and several petition of West Jersey & Sea Shore Railroad Company, and Pennsylvania General Transit Company, respectfully shows:

1. Petitioners are corporations duly recognized and subsisting under and by virtue of the laws of the State of New Jersey.

2. West Jersey & Sea Shore Railroad Company, as well as the Atlantic City Railroad Company, has

for many years been and is still engaged in furnishing both express and local intrastate railway service between Camden, New Jersey, and Atlantic City, New Jersey, under the supervision, regulation and control of the Board of Public Utility Commissioners of the State of New Jersey. For the establishment and maintenance of said service said railroad company has expended and obligated itself to expend large sums of money for real estate, fixed equipment, rolling stock and personnel; and has paid and is annually paying large sums as taxes to the State of New Jersey on account of its said business so conducted therein.

3. Pennsylvania General Transit Company is a corporation subsidiary to, formed by and controlled wholly by Pennsylvania Railroad Company (which is the owner of the greater part of the stock of the West Jersey & Sea Shore Railroad Company), and Reading Transportation Company is a wholly controlled subsidiary of the Reading Company (which is the owner of the greater part of the stock of the Atlantic City Railroad Company), for the express purpose of autobus operations as feeders to, in extension of, supplemental to, and as an integral part of their respective present established transportation systems, of which said West Jersey & Sea Shore Railroad Company and Atlantic City Railroad Company are respectively parts, in accordance with the well recognized duty and policy on the part of transportation systems to provide such facilities as may be necessary to care for its traffic and any increases thereof and the desire of the public to be afforded the use of such facilities as the development in the art of transportation may make possible and practical.

4. For a number of years last past the said West Jersey & Sea Shore Railroad Company, as shown by the evidence herein, has been operating its said business with constantly decreasing passenger revenues notwithstanding the fact that it has been and is still furnishing adequate and proper service to the fullest extent possible by a steam railway over said route. Said decrease is due in part to the fact that over that portion of the route lying between Camden and Hammonton, Public Service Coordinated Transport, a corporation operating trolley-cars and buses, is operating a local autobus service established several years ago; that over that portion of the route lying between Atlantic City and Egg Harbor, Public Service Coordinated Transport is operating a local one-autobus service recently acquired by it.

Over that portion of said route lying between Hammonton and Egg Harbor, local service is now furnished by the West Jersey & Sea Shore Railroad Company and the Atlantic City Railroad Company, which have been operating in that territory for many years.

5. An entirely *interstate* autobus service is now operated from Philadelphia, Pa., to Atlantic City, N. J., over practically the same route covered by the said "railroad companies," by Union Bus Company, White Way Tours and Parlor De Luxe Coach Company (hereinafter designated collectively as the Interstate Companies). Said Interstate Companies are not public utilities of this State and the service so operated by them has not been and is not now subject to the jurisdiction, control, or regulation of the Board and they are not recognized as, or furnishing transportation facilities for the benefit of the public of the State of New Jersey. The State of

New Jersey has received nothing by way of taxes or revenue from said operation by the said Interstate Companies.

6. Among other things, the matters hereinabove set forth were duly established by testimony taken at hearings before the defendant Board, pursuant to applications of the Pennsylvania General Transit Company, the Reading Transportation Company, and the companies operating in interstate service to operate autobuses between Camden and Atlantic City, over practically the same route covered by the West Jersey & Sea Shore Railroad Company and the Atlantic City Railroad Company, and the application of the Public Service Coordinated Transport to extend its present Atlantic City-Egg Harbor route (on which only one bus is being operated as aforesaid) to Berlin, N. J., over practically the same route covered by the said railroad companies.

7. As a result of said application and the hearings had pursuant thereto, the said Board made its decision and order on June 27th, 1929, to the following effect:

(a) As to Public Service Coordinated Transport, the Board decided and held "that the Public Service Coordinated Transport should *continue* to provide the local transportation service over the *entire route located between Camden and Atlantic City.*" To effect that purpose the Board approved the extension of the Egg Harbor-Atlantic City route to Berlin and authorized the operation of five buses thereon.

(b) As to the Pennsylvania General Transit Company, the Reading Transportation Company, and the

Interstate Companies, the Board decided and held that "the railroads having permitted *local* transportation by buses to develop *without objection,* they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. * * * The Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and *intrastate* service previous to the railroad's proposed bus operation."

To effect that purpose the Board authorized the operation of a *purely express* service between Camden and Atlantic City and Ocean City (and vice versa), between Berlin and Atlantic City (and vice versa), and between Hammonton and Atlantic City (and vice versa), by means of ten autobuses to be operated by the Pennsylvania General Transit Company, twelve to be operated by the Reading Transportation Company, three to be operated by White Way Tours, five to be operated by Parlor De Luxe Coach Company and four to be operated by Union Bus Company. The result of said order was that the entire local service, heretofore furnished over portions of said route by both the railroad companies and Public Service Coordinated Transport, and furnished solely by said railroad companies over the remainder of said route, was given exclusively (so far as autobus operation is concerned) to Public Service Coordinated Transport; and the Pennsylvania General Transit Company and Reading Transportation Company were forced to divide with the Interstate Companies, which have never engaged in *intrastate* service in this territory, a closely restricted express service by autobus on the Atlantic

City-Camden, Atlantic City-Berlin, and Atlantic City-Hammonton routes.

(c) As to all the applicants the Board found, decided and held that all the municipal consents to the number approved in said decision "are necessary and proper for the public convenience and properly conserve the public interest."

8. Pennsylvania General Transit Company presented municipal consents for the operation of twenty-five autobuses between Camden and Atlantic City.

9. The Pennsylvania General Transit Company did not apply for the limited approval as granted to it, and said decision and order approving the municipal consents of the Public Service Coordinated Transport and the interstate companies was made over the objection and opposition of the West Jersey & Sea Shore Railroad Company and the Pennsylvania General Transit Company (which were properly considered by the Board as a single party in interest).

Said decision and order is therefore erroneous, unreasonable, illegal and unconstitutional, contrary to and unwarranted by the testimony before the Board in the particulars and for the reasons hereinafter stated.

10. The decision and order of the Board as set forth in paragraph 7 (a) of this petition is erroneous, unreasonable, illegal, unconstitutional, contrary to and unwarranted by the testimony for the reasons that:

(a) It is based upon an erroneous interpretation of the evidence, because the testimony is clearly to the effect that no transportation was furnished by said Public Service Coordinated Transport between Egg Harbor and Hammonton; that only a small part (one bus) of local transportation was furnished by Public Service Coordinated Transport between Atlantic City and Egg Harbor; that only a portion of local transportation between Camden and Hammonton was furnished by Public Service Coordinated Transport.

(b) Petitioners repeat paragraph 2 of this petition to the same effect as if the allegations and facts contained in said paragraph were herein set forth at length. In making said decision and order the Board violated and disregarded the duty imposed upon it by the laws of this State to protect from unreasonable and destructive competition the existing facilities of the railroad companies which are actually serving the public, so that the public may continue to have the benefit of such service.

(c) The railroad companies, now being in the field and furnishing adequate and proper service have, through their respective subsidiaries, the Pennsylvania General Transit Company and the Reading Transportation Company, a legal, natural and preferential right to extend and supplement their rail service by the operation of autobuses on said route as an integral part of and supplemental to their established transportation systems; over the alleged right of an autobus company which admittedly will operate in competition with the railroad companies.

(d) With relation to four of the five buses authorized to be operated by Public Service Coordinated

Transport, said Public Service Coordinated Transport has no valid and subsisting local consents from Atlantic City, and for that reason, the Board has no jurisdiction to make such decision and order.

11. The decision and order of the Board set forth in paragraph 7 (b) of this petition is erroneous, unreasonable, illegal, unconstitutional, contrary to and unwarranted by the testimony for the reasons that:

(a) It is based upon an erroneous interpretation of the evidence, because the records of proceedings before the Board clearly show that the railroads have uniformly and consistently opposed and objected to the establishment of any and all competitive bus transportation facilities; in fact, the Board in its very order refers to the opposition by the West Jersey & Sea Shore Railroad Company to an application by Public Service Coordinated Transport for extension of its Camden-Berlin-Atco route to Atlantic City (practically the same as approved in the order complained of), which application was denied by the Board in July 17th, 1928.

(b) It is inconsistent and based upon an alleged reason which cannot and does not support the ultimate decision, in that it authorizes the Interstate Companies to establish and operate a *purely express* service on account of the alleged fact (shown in paragraph 11 (a) not to be true) that the railroads have permitted *local* transportation by buses to develop without opposition.

(c) Paragraph 5 of this petition is repeated to the same effect as if the allegations and facts therein stated were herein set forth at length. As such

purely *interstate* operators, said Interstate Companies are not in the field as existing transportation facilities of the State of New Jersey, and are not entitled to the protection and assistance of the Board set forth in paragraph 10 (c) of this petition.

(d) With reference to the applications of the Pennsylvania General Transit Company, the Reading Transportation Company, and the Interstate Companies, the decision of the Board to the effect that the willingness of the railroads to supplement their railroad service with bus service should not "pre-empt the territory against other lines which have been carrying on *interstate and intrastate service* previous to the railroads' proposed bus operations" is illegal, erroneous, unreasonable and unconstitutional, for the reason set forth in paragraph 10 (b) of this petition, and is contrary to the testimony because said Interstate Companies, which reap the benefit of said finding and decision, have never been and are not now engaged in any *intrastate* service which might or should cause to yield to them the legal and natural preferential right of the railroad companies and their said subsidiaries, as set forth in paragraph 10 (c) of this petition.

(e) Petitioners repeat paragraph 10 (c) of this petition to the same effect as if the allegations and facts set forth in said paragraph were herein set forth at length.

12. The said decision and order is erroneous, unreasonable, illegal and contrary to and unwarranted by the testimony before the Board for the reasons that:

(a) There was no testimony before the Board showing that any of the applicants, the approval of whose consents was granted (with the exception of petitioners and said Reading Transportation Company) as to their financial ability to purchase the equipment required for their respective approved operations and to maintain the same, and to provide and maintain such equipment as will undoubtedly be required to meet the growing traffic.

(b) The approval of the municipal consents set forth in paragraph 7 of this petition (with the exception of the consents of the Pennsylvania General Transit Company and Reading Transportation Company) are not necessary and proper for the public convenience and do not properly conserve the public interest, because said approvals in their results will be detrimental to the entire system of continued public transportation as it now exists.

13. Said decision and order is erroneous, unreasonable, illegal and void insofar as it approves the municipal consents of Public Service Coordinated Transport and the interstate companies in that it takes the private property of the said railroad companies for private use, and takes said private property of the said railroad companies for an alleged and pretended public use, without just compensation to the said railroad companies therefor, contrary to the provisions of the Constitution of the State of New Jersey and the Constitution of the United States; and in that it destroys vested rights of the said railroad companies, contrary to the provisions of the Constitution of the United States. Said private property and vested rights consist of the franchise of the said railroad companies to operate

their respective railroads from Camden to Atlantic City with the attendant rights to be protected from unreasonable and destructive competition and their natural preferential right to extend their service in any legitimate manner to furnish necessary transportation to the public.

Wherefore your petitioners pray that this Court may issue its writ of certiorari commanding said Board of Public Utility Commissioners of the State of New Jersey its decision and order made by it on June 27th, 1929, as set forth in this petition, together with all things touching and concerning the same to this Court to certify and send, that therein may be done what of right and according to the laws of this State should be done.

OSBORNE, CORNISH & SCHECK,
Attorneys for and of Counsel with Petitioner.

STATE OF PENNSYLVANIA, }
COUNTY OF PHILADELPHIA, } *ss.*

J. F. DEASY, being duly sworn according to law on his oath deposes and says:

1. He is authorized to, and makes this affidavit for and on behalf of West Jersey & Sea Shore Railroad Company and Pennsylvania General Transit Company, the petitioners named in the foregoing petition.

2. He repeats the allegations contained in said foregoing petition to the same effect as if said allegations were herein set forth at length, and says that the same are true.

J. F. DEASY.

Sworn and subscribed to before me, this 23rd day of July, 1929.

N. SPERING,
(Seal) *Notary Public.*
My commission expires April 1, 1931.

RULE TO SHOW CAUSE.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Rule to Show Cause.

Application having been made for the issuance of a writ of certiorari in this matter and upon reading the petition and affidavit presented on said application, and hearing the arguments of counsel herein, it is on this 26th day of July, 1929, on motion of Osborne, Cornish & Scheck, attorneys for prosecutors,

Ordered, that the defendant Board of Public Utility Commissioners of the State of New Jersey, show cause before me, at Court House, in the City of Camden, New Jersey, on Monday, the 5th day of August, 1929, at 11 o'clock in the forenoon, why a writ of certiorari should not be issued out of the

said Court in accordance with the prayer of said petition.

FRANK T. LLOYD,
J. S. C.

ORDER PERMITTING AMENDMENT TO PETITION FOR WRIT OF CERTIORARI.

(Filed Aug. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Order Permitting Amendment to Petition for Writ of Certiorari.

This matter having come on to be heard upon the return of a rule to show cause why a writ of certiorari should not be allowed in the above-entitled cause and application having been made in open court by

Osborne, Cornish & Scheck, attorneys for the prosecutors, for permission to amend their petition by attaching thereto a copy of the decision and order of the Board of Public Utility Commissioners of the State of New Jersey dated June 27th, 1929, and good cause appearing therefor, it is on this 5th day of August, 1929, ordered that the prosecutors be and they are hereby permitted to file an amendment to their petition for writ of certiorari, the said amendment to contain a copy of the said decision and order of the Board of Public Utility Commissioners of the State of New Jersey, an uncertified copy thereof to be served on the Board within seven days from the date hereof.

FRANK T. LLOYD,
Justice of Supreme Court.

AMENDMENT TO PETITION FOR WRIT OF CERTIORARI.

(Filed Aug. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	Amendment to Petition for Writ of Certiorari.

To the Justices of the Supreme Court of the State of New Jersey:

Pursuant to leave granted by this Court in the above-entitled matter on August 5, 1929, the prosecutors hereby amend their petition for writ of certiorari by adding thereto the following paragraph, which is to be designated as paragraph 14:

"14. A true copy of the decision and order of the Board of Public Utility Commissioners,

dated June 27, 1929, and referred to in paragraphs Nos. 7, 9, 11, 12 and 13 of this petition, is attached hereto and made a part of the prosecutors' petition in this cause."

OSBORNE, CORNISH & SCHECK,
Attorneys for and of Counsel with Petitioners.

STATE OF NEW JERSEY, }
COUNTY OF ESSEX, } *ss.*

ABRAM H. CORNISH, being duly sworn on his oath according to law, deposes and says:

I am a member of the firm of Osborne, Cornish & Scheck, attorneys for the prosecutors in the above-entitled action and I am actively in charge of the conduct of this cause. I am authorized by the prosecutors to make this affidavit, and I allege that the matters set forth in the foregoing amendment to the petition for writ of certiorari are true to the best of my knowledge and belief.

ABRAM H. CORNISH.

Sworn to and subscribed before me this seventh day of August, 1929.

GEORGE W. HARRISON,
A Master in Chancery of New Jersey.

DECISION.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

10

In the matter of the application of PUBLIC SERVICE COORDINATED TRANSPORT for approval of municipal consents to extend the present Atlantic City-Egg Harbor route to Berlin, N. J., and to operate eleven additional autobuses on said route.

20

In the matter of the application of the READING TRANSPORTATION COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Atlantic City and Camden, N. J., to Philadelphia, Penna.

Decision.

30

In the matter of the application of PENNSYLVANIA GENERAL TRANSIT COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of UNION BUS COMPANY for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

Decision.

In the matter of the application of WHITE WAY TOURS for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna.

CHARLES S. STRAW, for Public Service Coordinated Transport.

FLOYD H. BRADLEY, C. T. WOLFE and CLIFFORD A. BALDWIN, for Reading Transportation Company and Atlantic City Railroad Company.

HARRY V. OSBORNE, F. T. LLOYD, JR., H. C. MAXWELL and GEORGE A. BOURGEOIS, for Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Pennsylvania General Transit Company.

JOSEPH B. PERSKIE, for City of Atlantic City.

PATRICK H. HARDING and EMERSON L. RICHARDS, for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

LOUIS LIEBERMAN, for the City of Camden.

The applications of Pennsylvania General Transit Company, Union Bus Company, White Way Tours and Parlor de Luxe Coach Company for approval of municipal consents to operate autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.; the Parlor De Luxe Coach Company and Reading Transportation Company for approval of municipal consents to operate autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., and the application of Public Service Coordinated Transport for approval of municipal consents to extend its Atlantic City-Egg Harbor route to Berlin and for permission to operate eleven additional autobuses thereon, were heard by the Board at the same time.

In the application of Public Service Coordinated Transport municipal consents were obtained from all the municipalities located along the route between and including Berlin and Atlantic City.

The route over which the Public Service Coordinated Transport proposes to operate, which includes the present Atlantic City-Egg Harbor route is as follows: Beginning at the bus terminal located on

Indiana Avenue near Atlantic Avenue, thence on Indiana Avenue, Absecon Boulevard, White Horse Pike, thence into the center of Hammonton, thence via Bellevue Avenue and White Horse Pike to the intersection of Blue Anchor Road to Berlin; returning via same route. The alternate route to be operated in Hammonton is via White Horse Pike to the intersection of Blue Anchor Road in Berlin; returning via the same route.

On May 24, 1928, the Board in its decision approved of the application of Public Service Coordinated Transport for transfer of municipal consents from Edward Lawrence to operate one autobus between and including Egg Harbor and Atlantic City and imposed in said decision the following condition:

> "That the operators of the bus shall not accept passengers who begin and end their trips between the City of Absecon and Atlantic City, N. J."

The instant application is to extend this route from Egg Harbor to Berlin and to operate eleven additional autobuses thereon. The petitioner agreed to accept the same restriction.

The Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Atlantic City Railroad Company appeared in opposition to this application.

Testimony in support of all the applications was offered by municipal officials and witnesses residing in the various municipalities through which the petitioners propose to operate autobuses. Witnesses representing the petitioners testified as to the necessity for autobus service over the various proposed routes. Evidence was also offered indicating the

character of service being furnished at the present time by the existing transportation facilities as well as financial figures showing the cost of rendering such service. All of this testimony was considered by the Board in its determination of all the applications herein referred to.

The application of Pennsylvania General Transit Company for approval of municipal consents to operate twenty-five autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., was over the following route: Beginning at the Delaware River Bridge Plaza in the City of Camden to the intersection of 7th and Penn Streets, thence via Penn Street to Bridge Entrance Road, thence via Bridge Entrance Road to its intersection with Crescent Boulevard in Pensauken Township, thence via Crescent Boulevard to its intersection with the White Horse Pike, thence via the White Horse Pike through the municipalities of Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon Township, Stratford, Laurel Springs, Clementon Borough, Berlin Borough, Waterford Township, Chesilhurst and Winslow Township to the intersection of Bellevue Avenue, thence via Bellevue Avenue in the Town of Hammonton to the intersection of Egg Harbor Road, thence via Egg Harbor Road to the West Jersey & Seashore Railroad Station, and continuing on Egg Harbor Road to its intersection with the White Horse Pike at DaCosta, thence via the White Horse Pike through the municipalities of Mullica Township, Egg Harbor City and Galloway Township to the corporate limits of the City of Absecon with an alternate route in Egg Harbor City via Liverpool Avenue and Atlantic Avenue to the West Jersey & Seashore Railroad Station, thence via Philadelphia Avenue to the

New Jersey State Library

White Horse Pike and continuing on the White Horse Pike to the corporate limits of the City of Absecon, thence through the City of Absecon via the Absecon Boulevard to Atlantic City, thence in Atlantic City via Absecon Boulevard, Indiana Avenue, Adriatic Avenue, Kentucky Avenue, Arctic Avenue, and a private driveway to the West Jersey & Seashore Railroad Station at Atlantic and Tennessee Avenues.

Municipal consents have been granted the Pennsylvania General Transit Company by all the municipalities situated along the route, except Mullica and Galloway Townships, which under the statute preclude the petitioner from conducting any business in these municipalities.

The Pennsylvania General Transit Company, as well as the Reading Transportation Company, agreed to accept the restriction that the operators of the buses would not accept passengers who begin and end their trips between and including Camden and Berlin, N. J.

The application of Reading Transportation Company is for approval of municipal consents to operate twenty-five autobuses between and including Ocean City and Camden, N. J., via Atlantic City to Philadelphia, Penna., over the following route: Beginning at the Reading Terminal, Philadelphia, Penna., thence via the Delaware River Bridge, Penn Street and Bridge Boulevard, Crescent Bridge Boulevard, White Horse Pike to the city limits of Atlantic City, thence on Absecon Boulevard, Ohio Avenue, Baltic Avenue, Missouri or Arkansas Avenue as traffic conditions may require, Arctic Avenue to station grounds of the Atlantic City Railroad in the City of Atlantic City, thence via Arctic Avenue, Boston Avenue, Ventnor Avenue through Ventnor, Margate and Longport, to Longport-Ocean City

Bridge, thence entering Ocean City via Bridge Boulevard, Atlantic Road, Battersea Road, Ocean Avenue, Ninth Street to grounds of the Tenth Street Station of the Atlantic City Railroad in Ocean City; returning over the same route, except as follows: In Ocean City, between grounds of the Tenth Street Station of the Atlantic City Railroad and Ninth Street and Ocean Avenue via Tenth Street and Ocean Avenue. In Camden, between Bridge Boulevard and Delaware River Bridge, via Linden Street.

Municipal consents have been given to the petitioner to operate autobuses in all the municipalities located along the route with the exception of the Township of Egg Harbor, City of Absecon, Township of Galloway and Borough of Longport which, under the statute, would preclude the petitioner from conducting any business within the limits of these municipalities.

As to the applications of Union Bus Company to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., the White Way Tours to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia, Penna., the Parlor De Luxe Coach Company to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia, Penna., and to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., this operation under these applications is under the management of the O. G. Schultz Management.

The route over which the Union Bus Company proposes to operate its autobuses is as follows: From the terminal in Atlantic City, via Albany Boulevard, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route or alternately in

Camden via Crescent Highway, Bridge Approach Road, Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road, Crescent Highway.

The petitioner has been granted municipal consents in all the municipalities through which it proposes to operate its autobuses except the City of Pleasantville which, under the statute, would preclude it from conducting any business within the limits of said municipality. The municipal consent given by the City of Absecon restricts the petitioner from conducting any business between the City of Absecon and Atlantic City.

The applications of the White Way Tours to operate twenty autobuses and the Parlor De Luxe Coach Company to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., are over the following route: From terminal in Atlantic City, via Absecon Boulevard, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. Alternate route in the City of Camden is via Crescent Highway to Bridge Approach Road and Linden Street between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

Municipal consents have been granted to both of these companies to operate autobuses in all the municipalities situated along the route. The consent of the City of Absecon, however, restricts the operation in that no passengers can be accepted who begin and end their trips between and including the City of Absecon and Atlantic City, N. J.

The application of Parlor De Luxe Coach Company for approval of municipal consents to operate twenty-five autobuses between and including Ocean

City-Camden, N. J. to Philadelphia, Penna., is over the following route: From a terminal located in Ocean City, thence via Ninth Street, Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. The alternate route in the City of Camden is via Crescent Highway, Bridge Approach Road and Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

The petitioner has been granted municipal consents by all the municipalities except the City of Pleasantville which, under the statute, would preclude the petitioner from conducting any business within the limits of said municipality. The consent of the City of Northfield is as follows:

> "Be it resolved, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company to operate autobuses within the municipal limits of the City of Northfield, as part of a line to be operated by said company between Ocean City, New Jersey, and Philadelphia, Penna., said operation to accept and discharge local passengers for and from the territory between Egg Harbor City, N. J., and Philadelphia, Pa., subject to existing laws regulating the operation of autobuses."

The City of Absecon grants permission to the petitioner on the condition that it will not accept passengers in any of the municipalities between Ocean City and Absecon, N. J., for discharge in Absecon City and will not accept passengers in Absecon City for discharge in any of the municipalities located between Absecon City and Ocean City.

The Public Service Coordinated Transport previously submitted to the Board an application for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro route to Atlantic City, N. J. The Board, in its decision of July 17th, 1928, denied the application. In this decision it is stated that a through bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger income of the railroads. Testimony in that proceeding indicated that the Atlantic City Railroad Company and the West Jersey & Seashore Railroad Company were opposed to the application and testified that the transportation by the use of autobuses was not necessary between and including Camden and Atlantic City. In the instant matters, however, it appears that testimony was offered to the contrary, therefore there appears to be no doubt that public convenience and necessity require transportation by the use of autobuses over these various routes.

As to the application of Public Service Coordinated Transport, the evidence shows that the petitioner is operating autobuses between Camden and Hammonton, N. J., over the White Horse Pike, conducting a local business; also a route between Egg Harbor and Atlantic City, which route furnishes service only from Egg Harbor to Atlantic City and vice versa. Both of these bus routes were established several years ago by parties other than the Public Service Coordinated Transport. The company acquired by purchase these bus routes within the last few years. It also appears that these bus routes were established without any objection being interposed by the Atlantic City Railroad Company or the West Jersey & Seashore Railroad Company. It is now proposed to extend the route from Egg

Harbor to Berlin, thus providing a service between Hammonton and Egg Harbor, a distance of approximately twelve miles.

The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City.

Upon consideration of the evidence the Board therefore finds and determines that the municipal consents given to the Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to Berlin, New Jersey, and for the operation of additional autobuses thereon are necessary and proper for the public convenience and properly conserve the public interest and approves of the same with the following conditions:

1. That the operators of the buses shall not accept passengers who begin and end their trips between and including Absecon City and Atlantic City, N. J.

2. That five buses are sufficient to render this service and the Board hereby approves the municipal consents for five buses on this service.

As to all the other applications the Board is also satisfied from the proofs that there is necessity for additional autobuses operating between and including Camden-Atlantic City and Ocean City. The character of service to be furnished should only make express stops. Such a method of transportation would greatly add to the convenience of persons desiring to travel to and from Atlantic City by requiring less running time. The number of buses applied for under these applications amount to one hundred thirty-five. Such a number is clearly unnecessary to meet the demands of service.

The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Pennsylvania; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation.

The Board will approve of the applications of the Pennsylvania General Transit Company, Camden to Atlantic City, N. J., for the operation of ten autobuses, White Way Tours, Camden to Atlantic City, three autobuses, Parlor De Luxe Coach Company, Camden to Atlantic City, three autobuses, Union Bus Company, Camden to Atlantic City via Pleasantville, four autobuses, Reading Transportation Company, Camden to Atlantic City, ten autobuses and an additional two autobuses to be operated between and including Camden-Atlantic City and Ocean City, and Parlor De Luxe Coach Company, Camden to Ocean City via Pleasantville, two autobuses, with the provision that said number of buses shall be permitted to furnish the following means of transportation:

To accept passengers in Camden for discharge in Atlantic City and vice versa.

To accept passengers in Berlin for discharge in Atlantic City and vice versa.

To accept passengers in Hammonton for discharge in Atlantic City and vice versa.

Several of the municipal consents given to the petitioners restrict the operation of the petitioners' autobuses. The Board in considering these matters approves of the conditions mentioned in said consents.

Therefore, upon consideration of the evidence the Board finds and determines that the municipal consents given to the Pennsylvania General Transit Company, Union Bus Company, Reading Transportation Company, White Way Tours, and Parlor De Luxe Coach Company are necessary and proper for the public convenience and properly conserve the public interest and approves of the same in accordance with the findings stated herein.

Dated, June 27th, 1929.

BOARD OF PUBLIC UTILITY COMMISSIONERS,
By (Signed) JOS. F. AUTENRIETH,
President.

(Seal)

Attest:

(Signed) EMMETT T. DREW,
Secretary.

I hereby certify the foregoing to be a true copy of a decision rendered by the Board of Public Utility Commissioners and ordered filed by said Board.

EMMETT T. DREW,
Secretary.

(Seal)

To the New Jersey Supreme Court:

The Board of Public Utility Commissioners of New Jersey has complied with the within writ in and by its return to a certain other writ issued out of the said Supreme Court at the suit of the Atlantic City Railway Company and Reading Transportation Company, prosecutors, directed to said Board and dated August 16, 1929, pursuant to a certain order of said Supreme Court dated August 16, 1929.

In witness whereof, the said Board has caused its seal to be hereto affixed and this return to be signed by its secretary.

(Seal)

EMMETT T. DREW,
Secretary of the Board of Public Utility Commissioners of New Jersey.

WRIT OF CERTIORARI.

(Filed Sept. 6, 1929.)

NEW JERSEY, *ss.*

THE STATE OF NEW JERSEY TO BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, GREETING:

We being willing, for certain reasons, to be certified of an order made by the (Seal) Board of Public Utility Commissioners of the State of New Jersey, on June 27th, 1929, a copy of which order is attached to the amendment to the petition for this writ,

and which order, among other things, approves certain municipal consents of Public Service Coordinated Transport, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company, for bus operations over the Camden-Atlantic City route, and denies approval of certain municipal consents of the Pennsylvania General Transit Company for bus operations over the same route;

We do command you, that the said order so made by the Board of Public Utility Commissioners of the State of New Jersey, together with all things touching and concerning the same, as fully and entirely as before you they remain, to our Justices of our Supreme Court of Judicature at Trenton on the first Tuesday of October next, you certify and send, together with this writ, that therein may be done what of right and according to the laws of this State should be done.

Witness, Wm. S. Gummere, Chief Justice of the Supreme Court, at Trenton, this 10th day of August, 1929.

Fred L. Bloodgood,
Clerk.

Osborne, Cornish & Scheck,
Attorneys.

[Endorsed]

This writ is allowed. Let it be sealed.

F. T. L.,
J. S. C.

To the New Jersey Supreme Court:

The Board of Public Utility Commissioners of New Jersey does hereby certify and return to the New Jersey Supreme Court the order made by said Board June 27, 1929, which, among other things, approves certain municipal consents of Public Service Coordinated Transport, Union Bus Company, White Way Tours, Parlor De Luxe Coach Company, Reading Transportation Company and the Pennsylvania General Transit Company, for bus operations, together with all things touching and concerning the same, as is commanded by the within writ and by a certain other writ issued out of said Supreme Court at the suit of the West Jersey and Sea Shore Railroad Company and Pennsylvania General Transit Company, prosecutors, directed to the said Board and dated August 10, 1929, to which two writs this single return is made pursuant to an order of said Supreme Court dated August 16, 1929.

In witness whereof, the said Board has caused its seal to be hereto affixed and this return to be signed by its secretary.

(Seal)

Emmett T. Drew,
Secretary of the Board of Public Utility Commissioners of New Jersey.

NOTICE OF APPLICATION TO TAKE TESTIMONY.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Notice of Application to Take Testimony.

To Board of Public Utility Commissioners of the State of New Jersey, Patrick H. Harding and Emerson L. Richards, Attorneys for the Union Bus Company, Parlor De Luxe Coach Company and White Way Tours; Joseph P. Perskie, Attorney for the City of Atlantic City; Louis Lieberman, Counsel for the City of Camden and Public Service Coordinated Transport:

Please take notice that on Monday, August 5th, 1929, at eleven o'clock in the forenoon, or as soon thereafter as the matter can be heard, we shall

apply to the Honorable Frank T. Lloyd, Justice of the New Jersey Supreme Court, or to such other Justice of the Supreme Court who shall be holding court at the said time at the said place, for a rule authorizing us to take testimony in the above-entitled matter.

Dated: July 29th, 1929.

OSBORNE, CORNISH & SCHECK,
Attorneys for Prosecutors.

RULE GRANTING LEAVE TO TAKE DEPOSITIONS.

(Filed Aug. 20, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	Rule Granting Leave To Take Depositions.

This matter being opened to the Court by Osborne, Cornish & Scheck, attorneys for the prosecutors, and it appearing that notice of this application has been duly served upon the defendant and all parties in interest, it is hereby, on this 5th day of August, 1929, on motion of Osborne, Cornish & Scheck, attorneys for prosecutors, ordered that prosecutors have leave to take depositions to be used in the argument in this cause, before William J. Kraft, a Supreme Court Commissioner, in accordance with the rules of this court.

Let this rule be entered on the minutes.

FRANK T. LLOYD,
J. S. C.

(Rule actually entered on the day of August, 1929, on motion of Osborne, Cornish & Scheck, attorneys for prosecutors.

NOTICE.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Notice.

To Board of Public Utility Commissioners of the State of New Jersey; Clifford A. Baldwin, Esq., and French, Richards & Bradley, Esqs., Attorneys for Atlantic City Railroad Company and Reading Transportation Company; Osborne, Cornish & Scheck, Attorneys for West Jersey and Sea Shore Railroad Company and Pennsylvania General Transit Company:

Please take notice that on Friday, August 16, 1929, at eleven o'clock in the forenoon, at Seaside Park, in the County of Ocean, State of New Jersey, or as soon thereafter as the matter can be heard,

Public Service Coordinated Transport will apply to the Honorable Frank T. Lloyd, Justice of the New Jersey Supreme Court, or to such other Justice of the Supreme Court who shall be holding court at the said time and place, for an order admitting Public Service Coordinated Transport as a party defendant in the above-entitled matter.

Dated: August 7, 1929.

FRANK BERGEN,
Attorney for Public Service Coordinated Transport.

[ENDORSED]

Service of the within notice is hereby acknowledged this 8th day of August, 1929.

J. O. Bigelow,
Attorney for Board of Public Utility Commissioners of the State of New Jersey.
Osborne, Cornish & Scheck,
Attorneys for West Jersey & Seashore Railroad Company & Pennsylvania General Transit Company.

ORDER.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Order.

Public Service Coordinated Transport having made application to be admitted as a party defendant in the above-entitled proceeding, and it appearing that said Public Service Coordinated Transport is a proper party to said proceeding;

It is, on this 16th day of August, A. D. 1929, on motion of Frank Bergen, attorney for Public Service Coordinated Transport, ordered that Public Service Coordinated Transport be, and it is hereby admitted as a party defendant in the above-entitled proceeding.

FRANK T. LLOYD,
Justice of the Supreme Court.

PROOF OF SERVICE.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Proof of Service.

HELEN E. HEARN, being duly sworn upon her oath, deposes and says that on Wednesday, July 31st, A. D. 1929, she served a copy of the "Petition and Affidavit" in the above matter, together with copy of "Rule to Show Cause," copy of "Notice of Application to Take Testimony" and copy of "Notice of Motion for Supersedeas," upon Lewis Liberman, counsel for the City of Camden, by handing same to Mr. Liberman personally at his law offices in Camden, New Jersey.

HELEN E. HEARN.

Sworn and subscribed before me this 2nd day of August, A. D. 1929.

ROBERT L. PATTERSON,
Notary Public of New Jersey.

ACKNOWLEDGMENT OF SERVICE.

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

On Certiorari.
Acknowledgment of Service.

Service of a copy of the "Petition and Affidavit," together with copy of "Rule to Show Cause," copy of "Notice of Application to take Testimony" and copy of "Notice of Motion for Supersedeas" in the above matter is hereby acknowledged for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours, this thirty-first day of July, A. D. 1929.

PATRICK H. HARDING,
Attorney for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

PROOF OF SERVICE.

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

On Certiorari.
Proof of Service.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } *ss.*

GRACE D. HERITAGE, of full age, being duly sworn upon her oath, deposes and says, that on Wednesday, July 31st, A. D. 1929, she served a copy of the "Petition and Affidavit" in the above matter, together with copy of "Rule to Show Cause," copy of "Notice of Application to Take Testimony" and copy of "Notice of Motion for Supersedeas," upon Joseph B. Perskie, Esq., attorney for the City of Atlantic City, by leaving same at the law offices of said Joseph B. Perskie, with the person in charge thereof above the age of fourteen years, who stated to deponent that said Joseph B. Perskie, Esq., was absent from his said law offices.

GRACE D. HERITAGE.

Sworn and subscribed before me this 2nd day of August, A. D. 1929.

ROBERT L. PATTERSON,
Notary Public of New Jersey.

AFFIDAVIT OF SERVICE.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	Action at Law. Affidavit of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF MONMOUTH, }

SAUL B. SIENTZ, being duly sworn on his oath, according to law, deposes and says:

I am a clerk in the office of Osborne, Cornish & Scheck, attorneys for the prosecutors in the above-entitled action.

On July 25th, 1929, I served upon the Secretary of the Board of Public Utility Commissioners of the State of New Jersey, by leaving the same at the office of the said Board in the City of Trenton, a notice in writing of the application to be made before the Honorable Justice Frank T. Lloyd, at the Yacht Club, Seaside Park, New Jersey, on July 26th, 1929, at two o'clock in the afternoon, for a writ of certiorari in the above-entitled matter, together with a copy of the affidavits upon which the said application is based. The said notice and copy of affidavits were served by me at the aforesaid place, at 3.30 o'clock in the afternoon.

SAUL B. SIENTZ.

Sworn and subscribed to before me, this 25th day of July, 1929.

JOSEPH STEINER,
A Master in Chancery of New Jersey.

AFFIDAVIT OF SERVICE.

(Filed Aug. 5, 1929.)

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEA SHORE RAILROAD COMPANY, and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	Affidavit of Service.

STATE OF NEW JERSEY, COUNTY OF ESSEX, } *ss.*

SAUL B. SIENTZ, being duly sworn on his oath, according to law, deposes and says:

I am a clerk in the office of Osborne, Cornish & Scheck, attorneys for the prosecutors in the above-entitled action.

On July 30, 1929, I served upon the Secretary of the Board of Public Utility Commissioners of the State of New Jersey, by leaving the same at his office in Trenton, a copy of the notice of the application, with affidavit attached, for a writ of super-

sedeas and a copy of the notice of the application for rule to take testimony in the above-entitled cause. A copy of the notices which I served is attached hereto. Service was made at two o'clock in the afternoon.

On July 31, 1929, at ten o'clock in the forenoon, I served upon the Public Service Coordinated Transport at their office on Park Place, Newark, N. J., a copy of the said notice of application for supersedeas, and a copy of the said notice of application for rule to take testimony.

At the same time and place I served upon the said Public Service Coordinated Transport a copy of the petition, with affidavit attached, for writ of certiorari in the above-entitled cause, and a copy of the rule to show cause, issued by Mr. Justice Frank T. Lloyd on July 26, 1929. Copies of the said petition and affidavit and of the said rule to show cause are attached hereto.

I made the said service by delivering the said papers to Leland Taliaferro, assistant general attorney of the said company, upon his informing me that he had authority to accept service.

SAUL B. SIENTZ.

Sworn and subscribed to before me this 1st day of August, 1929.

DONALD LEWIS,
An Attorney-at-Law of New Jersey.

PETITION AND AFFIDAVIT.

(Filed Aug. 20, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY, *Respondent.*	On Petition for Writ of Certiorari. Petition and Affidavit.

To the Honorable Justices of the Supreme Court of the State of New Jersey:

The joint and several petition of Atlantic City Railroad Company and Reading Transportation Company respectfully shows:

1. The petitioner, Atlantic City Railroad Company, is a corporation of the State of New Jersey, and the petitioner, Reading Transportation Company, is a corporation of the Commonwealth of Pennsylvania authorized to do business in the State of New Jersey.

2. Petitioner, Atlantic City Railroad Company, as well as West Jersey and Seashore Railroad Company, have for many years been engaged and are still engaged in furnishing both express and local intrastate railroad service between Camden, N. J., and Atlantic City, N. J., under the jurisdiction, supervision, regulation and control of the Board of Public Utility Commissioners of the State of New Jersey. For the establishment and maintenance of said service the said Atlantic City Railroad Company has expended and obligated itself to spend large sums of money for real estate, fixed equipment, rolling stock and personalty, and has paid and is annually paying large sums of money as taxes to the State of New Jersey and municipalities therein on account of its business conducted therein and property located therein.

3. Petitioner, Reading Transportation Company, is a corporation subsidiary to, formed by, and controlled wholly by, Reading Company, a corporation of the Commonwealth of Pennsylvania, which also wholly controls the other petitioner, Atlantic City Railroad Company, through the ownership of all of the stock of said Atlantic City Railroad Company excepting directors' qualifying shares. Said Reading Transportation Company was formed for the express purpose of auto-bus operation, and so far as the subject-matter of this proceeding is concerned, said Reading Transportation Company was intended to operate in the territory in question as a feeder to and in extension of the present established transportation system of the Atlantic City Railroad Company, not only supplementary thereto but as an integral part thereof, in accordance with the well-recognized duty and policy on the part of

transportation systems to provide such facilities as might be necessary to care for their traffic and any increase thereof, and in further accordance with the desire of the public to be afforded the use of such facilities as modern developments in the art of transportation might make possible, practical and available.

4. For a number of years last past the said Atlantic City Railroad Company, as shown by the evidence taken before the Board and hereinafter referred to, has been operating its said railroad business with consistently decreasing passenger revenues and resulting deficits, notwithstanding the fact that it has, and still is, furnishing adequate and proper service to the fullest extent possible by steam railroad over said route. Said decrease in passenger revenue is due in part to the fact that over that part of the route lying between Camden and Hammonton, Public Service Coordinated Transport, a corporation operating trolley cars and buses, is operating a local auto-bus service heretofore established and that over that portion of the route lying between Atlantic City and Egg Harbor the said Public Service Coordinated Transport is operating a local bus service with one automobile bus heretofore acquired by it through purchase.

Over those portions of said route which lie between Camden and Laurel Springs and between Hammonton and Cologne or Germania, local service is now furnished by the petitioner, Atlantic City Railroad Company, which has been operating in that territory for many years.

5. An entirely *interstate* auto-bus service is now operated from Philadelphia, Pennsylvania, to Atlantic City, New Jersey, over and along the White

Horse Pike from Camden to Atlantic City, in substantially the same territory as is served by the railroad facilities of the petitioner, Atlantic City Railroad Company, and another railroad operator in said field, to wit: the West Jersey and Sea Shore Railroad Company. Said interstate auto-bus service is rendered by Union Bus Company, White Way Tours and Parlor De Luxe Coach Company (hereinafter designated collectively as the Interstate Companies). The said White Horse Pike route of the said Interstate Companies is practically identical with the proposed route of bus operation, the approval of which by the Board of Public Utility Commissioners of the State of New Jersey was sought in the proceeding before the Board to which this application relates. The said interstate company, Parlor De Luxe Coach Company, has also heretofore operated purely *interstate* service between Philadelphia and Ocean City, to which point also the railroad facilities of the petitioner, Atlantic City Railroad Company, have extended and to which point also the petitioner, Reading Transportation Company, desires to operate automobile buses in intrastate commerce supplementary to and in conjunction with its aforesaid established rail service. Said Interstate Companies are not public utilities of this State nor has the right to render their interstate service to and from points in New Jersey been, nor is it now, subject to the jurisdiction, control or regulation of the Board, nor have said Interstate Companies heretofore been furnishing transportation facilities within the State of New Jersey, that is to say, from point to point therein, for the benefit of the public of the State of New Jersey. The State of New Jersey has received nothing by way of taxes or revenue from said operation by the so-called Interstate Companies.

6. Among other things, the matters hereinabove set forth were duly established by testimony taken at hearings before the Board of Public Utility Commissioners pursuant to applications pending before it made by various applicants, including the petitioner, Reading Transportation Company, for approval of local consents to operate in some cases automobile buses between Camden and Atlantic City and in others between Camden, Atlantic City and Ocean City, and the application of the Public Service Coordinated Transport to extend its present Atlantic City-Egg Harbor route (on which only one bus is being operated as aforesaid) to Berlin, New Jersey. Said routes of proposed bus operation between Camden and Atlantic City were through substantially the same territory as the main lines of railroad operations by the Atlantic City Railroad Company and the West Jersey and Seashore Railroad Company.

7. As a result of said applications and the hearings held thereon, the said Board made and rendered its decision and order under date of June 27, 1929. Briefly speaking, the effects of said Board's decision and order, quoting certain extracts therefrom, were as follows:

(a) As to Public Service Coordinated Transport, the Board decided and held "that the Public Service Coordinated Transport should continue to provide the local transportation service over the *entire route located between Camden and Atlantic City.*" To effect that purpose, the Board approved the extension of the Egg Harbor-Atlantic City service, which had theretofore been rendered by only one bus, as far as Berlin, and authorized the operation of five buses upon the said extended route.

(b) As to the petitioner, Reading Transportation Company, and as to the other railroad subsidiary, Pennsylvania General Transit Company, and in relation to the applications of the Interstate Companies, the Board decided and held that "the railroads having permitted *local* transportation by bus to develop *without objection,* they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. * * * The Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should preempt the territory against other lines which have been carrying on interstate and *intrastate* service previous to the railroads' proposed bus operation." To effect that purpose, the Board authorized the operation of a *purely express* service between Camden and Atlantic City (and vice versa), between Berlin and Atlantic City (and vice versa), and between Hammonton and Atlantic City (and vice versa), by means of ten buses to be operated by the Pennsylvania General Transit Company, three to be operated by White Way Tours, three to be operated by Parlor De Luxe Coach Company, four to be operated by Union Bus Company, and ten to be operated by Reading Transportation Company, there having been also approved the operation of two additional buses to Ocean City via Atlantic City by Reading Transportation Company and two additional buses to Ocean City via Pleasantville by Parlor De Luxe Coach Company. The result of said order was that the entire local service heretofore furnished over portions of said route by Atlantic City Railroad Company, and particularly including the transportation of passengers between Camden and Hammonton and intermediate points, and between Hammonton and Egg Harbor

and intermediate points, was given exclusively—so far as auto-bus operation is concerned—to Public Service Coordinated Transport, and the Reading Transportation Company, a subsidiary as aforesaid of the Atlantic City Railroad Company, was forced to divide with companies which have never engaged in intrastate service in said territory a closely restricted express service by automobile bus on the Atlantic City-Camden, Atlantic City-Berlin, and Atlantic City-Hammonton routes.

(c) As to all the applicants, the Board found, decided and held that all the municipal consents of the respective parties approved in and by said decision "are necessary and proper for the public convenience and properly conserve the public interest."

8. Petitioner, Reading Transportation Company, submitted to the Board of Public Utility Commissioners for its approval necessary municipal consents for the operation of twenty-five auto-buses between and including Ocean City, Atlantic City and Camden, New Jersey.

9. Reading Transportation Company did not apply for the limited approval of operation which the Board's decision and order granted to it, and the said decision and order, so far as they approved the municipal consents of the Public Service Coordinated Transport and the Interstate Companies, were made over the objection and opposition of the Atlantic City Railroad Company and the Reading Transportation Company, which were properly considered by the Board as a single party in interest.

10. Complaint is hereby made that the decision

and order of the Board to the effect referred to in paragraph 7 (a) of this petition are erroneous, unreasonable, illegal, unconstitutional, confiscatory and contrary to and unwarranted by the testimony, for the reasons that:

(a) Said decision and order are based upon an erroneous interpretation of the evidence, because the testimony is clearly to the effect that no transportation was furnished by said Public Service Coordinated Transport between Egg Harbor and Hammonton; that only a small part (one bus) of local transportation was furnished by Public Service Coordinated Transport between Atlantic City and Egg Harbor; and that only a portion of local transportation between Camden and Hammonton was furnished by Public Service Coordinated Transport.

(b) Petitioners repeat paragraph 2 of this petition to the same effect as if the allegations and facts contained in said paragraph were herein set forth at length. In making the said decision and order, the Board violated and disregarded the duty imposed upon it by the laws of this State to protect from unreasonable and destructive competition the existing facilities of the railroad companies which are actually serving the public so that the public might continue to have the benefit of such service.

(c) The railroad companies, that is to say, the petitioner, Atlantic City Railroad Company, and West Jersey and Seashore Railroad Company, now being in the field and furnishing adequate and proper service, have, through their respective subsidiaries, the Reading Transportation Company

and the Pennsylvania General Transit Company, a legal, natural and preferential right to extend and supplement their rail service by the operation of automobile buses in substantially the same territory as an integral part of and supplemental to their established transportation systems over the alleged right of an auto-bus company which admittedly will operate in competition with the railroad companies.

(d) With relation to four of the five buses authorized to be operated by the Public Service Coordinated Transport, the said Public Service Coordinated Transport has no valid and subsisting local consents from the City of Atlantic City, and for that reason the Board was without jurisdiction to make the decision and order.

11. Complaint is hereby made that the decision and order of the Board to the effect referred to in paragraph 7 (b) of this petition, were erroneous, unreasonable, illegal, unconstitutional, confiscatory, contrary to and unwarranted by the testimony, for the reasons that:

(a) Said decision and order are based upon an erroneous interpretation of the evidence, because the records of proceedings before the Board clearly show that the Atlantic City Railroad Company has uniformly and consistently opposed and objected to the establishment of any and all competitive bus transportation facilities in the territory served by it; and, in fact, the Board in its very decision refers to the opposition by the Atlantic City Railroad Company of an application by the Public Service Coordinated Transport for extension of its Cam-

den-Berlin-Atco route to Atlantic City (practically the same as approved in the order referred to), which application was denied by the Board on July 17, 1928.

(b) The said decision and order are inconsistent and are based upon an alleged reason which cannot and does not support the ultimate decision, in that the said Interstate Companies are authorized to establish and operate a *purely express service* on account of the alleged fact (shown in paragraph 11 (a) not to be true) that the railroads have permitted *local* transportation by bus to develop without opposition.

(c) Paragraph 5 of this petition is repeated to the same effect as if the allegations and facts therein stated were herein set forth at length. As such purely *interstate* operators, said Interstate Companies are not in the field as existing transportation facilities of the State of New Jersey and are not entitled to the protection and assistance of the Board referred to in paragraph 7 (b) of this petition.

(d) With reference to the applications of the Reading Transportation Company, the Pennsylvania General Transit Company and the Interstate Companies, the decision of the Board to the effect that the willingness of the railroads to supplement their railroad service with bus service should not "preempt the territory against other lines which have been carrying on *interstate* and *intrastate* service previous to the railroads' proposed bus operations," is illegal, erroneous, unreasonable, unconstitutional and confiscatory, for the reasons set

forth in paragraph 10 (b) of this petition and is contrary to the testimony because said Interstate Companies, which reap the benefit of said finding and decision, have never been and are not now engaged in any *intrastate* service which might or should cause to be yielded to them the legal and natural preferential right of the railroad companies and their subsidiaries, as set forth in paragraph 10 (c) of this petition.

(e) Petitioners repeat paragraph 10 (c) of this petition to the same effect as if the allegations and facts set forth in said paragraph were herein set forth at length.

12. Complaint is further made that the said decision and order of the Board are erroneous, unreasonable, illegal and contrary to and unwarranted by the testimony before the Board for the reasons that:

(a) There was no testimony before the Board showing that any of the applicants, the approval of whose consents was granted (with the exception of the railroad applicants), had the financial ability to purchase the equipment required for their respective approved operations and to maintain the same and to continue to provide and maintain such equipment as might in the future be required to meet the traffic conditions.

(b) The approval of the municipal consents as specified by the Board in its decision of June 27, 1929 (with the exception of the consents of the Reading Transportation Company and the Pennsylvania General Transit Company), was not neces-

sary and proper for the public convenience and does not properly conserve the public interest because said approvals and the results thereof will be detrimental to the entire system and structure of public transportation as it now exists in said territory.

13. Complaint is further made that said decision and order are erroneous, unreasonable, illegal, void, unconstitutional and confiscatory, insofar as they approve the municipal consents of Public Service Coordinated Transport and the Interstate Companies in that the private property of the railroad companies is taken for private use and the private property of the railroad companies is taken for an alleged and pretended public use without just compensation to the railroad company therefor, contrary to the provisions of the Constitutions of the United States and of the State of New Jersey, and in that said decision and order destroy vested rights of the railroad companies contrary to the provisions of the Constitution of the United States. Said private property and vested rights consist of physical property and investments of the said railroads, together with their franchise rights to operate in the territory between and including Camden, Atlantic City and Ocean City; their private property also including their attendant right to be protected from unreasonable and destructive competition and their natural and preferential right to extend their respective services in any legitimate manner in order to furnish thereby necessary transportation to the public.

Wherefore, your petitioners pray that this Court may issue its writ of certiorari commanding said Board of Public Utility Commissioners of the State

of New Jersey, its decision and order made by it on June 27, 1929, as referred to in this petition, together with all information touching and concerning the same, to this Court to certify and send, that therein may be done what of right and according to the laws of this State should be done.

CLIFFORD A. BALDWIN,
FRENCH, RICHARDS & BRADLEY,
Attorneys for and of Counsel with Petitioners.

STATE OF PENNSYLVANIA, }
CITY AND COUNTY OF PHILADELPHIA, } *ss.*

EDWARD D. OSTERHOUT, of full age, being duly sworn, upon his oath deposes and says:

That he is Passenger Traffic Manager of Atlantic City Railroad Company and Manager of Reading Transportation Company, petitioners herein, and that he is authorized to make this affidavit for the said Atlantic City Railroad Company and Reading Transportation Company.

Deponent further says that he is familiar with the contents of this petition and that he repeats the allegations contained in the said foregoing petition to the same effect as if said allegations were each herein set forth at length, and deponent further says that the same are true.

EDWARD D. OSTERHOUT.

Sworn to and subscribed before me this 25th day of July, A. D. 1929.

WILLIAM J. BYRNE,
(Seal) *Foreign Commissioner of Deeds of New Jersey for Phila., Pa.*

[ENDORSED]

Service of the within petition and affidavit is hereby acknowledged for City of Camden this 31st day of July, A. D. 1929.

Louis Liberman,
Counsel for City of Camden.

Service of the within petition and affidavit is hereby acknowledged for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours this 31st day of July, A. D. 1929.

Patrick H. Harding,
Attorney for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

RULE TO SHOW CAUSE.

(Filed Aug. 20, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Petition for Certiorari. Rule to Show Cause.

Application having been made for the issuance of a writ of certiorari in this matter and upon reading the petition and affidavit presented on said application and hearing the arguments of counsel herein;

It is, on this 26th day of July, 1929, on motion of French, Richards & Bradley, attorneys for prosecutors, ordered that the respondent, Board of Public Utility Commissioners of the State of New Jersey, show cause before me at the Court House in the City of Camden, New Jersey, on Monday, August 5th, 1929, at 11 o'clock in the forenoon (daylight saving time), why a writ of certiorari should not

be issued out of said court in accordance with the prayer of said petition.

And it is further ordered that a copy of said petition and this rule to show cause, both of which may be uncertified, be served upon the Secretary of the said Board of Public Utility Commissioners of the State of New Jersey, respondent herein, within five days from the date hereof, either personally or by leaving same at the office of said Board, in the City of Trenton, New Jersey.

Let this rule be entered.

FRANK T. LLOYD,
J. S. C.

[ENDORSED]

Service of the within rule to show cause is hereby acknowledged for City of Camden this 31st of July, A. D. 1929.

Louis Liberman,
Counsel for City of Camden.

Service of the within rule to show cause is hereby acknowledged for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours this 31st day of July, A. D. 1929.

Patrick H. Harding,
Attorney for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

AMENDMENT TO PETITION FOR WRIT OF CERTIORARI.

(Filed Aug. 21, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

Amendment to Petition for Writ of Certiorari.

To the Honorable Justices of the Supreme Court of the State of New Jersey:

Pursuant to leave granted by this Court in the above-entitled matter on August 16, 1929, the prosecutors hereby amend their petition for writ of certiorari by adding thereto the following paragraph, which is to be designated as paragraph 14:

14. A true copy of the decision and order of the Board of Public Utility Commissioners, dated June

27, 1929, and referred to in paragraphs Nos. 7, 9, 10, 11, 12 and 13 of this petition, is attached hereto and made a part of the prosecutors' petition in this cause.

CLIFFORD A. BALDWIN,
FRENCH, RICHARDS & BRADLEY,
Attorneys for and of Counsel with Petitioners.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } *ss.*

CLIFFORD A. BALDWIN, of full age, being duly sworn according to law, upon his oath deposes and says:

I am one of the attorneys for the prosecutors in the above-entitled action and I am actively in charge of the conduct of this cause. I am authorized by the prosecutors to make this affidavit, and I allege that the matters set forth in the foregoing amendment to the petition for writ of certiorari are true to the best of my knowledge and belief.

CLIFFORD A. BALDWIN.

Sworn to and subscribed before me this 14th day of August, 1929.

THOMAS F. SALTER,
Attorney-at-Law of N. J.

DECISION.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the matter of the application of PUBLIC SERVICE COORDINATED TRANSPORT for approval of municipal consents to extend the present Atlantic City-Egg Harbor route to Berlin, N. J., and to operate eleven additional auto-buses on said route.

In the matter of the application of the READING TRANSPORTATION COMPANY for approval of municipal consents to operate twenty-five auto-buses between and including Ocean City-Atlantic City and Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PENNSYLVANIA GENERAL TRANSIT COMPANY for approval of municipal consents to operate twenty-five auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

Decision.

In the matter of the application of UNION BUS COMPANY for approval of municipal consents to operate twenty auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

Decision.

In the matter of the application of WHITE WAY TOURS for approval of municipal consents to operate twenty auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty-five auto-buses between and including Ocean City-Camden, N. J., to Philadelphia, Penna.

CHARLES S. STRAW, for Public Service Coordinated Transport.

FLOYD H. BRADLEY, C. T. WOLFE and CLIFFORD A.

BALDWIN, for Reading Transportation Company and Atlantic City Railroad Company.

HARRY V. OSBORNE, F. T. LLOYD, JR., H. C. MAXWELL and GEORGE A. BOURGEOIS, for Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Pennsylvania General Transit Company.

JOSEPH B. PERSKIE, for City of Atlantic City.

PATRICK H. HARDING and EMERSON L. RICHARDS, for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

LOUIS LIEBERMAN, for the City of Camden.

The applications of Pennsylvania General Transit Company, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company for approval of municipal consents to operate auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., the Parlor De Luxe Coach Company and Reading Transportation Company for approval of municipal consents to operate auto-buses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., and the application of Public Service Coordinated Transport for approval of municipal consents to extend its Atlantic City-Egg Harbor route to Berlin and for permission to operate eleven additional auto-buses thereon, were heard by the Board at the same time.

In the application of Public Service Coordinated Transport municipal consents were obtained from all the municipalities located along the route between and including Berlin and Atlantic City.

The route over which the Public Service Coordi-

nated Transport proposes to operate, which includes the present Atlantic City-Egg Harbor route, is as follows: Beginning at the bus terminal located on Indiana Avenue near Atlantic Avenue, thence on Indiana Avenue, Absecon Boulevard, White Horse Pike, thence into the center of Hammonton, thence via Bellevue Avenue and White Horse Pike to the intersection of Blue Anchor Road to Berlin; returning via same route. The alternate route to be operated in Hammonton is via White Horse Pike to the intersection of Blue Anchor Road in Berlin; returning via the same route.

On May 24, 1928, the Board in its decision approved of the application of Public Service Coordinated Transport for transfer of municipal consents from Edward Lawrence to operate one auto-bus between and including Egg Harbor and Atlantic City and imposed in said decision the following condition:

> "That the operators of the bus shall not accept passengers who begin and end their trips between the City of Absecon and Atlantic City, N. J."

The instant application is to extend this route from Egg Harbor to Berlin and to operate eleven additional auto-buses thereon. The petitioner agreed to accept the same restriction.

The Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Atlantic City Railroad Company appeared in opposition to this application.

Testimony in support of all the applications was offered by municipal officials and witnesses residing in the various municipalities through which the petitioners propose to operate auto-buses. Wit-

nesses representing the petitioners testified as to the necessity for auto-bus service over the various proposed routes. Evidence was also offered indicating the character of service being furnished at the present time by the existing transportation facilities, as well as financial figures showing the cost of rendering such service. All of this testimony was considered by the Board in its determination of all the applications herein referred to.

The application of Pennsylvania General Transit Company for approval of municipal consents to operate twenty-five auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., was over the following route: Beginning at the Delaware River Bridge Plaza in the City of Camden to the intersection of 7th and Penn Streets, thence via Penn Street to Bridge Entrance Road, thence via Bridge Entrance Road to its intersection with Crescent Boulevard in Pensauken Township, thence via Crescent Boulevard to its intersection with the White Horse Pike, thence via the White Horse Pike through the municipalities of Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon Township, Stratford, Laurel Springs, Clementon Borough, Berlin Borough, Waterford Township, Chesilhurst and Winslow Township, to the intersection of Bellevue Avenue, thence via Bellevue Avenue in the Town of Hammonton to the intersection of Egg Harbor Road, thence via Egg Harbor Road to the West Jersey & Seashore Railroad Station, and continuing on Egg Harbor Road to its intersection with the White Horse Pike at DaCosta, thence via the White Horse Pike through the municipalities of Mullica Township, Egg Harbor City and Galloway Township to the corporate limits of the City of Absecon, with an

alternate route in Egg Harbor City via Liverpool Avenue and Atlantic Avenue to the West Jersey & Seashore Railroad Station, thence via Philadelphia Avenue to the White Horse Pike and continuing on the White Horse Pike to the corporate limits of the City of Absecon, thence through the City of Absecon via the Absecon Boulevard to Atlantic City, thence in Atlantic City via Absecon Boulevard, Indiana Avenue, Adriatic Avenue, Kentucky Avenue, Arctic Avenue, and a private driveway to the West Jersey & Seashore Railroad Station at Atlantic and Tennessee Avenues.

Municipal consents have been granted the Pennsylvania General Transit Company by all the municipalities situated along the route, except Mullica and Galloway Townships, which under the statute precludes the petitioner from conducting any business in these municipalities.

The Pennsylvania General Transit Company, as well as the Reading Transportation Company, agreed to accept the restriction that the operators of the buses would not accept passengers who begin and end their trips between and including Camden and Berlin, N. J.

The application of Reading Transportation Company is for approval of municipal consents to operate twenty-five auto-buses between and including Ocean City and Camden, N. J., via Atlantic City to Philadelphia, Penna., over the following route: beginning at the Reading Terminal, Philadelphia, Penna., thence via the Delaware River Bridge, Penn Street and Bridge Boulevard, Crescent Bridge Boulevard, White Horse Pike to the city limits of Atlantic City, thence on Absecon Boulevard, Ohio Avenue, Baltic Avenue, Missouri or Arkansas Avenue, as traffic conditions may require, Arctic Avenue, to station grounds of the Atlantic City Railroad

in the City of Atlantic City, thence via Arctic Avenue, Boston Avenue, Ventnor Avenue through Ventnor, Margate and Longport, to Longport-Ocean City Bridge, thence entering Ocean City via Bridge Boulevard. Atlantic Road, Battersea Road, Ocean Avenue, Ninth Street to grounds of the Tenth Street Station of the Atlantic City Railroad in Ocean City; returning over the same route, except as follows: In Ocean City, between grounds of the Tenth Street Station of the Atlantic City Railroad, and Ninth Street and Ocean Avenue, via Tenth Street and Ocean Avenue. In Camden, between Bridge Boulevard and Delaware River Bridge, via Linden Street.

Municipal consents have been given to the petitioner to operate auto-buses in all the municipalities located along the route with the exception of the Township of Egg Harbor, City of Absecon, Township of Galloway and Borough of Longport which, under the statute, would preclude the petitioner from conducting any business within the limits of these municipalities.

As to the applications of Union Bus Company to operate twenty auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., the White Way Tours to operate twenty auto-buses between Atlantic City-Camden, N. J., to Philadelphia, Penna., the Parlor De Luxe Coach Company to operate twenty auto-buses between Atlantic City-Camden, N. J., to Philadelphia, Penna., and to operate twenty-five auto-buses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., this operation under these applications is under the management of the O. G. Schultz Management.

The route over which the Union Bus Company proposes to operate its auto-buses is as follows:

From the terminal in Atlantic City, via Albany Boulevard, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna., returning via same route or alternately in Camden via Crescent Highway, Bridge Approach Road, Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road, Crescent Highway.

The petitioner has been granted municipal consents in all the municipalities through which it proposes to operate its auto-buses except the City of Pleasantville, which, under the statute, would preclude it from conducting any business within the limits of said municipality. The municipal consent given by the City of Absecon restricts the petitioner from conducting any business between the City of Absecon and Atlantic City.

The applications of the White Way Tours to operate twenty auto-buses and the Parlor De Luxe Coach Company to operate twenty auto-buses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., are over the following route: From terminal in Atlantic City, via Absecon Boulevard, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna., returning via same route. Alternate route in the City of Camden is via Crescent Highway to Bridge Approach Road and Linden Street between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

Municipal consents have been granted to both of these companies to operate auto-buses in all the municipalities situated along the route. The consent of the City of Absecon, however, restricts the operation in that no passengers can be accepted who

begin and end their trips between and including the City of Absecon and Atlantic City, N. J.

The application of Parlor De Luxe Coach Company for approval of municipal consents to operate twenty-five auto-buses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., is over the following route: From a terminal located in Ocean City, thence via Ninth Street, Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to Delaware River Bridge, thence to Philadelphia, Penna., returning via same route. The alternate route in the City of Camden is via Crescent Highway, Bridge Approach Road and Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

The petitioner has been granted municipal consents by all the municipalities except the City of Pleasantville, which, under the statute, would preclude the petitioner from conducting any business within the limits of said municipality. The consent of the City of Northfield is as follows:

> "Be it resolved, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company to operate auto-buses within the municipal limits of the City of Northfield, as part of a line to be operated by said company between Ocean City, New Jersey, and Philadelphia, Penna., said operation to accept and discharge local passengers for and from the territory between Egg Harbor City, N. J., and Philadelphia, Pa., subject to existing laws regulating the operation of auto-buses."

The City of Absecon grants permission to the petitioner on the condition that it will not accept

passengers in any of the municipalities between Ocean City and Absecon, N. J., for discharge in Absecon City and will not accept passengers in Absecon City for discharge in any of the municipalities located between Absecon City and Ocean City.

The Public Service Coordinated Transport previously submitted to the Board an application for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro route to Atlantic City, N. J. The Board, in its decision of July 17th, 1928, denied the application. In this decision it is stated that a through bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger income of the railroads. Testimony in that proceeding indicated that the Atlantic City Railroad Company and the West Jersey and Seashore Railroad Company were opposed to the application and testified that the transportation by the use of auto-buses was not necessary between and including Camden and Atlantic City. In the instant matters, however, it appears that testimony was offered to the contrary, therefore, there appears to be no doubt that public convenience and necessity require transportation by the use of auto-buses over these various routes.

As to the application of Public Service Coordinated Transport, the evidence shows that the petitioner is operating auto-buses between Camden and Hammonton, N. J., over the White Horse Pike, conducting a local business; also a route between Egg Harbor and Atlantic City, which route furnishes service only from Egg Harbor to Atlantic City and vice versa. Both of these bus routes were established several years ago by parties other than the Public Service Coordinated Transport. The company acquired by purchase these bus routes

within the last few years. It also appears that these bus routes were established without any objection being interposed by the Atlantic City Railroad Company or the West Jersey & Seashore Railroad Company. It is now proposed to extend the route from Egg Harbor to Berlin, thus providing a service between Hammonton and Egg Harbor, a distance of approximately twelve miles.

The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City.

Upon consideration of the evidence the Board therefore finds and determines that the municipal consents given to the Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to Berlin, New Jersey, and for the operation of additional auto-buses thereon are necessary and proper for the public convenience and properly conserve the public interest and approves of the same with the following conditions:

1. That the operators of the buses shall not accept passengers who begin and end their trips between and including Absecon City and Atlantic City, N. J.

2. That five buses are sufficient to render this service and the Board hereby approves the municipal consents for five buses on this service.

As to all the other applications, the Board is also satisfied from the proofs that there is necessity for additional auto-buses operating between and including Camden-Atlantic City and Ocean City. The character of service to be furnished should only

make express stops. Such a method of transportation would greatly add to the convenience of persons desiring to travel to and from Atlantic City by requiring less running time. The number of buses applied for under these applications amount to one hundred thirty-five. Such a number is clearly unnecessary to meet the demands of service.

The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Penna., that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore, the Board will permit the railroads to supplement their railroad service with bus service, but does not consider that their willingness to do so should preempt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation.

The Board will approve of the applications of the Pennsylvania General Transit Company, Camden to Atlantic City, N. J., for the operation of ten auto-buses; White Way Tours, Camden to Atlantic City, three auto-buses; Parlor De Luxe Coach Company, Camden to Atlantic City, three auto-buses; Union Bus Company, Camden to Atlantic City via Pleasantville, four auto-buses; Reading Transportation Company, Camden to Atlantic City, ten auto-buses, and an additional two auto-buses to be operated between and including Camden-Atlantic City

and Ocean City, and Parlor De Luxe Coach Company, Camden to Ocean City via Pleasantville, two auto-buses, with the provision that said number of buses shall be permitted to furnish the following means of transportation:

To accept passengers in Camden for discharge in Atlantic City and vice versa.

To accept passengers in Berlin for discharge in Atlantic City and vice versa.

To accept passengers in Hammonton for discharge in Atlantic City and vice versa.

Several of the municipal consents given to the petitioners restrict the operation of the petitioners' auto-buses. The Board in considering these matters approves of the conditions mentioned in said consents.

Therefore, upon consideration of the evidence, the Board finds and determines that the municipal consents given to the Pennsylvania General Transit Company, Union Bus Company, Reading Transportation Company, White Way Tours, and Parlor De Luxe Coach Company, are necessary and proper for the public convenience and properly conserve the public interest, and approves of the same in accordance with the findings stated herein.

Dated, June 27th, 1929.

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

By (Signed) Jos. F. Autenrieth,
President.

(Seal)

Attest:

(Signed) Emmett T. Drew,
Secretary.

I hereby certify the foregoing to be a true copy of a decision rendered by the Board of Public Utility Commissioners and ordered filed by said Board.

EMMETT T. DREW,
Secretary.

ORDER PERMITTING AMENDMENT TO PETITION FOR WRIT OF CERTIORARI.

(Filed Aug. 21, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Order Permitting Amendment to Petition for Writ of Certiorari.

This matter having come on to be heard upon the return of a rule to show cause why a writ of certiorari should not be allowed in the above-entitled cause, and application having been made in open court by Clifford A. Baldwin, attorney for the prosecutors, for permission to amend their petition by

attaching thereto a copy of the decision and order of the Board of Public Utility Commissioners of the State of New Jersey, dated June 27, 1929, and good cause appearing therefor, it is on this 16th day of August, 1929, ordered that the prosecutors be and they are hereby permitted to file an amendment to their petition for writ of certiorari, the said amendment to contain a copy of the said decision and order of the Board of Public Utility Commissioners of the State of New Jersey, an uncertified copy thereof to be served on the Board within five days of the date hereof.

FRANK T. LLOYD,
Justice of Supreme Court.

WRIT OF CERTIORARI.

(Filed Aug. 21, 1929.)

NEW JERSEY, *ss.*

THE STATE OF NEW JERSEY TO BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, GREETINGS:

(Seal) We being willing, for certain reasons, to be certified of an order made by the Board of Public Utility Commissioners of the State of New Jersey, on June 27th, 1929, a copy of which order is attached to the amendment to the petition for this writ, and which order, among other things, approves certain municipal consents of Public Service Coordinated

Transport, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company, for bus operations over the Camden-Atlantic City route, and denies approval of certain municipal consents of the Reading Transportation Company for bus operations over the same route;

We do command you, that the said order so made by the Board of Public Utility Commissioners of the State of New Jersey, together with all things touching and concerning the same, as fully and entirely as before you they remain, to our Justices of our Supreme Court of Judicature at Trenton, on the sixth day of September next, you certify and send, together with this writ, that therein may be done what of right and according to the laws of this State should be done.

Witness, Wm. S. Gummere, Chief Justice of the Supreme Court, at Trenton, this 16th day of August, 1929.

Fred L. Bloodgood,
Clerk.

Clifford A. Baldwin,
French, Richards & Bradley,
Attorneys.

[Endorsed]

I allowed this writ. Let it be sealed.
F. T. L.

Service of copy of within writ is acknowledged this twenty-first day of August.

Emmett T. Drew,
Secretary.

NOTICE.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Notice.

To Board of Public Utility Commissioners of the State of New Jersey; Clifford A. Baldwin, Esq., and French, Richards & Bradley, Esqs., Attorneys for Atlantic City Railroad Company and Reading Transportation Company; Osborne, Cornish & Scheck, Attorneys for West Jersey and Seashore Railroad Company and Pennsylvania General Transit Company:

Please take notice that on Friday, August 16, 1929, at eleven o'clock in the forenoon, at Seaside Park, in the County of Ocean, State of New Jersey, or as soon thereafter as the matter can be heard,

Public Service Coordinated Transport will apply to the Honorable Frank T. Lloyd, Justice of the New Jersey Supreme Court, or to such other Justice of the Supreme Court who shall be holding court at the said time and place, for an order admitting Public Service Coordinated Transport as a party defendant in the above-entitled matter.

Dated: August 7, 1929.

FRANK BERGEN,
Attorney for Public Service Coordinated Transport.

[ENDORSED]

Service of the within notice is hereby acknowledged this 8th day of August, 1929.

J. O. Bigelow,
Attorney for Board of Public Utility Commissioners of the State of New Jersey.

NOTICE.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Petition for Writ of Certiorari. Notice.

To Board of Public Utility Commissioners of the State of New Jersey; Clifford A. Baldwin, Esq., and French, Richards & Bradley, Esqs., Attorneys for Atlantic City Railroad Company and Reading Transportation Company; Osborne, Cornish & Scheck, Attorneys for West Jersey and Seashore Railroad Company and Pennsylvania General Transit Company:

Please take notice that on Friday, August 16, 1929, at eleven o'clock in the forenoon, at Seaside Park, in the County of Ocean, State of New Jersey, or as soon thereafter as the matter can be heard,

Public Service Coordinated Transport will apply to the Honorable Frank T. Lloyd, Justice of the New Jersey Supreme Court, or to such other Justice of the Supreme Court who shall be holding court at the said time and place, for an order admitting Public Service Coordinated Transport as a party defendant in the above-entitled matter.

Dated: August 7, 1929.

FRANK BERGEN,
Attorney for Public Service Coordinated Transport.

[ENDORSED]

Service acknowledged Aug. 8, 1929.
Clifford A. Baldwin,
French, Richards & Bradley,
Attys. for Prosecutors.

ORDER.

(Filed Aug. 20, 1929.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

On Petition for Writ of Certiorari.
Order.

Public Service Coordinated Transport having made application to be admitted as a party defendant in the above-entitled proceeding, and it appearing that said Public Service Coordinated Transport is a proper party to said proceeding;

It is, on this 16th day of August, A. D. 1929, on motion of Frank Bergen, attorney for Public Service Coordinated Transport, ordered that Public Service Coordinated Transport be, and it is hereby admitted as a party defendant in the above-entitled proceeding.

FRANK T. LLOYD,
Justice of the Supreme Court.

NOTICE OF APPLICATION TO TAKE TESTIMONY.

(Filed Aug. 20, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Notice of Application to Take Testimony.

To Board of Public Utility Commissioners of the State of New Jersey; Patrick H. Harding, Attorney for the Union Bus Company, Parlor De Luxe Coach Company and White Way Tours; Joseph P. Perskie, Attorney for the City of Atlantic City; Louis Liberman, Counsel for the City of Camden and Public Service Coordinated Transport:

Please take notice that on Monday, August 5th, 1929, at eleven o'clock in the forenoon, or as soon thereafter as the matter can be heard, we shall apply

to the Honorable Frank T. Lloyd, Justice of the New Jersey Supreme Court, or to such other Justice of the Supreme Court who shall be holding court at the said time at the said place, for a rule authorizing us to take testimony in the above-entitled matter.

Dated: July 29th, 1929.

CLIFFORD A. BALDWIN,
FRENCH, RICHARDS & BRADLEY,
Attorneys for Prosecutors.

[ENDORSED]

Service of the within notice is hereby acknowledged for City of Camden this 31st day of July, A. D. 1929.

Louis Liberman,
Counsel for City of Camden.

Service of the within notice is hereby acknowledged for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours, this 31st day of July, A. D. 1929.

Patrick H. Harding,
Attorney for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

RULE GRANTING LEAVE TO TAKE DEPOSITIONS.

(Filed Sept. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

On Certiorari.
Rule Granting Leave to Take Depositions.

This matter being opened to the Court by Clifford A. Baldwin, attorney for the prosecutors, and it appearing that notice of this application has been duly served upon the defendant and all parties in interest;

It is, on this fifth day of August, 1929, on motion of Clifford A. Baldwin, attorney for the prosecutors, ordered that prosecutors have leave to take depositions, to be used in the argument of this cause, before William J. Kraft, a Supreme Court Commissioner, in accordance with the rules of this court.

Let this rule be entered on the minutes.

FRANK T. LLOYD,
J. S. C.

Rule actually entered on the
sixteenth day of August, 1929.

NOTICE OF TAKING TESTIMONY.

(Filed Sept. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Notice of Taking Testimony.

To Board of Public Utility Commissioners of the State of New Jersey, Union Bus Company, Parlor De Luxe Coach Company, White Way Tours and Public Service Coordinated Transport:

Please to take notice that on Thursday, September 12, 1929, at eleven o'clock in the forenoon (daylight saving time), or as soon thereafter as the matter can be heard, we shall proceed, under the authority of the rule granted in the above-stated cause, to take depositions and other testimony by way of exhibits, etc., in said cause before William

J. Kraft, Esquire, the Supreme Court Commissioner designated in and by said rule, at the United States District Court Room, in the Court House, in the City of Camden, New Jersey.

ATLANTIC CITY RAILROAD COMPANY AND READING TRANSPORTATION COMPANY,

By CLIFFORD A. BALDWIN,
Attorney.

[ENDORSED]

Service of the within notice is hereby acknowledged this 7th day of September, 1929.

Patrick H. Harding,
Att'y for White Way Tours,
Parlor De Luxe Bus Co.
and Union Bus Company.

NOTICE OF TAKING TESTIMONY.

(Filed Sept. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Notice of Taking Testimony.

To Board of Public Utility Commissioners of the State of New Jersey, Union Bus Company, Parlor De Luxe Coach Company, White Way Tours and Public Service Coordinated Transport:

Please to take notice that on Thursday, September 12, 1929, at eleven o'clock in the forenoon (daylight saving time), or as soon thereafter as the matter can be heard, we shall proceed, under the authority of the rule granted in the above-stated cause, to take depositions and other testimony by way of exhibits, etc., in said cause before William

J. Kraft, Esquire, the Supreme Court Commissioner designated in and by said rule, at the United States District Court Room, in the Court House, in the City of Camden, New Jersey.

ATLANTIC CITY RAILROAD COMPANY AND READING TRANSPORTATION COMPANY,

By CLIFFORD A. BALDWIN,
Attorney.

[ENDORSED]

Service of a copy of the within notice of taking testimony is hereby acknowledged this 7th day of September, 1929.

Frank Bergen,
Attorney for Public Service Coordinated Transport.

PROOF OF SERVICE.

(Filed Sept. 10, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Proof of Service.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } *ss.*

J. ARVID JONSSON, being duly sworn according to law, on his oath deposes and says:

I am employed in the office of Clifford A. Baldwin, attorney for the prosecutors in the above-entitled cause. On the morning of Saturday, September 7, 1929, I made service of a notice of taking testimony in said cause, a true copy of which said notice is hereto attached and made a part hereof, upon the Board of Public Utility Commissioners of the State of New Jersey, by leaving the original copy of said

notice with one Mary C. Shannon, in the office of said Board of Public Utility Commissioners, in the State House, Trenton, New Jersey.

J. Arvid Jonsson.

Sworn to and subscribed before me this tenth day of September, A. D. 1929.

Thomas F. Salter,
Attorney-at-Law of N. J.

NOTICE OF TAKING TESTIMONY.

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Notice of Taking Testimony.

To Board of Public Utility Commissioners of the State of New Jersey, Union Bus Company, Parlor De Luxe Coach Company, White Way Tours and Public Service Coordinated Transport:

Please to take notice that on Thursday, September 12, 1929, at eleven o'clock in the forenoon (daylight saving time), or as soon thereafter as the matter can be heard, we shall proceed, under the authority of the rule granted in the above-stated cause, to take depositions and other testimony by way of exhibits, etc., in said cause before William J. Kraft, Esquire, the Supreme Court Commissioner designated in and by said rule, at the United

States District Court Room, in the Court House, in the City of Camden, New Jersey.

ATLANTIC CITY RAILROAD COMPANY AND READING TRANSPORTATION COMPANY,

By CLIFFORD A. BALDWIN,
Attorney.

PROOF OF SERVICE.

(Filed Sept. 6, 1929.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

Proof of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF CAMDEN, }

CARL J. GEIGES, of full age, being duly sworn according to law, on his oath deposes and says:

I am employed in the office of Clifford A. Baldwin, one of the attorneys for the prosecutors in the above-entitled cause. On August 21, 1929, at 11.20 A. M., I made service of a true copy of the amendment to petition for writ of certiorari in the above matter upon the Board of Public Utility Commissioners of the State of New Jersey, by leaving said copy in the office of the Secretary of said Board, in the State House, Trenton, New Jersey.

Also, at the same time and place, and upon the said Board in the same manner, I made service of a true copy of the writ of certiorari allowed in said cause by the Honorable Frank T. Lloyd, Justice of the Supreme Court.

CARL J. GEIGES.

Sworn to and subscribed before me this 27th day of August, A. D. 1929.

THOMAS F. SALTER,
Attorney-at-Law of N. J.

PROOF OF SERVICE.

(Filed Aug. 20, 1929.)

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Proof of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF CAMDEN, }

GRACE D. HERITAGE, of full age, being duly sworn upon her oath, deposes and says, that on Wednesday, July 31st, A. D. 1929, she served a copy of the "Petition and Affidavit" in the above matter, together with copy of "Rule to Show Cause," copy of "Notice of Application to Take Testimony" and copy of "Notice of Motion for Supersedeas," upon Joseph B. Perskie, Esq., attorney for the City of Atlantic City, by leaving same at the law offices of said Joseph B. Perskie, with the person in charge thereof above the age of fourteen years, who stated

to deponent that said Joseph B. Perskie, Esq., was absent from his said law offices.

GRACE D. HERITAGE.

Sworn and subscribed before me this second day of August, A. D. 1929.

WILBUR J. MACALLISTER,
A Notary Public of the State of New Jersey.

Commission expires March 18, 1934.

PROOF OF SERVICE.

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Respondent.*	On Certiorari. Proof of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF CAMDEN, }

ROBERT L. PATTERSON, of full age, being duly sworn upon his oath, deposes and says, that on

Wednesday, July 31st, A. D. 1929, he served a copy of the "Petition and Affidavit" in the above matter, together with copy of "Rule to Show Cause," copy of "Notice of Application to Take Testimony" and copy of "Notice of Motion for Supersedeas," upon Emmett T. Drew, Secretary of the Board of Public Utility Commissioners, by handing same to Mr. Drew personally at the office of the said Board, in the State House, Trenton, New Jersey.

ROBERT L. PATTERSON.

Sworn and subscribed before me this 3rd day of August, A. D. 1929.

HARRY LEE WARREN,
Notary Public of N. J.

AFFIDAVIT OF SERVICE.

SUPREME COURT OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY,
Respondent.

Affidavit of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF ESSEX, }

SAUL B. SIENTZ, being duly sworn on his oath, according to law, deposes and says:

On July 31, 1929, I served upon the Public Service Coordinated Transport, at their office on Park Place, Newark, N. J., petition and affidavit for writ of certiorari, rule to show cause issued by Mr. Justice Lloyd on July 26, 1929, notice of application for supersedeas and notice of application for rule to take testimony. Service was made at two o'clock in the afternoon, by delivering the said papers to Leland Taliaferro, assistant general attorney of the said company, upon his informing me that he had authority to accept service.

SAUL B. SIENTZ.

Sworn and subscribed to before me this 1st day of August, 1929.

DONALD LEWIS,
An Attorney-at-Law of New Jersey.

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

(Received Jan. 11, 1929.)

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the Matter of the Application of PUBLIC SERVICE COORDINATED TRANSPORT for approval of Local Permission to extend the operation of one bus on the Atlantic City-Egg Harbor route to Berlin and for approval of the operation of eleven additional buses (State Number) Between Atlantic City and Berlin, New Jersey.

Application for Approval of Local Permission to Operate.

---

(1) The petition of PUBLIC SERVICE COORDINATED TRANSPORT, with its principal

office at 80 Park Place, Newark, New Jersey, Respectfully shows that it is a corporation of the State of New Jersey.

(2) That applicant requests approval of local permission to operate auto-buses between Atlantic City and Berlin and intermediate points and along the following route:
Beginning at the Union Bus Terminal, Atlantic City, thence via Arkansas Avenue, Baltic Avenue, Indiana Avenue, Absecon Boulevard, White Horse Pike, Bellevue Avenue, White Horse Pike, to the intersection of New Anchor Road, in Berlin, New Jersey; returning via same route.
(Names of streets or roads must be stated)

(2a) Length of route: 42 miles.

(2b) That the names of motor bus lines, electric railways, or steam railroads now operating in the territory to be served are as follows:

(3) Have you purchased the bus or buses?
If so, state nature of contract.
Yes. Cash contract.

(3a) Liability Insurance.
Nature of policy. (Self-insurance)
Name of Company Amount of Policy
Dated Expires

(3b) That the names, titles and addresses of the various officials of the company or owners, or partners, and their interests are as follows:

Name	Title	Address
Thomas N. McCarter	President	80 Park Place, Newark, N. J.
T. Wilson Van Middlesworth	Treasurer	80 Park Place, Newark, N. J.
Charles M. Breder	Secretary	80 Park Place, Newark, N. J.

(4) That a detailed description of equipment to be operated in the proposed service is as submitted. See attached list.

(5) That the proposed time schedule and running time between the points to be served is as follows: Two hours each way.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is one.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing same, are set forth in Exhibit "A" attached hereto. See attached sheet.

(7) The following municipalities are located along the route as proposed:

NAMES OF MUNICIPALITIES

Berlin (Borough and Township)
Winslow
Waterford
Chesilhurst
Hammonton
Mullica
Egg Harbor City

Galloway
Absecon
Atlantic City

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commission:

NAME OF MUNICIPALITIES
Berlin (Borough and Twp.)
Winslow
Waterford
Chesilhurst
Hammonton
Mullica
Egg Harbor City
Galloway
Absecon
Atlantic City

(Applicants must attach CERTIFIED COPY of the resolution of governing body or of consent of municipal officer having jurisdiction.)

(8) That the registration licenses are Nos. (see attached list) issued by the Commissioner of Motor Vehicles.

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of the local consents granted.

STATE BRIEFLY SEVERAL REASONS.

This is an extension of an existing utility to adequately and locally serve the people living in the territory between Atlantic City and Berlin, New Jersey. The additional buses are necessary to provide a reasonable headway over the entire route.

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Newark, New Jersey, this 9th day of January, 1929.

PUBLIC SERVICE COORDINATED TRANSPORT.
By GEORGE H. BLAKE,
S. T.
General Solicitor.
(Signature of Applicant)
(Attorney, if any)

NOTE:—Applicants shall prepare at least five copies of all exhibits to be presented at hearings.

DESCRIPTION OF BUSES

Type	Year	Name of Mfr.	Engine Number	Seating Capacity
Bus	1927	Mack	BA549-45B	29
"	"	"	BA569-81B	"
"	"	"	BA609-17B	"
"	"	"	BA569-82B	"
"	"	"	BA549-49B	"

"	"	"	BA540-42B	"
"	"	"	BA609-70B	"
"	"	"	BA569-85B	"
"	"	"	BA574-58B	"
"	"	"	BA540-47B	"
"	"	"	BA609-19B	"

Length	Width	Outside Height	Inside Height	Registration Number
28′	8′	9′4″	6′3″	6922
"	"	"	"	6923
"	"	"	"	6924
"	"	"	"	6925
"	"	"	"	6926
"	"	"	"	5056
"	"	"	"	5057
"	"	"	"	5058
"	"	"	"	5059
"	"	"	"	5060
"	"	"	"	5061

CERTIFIED COPY OF ORIGINAL CONSENT ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, ATTACHED TO APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF LOCAL PERMISSION TO OPERATE TWELVE BUSES ON THE CAMDEN-ATLANTIC CITY ROUTE, BETWEEN CAMDEN AND HAMMONTON, NEW JERSEY, FILED ON NOVEMBER 9TH, 1927.

BE IT RESOLVED by the Borough Council of the Borough of Berlin, that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) additional buses, over the White Horse Pike, in the Borough of Berlin; these being twleve (12) additional buses on the Berlin bus line.

(Seal)

Passed Sept. 19, 1927.

Attest

(Signed) Geo. R. Duncan,
Borough Clerk.

CERTIFIED COPY OF ORIGINAL CONSENT ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, ATTACHED TO APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF LOCAL PERMISSION TO OPERATE TWELVE BUSES ON THE CAMDEN-ATLANTIC CITY ROUTE, BETWEEN CAMDEN AND HAMMONTON, NEW JERSEY, FILED ON NOVEMBER 9th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Berlin that permission be and is hereby granted the Public Service Transportation Company to operate twelve additional buses, over the White Horse Pike, (via Franklin Ave., and Haddon Ave.,) in the Township of Berlin; this being twelve additional buses on the Berlin bus line.

(Signed) Christopher Myrtetus
Chairman

Adopted, Sept. 26, 1927.
Attest. Albert B. Walker
Clerk.

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Winslow, that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four buses over the White Horse Pike, in the Township of Winslow, as part of the Berlin bus line operating between Camden and Atlantic City.

(Signed) Herman U. Priestley,
Chairman.

(Seal)

Attest:

(Signed) John Fleed,
Township Clerk.

Passed Oct. 29, 1927.

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Waterford, that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four auto-buses over the White Horse Pike, in the Township of Waterford, as part of the Berlin bus line operating between Camden and Atlantic City.

(Signed) Lawrence J. Dubl,
(Seal) Township Clerk.

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Borough Council of the Borough of Chesilhurst that permission be and

is hereby granted the Public Service Transportation Company to operate twenty-four auto-buses, over the White Horse Pike, in the Borough of Chesilhurst; being additional permits required for the operation of the Berlin line.

The above resolution was approved, by the Borough Council, at a regular meeting held on Oct. 8, 1927.

Attest:
(Signed) Fred J. Calnan,
Borough Clerk.

(Seal)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMM'RS WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, FILED ON SEPTEMBER 14th, 1927.

ROOM OF THE TOWN COUNCIL

Hammonton, N. J.

BE IT RESOLVED by the Town Council of the Town of Hammonton that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four buses, in the Town of Hammonton, as an extension of the Berlin bus line, operating between Berlin and Atlantic City.

BE IT FURTHER RESOLVED that the permission is hereby granted subject to the express condition that twelve of said buses shall operate

through Hammonton by way of Bellevue Avenue and Egg Harbor Road, and twelve by way of White Horse Pike.

(Signed) Chas. Cummingham,
Mayor.

Adopted September 26th, 1927.
Attest:
(Signed) W. R. Seely,
Town Clerk.

The foregoing is certified by me to be a true copy. WITNESS my hand and seal of the Town of Hammonton, this 27th day of September, 1927.

(Signed) W. R. Seely,
(Seal) Town Clerk.

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Mullica that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) auto-buses, in the Township of Mullica, over the White Horse

Pike, as an extension of the Berlin bus line, operating between Berlin and Atlantic City.

Sept. 8, 1927.

This is to certify that the above Resolution was duly passed at a meeting of the Township Committee of Mullica Township held on this date, at which meeting all members were present.

Attest:

(Signed) Chas. L. Kuen, Jr.
Clerk.

(Seal)

Chairman of Twp. Com.
(Signed) Chas. D. Saalman,

CERTIFIED COPY OF ORIGINAL CONSENT ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, ATTACHED TO APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF LOCAL PERMISSION TO OPERATE TWELVE BUSES ON THE CAMDEN-ATLANTIC CITY ROUTE, BETWEEN CAMDEN AND HAMMONTON, NEW JERSEY, FILED ON NOVEMBER 9th, 1927.

BE IT RESOLVED by the Honorable Mayor and Council of the City of Egg Harbor that permission be and is hereby granted the Public Service Transportation Company to operate twelve auto-buses in the City of Egg Harbor, over the White Horse Pike.

This is to certify that the above is a true and correct copy of a resolution passed by the Common

Council of Egg Harbor City at a meeting duly convened the twenty-second day of March, 1928.

(Signed) Wm. Morgenweck, Jr.,
City Clerk.

(Seal)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Galloway that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) autobuses, in the Township of Galloway, as an extension of the Berlin bus line, operating between Berlin and Atlantic City.

Approved this 30th day of Aug., A. D. 1927.

(Signed) Ernst R. Grunow,
Chairman.

(Seal)

Attest:

(Signed) Fred Holmes,
Township Clerk.

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the City Council of the City of Absecon that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) auto-buses in the City of Absecon, over the White Horse Pike, as an extension of the Berlin bus line, operating between Berlin and Atlantic City, providing that no passengers be accepted on eastbound trips and that no passengers be discharged on westbound trips in the City of Absecon.

Passed at a regular meeting of Common Council held in Council Chambers Aug. 31, 1927.

(Signed) Samuel Johnson,
City Clerk.

(Seal)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

Regular Meeting of the Board of Commissioners held on August 25, 1927.

President Ruffu Presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5); absent, (0).

PUBLIC SERVICE TRANSPORTATION COMPANY GRANTED CONSENT TO OPERATE TWELVE AUTOMOBILES WITHIN THE CORPORATE LIMITS OF THE CITY OF ATLANTIC CITY.

WHEREAS, the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, has filed a Petition for leave to operate twelve (12) automobiles, within the limits of the City of Atlantic City, New Jersey; and

WHEREAS, the Board of Commissioners of said City desire to consent to said application:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Atlantic City that it hereby grants its consent to the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, to operate its twelve (12) automobiles, in accordance with the Petition—copy of which is hereto attached and made part hereof by this reference thereto—within the

corporate limits of the City of Atlantic City, New Jersey, more particularly described as follows:

"From and to 'JONATHAN'S THORO-FARE,' in the Absecon Boulevard, the same being the City Limits of the City of Atlantic City, on said Absecon Boulevard to Indiana Avenue. On Indiana Avenue to Baltic Avenue; on Baltic Avenue to Arkansas Avenue; on Arkansas Avenue to Arkansas Avenue and Boardwalk, into the Union Bus Terminal Station. Traversing all Streets in said route, and also using said route in operating said buses from out of the City of Atlantic City."

Passengers are to be accepted and discharged only at the terminal of said Public Service Transportation Company, located at Arkansas Avenue and the Boardwalk, Atlantic City, New Jersey. No stops are to be permitted to be made for the acceptance or discharge of passengers over the route above set forth.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5), Nays (0).

CITY OF ATLANTIC CITY
DEPARTMENT OF PUBLIC AFFAIRS

I, ANNE M. DELANEY, Asst. City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted at a regular meeting of the Board of Commissioners held on August 25, 1927, as taken from the original on file in the office of the City Clerk.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 26th day of August, 1927.

(Signed) Anne M. Delaney,
City Clerk.

(Seal)

TESTIMONY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the matter of the PUBLIC SERVICE COORDINATED TRANSPORT—Application for approval of local permission to extend operation of autobus on the Atlantic City-Egg Harbor Route to Berlin and for approval of operation of eleven additional buses.

Camden, N. J., Monday, March 11, 1929.

Before COMMISSIONER CHARLES BROWNE, ESQ.
FRANK J. DALY, ESQ., Senior Inspector.

For Public Service Coordinated Transport appears:
C. S. STRAW, ESQ.

For the Reading Transportation Company and Atlantic City Railroad Company appear:
FLOYD H. BRADLEY, ESQ.
C. T. WOLF, ESQ.
and
CLIFFORD A. BALDWIN, ESQ.

For the Pennsylvania Railroad Company, Philadelphia-Penn Transit Co., and West Jersey & Seashore Railroad Company appears:
FRANK T. LLOYD, JR., ESQ.

HERBERT E. HARPER, called as a witness on behalf of the applicant, being first duly sworn, testified as follows:

Direct examination.

By Mr. Straw:

Q. You are traffic engineer of Public Service Coordinated Transport?

A. I am.

Q. Are you familiar with the application of that company for the approval that is pending before the Commissioners to extend the operation of one autobus on the Atlantic City-Egg Harbor route to Berlin and for the approval of 11 additional buses between Atlantic City and Berlin?

A. I am.

Q. Have you prepared a map?

A. I have.

Q. May I have it?

Mr. Straw: I offer this map as Exhibit P. S. 1.

(Map referred to received and marked Exhibit P. S. 1, March 11, 1929.)

Q. Now, Mr. Harper, will you explain the map, showing first the present operation?

A. The map, Exhibit P. S. 1, shows the White Horse Pike and the territory in the vicinity thereof between Berlin and Atlantic City. The present route of the Atlantic City-Egg Harbor bus line is indicated in black. The proposed extension thereof from Egg Harbor to Berlin is shown in yellow, and

operates via Hamilton, Waterford and thence to Berlin, New Jersey.

Q. What is it proposed to do, Mr. Harper?

A. It is proposed to do the following, under this application: It is the prayer of the company to extend its Egg Harbor-Atlantic City bus line from Egg Harbor to Berlin, and also to apply for the approval of 11 additional permits on the route from Atlantic City to Berlin, via Egg Harbor and Hammonton.

Q. The map would indicate, Mr. Harper, that there is an alternate route in Hammonton; I take it that that is going in Bellevue Avenue, in one direction, and the White Horse Pike the other; is that correct?

A. Yes; that is correct.

Mr. Straw: I think, if your Honor please, for clarity's sake the record should be amended. I notice on reading the petition that no mention is made of the alternate route. I will ask Mr. Harper to describe from the map to your Honor the proposal as to the alternate route, which is really of great importance, and then I will ask to amend the petition after your Honor has heard what the proposition is. Will you describe, for the record, the route, street by street, including the alternate route?

The Witness: I will begin by describing the through route from Atlantic City to Berlin, via Egg Harbor Road and Bellevue Avenue. There may be some question about this terminal at Atlantic City but I will read it just the way it is given in the application. Beginning at the Union Bus Terminal in Atlantic City, thence via Arkansas Avenue, Baltic Avenue, Indiana Avenue, Absecon Boulevard, White Horse Pike, thence into the center of Ham-

monton, and then via Bellevue Avenue and White Horse Pike to the intersection of Blue Anchor Road in Berlin, and returning via the same route. The alternate route as shown on the map is via the White Horse Pike instead of via White Horse Pike and Bellevue Avenue in the town of Hammonton.

Mr. Straw: Now, if your Honor please, I move to amend the petition to include the White Horse Pike route in the City of Hammonton.

Commissioner Browne: What do you mean; alternate route? You mean the buses alternate going and coming?

The Witness: Optional route, over which a few buses are operated to serve the people living around there.

Mr. Baldwin: Isn't that ——

The Witness: (Interrupting.) The consent from the town of Hammonton gives us permission to go either way, either one or both ways.

Commissioner Browne: Both ways?

The Witness: Both ways.

Q. Now, Mr. Harper, I wish you would discuss the petition, if you will, please, starting right at Atlantic City and coming up the line to Berlin, introducing, as you go along, such exhibits as you have, if there is a question?

Mr. Baldwin: If your Honor please, this is rather a broad question that counsel has asked—that the

witness discuss the petition or the application on behalf of the Atlantic City Railroad Company and the Reading Transportation Company. I desire to move that this examination be limited to any change of conditions which has occurred since July 17th, 1928, when the Board announced its decision, denying the approval of certain municipal consents held by the Public Service Coordinated Transport on a line extending not only from Berlin to Atlantic City but from Camden to Atlantic City; in other words, I think this application should be limited in its scope to anything that has happened since the 17th of July, 1928, because, manifestly, the Board has already passed on the lack of public necessity and convenience prior to that time, and did, in fact, deny the application, to my mind, from Berlin to Atlantic City at that time. So that, unless this witness has some facts for the Board that limit themselves to that period of time, I think it is clearly immaterial, irrelevant and incompetent.

Mr. Straw: If your Honor please, this is a very strange and ingenious objection, and I have made it myself at times. But this is not in the nature of a re-hearing, and it is not a petition for a re-hearing. The case to which Mr. Baldwin refers was an application to do a business, local in character, from Camden to Atlantic City, the entire length of the White Horse Pike. That application was denied. This is an application to extend a route now existing between Atlantic City and Egg Harbor to Berlin with the present route. That is a one bus route, and, in order that that community might be served properly we would like to have approved, if the Board will, 11 additional permits, making a 12-bus operation in all. It is not comparable to the Atlan-

tic City-Camden route in any sense of the word. The question of express business came up in the other case so strongly that there is some thought in my mind that the Board may have had that under consideration when it decided the case. This cannot, under any circumstances, be said to be an express service. It is entirely a local service. It is serving only 42 miles of the southern end of the county, where we will show there is no service at all, and as I said in the beginning, public necessity and convenience requires such a service. Therefore, I do not feel that it comes under the classifications to which the prosecutor refers, and I ask leave to examine as I indicate.

Mr. Baldwin: I think it was Shakespeare who said, "A rose by any other name would smell as sweet." I think the same applies here. You may not call this a re-hearing, but it most certainly is, and if you look into the ridiculous features of this application you will see that even though one bus supplied Egg Harbor and Atlantic City during all this time that it is now attempting to attach 11 others to it for the purpose of including more mileage of operation. It clearly points out that it is the hope of the applicant company to hook up Atlantic City and Camden through the medium of a connection at Berlin. So you really have a Camden to Atlantic City service again presenting itself to the Board for consideration, unless it can be shown that since the 17th of July such changes in the territory and business conditions have occurred as to make it desirable to connect Camden with Atlantic City in a way that it was not desirable on the 17th of July. Unless that is shown, then, I think, by subterfuge or some other method the same problem

which took the Board so long, and which the Board labored so industriously to consider, is presented for its consideration again. So I would like to limit the scope of this inquiry as much as we can, and I think the plain intent of the application can be gathered from the effort to hook on 11 buses to one presently operating bus. The thing is so apparent on its face that there can't be much dispute about what the attempt is.

Commissioner Browne: Well, of course, we cannot anticipate what is in the mind of the Public Service Coordinated Transport, and I think it is up to them to show the public necessity and convenience for 11 additional buses; that is what the hearing is to do. The motion is therefore denied. If you show that by changed conditions or in some other way, that is all right. We have an open mind as to the way they are going to show it.

Mr. Baldwin: The thought is that when this Board announced its decision before the Board determined that between Berlin and Egg Harbor there was no need of any buses.

Commissioner Browne: I say, they may bring out some reason now that they did not bring out before, and that is the reason I am allowing the question. We are open minded on it. I don't know what proof they will submit until they submit it.

Mr. Baldwin: In other words, in July the Board dealt with the broadest question it could have dealt with, Camden to Atlantic City, and nowhere did the Public Service establish that there were more buses needed in that whole territory, and now they are

trying to show that some are needed between Berlin and Egg Harbor.

Commissioner Browne: That is the reason they have made this application, and I will allow them to show ——

Mr. Baldwin: The facts should be limited to such things that happened since July 17th and there should not be a re-hash of all that we have been over.

Commissioner Browne: I don't think Mr. Straw will re-hash the same thing without cause. If you wish to refer to the previous case you may do so.

Q. Will you continue, Mr. Harper? (Question repeated by the reporter.)

A. At the present time the Public Service is operating the Atlantic City bus line between Egg Harbor and Atlantic City, nine trips in each direction daily. We have received in the past requests for additional service on this portion of the route, and I believe that the Board has also received the complaint that certain trips were not operated. It was pointed out to the Utility Commission and also to this gentleman—I think his name is Mr. Enstrom —that it was impossible to operate the trips that he desired with our one consent, or one permit. The territory between Atlantic City and Egg Harbor is built up with stores and houses mainly grouped around the centers of population of Absecon, Pomona, Germania and Egg Harbor. These people are now being rendered a local transportation service which enables them to get into Atlantic City and into Egg Harbor, or to take an intermediate route

from Germania to Absecon, to Atlantic City. It is purely a local service. The present application is to extend this service so as to furnish a like facility to the people living between Egg Harbor and Hammonton, and so on, up to Berlin. In Egg Harbor are numerous factories, clothing, tire works, and also a go-cart company, and numerous other business activities that people living along this route have to get to. Egg Harbor particularly is developed more to the north of the White Horse Pike than it is to the south. The city of Hammonton likewise has numerous industries located there, clothing factories that employ some 150 to 200 persons, and also other manufacturies. The route on to Berlin has numerous residences located between Hammonton and Berlin, and many inns, and garages and other places of business that salesmen and people that have to work at these establishments desire to go to. At Egg Harbor there is located the Egg Harbor Coal & Lumber Company, George Serge & Sons Company, clothing, Rynhardt Sorg, clothing, Liberty Cut-Glass Works, Renault & Sons Wine Tonic, Deny's Wine Cellars—maybe it is vinegar works—Bauling Clothing Company, Winterbotten & Sons, which makes bone handles, and Louis Altman, clothing, and Joseph Petrolli, who manufacture clothing and Albert Berrer, vest manufacturer, and Block Go-Cart Company, and several other manufacturies that are not located at Egg Harbor. The Bozarts Lumber Company is located in Elm, and in Berlin they have numerous automobile agencies, and a regular shipping district.

Q. They have got a bank there, too, in Berlin?

A. Yes; they have got a bank there in Berlin.

Q. A banking center for that population?

A. Yes.

Commissioner Browne: And there is a bank in Egg Harbor, too?

The Witness: There is a bank in Egg Harbor, too, yes.

Q. Now, Mr. Harper, what means of transportation other than the one bus line is there now between Egg Harbor and Atlantic City?

A. There is no other bus facilities at all between Egg Harbor and Atlantic City other than the one bus operated by Public Service ——

Q. (Interrupting.) Between Berlin ——

A. (Continuing.) Except the numerous interstate buses that are operated up and down the White Horse Pike that have no right, locally.

Q. I am talking about local service.

Mr. Daly: Are you willing to take a restriction between Atlantic City and Absecon; the same restriction that is on the Egg Harbor-Atlantic City route at this time?

Mr. Straw: We are, yes, sir.

A. They do a local business the same as we do.

Mr. Straw: As I understand it, we are willing to accept the restriction.

Commissioner Browne: There is already a restriction on that line from Egg Harbor to Atlantic City and that would automatically cover the other buses.

Mr. Straw: Yes. We are not going to take any business from anybody.

Q. Now, Mr. Harper, what sort of facilities for transportation do people who live in Berlin and who want to go to Egg Harbor, or people who live in Egg Harbor and who want to go to Berlin or any of the intermediate points, have at the present time?

A. The only service between Berlin and points on the White Horse Pike below Berlin and east thereof are rendered by the Public Service and the West Shore Railroad Company. At the present time Public Service on its Berlin route is operating two trips to Hammonton, and, too, as I remember it, a 90-minute service to Atco.

Q. 90-minute?

A. Yes. And I believe in rush hours that that drops to 45 minutes.

Q. Now, between Berlin and Hammonton—Berlin and Egg Harbor, rather—you have what municipalities along the White Horse Pike?

A. Between—would you rather have me speak of them as towns?

Q. Towns, yes.

A. Municipalities or municipality is rather broad in some instances.

Q. Yes. What towns?

A. Between Berlin and Egg Harbor, along White Horse Pike, there is located Atco, Atco Lake, Dunbarton, Chesilhurst, Waterford, Ancora, Elm, and then you get into a portion of Hammonton. That is well built up along the White Horse Pike considerably to the north of the center of the town of Hammonton. Then you go into the town of Hammonton itself, and next you go through Dunsta, and there is Speedway, Magnolia, Elwood, and from Elwood directly into the city of Egg Harbor.

Q. It has occurred to me, referring to these municipalities or towns, I suppose you better refer to

them as vicinities or localities, or something like that.

A. Yes. They haven't any government of their own.

Q. Now, the folks who live in these intermediate vicinities or localities who want to go into Berlin or Hammonton or Egg Harbor other than the 90 minutes service to which you have referred, going to Atco, and these two trips to Hammonton by Public Service bus, have what sort of rail facilities?

A. A person desiring to go from Berlin, for instance, say, to any point east thereof, there is one there in the morning at 8:17 A. M., which makes a flag stop at Bishop's Bridge, and makes another stop at Atco, which is two and one-half miles below Berlin, a flag stop at 3:25 at Dunbarton, which is some three and a quarter miles below Atco, and a flag stop at Fisher's, and so on, down the line, and stopping at the stations either by notice to the agent or conductor, or a scheduled stop, reaching Hammonton at 8:47 and Egg Harbor at 9:02. There's absolutely no stops made on the West Jersey and Seashore Railroad between Hammonton and Egg Harbor. At the last hearing, I might state that there were more stops there; in fact, there was more service operated on the West Jersey & Seashore Railroad between Berlin and points east thereof at the time of the last hearing than there is today. There are absolutely no stops made between Hammonton and Egg Harbor, and between Egg Harbor and Absecon. That is taking away from these people service which they had at the last hearing.

Q. So that, as we desire to please everybody, we can say there is a changed condition in so far as that is concerned since the last time; is that true?

A. Yes; very materially changed from the last time.

Q. Now, then, how far—where does the Pennsylvania Railroad and the West Jersey & Seashore Railroad touch the municipality or locality which is prayed for Public Service, to be granted, will touch on this route between Berlin and Egg Harbor?

A. The West Jersey & Seashore Railroad first comes into the picture at Berlin, at a point approximately three-eighths of a mile north of the White Horse Pike. It parallels the White Horse Pike diverging some from the White Horse Pike until it reaches Atco. At Atco it is possibly a half a mile north of the White Horse Pike. The railroad continues down through Fisher and Chesilhurst, paralleling the White Horse Pike again, until it reaches Ancora. At Ancora the West Jersey & Seashore Railroad bends sharply to the south and passes through Winslow Junction, which point is wholly out of the territory of the proposed route on the White Horse Pike, and it does not parallel this bus line again until Hammonton is reached.

Q. By the way, Mr. Harper, when you get to Hammonton, how far is the White Horse Pike away from the station of the Pennsylvania Railroad Company?

A. The White Horse Pike at Hammonton is over a mile north of the railroad station.

Q. Now, leaving Hammonton, where do you again touch the Pennsylvania Railroad?

A. From Hammonton east, the railroad, the West Jersey & Seashore Railroad parallels this bus line on the Whitehorse Pike, between Hammonton and all the way down to Absecon, making only stops at, or stops only at Hammonton, Egg Harbor and Absecon.

Q. The Atlantic City Railroad operates from where to Egg Harbor?

A. If I may go back a minute, the West Jersey

& Seashore Railroad, I will mention an 8:17 train from Berlin east.

Q. I just ——

A. (Interrupting.) The next train that a person could take to go to the points that I mentioned previously with the exception of Fisher, Chesilhurst and Ancora would be a 4:03 train in the afternoon. That would take them through to Hammonton, arriving at Hammonton at 4:29, or a total running time of 26 minutes. There is then a train that stops in Hammonton and proceeds to Egg Harbor and Atlantic City, leaving Hammonton at 5:38.

Q. How long is the connection, Mr. Harper?

A. There is no connection. That train does not stop at Berlin. The first stop is Hammonton. The next train would be—62—in the P. M., around 6:30 —6:22. There are two 6:22's and 6:32. The next train, 7:01. And after that there is no service either between Berlin and points east. On Sundays there is absolutely no service given the people of Berlin, Bishop's Bridge, Dunbarton, Fisher, Chesilhurst, Spring Garden, Waterford, or Ancora, the only service being rendered on that day is between Hammonton, Egg Harbor, Absecon and Atlantic City, one train leaving Hammonton at 10.14 A. M., and the second train only serving the section between Absecon and Atlantic City, which would be the problem of the Absecon Bus Company and not the Public Service, that train leaving at 11:02 A. M. In the reverse direction, the same story approximately holds for that.

Q. Have you prepared that in the form of a summary?

A. Yes, I have.

Q. So that the trains may be shown?

A. Yes.

Mr. Straw: I offer this as P. S. 2, if your Honor please, which is the summary of the West Jersey & Seashore Railroad facilities. P. S. 2 is a summary, east bound.

(Paper referred to received and marked Exhibit P. S. 2.)

And P. S. 3, if your Honor please, is the westbound.

(Paper referred to received and marked Exhibit P. S. 3.)

Q. Now, Mr. Harper, what type of service do you propose to give with relation to—from Berlin to Egg Harbor, if the prayer of the petitioner is granted?

A. At the present time we are operating approximately on an hour headway between Egg Harbor and Atlantic City—the Egg Harbor-Atlantic City bus line on a two hour headway at a certain portion of the day. I will have to qualify that. We are operating approximately on a two-hour headway during the entire day. The proposed running time between Atlantic City and Berlin, to give this local service, would consume two hours time. In other words, a round trip would take four hours.

Q. Does that include lay-over?

A. That does not include lay-over. As it was proposed, if we put in our headway, if this application is granted at the start, that would require five buses—a half-hour lay over in Atlantic City and a half-hour lay-over at Berlin. On Saturdays, owing to the shop interest and so forth along the pike, it would require for a portion of the day at

least half hour service. And I feel certain that in the summer time on certain days that even a greater service would be required. So that to render the service on Saturdays would require approximately nine buses, and three additional buses should be used to fill in as the line required on other days in the heavy season of the year.

Q. Does that also take care of break-downs, of maintenance and things of that sort?

A. Yes. That would enable us to operate 12 buses.

Q. Giving the same high grade service that would be given otherwise?

A. That would give the same type of service between Egg Harbor and Berlin as is now given between Egg Harbor and Atlantic City.

Q. A person living in Berlin who wanted to go to Atlantic City and who took the train, could get and would get to Atlantic City at what time on the West Jersey & Seashore Railroad?

A. That would be the only way he could go to Atlantic City outside of his private automobile, and he would take an 8:17 train in the morning. If he did not care to take that train, he would have to wait until 4:03 in the afternoon and take the 4:03 train for Atlantic City.

Q. And how long would it take him to get there from Berlin?

A. It would take him an hour—I will give you the first one—an hour and 13 minutes on the 8:17 A. M., train, and an hour and five minutes on the 4:03 P. M. train.

Q. What is the second?

A. An hour and five minutes. 65 minutes.

Q. Is this service of which you speak the service the Public Service desires to give, a service which

can compare with the train service as to time for persons living in Berlin?

A. No. It will be much better than the West Jersey & Seashore Railroad train service and it will be of an entirely different character. It is absolutely impossible for us to make the running times or the speed of the trains between these various stations, and, in addition, we serve a section of the territory that in a great number of cases is considerably—considerable distances from train facilities.

Q. I mean this, Mr. Harper: A person who lives in Berlin and who wants to go to Atlantic City would use the West Jersey & Seashore Railroad as it now is, and he could go either in an hour and 13 minutes or an hour and five minutes. If he did take the proposed service, assuming it was there, how long would it take him to get there by bus?

A. It would take him two hours.

Q. In your judgment, on this phase of the situation, will the bus service compete with the Pennsylvania Railroad for through service to Atlantic City?

A. No; I don't believe it will.

Q. Are you designing this bus service to do a through business from Berlin to Atlantic City?

A. No. We are designing this bus service to give the people on the White Horse Pike district a local service such as they have repeatedly given to us and asked us for. We are not competing with the railroads.

Q. What is the function of the proposed line?

A. The function of the proposed line is to take people from the various built-up portions of the White Horse Pike down to such towns as they desire to go to to transact business or visit their friends, and then to connect with the trains for Atlantic City. For instance, a person living, say, at Ancora, he could take this proposed bus line and go to Ham-

monton and there make connections for Atlantic City and get there a lot quicker than he could if he took the bus line all the way through. Everything in this application is in favor of some such transfer being made between the bus line and the trains.

Q. And it is your thought and expectation, I take it, that this line will feed the Pennsylvania Railroad?

A. I think to a certain extent it will feed the Pennsylvania, and also the Atlantic City Railroad. You must remember that every time we refuse ample service, such as the railroads have come in here and opposed our other application and the effort we made to put that service through, we drive people to a private automobile, and once they are in a private automobile you lose them for the long haul business as well as the short haul business to the railroad stations and to the various municipalities.

Q. Now, you have referred to the Atlantic City Railroad. Where does the Atlantic City Railroad touch the applicant's proposed route? What have you to say as to the service that they give at the present time?

A. The Atlantic City Railroad comes into the picture first at Hammonton, and to the west of Hammonton there are considerable distances, probably ranging from a mile to two miles or more south of the White Horse Pike. At Berlin, there, I would say about a mile and a half to the south of Berlin. They run approximately parallel to the proposed route on this bus line between Hammonton and Germania, Germania also being known by some people as Cologne. That is a distance, I would judge, of—I can give it to you exactly—that is a distance of 13.9 miles. And intermediate between, between Hammonton and Cologne they make stops at DaCosta,

Elwood, Egg Harbor and the next stop being Cologne.

Q. Now, what have you to say as to the effect of the proposed line upon the transportation facilities of the Atlantic City Railroad in the light of competition?

A. It is my opinion that they won't compete with the Atlantic City Railroad either and will certainly feed them just as they would the West Jersey & Seashore Railroad at Hammonton and Egg Harbor, which are the only main stops that the Atlantic City Railroad makes with any degree of consistency.

Q. Now, why do you say, Mr. Harper, that it won't compete with the Atlantic City Roailroad?

A. The running time of the Atlantic City Railroad between Egg Harbor and Hammonton ranges from some 15 or 16 minutes down as low as 13 minutes, whereas our running time between these two points would probably be 25 minutes. The time element is so different that the element of competition fades into the distance as regards the two types of service. Also, the Atlantic City Railroad only gives three trains between morning and night; that is, during the middle section of the day that would serve the people in this particular territory, the interval between there averaging about two hours and a half.

Q. Mr. Harper, in your judgment, is there—will this line serve the public convenience?

A. I think it will very much, yes, sir.

Q. Is it a public necessity, in other words?

A. Yes, sir. It is, absolutely.

Q. Why do you say that?

A. I say that knowing the territory and also by the demand that has been made on Public Service both at the time of the other application and also before this application for this type of service, and I believe the Utility Board has received numerous

requests from people living all through this territory for the approval of our former application.

Q. What have you to say as to demands which have come to you officially made upon Public Service in recent months? Or since the hearing of last year?

A. They have been in touch with Mr. Morgan of the Berlin Garage, wanting to know when the Public Service was going to start to operate these buses, and also, I believe, there are requests sent in to Mr. Rothery.

Q. Mr. Rothery is manager of the Southern Division?

A. Yes. And also, I know as a fact that the Board did receive some letters, but from whom I cannot tell.

Q. Are you familiar with the resolution passed by the township of Galloway, a certified copy of which I showed you this morning?

A. Yes. The first time that I learned of it was this morning when you gave it to me.

Mr. Straw: If your Honor please, I desire to offer as P. S. 4, after showing it to counsel, this certified copy of a resolution by the township of Galloway urging this Board to give them transportation at this point.

(Paper referred to received and marked Exhibit P. S. 4, March 11, 1929.)

Mr. Straw: With your Honor's permission, having submitted this to counsel, I will read it into the record.

Commissioner Browne: You need not do that as it is in evidence.

Mr. Straw: Very well.

Q. Now, Mr. Harper, you spoke of these various municipalities or localities. What is the mileage between these places?

A. Starting at Berlin, the mileage between Berlin and Bishop's Bridge is one mile even. The distance between—I might say that these are railroad stops and the track mileage that I am giving you: Between Bishop's Bridge and Atco, one and one-half miles; between Atco and Dunbarton it is 1.6 miles; between Dunbarton and Fisher, 6/10th of a mile; between Fisher and Chesilhurst, 8/10th of a mile; between Chesilhurst and Waterford, 7/10ths of a mile; between Waterford and Ancora, 2 miles; between Ancora and Hammonton—I am skipping there now Winslow Junction because it is not close to the White Horse Pike—a distance of 5 1/2 miles. The distance between Hammonton and Egg Harbor is 11.1 miles and the distance between Egg Harbor and Absecon is 10.7 miles.

Q. Mr. Harper, are there many people who live along the route that is sought to be served on the White Horse Pike?

A. Yes. There is a very considerable number of people that live along the White Horse Pike.

Q. And can you give me an approximation of the number of houses and stores and lunch wagons and things of that sort along the Pike?

A. We had a count made between, dividing into two sections, the first section taking in the territory lying between Berlin and the Speedway, and the second section from the Speedway to Absecon—these counts include everything within a distance of—ranging from a quarter of a mile to probably three-quarters of a mile either side of the proposed bus route.

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Q. Both sides of the pike?

A. Yes; where a person could have ready access to the White Horse Pike or local transportation, locally. We found in the first section between Berlin and the Speedway all kinds of stores and apartments and garages and gasoline stations and auditoriums and churches and factories and fire halls and every other type of building you can think of, including coal yards, and banks and theatres, and post-offices, and some 2209 dwellings—in all a total of 2525 houses or halls or dwellings that would attract people to have, or such dwellings as people would live in. Between the Speedway and Absecon we found by checking 1260 additional buildings of a like nature, making a total of 3785.

Q. Now, that includes, as I understand it, only houses in which people live, or places to which people might be attracted—halls, and theatres, and so forth?

A. Yes.

Q. And therefore these people would need this transportation or some kind of transportation to get there as they wish?

A. Yes. I might add, too—I can give you some population figures ——

Q. I wish you would, please.

A. (Continuing.) Of some of these towns. It does not include all of them but it will paint the picture fairly well. Berlin Borough, 2600 people; Berlin Township, 1850; Waterford Township, 3,000; Chesilhurst Borough, 500; Hammonton, 9,000; Egg Harbor, 3400. And I might state that these last two populations were taken from the Atlantic City brief in the last hearing. And Absecon, 2,100. And Winslow Township, 5200. I haven't got it totaled here but it amounts to some 25 to 30,000 people, in all.

Q. Now, Mr. Harper, on the question of public

convenience and necessity, you have expressed yourself as feeling that this line would not only serve the public convenience but is a public necessity. Is there anything further in that particular phase of the situation that you desire to say to his Honor?

A. I just desire to say this: That my opinion of it at the last hearing was that it was a necessity and it would be a great convenience to these people, and I want to say that that opinion and viewpoint has become more strongly imbedded in my mind, owing to the fact that some of the little bit of local service that these people had has been taken away from them, and the fact that they are repeatedly requesting more service.

Q. Now, with respect to the municipalities, as municipalities, this line operates through the Borough of Berlin if it operates—if they grant permission for the operation of this bus line prayed for in the petition?

A. Yes.

Q. How about the same question with respect to the Township of Berlin?

A. Yes.

Q. The Township of Winslow?

A. Yes. I can say this, Mr. Straw, that there are consents for other municipalities attached to the application, between Berlin Borough and Atlantic City. If you desire to have them ——

Q. We would like to have them. Township of Berlin?

A. Yes.

Q. Township of Winslow?

A. Yes.

Q. Township of Waterford?

A. Yes.

Q. Borough of Chesilhurst?

A. Yes.

Q. Town of Hammonton?
A. Yes.
Q. Township of Mullica?
A. Yes.
Q. City of Egg Harbor?
A. Yes.
Q. Township of Galloway?
A. Yes.
Q. City of Absecon?
A. Yes.
Q. And the city of Atlantic City?
A. Yes.
Q. Any others, Mr. Harper?
A. No. That is all.
Q. How about your schedule of fares; is that attached to the petition?
A. The schedule of fares is attached to the application.
Q. Have you the population of the Township of Mullica?
A. No. I looked for that this morning and I could not find it anywhere. I am sure they have got somebody there, though.

Mr. Straw: Take the witness, gentlemen.

Cross-examination.

By Mr. Baldwin:

Q. Mr. Harper, you testified in the other proceeding, didn't you, the Camden to Atlantic City route?
A. No, sir.
Q. And you say you held the opinion at that time that this service was needed?
A. Yes. That was my opinion as I sat in the hearing and listened to the testimony.

Q. So you did not express that opinion to the Board?

A. No. I was not on the stand the last time.

Q. Did you hear the testimony in the other case?

A. I heard portions of it. I did not hear the whole testimony.

Q. And do you know whether it was brought out at that hearing that the section of the White Horse Pike between Hammonton and Egg Harbor was not served by intra-state buses?

A. I think I remember that, yes.

Q. And therefore, when the Board said in its opinion, "There is a section of the White Horse Pike located between Hammonton and Egg Harbor which is not served by an intra-state bus operation," the Board had the right idea of things, didn't it?

Mr. Straw: Objected to, if your Honor please, because no matter what the Board decides we always think they have the right idea.

Commissioner Browne: The Board would not admit that it did not! So we will pass that. Ask him a question of fact and not what the idea of the Board was.

Q. You knew that that was brought to the attention of the Board at the time of the other hearing?

A. Yes; as I remember it, that was the situation.

Q. Now, it was also brought to the Board's attention that the intermediate bus—that is, not the through bus, but the local bus between Hammonton and Camden—was being served in some fashion, was it not?

Mr. Straw: Objected to, if your Honor please. This is an application between Berlin and Hammon-

ton and Egg Harbor. I object to any testimony as to the Camden and Berlin bus route because it is entirely out of the case.

Commissioner Browne: I think you should confine yourself to the present route.

Mr. Baldwin: All right.

Q. Does the district between Berlin and Hammonton lie within that district between Camden and Atlantic City?

Mr. Straw: My Baldwin alluded to, "A rose by any other name would smell as sweet." Now, as to that question, that is the same rose with a little different name.

Commissioner Browne: That is just a question of what the map shows. Do you mean, that is on the same route?

Mr. Baldwin: Yes. Is it a part of it?

The Witness: Yes, sir.

Q. Of course, what lies between Egg Harbor and Atlantic City is a part of your present application, isn't it?

A. That is right.

Q. Now, between Egg Harbor and Atlantic City the built-up sections are rather sparse and scattered, are they not?

A. There is a center at Cologne, and another one at Pomona, and recently there is a considerable settlement at the Absecon—I think it is the Absecon

Gardens or Estates—just before you get into the main portion of the city of Absecon. And there's also some dwellings scattered along the White Horse Pike between those two points.

Q. Your check of houses that lie along the White Horse Pike between Berlin and Hammonton at one end, I think you put it ——

A. (Interrupting.) Between Speedway and Berlin, and Speedway to Absecon.

Q. You divided your territory, then, at the Speedway?

A. Yes.

Q. And you checked the houses and other places of interest between the Speedway and Berlin in one direction and between the Speedway and Absecon in the other direction?

A. That is right.

Q. Now, to make that check, I understood you to say you went for three-quarters of a mile on each side of the track and took in those houses?

A. No. I said the distance varies between, probably, 3/8th of a mile or a half a mile up to three-quarters of a mile.

Q. Now, a house three-quarters of a mile from the White Horse Pike, would that be nearer to the train line or nearer to White Horse Pike?

A. In most of the instances the population of that particular character laid to the north rather than to the south.

Q. There are railroads on both sides of the Pike, aren't there?

A. No. There is a railroad—of course, that all depends upon what section you are speaking of. Between Berlin and Hammonton the Atlantic City Railroad does not enter the picture, being so great a distance from the White Horse Pike. Between Hammonton and Egg Harbor and Absecon the West Jer-

sey & Seashore Railroad parallels the White Horse Pike. Between those points it parallels the White Horse Pike. Between Hammonton and Cologne, the Atlantic City Railroad also parallels the White Horse Pike for a distance of about 14 miles.

Q. Isn't it true that a railroad is located on the northerly side of White Horse Pike?

A. For a portion of the White Horse Pike, yes, that is right.

Q. Until you get to Ancora?

A. Yes.

Q. And how close is that railroad to White Horse Pike?

A. That varies from, I would say, about 3/8ths of a mile to a half a mile to the north of the White Horse Pike.

Q. So that any house that lay three-quarters of a mile to the north of the White Horse Pike would lie beyond the railroad, wouldn't it?

A. In that particular case, yes.

Q. And would be closer to the railroad than to the pike?

A. Yes.

Q. And similarly, after you get below Hammonton, any house that is within three-quarters of a mile south of White Horse Pike would be nearer to two railroads than it would be to the White Horse Pike?

A. Yes. That is, the railroad tracks.

Q. Now, what number of these houses that you have testified about have been erected since the 17th of July, 1928?

A. I can't tell you, Mr. Baldwin, because, unfortunately, we did not have a count at the time of the other hearing.

Q. Do you know of any of them that have been erected?

A. I could not name you any, specifically, right at this time, no.

Q. Well, in a general way, weren't there just as many houses in July as there are now?

A. No. I am under the impression, from memory, on some of the trips that I have taken down there, that there has been some building along White Horse Pike.

Q. A house here and there?

A. Well, yes, I would say that and probably a garage here and there, too.

Q. Now, you mentioned in your direct examination that you did not think this line would compete with the railroads; is that right?

A. That is right.

Q. In fact, you thought it would be a feeder to the railroads?

A. Yes.

Q. Now, where would it feed the railroads; at what point?

A. It would feed the railroads at the points which they serve at the present time, such as are served with any degree of frequency at the present time, such as Egg Harbor and Hammonton.

Q. And you are willing to express the opinion that the time element—that is, that the railroads make the trip to Atlantic City in so much shorter time than the buses would be able to—makes the bus non-competitive with the trains?

A. I think that is a very material factor to be taken into consideration, yes, sir.

Q. Have you been on the White Horse Pike on Sunday in the summer time?

A. I have.

Q. Have you ever seen any buses operating from Philadelphia to Atlantic City?

A. I have.

Q. Have you seen many of such buses?
A. I have.
Q. Have they had people enough?
A. Yes.
Q. Can you say whether the running time of those buses compares, or how the running time of the buses from Philadelphia to Atlantic City compares, with the running time of the trains between Philadelphia and Atlantic City?

Mr. Straw: Objected to, if your Honor please, because that brings in the interstate bus proposition, which does not enter into this picture. The interstate bus is an express bus. This is an entirely local service. I feel that such an inquiry would be immaterial and would not be helpful to us at all.

Commissioner Browne: In his general examination, he said that they took the train because it gave faster service than the buses ——

Mr. Straw: Between Berlin and Atlantic City.

Commissioner Browne: Yes.

Mr. Straw: And my whole direct examination was as to folks that lived in Berlin and who went to Atlantic City in the train on the one hand and who were foolish enough to take the bus and take three-quarters of an hour longer to get to Atlantic City. I merely wanted to ——

Commissioner Browne: I think it is all right to ask the question because of the general statement that he made, but you might ask him if it is preferable to take the trains because of the time element.

Q. Do people take trains in preference to buses because of the time element?

A. Yes. Take trains in preference to buses?

Q. Yes.

A. Yes; I would say they do.

Q. And do all people do that?

A. I would not say that everybody does it, no.

Q. And from your knowledge of these buses that operate from Atlantic City to Philadelphia on a slower running time than the trains between Atlantic City and Philadelphia, do you still hold to that same opinion that the mere fact that a train runs faster than a bus makes the bus non-competitive with the train?

Mr. Straw: Now, I object to that, if your Honor please. He has answered the general question. Now, we are getting into interstate operation, which is not in this case.

Commissioner Browne: I didn't hear him answer the other question, the first question of whether they contained people going to Atlantic City; I don't believe he answered it.

The Witness: I said, "Yes, sir."

Q. And it is true, isn't it, Mr. Harper, that these buses operate on a slower schedule than the train from Atlantic City to Philadelphia?

Commissioner Browne: It is the same route. I will allow that question.

A. It all depends on how long it takes a person to get from the terminal of the bus line in Philadel-

phia to the train in Camden. There is an additional factor that enters that particular problem.

Q. What about the bridge trains that run from Philadelphia to Atlantic City?

Mr. Straw: We are still getting westward, your Honor. This is northern Philadelphia.

Mr. Baldwin: They still make better time than the buses, even if they go a longer distance still.

Commissioner Browne: The witness has said there is another factor in it. I think we are enlightened enough on the subject.

Q. Now, Mr. Harper, you have said that this line is not intended to be competitive with the railroads?

A. No, sir.

Q. Would you take a restriction that your buses should carry no through passengers from Berlin to Atlantic City, or vice versa?

A. No. I think that would be unfair to the public and I don't think it would be a just restriction to place on this operation, because there is such little service now between Berlin and Atlantic City, even by train, for all the people who want to take this journey, and I don't see why the people should be prohibited from taking it if they so choose.

Q. So you expect to carry people from Berlin to Atlantic City and return?

A. If the people present themselves for a ride from Berlin to Atlantic City and desire to spend two hours in a bus we will take them, yes, sir.

Q. You do have a line from Camden to Berlin, do you, now?

A. Yes, we do have a line from Camden to Berlin, and other points south.

Q. Where is the terminal at Berlin of that line?

A. The terminal of that line is at the forks of the road at Berlin.

Q. Exactly at the same point where the terminal of this line is?

A. The same terminal, which is the center of Berlin.

Q. What would there be to prevent persons taking the bus at Camden and going by bus from there to Berlin and at Berlin transferring at the same point to the other bus which makes the connection there and going on from there to Atlantic City?

Mr. Straw: Now, I object, if your Honor please, and I say that it is not proper cross-examination and is not within the scope of this case.

Commissioner Browne: I think that is a fair question.

Q. (Question repeated by the reporter.)

A. Why, a three-hour ride, plus a transfer at Berlin.

Q. You did not think the three-hour ride was incompatible with the public convenience when you applied for a line from Camden to Atlantic City, did you?

Commissioner Browne: This witness did not apply for any line. He was not a party to that case, so he said, so I don't think he has to answer that question.

Q. Would you think a person would object to a three-hour ride from Camden to Atlantic City?

Mr. Straw: I object to that as not material to this issue.

Commissioner Browne: He said he would. I think he has already answered that question.

Q. Have you prepared a schedule of operation for this Berlin to Atlantic City line?

A. An actual schedule on paper has not been prepared. We have considered the headway that we would run, and we would have a headway of an hour on week days, and supplement that with a half-hour headway on Saturdays for a portion of the late morning and afternoon.

Q. And do you propose to tie up the leaving time and arriving time of the Berlin-Atlantic City line with the arriving time and leaving time of the Camden-Berlin line?

A. No. That was not, has not been considered in making up the schedule for the Berlin-Atlantic City line at all.

Q. Would a restriction on your new line, if you operated it, that it should carry no through passengers from Berlin to Atlantic City be effective to prevent a person making a through trip from Camden to Atlantic City on your buses?

Mr. Straw: Objected to, if your Honor please, on two grounds: In the first place that is not material, and in the second place it is a question of law.

Commissioner Browne: Well, Harper already said they would not take a restriction.

Mr. Baldwin: I am asking him now if such a

restriction, if imposed, would be effective to prevent a person from going all the way from Camden to Atlantic City on these two lines of buses.

Mr. Straw: I certainly object to that.

Commissioner Browne: It is fairly obvious they would not choose to take such a long time—I think he does not need to answer that.

The Witness: I would say that the very fact that you are restricted between Berlin and Atlantic City would preclude the possibility of a person changing at Berlin to make the trip all the way through.

Q. And that is the restriction you say your company is unwilling to take?

A. I said that it would not be just to take and I would not like to see it imposed, personally.

Q. About how many passengers that you propose to serve by this new line would it be unjust to impose such a restriction upon?

A. I don't know.

Q. How many passengers do you anticipate you would carry, without transferees being considered, between Berlin and Atlantic City?

A. I can't answer that question because I don't know just what through traffic of the character of which you speak would be built up.

Q. Have you ever checked up the number of train passengers that ride from Berlin to Atlantic City and back?

A. No, sir; we haven't yet.

Q. So you don't know how many people there are in Berlin that want to get to Atlantic City and how

many people that are in Atlantic City that want to get to Berlin?

A. No, sir; I do not.

Q. And you have made no check to determine what that community of interest is?

A. No; not that particular type of traffic, no, sir.

Q. Is there any community of interest?

A. Yes. I would say there is a community of interest between Berlin and Atlantic City.

Q. And what is that community of interest?

A. The community of interest between a smaller center of population which is connected with a big terminal such as Atlantic City is, and also a seashore resort, and the resort features that Atlantic City holds forth.

Q. How far is it from Berlin to Camden?

A. 16 miles.

Q. How far is it from Berlin to Atlantic City?

A. 42.

Q. Now, this present bus—it can hardly be called a line—that operates from Egg Harbor to Atlantic City, makes nine trips daily, doesn't it?

A. Yes, sir.

Mr. Straw: We do call it a line, if your Honor please.

Mr. Baldwin: It is a one-bus line. We won't quarrel about that.

Q. It makes nine trips daily, doesn't it?

A. Yes, sir.

Q. And, of course, if you add on 11 other buses to that one and limited the operation of them to the district between Egg Harbor and Atlantic City, I presume that they could make 81 trips daily, couldn't they?

A. Yes.

Q. Or 108 trips daily?

A. Well, take that straight proportion, yes, if they ran all day and followed the same schedule, if you have 11 buses going down the pike daily.

Q. And your purpose in increasing the number of buses is to be able to serve that extra mileage, isn't it?

A. The purpose of the additional buses is to render local transportation between Egg Harbor and Berlin, and in doing that with one bus it would lengthen the headway on the whole line so that the service would not amount to anything, and it is through the necessity for better service that it demands that extra buses be approved for the operation, if the permission is granted.

Q. How far is it from Egg Harbor to Atlantic City?

A. 17 miles.

Q. How far from Egg Harbor to Berlin?

A. 25 miles.

Q. So that what is sought in this application is to extend the Atlantic City-Egg Harbor bus line, which is 17 miles long, to Berlin, which is a 25 mile extension; is it?

A. That is right.

Q. Now, what municipal consents has your company obtained to the operation of such a line as you propose to operate?

A. Why, those consents are filed with the application and referred to by Mr. Straw in his direct examination.

Q. Have you got copies of them before you?

A. Yes. They are attached to the application.

Q. Will you give me the date when the authority to operate in Berlin Borough was granted?

A. That was granted on September the 19th, 1927.

Q. And in Berlin Township?
A. On September 26th, 1927.
Q. And in Winslow Township?
A. October 29th, 1927.
Q. Waterford Township?
A. I am afraid the township clerk did not put

Q. Would September 14th, 1927 be approximately correct?
A. About right.
Q. And what is the next? Chesilhurst?
A. Chesilhurst, October 8th, 1927.
Q. And what would be the next one?
A. The next one would be the town of Hammonton.
Q. What is the date of that?
A. September 26th, 1927.
Q. And what is the next one?
A. The next one would be the Township of Mullica. September the 8th, 1927.
Q. And the next one?
A. March 2nd, 1928.
Q. Egg Harbor, is it? Or the Township of Galloway?
A. Egg Harbor.
Q. Egg Harbor is what?
A. March 2nd, 1928.
Q. And the next one? Galloway?
A. The next one is the Township of Galloway, and that was passed on August the 30th, 1927.
Q. And the next one?
A. City of Absecon, August the 31st, 1927. Atlantic City, August the 25th, 1927.
Q. So that all of these consents on which you rely for the operation of the new line were passed prior to the Board's decision in the Camden-Atlantic City case, weren't they?

A. Yes.

Q. And you have no consent to operate granted by any of these municipalities which is later than July 17th, 1928, have you?

A. No. I think the last one is March 2nd, 1928.

Q. Now, will you let me see the municipal consents on which you rely for having this line approved?

A. Yes, sir. (Paper handed to counsel.)

Q. Now, I call your attention to the municipal consent of the Township of Winslow. That consent was expressly granted to your company as part of a line to operate between Camden and Atlantic City, was it not?

Mr. Straw: I object to that. It is a question of law, if your Honor please.

Commissioner Browne: I think it is allowable. It is part of his offer.

The Witness: If it is in there, it certainly is for that. I don't know anything other than what it says in the resolution.

Q. So far as you know, the Township of Winslow has never granted a consent to your company to operate through its limits on a Berlin to Atlantic City line, did it?

Mr. Straw: I object to that, if your Honor please. The permits are here, and we ask the Board's approval of the permits.

Commissioner Browne: The witness has said that that is so if it is in the resolution. The ques-

tion is allowable. You are making application for a Berlin to Atlantic City route.

Mr. Straw: The witness can't translate the permits.

Commissioner Browne: He can say whether they have a permit or not.

The Witness: My understanding of the matter is this: That we went to these municipalities and asked them for permission to operate locally through their municipalities, and at the time we expressed the thought that we would extend our Berlin line —Camden-Berlin line to Atlantic City to render this service. Now, in that way the extension of the Camden-Berlin line got into almost all these municipal consents that you have in your hand.

Q. And in pursuance of that idea on the part of your company, your company used those consents as the basis for an application to this Board to run a line from Camden to Atlantic City, did it not?

Mr. Straw: Objected to, if your Honor please, as not in the case.

Commissioner Browne: But they are the same permits that were used in the other application.

Mr. Straw: That is a matter for them to prove.

Commissioner Browne: You have presented these permits, and, of course, he can be cross-examined on the permits or anything that is in the permits, naturally.

Mr. Baldwin: In other words, as I view it, it is up to the Public Service to make out a prima facie case before we have to respond at all.

Q. (Question repeated by the reporter.)

A. No. They used them as the basis for an application to extend the Camden-Berlin lines to Atlantic City.

Q. And that was the application that this Board had before it when you heard the testimony given, was it not?

A. Yes. About this time last year I think it was in progress.

Q. And it was finally determined by the Board in July of 1928?

A. Yes.

Q. And since then you have secured no other or additional permits from any of those municipalities, have you?

A. No; not to my knowledge.

Q. Now, I call your attention to the municipal consent, or the alleged consent of the city of Atlantic City granted to your company under date or August 25th, 1927, which is attached to your application.

A. Yes.

Q. That municipal consent says, "Passengers are to be accepted and discharged only at the terminal of the said transportation company, located at Arkansas Avenue on the boardwalk, Atlantic City, New Jersey. No stops are to be permitted to be made for the acceptance or discharge of passengers over the route above set forth." Do you recall those provisions in that permit?

A. Yes.

Q. Has the city of Atlantic City adopted an ordinance to your knowledge known as Ordinance No. 9,

which, if followed, would make it impossible for your company to operate to the designated terminal points?

Mr. Straw: Objected to, if your Honor please.

Commissioner Browne: What is the basis of the objection? We are trying to find out.

Mr. Straw: He certainly is not going to construe ordinances and all such things as that. As I say, he is a good engineer but an awful lawyer.

Commissioner Browne: He is trying to find out about the terminus set up in the petition. If he does not know, he can say he does not know. They claim they go to a certain terminus. If they cannot go there, that vitiates the matter.

The Witness: This ordinance has been the subject of so much litigation that I don't know what it represents any more.

Q. Can you say, Mr. Harper, from any knowledge you have, whether or not these consents that were granted to your company in September and October —August, September, and October of 1927, and March, 1928, have ever become effective, or not?

Mr. Straw: Well, now ——

Mr. Baldwin: I will withdraw that.

Q. Can you say whether or not your company, since it received those municipal consents, has ever filed with these communities a power of attorney or an insurance policy?

A. I don't know, Mr. Baldwin. I could not tell you.

Q. Could you say that your company has done that?

A. I can't say "Yes" or "No," because I don't know.

Q. There are several of those permits, are there not, Mr. Harper, that refer to a Camden-Atlantic City service as well as the particular Winslow Township consent that I mentioned?

A. I think there are. I can tell you in just a minute. (After referring to papers.) Yes, there are other ones here that state that.

Q. Now, I presume ——

A. (Interrupting.) Also, there is one here on Hammonton that says Berlin and Atlantic City, too.

Q. I presume, Mr. Harper, that your application to those municipalities for their consents to operate preceded the dates when the resolutions were adopted?

A. I judge they did.

Q. Now, when you made your application for those consents, did your company have in mind at that time the extension of one bus from Egg Harbor to Berlin and the addition of 11 buses to it to make a line?

Mr. Straw: Well, now, I ——

Q. If you know?

A. I think, as far as I can understand, their intention at that time was to run local transportation between that portion of the White Horse Pike line lying between Berlin and Atlantic City. Just how they were going to do that I don't know. The original thought, I believe, was to extend the Camden-Berlin line.

Q. How many buses were going to serve that territory?

A. We were going—there were two applications, one to Atlantic City and another one, I think, went as far as Hammonton, and that placed 24 buses on the White Horse Pike between Camden and Hammonton, and 12 between Hammonton and Atlantic City.

Q. Can you say whether your company has ever made an application to any of these municipalities en-route for its permission to extend the one bus which now operates from Egg Harbor to Atlantic City as far north as Berlin and to add to it 11 other buses that would operate between Berlin and Atlantic City?

A. Not that I know of.

Mr. Straw: P. S. 4 speaks for that, if your Honor please. It speaks for itself.

Commissioner Browne: The witness said he did not know.

Q. Have you worked out any different tariffs between these points?

A. Yes. It is attached to the application, I believe, Mr. Baldwin.

Q. And are they the same fares or different fares than those which you proposed to charge when your company was making the previous application?

Mr. Straw: Well, now, I object to that, as ——

Commissioner Browne: I don't think that is relevant because the previous application was denied and that goes in the discard.

Q. Are the fare tariffs which you propose to charge on this new line any greater than those which you proposed to charge between corresponding points when you made your previous application?

Mr. Straw: Objected to, if your Honor please.

Commissioner Browne: I don't think that is relevant, Mr. Baldwin.

Mr. Baldwin: I think it is on this ground. The Board, when it denied the application before, had before it all the facts. Now, one of the things that may have caused the Board to deny the application may have been the fare, the determination of the fares, and I think we are entitled to know if the fares they propose to charge are any less than they were at that time.

Mr. Straw: If your Honor please, we are through, as your Honor has said, with the other case and it has gone into the discard. Counsel must not forget that this is not a re-hearing ——

Commissioner Browne: But it was a schedule that was in that application ——

Mr. Baldwin: I will withdraw the question.

Q. As I understand your present application, you propose to have 15 fare zones between Berlin and Atlantic City?

A. That is right.

Q. Do you propose in connection with the operation of this line to sell any tickets for a through ride from Atlantic City to points beyond Berlin?

A. No. We haven't any such thought as that in mind, I am sure.

Q. Will you agree and stipulate in this proceeding that no through trips will be sold which extend beyond the territory north of Berlin?

Mr. Straw: If your Honor please, I am objecting to that question for this reason: my objection all the way through has been that this is not a re-hearing and I say that such a stipulation, even if permitted would be an immaterial matter, and therefore I object to the form of the question and object to the question itself.

Commissioner Browne: I think that might be a little later, but I will sustain the objection that it is not material to this case.

Mr. Baldwin: I think it is, your Honor. This application, your Honor, is only a subterfuge that amounts to getting around the decision of the Board of July 17th, 1928. Now, if the Board can lay down such restrictions and impose such operating conditions upon this company that such subterfuge, if calculated, cannot be brought into effect, then, of course, the Board's ruling of July 17th, 1928 will be effective, but if they are going to get around it by selling tickets from Camden to Berlin, and then from Berlin to Atlantic City, they are doing exactly what the Board said they could not do in July.

Commissioner Browne: I will sustain the objection on the ground that it is irrelevant.

Mr. Straw: The petition speaks for itself. It has nothing whatever to do with the import of that

situation. Now, it may be months from now or a year from now, but it is now of itself entirely an immaterial matter in this issue.

Commissioner Browne: I will sustain the objection on that ground.

Q. Now, Mr. Harper, I would like to know how many round trips a day these twelve buses that you propose to operate will make between Berlin and Atlantic City.

A. The schedule as proposed will start at 6 o'clock in the morning from both Atlantic City and Berlin and operate on an hour headway up to 12 o'clock at night.

Q. That is 18 trips a day?

A. That would be 19 trips a day.

Q. 19 round trips a day?

A. Yes, sir.

Q. Is there such a community of interest between Atlantic City and Pomona that it requires 19 round trips a day to serve that community of interest?

A. Taking those two municipalities into consideration, by themselves, I would say "No," but considering the whole aspect of the problem of the service as it is proposed to be operated, it would, yes.

Q. What municipalities are there lying between Berlin and Atlantic City where the community of interest is such that it requires 19 round trips a day to adequately serve them?

A. I would say between all the municipalities lying between Berlin and Atlantic City.

Q. You have just said that Pomona did not require 19 buses a day.

A. I said by itself it did not.

Q. Well, what community by itself does require that many?

A. I don't believe any community by itself would require that many.

Q. And why do you say one community by itself does not, and ——

A. (Interrupting.) This pictures does not rest on one community; it rests on all the communities to be served.

Q. If no one community needs 19 trips a day, then, manifestly, none of them need it, do they?

A. No; I would not say that at all. It is just like serving the Hurley store on Broadway. One bus might be enough to serve that, but it would not be enough to serve all of Broadway properly. You could not serve it with one bus. You would have to serve it with as many buses as are required. Now, in this situation, we think 12 buses are required between Berlin and Atlantic City to properly serve the people.

Q. To carry how many people?

A. The people that want to present themselves to ride.

Q. And how many people would 19 round trips a day serve if your buses were half full on every trip?

A. Half full on every trip?

Mr. Straw: From where to where?

Mr. Baldwin: The whole distance.

Mr. Straw: I don't understand the question.

Mr. Baldwin: It is clear enough.

Commissioner Browne: It is just a question of mathematics. He wants to know how many people it would serve.

The Witness: (After figuring). If 15 people rode each round trip, and you have 18 trips a day, or 19 trips a day ——

Q. It is 38 half trips, isn't it?

A. All right. We will say 15 people in each direction, or 30 on a round trip, that would be the sum of 570 people.

Q. Now, where is the major part of those 570 people coming from?

A. I would say the major part would come from the main centers of population throughout the White Horse Pike. How many from Egg Harbor or some other place I can't tell. But there is a need for local transportation along this particular section of the White Horse Pike.

Q. So that the majority, in your opinion, would come from the main centers of population?

A. Not necessarily.

Q. You said it, didn't you?

A. Yes; I said that. I did not mean that they would ride necessarily between the main centers of population but would come from the outlying districts into the centers of these towns.

Q. Now, these main centers of population such as Egg Harbor, Hammonton and Berlin, have railroad stations, have they not?

A. Such as they are, they have, yes, sir.

Q. And how many trips a day operate on both railroads through Hammonton or make stops there?

A. (No answer.)

Commissioner Browne: Mr. Baldwin, I don't think you can finish this case today, can you?

Mr. Baldwin: No.

(At this point an adjournment was taken to April 8, 1929, at 11 A. M.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Friday, May 3, 1929.

Extension of Atlantic City-Egg Harbor route to Berlin, application of PUBLIC SERVICE COORDINATED TRANSPORT for approval of local permission to extend its route and for approval of eleven additional buses thereover.

Before the following Commissioners:
JOS. F. AUTENRIETH, ESQ., president.
CHARLES BROWNE, ESQ.
HARRY BACHARACH, ESQ.
FRANK J. DALY, ESQ., Sr. Inspector.

For Public Service Coordinated Transport appears:
C. S. STRAW, ESQ.

For Reading Transportation Company and Atlantic City Railroad Company appear:
C. T. WOLFE, ESQ.
F. H. BRADLEY, ESQ.
C. A. BALDWIN, ESQ.

For Pennsylvania General Transit Company, Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company appear:
H. C. MAXWELL, ESQ.
and
HARRY V. OSBORNE, ESQ.

For City of Atlantic City appears:
JOSEPH B. PERSKIE, ESQ.

Commissioner Autenrieth: How long will the Atlantic City-Egg Harbor route to Berlin take?

Mr. Straw: Most of the day.

Commissioner Autenrieth: Can these be heard together?

Mr. Straw: No, sir. I think we should finish our application and then perhaps try the balance of the cases together; by having the railroads put in their case at the same time, that would normally be their case in this, I think it would be confusing to do it; our case is half tried approximately, it isn't a comparable situation entirely.

Mr. Osborne: I am perfectly willing to acquiesce to save time and avoid repetition. I haven't any doubt much of the testimony we will give in our case will be applicable to their case. I am perfectly willing to adopt Mr. Straw's suggestion, in the interest of expedition.

Commissioner Autenrieth: You can adopt the testimony from one case to another as we proceed, afterward. Suppose you proceed.

Mr. Straw: You understand, I finished my case and the railroads will go on with their case?

Commissioner Autenrieth: You finished your case?

Mr. Straw: Yes.

Commissioner Autenrieth: There will be no other cases except the extension of the Egg Harbor to Berlin route until two o'clock. Anyone interested in the other cases will not be heard until two o'clock, until we finish the case on hand.

Mr. Straw: Mr. Harper was on the stand.

HERBERT E. HARPER, resumes the stand on behalf of Public Service Coordinated Transport.

Mr. Straw: Mr. Harper, I think, had been turned over for cross-examination.

Cross-examination.

By Mr. Baldwin:

Q. In your previous cross-examination we were discussing the points along the White Horse Pike where, in your opinion, the bulk of the riders would come from on this proposed line of yours. I think

it was your testimony in your opinion they would largely come from the main centers of population; wasn't that correct?

A. That is true.

Q. Such as Egg Harbor, Hammonton and those towns?

A. And Berlin, Atco, Ancora, Absecon.

Q. All of those towns you mentioned are served, are they not, by either one of the two railroads?

A. Yes; there is railroad service there.

Q. Of course, so far as Absecon is concerned, I understood your application to be such you were voluntarily accepting a restriction not to do a local business between Absecon and Atlantic City, that is correct, isn't it?

A. Yes, that is right.

Q. So that you do not propose to render service to Absecon, which is one of the main towns?

A. We don't toward Atlantic City. We do, however, toward Hammonton and Egg Harbor.

Q. Local service in that direction only?

A. Yes.

Q. Are you in a position to say whether or not you have made any investigation to determine just what quantity of rail service there is, for instance, to those main centers of population along the White Horse Pike?

A. Yes; I am familiar with it.

Q. So that the points which you mention as being the points from which the bulk of your riders will come are served by, in some cases two railroads and in some cases one railroad, are they not?

A. Yes; they have rail service.

Q. We were also discussing, I think, at the last hearing, the matter of your local consents to operate which you are asking the Board to validate by its approval; can you tell me what, if anything, hap-

pened to the consent you held from the city of Atlantic City?

A. Can I have that question repeated?

Q. (Question read.)

A. No; I couldn't tell whether anything happened to them or not.

Q. You don't know whether or not the resolution of Atlantic City, upon which you base your present application, is the same resolution upon which you based an application to render service between Camden and Atlantic City a year or so ago?

A. Yes.

Q. You don't know whether between the time that testimony was heard in that earlier case and the Board's decision of it, the city of Atlantic City adopted a resolution revoking that consent?

Mr. Straw: I object to that, because the city of Atlantic City could adopt anything they pleased but it would not be effective unless the Board upon hearing and notice revoked the Atlantic City resolution.

Mr. Baldwin: I am asking the witness's knowledge of the situation.

A. Yes, I believe there was action taken such as you speak of.

Q. Have you, since that action was taken, applied to or received from the city of Atlantic City any additional operating consents?

A. No.

Mr. Straw: I object to that because it is not material to the issue.

Commissioner Autenrieth: I think it is part of the circumstances that may be included in your expression of the legal phase of it.

Witness: No.

Q. So that your present application, as I understand it, is based upon that resolution of the city of Atlantic City, which was adopted in August of 1927?

A. That is right.

Q. For twelve buses?

A. That is right.

Q. Under what method did you acquire ownership of the one bus which you now operate between Egg Harbor and Atlantic City?

A. Through purchase.

Q. From whom?

A. I forget the man's name. I think it was Mr. Williams.

Q. Did you acquire it by purchase?

A. It was Mr. Lawrence. Yes.

Q. After acquiring ownership of that one bus between Egg Harbor and Atlantic City, have you or the corporation which you appear for, applied to and received from the city of Atlantic City any consent to operate it under your ownership?

A. We applied to the Board for transfer of Mr. Lawrence's right.

Q. So that is what you hold, isn't it, a transfer of Mr. Lawrence's right?

A. Yes.

Q. Do you personally know what Mr. Lawrence's rights were?

A. No, sir.

Q. As far as the city of Atlantic City is concerned?

A. No. That was a legal matter which was taken up with the legal department.

Q. You have no personal knowledge of the nature of Mr. Lawrence's local consents in Atlantic City?

A. I understood he had a consent from Atlantic City.

Q. To do what?

A. To do local business on his route.

Commissioner Autenrieth. Isn't the consent the best evidence?

Mr. Baldwin: We are not in possession of it. I think if it was produced it would be helpful.

Mr. Straw: The Board has it. I haven't it with me.

Commissioner Autenrieth: Why have a witness say what he thinks; why not produce the consent itself?

Q. Taking that part of your proposed route of operation which lies merely between Egg Harbor and Atlantic City, is there any public need of that bus line, consisting of one bus, being built up to twelve buses?

A. Yes, there is.

Q. So that if you terminated your line at Egg Harbor you still think that one bus should be increased to twelve?

A. If the line line terminated at Egg Harbor we would need some additional buses.

Q. Some. How many would you judge?

A. That would be hard to judge. I haven't looked into the thing exactly from that angle. We con-

sider in the whole route from Berlin to Atlantic City twelve buses are needed on that route. There may be three or four buses needed on the Egg Harbor-Atlantic City route.

Q. What kind of operating headway are you rendering now, between Egg Harbor and Atlantic City?

A. We are operating one bus and that operates on approximately a two hour headway.

Q. How much closer headway do you think is needed to adequately serve the territory which lies only between Egg Harbor and Atlantic City?

A. I should say there should be hourly headway at least.

Q. So that you would need one more bus to do that, wouldn't you?

A. That particular part of it probably one more bus, except on week ends, Saturdays and Sundays where we need more.

Q. In your previous cross-examination you stated your company would be unwilling to accept a restriction denying your company the right to carry through passengers from Berlin to Atlantic City; is that still your position?

A. Yes, sir.

Mr. Straw: May I have that answer read.

Mr. Baldwin: That was in the early part, page 40. "Q. Would you take a restriction that your buses should carry no through passengers from Berlin to Atlantic City or vice versa?" "A. No. I think that would be unfair to the public and I don't think it would be a just restriction to place on this operation, because there is such little service now between Berlin and Atlantic City, even by train, for all the people who want to take this journey, and I

don't see why the people should be prohibited from taking it if they so choose."

Mr. Straw: I have no objection to the answer standing.

Q. In respect to that answer, how many do you judge, from your knowledge of Berlin, live in that town?

A. Twenty-six hundred.

Q. And of those twenty-six hundred persons do you have any idea how many would be likely to take a trip to Atlantic City in one day's time?

A. We haven't made a survey of the town to find that out. The present rail service is so inadequate that the fact of the trains operating between Berlin and Atlantic City wouldn't be a criterion of it. I would venture that the large part of the people desiring transportation from Berlin to Atlantic City go by their own automobiles or some one else's.

Q. Might they not continue, even if you were operating this line?

A. Some of them may continue, but I venture a good part of them would not continue.

Q. Let us compare those people who would make a trip between Berlin and Atlantic City, whose ride actually originated in Berlin, and those who transferred to your line at Berlin from the Camden carriers; what would you judge would be the proportion of those two types of passengers?

A. I wouldn't think anybody would transfer from the Camden-Berlin line to the Berlin-Atlantic City line.

Q. So that your thought is your Berlin to Atlantic City line would not be a connecting carrier to Atlantic City with your Camden to Berlin service?

A. No. I wouldn't say there would be any substantial transferees.

Q. How many people, then, in your opinon, would be discommoded if you did have an operating restriction you should carry no through business from Berlin to Atlantic City?

A. There is another section of the route between Camden and Berlin that we must keep in mind; that is, those towns located between the stations that either use the bus service to the railroad station or to Berlin and if it was more convenient for them to transfer they would transfer for points below, but I doubt very much whether they would ride through to Atlantic City.

Q. It was your opinion there would be no transferring at Berlin?

A. Yes; practically no transferring at Berlin.

Q. So that little harm would be done if you accept a restriction to carry no through passengers from Berlin to Atlantic City, would there?

A. You must consider the Berlin people also, you don't want to discommode them.

Q. I have asked you how many of those take a trip to Atlantic City in one day's time?

A. I couldn't answer the question; I didn't interview them.

Q. You do know there are only twenty-six hundred in the whole town?

A. Yes; that is in Berlin proper.

Q. Where do you propose to have your Berlin termini of your Atlantic City line?

A. At the intersection of Blue Anchor Road and the White Horse Pike.

Q. Is that the present point of terminus of the Camden line?

A. The short service terminates at the same point.

Q. So there would be every opportunity for connecting with those facilities?

A. As far as the connecting of the physical lines, the two lines would terminate there. There would be no schedule arrangements, one being an hourly headway and the other being a twenty minute headway, that would make the connection feasible; that is, bus for bus.

Q. Would there be a connecting arrangement that would make the transfer feasible?

A. No; I wouldn't say there would be a connecting arrangement.

Q. You would not sell, let us say, at Camden, a through ride ticket to Atlantic City?

A. No; that is not contemplated.

Q. Would you agree not to do it?

A. No. I wouldn't agree not to do it.

Q. What is your present running time from Camden to Berlin?

A. Sixty minutes.

Q. And your proposed running time from Berlin to Atlantic City?

A. Two hours.

Q. So that the whole trip would consume three hours?

A. Yes, sir.

Q. In connection with that three hour operating period have you taken into consideration the local stops necessary to be made along the White Horse Pike?

A. Yes.

Q. Is that in any way responsible for the three-hour running time?

A. Yes; it would be a much slower operation than if it ran through express.

Q. You do run some express buses from Philadelphia to Atlantic City, do you not?

A. No, sir.

Q. Do any of the companies with which you are associated run such buses?

A. No, sir.

Q. Do you know anything concerning the running time of those Philadelphia to Atlantic City buses?

A. Yes, sir.

Q. What is the scheduled running time?

A. My knowledge is that the running time is two hours from Philadelphia to Atlantic City; that is, the express service.

Q. So that your service from Camden to Atlantic City would be an hour slower than that?

A. Yes.

Q. Mr. Harper, you drive an automobile, I presume?

A. Yes, sir.

Q. Did you ever, personally, consume three hours to get from Camden to Atlantic City by a direct trip, by your automobile?

A. I have consumed five.

Q. What has that been due to?

A. Mainly traffic congestion.

Q. You have also taken that traffic congestion into consideration in your proposed running time?

A. Yes, sir.

Q. What is the fare on your Camden to Berlin line for the whole trip?

A. Thirty-five cents between Camden and Berlin.

Q. And your proposed fare from Berlin to Atlantic City?

A. One dollar.

Q. So that if a person did transfer at Berlin from one facility to another the entire trip would cost $1.35?

A. Yes. If he transferred it would cost $1.35.

Q. Do you sell round trip tickets on your Camden to Berlin line?

A. No, sir.

Q. You do sell commutation tickets?

A. We sell a ten trip ticket, as I recall.

Q. Do you propose to sell round trip tickets on your Berlin to Atlantic City line?

A. Not to my knowledge, no sir.

Q. That would be a straight fare throughout?

A. Yes, sir.

Q. Of course, you will have intermediate fares as to those points along the White Horse Pike you are connecting with from Berlin to Atlantic City?

A. Yes. There is a complete fare schedule on file with the application, which gives that.

Q. Have you made any traffic checks or determinations as to the community of interest existing between the towns along the White Horse Pike, other that the termini, the probable amount of travel between those towns?

A. Yes; I have had investigations made and with the result that we have received numerous requests for the service, people desiring to ride from the outlying sections into Hammonton and Egg Harbor, and also from the outlying sections into Atlantic City. The result is we have had a great number of people who desire to testify at this hearing.

Q. And, of course, so far as that community of interest is concerned, it could be served by any bus that operates along the White Horse Pike between Camden and Atlantic City, couldn't it?

A. No; I wouldn't say that is so. A through bus operating between Philadelphia and Atlantic City is primarily an express service; just in the same way the railroads always in the past have catered to the through ride between Philadelphia and Atlantic City. The intermediate towns have been, their service has

been fitted around the express service and I think the local service on the White Horse Pike should be separate and distinct from the express service.

Q. Is that express service desirable in the public interest, in your opinion?

A. I would say that some express service is desirable. Just how much I can't say.

Q. Are you familiar with the fact there are now pending before this Board numerous applications on the part of express buses to render local service?

A. Yes. I believe there are five applications pending.

Q. So that the express bus operators are now seeking the right to do some local business along the White Horse Pike, aren't they?

A. I believe so, yes.

Q. In spite of anything that might be said in favor of a through trip without stop?

A. Yes. They are applying for a local business.

Q. So that if other buses that do operate along the White Horse Pike are given an opportunity of doing a local service it would be hardly necessary to put any more service on the Pike, would it?

A. I don't believe that the express buses can handle the local traffic as well as a local line, a purely local line. In other words, their function is express; if they combine the two they sacrifice one to the other. The experience in the past has been the local service was sacrificed to the express service.

Q. You feel whoever renders the local service should render it without at the same time rendering, with the same buses, express service?

A. Yes. I don't think they should try to combine the two functions.

Q. If an operator, however, did sever its express service from its local operation and did give local

service it would be your opinion, would it not, that such local service would be desirable?

A. No. I think the local operator should be separate.

Q. You think it should be separate?

A. Yes.

Q. Why do you think that, Mr. Harper?

A. For the simple reason he might get a demand for express service and pull his local buses and run express, to the detriment of the local riders.

Q. There is mere conjuncture on your part?

A. No, I wouldn't say so.

Mr. Osborne: May I have that answer read.

(Last questions and answers read.)

Q. Would it be your thought that that kind of thing could be done, and done very long with an operator subject to the jurisdiction of this Board?

A. That depends on the public.

Mr. Baldwin: I think that is all I have.

Mr. Straw: I had one other matter which I did not bring out because you were in the middle of the cross-examination; have I your permission to do it now?

Mr. Baldwin: Yes.

Re-direct examination.

By Mr. Straw:

Q. Has there been any change in the Pennsylvania Railroad service since the last hearing?

A. Yes. A new schedule went into effect last Sunday and there has been a change in times and also in the number of trains stopping in this particular territory on Sunday.

Q. Have you one of their time tables?

A. I have prepared an exhibit giving the trains in the eastbound direction between Berlin and Atlantic City and also the trains in the westbound direction between Berlin and Atlantic City. That shows in the eastbound direction that where they formerly, they operated two trains that stopped in this particular territory, one of them stopping at Hammonton at 10:14, at Egg Harbor at 10:26, Absecon 10:38 and Atlantic City 10:50, and another train stopping on notice at 11:02, and Atlantic City at 11:15; the first train has been discontinued, the stops on the first train have been discontinued, and the second train I think the time has been changed, has been retained.

Mr. Straw: I desire to offer that as Exhibit P. S. 5.)

(Statement of trains in eastbound direction, marked Exhibit P. S. 5.)

(Discussion as to numbers of exhibits.)

Q. Anything else?

A. I have Exhibit P. S. 6 here, which is the westbound direction.

Q. You have tabulated the westbound through Pennsylvania service since the last hearing?

A. Yes.

Mr. Straw: I offer that as Exhibit P. S. 6.

(Statement of westbound service marked Exhibit P. S. 6.)

By Mr. Baldwin:

Q. Have you discovered any reduction in the train service by the Atlantic City Railroad since the occasion of the last hearing?

A. No. I looked that schedule over and there is some time changes, which I guess were necessary for scheduled purposes, but there has been no reduction in the number of trains.

Mr. Baldwin: That is all.

Cross-examination.

By Mr. Osborne:

Q. I wasn't in this case before. I understand you testified for the Public Service?

A. Yes, that is right.

Q. When you speak of their methods of operation it means the method of operation which you have described in indicating why you wouldn't be willing to have a local and express service operated by the same concern, you are describing the Public Service operation, as I understand it?

A. No. I am describing the particular operation between Philadelphia, Camden and Atlantic City and intermediate points.

Q. I suppose the point of view is that of the operation of your employer?

A. No. My point of view is the particular territory you have to operate through.

Q. If, in this particular territory, Public Service operated both express and local service it would be detrimental to the public.

A. At times, yes, sir.

Q. Because you think the Public Service operators, I think you said, would pull their service and run express if the bus happened to be filled, to the detriment of the riders.

A. No; I didn't say Public Service operators.

Q. I understood you were speaking for Public Service.

A. I am testifying.

Q. That is your understanding as to the way the operation would be carried on in this case, I think you said, did you not?

A. In operating service through this particular territory it was my thought and my opinion that if the same operator conducted the local service as conducted the express service there would be a great possibility at certain times of the year, and certain days, the local service would be sacrificed for the express service. It has been the case in the past on the railroad service because they make their time tables to fit the through riding and the local riding is secondary.

Q. I think we were talking about buses, were we not?

A. Yes.

Q. Weren't you referring to buses when you said the drivers would pull the service and run through to the detriment of the local riders?

A. I am talking of the buses in the territory to be served by some local transportation agency.

Q. If you can have these permits approved by your company?

A. Yes. We would like to have them approved.

Q. Didn't you testify before on this general subject that if the buses were filled you would run through express?

Mr. Straw: I object to that unless the form of the question and answer are quoted.

Commissioner Autenrieth: I suppose the witness is entitled to be confronted with his question and answer.

Mr. Osborne: Yes. I recall reading his testimony. I don't want the Board to stop while I search through the record of the previous hearing. Perhaps I may meet counsel's objection on the subject by asking the witness if he remembers. If not I will withdraw it.

Witness: I didn't testify to that.

Q. Didn't you testify that if the buses were filled, then you would run through express?

A. No, sir.

Q. I understand you purchased this line, is that right?

A. We purchased the Egg Harbor-Atlantic City line.

Q. That is to say, you purchased one bus that was operating between Egg Harbor and Atlantic City?

A. Yes, sir.

Q. By "you" I mean the Public Service.

A. Yes.

Q. Had Public Service ever operated in this territory before?

A. Operated the Egg Harbor-Atlantic City line, yes, sir.

Q. Before it purchased that bus?

A. No. That is the line we purchased.

Q. Exactly. Before you purchased this one bus, which enabled you to come into this territory, had you ever operated in this territory before?

A. No. We purchased lots of lines that extended beyond the limits of our territory.

Mr. Osborne: May I ask that the witness answer the question and not volunteer testimony.

Commissioner Autenrieth: Strike out the last of the answer.

Mr. Osborne: I will ask anything I want to know.

Mr. Straw: I object to that.

Commissioner Autenrieth: Yes; strike that out.

Q. Of course, the purpose of the purchase of this one bus was to enable Public Service to come into this Atlantic City territory, was it not?

Mr. Straw: I object to that.

Commissioner Autenrieth: Why?

Mr. Straw: How can Mr. Harper testify what the purpose of the Public Service was?

Commissioner Autenrieth: I don't know; that is for him to answer.

A. That line was purchased to give the people

local transportation between Egg Harbor and Atlantic City.

Q. The line was running before you bought it, wasn't it?

A. Yes.

Q. They were maintaining local service then, between Egg Harbor and Atlantic City?

A. Yes.

Q. It wasn't purchased for that purpose?

A. Yes. We proposed to continue it.

Q. So that it would be continued?

A. Yes.

Q. I understood you to say hourly service was necessary, in your opinion, for public convenience?

A. Yes.

Q. And that two buses could give hourly service?

A. No, sir.

Q. How many buses would it take to give hourly service?

A. Between Berlin and Atlantic City, including lay-overs, it would take five buses. The additional buses would be needed at certain periods of the year and certain periods of the week, such as on Saturdays.

Q. Between Egg Harbor and Atlantic City, it would take two buses, would it not; didn't you so testify?

A. Take two buses to give hourly headway and also in addition to that another bus that would be needed on week ends and on Saturdays.

Q. If you purchased this line in order to be able to afford the people of this territory service, an hourly service is required, in order to give that service two buses are necessary; why did you apply for twelve?

A. We would like to extend to the rest of the territory between Berlin and Atlantic City the same type

of service we are now giving between Egg Harbor and Atlantic City.

Q. I understood you to say that the White Horse Pike is congested already?

A. I was speaking about a five hour ride, I experienced on several occasions between Atlantic City and Camden, yes, sir.

Q. But I understood you to say it was due to congestion?

A. Yes.

Q. Do you think you need as many as twelve buses to give the service you are applying for?

A. Yes, sir.

Q. Do you think that will further congest the highway?

A. No, sir.

Q. Your buses don't tend to congest the highway?

A. Twelve buses wouldn't add materially to the congestion, no, sir.

Q. There is no transfer you say between the Camden-Berlin line which you operate, do you not?

A. There is no transfer, no, sir.

Q. You operate between Camden and Berlin?

A. Yes, sir.

Q. And you operate this one bus between Egg Harbor and Atlantic City?

A. Yes, sir.

Q. And this present application, if granted, will fill in that gap, will it not?

A. Yes, sir.

Q. And give you the same service you applied for and were denied about a year ago, will it not?

A. No, sir. We were never denied on an application of this particular nature between Berlin and Atlantic City.

Q. In other words, this is an application which

covers the same territory, will furnish the same service, only in a different form, isn't that right?

A. As far as Berlin to Atlantic City is concerned, yes, sir; it is practically the same type of application.

Q. And tied-in with this Berlin-Camden service it will give the people, if they choose to avail themselves of it, through service, will it not?

A. If they want to take a three hour ride and experience the inconvience of a transfer they could ride from a point between Camden and Berlin to a point between Berlin and Atlantic City, yes, sir.

Q. You had an application for this new service in a year ago, didn't you?

A. We had an application to do a local business on twelve buses between Camden and Atlantic City.

Q. That was denied, was it not?

A. Yes, sir.

Q. Just to refresh my recollection.

A. Yes, sir.

Q. Are the conditions substantially the same now as they were then, as far as the traffic is concerned?

A. At the last hearing Mr. Baldwin asked me that same question and I stated at that time, as I recall, there were some new dwellings that had been built between Berlin and Atlantic City that probably added to the public necessity and convenience.

Q. Within the last year?

A. Yes, sir.

Q. Do you know how many?

A. I never counted them. There is a considerable number, I will say that.

Q. How long is the mileage between Atlantic City and Camden?

A. Fifty-seven miles. Between Berlin and Camden?

Q. No; between Camden and Atlantic City?

A. Fifty-seven miles.

Q. You don't propose to give the people who are riding on that line, if you are granted this privilege, the benefit of through service, as I understand?

A. This is local service.

Q. I say, you don't propose to give them the benefit of through service, as I understand your testimony?

A. No. The only way they could take advantage of through service would be by making this very inconvenient transfer at Berlin.

Q. And the facilities for through service will be very inconvenient, will they not?

A. Yes.

Q. You don't propose to make them convenient, if you can help it?

A. No, sir.

Q. There will be no schedule arrangement in Berlin between the Atlantic City buses and the Camden buses?

A. It is not contemplated. The Berlin-Atlantic City schedule will be made up separate from the Camden-Berlin schedule.

Q. Why didn't you make the transfer convenient, if you had to make a short service between Berlin and Camden?

A. Well, there is a possibility there that they might try to make connections, but the character of the ride on the Camden-Berlin line would also preclude the possibility of a person riding from Camden, especially in the rush hours.

Commissioner Autenrieth: Because of the local service?

Witness: Because of the local service and the standees carried.

Commissioner Bacharach: On that same theory why would a person from Berlin want to come to Atlantic City on a local bus when they can get through service if your theory is right on the other?

Witness: I doubt there will be very many riders between Berlin and Atlantic City on the local buses.

Commissioner Bacharach: Where do you think you will get these people from?

Witness: They will ride from intermediate points into Berlin, into Egg Harbor and into Hammonton. A person living at some inconvenient point on the White Horse Pike may ride to the railroad station and transfer there to a train for the large centers of population. Or some particular person may want to ride into Atlantic City on the bus.

Commissioner Bacharach: Why were you interested in the Berlin people, besides taking care of that? If they didn't come to Atlantic City where would you imagine the people of Berlin would go, if they didn't go to Atlantic City or Camden?

Witness: Many go to Hammonton or Egg Harbor.

Commissioner Bacharach: Did you ever hear of very many going there? Is there any special business that would take them there, either shops or industries?

Witness: Yes; there is quite a business center at Hammonton; there are two banks and terra cot-

ta factories, one of which employ about two hundred people. There are other building supply concerns and other industries located right in Hammonton that would draw people from Berlin to those particular points, yes, sir.

Commissioner Bacharach: You can take them now, can't you, from Berlin to Hammonton?

Witness: Yes. We run two trips through there at the present time, to Hammonton, in the morning and at night.

Commissioner Bacharach: Are you usually overcrowded?

Witness: Quite a few people ride those trips.

Commissioner Bacharach: Did you ever ride at those hours to get these facts you are talking about?

Witness: Yes. This trip in the morning and trip at night is more or less designed to carry people of this type.

Commissioner Bacharach: I know, but does it?

Witness: Yes, it does.

By Mr. Osborne:

Q. There is one more question I would like to ask if you are through. If you don't propose to afford any facilities for people traveling through, either by through service or by proper connection at Berlin, if you don't think there is any traffic that the bus

provides for that, why do you so insistently object to accepting a restriction to do no through business?

A. While I don't think there would be very many people of that character, if there was I don't think they should be precluded from taking the ride.

Q. In other words, after you get this permit you may come in and ask for through service next week or next month or when you think you can get by with it?

A. No; I wouldn't say that.

Mr. Osborne: That is all.

Mr. Straw: That is all.

C. S. BUNDESMAN, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. What is your name?
A. C. S. Bundesman.
Q. Where do you live?
A. Berlin.
Q. In what business are you engaged?
A. At the present time—I was in the gasoline accessory business; I am out of it now.
Q. You have sold out the gasoline business?
A. Yes.
Q. We are discussing local service between Berlin and Atlantic City and between Berlin and Cam-

den, more particularly with reference to the territory between Berlin and Atlantic City, which would enable people to board buses in Berlin and get off at the intermediate points between Berlin and Atlantic City or go into Atlantic City; how long have you lived in Berlin?

A. Approximately nine years.

Q. In your judgment, is there a public necessity for and would the public convenience be served by the granting of the petition of this company by this Board to render such a service as I indicate?

A. Well, as it stands now at the present time there is absolutely no chance for us to get anywhere from Berlin below.

Q. Would the public necessity be served by the granting of this petition, if you could do that very thing?

A. Positively. I can give you an illustration of that. Possibly in two weeks we will have occasion to attend a convention in Atlantic City. The only way for us to go is to take a bus to Camden and make the return trip, either by train or bus to Broad Street, or take a through bus. I think that is a privilege of the individuals of our section, to have that privilege to get on a bus and go down.

Q. Mr. Bundesman, there is only one railroad going through Berlin, is there not?

A. Yes.

Q. The Pennsylvania Railroad?

A. The Pennsylvania.

Q. What kind of service do they give you to Atlantic City?

A. Well, I am not familiar with the present schedule because the schedule has been cut to such a degree we really don't look to the railroad for any service whatever. In fact, our Sunday service has been totally discontinued. What the present

service is today I can't say. We don't ever refer to the railroad for service.

Q. Have you any trains at all on Sunday between Berlin and Atlantic City?

A. I believe the Sunday trains have been discontinued.

Q. Between Berlin and Hammonton, what sort of service have you?

A. I am speaking in generalities now; I believe the only train to Hammonton is the mail, the mail train, that I know of. Of course, I wouldn't say.

Q. Tell me something about Berlin; is Berlin a shopping center for folks in that part of the county?

A. Well, we have a slogan in our Berlin Business Men's Association that reads, "All roads leads to Berlin."

Q. That is true, isn't it?

A. Geographically and from a territorial standpoint, if properly served, I contend Berlin will be one of the best little towns along the White Horse Pike. At the present time we are handicapped; we have no facilities outside the bus service and some train service.

Q. Berlin has a bank, has it not?

A. Yes, sir.

Q. Do people in Berlin go to Atlantic City?

A. Well, I should say several of them do, yes, sir.

Q. When you say, "several" what do you mean, Mr. Bundesman?

A. I believe we are the same type of citizens in Berlin that exist in every other progressive vicinity. We love to enjoy some little luxury; if we want to go it is a privilege I think we should have, if we want to go.

Q. Is there any community of interest between Hammonton and Berlin?

A. Between Hammonton and Berlin?

Q. Yes; do any of the Berlin people go to Hammoton?

A. Hammonton is a progressive little city.

Q. Do any of your people work in Hammonton?

A. I couldn't say off-hand.

Q. If somebody in Berlin wants to go to Elm or Elmwood or Egg Harbor or Chiselhurst or Hammonton, how do they go?

A. Well, if you don't have an automobile you can phone a good friend of yours and ask if he will drive you down there.

Q. If you don't have a good friend with an automobile you don't go at all?

A. Yes; you can go back into Camden and take a bus, and take an interstate and get off.

Q. How far is Camden from Berlin?

A. Seventeen miles.

Q. So that means you have to go to Camden or Philadelphia, rather, and take an interstate bus and come through?

A. Yes, sir.

Q. Have you talked to many people in Berlin about the application to do a local business by this company, do a local business between Berlin and Atlantic City on the White Horse Pike?

A. Ever since the buses came down to our section I have always been talking for any modern method of transportation; I can't say just any individual I have talked to, but I have always been a booster for transportation service of any kind.

Q. Do you or do you not feel there is a need for such service?

A. I believe, as an individual, yes, and I believe our entire community so agrees with me.

Q. Are there other folks from Berlin here today?

A. Well, I live at the extreme end of Berlin; I imagine there are several folks from Berlin.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. As between Berlin and Camden and Berlin and Atlantic City, which of those places would seem to have the greater community of interest?

A. Between Camden and Atlantic City?

Q. No; taking Berlin as the center, is there a greater or less community of interest between Berlin and Camden than there is between Berlin and Atlantic City?

A. From a business standpoint I should imagine that Camden is the most desirable, but from a strictly pleasure standpoint I imagine Atlantic City is the most important.

Q. How far is it from Berlin to Atlantic City?

A. Forty-one miles I would say.

Q. And seventeen to Camden?

A. Yes, sir.

Q. When you first took the stand you were told this was a discussion of the local service between Berlin and Camden and Berlin and Atlantic City; you now have local service between Berlin and Camden and the local intermediate points?

A. Yes.

Q. And are you satisfied with it?

A. Are we satisfied with it?

Q. Yes.

A. We have a service from Berlin and also service from Atco.

Q. What would you say, it is good service?

A. Yes, sir.

Q. As far as the needs of your people, then, are concerned, northerly of Berlin they are being served. is that right?

A. Yes; they are being served by two bus lines, I believe, now.

Q. With respect to the service between Berlin and Atlantic City and particularly this convention you mentioned, that is to occur in a few weeks, how many people from Berlin will be attending that convention, in your opinion?

A. I am not in a position to judge that, but I would say there would be enough to warrant some convenient service to get there.

Q. What kind of a convention is it?

A. A convention of the Eastern Star, and half a dozen conventions at different times.

Q. You mentioned one coming in about two weeks; you expect to attend that yourself?

A. Yes; if I can get down.

Q. About what time of day would you be leaving Berlin to get down here?

A. I would want to get a service at some convenient time. I wouldn't say off-hand.

Q. Could you get a train from Berlin to Atlantic City?

A. Yes. I live on the outskirts, Bishops; we have no train service but the mail.

Q. You spoke of going all the way to Camden to get a train for Atlantic City; that isn't true. You said, "Yes."

A. Going from Berlin to Camden to get a bus.

Q. A train or a bus?

A. Yes; any bridge train.

Q. When you come to Atlantic City do you always come on a bridge train?

A. As a general rule; I don't take the accommodation.

Q. There are express trains out of Camden aren't there?

A. I don't know.

Q. Have you ever gone from Bishop's Bridge or Berlin or any other place more than fifteen miles from Camden into Camden to get a train for Atlantic City?

A. No; for the simple reason we always had an automobile available. We could make the arrangements, if we wanted to go to Atlantic City or Ocean City or to Hammonton, we generally call up and see if the party can make it, make arrangements with him.

Q. How did you get here today?

A. A bus.

Q. What bus?

A. The Public Service.

Q. That was a special bus?

A. Yes.

Q. Designed to accommodate the witnesses at this hearing?

A. Yes, sir.

Q. You are not particularly interested in who renders the kind of service that you bespeak for your town?

A. Positively not. When the first bus was operated by two individuals, Mr. Gaiser, I was a booster for them, just as I would boost for the Pennsylvania if they gave the bus service.

Q. If the Pennsylvania told you they would be ready and willing to run a bus from Berlin to Atlantic City you would welcome that method?

A. Any bus service that would give us a reasonable service, we would be satisfied, as far as that is concerned.

Q. You have no personal choice in the matter?
A. Not as far as the individual companies are concerned, no sir; all we are after is the service.

Mr. Baldwin: That is all.

By Mr. Osborne:

Q. It is a question who could give the best service?
A. Yes, sir, and the way ——

Mr. Osborne: That is all.

Mr. Straw: I have seventeen other folks from Berlin. I would be glad to call them if counsel wants. I thought counsel might desire to stipulate they would testify in the same general manner in which Mr. Bundesman did. I have a hundred and twenty-two here, if the Commission would like I can call them.

Commissioner Autenrieth: You don't suppose we can hear a hundred and twenty-two witnesses?

Mr. Straw: I doubt it. I thought I would bring them here.

Commissioner Autenrieth: If they would all say substantially the same thing there is no reason why one can't speak for a group.

Mr. Straw: I thought I would take one from each town.

Commissioner Autenrieth: What about the seventeen from Berlin?

Mr. Osborne: We want to know what the people want, because we expect to give them service.

Commissioner Autenrieth: They all want what Mr. Bundesman wants, from what Mr. Straw says.

Mr. Straw: Yes.

Commissioner Browne: Why not stipulate they all want the same thing?

Mr. Osborne: If we take the last answer of the last witness they want the operation that gives the best service. I rest on that.

Commissioner Autenrieth: It is stipulated by counsel that these other seventeen resident witnesses from Berlin need not be called but that their testimony would be similar to Mr. Bundesman's.

Mr. Baldwin: We agree.

David A. Mick, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Atco, New Jersey.
Q. What business are you engaged in?
A. General store.
Q. How far is Atco from Berlin?

A. About two miles.

Q. How big a place is Atco?

A. About 2,000 inhabitants.

Q. Do you think there is a need for service, for bus service between Berlin and Hammonton and Atlantic City?

A. Yes, sir.

Q. Doing a local business?

A. Yes, sir.

Q. Between Berlin and Atlantic City?

A. Yes, sir.

Q. Why do you say that?

A. I studied this up for the last three or four weeks especially.

Q. Tell his Honor the way you feel about it.

A. I have a store there, so many comes there and wants to go to Atlantic City, people in the town want to take the trip to Atlantic City, through the day, and there are lots of salesmen come there, coming down and they can't get out of Atco, they have to wait. There are two garages, I am right between two garages and a car that breaks down, they have to leave the car, they can't get away, they have to go clear to Philadelphia and get a bus to go down.

Q. What sort of train service do you have?

A. We have one train down in the morning, about 8:15 to Atlantic City. To get back to Atco it is ten minutes of five.

Q. Do your folks have occasion to go between Atco and Atlantic City and points between those places?

A. Yes. We take a trip down; if we could get a bus to go down it would be handy.

Q. Do you go to Egg Harbor or Hammonton?

A. You have no service, unless people carry you in a car.

Q. Do you have occasion to go?

A. Yes.

Q. For what purpose?
A. Different things in the shop.
Q. You feel there is a need for this service?
A. Yes, sir.
Q. Have you talked to other folks in Atco?
A. Yes; many a one I have talked to.
Q. What is their opinion?
A. There is no factory down there.
Q. What is their opinion about the bus?
A. They all feel they want the bus service down.
Q. Are there other folks here from Atco today?
A. Yes. Only one besides me; that lady there—there are three or four from Atco.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. There is need for service below Atco on the White Horse Pike, local service.
A. Yes.
Q. I don't suppose you care who renders the service as long as it is satisfactorily rendered?
A. We would like to have service down there.
Q. You have no personal choice or preference as to who would render it?
A. I would like to see the Public Service get it; they are trying for it; they are the only ones want to get it.
Q. They are the only ones want to get it?
A. They seem to be the only ones want to get it.
Q. Are you familiar with the fact there are pending before this Board applications at the same time to render that service?

A. Did they come before the Public Service?

Q. Coming up today.

A. They did not.

Q. Of those applications do you have any choice as to who should render the kind of service you think they need?

A. I would like to see the Public Service.

Q. Why?

A. I have no choice; they have been trying for it, to give us service.

Q. I don't presume you hold any stock in the Public Service Corporation?

A. No, not a cent.

Q. You feel neighborly with them?

A. Neighborly with them.

Q. Do you know of any reason why the Public Service could give you better service on the White Horse Pike south of Atco than either the Pennsylvania or the Reading Railroad?

A. Give us just as good service, I guess.

Q. I guess the railroads could give you good service.

A. I don't doubt that. The Philadelphia buses coming down. There wouldn't be nine times out of ten, that one could get it.

Q. On what?

A. The Philadelphia bus.

Q. You do have service from Atco to Camden?

A. Yes, from Atco to Philadelphia.

Q. There are more people in your town who desire to go in that direction than desire to go in the other direction, on the Pike?

A. That is natural. They have to go to work.

Q. So that your greatest need, even at the present time, is now being served by other means?

A. We would like it so we would take a trip to Atlantic City occasionally at the time we want to go.

Q. You have a railroad running through Atco?

A. Yes; we have a railroad; you leave there at quarter after eight and get back at a quarter of five. Take the 5:15 train going to Camden, take the train from Camden to Atlantic City, going back to Camden at night, and then take the bus to Atco. That is our accommodation, that we have.

Q. Have you ever done that?

A. No occasion to go.

Q. What time did you leave your home this morning to come here?

A. About half-past nine.

Q. How did you come?

A. The Public Service, a special bus.

Mr. Baldwin: That is all I have.

By Mr. Straw:

Q. In the last year and a half have the railroads helped you to get service on the White Horse Pike?

A. No.

Q. Have they done anything to see you didn't get service on the White Horse Pike?

Mr. Osborne: I object to that. How does this witness know?

Mr. Straw: He says he has made a study, and the records show.

Mr. Osborne: Then this witness needn't testify.

Commissioner Autenrieth: I will sustain the objection.

Mr. Straw: That is all. I have three other folks from Atco; if counsel will stipulate they will testify as Mr. Mick did I would be glad to stipulate, otherwise I will call them.

Mr. Baldwin: We would not stipulate they would testify to the same effect.

Commissioner Autenrieth: All right; call them.

Mrs. Marie Steveline, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. You live in Atco?
A. I do.
Q. Where?
A. On Coler Avenue.
Q. Do you have occasion to go to Atlantic City?
A. I do.
Q. How do you get there now?
A. They usually come up for me from Atlantic City and take me down.
Q. Have you any convenient rail service from Atco to Atlantic City?
A. No, sir.
Q. Do you ever have occasion to go to Hammonton?
A. Occasionally for shopping.
Q. How do you get there?
A. Usually by car.

Q. Do you have any convenient rail service to get there?

A. To Hammonton?

Q. Yes.

A. I wouldn't say.

Q. Is there a bus between Atco and Hammonton?

A. I believe there is an occasional bus, but I couldn't tell you at what time.

Q. Do you feel there is need for a regular service doing business between Atco and Atlantic City and points between those places?

A. I do.

Q. And the White Horse Pike?

A. I do.

Q. Do you feel that the public necessity requires such a convenience?

A. I do.

Mr. Straw: Take the witness:

Cross-examination.

By Mr. Baldwin:

Q. How near is your home at Atco to the Pennsylvania Railroad station?

A. I judge about three blocks.

Q. Within walking distance?

A. Yes, sir.

Q. Are you familiar whether or not there is train service between Atco and Atlantic City?

A. As far as I can tell you there are two trains a day and on Sunday I believe there are none.

Q. You mean two trains in each direction?

A. Yes, I believe so.

Q. I understood you to say when you come to

Atlantic City it is necessary for someone in Atlantic City to drive up to Atco in a private automobile to get you?

A. Absolutely.

Q. And then take you down?

A. Yes.

Q. And bring you home again?

A. Yes.

Q. And go back?

A. Yes.

Q. So that that person would have four trips along the White Horse Pike between Atlantic City and Atco?

A. They do.

Q. Is that more or less convenient than the train service which you would have from Atco to Atlantic City?

A. It is more convenient.

Q. More convenient? Do you know the time those trains for Atlantic City leave Atco?

A. I believe one in the morning shortly after eight o'clock; I couldn't tell you the exact time. I believe there is one in the evening; I couldn't tell you; I think around supper time, around five or six o'clock.

Q. Would it be a matter of inconvenience for you to get to Atlantic City on a train such as you have described?

A. Well, I could make it, myself. I don't only come myself when I come, I have to bring my children; it is not convenient at all to take them on the morning train.

Q. You just don't like to ride on the train?

A. I have no objection.

Q. Would it be more convenient for you to go by bus?

A. It would.

Q. How far is your home from the White Horse Pike?

A. About four houses.

Q. Four houses?

A. Yes.

Q. So that you are nearer to the Pike than you are to the railroad station?

A. Yes.

Q. How often in a year's time, would you judge, you come to Atlantic City?

A. Fifteen or twenty times a year.

Q. And have you ever gone to any other towns along the White Horse Pike such as Hammonton and Egg Harbor?

A. Yes.

Q. For what purpose?

A. Shopping.

Q. So that for your personal needs, then, some type of local service along the White Horse Pike is needed by bus?

A. Yes.

Q. Do you care as to what particular company furnishes the kind of service you need?

A. No. That isn't a question with me. It would be just the service.

Mr. Baldwin: Thank you; that is all.

Mr. Straw: That is all.

FRED UNDERCUFFLER, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Tansboro.
Q. What business are you in?
A. Fruit and produce.
Q. How long have you lived in Tansboro?
A. Fifteen years.
Q. Do you have occasion to go to Atlantic City from Tansboro?
A. Often.
Q. How do you go?
A. At times use my own truck.
Q. What rail service do you have from Tansboro to Atlantic City?
A. We have four rail services; there is only one train in the morning down to Atlantic City, as far as I know.
Q. What railroad is it?
A. The Reading.
Q. The Atlantic City Railroad. How about getting back to Tansboro at night?
A. Well, I have been down there and took a bus and had to go all the way to Philadelphia and Philadelphia to Camden and to Berlin and take a jitney at Berlin down.
Q. What time in the morning does the mail train leave Tansboro for Atlantic City?
A. I couldn't say anything about the schedule of them now.

Q. Do you have occasion to go to Hammonton and Egg Harbor and places between Tansboro and Atlantic City?

A. Often.

Q. For what pupose?

A. Different business purposes.

Q. How do you go there?

A. At times I go with my own car and at other times I have to get somebody else, if my car shouldn't happen to be running, get somebody else.

Q. Is there any local service between your town and Atlantic City and places between those two points on which you can rely for your transportation?

A. No local service from our town.

Q. Is there a need for service?

A. There is.

Q. A public need?

A. There is.

Q. Would public convenience be served if you had such service?

A. Yes, sir.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. Tansboro is not on the White Horse Pike?

A. Tansboro is not on the White Horse Pike, no.

Q. Then why do you say there is need of local service from your town to Atlantic City such as is applied for here?

A. There are lots of people there come to Atlantic City for a while and those that hasn't cars and

a number of time some that has cars, on account of the traffic on Sunday, won't come; some go to Berlin and get a bus and go to Camden and come down that way.

Q. Did you ever do that?

A. I have.

Q. You mean, you have gone to Berlin and taken a bus to Camden?

A. Into Camden and clean across to get a bus for Atlantic City.

Q. You took the interstate bus?

A. Yes—not the interstate; the bus across the river.

Q. From Philadelphia to Atlantic City?

A. Yes.

Q. If there were a local line of buses along the White Horse Pike you would still have to make the trip from Tansboro to get to the White Horse Pike to make use of those buses?

A. From Tansboro to the White Horse Pike?

Q. Yes.

A. From where I live to the White Horse Pike is a mere trifle from the house.

Q. How far?

A. I would say a ten minute walk.

Q. How far is that in distance?

A. Well, I would say ——

Q. Almost a mile, isn't it?

A. Half a mile I would say. Maybe a little more; I couldn't tell directly.

Q. You are nearer than that to the Atlantic City Railroad station?

A. No.

Q. Where is the station you speak of?

A. One mile and a quarter, the Reading.

Q. What station is it?

A. Williamstown Junction.

Q. Have you ever come to Atlantic City that way?

A. I have.

Q. Of the two methods of getting to Atlantic City, going to the Williamstown Junction station or going to the White Horse Pike and taking a local bus, which would you prefer?

A. The White Horse Pike.

Q. And coming down on the bus.

A. Coming on the bus.

Q. How often in a year's time do you suppose you come to Atlantic City?

A. How often?

Q. Yes.

A. Sometimes here in Atlantic City a week or two weeks at a time, and getting home.

Q. That makes only one trip, however.

A. Well, I may make half a dozen trips that week and go back again.

Q. Feeling you need some local service along the White Horse Pike that would connect you up with Atlantic City, do you have any preference as to who should render that service?

A. Well, I haven't just any particular company in view, but the Public Service has given us service from Camden to Tansboro.

Q. When did they start to give you that service.

A. I suppose the Public Service has had it three years, if I ain't mistaken.

Q. If it is within your memory, do you know when the Atlantic City Railroad began giving service from Atlantic City to Williamstown Junction?

A. To my idea it is very poor service for us there.

Q. Regardless of that, do you know when they started to give it to you?

A. I can't refer to the date.

Mr. Straw: You mean giving service or they started to run this casual service?

Mr. Baldwin: Giving service.

Q. Do you know how many trains they run from Williamstown Junction to Camden?

A. No. It is such a distance to get over there and in all kinds of weather, so we don't bother with the railroad.

Q. You have never ridden on the railroad?

A. I have, but since the bus service came we don't go over there.

Q. You did ride on the railroad before the bus service came?

A. When I couldn't do anything else, when I had to.

Mr. Baldwin: That is all.

Cross-examination.

By Mr. Osborne:

Q. You say you go by truck to Atlantic City?

A. At times.

Q. You have your own automobile?

A. I have.

Q. Before you either went by truck or bus you used the railroad?

A. Sometimes I left the truck.

Q. Before you used your automobile and the bus you used the railroad?

A. If there was time to catch a train or someone run me to the station.

Q. You don't now because you have your own truck and the bus?

A. I haven't stopped the railroad for the reason I have a truck.

Q. When did you use the railroad last?

A. From last May about three times, I guess.

Q. Since last May?

A. I think that is May, was the last.

Q. What road did you use?

A. Williamstown Junction.

Q. The Reading?

A. The Reading.

Mr. Osborne: That is all.

Mr. Straw: That is all. I have ten other people from Tansboro if the Commission would like to hear them.

Commissioner Autenrieth: Why do you ask us if we would like to hear them?

Mr. Straw: I am trying to help your Honor to a conclusion of the hearing.

Mr. Baldwin: We will stipulate as to the Tansboro witnesses.

Mr. Straw: All right.

Mr. Osborne: We will stipulate anything that Mr. Straw desires.

MRS. JENNIE BALISTER, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Chiselhurst; on the White Horse Pike.
Q. Are you engaged in business there?
A. Yes; I have a business right on the corner of the White Horse Pike.

Mr. Osborne: What business is it?

Witness: Light lunch.

Q. Do you ever have occasion to go to Hammonton and Egg Harbor and Atlantic City and places between there and Chiselhurst?
A. Yes, sir.
Q. How do you go?
A. If our own car is there we would go in it; if not stay home.
Q. How big a place is Chiselhurst; how many inhabitants?
A. I couldn't tell you; I don't just know; quite a few people.
Q. Have you any rail connection between Atlantic City and Chiselhurst?
A. They have taken our station away.
Q. They took your station away?
A. The station is there, they have taken the trains off.
Q. You have no rail service between Chiselhurst and Atlantic City?

A. No, sir.

Q. And points between?

A. Yes.

Q. They left the station there?

A. The station is there.

Q. Do you feel there is a need for regular bus service between Chiselhurst and Atlantic City and points between Atlantic City and Chiselhurst?

A. I do.

Q. Do you feel there is a public need for it?

A. There is travel, I believe.

Q. There is travel?

A. Yes.

Q. Would it serve the convenience of you folks in Chiselhurst if there was such a line?

A. I believe it would.

Q. Do you folks in Chiselhurst have occasion to go to Atlantic City and places between Atlantic City and Chiselhurst?

A. I don't known what other people do. I have a son living here; I am up and down quite a good deal.

Q. Do you know of other people having occasion to go down that way?

A. No.

Q. You don't know of anybody else?

A. No.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. Chiselhurst isn't a large town?

A. It is not right on the Pike. There are other large places in back.

Q. Are there other people here from Chiselhurst?
A. A few, I believe.

Mr. Straw: Eight.

Q. I beg pardon?
A. A few, I believe.
Q. What railroad would render service to Chiselhurst?
A. The Pennsylvania.
Q. Is it your understanding there are no trains operated to Chiselhurst?
A. No, sir.
Q. You would say there are no trains stopping now at Chiselhurst?
A. I don't think there is a train stops there at all.
Q. Would you say that is true?
A. I don't know, really. I don't believe there is.
Q. When is the last time you rode on the train at Chiselhurst?
A. Quite a while.
Q. It is your understanding there is no train running to Chiselhurst?
A. I don't believe there is. If there is I am not familiar with them.
Q. You haven't made that close study of the transportation needs of Chiselhurst?
A. They go to Fisher instead, on and off at Fisher.
Q. That is another station?
A. Right above us; north of Chiselhurst.
Q. You have need of coming to Atlantic City to visit your son?
A. Yes.
Q. Do you have any other need of local transportation along the White Horse Pike below Chiselhurst?

A. I go to Hammonton quite a good deal.
Q. That is near ——
A. Several miles.
Q. Nearer than Camden?
A. Yes.
Q. Needing as you do that service along the White Horse Pike, some local passenger service, do you have any preference as to who should render it?
A. Not particularly, no.

Mr. Baldwin: That is all.

Cross-examination.

By Mr. Osborne:

Q. You don't have occasion to use the train, do you?
A. Not now I don't, no, sir.
Q. You don't know how many trains there are, running?
A. I don't use them very often. They told me there was nothing over there at all. It was Fisher.
Q. How long since you have used the train?
A. I beg pardon?
Q. It is some time since you last used the train?
A. Yes.
Q. You used to use them?
A. Yes, sir.

Mr. Osborne: That is all.

Mr. Straw: That is all. I have seven more from Chiselhurst; do you want to hear them?

Mr. Baldwin: Are you sure they are here?

(Names of witnesses called and persons arise in the audience.)

Mr. Straw: I have eight in addition to the first witness.

Commissioner Autenrieth: Is it stipulated that those witnesses would testify the same as the prior witness, Mr. Straw?

Mr. Straw: Yes, sir.

Mr. Baldwin: Yes.

Commissioner Autenrieth: Is that agreeable?

Mr. Osborne: Seven, yes, but not eight.

Commissioner Autenrieth: Seven or eight won't make any difference.

(Recess from one to two o'clock.)

AFTER RECESS.

MRS. MABEL STRING, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live, please?
A. At Waterford.

Q. Have you any service between Waterford and Atlantic City by rail?

A. Four trains a day, one in the morning down, one up and at night the same.

Q. That is the Pennsylvania Railroad, is it?

A. Yes.

Q. Two trains each way a day?

A. Yes.

Q. Do you have occasion to go to Hammonton and Egg Harbor?

A. Well, I often go to Hammonton.

Q. What train service do you have to Hammonton?

A. I have to take the same train to go to Hammonton that I do to come to Atlantic City.

Q. Do you have occasion to go to Atlantic City?

A. Why, yes, I often come to Atlantic City.

Q. Are there other folks in your city who have occasion to go to Atlantic City?

A. Yes; lots of them there.

Q. Have you any bus service from Waterford to Atlantic City?

A. None whatever.

Q. Or to Hammonton or to Egg Harbor?

A. No.

Q. Or to any of the intermediate points between Waterford and Atlantic City?

A. No, none whatever.

Q. Is there need for bus service, a public need for bus service?

A. I should think so.

Q. Do your friends and neighbors in Waterford have occasion to go to points between Atlantic City and Waterford?

A. Yes. You understand our place is small; we have no stores whatever; we go to either Hammon-

ton or Berlin to do our shopping and buying; that is, our household supplies.

Q. When you have occasion to go to either of those places how do you go?

A. I generally have to go to Berlin because the Public Service is the only one that gives me any service down there.

Q. When you folks go to Hammonton how do you go for shopping purposes?

A. I generally go on the Public Service also. They run one bus either way a day.

Q. Is there need for bus service?

A. I should think so, because that is very unhandy.

Q. Do you feel there is need for more buses?

A. I should think there was. I can't go down and back and go in only one hour.

Q. Have you talked to others in Waterford?

A. I have. There are a lot of friends and they feel the same way I do.

Q. Would bus service at regular intervals during the day enable you to get into Hammonton and Atlantic City and up to Berlin, for shopping purposes and serve the public necessity?

A. I should think it would be and it would be very nice for us, very nice.

Q. You say you "think" it would; do you know whether it will?

A. Yes, I know it would. How can I get things unless we have it?

Q. It would serve public convenience?

A. Yes, it would.

Commissioner Bacharach: How often do you go to Hammonton?

Witness: Once every week.

Commissioner Bacharach: How often to Atlantic City?

Witness: Well, I wouldn't say about that. It is just when we think we want to go to the shore for a little treat.

Commissioner Bacharach: When was the last time you did go to Atlantic City?

Witness: Last summer. I haven't gone this year because there were no facilities to get there and no car to go there.

Commissioner Bacharach: You were there last summer?

Witness: Yes.

Q. Were you present at the last hearing last summer?
A. No.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. You live along the White Horse Pike in Waterford?
A. Yes.
Q. In your opinion you do need some bus service along there?
A. I should think so.
Q. I think you said you used the Public Service bus to Hammonton, is that correct?

A. Yes.

Q. Where does that bus originate?

A. Berlin.

Q. It comes from Berlin to Hammonton?

A. Yes.

Q. And makes one trip each way daily?

A. Yes.

Q. So that you need them there to take care of the northbound direction; you can always get to Camden?

A. Yes; I can go that way.

Q. And get to Hammonton by bus when you want to?

A. No. It is very unhandy; I can go only at eight o'clock, seven o'clock, rather, in the morning and have a train, I get home about quarter after seven in the evening.

Q. They run the bus only twice each day in each direction?

A. That is all. Take people to work in Hammonton from places on the Pike.

Q. That is the only time of day they operate that?

A. Yes.

Q. You would like to have more steady bus service during the day?

A. I think it would be very nice and so does everyone in the place I live.

Q. You wouldn't have any personal choice or preference who renders that service?

A. Yes, I would. I would like to see the Public Service get it.

Q. Because they only run two trips?

A. Yes, because we have no service whatever; the railroad company never gave us any. They say we ought to patronize the railroad. Why? They never gave us one thing; they take every available train away.

Q. Are you satisfied with the service you are now getting from your home to Hammonton, that the Public Service gives you?

A. Not at all. I would like to return quicker.

Q. What makes you think that any service the Public Service might give you to Atlantic City would be satisfactory to you?

A. I am not saying that; but the preference should be given to the person rendering it now, that brought us out of our place, we didn't have any way of getting there.

Q. When did the Public Service first run through Waterford?

A. They came last November?

Q. Last year, then, a year ago?

A. Yes.

Q. When did the train first go through Waterford?

A. Well, that was before my time.

Mr. Baldwin: That is all.

Commissioner Bacharach: Why do you presume the railroad discontinued giving you such good service out of Waterford?

Witness: I can't explain that. You will have to ask the railroad themselves.

Commissioner Bacharach: Wouldn't you think it was because the traffic didn't warrant it?

Witness: I can't say that.

Commissioner Bacharach: You have a number of people who travel there?

Witness: Travel there and daily passengers there, that work in Philadelphia.

Commissioner Bacharach: To where?

Witness: To Philadelphia.

Commissioner Bacharach: We are talking about coming to Atlantic City, not Philadelphia.

Witness: When we had train service to Atlantic City I guess they had lots of tickets then. On Sunday we have no way of getting there.

Commissioner Bacharach: How many people do you presume would travel from Waterford to Atlantic City daily?

Witness: How can I tell you? I am an ordinary woman living on the Pike; I can't tell you how many people would patronize the bus daily.

Cross-examination.

By Mr. Osborne:

Q. You don't patronize the trains?
A. I do not.
Q. You don't know how many trains they run a day?
A. Yes.
Q. By the way, does the railroad carry freight and express and mail to your town?
A. I suppose they do, but most of ours is brought by truck.
Q. Brought by truck?

A. Yes.

Q. Do you have occasion to leave town often to go to Atlantic City?

A. I presume I do; I go three or four times every week.

Q. To Atlantic City?

A. No, not to Atlantic City, but other points.

Commissioner Bacharach: She stated she hadn't been there since last summer.

Mr. Osborne: That is all.

Mr. Straw: That is all. I have five other folks from Waterford; I presume that would be stipulated they would testify generally as Mrs. String did testify.

Commissioner Autenrieth: What did you say?

Mr. Straw: I have five other folks from Waterford who would testify in the general manner in which Mrs. String did testify. I am willing to stipulate that if counsel is willing.

Mr. Osborne: I don't object. By the way, how big is Waterford?

Mr. Straw: I don't know.

Mr. Osborne: I am wondering whether you left anybody home?

Mr. Straw: I will find out. How big is Waterford; how many people there?

Mrs. String: I couldn't tell you.

Mr. Straw: Approximately.

Mrs. String: There are several hundred people there. I couldn't tell.

Mr. Straw: I take it we have left about a hundred and ninety-five persons in Waterford.

Amos Dean, sworn on behalf of Public Service Coordinated Transport.

Direct Examination.

By Mr. Straw:

Q. Where do you live?
A. Elm.
Q. About how many people live in Elm?
A. I don't know. There must be between three hundred and four hundred.

Mr. Straw: I only have five of the three or four hundred here.

Q. In what business are you engaged?
A. Farming.
Q. Do you have occasion to go to Hammonton?
A. I do.
Q. Where is the natural shopping center from Elm?
A. Hammonton.
Q. Is that for general necessities?

A. Everything.

Q. How do you get to Hammonton from Elm?

A. Well, simply go in a car or drive.

Q. What car?

A. Anybody you can get to take you. I don't own a car so I have to drive with a wagon, generally.

Q. You drive a wagon?

A. A wagon.

Q. Are there railroads going through Elm?

A. Going through my farm.

Q. Do they stop?

A. Stop at the station, but it is the New Jersey Southern.

Q. That is the Central Railroad.

A. The Central.

Q. The Pennsylvania and the Reading don't go through?

A. No; two miles.

Q. Do you have train service on the Central to Hammonton?

A. One a day; one in the morning and one in the afternoon.

Q. Do you folks in Elm use the Central to get to Hammonton and return?

A. Very seldom.

Q. Do you have any bus service from Elm to Hammonton?

A. In the morning about seven o'clock, I think one goes down and returns right away, and in the evening it goes down again to gather up the people and bring them back and cart them to Berlin.

Q. Is that the Public Service?

A. That is the Public Service.

Q. Do you have occasion to go to Atlantic City?

A. Not very often; only on pleasure, once in a while.

Q. How about Egg Harbor?

A. I don't go there much. Camden I travel a good deal, up, but not very much down, only to Hammonton.

Q. When folks in Elm desire to go to Atlantic City, how do they go there?

A. Well, from my place they have to go two miles to strike the car, if there was a train they go on that, if there is no train they don't go.

Q. Is there train service?

A. Yes, at Winslow Junction, but they have no agent.

Q. Sir?

A. They have no agent there.

Q. They have no agent there?

A. No; not at Ancora, that is another station.

Q. Do trains stop?

A. Stop there twice a day, I think, the mail; maybe; I don't say positively; to my knowledge that is the only train stops there, the mail train; they have freights.

Q. Is there need of bus service into Hammonton and Atlantic City on a regular service?

A. There surely is.

Q. If you had an adequate bus service would you people go to Atlantic City?

A. Certainly.

Q. Frequently?

A. Certainly; if we had a chance to go.

Q. What have you to say as to the convenience of getting to Hammonton; do you need a bus service for that purpose?

A. Yes, we do, very bad.

Q. Would you or would you not say that public necessity requires a bus service giving a local service between Elm and Atlantic City and points between those places?

A. That would be very accommodating.

Q. In addition to the accommodation, do you need it?

A. We surely do.

Q. The public needs it?

A. The public needs it.

Q. Have you talked to other folks in Elm?

A. Yes. We have a man right in the room who would testify to it.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. Do you need more service between Elm and Hammonton than you are getting?

A. Certainly. We have to come down in the morning, if we don't have time to do shopping, which we don't have, we have to wait until night to come back, all day.

Q. Have you ever personally brought that matter of additional service to the attention of the Public Service?

A. I haven't, no, sir.

Q. Why do you suppose there are only two trips in the morning and two at night in that territory?

A. Simply for the reason from Berlin to Hammonton it doesn't pay them. If they could go clean on through it would pay because they could pick up passengers up and down.

Q. You don't feel any more service between Elm and Hammonton would be justified than you are now getting?

A. It wouldn't pay the company, yes; we want it.

Q. You understand that is the Transportation Company operates they would like to operate profitably?

A. Certainly; if it were all the way through it would be profitable.

Q. How about that service all the way from Camden through to Atlantic City, through Elm, would that be an accommodation?

A. Yes; about every two weeks I go up.

Q. Do you ever go to Camden?

A. I do. I take a truck and go all the way to Philadelphia and then take a bus and come to Camden.

Q. That is inconvenient?

A. I guess it is.

Q. What you would like to have is some service through from Elm to Camden?

A. To Camden.

Q. You wouldn't like to transfer at Berlin either, would you?

A. I would sooner go through. If I had to, it would be a convenience to get that way rather than to go to Philadelphia and come back.

Q. If one or both of the railroad companies were in a position to give you bus service along the White Horse Pike in both directions from Elm and that service took you all the way through to Camden without change at Berlin, that would suit you pretty well?

A. We are after service.

Q. You are not particular or partial who renders that?

A. No. It is service we want.

Q. You are out to get service?

A. Surely.

Q. It is needed?

A. Sure is.

By Mr. Straw:

Q. Do you know that the Public Service tried to give that service last year, all the way through?

A. I don't know. I wasn't at one of their meetings.

Q. What is that?

A. I wasn't at one of their meetings. I suppose they did.

Q. Did you hear there had been a hearing and that the Public Service attempted to give you that?

A. I heard it in this room today.

Q. You didn't know it before today?

A. No, sir.

Q. You don't know who opposed it last year?

A. No. I wasn't at the meeting.

Mr. Straw: That is all.

Commissioner Bacharach: When were you to Atlantic City last?

Witness: Well, I couldn't tell you. It has been several years since I have been down here.

Commissioner Bacharach: Several years?

Witness: Yes.

Commissioner Bacharach: What makes you think a bus line from Elm to Atlantic City would pay? Not from your traffic?

Witness: Well, they pick up passengers all along the road. It isn't only what I am doing, it is the whole people.

Commissioner Bacharach: It is what you think, not what you know.

Witness: Take me personally, I am only one, but there are hundreds and hundreds of people traveling over that road, thousands of them.

Cross-examination.

By Mr. Osborne:

Q. Where does this bus line run to and from, that you are able to use only in the morning and late in the afternoon?

A. Runs from Berlin to Hammonton in the morning, takes down some working people.

Q. How far? What is that distance, about?

A. Eleven miles and something, I believe, from Elm.

Q. So that it runs from Berlin to Hammonton in the morning, or the other way?

A. Berlin to Hammonton in the morning.

Q. And comes back?

A. Comes right back.

Q. What time in the morning do they start that round trip eleven miles long?

A. I think it comes back a quarter past eight, I am not sure.

Q. Then the bus lays over in Berlin?

A. No. I think they run them to the city; I don't know; they use it on some other route I suppose.

Q. They don't give you any more service?

A. They don't give us any service.

Q. On that bus, until late in the afternoon?

A. Coming down and getting some working people and taking them back from Hammonton.

Commissioner Bacharach: The reason you are in favor of the Public Service is because they have been beneficial to your community, is that it?

Witness: Yes, sir.

Commissioner Bacharach: You believe in being beneficial to that utility that has been in the past favorable to your community, is that it?

Witness: Certainly.

Mr. Straw: I have no further questions. I have four other witnesses from Elm; I am willing to stipulate they will testify approximately as Mr. Dean has testified.

Mr. Baldwin: We will agree.

Commissioner Autenrieth: Mr. Perskie wishes to make a statement.

Mr. Perskie: If the Commissioners please, I have been requested by his Honor Anthony M. Ruffu, mayor of our city, to appear before your Honorable body in this matter of the bus problem, which is now confronting you, and have been told by him to say for him and for his fellow commissioners and for the commissioners, as far as they can, representing their constituency of the city of Atlantic City, that they feel that the present phenomenal status of our city is largely due to the contribution which has been made by the steam railroads coming into Atlantic City from various parts of this country. They feel that its growth, its progress and its development, its future growth, progress and development must

largely depend upon the major trunk services which these railroads are giving to Atlantic City from all parts of this country; that if the time has come when these major steam railroad companies (they have no particular brief for one as against the other; whatever their names may be) have to supplement or add to that main steam line service by bus lines, that they think they are only doing the proper and equitable thing to say to this Board, to express their opinion that if there is to be such addition, if there is to be this bus service added to these steam lines, that as between the railroads and somebody else seeking that right, the railroads ought to be favored, after considering all the circumstances and the compliance by them with the law on their part.

I don't know whether I have made myself clear about it. If there are any questions you care to ask I would like to answer them.

In brief, they feel, since the railroads have been so materially responsible for the progress the city has made, that as between the railroads and someone else desiring to add such additional service, if such additional service is needed they should receive the privilege, in plain, every day language.

Mr. Straw: That is not in this case. That is a statement made in some other case.

Mr. Baldwin: It bears on this case.

Mr. Straw: There is no application by the railroad to run any buses, in this case.

Commissioner Autenrieth: No.

Mr. Straw: I have no objection to it being en-

tered in its proper place, but as I say, it has no part in this particular case.

Commissioner Autenrieth: Of course, the statement itself is not evidential. We can only be guided by the proofs.

Mr. Straw: Then there is no reason why we should receive it in this matter. I have no objection to taking it now, if it is to be applied to Judge Osborne's case, when it comes up, or the other case.

Commissioner Autenrieth: Mr. Perskie may supply proof before we get through.

Mr. Straw: When he does I would be glad to hear more about that.

Commissioner Autenrieth: You may call your next witness.

M. G. Clayton, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Elwood.
Q. Elwood, New Jersey?
A. Yes, sir.
Q. How far is that from Hammonton?
A. Seven miles.

Q. How far from Atlantic City?

A. About nineteen, I think.

Q. Mr. Clayton, do you have any occasion to go to Hammonton?

A. Yes, sir. I have occasion to go at least twice a week and very often three times.

Q. How do you get there?

A. Well, I have had to depend upon the railroads entirely to get there, unless I hired someone to go with an auto. More often I have to hire an auto because the railroad service is such that I cannot transact the business I have to transact, at the bank and otherwise, without wasting too much time.

Q. When you do hire a conveyance what does it cost you to go from Elwood to Hammonton?

A. It costs me a dollar and a half.

Q. How often do you go there?

A. To Hammonton?

Q. Yes, sir.

A. Twice a week, anyway, and oftentimes three times; sometimes four times.

Q. You are a clergyman, are you not?

A. Yes.

Q. And pastor of what church in Elwood?

A. Presbyterian.

Q. Do you have occasion to go to Atlantic City?

A. Yes, sir.

Q. How often do you go there?

A. Two or three times a month.

Q. How do you go?

A. I have to go by rail, always.

Q. What sort of service do you get by rail?

A. Well, you get a train in the morning on the Reading at 8:57 I think it is, and back in the afternoon at 4 something, 4:32.

Q. How do you go to Hammonton, what is the service?

A. If I want to go in the morning, which I usually do, I have to take the 5:11 train in the morning and if I can get through, which I don't often do, I have to wait and come back in the afternoon and waste a day.

Q. What time do you get back to Elwood?

A. In the morning at 8:59 I think it is, or 9 o'clock something; I don't recall just the time.

Q. If you have to wait until afternoon what time do you get back?

A. That is 5 something.

Q. So that it is necessary to leave at five o'clock in the morning?

A. 5:11.

Q. 5:11 in the morning and you return to Elwood about 5 in the afternoon, or a little thereafter?

A. Yes.

Q. That is if you happened to miss the 8 A. M. train out of Hammonton?

A. Yes.

Q. What have you to say as to the public necessity for a bus line doing local business between Elwood and Atlantic City; in your judgment, is there a public necessity for such a line?

A. Well, from careful and honest observation and more than a year's study of the situation and talking with the people, and there are about five hundred or six hundred of us in that community, I feel that the bus service would be a very fine thing for that mass of people who live along that region, through that region.

Q. Is there a public necessity for it?

A. I beg pardon?

Q. Is there a public necessity for it?

A. Public what?

Q. Public necessity for the line, for such service?

A. I think so. I won't be certain.

Q. Do the public need such a line?

A. Do they need it?

Q. Yes.

A. Yes, I do. I think they need it.

Q. It would serve their convenience also, would it?

A. Yes, sir. I might say I am not an isolated case in this community; there are literally hundreds of us that are so situated. We are a people who are busy and we have business and social relations with the outside world, outside of our own little environment that call us away to Hammonton, Egg Harbor and Atlantic City. We are not a bunch of heathens by any means and we get out and do these things; we ought to have some means by which we could do it decently and comfortably, but we haven't got it now.

Q. You testified at the other hearing, did you not, when the Public Service endeavored to get a local service from Atlantic City to Camden; you testified at that time?

A. Yes, sir.

Q. Was there any opposition to that application?

A. I have seen none or heard of none.

Q. Was there any opposition to the Public Service application last year?

A. No, not that I know of.

Q. Did the railroads appear last year at the hearing?

Mr. Osborne: Isn't that a matter of record?

Mr. Baldwin: We admit it.

A. I think they did, if I remember right.

Mr. Straw: Take the witness:

Cross-examination.

By Mr. Baldwin:

Q. How long have you lived in Elwood?

A. Four years last April I came there.

Q. Was that before the buses began to run up and down the White Horse Pike, to and from Philadelphia?

A. I beg pardon?

Q. Was that before the buses began running up an down the White Horse Pike?

A. I think one or two lines were running at that time, when I first went there.

Q. That was before the Delaware River bridge opened?

A. Yes.

Q. Did you have better steam railroad service than you get now?

A. Than the Reading?

Q. Yes.

A. No; of the two roads the Reading is the best.

Q. Did you have both railroads at Elwood?

A. We have the Pennsylvania but to me it is a joke; they haven't even got a clock in their station.

Commissioner Autenrieth: Let us not try to be funny; let us get the facts.

Q. Did you have as many trains in and out of Elwood then as you now have?

A. Yes; they had better service when I moved there than now.

Q. What do you suppose, if you have any idea on the subject, why do you suppose you have less frequent train service than when you moved there?

A. I don't know as I can answer that question. I can answer for myself. I always patronize the railroad, myself, because I prefer them, if I went to Philadelphia. If I went to Hammonton in the morning on the Reading we had eight trains during the summer, I accommodate myself to that situation.

Q. Do you connect up in any way the increased bus service on the White Horse Pike with the loss of train service to your community?

A. Possibly it has; I don't know; possibly it has.

Q. You are now interested in seeing some kind of local bus service along the White Horse Pike?

A. Yes.

Q. You are sure that would be quite convenient for you?

A. Yes.

Q. You have no personal preference, I suppose, as to who should render that service?

A. Well, no. Not if they give us proper service and proper treatment.

Q. Yes. Your past experience with the Reading Railroad since you have been there has been such as to satisfy you, hasn't it?

A. I have never traveled on the Reading buses but on the train.

Q. I mean, on the train.

A. Yes. The only objection I have to the railroad service is, the only time that the Reading is any particular service to me is when I want to go to Philadelphia, because it means nothing if I want to go to Hammonton. I handle a great deal of money for an organization; if I have to go to the bank office at Hammonton, I don't like it laying around the house, I am required to go to Hammonton two or three times a week, sometimes four times; the railroad is no accommodation to me at all because I

have to wait a day, as a general thing, or hire someone to take me up.

Q. You do find the railroad is an accommodation to Philadelphia?

A. Yes; that is on the early train, I have no complaint of that.

Q. You use it?

A. Yes.

Q. You wouldn't like to lose that service?

A. No. I wouldn't like to lose that service, because I can get on that early train and go to Philadelphia and spend the entire day and come back comfortably.

Mr. Baldwin: That is all.

Mr. Straw: That is all.

Mrs. J. Sprig, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Commissioner Autenrieth: This is a witness from Elwood too?

Mr. Straw: She said she would like to address the Commission.

Q. You live at Elwood?

A. Yes; I have a business at Elwood.

Q. You want to say something to his Honor about this application for local bus service between Berlin and Atlantic City?

A. Berlin and ——

Q. And Atlantic City; giving service between Elwood, Hammonton and Atlantic City; just tell his Honor what you want to say.

Mr. Baldwin: We have already stipulated with counsel as to the Elwood situation, I think, that the other witnesses would say the same thing.

Witness: Well, a person ——

Commissioner Bacharach: Wait a moment.

Mr. Straw: It don't make the slightest difference to me.

Commissioner Autenrieth: This lady says she wants to say something.

Mr. Baldwin: All right.

Witness: My own property is there too, right on the White Horse Pike, right across from your railroad. If we want to sell people coming there, what facility is there to get in and out? None. Then they don't want to buy that property. If there was bus service there we could get in and out. You have to hire, like Mr. Clayton, a bus to take you where you want to go.

There is only one store in Elwood; it is a case of deal there or go without; we have to go to Egg Harbor or Hammonton. As long as the people want to pay I think they ought to have the convenience without fighting for it.

Commissioner Bacharach: Can't you go to Egg Harbor by bus?

Witness: No, sir. Never.

Commissioner Bacharach: You can't go there?

Witness: Never. But if you go from Philadelphia they will let you off at Elwood, but they won't take you on; take on a man to Philadelphia; if you want to come to Atlantic City they will take you here again.

Commissioner Bacharach: They don't stop at Hammonton?

Witness: No, sir.

Mr. Osborne: They go to Hammonton?

Witness: No; no place from Elwood; it is entirely isolated. That little place is just this way.

Mr. Straw: I have no further questions.

Witness: The Public Service bus is there.

Cross-examination.

By Mr. Baldwin:

Q. You say that you wouldn't be able to sell your property unless you get the bus line?
A. No, sir.
Q. What was it you said about your real estate?
A. I did not say so.

Q. You wouldn't be able to sell it?

A. No, nobody would buy it.

Q. How does your mail come into Elwood?

A. It comes there twice a day on the Pennsylvania. That is the only mail we get.

Q. Do you suppose you could sell your property if you didn't have mail delivered?

A. The mail has nothing to do with the property.

Q. It hasn't?

A. No.

Q. You think that transportation by bus is more important to you than getting your mail even?

A. Well, when I first went to Elwood four years ago we had four trains at Elwood, the lady below me, if you want to know something, sold her property, and when the party met her at the depot she asked how to get in and out, and then wouldn't buy.

Q. You have lost three-quarters of your train service since you first went to Elwood?

A. Yes; four trains. You are a railroad man; the trains have been taken off; that gentleman said they hadn't.

Commissioner Bacharach: Your interest is because it affects your real estate?

Witness: Yes; affects us all over. It affects our pocketbooks.

Q. How often have you left Elwood to go anywhere?

A. Four or five times a week.

Q. Where did you go?

A. I go on business.

Q. Where?

A. In Hammonton and Egg Harbor and Philadelphia. I came down here to Atlantic City one day. I came on the nine o'clock train and had to wait until four o'clock to get back. Do you think that is right?

Q. How do you get to Philadelphia?

A. On the bus.

Q. You use one of the buses along the White Horse Pike?

A. Yes.

Q. Before those buses ran there how did you get to Philadelphia?

A. I always went on the bus. Never went on the railroad.

Q. Never went to Philadelphia on the railroad?

A. No; the bus, which is the communication that runs, the Public Service bus.

Q. You haven't lived in Elwood long?

A. Only four years, in September I went to Elwood.

Q. Before the buses started running on the White Horse Pike, you never went to Philadelphia on the train?

A. I didn't have to. We lived at Harrisburg.

Mr. Baldwin: That is all.

Mr. Osborne: No questions.

Mr. Straw: That is all. I have fifteen other witnesses whom I would be glad to stipulate would testify the same as Mr. Clayton, and Mrs. Sprig.

Commissioner Autenrieth: Where from?

Mr. Straw: Elwood.

Commissioner Autenrieth: We have heard enough about that.

EDWARD A. KENT, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live, please?
A. I live in Devonshire, between Egg Harbor and Elwood.
Q. Is that on the White Horse Pike?
A. Yes, sir.
Q. How far are you from Atlantic City?
A. I am about eighteen miles from Atlantic City.
Q. How far from Egg Harbor?
A. From Egg Harbor about two and a half miles.
Q. How far from Hammonton?
A. Hammonton, about eleven miles.
Q. Do you have occasion to go to Atlantic City?
A. I have lots of occasions to go to Atlantic City. I am in business on the Pike; I have to come to Egg Harbor to get the bus or the train to get to Atlantic City.
Q. Just tell their Honors how you get to Atlantic City when you do go.
A. I have to call up a jitney on my telephone; it costs me seventy-five cents, and another kind charges me a dollar; I have to wait then for the train until it comes along, or get the bus. The bus is more convenient for me from Egg Harbor, since the last seven or eight years; since Mr. Kinley had the bus,

the first bus that was there, that cost fifty cents or fifty-five cents, I won't say which.

Q. Are there other folks in Devonshire have occasion to go to Atlantic City?

A. We have about three hundred people there. I built the first house, new house in the neighborhood. I built a lot of property along the pike there. We have made quite a village out of it. We get no service. My wife is head matron at the Wissinoming Prison. She stood two and half hours waiting for an Atlantic City bus to pick her up and take her home. The Philadelphia-Reading bus went up empty and deliberately went by. I stood in the middle of the street with a flash light trying to hold him up; he beat it around and never stopped.

Q. That is a Reading bus?

A. Philadelphia-Reading bus. The Reading Railroad didn't give us no service.

Commissioner Autenrieth: It wasn't an interstate bus?

Witness: No; they have to pick us up and take us down, but not fetch us up. They leave off at my place coming back but I can't go to Atlantic City or Egg Harbor.

Commissioner Autenrieth: She wanted to go to Philadelphia?

Witness: My wife works at the Wissinoming Prison, she is the head matron; she wanted to go to Philadelphia, back. She was home for the day. They were supposed to stop and pick us up, but they will go deliberately by us. We want something that will pick us up and give us service along the Pike.

Q. Do you think it is necessary to have service, intrastate in character, doing business just within the State of New Jersey, between Berlin and Atlantic City?

A. Yes, sir.

Q. And doing a local business between Devonshire and Atlantic City?

A. Yes, sir. We need the local bus to pick us up to take us to Hammonton, if we are going to Hammonton. I have to go to Egg Harbor and I have to come to Atlantic City pretty nearly every week; twice a week sometimes. I do business here with the big stores, Bernstein & Black, Erie & Jones; I do business with them all; I have been doing business in Atlantic City thirty years, where you have the Convention Hall today. My name is Edward A. Kent; they all know that I am sitting in the chair. I am in the county since the last war; that is the reason they know me. I got knocked off the Pike; I couldn't recover. They won't give us a chance to get a bus.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. What business are you in?

A. I have a service station there.

Q. That makes it necessary for you to make frequent trips into Atlantic City?

A. I come here to buy candy; I can't buy nothing there; nobody will stop. I buy candy and cigars and stuff off Jacobs and also the Bold cigar people; I have other little things; I buy from the five and ten; about any place; I am trying to make a living.

Q. Don't you suppose the reason some of these buses don't stop is they are not scheduled to stop?

A. It is a darn fine town; if you lived there you would think so.

Commissioner Autenrieth: Read the question.

Q. (Question read.)

A. Yes. We order a bus on the telephone to stop and they wouldn't stop. It went by there at 8:30 and we went there and we waited and then when another bus came along with nobody in they wouldn't stop. They go at fifty or sixty miles an hour by my store.

Q. How large a town is Devonshire?

A. How many?

Q. Yes.

A. About three hundred.

Q. It lies halfway between Elwood ——

A. Between Elwood and Egg Harbor.

Q. What time of night was it when you tried to stop this bus on the White Horse Pike?

A. The American bus was supposed to be at my place at 8:20 or eight o'clock. I ordered it over the telephone and the operator said the bus was at the terminal at Egg Harbor; it would be there, and it didn't show up. Then we called up the American bus and it didn't show up.

Commissioner Bacharach: We will not hear many witnesses if you let all of the witnesses make statements.

Mr. Straw: I am finished.

Commissioner Bacharach: Just answer the questions, don't make speeches.

Q. Did you have any arrangement with the Reading Railroad that this bus would stop at Devonshire?
A. No. When I called up they said it would stop.
Q. What time did you try to stop the bus on the Pike with a flash light?
A. 8:30
Q. In the evening?
A. Yes.
Q. You said you had twenty people to make use of that bus?
A. Twenty.
Q. Yes.
A. No, I didn't. My wife, I said.
Q. I thought you said you had twenty to go up.
A. No, sir. My wife. I have no twenty.

Mr. Baldwin: That is all.

Mr. Straw: That is all. I have five other witnesses from Devonshire; I am willing to stipulate.

Commissioner Autenrieth: That they would testify to the same thing as Mr. Kent?

Mr. Straw: Yes.

ADOLPH C. GOLBER, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Egg Harbor City.
Q. Do you hold any official position in Egg Harbor City?

A. Not now.

Q. Have you held an official position there?

A. Mayor three terms.

Q. Mayor three terms?

A. Yes.

Q. Mr. Golber, we are discussing a proposed local bus service between Berlin and Atlantic City, doing a local business between those two points. What facilities do you have at present between Egg Harbor and Berlin?

A. Practically none.

Q. What do you have between Egg Harbor and Atlantic City?

A. We have a bus service, the Public Service runs a bus there. It was originally started by an Egg Harbor man and at last it was taken over by the Public Service?

Q. How many trips a day does it make?

A. It used to make four. I think it makes six now.

Q. Is there a need, a public need for a bus service such as I have described, doing business between Berlin and Atlantic City, locally?

A. It is an absolute necessity.

Q. Why do you say that, Mr. Golber?

A. The railroads have not given us the proper train service for the past ten years. I have often petitioned them, I have taken a petition up a yard long asking them to give us better train service and always got the cold shoulder. The only remedy we had is the local people to start a bus service.

Q. Will such a bus service as I have described serve the public convenience as well as be a necessity?

A. It sure will.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Baldwin:

Q. The remedy of your town for overcoming the lack of railroad service was to have someone start a bus line?

A. Yes.

Q. That bus line consisted of one bus?

A. It did at that time.

Q. It still does, doesn't it?

A. Still does, yes.

Q. How often does that bus run to and from Egg Harbor City?

A. I think it makes six trips.

Q. A day? How close are those trips together?

A. Every two hours.

Q. Do you think you need any closer service than that?

A. Yes.

Q. How much closer do you think you ought to have service?

A. I think we ought to have hourly service. I don't think so, I know.

Q. It would take another bus to give you that hourly service?

A. Yes.

Q. Because you now have two hour service. During the time you were mayor, or at any times since, did you make any complaint to the Board of Public Utility Commissioners concerning the train service at Egg Harbor?

A. No, sir.

Q. How many railroads do you have at Egg Harbor?

A. Two.

Q. Their stations are conveniently located?

A. Conveniently located.

Q. How long have you been in Egg Harbor yourself?

A. A native.

Q. I beg pardon?

A. I am a native.

Q. You were born there. Have you ever had better train service than you are getting now?

A. No, sir.

Q. Have you ever had more trains to Egg Harbor than you have now?

A. No, sir.

Q. So that what complaint, then, do you have to make during this last ten year period as to the railroad service?

A. Workmen were obliged to get up at five o'clock in the morning to get the paper train to go to work in Atlantic City. Workmen had to get up at practically about six o'clock to go to Philadelphia. That was a local and brought them up late. A man could not commute.

Q. Have you any idea, from any experience of your own, as to whether you can get to Philadelphia on the train quicker than you can on the bus?

A. You can get to Philadelphia quicker by train.

Q. So you don't have to get up so early in the morning to get to Philadelphia by train as by bus?

A. The trains are not suitable for anyone who commutes and has a job.

Q. Have you ever used them?

A. Yes.

Q. Have you any idea how many daily riders do use them?

A. At the present time I think there are about twenty of them that use the railroad in the morning.

Q. Both railroads?

A. One railroad.

Q. Which railroad is that?

A. The Reading.

Q. You also have the Pennsylvania service at Egg Harbor?

A. Yes. We have a train one way in the morning and one way in the afternoon, one express and one local each way.

Q. Do people make use of those in Egg Harbor?

A. No. It is the wrong time.

Q. Do not the Atlantic City express trains, many of them, stop at Egg Harbor?

A. Only two, one in the morning and one in the afternoon.

Q. That is on the Pennsylvania Railroad. It is your thought, mayor, you should have along the White Horse Pike, in addition to the train service you have, some local bus transportation. You wouldn't want to lose for your town any of the train service which you now have, would you?

A. Train service is an absolute necessity and so is the bus.

Q. The two things now go hand in hand. Is it your thought that a particular company should run that service?

A. No, sir. I believe in a free-for-all.

Q. The more service the better?

A. The more service the better, and the more prosperous our town will be. Our town happens to be a manufacturing town, which requires itinerant salesmen and merchants to come there to buy and sell. Many skilled mechanics go elsewhere; they have to, in order to live; they have to have some way of commuting.

Q. Of course, your testimony today is calculated to serve the public interest of your town by getting more service for your town?

A. More service.

Mr. Baldwin: That is all.

Mr. Straw: That is all. I have one more witness from Egg Harbor I should like to call.

Commissioner Autenrieth: All right.

Mr. Straw: Mr. Michlich

(No response.)

Mr. Straw: He said he would be back. May I call him later?

Commissioner Autenrieth: All right.

ERNEST GRUNOW, sworn on behalf of Public Service Coordinated Transport.

Mr. Straw: There are four other witnesses from Egg Harbor besides Mr. Michlich, that I would stipulate as to their testimony.

Commissioner Autenrieth: Is that agreeable?

Direct examination.

By Mr. Straw:

Q. You are Township Committeeman from Galloway Township?
A. Yes.
Q. Where do you live?
A. Pomona.

Q. Is Germania in your township also?
A. Yes.
Q. How far is it from Pomona?
A. About three miles.
Q. Are you familiar with traffic conditions in Pomona and Germania, as well?
A. Yes.
Q. How far are you from Hammonton?
A. About fifteen miles, I should judge.
Q. How far are you from Egg Harbor?
A. About five miles.
Q. And from Atlantic City?
A. About fourteen.
Q. Do you folks have occasion to go into Atlantic City?
A. Yes, sir.
Q. Frequently?
A. Not so very often.
Q. Where is your shopping center?
A. Mostly in Egg Harbor.
Q. How do you get to Egg Harbor from Pomona?
A. Either by our own machine or mostly with the bus.
Q. What buses operate there?
A. The Egg Harbor bus.
Q. You mean the Public Service facilities that run there?
A. Public Service bus.
Q. Do you have any rail connection between Pomona and Atlantic City?
A. Yes, sir.
Q. What line?
A. Pennsylvania Railroad and ——
Q. Do you have any trains?
A. I think there are three a day.
Q. When do they run?
A. One goes down around nine o'clock in the

morning and one goes down toward late afternoon, around six o'clock; there is one goes up at four o'clock.

Q. Two down and one up, is that right?

A. Yes.

Q. Is that a service which is reasonably convenient for the folks who live in your township to use?

A. No, sir; I don't think so.

Q. Have you had complaints, as a Township Committeeman, about that service?

A. We had a small gathering one time that seemed to be in favor of the buses.

Q. Because they weren't getting service by rail?

A. No; not on that account, but they wanted a bus.

Q. We are trying today an application of the Public Service Coordinated Transport to operate a line of buses between Berlin and Atlantic City, doing a local business between those two points. In your opinion is there a necessity, is there a public necessity for that service, doing a local business?

A. I think it would.

Q. You say you think it would; is it a necessity; do the people need it?

A. Yes.

Q. Would it serve the convenience of the people?

A. Yes.

Q. Are you speaking as a township committeeman or individually?

A. Well, partly as a committeeman and partly individual.

Q. You said you had a meeting, I am wondering whether the meeting had anything to do with your presence here today?

A. No, sir.

Q. From Pomona to Hammonton what service do you have there?

A. You mean, on the railroads?
Q. Any way.
A. We have no bus service. On the railroad we have one train going up at four o'clock.
Q. How about coming down?
A. We have coming down, it gets to Pomona at eight o'clock and one gets there around six.
Q. Only one train up a day?
A. Yes, sir.
Q. That is four o'clock in the afternoon?
A. Yes.
Q. Do any of your people work in Hammonton or go there for shopping purposes?
A. They can't get there very good.
Q. So they don't go there?
A. No.
Q. They use their own private automobiles?
A. Most of them do, yes.
Q. Will a service between Pomona and Hammonton as part of this service, a local service, be of convenience to you?
A. Yes, sir.
Q. Is it a necessity?
A. I think so, yes.

Mr. Straw: Take the witness.

Mr. Osborne: No questions.

Mr. Baldwin: I don't think I have any questions.

Mr. Straw: I have sixteen other witnesses from Germania and Pomona, one from Germania and fifteen from Pomona. Will you stipulate they would testify about as Mr. Grunow did?

Mr. Baldwin: Yes.

Mr. Straw: Mr. Michlich?

(No response.)

Mr. Straw: I am sorry Mr. Michlich is not here. He got a telephone message and went away. I am sure your Honors would be glad to hear him.

Commissioner Autenrieth: Call your next witness.

Mr. Straw: That is all of the witnesses if your Honor please. I am through. Excuse me a moment. If your Honor please, I offer the record of the public witnesses, as Judge Osborne calls them, in the other case as part of the record in this case. There are about twenty of them.

Mr. Osborne: The other case being the ——

Mr. Straw: The original application from Berlin.

Mr. Osborne: Last year.

Mr. Straw: Yes; Egg Harbor; the hearing of December, 1928.

(Adjourned until Saturday, May 4th, at the City Hall, Atlantic City, N. J., at 10:30 A. M.

BOARD OF PUBLIC UTILITY
COMMISSIONERS

Atlantic City, N. J., Saturday, May 4th, 1929.

Extension of Atlantic City-Egg Harbor route to Berlin. Application of P. S. Coordinated Transport for approval of local permission to extend its route and for approval of eleven additional buses thereover.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Sr. Inspector.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For Reading Transportation Company and Atlantic City Railroad Company appear:
C. T. Wolfe, Esq.
F. H. Bradley, Esq.
C. A. Baldwin, Esq.

For Pennsylvania General Transit Company, Pennsylvania Railroad Comany, West Jersey & Seashore Railroad Company appear:
H. C. Maxwell, Esq.
and
Harry V. Osborne, Esq.
For City of Atlantic City appears:
Joseph B. Perskie, Esq.

Mr. Straw: I have nothing now; only in rebuttal.

Mr. Osborne: Do you want to call any more now?

Mr. Straw: No. I understand, if your Honor please, we are now going into the railroads' opposition to our petition, is that right?

Mr. Osborne: We are now going into our case on our application. We have to clean up the public witnesses.

Commissioner Autenrieth: You can make that apply either to your case or their case.

(Recess while another matter is disposed of.)

AFTER RECESS.

Mr. Baldwin: In view of the fact the Public Service Coordinated Transport rested their main case, I would like to move that the application be dismissed on the ground they have presented for the Board's approval no valid and sustaining municipal consents. All the consents which are attached to the present application antedate the time that the Board disapproved of those consents in July, 1928. I take it under the law those consents having been disapproved, the approval of the Utility Commission became invalid for any use or purpose; they are not at the present time valid and sustaining consents for the purpose of this application.

Mr. Osborne: May I join in that motion on the theory that those consents are invalid and the only way they can be revived is to reopen that case or have new ones issued.

Commissioner Autenrieth: The Board will defer the final disposition of the motion made by Mr. Baldwin until the conclusion of the case. We will adjourn without day. It so happens at the moment I haven't the Board's record so as to fix a hearing, but another day will be fixed and counsel will be notified during this coming week.

Mr. Straw: May I have it on Friday or Saturday?

Commissioner Autenrieth: That is about the only available time we have.

(Matter off without day. Day to be fixed.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Tuesday, June 11, 1929.

Atlantic City-Egg Harbor Route to Berlin—Application of Public Service Coordinated Transport for approval of local permission to extend operation of autobuses and for approval of operation of eleven additional buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Charles Browne, Esq.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Sr. Inspector.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For Reading Transportation Company appear:
C. T. Wolfe, Esq.
Floyd H. Bradley, Esq.
Clifford A. Baldwin, Esq.

For Pennsylvania General Transit Company et al., appears:
Harry V. Osborne, Esq.
H. C. Maxwell, Esq.

For White Way Tours et al., appear:
Patrick H. Harding, Esq.
Emerson L. Richards, Esq.

ARTHUR T. WARNER, sworn on behalf of Public Service Coordinated Transport.

Direct examination.

By Mr. Straw:

Q. Mr. Warner, as general manager, in charge of traffic, Public Service Coordinated Transport, will you discuss, please, the attitude of that company with reference to not only its own petition which we have been hearing, but also the petitions of the railroad to do a local business between Camden and Atlantic City?

A. First, I shall discuss the Public Service application to extend its Egg Harbor line to Hammonton and Berlin. Slightly over a year and a half ago Public Service secured permits from Camden and Atlantic City and applied to this Board to extend the line of buses that was then operating between Camden, Berlin, Atco and Hammonton, easterly along the White Horse Pike to Atlantic City. The reason for this application was to allow us to furnish a local service for the entire distance along the White Horse Pike and give to the people beyond Berlin, Atco and Hammonton a frequent local service similar to that enjoyed in the section west of Berlin. This application was objected to and opposed by the railroads. We interpreted this opposition as a fear that it would enable Public Service to do a through business between Camden and Atlantic City and thus affect the business done on their rail lines. The Board denied that application and in the decision stated that the line would in all probability deflect some of the through business be-

tween Camden and Atlantic City and compete with the railroads to that extent. Since that decision was handed down, slightly over a year ago, we have received many requests from the small settlements along the White Horse Pike, east of Berlin, asking that we make further attempts to furnish them a local service in that section. Prior to the time that the Board's decision was released in the first case, we purchased the Egg Harbor-Atlantic City bus line, which had been operating for some time between Egg Harbor and Atlantic City. This purchase was approved by the Board, with our application to transfer the rights from the old owners to Public Service. The present application, namely, to extend the Egg Harbor line to Berlin and to increase the number of buses on the extended line, was made to meet the many requests for service that have come from this section, and with the idea that it would eliminate the objections of the railroads to a through service from Camden all the way to Atlantic City. We do not plan to operate through buses between Camden and Atlantic City if this application is granted. The buses from Camden will go as they do now to either Berlin, Atco, Tansboro or Hammonton. The buses from Atlantic City will go westerly to Berlin. If any Camden people desire to go to Atlantic City, such traffic will have to change buses at Berlin, or Hammonton.

Mr. Osborne: You mean, over your line?

Witness: Over our facilities.

Mr. Osborne: All right.

Witness: Through service will not be given under this application. We feel that there is a tremen-

dous demand for a local service along the White Horse Pike between Berlin and Atlantic City. One hundred and twenty-two citizens from this section came down here to this Board voluntarily at the last hearing. We could have brought three or four times that number. There is a demand for the service there that is as real as any that I have witnessed in all my experience. The train service, as far as local stops are concerned, is practically no service at all. The time-tables which are in evidence speaks for themselves and show gaps between trains of eight hours with no local trains on Sundays. We plan that this Egg Harbor extension, which we are asking the Board to approve, is a service purely local in character and for the benefit of the community between Berlin and Atlantic City. We say that regardless of what action the Board takes on the other applications that are before it, this application should be approved, because on all the other applications the local service will be incidental to the through service, and during the busy seasons, Saturdays, Sundays and holidays the buses of the other applicants will be filled to capacity in Philadelphia with through passengers for Atlantic City and will consequently be unable to render any service to the local riders along the White Horse Pike. Public Service has been subjected to some criticism in attempting to secure these permits and have them acted upon by the Board. We have been accused of being a carpet-bagger in Atlantic City, of having no right there, and of transgressing in areas where the Pennsylvania Railroad and Reading Railroad have apparently some God-given-right to handle all the business. We believe that Public Service has a right in Atlantic City. We pay over $3,000,000 in taxes yearly, to the State. We have purchased, with real money, the Egg Harbor-

New Jersey State Library

Atlantic City line. It holds consent at present to operate within Atlantic City. We have purchased the Wilmington-Atlantic City line. This line holds eight permits to operate into Atlantic City. These purchases, and the transfers of their rights to Public Service, have been approved by this Board and the securities on which the money has been raised to pay for these lines, have been issues approved by this Board. We are operating buses into Atlantic City on our own rights which have been approved in a manner prescribed by the laws of this State. This brings up the question (and it enters into these series of cases very largely) of what are territorial rights and what are they worth. We must, in considering this question, go back to the early days of bus operation. Prior to 1923 Public Service appeared before this Board many times to attempt to have this Board take some action to protect what we called our territory, to protect the investment that we had put in the street railway lines of this state, from the bus competition that was eating the very life blood of that huge investment and was destroying whatever ability the railway had to function. The Board, in many decisions, where new bus lines were coming into the picture, established certain restrictions, but never once was an existing bus taken off or its ability to render competition in any way reduced. This Board by their decisions in such cases stabilized bus operation in New Jersey from 1920 through 1923. In 1923, after the street railway strike and the subsequent change in fares, with which the members of the Board are familiar, Public Service went out and bought back its own business by purchasing competing buses which had been approved by this Board. This the Board will well remember. We took bus operation seriously. We started out in

1923, by operating half a million miles with buses and carrying some 2,000,000 passengers. This has increased by leaps and bounds, until five years later, our 1928 record shows that 64,000,000 miles were operated and 312,000,000 passengers carried. All this has come from a systematic attempt to develop the bus as a means of local transportation, to perfect the vehicle, and to extend our services into areas which it would have been manifestly impossible to have served by extending rail lines. I want the Board to visualize for a moment the areas through which these extensions have taken place.

(Witness produces map.)

Mr. Straw: I offer this map as Exhibit P. S. 7. I will have some more made.

(Map marked Exhibit P. S. 7.)

Witness: The black area on this map shows the area which we were serving in 1923 with street cars before bus operation started. Since 1923 extensions made with buses have gone out to include, as added territory, the areas bound in red. Now, we hold that this expansion of territory is proper, is necessary and is a development inherent to the motor age, with its improvements in roads and the consequent expansion of metropolitan surburban areas. A description of the White Horse Pike will show exactly what I mean in this respect, in connection with the last sentence. Bus operation started on the White Horse Pike in the latter part of 1920 or early 1921. The buses were operating there just about the time the Elliott Act was passed and they had to come to the Board for approval. They operated on the White

Horse Pike to Berlin. The trolley line that operated out through there went as far as Clementon and paralleled the White Horse Pike very closely as far as Haddon Heights. Beyond Haddon Heights the two routes diverged, the Pike going away from the trolley, getting further and further from it. The Board restricted those buses as far as Magnolia, Eavesham Avenue, Magnolia, but allowed them to do business beyond that district. Prior to that time suburban development stopped at practically Haddon Heights. Since that time the Pike has built up practically solid, due to the service those buses have given along the Pike, which is an extension of the suburban, metropolitan area and the extension was served by the buses. Had that extension and that development continued on beyond Berlin or further down the Pike we believe that it is our function to serve that development and serve that increasing metropolitan area just as much as it was to serve the section west of Berlin. It is obviously something that we could do with the bus that we could not do with the trolley and yet the railroads tell us that we should confine our activities to areas adjacent to Camden and Newark, formerly covered by our rail lines, and they say that beyond this area we are interlopers and carpetbaggers and are exceeding our functions. Everyone of these red lines that are serving these red areas are lines that have been approved by this Board and, as I said before, the money which financed them and purchased the plant needed to operate them was raised by securities approved by this Board, in a manner prescribed by law.

Commissioner Autenrieth: You don't mean the Board intended to specifically approve of the securities designed for this given purpose?

Witness: No, sir.

Commissioner Autenrieth: Such as the route from Atlantic City to Egg Harbor, or any other place?

Witness: No. I said ——

Commissioner Autenrieth: The securities were approved as a general proposition?

Witness: Yes.

Commissioner Autenrieth: As properly invested in new lines wherever they are?

Witness: Out of those securities have come the money.

Commissioner Autenrieth: Not specially approved for the acquisition of the line?

Witness: No; that is true. If I were to define what we consider our territorial limits I would say the Atlantic Ocean and the Hudson River on the east and the Delaware River on the west.

Mr. Osborne: That is the whole State of New Jersey.

Witness: Yes, sir. A year ago a Pennsylvania Railroad official (the testimony of Mr. L. K. Marr, page 275 of the record) said that no local service was needed along the White Horse Pike between Berlin and Atlantic City. The Reading Railroad through Mr. Osterhout, made the definite statement

that they had descarded the idea of bus service on the White Horse Pike. Now, after a year has passed, during which they have, if anything, lessened the amount of local train service that they have given to these people, they come in and tell the Board that if the service is needed they should be allowed to give it. We say definitely that service is needed and we say definitely that we are prepared to give it. We said that a year ago and we still say it.

Mr. Osborne: It is or it is not?

Witness: Is needed. Any organization that approaches a problem of rendering service with the half-hearted idea that if the service is needed they will give it, should not be allowed the privilege. Their idea of service, if it is needed, is four buses a day, and their plan for bus service does not contemplate a local bus for these people of Pomona, Germania, Elwood, Elm and the like, and those other little places down there; but they plan to let these people get on their through buses, which will be filled with passengers from Philadelphia to Atlantic City, if there is room for them. There has been considerable evidence explanatory of the manner or the provisions for room for that local travel, but I can't conceive of how an operating company will turn down a dollar and a half fare on the ground that somewhere down the Pike they might pick up a ten cent fare. To me it is an impracticable proposition. The Pennsylvania Railroad, by its own admission, is entering the bus operating field to protect its rail interests and to conserve its investment in rail facilities. Responsibility for the condition of their rail investments must be assumed by them. Proper action three years ago would have protected

all bus traffic from coming over the Camden bridge, as well as the Holland Tunnel; but the Pennsylvania took the position that they were not interested, when their interest was essential. Now, after we have gone ahead, and taken steps necessary to protect ourselves, they come in, waking up from this long sleep, and seek to dilute our earnings and usurp our functions. We believe that the Pennsylvania Railroad and the Reading Railroad do not plan to operate bus service as such, but merely to protect their rail interests. With this in mind their plan will always be to make the rail service the most desirable and to do everything in their power to push the traffic toward the steam trains. We have learned from experience of six years that bus operation is more than mere protection. It is showing gratifying improvement yearly and we believe that our bus business constitutes today our main hope for the future. To curtail this, to hamper its growth or to restrain its functions, would in our opinion be suicidal. The New Jersey State Law, paragraph 52 of the laws of 1928, show conclusively that the legislative fiat of this State is that local transportation should be furnished jointly by street railway cars and buses. This Act declares that the two are to be considered together, operated as one system and shall be termed a single public utility. This further emphasizes the fact that Public Service territory is wherever its buses run, and any reference to the locations of old rail heads, is out of the picture. If our operation into Atlantic City, where we have routes already approved by this Board, is to be construed by the Pennsylvania Railroad as an invasion of their territory an invasion of railroad territory, it would be as fair for us to say that the Pennsylvania Railroad invaded Public Service territory when they operated the Hudson & Manhattan ser-

vice between Jersey City and Newark, and ruined thereby two perfectly good trolley lines that were rendering service between the two largest cities of this state. We maintain that our function is to give local service on the highways of this state, whether by rail or by bus, and when the steam railroads endeavor to do this they are usurping a function, a duty and a privilege that is ours and not theirs.

Q. As a sort of anti-climax; we were discussing yesterday the Egg Harbor-Atlantic City line: What have you to say as to the stability of that line, from an operating standpoint?

A. It is, even restricted throughout the length of its route as it is, it is earning sufficient to carry itself and I would say, show a slight return.

Mr. Straw: I have prepared a resumé of the data that I discussed with one of the witnesses yesterday; it shows the revenues from May 31st to June 6th inclusive.

Mr. Osborne: The Egg Harbor?

Mr. Straw: Yes, the revenue per mile and the revenue per bus mile. I will offer that as Exhibit P. S. 8.

(Statement headed Egg Harbor-Atlantic City bus line, revenue, miles and R. P. B. M., marked Exhibit P. S. 8.)

Q. Is there anything I have neglected to ask you that you want to bring to the attention of the Board?

A. No; I don't think so.

Cross-examination.

By Mr. Osborne:

Q. It is very refreshing to have this statement from you at last, to know what the Public Service's attitude is. I notice in conclusion you say you think the railroads will push the traffic from the buses onto the trains. You are speaking in the light of experience, I suppose?

A. In the light of my experience with the railroad, yes, sir.

Q. In the light of your experience as a trolley man?

A. No, sir.

Q. Well, why do you assume then, if the bus operation of the Public Service wasn't designed for that purpose, why do you assume the railroads will do the same thing?

A. Because I think they will.

Q. I didn't hear the answer.

A. I think they will, and I think they say so themselves, very frankly.

Q. Have you heard them say so?

A. Yes; practically that.

Q. You mean to say you have heard the railroad people say that their purpose in going into the bus business was to push the traffic back on the trains?

A. They didn't put it in those words, but that was the sense of it, yes.

Q. That is the way you understood it?

A. Yes.

Q. In the light of your understanding capabilities.

A. I don't think it was any question of understanding. Anybody without light could understand the same thing.

Q. You think that is the natural thing to do, from your experience, don't you?

A. No; I said so.

Q. You say the railroads took the position they were not interested in the bus business?

A. Yes, sir.

Q. How long have you been with the Public Service?

A. I have been with the Public Service for nineteen years, a little over nineteen years.

Q. Were you with them before they took an interest in the bus business.

A. Yes, sir.

Q. Do you remember the time ——

A. I thought we were the last ones to wake up.

Q. You remember the time when the Public Service was not interested in the bus business?

A. I do, very well. I said I thought we were the last ones to wake up. Three years afterward I found others still asleep and dead to the world.

Q. There was a time when your position was the same as that you are now complaining of the railroads?

A. Yes, sir.

Q. After you concluded to expand your territory by the operation of buses, you thought there was no limit to the monopoly you were entitled to enjoy?

A. No, sir. I didn't say that.

Mr. Straw: I object to that.

Q. I thought you said bounded by the Atlantic Ocean. I may have possibly misunderstood the witness.

A. I didn't say there was no limits.

Mr. Straw: I have objected to the form of the question.

Commissioner Autenrieth: He answered it and said he didn't say what Judge Osborne quoted.

Q. Did you say you thought you were entitled to monopolize the bus business in the whole State of New Jersey, or words to that affect?
A. I said I thought New Jersey was our territory.
Q. And you were entitled to serve the whole State?
A. Yes, sir.
Q. And nobody else was?
A. No. I didn't say that.
Q. Didn't you?
A. No.
Q. Wasn't that what you meant to infer?
A. If you want that thought carried along, I have purposely kept away from those things.
Q. There are still some reservations? Have you kept something from us?
A. No. I haven't.

Commissioner Autenrieth: What was the answer?

Witness: I haven't kept anything from you.

Q. You say you haven't kept anything from us. Now, just tell them what interest the Public Service has in these other applications here?

Mr. Richards: I object.

Mr. Osborne: Has counsel an objection?

Mr. Straw: I will waive any objection the Public Service has.

Mr. Harding: I object. Mr. Warner knows nothing about our business and our purposes.

Mr. Osborne: We will consent to what the decision is.

Mr. Richards: I object. No matter what he knows or what he doesn't know, I object because it is not cross-examination.

Commissioner Autenrieth: I don't think it is cross-examination and I don't think it is particularly important or material, either.

Witness: What was the question?

Mr. Osborne: I am not permitted to ask it. It is overruled.

Commissioner Autenrieth: Question overruled.

Witness: All right.

Q. You say that the Public Service went into the bus business because the competition was eating the life out of the Public Service Railway Company?
A. Yes.
Q. That was your language?
A. Yes.
Q. You therefore felt justified in going into that new method of transportation?
A. We did.
Q. And you now complain that the railroads desire to do the same thing?

A. No, I do not.
Q. You do not complain?
A. No.
Q. You think it is perfectly proper and a moral think for the railroads to do?
A. In their own way and in their own function, but not come on the highways of the State, because those are already covered. If the railroads want to carry out the railroad function and operate high speed on private right of way and want to run a bus instead of a train we can't object, and we won't object.
Q. If the railroads enter into the bus business and supplement the railroad business they ought not to operate buses on the highway?
A. Exactly that.
Q. And they ought to acquire new rights of way?
A. Not short haul business.
Q. You want the bus business?
A. Yes, sir; I don't care ——
Q. Who pays the taxes to build the highways?
A. We pay about $3,000,000 a year of them.
Q. Do you know how much the railroads pay?
A. Not that much, from their own exhibit.

Mr. Straw: I think the records says $740,000 last year.

Commissioner Autenrieth: It shows there.

Witness: Whatever it is.

Q. They pay all over the State, too?
A. It is a little over three million dollars.
Q. All over the State of New Jersey?
A. Yes.

Q. Do you know how much the railroads pay in taxes all over the State of New Jersey?

A. No, sir.

Mr. Straw: It is in the record, $745,000.

Commissioner Autenrieth: Not all over the State. On this route.

Q. Would you be surprised if I informed you the railroads paid in the State of New Jersey over $17,000,000 in 1928?

A. I don't know.

Mr. Richards: What difference does that make?

Commissioner Autenrieth: It was brought into the case. I don't see that either side can claim any great glamour.

Mr. Richards: It is not part of the record now, in this case.

Commissioner Autenrieth: It was brought in.

Q. Do you know the railroads are obliged to pay large sums of money for crossing protection and the users of the highway get the benefit of it?

A. The railroads aren't alone in expending money for crossing protection. We paid some too.

Q. What proportion do you pay?

A. I don't know. What the law says. We pay some of it.

Q. You do know the railroads pay for it?

A. Yes; the railroads pay some of it and we do.

Q. They are compelled to?

A. Yes.

Q. You know they are obliged to spend large sums of money for grade crossing elimination which the users of the highway get the benefit of?

A. Yes; we do, too.

Q. I concede what you do, but answer my question. That is a fact?

A. Yes.

Q. The users of the highway get the benefit of it?

A. Get some benefit of it.

Q. And including the bus operation?

A. Yes.

Q. On what theory do you claim that the Public Service has a right to use the highway to the exclusion of a company which is a branch of the railroad company, or any other company.

A. On the theory that our function and our privilege throughout the state is the development of the local transportation service, making frequent stops, block to block and so forth, which has never been the function of the railroad or the railroads' province.

Q. This bus business was developed before you got into it, wasn't it?

A. Some of it was and some of it wasn't.

Q. When you got in you proceeded to crowd everybody else out of it?

A. No; I don't think we have.

Q. You haven't?

A. No, sir. You have a lot of clients that are pretty much in the business.

Q. You are gradually doing it as rapidly as you can.

A. As fast as you sell them to us we are.

Q. You think that you have the God-given right, which you denied the railroad companies to operate buses throughout the State?

A. Well, I think we have a prior claim, a prior right, yes.

Q. Notwithstanding the railroads were in the transportation business before you were?

A. In their kind of transportation business.

Q. There are just one or two questions with regard to your actual operation. How many buses are you now operating between Berlin, Waterford and Hammonton?

A. None. Pardon me just a minute, to clarify that. On a route from Berlin to Hammonton?

Q. Between Berlin, Waterford and Hammonton?

A. There is a two hour headway operated, as far as the Hammonton service, out as far as Hammonton.

Q. Have you permits for that operation?

A. Yes.

Q. For how many buses?

A. Well, we have got a certain number to Atco and others beyond Atco. I don't remember the number.

Q. You don't know?

A. No. If you want it ——

Q. Will your proposed local buses, which you are now asking to have approved, stop anywhere or any designated point along there, the small municipalities along the route?

A. We stop practically anywhere.

Mr. Osborne: That is all.

Cross-examination.

By Mr. Baldwin:

Q. What foundation was there for your statement that the railroads proposed to give two trains a day or four buses a day?

A. Through that section now the schedule shows it. Some of the stations only have two trains. Their proposed bus schedule shows four buses.

Q. For local business?

A. For local business.

Q. That local service is only between Camden and Berlin, is it not?

A. No; between Berlin and Atlantic City.

Q. Did you see the exhibit that was introduced in evidence, showing the proposed scheduled operation of the Reading Transportation Company?

A. That is where I got the four buses from.

Q. Isn't it a fact that every trip that is proposed to be made by those buses stop at every station out of Berlin?

A. No; only four of them stop at every station stop, as I read the thing.

Q. So you didn't read the schedule the way I did, did you?

A. No, sir; four round trips.

(Recess from one to two o'clock.)

AFTER RECESS.

ARTHUR T. WARNER, resumes the stand.

Further cross-examination.

By Mr. Baldwin:

Q. We were discussing, I think, the schedule put in by the railroad applicants. You made in your statement a comment only four bus trips a day were intended to be afforded by those facilities?

A. Purely local.

Q. You mean four by each railroad, didn't you?

A. Yes.

Q. So that would be eight a day?

A. If you combine them.

Q. Isn't it true that that schedule demonstrates the fact that most of the principal centers will be served by half hourly service?

A. That is true, but what I meant was, the purely local stops anywhere along the Pike only involved, as I read the schedule, four trips a day on each schedule.

Q. Those points that will show the least service under this schedule, are the ones where the least business would probably originate and terminate, isn't that true?

A. I don't know. Of course, my thought is, there is a lot of local business there, along there. I think it is there to be developed.

Q. You can conceive of a schedule being changed in order to accommodate additional needs, can you not?

A. I guess any schedule can be changed.

Q. Your company don't know yet just what the needs will be?

A. No. The schedule we run ourselves might be subject to change. Any schedule is subject to change.

Q. Your statement also concerned itself with whether or not there would be enough room on the buses for the local passengers, in rush periods. Do you really think that is a sound objection to the railroad plans?

A. I think it is sound in this way: It does not make the nature of the service, the local nature of the service, which we are applying for, the paramount feature from the railroads' point of view. If one of those local buses is due to leave Philadelphia, or Market Street, at half-past ten and thirty people come along with a dollar and a half apiece and are willing to ride to Atlantic City, those people are going to be taken.

Q. Did you hear of double-heading trips?

A. Yes; you can double-head trips.

Q. Your company does it?

A. Yes.

Q. What is the longest trip your company operates?

A. At the present time? Well, I don't know; let me see; Wilmington to Atlantic City, I think.

Q. On that line do you do both local and through business?

A. Yes, sir.

Q. You, through your course of operation, have found it possible to accommodate both classes of service?

A. Yes. We don't start out with the idea of saving a number of seats for people along a given section.

Q. Regardless of how you do it, it is done, isn't it?

A. It is done, yes.

Q. Do I understand that your company objects to the application of the Reading Transportation Company to do this local service along the Pike?

A. Yes.

Q. Do you object to the Pennsylvania General Transit Company's application?

A. Yes.

Q. Do you object to the White Way Tours?

A. In their application, as I understand it, no.

Q. Why?

A. Well, they will coordinate their services and schedules with us and I believe that we can operate together from a reasonable operating agreement.

Q. Do you have such an operating agreement with them?

A. No.

Q. That is merely a hope of yours?

A. Yes.

Q. Is there any foundation for such a hope?

A. Yes, I think so.

Q. Are there any interlockings between those companies and your company that would give you reasonable grounds for hoping for such an accomplishment?

A. Not that I know of. I don't know what you mean by "interlocking."

Q. Does your company manage or control in any way those companies?

A. Not to my knowledge, no.

Q. If those companies refused to cooperate with you you would have no means of compelling it, would you?

A. No.

Q. What bus terminal in Atlantic City does your company propose to use?

A. Indiana Avenue and Arkansas; it is a private parking place.

Commissioner Bacharach: Indiana and Atlantic.

Witness: Indiana and Atlantic Avenue.

Q. Is that the present terminus of the Egg Harbor operation?

A. Yes, and the Wilmington line; both of them come in.

Q. You have no thought of a newer or more modern terminal, have you?

A. Just where we are going now; that is where the routes end now. If we can get a better terminal, if it becomes available, I suppose we will take it.

Q. You have stated in the statement you have read you have no thought or idea of making a bid for the through business?

A. I have said so last year; I said it again; I don't know how I can make it any plainer.

Q. You can make it a lot plainer to me if you would read into the record a restriction you would accept no through business which originates in Camden and terminates in Atlantic City, or vice versa.

Mr. Straw: That restriction the Public Service Coordinated Transport declines to voluntarily state. Mr. Warner has definitely stated we do not propose to operate through buses. Our case is entirely built up on local business. Further than that, we go no further.

Witness: I would like to discuss that just a moment.

Mr. Straw: Glad to hear you do it.

Mr. Osborne: In view of the experience we have had in the past with statements of this kind, we see how easily it is disregarded in the future. I think we should have a definite restriction in the record.

Mr. Straw: I ask that that be stricken.

Witness: I don't see how a restriction can be worked. We will assume such a restriction is in force, and we will assume a passenger got on a bus and goes to Berlin from Camden, the way it is now, perfectly legal, a passenger on the Berlin line and gets off at Berlin. How can we possibly tell what happens to him then. If he wants to get on a through bus at Berlin for Atlantic City, how can we control the movement of that passenger? He has made with us two separate transactions. If there is anything at all in the value of through service, if there is any value in through service in the time element, such as railroad service, why such a passenger would want to take such service as that I can't make out.

Q. Could you possibly conceive of having the Berlin terminus at a different point in Berlin than the terminus of the Camden line?

A. I think it is.

Mr. Harper: The short service in Berlin is the same as the terminal of the Camden-Berlin line.

Commissioner Autenrieth: The point is you don't want to take a restriction.

Witness: I don't see how it could be enforced. I don't see how anybody could enforce it.

Q. Is there anything your company is willing to do that would discourage through business?

A. I think the form of the present application is what you can do to discourage through business and what we have tried to do.

Q. And is that all?

A. Yes. I don't see any more we can do. It seems to me that shows good faith, as far as we can go.

Q. Will you sell through tickets from Camden to Atlantic City?

A. No, sir.

Q. Via Berlin?

A. No.

Q. You agree not to?

A. I have just said we wouldn't. What more do you want me to say?

Q. What is that?

A. I have just said we wouldn't.

Q. You wouldn't?

A. Yes.

Q. Will you consent to a restriction that no through passages shall be sold from Camden to Atlantic City, or vice versa?

A. On this application?

Q. Yes.

A. Yes.

Mr. Straw: What do you mean by "consent to a restriction?"

Witness: I don't understand what ——

Mr. Straw: I don't understand that.

Witness: Let me ask this question, if I can, for my own clarification. We don't sell to a passenger a ticket that says good for a ride from Camden to Atlantic City; is that what you mean?

Q. Yes.

A. Yes.

Q. Mr. Straw has stated some thought he has, that he don't know what such a restriction could be. It would be possible, would it not, with your present application as it is, to get on one of your buses in Atlantic City and buy a ticket for Camden?

A. No.

Q. Assuming that particular bus was running to Berlin?

A. No, sir.

Q. It would not be?

A. We don't sell interchangeable tickets.

Q. You sell tickets with a transfer, do you not?

A. No.

Q. Haven't you many places in the State of New Jersey where a passenger transfers from one bus to another?

A. Not with a ticket. He takes it if it is convenient to ride.

Q. Have you taken into account, Mr. Warner, the competition for local business which the line represented by Mr. Harding will afford your company?

A. No—well, yes, I have taken it into account.

Q. Do you think that buses numbering as many as they propose to operate are needed for local service along the White Horse Pike?

A. Altogether there will be 135 buses that are now before the Board asking for permission to do local business along the White Horse Pike.

Q. Can you by any stretch of your imagination testify that many buses are necessary to serve the public demands for local transportation?

A. Along the White Horse Pike?

Q. Yes?

A. No, sir.

Q. How many do you think are needed?

A. For local business along the White Horse Pike?

Q. Local business.

A. I think the twelve buses we are asking for will be ample for the local business along the White Horse Pike. That comes back to what I said in the first place: When these 135 buses are running, as I guess they are now on a heavy Sunday, they will be full at Philadelphia and they won't have any chance to do any local business on the White Horse Pike.

Q. That is your theory?

A. I think the operation there now on a heavy Sunday shows it is more than a theory.

Q. Do you also think that the White Way Tours and the Parlor De Luxe and so on will have a similar situation where they will be filled with interstate passengers?

A. I included them when I said a hundred and thirty-five.

Q. You think that the only bus in which the poor local passenger could find a seat on a Sunday or a holiday, would be your bus?

A. Yes, that is just about right.

Q. Even though other provisions could be made to take care of him?

A. Well, with the whole 135 out you would make other provisions.

Q. If, for instance, one of these railroad buses started its journey at Camden instead of Philadelphia there wouldn't be any interstate passengers on it?

A. No.

Mr. Straw: Objected to. The application was not to do any such thing. We are now discussing and have been for a couple of months an application of the railroads to start in Philadelphia and run straight on through, combining interstate and intrastate business.

Mr. Baldwin: I don't understand we are limited. We may originate some trips at Camden or Berlin or any place along the line.

Commissioner Autenrieth: Read the question.

(Question read.)

Mr. Straw: I now ask counsel for both railroads, through the Commission, whether that is part of the plan. If it is I ask leave to take further testimony. For some months we have been trying a case which is not predicated on that proposition at all.

Commissioner Autenrieth: The question isn't directed to the purpose of this application, but to illustrate a phase of the operation.

Mr. Baldwin: That is all.

Commissioner Autenrieth: It might be, in the course of such operation, interstate and intrastate.

Mr. Straw: Is it in this picture?

Commissioner Autenrieth: I don't know.

Mr. Straw: I think the Board is entitled to know, and I am entitled to know.

Mr. Baldwin: Whatever Mr. Straw is entitled to know, I know this: This is an application for this Board for a certificate to do an intrastate business. The utmost which the certificate could be would be Camden to Atlantic City. You can't go to Philadelphia with your authority.

Mr. Straw: We have been doing it and all the facts and the whole story of the Pennsylvania Railroad and the Reading Railroad was to show the convenience to the people ——

Commisioner Autenrieth: I don't think it is very material.

Mr. Straw: I would like to know whether these railroads are going to do it.

Commissioner Autenrieth: There is no evidence before us yet.

Mr. Osborne: We are going to do what the Commission wants us to do, to give good service to the public.

Mr. Straw: That don't mean a thing.

Mr. Osborne: It means everything.

Mr. Baldwin: For the record I will announce if it is necessary in the public interest to send an

empty bus out of Philadelphia, instead of a full one, we will do it.

Commissioner Autenrieth: I think you have an absolute right to do it. You can short-route the service. You can short-route the service where you have a lawful right to carry on the business.

Mr. Straw: All right.

Mr. Baldwin: I think that is all.

Mr. Straw: That is our case. We rest.

(Matter taken to conference subject to the submission of briefs.)

PETITION.

(Received Mar. 20, 1929.)
(Received Mar. 21, 1929.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the matter of the approval of the resolutions by the municipalities through which the PENNSYLVANIA GENERAL TRANSIT COMPANY proposes to operate motor-buses between Atlantic City and Philadelphia. } Petition.

To the Board of Public Utility Commissioners of the State of New Jersey:

Your petitioner, Pennsylvania General Transit Company, respectfully shows:

1. That it is a corporation of the State of Pennsylvania, domesticated in the State of New Jersey.

2. That it is desirous of conducting a motor-bus business in New Jersey, over the following route:

BEGINNING at the Pennsylvania-New Jersey State Line and continuing through Camden, Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawn-

side, Magnolia, Clementon, Stratford, Laurel Springs, Flemington, Berlin, Winslow Township, Hamilton Township, Hammonton Town, Mullica Township, City of Egg Harbor, Galloway Township, Absecon, Egg Harbor Township and Atlantic City, via the White Horse Pike, Blue Anchor Road and Absecon Boulevard.

3. That it has applied to the various municipalities through which it proposes to operate, to wit: Camden, Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon, Stratford, Laurel Springs, Clementon, Berlin, Winslow Township, Hamilton Township, Hammonton Town, Mullica Township, City of Egg Harbor, Galloway Township, Absecon, Egg Harbor Township and Atlantic City, for a permit to operate its buses through such municipalities.

4. That the City of Atlantic City, Town of Hammonton, Borough of Collingswood, Borough of Audubon, and City of Camden, have approved permits by resolutions, copies of which are hereto annexed and made a part hereof.

5. That the Borough of Barrington approved permit by resolution dated March 14th, 1929, but copy of such resolution has not yet been furnished to petitioner by the borough clerk. Copy of such resolution will be furnished to petitioner at or before the matter comes on for public hearing before this Honorable Board.

6. That the following municipalities, although applied to, have not as yet adopted Resolutions of

Permit: Borough of Oaklyn, Haddon Township, Borough of Haddon Heights, Borough of Lawnside, Borough of Magnolia, Clementon Township, Borough of Stratford, Borough of Laurel Springs, Flemington Borough, Berlin Borough, Winslow Township, Mullica Township, Egg Harbor City, Galloway Township, City of Absecon and Egg Harbor Township. Your petitioner, however, hopes to have such permits at or before the matter comes on for public hearing before this Honorable Board.

7. Your petitioner is desirous of operating this bus line in intrastate as well as interstate business.

Wherefore, your petitioner prays the approval of this Board:

1. Of the resolution adopted by the Commissioners of Atlantic City, on March 7th, 1929, a certified copy of which is hereto annexed, granting permission to petitioner to operate its bus line over Arctic Avenue, between the intersection thereof with the westerly tracks of the West Jersey and Seashore Railroad Company and Kentucky Avenue; over Kentucky Avenue, between Arctic Avenue and Adriatic Avenue; over Adriatic Avenue, between Kentucky Avenue and Indiana Avenue; over Indiana Avenue, between Adriatic Avenue and Absecon Boulevard; over Absecon Boulevard, between Indiana Avenue and the westerly limit of Atlantic City.

2. Of the resolution adopted by the Mayor and Town Council of the Town of Hammonton on March 11, 1929, a certified copy of which is hereto annexed, granting permission to petitioner to operate its bus

line over Egg Harbor Road and Railroad Avenue, between the intersection of Egg Harbor Road with White Horse Pike, at Da Costa, and Hammonton Township Line.

3. Of the resolution adopted by the Board of Commissioners of the Borough of Collingswood, N. J., on March 11th, 1929, a certified copy of which is hereto annexed, granting permission to petitioner to operate its bus line over White Horse Pike, Route No. 30, between Camden County Line and Borough of Oaklyn Line.

4. Of the resolution adopted by the Borough of Audubon on March 12, 1929, a certified copy of which is hereto annexed, granting permission to petitioner to operate its bus line over White Horse Pike, between the Haddon Township Line and the Borough of Haddon Heights Line.

5. Of the resolution adopted by the Board of Commissioners of the City of Camden, N. J., on March 7th, 1929, a certified copy of which is hereto annexed, granting permission to petitioner to operate its bus line over the following streets and portions of streets in Camden, to wit:

Eastwardly: BEGINNING at the Pennsylvania-New Jersey State Line and continuing to 7th and Penn Streets; thence on Penn Street to Crescent Boulevard; thence over Crescent Boulevard to White Horse Pike, Route No. 30; thence over White Horse Pike to the Camden City boundary line.

Westwardly: BEGINNING at the Camden City boundary line on White Horse Pike; thence over White Horse Pike, Route No. 30, to

Crescent Boulevard; thence over Crescent Boulevard to Linden Street; thence over Linden Street to the New Jersey-Pennsylvania State Line.

And your petitioner will ever pray, &c.

BOURGEOIS & COULOMB,
Attorneys of Petitioner.

Regular meeting of the Board of Commissioners held on Thursday, March 7, 1929.

President Ruffu Presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

PENNSYLVANIA GENERAL TRANSIT COMPANY GRANTED PERMISSION FOR THE OPERATION OF A BUS ROUTE OVER CERTAIN STREETS IN THE CITY OF ATLANTIC CITY, BETWEEN ATLANTIC CITY AND PHILADELPHIA.

Resolution by Mayor Ruffu.

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain streets in Atlantic City for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Atlantic City, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL

TRANSIT COMPANY the privilege of using for its bus operation the following streets and portions of streets in Atlantic City, to wit:

Over Arctic Avenue, between the intersection thereof with the Westerly tracks of the West Jersey & Seashore Railroad Co. and Kentucky Avenue; over Kentucky Avenue, between Arctic Avenue and Adriatic Avenue; over Adriatic Avenue, between Kentucky Avenue and Indiana Avenue; over Indiana Avenue, between Adriatic Avenue and Absecon Boulevard; over Absecon Boulevard, between Indiana Avenue and the Westerly limit of Atlantic City.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify in writing the governing body of Atlantic City of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated to give the governing body of Atlantic City like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Atlantic City, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

CITY OF ATLANTIC CITY
DEPARTMENT OF PUBLIC AFFAIRS
Anthony M. Ruffu, Jr., Mayor

I, BERTRAM E. WHITMAN, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a portion of the Minutes of a regular meeting of the Board of Commissioners held on March 7, 1929, as taken from the original on file in the office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 8th day of March, 1929.

Bertram E. Whitman,
(Seal) City Clerk.

COPY.

RESOLUTION ADOPTED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, N. J., March 11, 1929.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation Company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that

end desires to use certain highways in Hammonton Town for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Hammonton Town, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Hammonton Town, to wit:

> Over Egg Harbor Road and Railroad Avenue, between the intersection of Egg Harbor Road with White Horse Pike, at DaCosta, and Hammonton Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Hammonton Town of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Hammonton Town like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Hammonton Town, then in such case the matter shall be

referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

CERTIFICATE.

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby certify that the foregoing is a true and correct copy of a resolution had and adopted by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular Meeting of said Council held on the Eleventh day of March, 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town of Hammonton, this Twelfth day of March, A. D. 1929.

W. R. Seely,
(Seal) Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Collingswood for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Collingswood, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Collingswood, to wit:

Over White Horse Pike, Route No. 30, between Camden County Line and Borough of Oaklyn Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Collingswood of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Collingswood like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Collingswood, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Board of Commissioners of the Borough of Collingswood, N. J., at their regular meeting held in the Fire Hall on Collings Avenue on Monday evening, March 11th, 1929, at 8 P. M.

Albert F. Usilton,
(Seal) Borough Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Audubon for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Audubon, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Audubon, to wit:

Over White Horse Pike, between the Haddon Township Line and the Borough of Haddon Heights Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, That the PENNSYLVANIA GENERAL TRANSIT COM-

PANY, before operating any bus or buses over said route, notify, in writing, the governing body of Audubon of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Audubon like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Audubon, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Adopted March 12, 1929.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

True copy.

H. K. Laurence,
Clerk.

(Seal)

BE IT RESOLVED, by the Board of Commissioners of the City of Camden, New Jersey, that municipal consent be and is hereby granted to Pennsylvania General Transit Company, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said

company between Atlantic City and Philadelphia, Pa., said operation to be subject to existing laws regulating the operation of autobuses in accordance with application attached hereto and made part hereof.

On motion of:

Dated March 7, 1929.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Philadelphia and Atlantic City, and to that end desires to use certain streets in the City of Camden for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Camden, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following streets and portions of streets in Camden, to wit:

Eastwardly: BEGINNING at the Pennsylvania-New Jersey State line and continuing to 7th and Penn Streets; thence on Penn Street to Crescent Boulevard; thence over Crescent Boulevard to White Horse Pike, Route No. 30; thence over White Horse Pike to the Camden City boundary line.

Westwardly: Beginning at the Camden City boundary line on White Horse Pike; thence over White Horse Pike, Route No. 30, to Crescent Boulevard; thence over Crescent Boulevard to Linden Street; thence over Linden Street to the New Jersey-Pennsylvania State Line.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify in writing the governing body of Camden of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Camden like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Camden, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

CITY CLERK'S OFFICE
CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a

true copy of A RESOLUTION passed by the Board of City Commissioners, the SEVENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this EIGHTH day of MARCH, A. D. 1929.

Wm. D. Brown,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received May 11, 1929.)

OSBORNE, CORNISH & SCHECK
Counsellors at Law
Newark, New Jersey

Harry V. Osborne
Abram H. Cornish
Emanuel P. Scheck

Geo. W. Harrison

Federal Trust Building
24-30 Commerce St.

(Entrances also at)
20-26 Clinton St.

May 10th, 1929.

In re Atlantic City-Camden.

Mr. Emmett T. Drew,
Public Utility Commission,
Trenton, New Jersey.

My dear Mr. Drew:—

I enclose herewith memorandum of our proposed

route in this application in detail, which should be made a part of our petition. Will you kindly attach it to same.

I have sent a copy to Mr. Daly for his file.

Very truly yours,

Harry V. Osborne.

Enc.
HVO.L.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received May 11, 1929.)

IN THE MATTER OF THE APPLICATION OF PENNSYLVANIA GENERAL TRANSIT COMPANY FOR APPROVAL OF MUNICIPAL CONSENTS TO OPERATE AUTOBUSES BETWEEN PHILADELPHIA AND ATLANTIC CITY, THE ROUTE OVER WHICH PETITIONER WISHES TO OPERATE IS AS FOLLOWS:

Beginning at the Delaware River Bridge Plaza in the City of Camden to the intersection of 7th and Penn Sts., thence via Penn St. to Bridge Entrance Road, thence via Bridge Entrance Road to its intersection with Crescent Boulevard in Pensauken Township, thence via Crescent Boulevard to its intersection with the White Horse Pike, thence via the White Horse Pike through the municipalities of Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon Township, Stratford, Laurel

Springs, Clementon Borough, Berlin Borough, Waterford Township, Chesilhurst and Winslow Township to the intersection of Bellevue Ave., thence via Bellevue Ave. in the town of Hammonton to the intersection of Egg Harbor Road, thence via Egg Harbor Road to the West Jersey & Seashore Railroad Station, and continuing on Egg Harbor Road to its intersection with the White Horse Pike at DaCosta, thence via the White Horse Pike through the municipalities of Mullica Township, Egg Harbor City and Galloway Township to the corporate limits of the City of Absecon with an alternate route in Egg Harbor City via Liverpool Ave. and Atlantic Ave. to the West Jersey & Seashore Railroad Station, thence via Philadelphia Ave. to the White Horse Pike and continuing on the White Horse Pike to the corporate limits of the City of Absecon, thence through the City of Absecon via the Absecon Boulevard to Atlantic City, thence in Atlantic City via Absecon Boulevard, Indiana Ave., Adriatic Ave., Kentucky Ave., Arctic Ave. and a private driveway to the West Jersey & Seashore Railroad Station at Atlantic and Tennessee Aves.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 16, 1929.)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation Company, domesticated in the State

of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Magnolia for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Magnolia, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Magnolia, to wit:

Over White Horse Pike, between Borough of Lawnside Line and Clementown Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, That the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Magnolia of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Magnolia like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Magnolia, then in such case the matter shall be referred to the Board of Public Utility Commissioners

for its determination, which determination shall be final.

Adopted at a special meeting of the Council held March 18th, 1929.

Approved March 18th, 1929.

Thomas A. Graham,
Mayor.

Attest:
O. E. Hagen,
Borough Clerk.

I hereby certify that the foregoing is an exact copy of a resolution adopted by the Magnolia Borough Council at a special meeting held March 18th, 1929.

O. E. Hagen,
Borough Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Lawnside for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Lawnside, in consideration of the public convenience and necessity for such transpor-

tation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Lawnside, to wit:

Over White Horse Pike, between Borough of Barrington Line and Borough of Magnolia Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, That the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Lawnside of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Lawnside like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Lawnside, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Passed 3/20/29.

James Hemmings,
Mayor.

Horace J. Bryant,
(Seal) Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Barrington for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Barrington, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Barrington, to wit:

Over White Horse Pike, between the Borough of Haddon Heights Line and the Borough of Lawnside Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, That the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Barrington of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Barrington like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Barrington, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I, Harry J. Stone, clerk of the Borough of Barrington, hereby certify that the above resolution is a true and correct copy as passed at a regular meeting of the Borough Council held March 14, 1929.

Harry J. Stone,
(Seal) Borough Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Laurel Springs for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Laurel Springs, in consideration of the public convenience and necessity for such transportation and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Laurel Springs, to wit:

Over White Horse Pike, between the Borough of Stratford Line and the Township of Clementon Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Laurel Springs of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Laurel Springs like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Laurel Springs, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
Borough Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Berlin for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Berlin, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Berlin, to wit:

Over White Horse Pike and Blue Anchor Road, between the Borough of Clementon Line and Winslow Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said

route, notify, in writing, the governing body of Berlin of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Berlin like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Berlin, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Passed March 18, 1929.

Geo. R. Duncan,
Borough Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSLYVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Stratford for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Stratford, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Stratford, to wit:

Over White Horse Pike between Clementon Township Line and the Borough of Laurel Springs Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Stratford of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Stratford like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Stratford, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Adopted by the Mayor and Council of the Borough of Stratford at a regular meeting held on the 12 day of March, 1929.

R. P. Jones,
Boro Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Haddon Township for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Haddon Township, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Haddon Township, to wit:

Over White Horse Pike, between the Borough of Oaklyn Line and the Borough of Audubon Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of

Haddon Township of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Haddon Township like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Haddon Township, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I hereby certify that this is a true copy of a Resolution adopted by the Township Committee of the Township of Haddon at a regular meeting held on April 2nd, 1929.

Richard Griffith,
Township Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between

Atlantic City and Philadelphia, and to that end desires to use certain highways in Haddon Heights for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Haddon Heights, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Haddon Heights, to wit:

Over White Horse Pike, between the Borough of Audubon Line and the Borough of Barrington Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, That the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Haddon Heights of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Haddon Heights like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Haddon Heights, then in such case the matter shall

be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

The above resolution was adopted by the Council of Haddon Heights at a regular meeting held April 2d, 1929.

Frank W. DuBree,
(Seal) Boro Clerk.

RESOLUTION.

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Waterford Township for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Waterford Township, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Waterford Township, to wit:

Over White Horse Pike between Berlin Line and Chesilhurst Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COM-

PANY, before operating any bus or buses over said route, notify, in writing, the governing body of Waterford Township of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Waterford Township like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Waterford Township, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Adopted April 11th, 1929.

Laurence A. Duble,
Township Clerk.

(Seal)

RESOLUTION.

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Clementon for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREUPON, BE IT RESOLVED, that the governing body of Clementon, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Clementon, to wit:

Over White Horse Pike between Borough of Clementon Line and the Borough of West Berlin Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Clementon of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Clementon like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Clementon, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

This is to certify that the foregoing resolution was adopted by Borough Council of the Borough of Clementon, at an adjourned regular meeting held the 2d day of April, 1929.

(Signed) S. Wayne Clark,
Borough Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Oaklyn for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Oaklyn, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Oaklyn, to wit:

Over White Horse Pike, between the Borough of Collingswood Line and Haddon Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of

Oaklyn of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Oaklyn like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Oaklyn, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Passed by Council 4/3/29.

William C. Linck,
(Seal) Boro Clerk.

RESOLUTION.

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Absecon for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the

City Council of Absecon, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Absecon, to wit:

Over Absecon Boulevard and White Horse Pike between Atlantic City Line and Galloway Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Absecon of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Absecon like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Absecon, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

BE IT FURTHER RESOLVED that the said company will not take on any passengers in Atlantic City for discharge in Absecon, or take on any

passengers in Absecon for discharge in Atlantic City.

This resolution to take effect immediately.

I certify that the foregoing resolution was passed at a special meeting of Common Council of Absecon City on April 18, 1929.

Samuel Johnson,
(Seal) City Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Winslow Township for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Winslow Township, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Winslow Township, to wit:

Over White Horse Pike, between Chesilhurst Line and Atlantic County Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Winslow Township of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Winslow Township like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Winslow Township, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

The foregoing is a true copy of Resolution passed by the Committee of Winslow Township on April 19th, 1929.

H. W. Priestly,
Chairman Committee Winslow Twp.

(Seal)

Attest:

John F. Leed,
Township Clerk.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in the City of Egg Harbor for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of the City of Egg Harbor, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Egg Harbor, to wit:

Over White Horse Pike, between Galloway Township Line and Mullica Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify in writing the governing body of Egg Harbor of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Egg Harbor like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Egg Harbor, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I, William Morgenweck, Jr., Clerk of the City of Egg Harbor City, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Common Council of said city at a meeting duly convened the 18th day of April, 1929.

Wm. Morgenweck, Jr.,
City Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Berlin for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Berlin, in consideration of the

public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation, the following route in Berlin, to wit:

Over White Horse Pike between Clementon Line and the dividing line of Waterford Township.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Berlin of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Berlin like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Berlin, then and in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

Passed at a regular meeting of Council, April 15, 1929.

Geo. R. Duncan,
Boro Clerk.

(Seal)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Hammonton for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Hammonton, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Hammonton, to wit:

> Over White Horse Pike, between Camden Co. Line and Bellevue Avenue; thence over Bellevue Avenue to Egg Harbor Road; thence over Egg Harbor Road to the intersection with White Horse Pike at Da Costa.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Hammonton of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Hammonton like notice, in writing, of the num-

ber of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Hammonton, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

CERTIFICATE.

TO WHOM IT MAY CONCERN:

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby CERTIFY, that the foregoing is a true and correct copy of a Resolution had and adopted by the Town Council of the Town of Hammonton, at a Regular meeting of said Council held on the 22nd day of April, 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the SEAL of the Town of Hammonton, this Twenty-third day of April, A. D. 1929.

W. R. Seely,

(Seal) Clerk of Town of Hammonton, N. J.

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY a motor-bus passenger

transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Clementon Township for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation:

THEREFORE, BE IT RESOLVED, that the governing body of Clementon Township, in consideration of the public convenience and necessity for such transportation, and in furtherance thereof, hereby grants to PENNSYLVANIA GENERAL TRANSIT COMPANY the privilege of using for its bus operation the following route in Clementon Township, to wit:

Over White Horse Pike between the Borough of Magnolia Line and the Borough of Stratford Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Clementon Township of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Clementon Township like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail

to meet the approval of the governing body of Clementon Township, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

I hereby certify the foregoing to be a true and exact copy of a resolution passed by the Township Committee of the Township of Clementon at a regular meeting held the 1st day of April, A. D. 1929.

Edward Arentzen,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received June 1, 1929.)

RESOLUTION

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY a motor-bus passenger transportation company, domesticated in the State of New Jersey, is about to establish a route between Atlantic City and Philadelphia, and to that end desires to use certain highways in Chesilhurst for its bus traffic; and

WHEREAS, the convenience and necessity of the public demand such transportation;

THEREFORE, BE IT RESOLVED, that the governing body of Chesilhurst, in consideration of the public convenience and necessity for such trans-

portation, and in furtherance thereof, hereby grants to Pennsylvania General Transit Company the privilege of using for its bus operation the following route in Chesilhurst, to wit:

Over White Horse Pike, between Waterford Township Line and Winslow Township Line.

Buses to be operated in both directions over said route.

BE IT FURTHER RESOLVED, that the PENNSYLVANIA GENERAL TRANSIT COMPANY, before operating any bus or buses over said route, notify, in writing, the governing body of Chesilhurst of the number of buses to be operated over said route, before beginning the operation thereof, and in the event of the public convenience and necessity demanding a change in the number of buses to be operated, to give the governing body of Chesilhurst like notice, in writing, of the number of buses to be added or withdrawn before such change shall be put in operation.

In the event that the number of buses operated or desired to be operated by the said PENNSYLVANIA GENERAL TRANSIT COMPANY, or the headway under which said buses are operated, or the fare to be charged for transportation, shall fail to meet the approval of the governing body of Chesilhurst, then in such case the matter shall be referred to the Board of Public Utility Commissioners for its determination, which determination shall be final.

At a regular meeting of the Council of the Borough of Chesilhurst, N. J., held on May 13th, 1929, the above resolution was approved.

Attest

Fred K. Calnan,

(LS) Borough Clerk.

(Received June 18, 1929.)
(Received June 20, 1929.)

WHEREAS, PENNSYLVANIA GENERAL TRANSIT COMPANY, a corporation domesticated in the State of New Jersey, engaged in the business of motor-bus transportation, is desirous of operating its motor-buses through the Township of Pensauken, in connection with a motor-bus route between Philadelphia, Pa., and Atlantic City, N. J., using such highways and conforming with such lawful rules and regulations as may be prescribed; and

WHEREAS, it appears that said line is necessary and proper for the public convenience:

NOW, THEREFORE, BE IT RESOLVED that, in consideration of the requirements of public convenience, consent is hereby granted to Pennsylvania General Transit Company to operate twenty-five buses, in both directions, over the following route through the Township of Pensauken, to wit: Over that portion of Crescent Boulevard passing through Pensauken Township, bounded on the north by the dividing line of the City of Camden and on the south by Cooper River, in the City of Camden.

Upon condition, however, that said operation conform with such reasonable traffic regulations as may be imposed and otherwise comply with the law.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Pensauken at a regular meeting held on the 24th day of May, 1929.

Robt. V. Peabody,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

Camden, N. J., Monday, April 22nd, 1929.

Atlantic City-Camden to Philadelphia. Application of Pennsylvania General Transit Company for approval of local consents to operate auto buses.

Before the following Commissioners:
CHARLES BROWNE, ESQ.,
HARRY BACHARACH, ESQ.
F. J. DALY, ESQ., Senior inspector.

For the petitioner appear:
HARRY V. OSBORNE, ESQ.
H. C. MAXWELL, ESQ.
and
GEORGE A. BOURGEOIS, ESQ.

For Public Service Coordinated Transport appears:
C. S. STRAW, ESQ.

For City of Camden appears:
LEWIS LIBERMAN, ESQ.

For Reading Transportation Company appears:
C. T. WOLFE, ESQ.

Mr. Straw: I am in this case. There is this situation that might be borne in mind: You recall there is an application of Public Service Coordinated Transport to tie up the line between Atlantic City and Egg Harbor and Camden and Berlin. That case has been half tried and went off because of Mr. Baldwin's illness, Mr. Baldwin representing the Reading. It is now on for Atlantic City, May 3rd and 4th. The Pennsylvania General Transit application in my judgment should be heard with that case as it involves the same situation.

Commissioner Browne: Is it the same route? The calendar does not say what the route is. That is the same route, is it?

Mr. Straw: Practically, yes. Whether it is heard with it or whether it is not, I do not think it should be heard before the other case is concluded. My thought would be, if it is convenient to counsel, the matter might go off until we get Mr. Baldwin back in the fold and go ahead in Atlantic City.

Mr. Osborne: Your Honor, I appear for the applicant in this case with Mr. Bourgeois and I have only recently been brought into the matter and I am not entirely familiar with this Egg Harbor situation, so I am somewhat at a loss to know what the connection may be. Of course, I assume any representation Mr. Straw makes can be relied upon by counsel as well as by the Commission. While it is true we were ready to go on this morning, I see your Honors have a very large calendar and I am perfectly agreeable to put it off, if that is Mr. Straw's wish and if the Commission is agreeable.

Mr. Straw: I think we would all save time if we did that.

Mr. Bourgeois: If the Commission please, it appears that there are several of these Atlantic City-Camden applications. Why can't they all be heard at one time? We are all interested for or against.

Commissioner Browne: Of course, they cannot all be heard at one time because we haven't time at one time to hear them all. It is doubtful if we can finish the calendar at any one time.

Mr. Bourgeois: I did not mean today. I mean to let them go down to Atlantic City like these gentlemen have suggested, on the 3rd and 4th.

(Discussion.)

Mr. Wolfe: Your Honor, there is one other case that is not on today's list and it comes within the same category, and that is the application of the Reading Transportation Company over the identical route between Camden and Atlantic City. That is pending but not fixed.

Mr. Daly: The application has been filed.

Commissioner Browne: Let us put that on the same day. It will be cumulative testimony and save duplication, I presume. Will you make a note of that, Mr. Daly?

Mr. Daly: I have it in my office.

(Adjourned until May 3rd and 4th, at Atlantic City, N. J.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Friday, May 3rd, 1929.

Atlantic City-Camden to Philadelphia, Application of Pennsylvania General Transit Company for approval of local consents to operate motor buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Sr. Inspector.

For Pennsylvania General Transit Company, Pennsylvania Railroad Comany, West Jersey & Seashore Railroad Company appear:
H. C. Maxwell, Esq.
Harry V. Osborne, Esq.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For Parlor De Luxe Coach Company, et al., appears:
Patrick H. Harding, Esq.

For Reading Transportation Company and Atlantic City Railroad Company appear:
C. T. Wolfe, Esq.
F. H. Bradley, Esq.
Clifford A. Baldwin, Esq.

For City of Atlantic City appears:
Joseph B. Perskie, Esq.

Mr. Osborne: These witnesses which are now being offered, as a matter of personal convenience to them, many of them being out of town, is in our case No. 2 on the calendar, the title you can read for yourself.

Commissioner Autenrieth: The Pennsylvania General Transit Company.

Thomas Jack, sworn on behalf of petitioner.

Direct examination.

By Mr. Osborne:

Q. Where do you live?
A. Collingswood.
Q. What is your business?
A. Real estate and insurance.
Q. How long have you been there?
A. About forty years.
Q. You are familiar with the transportation facilities between Collingswood, Camden, Philadelphia and Atlantic City?

A. Yes, sir.

Q. In your opinion is there any public necessity for additional transportation in that territory?

A. Only between Collingswood and Atlantic City or intermediate points.

Q. Is there railroad service there now?

A. Yes, sir.

Q. Is it desirable to have that railroad service continued?

A. Yes, sir.

Q. Would it be of any public convenience and necessity for the railroads, in conjunction with and supplementing their railroad service, to operate buses?

A. Yes, sir.

Q. Why?

A. Well, I think they would be a little more careful than lots of individual lines. I think another thing, it would assist the railroads in maintaining their business so they would be able to earn a dividend on their already issued stock, which comprise their cars and their engines and naturally their roadbed and rails.

Q. The fact they were able to use the existing railroad station would that be of any benefit to the community?

A. Undoubtedly.

Q. In the matter of protection?

A. Yes, sir.

Q. Would the fact they would be able to syncronize their rail and bus service be of any benefit to the community?

A. Yes, sir.

Q. Would the fact they would be able to carry bus passengers and baggage be of any benefit to the community?

A. Naturally if they carried the passengers they could carry their baggage.

Q. How long has the rail service been there, as far as you know?

A. Fifty or sixty years; about fifty years.

Q. About fifty years?

A. Yes.

Q. What line is there?

A. The only line there today is the Reading on the west end of town and we have the West Jersey & Seashore on the eastern end of the town.

Q. They carry a greal deal of freight in and out of the town?

A. Quite some freight, yes, sir.

Q. Do they carry mail?

A. Yes.

Q. Do they give through express service to distant points?

A. We have no through express service, unless you go to Camden.

Q. They connect with express service to other points throughout the country?

A. Yes; you have to go to Broad Street to do that.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Straw:

Q. Are you a stockholder in the Pennsylvania?

A. I am not, sir; neither is my wife.

Q. What is this application of the Pennsylvania; how many buses are they going to operate and where are they going to operate; do you know?

A. The only thing I know about them is that they intend to operate a bus that will stop at Collingswood and take people through to Atlantic City, Hammonton or Egg Harbor or intermediate points.

Q. Their line leaves Collingswood now and goes to Haddonfield, don't it, on the Pennsylvania?

A. No.

Q. The West Jersey & Seashore Railroad train?

A. Goes through.

Q. Are they operating a station-to-station service?

Mr. Straw: If your Honor please, perhaps this isn't exactly fair to the witness. I think there should be a statement from Judge Osborne as to what the application is, at this time. Frankly I don't know. Their application don't say how many buses they are going to operate, whether it is a station-to-station bus or whether it is a local bus right on down the Pike or whether they are going to use the public highway, or just what they are going to do. I would like to know what the application comprehends so I can fairly cross-examine as to the service.

Commissioner Autenrieth: They will not run on the rails.

Mr. Maxwell: There are fourteen round trips made by the Peoples Transit Company; it is our purpose to adopt the schedule, in general, as a tentative schedule, of the Peoples Transit Company; run three buses locally, making all stops between Camden and Atlantic City; the other eleven buses making the main stops.

Commissioner Autenrieth: Station stops or street corner stops?

Mr. Maxwell: Stops on the highway.

Commissioner Autenrieth: Anywhere the bus is allowed to?

Mr. Maxwell: Yes. The only restriction we propose to submit to you, I mean, voluntarily (it is in line with the policy of not furnishing service where there is already adequate service) we will not do any local business between Camden and Berlin, that is, not pick up and deliver within that territory, or between Absecon and Atlantic City, for the reason that there is already, in our judgment, from our investigation, adequate transportation within those two territories and it is not our purpose to invade any territory which legitimately belonged to the local transportation system. In other words, the territory between Camden and Berlin is what you might call suburban to Camden, it is not a field for railroad bus operation, nor is that between Absecon and Atlantic City. But we would like to have the right to connect from those points to points outside the territory; that is the reason the stops were shown on the schedule, which will be later presented, in the territory; merely taking them in and out.

Mr. Straw: Will Mr. Maxwell permit a question for my information?

Mr. Maxwell: Yes.

Mr. Straw: Are you going to, in either the local or the express buses, I see some do, business on the highway and go to the station and pick up and then come back?

Mr. Maxwell: Yes; wherever advisable. For instance, Hammonton, Egg Harbor and one or two other points; that I have forgotten the details.

Commissioner Autenrieth: That covers your question?

Mr. Straw: You are going to operate fourteen buses?

Mr. Maxwell: Fourteen round trips, yes. I have forgotten how many buses.

Mr. Harding: May I at this time, enter an appearance for the Parlor De Luxe Coach Company, the White Way Tours and the Union Bus Line?

Q. There is one thing I would like to ask of you: You spoke of care being taken by the Pennsylvania Railroad as against independent operation: Does that include Public Service operation of the buses?

A. I didn't specify any particular one, any more than independent buses. I feel, in the Pennsylvania Railroad, I think they would use all the new safety appliance devices that possibly would come on the market, and I think that possibly they would give their help, that is, their drivers, very close supervision. I am familiar with your drivers, these that drive the buses locally through our town. Of course, I am not very familiar with the drivers that drive the White Horse Pike.

Q. How long has the Pennsylvania been in the bus business?

A. I don't know.

Q. Less than a year?

A. I don't know.

Q. How long has the Public Service been in the bus business?

A. I think the Public Service has been in the bus business, as far as I can recall, for the past ten years.

Mr. Straw: That is all, thank you.

Cross-examination.

By Mr. Harding:

Q. I understand, in answer to a question, that the duplication of service would be in the interest of the public; am I correct in that?

A. I don't recall saying such a thing.

Q. You were asked a question as to whether the double service, the railroad and the bus would be in the interest of the public.

A. I don't recall that question being asked. The answer that I made, I think, to the question was, that it would stop locally and take our people to and from Collingswood to Atlantic City. If that is what you call a duplication, all right, but I don't recall the duplication part at all.

Q. You didn't answer the question then, that the duplication of service would be in the interest of the public? You don't want to be so understood?

Commissioner Autenrieth: I don't recall any such thing.

Mr. Osborne: I asked him if it would supplement the service.

Q. Do you say that is true or not? If I am mistaken ——

A. As far as Collingswood is concerned we have no service between Collingswood and Atlantic City

other than the train service. The question was asked me whether the duplication of the bus service with the train service would be a benefit to Collingswood. I said, yes.

Q. On what is that based?

A. It is based on the fact we wouldn't have to go across the river to get a bus to go to Atlantic City. Neither would we have to cross the river in the evening coming home and come across the river and back home again.

Q. You mean, a bus service from Collingswood to Atlantic City, irrespective of who furnishes the service, would be beneficial to Collingswood?

A. Absolutely. A bus service would be beneficial to Collingswood.

Mr. Harding: That is all.

L. D. Odhner, sworn on behalf of petitioner.

Direct examination.

By Mr. Osborne:

Q. Where do you live?

A. I live in Pennsylvania.

Q. What business are you in?

A. Secretary of the Camden Chamber of Commerce.

Q. Your business is in Camden?

A. Yes, sir.

Q. You are here as a representative of the Camden Chamber of Commerce?

A. I am.

Q. Are you familiar with the transportation fa-

cilities between Camden and Atlantic City on the White Horse Pike?

A. Yes, sir.

Q. Has the Chamber of Commerce taken any action in regard to the application of the Pennsylvania General Transit Company for the right to do business between Camden and Atlantic City on the White Horse Pike?

A. The only action that the Chamber of Commerce has taken in this matter is to favor the permits being granted to responsible companies who have had a background of experience and can furnish a coordinated, regular service.

Q. In the judgment of the Chamber of Commerce (if it has so expressed itself, if not you may so indicate) it would be advisable if this service were furnished, to have it furnished by the railroad company which has been furnishing service to this community for many years?

A. I am not authorized to commit myself in favor of any one particular group, just in favor of a responsible organization that has a background of experience.

Q. Through the territory in question?

A. Through this territory, yes.

Q. That is to say, through the territory in which it is proposed to run the service?

A. From Camden to Atlantic City.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Straw:

Q. How long has the Pennsylvania been in the bus business?

A. To my knowledge, about ——

Mr. Osborne: If you know.

Mr. Straw: He said to his knowledge about.

A. A year or so.

Q. How long has the Public Service been in the bus business?

A. To my knowledge personally some ten years or so.

Mr. Straw: That is all.

Mr. Harding: No questions.

CARL ALBER, sworn on behalf of petitioner.

Direct examination.

By Mr. Osborne:

Q. Where do you live and what is your business?

A. Egg Harbor, Industrial Traffic Manager.

Q. For whom?

A. McAndrews & Forbes Company, Camden.

Q. You have occasion to go back and forth to Camden?

A. I do, daily.

Q. Are you a commuter?

A. I am.

Q. Are you familiar with the transportation facilities?

A. To a certain extent.

Q. How long have you lived in Egg Harbor?

A. All my life.

Q. How long have you been traveling back and forth between Camden and Atlantic City?

A. Between Camden and Atlantic City, about ten years.

Q. Then, why do you say you are familiar to a certain extent with the transportation facilities? Do you know how you can get in and out of town?

A. Yes.

Q. Then you do think you are familiar with that?

A. From that angle.

Q. That is the angle of the traveling public, isn't it?

A. Absolutely.

Q. In your judgment is there any necessity for more transportation facilities on the White Horse Pike between Atlantic City and Camden?

A. I don't know there is any more need of any greater transportation facilities on the White Horse Pike, but I do believe from a commuter's standpoint, a commuter from Egg Harbor, that there is need of better service, either by rail or by bus service in coordinated with the rail service.

Q. Is it your opinion that if bus service is to be rendered it should be rendered by some responsible transportation agency now engaged in the territory, preferably the railroad?

A. That is my thought.

Q. Why do you think so?

A. First of all, I believe that all commutation, on all the towns along the line between Camden and Atlantic City owe their existence in a great measure to what the railroads have done in the past. I do believe that the curtailment of railroad service has been due to the different bus lines that have come into existence, and from a commuter's standpoint, if I may cite my own case, if I miss the 7:30 express in the morning I have nothing to get to Camden or Philadelphia on except in the afternoon some time around 3:30 or later. To my mind, if that rail ser-

vice was coordinated with the bus service rendered by either one or both, of the Pennsylvania and Reading Railroads, I think that would be a benefit, not only to the commuters but to other people who might want to patronize that particular route.

Commissioner Bacharach: Doesn't the nine o'clock train from Atlantic City stop at Egg Harbor?

Witness: Not on the Pennsylvania.

Commissioner Bacharach: On the Reading Railroad, doesn't it?

Witness: Maybe it does.

Commissioner Bacharach: That takes you to Camden, too?

Witness: I have my ticket on the Pennsylvania.

Q. Which railroad is the most convenient for you to take?

A. The Pennsylvania.

Q. That is the reason you have your commutation ticket on it?

A. That is the reason I have it on it.

Q. If you could use the railroad facilities by virtue of having a ticket and the bus facilities as well as the railroad facilities on that ticket, that would be an advantage, would it not?

A. It would.

Q. Has your railroad service been curtailed at all in the last few years?

A. It has.

Q. Do you know why?
A. I believe that is due entirely to the bus competition.

Mr. Straw: I object to that. How can this man testify why the railroads curtailed their service?

Commissioner Autenrieth: If he has some knowledge on the subject.

Mr. Straw: I would like to examine him before he gives an opinion.

Commissioner Autenrieth: He is just expressing his view why some one has done another thing.

Mr. Straw: All right; I withdraw it.

Commissioner Autenrieth: Do you know anything about why the railroads, to your knowledge, curtailed the service?

Witness: I only said, I believed it was due to the bus competition.

Commissioner Autenrieth: I asked you if you know anything about it?

Witness: Not directly.

Commissioner Autenrieth: Do you know anything indirectly about it?

Witness: No, sir.

Commissioner Autenrieth: It is a mere matter of opinion?

Witness: That is all.

Mr. Osborne: Perhaps I can withdraw the question and reframe it.

Q. Has there been any diminution in the traffic, any lessening in the use of the railroads by the public because of the automobile?

A. I think that can be clearly seen by the number of cars attached to the various trains.

Q. That is a matter of common knowledge?

A. That is so.

Mr. Osborne: That is all.

Cross-examination.

By Mr. Straw:

Q. What is a matter of common knowledge?

A. That the business, the railroad business, has been curtailed on account of bus transportation.

Q. Has the private automobile had anything to do with it?

A. A greal deal.

Q. How much?

A. I wouldn't say.

Q. Do you know anything about this first-hand at all or is this just what you have heard?

A. It is just my idea.

Q. You are an industrial traffic manager for McAndrew & Forbes?

A. Yes, sir.

Q. What does that mean?

A. Industrial traffic manager?

Q. Yes.

A. That means routing freight, the route and so on and the rate for it, quoting rates.

Q. Does that bring you in touch with the railroad service at Egg Harbor?

A. No, sir, I cut my employment up there, only so far as living at Egg Harbor and commuting to Camden.

Q. I wondered whether you had to do with the rail service to Egg Harbor on either the Pennsylvania or the Reading?

A. Yes.

Q. Aren't you in touch with the passenger service as well as the freight?

A. No; mostly freight.

Q. What do you mean by bus service in coordination with the rail service?

A. My thought was if the railroads were willing to run buses in connection with or beside the trains which they are running now, it would be an aid to the traveling public.

Q. You say all towns between Camden and Atlantic City owe their existence to what the railroad has done in the past; what town do you refer to?

A. I should say all towns between Camden and Atlantic City, large and small.

Q. Let us start with Berlin. What built up Berlin?

A. I venture to say the railroads had a lot to do with building up Berlin, as well as any other town.

Q. Sir?

A. I think the railroads had a lot to do with building up Berlin as well as any other town, perhaps.

Q. Did it?

A. I believe so.

Q. How close to the heart of Berlin is the Pennsylvania Railroad?

A. Just what do you mean?

Q. Just that: How close to the heart of Berlin is the Pennsylvania Railroad station?

Mr. Osborne: May I ask whether counsel means whether they have a very affectionate regard for it or where the station is?

Commissioner Autenrieth: Suppose we have the witness answer the question.

Q. How close in distance to the center of Berlin, the heart of Berlin, is the Pennsylvania Railroad station?

A. When I lived in Berlin for about a year, if I recall right, it is about four blocks from the White Horse Pike.

Q. From the bank corner?

A. Yes.

Q. Is that section built up, from the bank corner down to the station?

A. Considerably.

Q. On what streets?

A. Well, what I should say was the main street; I don't know that it has any other name.

Q. The first two squares of it have residences, don't they?

A. I believe all the way.

Q. All the way to the station?

A. I think they do.

Q. Isn't the real business section of the town from along the White Horse Pike, from the bank up toward the West Berlin crossing?

A. It is.

Q. How far is that from the railroad?

A. From West Berlin?

Q. Yes; from that business section up.

A. That runs, I should say, four blocks from the bank up.

Q. Are you familiar with the territory between Haddonfield and Berlin on the White Horse Pike?

A. No.

Q. There are some towns in there?

A. Yes.

Q. You leave that sector out, do you, when you say all towns between Camden and Atlantic City owe their existence to what the railroads have done in the past for them?

A. Not necessarily.

Q. What towns are in that sector and what towns owe their existence to what the railroad has done in the past for them, between Berlin and Haddon Heights on the White Horse Pike?

A. I should say all the towns, Berlin, West Berlin, Kirkwood, Ashland, Haddonfield.

Q. Is Ashland on the White Horse Pike?

A. I don't really know.

Q. Is Kirkwood on the White Horse Pike?

A. I guess not.

Q. How far are they from the White Horse Pike?

A. I couldn't answer that accurately. I presume several blocks in each case.

Q. Several blocks?

A. Several blocks.

Q. Several miles?

A. Maybe so.

Q. What other towns on the White Horse Pike between Berlin and Haddon Heights owe their existence to what the railroad has done in the past?

A. There are none directly on it, if I am not mistaken.

Q. None directly on it?

A. No.

Q. Have you ever heard of Audubon?

A. Yes.

Q. That is on the White Horse Pike?

A. Yes.

Q. Do you know whether it owes its existence to what the railroad has done in the past for it?

A. Probably to a certain extent.

Mr. Osborne: I object.

(Discussion.)

Commissioner Autenrieth: That is a mere expression of opinion that we take liberally.

Q. Between Berlin and Atlantic City what district do you feel is particularly dependent upon the railroad for its existence, coming down in the other direction, from Berlin down?

A. I should say Hammonton and Egg Harbor.

Q. Is there any need for bus service in coordination with the railroad service on the White Horse Pike between Egg Harbor and Camden?

A. I wouldn't say.

Q. What is your notion of coordination between the railroad and bus service; what do you, practically, expect that will do?

A. My thought was, if the railroads are permitted to run buses in conjunction with their rail service, which is rather limited for intermediate points at the present time, it would give the public as well as the commuters an opportunity to take the bus if the bus does so, or in the event they happen to miss a train.

Q. Suppose some other facility operates buses to take you to the place to which you want to go, between Egg Harbor and Camden, not necessarily a

railroad, when the railroads can't run the trains you want, why doesn't that serve the public necessity just as well as a railroad operating?

A. It would serve the public necessity, undoubtedly, but it adds expense to the commuters or —at least to the commuters.

Q. Why does it add expense to the commuters?

A. Because the commuter has a ticket on the railroad.

Q. Suppose the commuter has used up the ticket on the railroad and that is all gone, that is all finished, and suppose some other facility is operating a bus line up the White Horse Pike; is there any good reason that the commuter has to pay more to use that bus line than he would a bus line operated by the Pennsylvania Railroad? Do you think he would have to, that his fares would be any higher?

A. I don't know what the fares might be or would be.

Q. Then, why do you say the commuters would have to pay more?

A. The commuter has a ticket over the railroad.

Q. He has used it, for the purpose of this argument, he is through with it.

A. All right.

Q. May I assume that the time has come when his trip ticket has run out. May I assume that today he has to use a bus. In your judgment would a bus operated by any other facility other than the railroad cost the commuter more money than a bus operated by the Pennsylvania Railroad?

A. Not if the fare is the same as the railroad.

Q. Can you use your commutation tickets on the Pennsylvania General Transit buses?

A. Can I use it?

Q. Yes, sir.

A. No, sir.

Q. Do you know of any arrangement made by the Pennsylvania Railroad or proposed by the Pennsylvania Railroad by which you can use your commutation ticket on the bus?

A. I do not.

Q. Then, why do you say, I ask you again, do you say it would save the commuter money?

A. If an arrangement were made whereby his ticket can be used.

Q. There are none made now?

A. Not to my knowledge.

Q. Or none proposed?

A. Not to my knowledge.

Mr. Straw: That is all.

Cross-examination.

By Mr. Harding:

Q. I understand you have lived in Egg Harbor ten years?

A. No; born and raised there.

Q. Born and raised there?

A. Yes.

Q. You have been identified with the McAndrews & Forbes Company how long?

A. Ten years.

Q. You have been commuting back and forth to Egg Harbor for ten years?

A. Yes, sir.

Q. You suddenly got into your mind a coordination scheme of operation by the railroad, of the railroad and the buses, would be for the interest of the people who wanted to use those facilities, is that correct?

A. Providing your tickets are good on either the bus or the railroad.

Q. Has the matter of the cost of the operation of the two utilities entered into your mind at all?

A. It has not.

Q. Do you believe that if the railroad company were operating a bus line and at the same time operating a railroad line, that one or the other would have to suffer financially?

A. I can't answer that question.

Q. Don't you believe one or the other would have to suffer from the standpoint of cutting their schedule?

A. I hardly think so.

Q. Do you mean by that to tell us that if the railroad should operate a bus line from Philadelphia to Atlantic City and that one-third or one-half of its riders should shift from the trains to the buses that the railroad would still maintain the same railroad schedule?

A. I hardly think so.

Q. You don't believe that, do you?

A. No, sir.

Q. Wouldn't that be natural on the part of the railroad?

A. It might be.

Q. You think that would be in the interest of the public?

A. I don't think so.

Q. It certainly would be harmful to those who are enjoying commutation rides on the railroad, would it not?

A. To some extent.

Q. As a matter of fact, did not the buses which the Pennsylvania General Transit Company put in operation on the White Horse Pike force a cut in

the present schedule of the Pennsylvania Railroad from Philadelphia to Atlantic City?

A. The buses which the Pennsylvania put in effect?

Q. The train schedule?

Mr. Osborne: Is the witness competent to answer that question?

Q. Do you know whether it did or not?

A. I do not.

Mr. Harding: All right. He says he don't know.

CHARLES CUNNINGHAM, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Mayor, where do you live?

A. Hammonton.

Q. What is your business or profession?

A. I am a doctor.

Q. Should I call you "Doctor" or "Mayor" or both?

A. Either one; it don't matter.

Q. You are mayor of Hammonton?

A. Yes, sir.

Q. Are you familiar with the transportation facilities of that community?

A. Yes, sir.

Q. And the railroad service?

A. Yes, sir.

Q. In your opinion would it be to the public advantage of Hammonton to have buses operated on the White Horse Pike to and from or between Atlantic City and Camden by the railroad?

A. So they would come down through the town, yes, sir.

Q. Why do you think that would be an advantage to the community and there is any public necessity for it?

A. Simply because we are cut off a great deal from the White Horse Pike traffic because we are one mile and a half from the White Horse Pike; they go through without giving us the accommodation they should.

Q. What railroad facilities have you?

A. On the Reading we have fairly good; on the Pennsylvania we have practically nothing.

Q. How far from the center of your town is the station of the Reading and the Pennsylvania?

A. Those are practically in the middle of the town, both depots, yes.

Q. Has the service been restricted any in the last few years, any less service?

A. Yes; a great deal less.

Q. Do you know the cause for it, the reason for it?

A. I judge it is the bus traffic.

Q. Does the railroad serve your community in any other respect than passenger service?

A. Yes; freight, express and mail.

Q. Are they necessary for the public?

A. Yes.

Q. For the welfare of the community?

A. Yes, I would say so.

Q. Do they carry the mails?

A. Yes, sir.

Q. Is your town a manufacturing town?

A. Yes, sir.

Q. Is there much shipping done from the town over the railroads?

A. A great deal, yes, sir.

Q. Is there an agricultural community around your town?

A. They have produce as well as the manufacturers.

Q. Do the farmers use the railroad for shipping produce to the market?

A. Yes; when they have it.

Q. When they have produce, what?

A. When they have to ship. They can't get any other transportation.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Straw:

Q. Would a line of buses from Camden to Atlantic City coming through your town by any other stable facility be just as beneficial to your town as a line of buses operated by the Pennsylvania or Reading?

A. The more buses we can get coming through the town the more benefit.

Q. You don't care who runs them?

A. I have never used them because I am afraid of the darned things.

Q. I mean, from the standpoint of the mayor of the town, you don't care who operates them as long as it is a stable facility?

A. If it is a responsible party; some bus line by a responsible party.

Q. If it is a responsible party it don't make any difference to you?

A. It don't to me, because I don't use them.

Q. To you, as mayor?

A. I wouldn't say anything about that, because that is everybody's opinion.

Q. To your town?

A. Yes.

Q. It don't make any difference to the town as long as the operator is responsible?

A. If he is responsible.

Mr. Straw: That is all.

Cross-examination.

By Mr. Harding:

Q. I understand you to say the railroad at the present time cuts through Hammonton a mile or a mile and a half from the White Horse Pike?

A. The railroad does, yes.

Q. If the present application of this railroad company to supplement its railroad service with some bus service should cause a shift in its passenger traffic from the railroad to the bus, that would be much worse for Hammonton, wouldn't it?

A. No; I don't think so. I think it would be better for Hammonton.

Q. Tell me how it would benefit Hammonton if they shift the passenger traffic from the railroad to the buses?

A. There wouldn't be a shift; we would get more transportation and more buses stopping than there are now.

Q. If the people went to the railroad buses they wouldn't ride the trains, would they?

A. The trains don't stop, no.

Q. The trains don't stop?

A. A very few of them.

Q. So you have comparatively little train service through Hammonton?

A. On one road; the other road is fairly good.

Q. I understood you to testify in the beginning you believed in this supplemental service because it would help you?

A. Any service that stops in Hammonton helps Hammonton.

Q. Do you mean this would help you because you would maintain your present train schedule and have in addition to this these additional buses?

A. Have additional facilities for transportation.

Q. In other words, you are assuming there will be no falling off in the passenger traffic on the railroad, is that correct?

A. I wouldn't say. I am not a railroad man. I don't know anything about it.

Q. If there should be a falling off in the number of passengers on the railroad by reason of those passengers going to the buses would you still believe that the railroad would maintain their present schedule of operation on the railroad?

A. It would make no difference to us because we are on the direct line between Camden and Atlantic City.

Q. Would you get the same number of trains you get now?

A. Yes, sir. It looks that way to me.

Q. There is no doubt in your mind you would get the same number of trains?

Mr. Osborne: I submit the witness is not capable of answering.

Commissioner Autenrieth: It is more or less hypothetical, and it is only the witness's opinion in any event.

Mr. Harding: That is all.

By Mr. Baldwin:

Q. Is there any community of interest between your town of Hammonton and the city of Camden?

A. Any what?

Q. Any community of interest? Any desire on the part of the people to get to Camden and on the part of Camden people to get to Hammonton?

A. No, not between, not of any account; there are lots of small villages there.

Q. Do you ever go to Camden from Hammonton?

A. Yes.

Q. Do other people?

A. Lots of them.

Q. Do people from Camden sometimes come to Hammonton?

A. Yes.

Q. Considering that community of interest between those towns can you choose between a service which would carry you directly there and one which would carry you there only by means of a transfer at Berlin, which of those two services would you prefer?

A. The direct service, because we now have to go clear across the river and come back again.

Q. If both take you to Camden, if one you might have to get out of one bus and get in another at Berlin, would you like that?

A. No; I think I would like the direct one, personally.

Mr. Baldwin: That is all.

By Mr. Osborne:

Q. On the assumption that the railroads are furnishing to the passengers service, freight, mail and express service, as well as passenger service, if the operation of buses or a bus line by the railroad would strengthen the railroad's position as a transportation carrier and be beneficial to it, would you prefer to have the bus line operated by the railroad or some individual?

A. I would rather have it operated by somebody who was absolutely responsible.

Q. You are getting back to your original answer.

A. Some of these bus lines are not responsible. I have had experience with them.

Mr. Osborne: All right. That is all.

SAMUEL P. LEEDS, affirmed on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?

A. Atlantic City.

Q. What business are you in?

A. Hotel.

Q. What hotel do you run?

A. The Chalfonte-Haddon Hall.

Q. Are you connected with any civic organization?

A. The Chamber of Commerce.

Q. What is your position, if any, with the Chamber of Commerce of Atlantic City?

A. President.

Q. Do you speak now from your individual capacity as well as president of the Chamber of Commerce?

A. Yes.

Q. Representing it. Are you familiar with the transportation facilities between Atlantic City and other points?

A. Reasonably.

Q. You know there are two railroads operating here?

A. I do.

Q. And some buses and trolleys?

A. Yes.

Q. How long have the railroads been operating in Atlantic City, to Atlantic City?

A. The Pennsylvania in 1854, July 6th; the Reading 1874, double tracked in 1889.

Q. How far back does your recollection run?

A. We came here from the upper coast in 1890.

Q. Has the railroad contributed at all to the development of Atlantic City?

Witness: May I make a correction? The Reading was brought in in 1884 and double tracked in 1889. May I correct that?

Q. Have these railroads contributed toward the development and prosperity of Atlantic City?

A. Largely so.

Q. Are they operating reasonably satisfactory service?

A. I think we have the best summer schedule, as

far as Broad Street, New York and the west we ever had, this year.

Q. Are you familiar with the fact the private automobile and the autobus has largely depleted the revenue on certain sources of revenue of the railroads?

A. By report.

Q. Do the railroads contribute anything but passenger service to this community?

A. Yes, freight.

Q. And mail?

A. Freight and mail.

Q. And express?

A. Express.

Q. Are the railroads important for that purpose?

A. Very.

Q. In your judgment what would be the result if the railroad service deteriorated to any great extent, the result on Atlantic City, and its industries?

A. I think it would impair the best interest of the resort.

Q. Assuming that the railroads in order to meet the depletion in their revenue, due to automobiles and independent bus operations, desire to install bus operation under their own management, syncronated and supplementing their rail service, do you think that would be an advantage to the community?

A. I think it would be in the public interest.

Q. Do you think there is any necessity under the situation as it now exists?

A. There appears to be.

Q. For additional bus service by a responsible carrier, supplementing the rail service?

A. There appears to be.

Q. As between an independent carrier offering this bus service and the railroads offering it, taking all things into consideration, in your judgment

do you think the benefit should be given to the railroads?

A. I have an expression of the action at the last board of directors' meeting, held only within a week, where they went on record in favor of the railroads, if a supplemental service be given it, be given to the railroads in preference to another line.

Q. In what form is that in?

A. I have the motion; I haven't the resolution; I will read the motion.

("On motion duly seconded and carried, the Board again voted to support the railroads in their effort to secure the desired permits and President Leeds was authorized to make any necessary arrangement to have the Chamber's attitude presented at the Atlantic City hearing.")

Mr. Osborne: I desire to offer that as read into the record, as the action of the Chamber of Commerce.

Q. How many members are there in the Chamber of Commerce?

A. Approximately seventeen hundred and fifty.

Q. Is that body representative of the business interest of the community?

A. I should say it was. It has about eighteen of the organization in its membership.

Mr. Osborne: Cross-examine.

By Mr. Baldwin:

Q. During your stay in Atlantic City have you noticed any growth and development in towns along the White Horse Pike?

A. Yes.

Q. Would you say that a system of highway transportation connecting it up in a more practical way with Atlantic City would be desirable in the interest of your resort?

A. We would naturally like to see it.

Q. Do you think that can be done, in highway transportation, in a better way than it could perhaps by rail?

A. Yes, I think it could.

Q. Would you urge upon this Commission the necessity of that kind of service in conjunction with and supplemental to the rail service of the two railroads?

A. I would.

Mr. Baldwin: I think that is all.

Witness: In answering that further, if I may answer?

Mr. Baldwin: Yes.

Witness: Take, for example, from Pleasantville on the other road to Newfield. If there was a paralleling bus line, supplementing that service on peak days of high traffic and mass traffic, if the buses were simply to stop all along the line and pick up from Pleasantville, Mays Landing, Newfield, and vice versa, the through trains would only have to make three stops and those trains could get out of the way of the sections with mass travel. Atlantic City peak travel is pretty heavy and where the buses might not be able to take care of the travel, I have seen the time when two thousand people have been left on our Boardwalk and the

Pennsylvania Railroad had to take them to Philadelphia by the electric.

Q. Do you feel that that kind of cooperative and coordinating service could be rendered better by the railroad facilities than any other individual carrier?

A. Naturally; in the public interest it should be so.

Commissioner Bacharach: How long have you been president of the Chamber of Commerce?

Witness: About thirteen years.

Commissioner Bacharach: Not only as president, but as an individual have you made a serious study of the transportation facilities required by Atlantic City?

Witness: I should say, largely, yes. I am also Chairman of the Transportation Committee of the Hotel Men's Association.

Commissioner Bacharach: That is all.

Cross-examination.

By Mr. Harding:

Q. Are you an officer or director of the West Jersey & Seashore Railroad Company?

A. I am not.

Q. Are you an officer or director of the Philadelphia & Atlantic City Railroad Company?

A. I am not.

Q. Are you a stockholder in either of those companies?

A. I have ten shares of stock in the West Jersey & Seashore Railroad; which means nothing to me whatever. I hope you don't think that would influence my opinion. If it does it is pretty sad.

Q. It is pretty hard to tell what influences anyone's opinion.

A. I wouldn't do it for ten shares of the West Jersey.

Commissioner Autenrieth: Don't argue.

Q. When was this meeting of the Chamber of Commerce held?

A. What did you say?

Q. When they adopted this resolution?

A. What date?

Q. Yes.

A. Thursday, April twenty-fifth.

Q. How often does the Chamber of Commerce meet?

A. Once a month; the board of directors frequently meet.

Q. Was this a regular meeting?

A. That was a regular meeting of the board.

Q. How many members were in attendance?

A. I think about fifteen out of the eighteen.

Q. About fifteen?

A. Yes.

Q. Out of eighteen?

A. Eighteen; this is the board of directors we are talking about.

Q. The board of directors?

A. Yes. This was a meeting of the board of directors and I so stated.

Q. On the board of directors you have pretty much hotel men, have you?

A. No, we have not.

Q. What are they?

A. They are merchants of all descriptions.

Q. Of the hotels you represent, they cater pretty much to the more prosperous of the community, don't they?

A. Our own hotels?

Q. Yes.

A. We cater to the character of people that we entertain, which are brought here largely by the railroads.

Q. In other words, the people who patronize your hotel come in pretty much on parlor cars on the railroad?

A. Yes.

Q. Not so many of them come in on the buses?

A. No.

Q. So you wouldn't care to say you speak for the smaller hotels of Atlantic City?

A. I certainly would care to speak, I certainly represent Atlantic City; I am not so narrow as to represent our own business, in this great town.

Q. Why are you opposed to any bus line except those operated by the railroads, coming into Atlantic City?

A. Because I believe we should allow due credit to those who helped to make the town; by coordinating their interest we would be better off doing it; that is the plan.

Q. In other words, you believe that the railroads should have an exclusive monopoly on the transportation business to Atlantic City?

A. I haven't said that.

Q. Isn't that what you mean?

A. No. I haven't said that.

Q. Do you mean that the railroads will compete with other bus companies coming into Atlantic City?

A. You are talking about general transportation or talking about local operations between Camden and Atlantic City?

Q. I am talking about general transportation into Atlantic City.

A. We have general competition now.

Q. You haven't answered my question. Do you favor a monopoly by the railroads or do you wish the Commission to understand you are perfectly willing that the railroads and the other bus companies share in the transportation into Atlantic City?

A. That depends on what the definition of monopoly is. We have no monopoly now.

Q. Do you favor a monopoly?

A. No; I don't favor a monopoly in anything.

Q. Can you answer the alternative of that question? Do you favor the transportation into Atlantic City being continued by the various companies that at the present time operate?

A. I favor the railroads supplementing their service; that is what this petition is for, to the Public Utility Commission of the State of New Jersey.

Q. In other words, you would like to see the railroads not only monopolize the railroad service but take care of the bus service in Atlantic City?

A. The bus service along the pike to take care of what are now non-agency stations and furnish a bus business in connection with the depots; the railroads catered to those people and ought to continue to cater to them.

Q. Primarily the railroads have furnished the better grade of business; primarily?

A. Primarily?

Q. The railroads have furnished the better grade of business for your hotels?

A. Leave out our hotels. Let us talk about Atlantic City.

Q. I am asking you about your hotel.

A. Our hotels are not Atlantic City.

Q. Is that true?

A. Yes; it is true. Our hotel is not Atlantic City. We are only one item in the unit of business.

Q. I understood you to say that the service from New York and Philadelphia on the railroads is excellent?

A. I did.

Q. If the railroads go into the bus business and carry people from Philadelphia and bring them to Atlantic City and eventually bring people from New York to Atlantic City, do you think that will interfere with the excellent railroad service you have spoken of?

A. I spoke of the railroad service being excellent to Broad Street, to New York and the west. Today we have one train on the Pennsylvania Railroad making Camden and return and that is a depletion which has taken effect by the class of people using that train largely owing to the buses, to the detriment of the commuter travel, which means ten trip tickets in Atlantic City here. When they take the train service to Camden ——

Q. You haven't answered my question.

Commissioner Autenrieth: Read the question.

Q. (Question read.)

A. I don't think they will bring people here from New York to the amount they are bringing them from Camden or Philadelphia.

Q. Take Philadelphia and Camden alone and exclude New York: Do you believe it would interfere with the railroad service into Atlantic City?

A. I don't know.

Q. You wouldn't care to answer that question?

A. I wouldn't care to answer that question because I just don't know; that is the fact.

Q. As a business man, do you believe it would be a paying proposition for the railroads to supplement the railroad service with a bus service?

A. Yes.

Q. Don't you believe it would increase the cost of both operations?

A. I can't say it would because they would be deducting train service if they had bus service and bus service is cheaper than railroad transportation service, I mean, the cost of operation.

Q. By deducting rail service you mean by that they would curtail their service?

A. I am alluding particularly to along the pike situation; that is what you are after.

Q. In other words, increase the bus service and curtail the train service?

A. On local travel to Atlantic City.

Q. But the cost of maintaining crossings and safety signals and other incidentals of operation would be the same, would it not?

A. Yes; that would be the same.

Q. Do you think that would work in the interest of economy?

A. What they are losing now they are losing to somebody else. What they would lose in that operation they would gain to themselves.

Q. Do you believe it would be beneficial to the public as a whole that the railroad service be curtailed so that the bus service be improved when there is already existing bus service on the pike?

A. That is a case of the survival of the fittest.

Mr. Harding: That is all.

Commissioner Bacharach: How many visitors does Atlantic City entertain, would you say, from the first of July to October first, on an average approximately?

Witness: This is approximate, three hundred and fifty thousand.

Commissioner Bacharach: How many guests would your hotel hold?

Witness: About fourteen hundred.

Commissioner Bacharach: And your entire beach front hotels?

Witness: About, I don't know, I would estimate it at twelve or fifteen thousand.

Commissioner Bacharach: That is high?

Witness: Yes.

Commisioner Bacharach: Everyone who comes here don't, necessarily, go to our beach-front hotels.

Witness: I should think they would not.

Commissioner Bacharach: How many board of directors have you in the Chamber of Commerce?

Witness: Eighteen.

Commisisoner Bacharach: How many of them are in the hotel business?

Witness: Avery Bell and myself, two.

Commissioner Bacharach: Avery Bell don't represent the hotels.

Witness: You asked as to the hotels?

Commissioner Bacharach: As a matter of fact he represents the people ——

Witness: The side avenue hotels.

Commissioner Bacharach: When you spoke as you did you didn't speak from a selfish standpoint, but as representing the great interest of all the business men in Atlantic City?

Witness: That is exactly what I meant to do.

By Mr. Straw:

Q. Of the three hundred and fifty thousand who come here how many come by train, do you know, approximately, in percentage?

A. I can't answer that because I haven't had statistics from the railroads or the buses.

Mr. Osborne: We will furnish the real figures.

Q. Do you know how long the railroads have been in the bus business?

A. Only by report; what we hear. That is recent, as far as purchase of seventy-five per cent of the stock of the P. R. T.

Q. Do you know how long the Public Service has been in the bus business?

A. I don't know in years.

Mr. Straw: That is all.

By Mr. Osborne:

Q. How long have they been in this territory?
A. From what I hear this morning, they brought one bus from Egg Harbor to Atlantic City, which has been operating from there.
Q. How many hotels are there in Atlantic City?
A. Approximately one thousand.

(Adojurned until Saturday, May 4th, at the City Hall, Atlantic City, N. J., at 10:30 A. M.)

STIPULATION.

It is stipulated by the parties that, with the consent of the Board, the following public witnesses from Atlantic City, N. J., who were on hand at hearing before Public Utility Commissioners, Atlantic City, N. J., May 3rd and 4th, in reference to proposed motor coach service between Philadelphia, Pa., and Atlantic City, N. J., by Pennsylvania General Transit Company, were not called, but would testify as the preceding witnesses from Atlantic City testified.

Charles A. Bridgman,	Crane Company
Benjamin Tolin,	Atlantic Scrap Iron & Metal Co.
Edward Gaskill,	President Seashore & Husted Express Co.
Emile E. Estoclet,	Vice-pres., M. B. Markland Co.
Edward Mathis,	Mathis Motor Co.
Edward L. Bader, Jr.,	Bader Construction Co.

Williard E. Eldredge,	Eldredge Express Co.
Sidney Rosenbaum,	Jacob Rosenbaum Sons
Joseph Nealing,	Nealing Rigging & Hauling Co.
H. C. Clevenger,	A. W. Cunningham & Co.
Max Barab,	Atlantic City Grain & Supply Co.
Philip N. Bessor,	Chelsea Natl. Bank
Thomas Graham,	Thomas Graham Inc., Bricklayers
Frank P. Gravatt,	Hall & Gravatt & Atl. City Real Estate Co.
James C. Idler,	Brooks & Idler, Printers
Edward Hackney,	Hackney's Restaurant
Lemuel E. Conover, Jr.,	Atl. City Natl. Bank
Harry Hackney,	Hackney's Restaurant
Daniel S. Bader,	Bader Construction Co.
Samuel J. Clark,	West Side Lumber Co., & 2nd Natl. Bank
Walter C. Brick,	Atlantic City Lumber Co.
Charles Eisele,	Roofer & Roofing Supplies
Harold I. Eaton,	Eastern Engineering Co.
Elton Risley,	Hill Dredging Co.
T. B. Bowes,	Freihofer Baking Co.
Harry T. Sickler,	Guarantee Trust Co.
E. Gertzel,	Leland Hotel
L. A. Sheppard,	General Motors Corp.
Clarence E. Wolfinger,	Second Natl. Bank
F. B. Off,	Hotel Brighton
M. Spence,	Mathis Motor Co.
William Clemens,	Shreve Steamship Agency
Harry Stein,	Royal Palm Hotel
H. B. Cook,	Hotel Seaside
A. J. Purinton,	Genl. Supt., AC & SRR Co.

Horace Gaskill,	Seashore & Husted Express Co.
Paul M. Cope,	Hotel Morton
H. M. Grant,	Seashore & Husted Express Co.
C. V. Meeks,	Colton Manor Hotel
Max Grossman,	Grossman's Hotel
H. B. Richmond,	Hotel Strand
Ezra C. Bell,	Hotel Morton & Pres., Kiwanis Club
C. D. White,	Marlborough-Blenheim Hotel.

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

Atlantic City, N. J., Saturday, May 4, 1929.

Atlantic City-Camden to Philadelphia. Application of Pennsylvania General Transit Company for approval of local consents to operate motor buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Sr. Inspector.

For Pennsylvania General Transit Company, Pennsylvania Railroad Comany, West Jersey & Seashore Railroad Company appear:
H. C. Maxwell, Esq.
Harry V. Osborne, Esq.
and
George A. Bourgeois, Esq.

For Reading Transportation Company and Atlantic City Railroad Company appear:

C. T. Wolfe, Esq.
F. H. Bradley, Esq.
C. A. Baldwin, Esq.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For Parlor De Luxe Coach Company et al., White Way Tours and Union Bus Company appear:
Patrick H. Harding, Esq.
Emerson L. Richards, Esq.

For City of Atlantic City appears:
Joseph B. Perskie, Esq.

(Informal discussion.)

Mr. Bourgeois: I have a petition from all the remaining municipalities, on the Pennsylvania General Transit matter, except three; I haven't yet got Mullica Township and one or two others, but I have here Haddon Heights, Clementon Township, Clementon, Oaklyn, Absecon, Winslow Township, Egg Harbor, Berlin, Hammonton, Clementon Township. That completes all of them from Camden to Atlantic City inclusive, except those three we haven't yet got. Mullica Township has a little exception, at Egg Harbor, and the other two I forget.

Commissioner Autenrieth: You are talking about the Atlantic City-Camden-Philadelphia application of the Pennsylvania General Transit Company?

Mr. Bourgeois: Yes.

Mr. Richards: I want to enter an appearance in this matter for the Parlor De Luxe Coach Company, the White Way Tours and the Union Bus line.

W. Lane Dilg, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?
A. You mean, my home?
Q. Yes.
A. In Ventnor.
Q. Your business is in Atlantic City?
A. I am secretary of the Atlantic City Chamber of Commerce.
Q. And did you come here by virtue of any direction of the Chamber of Commerce or are you here merely as an individual?
A. I am here representing the attitude of the Chamber of Commerce.
Q. You understand there is an application now pending before the Board by the Pennsylvania General Transit Company, a subsidiary of the Pennsylvania Railroad Company, to operate buses in conjunction with and supplementing their rail service, do you not?
A. Yes.
Q. Can you state to the Commission the attitude of the Chamber of Commerce, representing the people of Atlantic City, in connection with that application and the reasons for their position?

Mr. Harding: I object to the answer unless the witness has responded to the previous question. He hasn't yet informed this Commission whether he represents the Chamber of Commerce or not.

Witness: I thought I answered that question when I said I represented the attitude of the Chamber of Commerce.

Mr. Harding: No, the question is whether this man represents the Chamber of Commerce.

Commissioner Autenrieth: If there is any doubt about it you better ask him.

Q. For the benefit of counsel, I will ask you the question again: Are you authorized to speak here for the Chamber of Commerce of Atlantic City in this matter?

A. Authorized by the board of directors, who have the authority to issue such instructions.

(Last question and answer read.)

Mr. Richards: We object to that because it is a conclusion. The authority of the board of directors of the Chamber of Commerce would either be stated in their charter, by-laws or a resolution.

Commissioner Autenrieth: Yes; I agree to that.

Mr. Leeds: May I present the resolution so he can read it, as representing the Chamber of Commerce by rightful authority?

Commissioner Autenrieth: I will permit him to answer that.

Commissioner Bacharach: Do you understand the question or do you want it read again?

Witness: No; I don't think so. The board of directors of the Chamber of Commerce, which represents the entire membership under the authority given it in accordance with our by-laws, feels that in the best interest of Atlantic City that we should stand back of the railroad companies in anything they have to offer us that looks as if it is going to be not only for their benefit but for the best interest of Atlantic City.

Q. The question was a little broader than that answer seems to indicate. In your judgment, the judgment of the Chamber of Commerce, in its representative capacity, is it of the opinion that the best interests of Atlantic City will be served by the Pennsylvania General Transit Company operating buses in conjunction with and supplementing its rail service rather than have some individual bus company?

Mr. Richards: We object to that. He hasn't qualified on his opinion. He has qualified to tell us what the Chamber of Commerce did in its official position, but not venture an opinion on what twelve hundred men may think.

Commissioner Autenrieth: Giving his own opinion wouldn't be worth anything unless supported by the facts and circumstances. All right, Mr. Dilg.

Witness: Shall I answer?

Commissioner Autenrieth: Yes.

A. You heard this before, but as it is our attitude and the only one, as I see it, we view the situation from, I can't do anything else but repeat it. We realize that the railroads that enter into Atlantic City have been largely instrumental in the success and the continued growth of this resort. They have been giving us splendid service. And the time came when the bus business began to operate and their business was not, couldn't keep up the way they would like it to; in order to give them sufficient revenue, at least this is what we understand, they were finally put in the position where they had to compete with this other means of transportation or possibly lose considerably more than what they had. The railroads, as we all know, have a tremendous investment in New Jersey, and other places too, and if there should be anything—the conditions should finally arise which would make the operation of their lines, their remaining lines such that they couldn't do it except at a tremendous loss we are going to suffer. If it is necessary for them to augment their service by a system of bus transportation we feel they were entitled to have the first chance at that business, in view of all they have done for us.

Q. How long had the railroads been serving Atlantic City; many years?

A. Almost back to the time when Atlantic City became an incorporated community; back in the fifties.

Q. Do I understand you to say it is your judgment if the railroads deteriorated through lack of patronage it would seriously and adversely affect the interest of Atlantic City?

A. That is our opinion, and it is my personal opinion.

Q. Does what you say apply to both railroads operating into Atlantic City, the Pennsylvania and the Reading?

A. I would say so, yes.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. How long have you been secretary of the Chamber of Commerce?

A. Since September, 1924.

Q. How often does the Chamber meet?

A. The Chamber of Commerce, the Board of Directors, meet at least once a month.

Q. No. How often does the Chamber meet?

A. The Chamber membership is now meeting at least once a month.

Q. When did you have the last meeting?

A. Of which? The Board?

Q. The Chamber.

A. The Chamber? The Chamber of Commerce membership meeting was a week ago last Wednesday evening.

Q. Did you secretary that meeting?

A. I did.

Q. How many members were present?

A. Between fifty and sixty, as I recall.

Q. Your membership, I understand, is eighteen hundred?

A. Not quite that much.

Q. How many?

A. About fifteen hundred on the roster right now.

Q. Your testimony as to the judgment of your membership is based on something, isn't it?

A. I haven't testified as to the judgment of our membership except as they are represented by our Board of Directors.

Q. You were asked the question as to what your judgment or the opinion of the Chamber of Commerce was as to this application?

A. Well, I thought I ——

Q. Then you gave your testimony.

A. I thought I was careful to qualify my statement by saying it was the attitude of the Board of Directors who by authority, authority by law, spoke for the membership.

Q. Then you don't care to have it appear on the record you are expressing the judgment of any of the members of the Chamber of Commerce except yourself, is that correct?

A. Yes. I am expressing the judgment of the members of the Chamber of Commerce, but not as a result of any official action by the membership at a meeting.

Q. As a matter of fact the membership didn't take any official action on this controversy between the railroads and the bus company, did it?

A. No; not recently.

Q. So that ——

A. I said, "No; not at any recent meeting." The matter has come up frequently during the history of the Chamber of Commerce during the last two years. I believe I could produce, if I had access to the records referring to it, the members of the Chamber of Commerce's attitude toward this situation.

Q. Could you tell me whether your minutes or your records will show that there ever has been an expression of opinion of the Chamber of Commerce

of Atlantic City as to the respective merits of bus transportation or railroad transportation into Atlantic City?

A. I believe I could, yes.

Q. You could?

A. Not with reference to this particular application.

Q. With respect to any application.

A. I think I could.

Q. Will you produce those books here today if you have a chance to do so?

A. If I can find such reference I will be glad to.

Q. Have you any idea whether there is any such reference in the minutes?

A. I am depending entirely on my memory.

Q. Can you approximate any time when there was any discussion in the Chamber of Commerce as to the merits of the bus companies and the railroads in handling this transportation?

A. Not unless I could look through the minutes and refresh my memeory as to it. There might have been last year or it might have been the year before; I can't recall definitely.

Q. Has the Chamber of Commerce, has it discussed at a meeting bus transportation and railroad transportation into Atlantic City, has the merits of the situation ever been gone into?

A. I think so.

Q. You think so?

A. Yes.

Q. As the secretary of the Chamber of Commerce, can you tell me whether the Chamber has any record or any statistics relating to bus transportation into Atlantic City?

A. We have.

Q. Can you from memory tell me what the statistics show?

A. No.
Q. For the year, 1927 or 1928?
A. I can't.
Q. You can't?
A. I cannot.
Q. Can you tell me from memory whether those statistics show the number of people brought into Atlantic City by the railroad companies during 1927 and 1928?
A. We have information to that effect, I think.
Q. Can you produce that information?
A. You mean, as a part of the minutes of the members of the Chamber of Commerce? No.
Q. Have you any available data at any meeting?
A. Yes.
Q. That will show?
A. Yes.
Q. The number brought in by bus and the number brought in by rail?
A. There is not so much authenticated information about the buses because it is awfully hard to get.
Q. With that statement, do you think, as the secretary of the Chamber of Commerce, you are warranted in making the statment that the railroad should have the exclusive right of this bringing of people into Atlantic City as against the bus companies?

Mr. Osborne: I object to the form of the question. He did not say the railroads should have the exclusive right.

Commissioner Autenrieth: I think he said, "preference."

Q. Isn't that substantially what you testified to;

that you wanted the railroads to handle this transportation business?

A. I believe I said what the Judge said I said, they should have the preference.

Q. Tell me on what theory you base that statement that the railroads should have the preference?

A. Well, if every body is permittted to drive buses down the White Horse Pike there won't be room for anybody on the pike and there won't be enough business to go around. That isn't theory. I think we will all agree to that, that you can have too much transportation sometimes as well as not enough. If everybody is permitted to transport passengers by bus, up and down the White Horse Pike, regardless of who they are or what the merits are of their concerns, there won't be any profitable business for anybody.

Q. When did you or the Chamber of Commerce come to the conclusion that there were too many buses coming into Atlantic City?

A. When?

Q. Yes.

A. When I made that statement I had in mind also the conditions on the road were such that too many buses, as well as other automobiles, could not operate with safety.

Q. Do you know how long the buses have been operating into Atlantic City?

A. All kinds of buses?

Q. Yes.

A. Some time.

Q. How many years?

A. I can't say that off-hand. Three or four years, possibly longer than that.

Q. Did the Chamber of Commerce make any public declaration or any protest to either the City Com-

mission or the Public Utility Commisison about the congestion of bus transportation into Atlantic City?

A. We have from the first taken the attitude that the bus business is going to seriously interfere, in the final analysis, with the progress of Atlantic City, in that if they took business away from the railroads and the railroads could not give us train service we want and feel we need, we are going to lose out by having bus transportation, and we so recorded ourselves.

Q. The buses have been operating into Atlantic City for nearly five years, haven't they?

A. I said a moment ago, maybe four or five years.

Q. Has the winter population in Atlantic City decreased or increased in the last five years?

A. Atlantic City is growing all the time in population, both winter and summer.

Q. You want that broadcast to the world, that Atlantic City is increasing?

A. Certainly, it is.

Q. You don't mean what you said that bus transportation into Atlantic City was going to cause any decrease in either your business or population; you don't mean that?

A. Not from that viewpoint, but ——

Q. Atlantic City is going to profit by all the transportation it can get, isn't it?

A. Up to a certain point.

Q. Haven't lately the aeroplane companies considered the advisability of bringing people into Atlantic City?

A. Yes.

Q. Would you object to that?

A. No.

Q. It would interfere with the trains, wouldn't it?

A. We have a long while to worry about that end of it.

Q. It wouldn't interfere with these long trunk lines that somebody complained about?

A. The railroads are going to operate airships in conjunction with the trains.

Q. Would your stand be the same if the railroads didn't operate the airships; you would be against the airships?

A. I am not prepared to say what attitude I would have on the airships. The effect of their competition is so remote we don't need to worry about that for some time to come.

Mr. Harding: That is all.

Cross-examination.

By Mr. Straw:

Q. Mr. Harding asked you whether there were any figures as to the buses or trains? I understand that is to be submitted.

A. I will have to find out whether there is any such information. We have information as to the number of people brought by rail.

Commissioner Autenrieth: You wouldn't need to get that today, because we won't get to it.

Q. How many people come into Atlantic City by private automobile, if you can give us that; do you know?

A. I had some figures the other day that bear on that question. I suppose if I were a good secretary I could keep everything in my head.

Commissioner Bacharach: Why not let him, if he

has got such figures, submit them instead of trying to remember them.

Mr. Straw: Will you submit those with the bus and train schedules?

Q. You spoke of the best interest of Atlantic City; I take it that you as secretary of the Chamber of Commerce are interested particularly in building up the city of Atlantic City, both in population, as to the amount of business done by the merchants, large and small, the hotels, large and small, and everything that makes for the prosperity and welfare of the city, isn't that so?

A. Correct.

Q. I also take it, despite the fact that this is a hearing between the buses and the railroads, you hold no particular brief for the railroads as against anybody else except so far as you feel it affects the best interest of the city, isn't that so?

A. Absolutely.

Q. Isn't it true that the more people who are brought to Atlantic City as guests of Atlantic City the more business the merchants and the hotel men will do and the more prosperous the city will become?

A. The more people who come here?

Q. Yes.

A. Right.

Q. This is advertised as the world's playground?

A. That is, the right kind of people, yes.

Q. Do you feel that persons who are brought here by a responsible bus operator, in a responsible equipment are the right kind of people?

A. They are certainly not objectionable.

Q. They are not objectionable?

A. Yes.

Q. They spend their money here?

A. They do, and we are glad to have them.

Q. The hotels, each year since the Delaware River bridge opened, have been progressively, profitable in Atlantic City; has the prosperity of Atlantic City increased from year to year since 1926, or have you had any year of depression that was less profitable than 1926, and the year before that?

A. We haven't any actual figures. This last year was not a good one for Atlantic City and the early part of the winter business was not so good. We have had better seasons than we had last year, long before the bridge opened.

Q. Sir?

A. We have had better seasons in Atlantic City than last year, long before the bridge opened.

Q. Do you attribute last year's poor season to the weather conditions or the interstate buses on the Delaware River bridge?

A. We attribute it to general business conditions all over the country and the reaction from the late real estate boom.

Q. I didn't hear you?

A. And the reaction from the late real estate boom.

Q. What have the bank deposits shown in the aggregate from 1926 to date?

A. The last report made by the Comptroller of the Currency, the thirty-first of March, I think it was, shows slightly less than a total of sixty million dollars for the deposits for all banks on Absecon Island and ——

Q. Were not the deposits in 1928 better in the aggregate than any year you have ever had down here?

A. I can't answer that question off-hand. Our

deposits, that last statement, as I recall it, our deposits were less than a year ago; for practically the same time.

Q. That last statement was for the last three winter months, was it not?

A. Yes.

Q. What about Septeber, 1928?

A. That was higher than last fall.

Q. The best you ever had, wasn't it?

A. I am not prepared to say.

Q. Is it true with the opening of the Delaware River bridge a great many more private automobiles came into Atlantic City than ever before?

A. I would say so, yes.

Q. They have brought patronage to the town, have they not?

A. Yes.

Q. Atlantic City needs the patronage, don't it?

A. We want all the business we can get.

Q. You want all the business you can get and it all means money spent and kept in Atlantic City?

A. If they stay long enough, yes.

Q. If they only stay between morning and evening they spend real money down there?

A. Yes; they all spend something.

Q. Would you say that the caliber of persons brought by the bus is lower than the caliber of persons brought by these excursion trains, that come in trainload after trainload, some come and stop in town and bring their lunch ——

Mr. Osborne: I object to the form of the question, when the question embodies a characterization of people of this country as being a lower caliber than others, I think it is such I should object.

Mr. Straw: I withdraw that characterization.

Q. Who spend more money in Atlantic City, the folks who come down on Sunday by bus all the day or the folks who come down by these excursions on the Pennsylvania and Reading Railroads?

A. I will answer that question in this way: I have noticed the people getting off the Broad Street excursion trains and I have commented more than once on the very nice appearance and type of the people who patronize that train.

Mr. Straw: Will you read the question?

Commissioner Autenrieth: Who spends the more money?

Witness: I can't answer that question. I don't follow these people around and watch what they do.

Q. You said, "provided these people stay long enough in Atlantic City."

A. What I meant by that was, the longer they stay the more we get out of them; that is, in a legitimate manner.

Q. I will go along with that. Has the city of Atlantic City done anything, I mean the Chamber of Commerce, has the Chamber of Commerce done anything to find out what effect this great influx of privately owned automobiles and persons they bring into town, who may or may not have been former patrons on the railroads, what effect that has had on railroad revenues?

A. We know that it has had a very serious effect on the railroad revenues.

Q. Has it had a more or less serious effect than the bus patronage?

A. I think it is generally conceded it has had more effect.

Q. Has any effort been made to curtail that so that people will have to come down by train?

A. Why, such an effort would be futile.

Q. Sir?

A. Such an effort would be futile.

Q. What do you understand that the railroad-bus coordination, synchronization, economy and synchronization is going to mean, practically? What are the railroads going to do?

A. If you want me to answer in my own way?

Q. Yes. I want to know, I want your statement.

A. I am not experienced on those things. They are going to give us, now that they find they must get into the bus service, they are going to give us all the buses we need down here.

Q. To do what?

A. To carry people between Atlantic City and other points to which they run.

Q. How many buses are they going to give you?

Mr. Osborne: I object to that. This witness can't know. It depends on what the public want.

Mr. Straw: I think it is most relevant.

Commissioner Autenrieth: I will let him answer if he knows about it.

A. I don't know anything about it.

Commissioner Autenrieth: He says he don't know.

Q. Do you know how many buses they have asked for?

A. Who has asked for?

Q. The Pennsylvania Railroad in this application that you are here testifying in their behalf?

A. No.

Q. Then you say they are going to give you all the buses you need?

A. That is my assumption.

Q. How many buses do you need?

A. I can't answer that question.

Q. What is the service you need?

A. We wouldn't get buses at all if the people were content to ride in the trains.

Q. People aren't content to ride in the trains?

A. Apparently not.

Q. The present day riding is by bus, whether we like it or whether we don't.

A. Not exclusively, no.

Q. Either on long hauls or short hauls?

A. Short hauls it is advisable.

Q. What is the fare on the bus, the average bus from Philadelphia to Atlantic City?

A. Two dollars for the round trip.

Q. What is the fare on the train?

A. $3.60; less than that for a short period.

Q. Do you know that the Philadelphia-Atlantic City buses now operated by Pennsylvania and in conjunction with the Mitten Management had raised the fare from $2.00?

A. Yes.

Q. What is the fare?

A. $2.50.

Q. You think that helps Atlantic City?

A. Why, the railroads like everybody else, have got to fix a tariff that is going to give them a fair profit on what they do. There is a serious question in the mind of a good many of us what the buses, if they were taxed, if they had to carry their share

of the overhead that the railroads do, whether they could operate for $2.00 a round trip.

Q. Do you think that the raising of fares into Atlantic City helps Atlantic City?

A. No. We would like to see them lowered.

Q. The first thing the railroad did was raise them, isn't that so?

A. We are willing to consent they were justified in doing it.

Q. I understand Atlantic City restricts the buses to west of Atlantic Avenue?

A. So I understand.

Q. What have you to say as to the city restricting the use of private cars to west of Atlantic Avenue?

A. If we did ever come to it, I think it would be a good thing.

Q. Would that help the railroads?

Mr. Osborne: Is this cross-examination?

Mr. Straw: I thought it was.

Mr. Osborne: He don't know whether they could restrict private cars. It is purely a local regulation.

Commissioner Autenrieth: I don't think it is at all relevant.

Mr. Straw: I will consent it be stricken. That is all.

By Mr. Baldwin:

Q. How long have you lived in Atlantic City?

A. I have lived on Absecon Island for over twenty years, in Atlantic City.

Q. From your experience do you know of any other public organization in the city who is more active or more zealous in furthering the interest of the resort than the Chamber of Commerce?

A. I do not.

Q. When you spoke of the railroads bringing the people into the town, are you familiar with the present train operations on the Pennsylvania and Reading systems?

A. You mean, the number of trains they operate?

Q. The way they run and operate?

A. Yes, I know ——

Q. Do they have express trains and accommodation trains both running into the stations of those railroads?

A. More expresses than accommodations.

Q. Of the passengers who come into Atlantic City by train, are more of them express or more of them local passengers?

A. Oh, express.

Q. Do you think it would be more to the best interest of the resort to be now linked by local highway service with those points along the White Horse Pike that perhaps the trains do not serve?

A. I think that would answer the question; to do that.

Q. Do you feel it would be advantageous to the city to have the railroads' right of way kept open for express operation and the local passengers served by highway buses?

A. Insofar as that works out to the best interest of the city, yes.

Q. Of course, over that railroad right of way there is also carried freight and express matter, and mail, is there not?

A. Yes.

Q. Does Atlantic City find that service advantageous to itself?

A. The freight service?

Q. Yes.

A. I don't know how much freight is carried.

Mr. Osborne: What?

Witness: I don't know how much freight they are carrying; we have never gone into the freight end of it.

Q. The city don't produce all it needs?

A. It is a one-way haul down here.

Q. The city's need for food and furnishings and so on is brought in largely by the railroad, is it not?

A. I can't answer that question. I imagine the trucks are bringing in quite a lot of it.

Q. When you were discussing the matter of the fare increase, have you experienced in previous summer seasons that the fare was also increased on the buses for the summer period, or don't you know?

A. If my memory serves me correctly, the bus fare has been $2.00 for the round trip all the year round for some time.

Q. Have you ever ridden the bus to Philadelphia?

A. Very seldom.

Q. How do you go?

A. Either travel in my own car or use the train.

Mr. Baldwin: That is all.

By Mr. Richards:

Q. Did I understand you correctly that the Chamber of Commerce is more zealous in guarding the

interest of Atlantic City than any other interest of Atlantic City?

A. No. That wasn't the question. As I recall the question it was ——

Mr. Baldwin: We object to cross-examination by two counsels.

Commissioner Autenrieth: I won't restrict it at the moment, but I don't think we should waste any more time.

Mr. Osborne: We don't object.

(Question and partial answer read.)

Q. You started to say that wasn't the question. What do you claim your answer to the question was?

A. That I didn't know of any other organization that was more zealous than the Chamber of Commerce.

Q. You wouldn't imply then that other civic organizations were not just as zealous?

A. I didn't mean to imply they were not active and not doing all they could for the best interest of Atlantic City.

Q. You don't claim that the Chamber of Commerce is any more zealous than the Rotary Club in its interest in civic affairs?

A. Of a general nature, yes.

Q. You do?

A. Absolutely.

Q. That goes for the Kiwanis Club as well?

A. With that qualification, general civic interest.

Q. And the Lions Club?

A. All of them.

Q. These clubs I have just mentioned have weekly meetings?

A. Yes.

Q. In which they discuss civic affairs?

A. No.

Q. What do they discuss?

A. Well, I say no. They have someone that comes to the club luncheon; I am a member of the Rotary Club and other clubs; the weekly luncheons are devoted to speeches made by someone that has a topic that we believe would be of interest to our members to listen to.

Q. If a matter that seriously affected the financial welfare of Atlantic City was actually before the municipality would it not be discussed in that club?

A. Not always.

Q. Just as much as in the Chamber of Commerce.

A. Not always.

Q. I think you said they had weekly meetings.

A. Yes.

Q. The Chamber of Commerce has monthly meetings?

A. Yes.

Q. And fifty members is a large attendance for the Chamber of Commerce?

A. No. I said that was our attendance at the last meeting.

Q. How many was the meeting before last?

A. A hundred and twenty.

Q. How many the meeting before that?

A. Eighty.

Q. How many the meeting before that?

A. About a hundred and fifty, and the meeting before that was our annual meeting.

Q. That represents from about two to four percent of the membership?

A. No.

Q. Is that right?

A. No. It will represent ten percent of our membership at least, on the basis, say, of a hundred and twenty members, that would be ten percent.

Q. Ten per cent of fifteen hundred?

A. When I said ten percent I had in mind about twelve hundred members had paid their dues. The rest hadn't paid.

Q. The delinquents are from fifteen hundred to twelve hundred, who haven't paid their dues?

A. 1550 on the roster. Six months of the fiscal year have passed and we have still six months to collect the dues from the other 300 members. We have collected dues from 1200.

Q. That is a big meeting, a hundred and fifty?

A. Well, if we average that many throughout the year we would be doing pretty good. We don't penalize our members for not attending.

Q. These other clubs have practically a hundred per cent attendance at the weekly meetings?

A. No.

Q. Eighty or ninety per cent?

A. Eighty or ninety percent; sometimes over ninety percent. If they don't get there something happens to them. We have no authority to penalize our members.

Q. All they do is just stay away?

A. That is the idea, and wonder why things go on.

Q. You understand what the application is about, the application of a subsidiary of the Pennsylvania Railroad to run buses in competition with their freight and express line into Atlantic City; you understand that is the application?

Mr. Baldwin: That isn't the purpose of the application and the witness hasn't stated so.

Commissioner Autenrieth: There is no application to haul freight.

Mr. Baldwin: He said, "in competition."

Witness: I don't understand it was in competition. It is coordination.

Q. Coordination?
A. Yes.
Q. The people that this line would take, they would take away, according to your theory, from the passenger lines, wouldn't they?
A. They have already been taken away.
Q. Would they take more away?
A. I can't answer that question.
Q. Have you a theory that the people making this application would take the passengers away from the other bus lines or whether it would take more passengers away from the railroads?
A. I can't answer that.
Q. You don't know?
A. No. Who can prophesy that?
Q. So you can't tell whether or not this line will do any business at all unless it would do business that would normally go on the railroad, can you?
A. I don't know what might happen in the future.
Q. Because you really don't know very much about the present application, do you, except you are generally against the buses; isn't that the real situation?
A. No, not in the sense you put it, no.
Q. Do you know how many trains per day, of a local nature, the Pennsylvania Railroad runs?

A. Yes, I do.

Q. How many?

A. Either one or two each way.

Q. One or two each way. Do you think that their finances would seriously suffer if they discontinued those two trains in favor of the bus line?

Mr. Osborne: I submit this witness is not competent to answer that.

Commissioner Autenrieth: I don't care what he thinks about it. The question what he thinks about it. Reframe your question.

Q. Do you know whether or not those one or two trains a day, local trains, are a profitable enterprise to the railroad?

A. I don't know.

Q. Then you don't know whether they would be seriously crippled if they lost that particular business?

A. Well, I don't know whether it is a profitable business or not, so I can't tell whether they would have a serious loss if they lost the business.

Q. If the bus lines become active the railroad companies reduce their fares, do they not? If this application is granted and if this company drives the other lines out of business, and in view of the fact it is admitted that this new bus line is a subsidiary of the railroad, what do you think would happen to those fares?

Mr. Osborne: I object. The hypothesis this would put the other bus companies out of business is entirely unwarranted.

Commissioner Autenrieth: I will let him answer. Do you know anything about that?

Witness: Does anybody?

Commissioner Autenrieth: I don't know. The question is what you know.

Witness: I can't say.

Q. Is it reasonable to assume they would raise the fares again?

A. I can't answer that question.

Q. They have raised the bus fares, that is conceded, isn't it, on the lines they control?

A. Yes.

Q. Do you think it is to the best interest of Atlantic City to have the fares raised?

A. Looking at it from a selfish standpoint, no. We want people brought here reasonably and as cheap as can be. If the transportation lines can bring them at a low price we would like it. We want them brought at the best price.

Q. They are being brought for that fare now?

A. Yes. You mean, for the increased fare?

Q. No; for the fare charged by the buses?

A. Yes, under conditions with which the railroad cannot compete.

Mr. Richards: I think that is all.

By Mr. Osborne:

Q. Do you know that the independent companies have also raised their fares?

A. I didn't know that, Judge, no.

Q. You were asked whether you could recall ——

A. I have been out of town for a week.

Q. You were asked whether you could recall any special action, any authoritative action by the Chamber of Commerce, and I call your attention, for the purpose of refreshing your recollection, to a paper with a signature on it, that I take is your signature, but I will have to ask you to identify it.

A. That is right. (Examining paper.)

Q. Dated April twenty-fifth and refers to the meeting of the Board on April twenty-fifth, and I call your attention to the third and fourth paragraph, and ask you if you will look at it and whether you now recall any action by virtue of the of the authority of the Chamber which authorized you to come here?

A. That refers to action by the Board of Directors.

Q. Yes.

A. When I said the Board had acted, I didn't recall the date and time the Chamber itself had.

Q. Does that refresh your recollection; the twenty-fifth; look at the date at the top?

A. This all refers to meetings of the Board of Directors.

Q. The Board of Directors is part of the Chamber of Commerce, authorized to act and speak for it. Did the Board of Directors?

A. I said so, yes.

Q. By resolution act on this particular matter?

A. Yes, but the counsel for the other side wanted to know whether the members of the Chamber of Commerce had done this.

Mr. Osborne: That was later.

Commissioner Bacharach: Haven't we gone into that pretty thoroughly?

Mr. Osborne: Yes.

PARK W. HAVERSTICK, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?
A. Atlantic City.
Q. In business here?
A. Yes, sir.
Q. Are you connected with any civic organization?
A. Yes.
Q. Do you hold any position in any civic organization?
A. None.
Q. Are you chairman of any committee?
A. I am chairman of a committe of the Chamber of Commerce.
Q. What committee?
A. Transportation.
Q. Are you prepared to speak as an individual and as chairman of that committee in regard to this application of the Pennsylvania General Transit Company, a subsidiary of the Pennsylvania Railroad, to operate buses on the White Horse Pike?
A. I am.
Q. In your judgment is it necessary for the convenience of the public to have such buses operated?

A. We feel so.

Q. And by the Pennsylvania Railroad Company, preferably?

A. We decided so.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. How about the Reading Railroad?

A. We feel perfectly all right about the Reading Railroad.

Q. As long as they have an engine and some cars you are in favor of any railroad on the line?

A. Well, if you put it that way.

Q. I misunderstood your answer to the question, that you favored the Pennsylvania Railroad.

A. He asked me that question.

Q. You favor the Reading and also favor the Central, don't you?

A. The Central don't operate in Atlantic City, only through the Reading.

Q. They do through the Reading?

A. Yes.

Q. You favor anything that operates on wheels?

A. I won't answer yes to that; that is not a fair question in my opinion.

Q. Mr. Haverstick, how long have you been chairman of the Transportation Committee of the chamber?

A. This is my second term as chairman.

Q. How many members are there on your committee?

A. We have nine, at present.

Q. What are your duties?

A. To take up and discuss any matters pertaining to the transportation problem of Atlantic City.

Q. You have been working on the transportation problems, I presume, for the two years you have been on the committee?

A. Whenever the occasion arose.

Q. In order to reach a decision or judgment on any matter that may arise, of course, you collect a lot of data, don't you?

A. You mean statistics?

Q. Yes.

A. Figures?

Q. Yes.

A. I haven't.

Q. Has any member on the committee?

A. To my knowledge not.

Q. Do you know how many bus lines come into Atlantic City?

A. No, I can't answer that, I don't know.

Q. Do you know how many railroad lines come into Atlantic City?

A. Yes.

Q. How many?

A. There are two.

Q. How many trains a day come into Atlantic City?

A. I can't answer that because there are so many extra trains and special trains. I would have to see a train chart to know.

Q. How many different systems or railroads come into Atlantic City?

A. You refer to the Electric Railroad, do you?

Q. Yes.

A. At present there is the A. C. S. Railroad, which is an electrified railroad.

Q. There are three lines, the electric and two steam lines?

A. At present.

Q. Mr. Haverstick, can you tell me where the terminal of the bus lines is?

A. I can tell you the terminals of several of them is, yes.

Q. Would you tell me where the Parlor De Luxe terminal is?

A. No. I don't know that.

Q. How about the Union bus line?

A. I don't know them by name.

Q. Do you know where the White Way Tours, the Merz line, where that terminal is?

A. No.

Q. Can you tell me how many people came into Atlantic City by the railroads in the year 1928?

A. Certainly not.

Q. Can you tell me approximately how many people came in by bus in the year, 1928?

A. No.

Q. Has any member of your committee any information along that line?

A. There has been none of the members told me any information along that line.

Q. Does your committee do anything except take lunch now and then?

A. I don't think that is a very fair question to ask.

Commissioner Autenrieth: You don't have to answer.

Q. You haven't collected any information in the interest of Atlantic City or their transportation problems, have you?

A. If that refers to taking lunch once a week

———

Commissioner Autenrieth: Don't argue. I said you don't have to answer.

Q. You came here today to testify on behalf of the application of these railroads, to object to certain bus lines that wanted the privilege here, didn't you?
A. No.

Mr. Osborne: I object to the question as not intelligible.

Q. You came here to testify, in your judgment the railroads should have the preference of this transportation business into Atlantic City, did you not?
A. I did.
Q. How long ago were you asked to come here?
A. How long ago? Probably four or five days ago.
Q. Four or five days ago you let the gentleman who invited you to come here you were the Chairman of the Transportation Committee of the Chamber of Commerce?
A. No.
Q. You didn't let them know that?
A. I didn't.
Q. Do you know why they asked you to come?
A. I was asked to come yesterday, but I couldn't come yesterday.
Q. Do you know why they asked you to come?
A. I would think that they wanted the Commission to hear the action of the Transportation Committee on this problem.
Q. That is just what I wanted to know.

Commissioner Autenrieth: The question was, do

you know why they asked you? Do you know why they asked you or are you guessing about it?

Witness: I am not guessing. I am quite sure that is the reason for my being here.

Commissioner Autenrieth: Do you know? Did they tell you that was the reason?

Witness: No.

Commissioner Autenrieth: Then you don't know.

Witness: Yes.

Q. Was there any other reason in your judgment why they should ask you to come here, other than because you were chairman of the committee on transportation?

A. No other reason I know of.

Q. Were you ever identified with the Pennsylvania Railroad?

A. For a short time.

Q. What was your position?

A. I was supervisor of track.

Q. How long back?

A. About three years ago.

Q. And for how long a period of time?

A. About five years.

Q. So that your views are absolutely reconciled to railroad transportation, are they not?

A. They are not.

Q. You believe that bus transportation is as good as railroad transportation?

A. For what distance of travel do you mean?

Q. Short haul or long haul or whichever you wish to put it?

A. For long distance I would not.
Q. How about short distance?
A. Short distances I would say, for that, they are preferable, yes.
Q. What would be, in your judgment, the limit of the short haul?

Mr. Osborne: I object to this. It is highly technical.

Commisisoner Autenrieth: It is entirely collateral to the issue; we have been going all over the lot on these witnesses and I think we should get down to the question at issue. This is getting into an absurdity.

Q. As chairman of the Transportation Committee of the Chamber of Commerce, you are willing to state you made no investigation on this proposition at all?
A. Certainly not. I never made that statement to you.
Q. If you have made an investigation have you any records, data, books or papers to produce before this Commission?
A. In the nature of statistics, do you mean?
Q. Yes.
A. No, I haven't.

Mr. Harding: That is all.

Cross-examination.

By Mr. Straw:

Q. Do you think there is need for local service along the White Horse Pike as proposed by Public

Service Coordinated Transport, doing a local business between Berlin and Atlantic City, via Hammonton and Egg Harbor?

A. Will you repeat that question.

Q. (Question read.)

A. Yes.

Mr. Straw: That is all.

JULIAN A. HILLMAN, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?

A. Atlantic City.

Q. Are you in business here?

A. Yes.

Q. What business?

A. Hotel business.

Q. What hotel?

A. The Breakers.

Q. Are you connected with any local organization of business men?

A. Several.

Q. What?

A. Well, the Chamber of Commerce, principally.

Q. The Hotel Men's Association?

A. Yes, sir.

Q. Do you hold any office in the Hotel Men's Association?

A. President of them.

Q. Are you familiar with the attitude of the Hotel Men's Association on the general transportation problem as it affects Atlantic City?

A. Yes, sir.

Q. There is an application pending by the Pennsylvania General Transit Company for permission to operate buses, supplementing their rail service along the White Horse Pike between Philadelphia, Camden and Atlantic City; do you believe there is any necessity for such a line doing a local business from Berlin to Atlantic City, and Camden to Atlantic City?

A. I should imagine there is quite a lot of traffic to be taken care of by the various methods of transportation.

Q. In your opinion if such a line is operated, do you think it would be preferable to have it operated by the Reading or Pennsylvania Railroad or both and in conjunction with their train service?

A. I think it would be very much to be desired because it could be coordinated with their present rail facilities.

Q. In your opinion is the prosperity of the railroads essential to the welfare and prosperity of Atlantic City?

A. Well, there is no doubt but what the railroads have made Atlantic City, being the pioneers in bringing people here.

Q. Anything that is detrimental to the railroads and adversely affects their service would be adverse to the interests of Atlantic City?

A. That is it, exactly.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. Do you hold any office in the Chamber of Commerce?

A. No.

Q. Do you hold any office in the Hotel Men's Association?

A. Yes.

Commissioner Autenrieth: President.

Q. You are president. The Breakers Hotel is a beach-front hotel, isn't it?

A. Yes, sir.

Q. As a matter of fact, the beach-front hotels don't get very much business through the buses, do they?

A. I don't know about that. The business is pretty well diversified between the railroads, buses, and private automobiles.

Q. Would you say you get a fair percentage of your business through the buses?

A. Well, I didn't consider it from the angle of my personal business. It was more for the general benefit to the community as a whole.

Q. In other words, I take it, you are interested primarily, in Atlantic City?

A. That is it.

Q. You are not interested solely in any particular facility, whether it is a railroad or a bus company or an aeroplane company or any other company, as long as Atlantic City gets the business, is that true?

A. Yes.

Q. Therefore, it is immaterial to you who gets the privilege to come into Atlantic City, provided they bring people here?

A. No; that is not exactly so.

Q. All right.

A. (Continuing.) I am in favor particularly of the railroads getting the franchise because we feel the railroads are the people who have built up Atlantic City, and they are, primarily, in the transportation business. We have every confidence in their ability to handle the transportation. We are in favor of helping them get as many different modes of transportation as possible.

Q. You know what the railroad companies' application is, do you not?

A. I understand they want to have permission to take on and discharge passengers on their present line that they have, and points along the White Horse Pike, but at present they are unable to do it; have anybody get on here and get off at Hammonton, and carry people within the zone one bus company is already serving and dropping them off in other zones.

Q. Have you inquired as to whether it would affect their railroad business to any extent?

A. Well, no. I assume that the Pennsylvania Railroad—the railroads have gone into their own problem and know what they are asking for. I didn't question the wisdom of their application.

Q. You spoke of coordination; you said you favored coordination; isn't that true? In other words, you know that their proposition is to coordinate the bus service with their rail service?

A. I should assume so.

Q. As a business man, do you think that profitable to the people in general, or to Atlantic City?

A. Anything that helps the railroads to bring

more people here, that helps recoup, as I understand, losses incurred in the operation of the rail local service, will keep the transportation system at its best efficiency. If part pays and part of this transportation system falls down because of lack of business they can't necessarily just stop that end of the business. They have to take on, as I understand, all lines of business. They expect, I presume, through this bus service to increase their business so that the general railroad problem will be a paying proposition.

Q. Do you believe they will increase their railroad service by diverting some of the traffic to the buses?

A. That is hard to say. I don't know where they are going to get their business. They may get some of the people who ride in their own cars to ride on the trains; they may get some people riding the other bus line.

Q. In your mind it is a problem where they are going to get the number of people, if the same number ride the trains?

A. I think the more the facilities are increased the more riders there will be.

Q. How about the cost of operation?

A. I don't know anything about the cost of operation. From a layman's point of view it would seem to be cheaper to operate a bus line than a railroad.

Q. You don't think it would be just as cheap to operate both systems by one company, do you?

A. You mean, by substituting buses for trains?

Q. No. They are not asking for a substitution; they are asking for a supplementary service to the trains. If it were a substitution I might agree with you.

Commissioner Autenrieth: Are you a traffic expert?

Witness: No. He is only asking my opinion.

Commissioner Autenrieth: Your opinion isn't valuable unless you have had practical experience.

Witness: I haven't any experience in the transportation business.

Mr. Harding: The reason I asked this question, every witness who has come on has been asked whether in his judgment he believes that the railroads should have the preferential right to this bus transportation.

Commissioner Autenrieth: So that counsel may not be under a delusion; we understand the witnesses to mean this: That any form of transportation inimical to the railroad interest is likewise injurious to the business here and their interest here. We don't consider their ideas or feelings or likes concerning any other phase is important, except that; if the other forms of transportation injures the railroads and depletes the service, that, then, is injurious to the interest of the city and the welfare of the public at large. Asking witnesses who are purely lay witnesses their opinion and views on matters of expert opinion is of no weight whatsoever.

Mr. Richards: What Mr. Harding, I suppose, was discussing; these witnesses that make the broad statement, which they can't substantiate by real facts.

(Discussion.)

Commissioner Autenrieth: Are there any more questions?

Cross-examination.

By Mr. Straw:

Q. Do you think that a local bus service as proposed by Public Service Coordinated Transport between Berlin and Atlantic City, doing a local business, picking up and discharging, via Hammonton and Egg Harbor is needed?

A. Well, I can't answer that question either.

Q. You don't know?

A. I don't live along the White Horse Pike.

Q. The answer is, you don't know?

A. Yes.

Q. Well, I understood you to say it would be a good thing for the railroad business to pick up and discharge along the White Horse Pike.

A. That is their statement; they think there is sufficient business to warrant their application.

Q. As to that application, you don't know whether it will be a good thing or not for the railroad?

A. No. I answered before, I am not questioning the judgment of the railroad company in making the application. I am only here today, we are in favor of granting what the railroads want if they think it is going to help them in their entire system.

Q. From the public viewpoint do you think the public needs a bus line such as proposed by Public Service Coordinated Transport, doing a local business on the White Horse Pike between Berlin and Atlantic City, via Hammonton and Egg Harbor?

A. I think that should be very desirable.

Mr. Straw: That is all.

By Mr. Baldwin:

Q. From your experience can you say which of the utilities was here first, the railroads or the Public Service?

A. The railroads, of course.

MARTIN B. MARKLAND, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. You live in Atlantic City?

A. Yes, sir.

Q. You are in business here?

A. Yes.

Q. What buisness?

A. Contracting.

Q. You understand that this is an application pending by the Pennsylvania General Transit Company, to operate buses in conjunction with and supplementing their rail service, operate buses along the White Horse Pike between Philadelphia, Camden and Atlantic City?

A. Yes, sir.

Q. In your judgment is such an operation desirable?

A. Yes, sir.

Q. And necessary to the public convenience; such a bus operation is desirable and necessary for the public convenience?

A. Yes, sir.

Q. In your opinion it would be better to have this operation by the railroad companies, one or both, the Pennsylvania or the Reading or by an independent company?

A. By the railroad.

Q. Why do you say that?

A. Because the railroads have an investment of millions of dollars and it would be unfair to give that right to somebody else, and then destroy the property of the different railroads.

Q. Have the railroads been in the transportation business in Atlantic City for many years?

A. Yes, sir.

Q. Is their interest much greater in Atlantic City?

A. I beg pardon?

Q. Is the interest and prosperity of the railroads the same as the interest and prosperity of Atlantic City?

A. Yes, sir.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. You live in Atlantic City?

A. Yes, sir.

Q. How long have you lived here?

A. Twenty-one years.

Q. You operate individually as a contractor or as a corporation?

A. A corporation.

Q. What is the name of the corporation?

A. M. B. Markland & Company.

Q. You have done quite a little business for the railroads, haven't you?

A. Yes, sir.
Q. For both the Pennsylvania and the Reading?
A. Yes, sir.
Q. You handle a lot of freight business?
A. Yes, sir.
Q. So that you naturally are more inclined toward the railroads than you are toward the buses?
A. Yes, because we have had some service from the railroads.

Mr. Harding: That is all.

Cross-examination.

By Mr. Straw:

Q. Do you think that a local service as proposed by Public Service Coordinated Transport, along the White Horse Pike between Berlin and Atlantic City via Hammonton and Egg Harbor, is desirable and necessary for the public convenience?
A. Yes, sir.
Mr. Straw: That is all.
By Mr. Osborne:
Q. Do I understand you have done business with or for?
A. With the railroads; they have been hauling a great deal of freight for us.
Q. You have done business with them?
A. Yes, sir.

Mr. Osborne: I was under a misapprehension as to the form of the question.

Mr. Harding: I may have misstated it.

By Mr. Harding:

Q. You haven't done business for the railroads?
A. No; very little business for the railroads.
Q. You have done some business, contracting business for the railroads?
A. Not in the past ten years.
Q. You haven't done any in the past ten years for the railroads?
A. No.
Q. None at all?
A. No, sir.
Q. Or your corporation?
A. No, sir.
Q. Prior to ten years ago, did you do quite a little?
A. We did before Mayor Bader became mayor.
Q. Lately your business is pretty much handling freight and so on?
A. Yes.
Q. Are you identified with the Bader Contracting Company?
A. No, sir, but Mayor Bader and I were in partnership until 1915.
Q. Do you have any interest at all?
A. In what company?
Q. The Bader Contracting Company?
A. No.
Q. You and the mayor, when he was alive, you were in business?
A. Up to 1915.
Q. You handled business for the railroads then, didn't you?
A. Yes, sir.

Mr. Harding: That is all.

HAROLD M. PARCELL, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. You live in Atlantic City?
A. Yes, sir.
Q. In business here?
A. Yes.
Q. What business?
A. Coal business.
Q. Serving generally the community?
A. Yes, sir.
Q. You understand this is an application for permission to operate buses by the Pennsylvania Railroad on the White Horse Pike, between Camden, Philadelphia and Atlantic City?
A. Yes, sir.
Q. In your opinion is such an operation necessary for public convenience?
A. I think it would assist materially.
Q. In your judgment would it be advisable and preferable to have the operation by either the Pennsylvania or the Reading railroad as distinguished from individual operators and, if so, why?
A. I think it would be the only proper thing to do, would be to give the railroads the advantage of that, since they were so responsible for the growth of Atlantic City.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. How long have you been in the coal business?
A. About ten years.
Q. Your coal yard is located where?
A. Atlantic City, Indiana and Baltic.
Q. Along which line?
A. The Pennsylvania.
Q. You have quite a lot of service in and out of the yard, haven't you?
A. Yes.

Mr. Harding: That is all.

Cross-examination.

By Mr. Straw:

Q. Do you feel that a local bus service as proposed by Public Service Coordinated Transport, operating between Berlin and Atlantic City, via Hammonton and Egg Harbor on the White Horse Pike, is desirable and necessary for the public convenience?
A. I should think so, yes.

Mr. Straw: That is all.

By Mr. Baldwin:

Q. Do you think it is necessary that the Public Service should operate that service?
A. I don't think it is necessary, no.

By Mr. Straw:

Q. Do you think it is necessary that the Reading should operate it?
A. It is not necessary, but I should think ——

Mr. Straw: That is all.

GEORGE W. SENN, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?
A. Atlantic City.
Q. Are you in business here?
A. Yes, sir.
Q. What business?
A. The roofing supply business.
Q. A corporation?
A. Yes, sir.
Q. Are you an officer of the corporation?
A. Treasurer.
Q. Are you familiar with the fact that there is an application now pending for the operation of buses by the Pennsylvania Railroad on the White Horse Pike, between Philadelphia and Camden and Atlantic City?
A. Yes, sir.
Q. It is the purpose of the railroad company, if this consent is granted, to use it, supplementing its rail service?

A. Yes, sir.

Q. In your opinion would that be desirable?

A. Yes, sir.

Q. You think there is a public necessity for such service?

A. I think so.

Q. And preferably it should be operated by the railroad?

A. Yes, sir.

Q. Why do you think so?

A. Because the railroads are better equipped, I think, in the first place, to operate that kind of a service, because I think they deserve that service from their previous record of having served these cities along the seacoast and Southern Jersey; they have spent a lot of money; I understand they have lost a lot of passenger service because of the traffic that the buses are taking away and it was only recently they went into the bus service because they were forced into it.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Harding:

Q. How old are you?

A. Thirty-two.

Q. How long have you been in Atlantic City?

A. Been in Atlantic City on and off all my life, been here the last three years.

Q. You don't remember the days of the old sailing ships, do you?

A. I am not that old. I have seen many sailing ships.

Q. The sailing ship has passed out, hasn't it?
A. Yes, sir.
Q. Your theory is that because you have a sentimental regard for the railroads you favor this bus operation for the railroads?
A. Not particularly a sentimental regard. I think it is a sound business to favor the railroads in this particular case.
Q. And why is it sound business?
A. Because they have built the city and they should get this other service.
Q. The old sailing ships opened the ports of the world, didn't they?
A. Yes.
Q. And they passed out?
A. Yes.

Mr. Harding: That is all.

By Mr. Osborne:

Q. The railroads are still serving Atlantic City, aren't they?
A. Yes.

Cross-examination.

By Mr. Straw:

Q. You say the railroads are better equipped; better equipped than whom to operate this service?
A. Better equipped than some bus companies that have come to this town, that I know of. I happen to be one of the unfortunates who was left with a lot of books.
Q. What?

A. I say, I happened to be one of the unfortunates who was left with a lot of books. Two years ago they sold a lot of books for sixty-five cents; I have still got them.

Q. So you are prejudiced against the bus operation?

A. No; I am not prejudiced against the bus operation. I think the buses are a very good thing.

Q. How long have the railroads been operating buses?

A. Only recently, I understand.

Q. Did you ever hear of Public Service Coordinated Transport?

A. Public Service? Camden, isn't it?

Q. Yes.

A. That is right.

Q. Have you heard of them?

A. Yes.

Q. Do you know whether they operate buses?

A. Yes, sure.

Q. Do you know how long they have been in business?

A. Public Service?

Q. Operating buses?

A. No, I don't.

Q. Do you think that it is desirable and necessary for the public convenience to operate a line of buses, doing a local business between Berlin and Atlantic City on the White Horse Pike?

A. I didn't get the question.

Q. Public Service proposes to operate a line of local buses between Berlin and Atlantic City on the White Horse Pike, by way of Hammonton and Egg Harbor. Do you think such a local bus operation is desirable and necessary for the public convenience?

A. I don't think so, if the Reading or the Pennsy can do it.

Q. In other words, suppose the Reading and Pennsy couldn't do it.

Mr. Osborne: I object. There is no basis for any such supposition.

Commissioner Autenrieth: Why is it important to assume they couldn't?

Mr. Straw: The witness says, not if the Reading and Pennsy can do it. I want to find out if there is a public necessity and convenience for the line.

Mr. Osborne: A hypothetical question must be based on some fact in the testimony.

Q. Do you think it is desirable and necessary for the public convenience for anybody to operate a line of local buses between Berlin and Atlantic City on the White Horse Pike by way of Hammonton and Egg Harbor?

A. I think it would help considerably to have an augmented service like that.

Q. Of course, you want the Pennsylvania or the Reading to do it?

A. Either one of the big lines.

Q. And no one else to do it?

A. As I said before, I think the Pennsylvania and the Reading are the two that ought to get that service because of the fact I understand they have lost a lot of that traffic business from the other bus services.

Q. You understand from whom?

A. Well, as I said before, I have some of those books.

Q. Who told you they were losing and the Pennsylvania Railroad was forced into this?

A. I read it in the newspapers.

Q. What you are testifying today is a result of what you read in the newspapers?

A. Yes.

Mr. Straw: That is all.

Cross-examination.

By Mr. Richards:

Q. Did anybody else talk to you, besides what you read in the newspapers?

A. Yes.

Q. With whom did you talk?

A. With Mr. Reed a few minutes ago.

Q. Which Mr. Reed?

A. Freight agent of the Pennsylvania Railroad.

Q. Anybody else?

A. No, sir.

Q. Mr. Reed, I suppose, accommodates you a great deal in bringing freight into Atlantic City?

A. Mr. Reed always takes care of me, as well as the Reading.

Q. You have freight over both railroads?

A. Both railroads, yes, sir.

Q. You bring all your freight in by railroad?

A. I have to bring it by the railroad.

Q. You don't bring any of it in by truck?

A. No.

Q. You said, I think, a few minutes ago in answer to Mr. Harding's question, you thought the buses were a good thing?

A. I think so, yes, sir.

Q. So you are not against the buses at all?

A. No, sir.

Q. Notwithstanding the bus system is in competition with the railroads. You understand that if this application is granted what will happen is that this bus line will take on and discharge passengers between Berlin and Atlantic City and to that extent will compete with the acommodation trains on the railroad. Now, do you think that that will be so serious that the railroads will suffer by reason of that competition?

A. I don't think I am equipped to say, Senator.

Q. Then, we come back to the one proposition, that is, the only reason why you favor this application is the purely sentimental one, you think the railroads have helped Atlantic City and therefore they should have this application?

A. That is it.

Q. Rather than somebody else?

A. In past years I have often remarked, why did the railroad let that passenger traffic get away from them. I have often spoken about that and wondered why they let the buses cut in like they did. When they want to do the passenger business I think any man feels they should do it.

Q. In other words, the railroads didn't try to accommodate this class of the public at all until they discovered it was going to another, isn't that correct?

Mr. Osborne: I object to that question. I submit there is no justification for that question to this witness.

Commissioner Autenrieth: I don't suppose he knows anything about that. Do you know anything about that?

Witness: No.

Commissioner Autenrieth: We have been letting a lot of witnesses presume to know what the other fellow wanted.

Mr. Richards: It is just, of course, his general assumption.

Commisisoner Autenrieth: Which the Board pays no attention to. I will sustain the objection.

Mr. Richards: That is all.

Alex Vollmer, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?
A. Atlantic City.
Q. What business are you in?
A. Accounting.
Q. Are you familiar with the fact this is an application by the Pennsylvania General Transit Company to operate automobile buses between Philadelphia and Atlantic City?
A. I do.
Q. Similar to the service that the railroads have been rendering to Atlantic City?
A. In a general way, yes.
Q. Do you think there is any necessity for this bus service, supplementing the railroad service?

A. How is that?

Q. Do you think there is any necessity for this bus service, under present conditions supplementing the railroad service?

A. To be operated by the railroad?

Q. Preferably?

A. Yes.

Q. Why do you think that?

A. I think it would be an accommodation to have stops between here and Philadelphia.

Q. Why do you think the railroad should be given the preference?

A. Since they are operating now; if they did take on these stops in between it wouldn't increase the number of buses on the line and we would get a service without any additional buses on the road.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Straw:

Q. Do you think that a local bus line doing business between Berlin and Atlantic City on the White Horse Pike, by way of Hammonton and Egg Harbor, such as proposed by Public Service Coordinated Transport, is desirable and necessary for the public convenience?

A. I don't think so, if the operating company now stops.

Q. What is that?

A. If you let two lines run now, making the stops, you wouldn't need an additional line to come from Berlin.

Q. You mean Mr. Harding's interstate line?

A. I don't know. The Reading and the Pennsylvania have a line coming down. I wouldn't want to increase the number of buses by giving that service.

Q. There are interstate lines operated now, represented by Mr. Harding; I don't know their names?

A. I don't know.

Q. Suppose they were granted permits to operate there, doing a local business, do you think that would serve public necessity and convenience?

A. In addition to those now?

Q. No. They are now doing an interstate business between Philadelphia and Atlantic City.

A. It may be some accommodation, but it would interfere with the operation of the line now.

Q. They are operating now.

Commissoner Autenrieth: They are there.

Witness: They are there?

Commissioner Autenrieth: They are part of the line that is operating.

Q. Suppose they be permitted to open their doors and do a local business, the same business, just as you have proposed for the Reading and the Pennsylvania?

A. I would still say the Reading and the Pennsylvania.

Q. You are not answering my question. Is there a public necessity for the opening of the doors, for the present interstate buses operating, all interstate buses to include the Pennsylvania and the Reading running now between Philadelphia and Atlantic City.

A. I wouldn't like to say. I don't know whether they would be necessary or not.

Mr. Straw: That is all.

Cross-examination.

By Mr. Richards:

Q. There are three lines that go up and down the Pike now, which were the Stamper, Alkazin and Merz lines, that go from Philadelphia to Atlantic City; as I understand your testimony you are perfectly content to have them open their doors and take on local passengers, are you not?

A. I wouldn't say that, no. I think there would probably be too many.

Q. They are already going up and down the Pike at the present moment?

A. To stop at Egg Harbor?

Q. They don't carry any passengers from here to Egg Harbor. Would you consider it proper to permit them to take on passengers from here to Egg Harbor?

A. I think we would get better service to let it be granted to the two railroads; they are better equipped for it; they are more responsible and larger people. If I had to pick between the two I would certainly say the operating companies, that came here first, and the operating companies I think would be more responsible.

Q. At the present time on the peak you have seen the Stamper buses; you know they are there?

A. Yes.

Q. They go from Atlantic City to Philadelphia. There is also the Union bus line, which you may know by the name of the Alkazin line?

A. Yes.

Q. Which is also going from Atlantic City to Philadelphia. There is also the Merz, the White Way Tours line, those white buses.

A. Yes.

Q. They do not make any stops to pick up or let off passengers between Atlantic City and Philadeldelphia. As I understand it you would rather let them pick up local passengers, if there are going to be local passengers picked up, than to have another line come in and do that?

A. I would rather have the two railroads do it, that is, operated along with the railroad service. I think they would have the proper equipment to handle a bus line because they run the railroad. When the trains don't go let the buses go.

Q. That would mean another line of buses on the Pike.

A. No; they are there now.

Q. No. This is an application for—how many buses?

Mr. Straw: I don't know.

Witness: They are operating buses now, aren't they, the Pennsy and the Reading?

Mr. Richards: That is entirely true, but we don't know how many more. How many is the application for?

Mr. Osborne: Twenty-five.

Mr. Straw: You said yesterday fourteen trips and we couldn't figure out the buses. The application don't say.

Mr. Osborne: As many as are necessary to give the service the Commission requires of it. We think in view of all the circumstances the application should be and will be for twenty-five buses. We will explain our reasons at the proper time.

Mr. Richards: Twenty-five buses?

Mr. Osborne: Yes.

Q. It now develops, from what counsel says, there would be twenty-five additional buses on the White Horse Pike if this application is granted. Do you think that would be a desirable condition?

A. I think it is desirable to put it in the hands of two responsible companies. If you are going to have four or five companies operate and increase the service you are certainly not getting the same service with those companies as two companies operating it and coordinating it with the railroads.

Q. That don't answer my question.

A. I wouldn't want to increase them, no.

Q. Do you think it would be desirable to have twenty-five more buses operating on the Pike in addition to the present buses?

Mr. Osborne: I object. That isn't what I said.

Commissioner Autenrieth: Let him answer. He said the buses should not be increased.

A. I am trying to get bus service into Atlantic by the two companies who know how to deal with it.

Commissioner Autenrieth: Even though it increased the number of buses?

Witness: Even though it increased the number of buses.

Commissioner Autenrieth: Then it don't make any diffference if the number of buses are increased, if the railroads operate them?

Witness: If a responsible party does it. If it goes to a smaller company it is a question whether we will get anything left.

Q. There is another company known as the Public Service Corporation of New Jersey; that is a responsible company, isn't it?

A. Yes.

Q. They propose to operate these buses?

A. Yes.

Q. You wouldn't care if they were given that privilege?

A. I certainly object to them coming down.

Q. You would?

A. Because we have enough now.

Q. They are coming now.

A. You say they are coming as far as Berlin.

Q. No; coming from Wilmington here. They run an interstate service. They are also operating from Egg Harbor to Atlantic City.

A. The only interest I have is the service to Atlantic City. I am not interested in the railroads any more than anyone else. What I want to get is the buses, particularly in just hands, if possible, and responsible. The railroads, since they came originally to Atlantic City, and adding the bus lines, certainly they would be in a better position to coordinate the buses and rail line than any other company.

Q. These interstate lines which I have just mentioned, are not under the control of this Utility Commission; they are going to operate whether you like it or not?

A. Yes.

Q. Under those conditions do you think it is desirable to add twenty-five more buses to the condition of the White Horse Pike?

A. Other than the companies now there?

Q. Yes.

A. I don't think it would be desirable, no.

Mr. Richards: That is all.

By Mr. Osborne:

Q. Do you know whether the lines the Public Service operate are direct or indirect?

A. No; I haven't the slightest idea.

Mr. Osborne: That is all.

Mr. Straw: No questions.

By Mr. Baldwin:

Q. Do you know of any company operating along the White Horse Pike, interstate, which now carries people directly on an express trip from Philadelphia to Atlantic City that wants to make that service local and stop all the way along the White Horse Pike?

A. Do I know whether they want?

Q. Do you know?

A. No, I don't.

Mr. Baldwin: That is all.

By Mr. Osborne:

Q. Do you understand this application is to bring all the buses under this Commission and under its control, as distinguished from the other buses over which they have no control; you understand that?

A. I understand that, yes.

DISCUSSION.

Mr. Osborne: I have a large number of other witnesses whose testimony in a general way will be more or less the same. They are prominent business people of Atlantic City. They are prepared to testify in this matter, but following the very excellent example set by Mr. Straw yesterday, I would suggest, if it is agreeable to you, we state on the record that these gentlemen will testify in general in the same way as the previous witnesses.

Commissioner Autenrieth: As the previous witnesses.

Mr. Straw: Both on direct and cross-examination.

Mr. Osborne: Yes.

Mr. Straw: I have a question in there I am awfully anxious to get in. All right; I will agree.

Commissioner Autenrieth: Is that agreeable?

Mr. Richards: Like the last witness.

Commissioner Autenrieth: Unless there is objection I assume all counsel agree to it?

Mr. Osborne: Shall I state the names and the business they represent?

Commissioner Autenrieth: You may furnish the list.

Mr. Osborne: I will hand it to the stenographer. The balance of our testimony, we have now finished with what we call our public witnesses, the balance of our testimony is more or less technical in character. If it is agreeable to your Honor I suggest a recess at this time.

Commissioner Autenrieth: You have no witness who will consume about ten minutes?

Mr. Osborne: I have one witness who would consume a few minutes, a gentleman I would like to put on.

Mr. Straw: So we may get the order straight: As I understand it, in this application of Public Service Coordinated Transport our case on direct, the direct case, the main case is in; so much of the testimony of these public witnesses, as you call them, as is applicable to the case of the objector against our main case will be applied. Now, we go on at the next time, as I understand it, with the railroad expert in opposition to our case. Is that so?

Mr. Osborne: No. I understood the situation was this: When you finished your main case you rested, temporarily.

Mr. Straw: Yes.

Mr. Osborne: I think the understanding was we should go on with our case in toto and our case should be applied as well to the defense of your case. In other words, the testimony taken in our case should be utilized from two aspects; first, as our main case and, secondly, insofar as applicable in opposition to your case.

Mr. Harding: As I understand it, your testimony that you have offered is negative as to our case and affirmative as to your application, the Pennsylvania General Transit.

Commissioner Autenrieth: Anybody whose testimony will be useful either way can be used. There is no use of repeating that testimony.

Mr. Baldwin: And following with the Reading testimony.

Commissioner Autenrieth: You will have an opportunity by rebuttal to just reverse that situation, Mr. Straw.

Mr. Straw: Yes. We feel there is a little change or difference in our position that ought not to be confused; that I am anxous to develop. Then may we have from the railroads, both the Pennsylvania and the Reading, by next time, sometime between now and the next hearing, so we may prepare our rebuttal, a statement of how many buses this application is for, and the rate of fares, which should have been filed and the routes which they propose to operate? I don't want to be captious, but I do want to know what I have to meet.

Mr. Osborne: We will be glad to furnish them.

Mr. Bradley: We will furnish the routes.

Mr. Straw: And the fare schedule.

Mr. Osborne: We will furnish that.

(The stenographer is handed the following: It is stipulated by the parties that, with the consent of the Board, the following public witnesses from Atlantic City, N. J., who were on hand at hearing before Public Utility Commissioners, Atlantic City, N. J., May 3rd and fourth, in reference to proposed motor coach service, between Philadelphia, Pa., and Atlantic City, N. J., by Penna. General Transit Company, were not called, but would testify as the preceding witnesses from Atlantic City testified.

Charles A. Bridgman,	Crane Company
Benjamin Tolin,	Atlantic Scrap Iron & Metal Co.
Edward Gaskill,	Pres., Seashore & Husted Exp. Co.
Emile E. Estoclet,	Vice-pres., M. B. Markland Co.
Edward Mathis,	Mathis Motor Co.
Edward L. Bader, Jr.	Bader Construction Co.
Williard E. Eldredge,	Eldredge Express Co.
Sidney Rosenbaum,	Jacob Rosenbaum Sons
Joseph Nealing,	Nealing Rigging & Hauling Co.
H. C. Clevenger,	A. W. Cunningham & Co.
Max Barab,	Atlantic City Grain & Supply Co.
Philip N. Bessor,	Chelsea Natl. Bank
Thomas Graham,	Thomas Graham Inc., Bricklayers
Frank P. Gravatt,	Hall & Gravatt & Atl. City Real Estate Co.

James C. Idler,	Brookes & Idler, Printers
Edward Hackney,	Hackney's Restaurant
Lemuel E. Conover, Jr.,	Atl. City Natl. Bank
Harry Hackney,	Hackney's Restaurant
Daniel S. Bader,	Bader Construction Co.
Samuel J. Clark,	West Side Lumber Co. & 2nd Natl. Bank
Walter C. Brick,	Atlantic City Lumber Co.
Charles Eisele,	Roofer & Roofing Supplies
Harold I. Eaton,	Eastern Engineering Co.
Elton Risley,	Hill Dredging Co.
T. B. Bowes,	Freihofer Baking Co.
Harry T. Sickler,	Guarantee Trust Co.
E. Gertzel,	Leland Hotel
L. A. Sheppard,	General Motors Corp.
Clarence E. Wolfinger,	Second Natl. Bank
F. B. Off,	Hotel Brighton
M. Spence,	Mathis Motor Co.
William Clemens,	Shreve Steamship Agency
Harry Stein,	Royal Palm Hotel
H. B. Cook,	Hotel Seaside
A. J. Purinton,	Genl. Supt., A. C. & S. R. R. Co.
Horace Gaskill,	Seashore & Husted Express Co.
Paul M. Cope,	Hotel Morton
H. M. Grant,	Seashore & Husted Express Co.
C. V. Meeks,	Colton Manor Hotel
Max Grossman,	Grossman's Hotel
H. B. Richmond,	Hotel Strand
Ezra C. Bell,	Hotel Morton & Pres., Kiwanis Club
C. D. White,	Marlborough-Blenheim Hotel.

(Adjourned without day. Day to be fixed.)

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Volume I, Part 2

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

Atlantic City, N. J., Monday, June 10, 1929.

Atlantic City-Camden to Philadelphia. Application of Pennsylvania General Transit Company for approval of local consents to operate motor buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Charles Browne, Esq.
Harry Bacharach, Esq.
Frank J. Daly, Sr. Inspector.

For Pennsylvania General Transit Company appear:
H. C. Maxwell, Esq.
and
Harry V. Osborne, Esq.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For White Way Tours et al., appears:
PATRICK H. HARDING, ESQ.

For Reading Transportation Company, et al., appears:
C. T. WOLFE, ESQ.
FLOYD H. BRADLEY, ESQ.
CLIFFORD A. BALDWIN, ESQ.

For City of Atlantic City appears:
JOSEPH B. PERSKIE, ESQ.

J. F. DEASY, sworn on behalf of Pennsylvania Transit Company.

Direct examination.

By Mr. Osborne:

Q. Mr. Deasy, you are an officer of the Pennsylvania Railroad?

A. Yes, sir.

Q. What position do you hold?

A. Assistant vice-president in charge of operations.

Q. Can you state to the Commission the policy of the railroad in connection with its bus operations and its connection with the Pennsylvania General Transit Company, the purpose of which I understand is to carry out the policy of the railroad in that respect?

A. The officers of the Pennsylvania Railroad believe that the present application of the Pennsylvania General Transit Company, a subsidiary of the

Pennsylvania Railroad, and the other applications before this Commission for authority to operate buses between Camden and Atlantic, present to the Public Utility Commissioners of New Jersey a very important problem, any decision as to which will be far-reaching in its effect on the transportation situation, not only in South Jersey, but in the State of New Jersey as a whole. We have given this problem very mature and deliberate consideration and desire, at the opening of these cases, to make a brief statement of our views outlining certain general principles with a view to assisting in the solution of this problem. We, of course, have been in the transportation business for many years. More recently we have given considerable thought and study to the question of highway transportation, its relation to railroad operations, and its proper field of usefulness in the public interest and wish to set forth here, briefly, some of our conclusions. Motor vehicles, electric and steam service, each has a distinctive part to perform in the transportation field; and proper allocation to its respective field of operation of each of the three types of transportation will tend to promote and quicken proper coordination of these three activities and prevent wasteful duplication of service and destructive competition. Existing common carriers of all classes should, in the public interest, receive reasonable protection from unrestricted and indiscriminate competition by: Carriers who are not necessary to the public interest; And by carriers equipped to handle only a relatively small proportion of the total traffic and not equipped to handle long haul or bulk traffic whose operations tend to reduce the ability of existing carriers to render reliable, regular and complete service at reasonable rates. Where need develops for additional or more frequent service in any terri-

tory already served by one or more common carriers, the existing carrier or carriers should be given preference in meeting such need. This is a well recognized principle of public utility regulation. The existing utility usually has assumed the risk originally of entering a new field, has educated the public to the use of its service, and also has helped to develop the territory. It is, therefore, entitled to the first opportunity of meeting additional needs which it has helped to create. But more important than the right of the existing carrier is the right of the public to have the additional transportation performed by a carrier who, by experience, knowledge of the locality, dependable and proved financial responsibility, generally is better equipped to render efficient service to the public. Furthermore, the additional service required usually is supplementary in nature to existing service, and it is in the public interest to secure protection to the traffic and revenues of the existing carrier, as well as the coordination of new and old service under one directing head. We believe that motor highway transportation has an important part to perform in the transportation business over and above that which can be performed by existing methods of transportation as well as any partial substitution therefor for economic reasons. And in view of the importance to the general public of the proper coordination of all methods of transportation; of insuring a regular and reliable service of a permanent character; of avoiding unnecessary duplication of service and wasteful competition, the Pennsylvania Railroad believes that the transportation problem should be handled, generally, in accordance with the principles here enunciated. The general transportation situation in New Jersey, particularly the southern portion, has since the war, become in-

creasingly serious to the railroad, to the State and to the public alike. It is complicated by a number of factors, but chiefly by the greatly increased use of the motor vehicle. First, the private automobile, then the bus, combined with the opening of the Delaware River bridge in July, 1926, have produced a situation which in our mature and deliberate judgment requires the adoption of a definite policy with regard to this transportation problem and the future allocation of the operations of the several transportation interests involved. A year ago, in a proceeding before this Commission, in relation to proposed bus service between Camden and Atlantic City, by an independent company, the West Jersey & Seashore Railroad showed a decline in passenger revenue from 1925 to 1927, of $1,700,000, or 22 percent in two years. In the year 1928, a further decline of revenue of $1,000,000, or 16 percent, compared with 1927 has been sustained. It is difficult to view this continuing decline, due in part, at least, to automotive operation by competitive non-railroad management without becoming concerned as to how to solve the problem of maintaining the usually high caliber of service furnished by the West Jersey & Seashore Railroad in southern New Jersey. We are also faced with the solution of the problem of financing the improvements contemplated, involving large sums to be added to the millions previously expended for improvements, additions and betterments. In the public interest a solution should be found. Southern New Jersey must not go backward by reason of lack of adequate rail facilities. It must go forward, and we are confident, when you know our difficulties, you will give sympathetic consideration to any suggestion we may have to make for assistance in the solution of the problem before us. Several years ago many street railway companies, when bus operation

was purely local in character, deemed it advisable to operate buses to supplement their service. While these bus operations affected our revenue, as did the trolleys to a certain extent, we recognized not only the right, but the wisdom in the public interest, of such action on the part of the street railway companies, and we did not even attempt to oppose such bus operation at points where it affected us. Likewise in the recent cases before the Commission involving the opening of the bus doors in Camden, of bus operators serving the suburban territory in and around Camden, we entered no protest as it was felt this suburban field was logically best served in the public interest by existing so-called local bus operators. While such operation undoubtedly will affect the revenues of the rail carriers to a certain extent, the transportation in question is of a relatively local nature. However, with the development of the operation of buses over longer distances and the desire of at least a substantial portion of the public to ride in such buses, we recognize our responsibilities as public transportation companies to meet the public demand for such transportation by motor vehicle. The operation of buses over longer distances where the territory served is that already served by the rail line is, we sincerely believe, the legitimate function of the railroads, whereas local transportation has, over a period of years, largely been carried on by the street car and more recently by the motor-bus in substitution therefor or supplemental thereto. The railroads on the other hand, have for a much longer period, been the carriers of the long-haul business and, in fact, have largely created the long-haul business. While it is true that a number of bus lines have for some time been hauling passengers comparatively long distances, it is likewise true, as everyone concedes, that the railroad

operation is essential to the carriage of the bulk of passenger traffic. However, as applying to the specific applications now pending before this Commission, the bus lines have not been carrying traffic between Camden and Atlantic City or Camden and Ocean City, as such traffic has up to this time been carried entirely by the railroads. The amount of travel on bus lines has convinced the Pennsylvania Railroad that there is a public demand for such method of transportation, not only on existing lines but on the proposed line between Camden and Atlantic City. At the same time the present bus travel, as has already been mentioned and as will be later brought out more in detail, has seriously affected the revenues of the rail carriers and is becoming an increasing handicap in maintaining the high caliber of service which the Pennsylvania Railroad has been rendering. The Pennsylvania Railroad is ready and willing to supply this demand of the public for bus operation and aside from any preferential right through the territory involved, believes that bus operation on behalf of the railroads to the exclusion of bus operation under non-railroad management is in the best public interest. Our policy is one of furnishing the character of transportation that the public demands, whether by rail, highway or air, but in co-operation with existing transportation agencies and without unnecessary invasion of the natural field of operation of such other agencies. We have worked out and adopted plans for a complete coordinated rail and bus passenger service in the territory served by the Pennsylvania Railroad System. This coordinated service will be established progressively where need exists or arises in the public interest. We will extend to the joint rail and bus travel the same principle that is contemplated in the joint rail and transcontinental

air service soon to be established. Other features will eventually include the sale, over certain routes, of through tickets covering joint rail and bus journeys; the utilization of bus lines more effectively than heretofore as feeders for the rail service, and the extension and improvement of bus transportation service in the territory not conveniently served by existing rail facilities. The carrying out of the general plan will involve, in some cases, the inauguration of new bus lines and in other instances, establishment of working arrangements with lines already existing, together with the acquisition of a financial interest in them. Effective steps, which have been taken in this respect, are, the Pennsylvania Railroad has acquired a seventy-five percent interest in the Peoples Rapid Transit Company, which operates between Philadelphia and New York, Philadelphia, Camden, Balitmore, Washington and Atlantic City. It has also acquired an interest in the Greyhound Lines, Incorporated, which operates east of the Mississippi, Chicago, St. Louis to Seaboard points, as well as the intermediate points. That is all I have.

Mr. Osborne: Cross-examine.

Cross-examination.

By Mr. Harding:

Q. Mr. Deasy, I presume that you conferred with the officials of the Reading Railroad before you prepared this statement?

A. We have, yes, sir.

Q. So that the substance of this statement rep-

resents the views of both the officials of the Pennsylvania and the Reading Railroads?

A. That is my understanding.

Q. Will you tell me what you mean by coordination as stated in your statement?

A. By coordination I mean to provide a schedule whereby passengers may use jointly train and bus service; they may ride at night in a sleeper and ride in the daytime by bus, and the selling of tickets that contemplate that kind of service. It means also that the facilities which have already been provided, millions spent in dividing them, may be also used in this coordinated service by these bus lines at proper points.

Q. Under this scheme of service will you discontinue the buses at night?

A. We would not discontinue the buses any time while there was a public demand for them.

Q. Have you considered the matter of coordination from the standpoint of the stockholders of the company?

A. What company?

Q. You are speaking for the Pennsylvania Railroad, are you not?

A. Yes, sir.

Q. That is the company I mean.

A. We also have a bus line, the Pennsylvania General Transit Company.

Q. I am asking you, are you speaking of coordination from the standpoint of the stockholders of this company, the Pennsylvania Railroad?

A. The policy inaugurated by the Pennsylvania Railroad was approved by the Board of Directors of the Pennsylvania Railroad and the Board of Directors were elected by the stockholders.

Q. Will you tell me how your company or the persons who have investigated this proposition

have come to the conclusion that coordinated service will work out from an economic standpoint to the benefit of your stockholders?

A. We have already, in minor ways, followed the operation through experiments of our own and because of study we have made since 1920.

Q. I take it, from the substance of your statement that you expect a monopoly of the bus transportation from Philadelphia to the seashore points?

A. The statement didn't say so.

Q. But in substance it means that?

A. It said this; the Pennsylvania Railroad created, at least helped to create, the travel in that territory and we think that we ought to have prior consideration by virtue of the money we have spent in that area.

Q. Do you, as a matter of policy, representing the Pennsylvania Railroad and the Reading Railroad ——

A. I am not representing the Reading Railroad.

Q. All right; representing the Pennsylvania Railroad; do you, as a matter of policy, as enunciated in that statement, expect to monopolize the bus transportation business between Philadelphia and the seashore points?

A. We expect, I believe, with the permission of the Commission, to do an intrastate business with a supplementary bus service paralleling the lines of the Pennsylvania Railroad.

Q. What did you mean when you read into that statement, "unrestricted discrimination"? What did you mean by that?

A. Permitting any and every Tom, Dick and Harry to come in and operate buses without the usual responsibility behind them, such as, for instance, the Pennsylvania General Transit Company

and the Peoples Rapid Transit Company, that have carried protection, that also have the backing to provide the service that the public will require, the financial backing.

Q. Is your statement intended to refer to any of the applicants in this case?

A. Does my statement what?

Q. Is your statement intended to refer to any of the applicants in this case?

A. It refers to the application by the Pennsylvania General Transit Company for a certificate of convenience between Camden and Atlantic City.

Q. Does it refer to the Parlor De Luxe Coach Company?

A. I don't know anything about the Parlor De Luxe Coach Company.

Q. Does it refer to the Union Bus line?

A. We are talking about the Pennsylvania Railroad.

Q. Does it refer to the White Way Tours?

A. I am talking about the Pennsylvania Railroad.

Q. Don't you intend by that statement to mean you want a monopoly of the bus transportation on the White Horse Pike?

A. We want protection ——

Q. And ——

A. One moment. We want protection to our existing service and existing revenues and existing facilities, which we provided the money for, largely, to create, ourselves and the Reading.

Q. To what extent do you want that protection?

A. We want that protection to the extent of a certificate of convenience without the Public Service operating buses paralleling our railroad between Camden and Atlantic City.

Q. Are you satisfied then, if this Commission, in passing judgment on this application, gives you the

certificate that you require; will that meet your needs and requirements?

A. As far as this application is concerned, yes.

Q. You don't mean by your statement, then, you want to exclude the right of existing bus lines to continue their operation?

A. My belief is, that is a question for the Commission to determine.

Q. What is your view? You have come here as an official of the Pennsylvania Railroad to express your views as to the matter of future policy. I would like to have your views as to how you feel about the present bus lines on this pike.

Mr. Osborne: I beg your pardon; I don't understand that.

Commissioner Autenrieth: To do a local business.

Mr. Straw: We have one line.

Mr. Osborne: I am talking of the through line.

Mr. Harding: I think the Commission can see behind this. This isn't a matter of local service; it is a question of eventually who is going to operate bus service between Philadelphia and Atlantic City.

Commissioner Autenrieth: Your question is directed to whether the present existing local facilities should be abandoned.

Mr. Harding: Yes, sir.

Commissioner Autenrieth: In giving the right to the Pennsylvania Railroad.

(Question read.)

Q. What is the answer?

A. We believe that the Pennsylvania Railroad and the Reading Railroad, the existing carriers who built up the service, should have the certificate for that operation.

Q. You feel they should have the certificate and the certificate only?

A. For the obvious reason they spent their money to develop the territory, yes, sir.

Q. What have the railroads been doing in the last three years in the matter of bus transportation?

A. Are you speaking now of all the railroads, or the Pennsylvania?

Q. I am speaking of the railroads paralleling the line of the White Horse Pike, that are involved in this application, the Reading and the West Jersey & Seashore.

A. The railroads have not operated the line, but we have acquired the line that has been operating for a number of years.

Q. In other words, they did nothing in the last three years?

A. They did a lot in the last three years.

Q. What did they do to interest themselves in the bus transportation?

A. We, as far back as 1925, endeavored to get a charter in Pennsylvania for the operation of buses and were declined the privilege. We felt it was necessary to get a chartered service. Since then that charter has been domesticated in the State of New Jersey.

Q. Did you make an application for a charter in the State of New Jersey?

A. We have a domesticated charter, the Peoples Rapid Transit Company, a company of which we own seventy-five per cent.

Q. What charter was secured in the last ninety days?

A. The Peoples Rapid Transit Company?

Q. Yes.

A. No, sir.

Q. How long has it been secured?

A. That has been in existence since the company started.

Q. Wasn't this first operated by the P. R. T?

A. No, sir; the Peoples Rapid Transit.

Q. It was a P. R. T. subsidiary?

A. Yes.

Q. And you had only a one-quarter interest at that time?

A. We had an interest.

Q. When did you acquire it?

A. January of this year.

Q. So you have been in the bus transportation since January, 1929?

A. Hereabouts, yes. We have been working on the problem of buses since 1920, not only as a local specific thing, such as you are referring to here, but working out a coordinated system throughout the Pennsylvania Railroad.

Q. We are not interested in anything outside of the State of New Jersey.

A. I thought you wanted to have that in connection with the background of this particular leg.

Q. We are only interested in the State of New Jersey.

A. Except that people come from other parts of the country, to that extent the Peoples Rapid Tran-

sit Company must be recognized in the public service.

Q. In your statement you say you have been in the bus business since January, 1929. You think it is fair, as a matter of policy, you should come before this Commission and ask this Commission to give you a certificate to the exclusion of everybody else?

A. We think, not only feel, but I think it is equitable for the reasons already set forth.

Q. That is on the theory for many years people have been investing money in railroad properties?

A. Investing money in railroad properties and building up the territory by bringing passengers and freight into it.

Q. You are pretty well acquainted with the history of transportation in general?

A. Fairly so.

Q. In the early days we had a lot of canals in this State.

A. That is right.

Q. They passed out?

A. That is right.

Q. The railroads put them out of business?

A. Not necessarily. The public wanted a faster kind of service.

Q. You always put them out of business?

A. It was a new kind of service that supplanted it, just as the canals supplanted the stage coach.

Q. Aren't you up against the same kind of proposition, that a new kind of service is supplanting the railroad on short-haul business?

A. Not necessarily. The bulk of the business, we believe, will stick to the railroads, but there is a certain amount of business that will travel on highways for various reasons. We are in the transportation business; we have spent millions to provide it; we

believe we should be given an opportunity to have at least a certificate of convenience on the highways paralleling our railroad.

Q. We have no objection to that at all. The objection we take to your permission is you feel, by reason of your past investment in railroad property that now you should expect a State Commission to protect you in this future method of transportation, to the detriment of those already in. What conclusion have you reached regarding the charge that is to be made to the public by reason of the coordination of the bus transportation with the steam transportation?

A. We will have a witness a little later who will give these details with respect to the change in rates, from the traffic department of our railroad.

Q. When it comes to a charge that is to be imposed upon the public, either a bus charge or a steam railroad charge, will you not have to consider the investment in both properties in basing that charge?

A. I am operating, helping operate a railroad, not making the rates, but we have an expert here who does make rates and he will be very glad to answer those questions.

Q. If the experts that you say you have here are not available for us to examine them on this matter of rates ——

Mr. Osborne: They will be.

Q. (Continuing) ——are you willing to return to the witness stand and answer those questions?

A. That is the reason we set aside for these gentlemen, who do nothing but the ——

Q. And will ——

Witness: May I complete the answer?

Commissioner Autenrieth: Answer the question.

Witness: They will be available when you want them.

Q. I am asking you a fair question and I would like to get a fair answer. If these men are not available, if they do not come to the witness stand to testify regarding these rates or charges, are you willing to return to the witness stand?

A. I am willing to return to the witness stand any time that it is convenient to do so; but, may I repeat, that these gentlemen will be available; they are here now.

Q. My dear man, you have not answered the question.

Mr. Osborne: I object to the question. That is a complete answer to the question.

Mr. Harding: I am entitled to his answer, yes or no. He says when it is convenient to do so. Does that mean when it is convenient for him?

Commissioner Autenrieth: It is of no particular importance as far as the issues in this case are concerned. If you wish to question about it on a further examination of this witness, you may make it known.

Mr. Harding: I would like the right to examine him as to these charges or rates.

Commissioner Autenrieth: He says he don't know anything about it; it is a traffic department matter.

Mr. Harding: I think we ought to get that on the record.

Witness: It is on the record. I said our traffic department, are represented, who make the rates and charges, and will give you the information.

Q. Do you know anything about the charges or rates that are going to be fixed for this bus operation?

A. No, sir. Our traffic department will give you all the information you want on it.

Q. You know nothing about those rates?

A. Not from the standpoint of an experienced accountant.

Q. Did you have any conference recently on the matter of increasing your rates of the Peoples Rapid Transit line?

A. We have been talking about this line.

Q. Did you sit in on a conference where you urged they be increased?

A. I suggested they be increased in order that the company may make a return. The company lost thousands of dollars, and is losing thousands of dollars; we sat around and discussed the question of how to recoup it.

Q. It was on your suggestion the rates were increased?

A. It was on suggestion.

Q. Up to the time the rates were increased did the Peoples Transit make any return?

A. Yes.

Mr. Osborne: I object to that.

Commissioner Autenrieth: What have we to do with whether the Peoples Transit is making money?

Mr. Harding: I think the public is interested in this matter.

Commissioner Autenrieth: Is this the Peoples Transit?

Mr. Harding: Exactly. The company's witness went on the stand and read a statement and on this point, as far as the public is concerned, the public is vitally interested. The Board, in the first instance, don't fix the charges, but can subsequently change them.

Commissioner Autenrieth: The Board can always determine the rate.

Mr. Harding: Here is a case where this witness supports the coordination of the service.

Commissioner Autenrieth: We are not concerned with the Peoples Transit, what rate is in effect.

Mr. Harding: They are going to call a lot of experts on rates.

Commissioner Autenrieth: If that applies to this particular case, very well.

Mr. Harding: I think we have the right to inquire, from the standpoint of the people, what the public get out of the deal. If the public is to be fooled we should know it before the Commission makes a decision.

Commissioner Autenrieth: I will sustain the objection.

Mr. Harding: I have no further questions.

Cross-examination.

By Mr. Straw:

Q. Now, Mr. Deasy ——

Witness: Who do you represent?

Q. I don't know whether it makes any difference whether I represent Tom, Dick or Harry; I represent the Public Service Coordinated Transport. Who did you think it was; Tom, Dick or Harry?

A. I don't know. I wondered.

Commissioner Autenrieth: Don't argue; put it in the form of a question.

Q. When you referred to "Tom, Dick or Harry," did you mean the Public Service Coordinated Transport as one of the "Tom, Dick or Harry" who might run up the pike?

A. I didn't mention "Tom, Dick and Harry."

Q. You did.

A. I said—may I respectfully inquire who you represent?

Commissioner Autenrieth: The Public Service Coordinated Transport; his appearance is entered in the case.

Q. May I respectfully ask you what you meant by "Tom, Dick and Harry" operating up and down the pike?

A. I made no mention of that.

Q. What did you mention about "Tom, Dick and Harry"?

A. I don't recall it.

Q. Isn't it in your statement?

A. I don't recall mentioning "Tom, Dick or Harry."

Q. Do you know the Public Service Coordinated Transport does operate up and down the White Horse Pike from Camden to Berlin?

A. I have heard so.

Q. Where did you hear so?

A. Is this the Public Service you are talking about?

Mr. Straw: Will counsel tell this witness there is a Public Service and I represent them, so he will really know?

Commissioner Autenrieth: What is your answer?

Witness: Now I think I am straight.

Q. Do you know the Public Service operates a bus line on the White Horse Pike?

A. Yes.

Q. When did you find that out?

A. I don't know the exact date.

Q. Do you know how long they have operated a bus line on the White Horse Pike?

A. No, sir; I don't know the exact date. I know they have been operating there. I know there were others and they are operating.

Q. Do you know whether they were operating on the White Horse Pike between Camden and Berlin and between Berlin and Egg Harbor and Atlantic City before or after the Pennsylvania General Transit Company (you see, I do know of your company), the Pennsylvania General Transit Company; do you know?

A. I think they were there before. The exact date I don't know.

Q. What?

A. The exact date I don't know.

Q. What do you have to say with regard to the function of the present line operating between Camden and Berlin and Berlin and Egg Harbor and Atlantic City, with respect to the statement of policy you have read here?

A. This is line what? Our line? Are you talking about your line or the Peoples Rapid Transit?

Q. The Public Service.

Mr. Osborne: Which one of the Public Service lines that you own are you talking about?

Q. The Public Service Coordinated Transport. You thought that was the only line we operated ——

Commissioner Autenrieth: Put your question.

Q. Maybe I better start over again; I don't want to take advantage of you.

A. Thank you.

Commissioner Autenrieth: Strike it out.

Q. Has this statement of policy been written giving any consideration at all to the Public Service local line, operating between Camden and Berlin, Berlin and Egg Harbor and Egg Harbor to Atlantic City?

A. Yes.

Q. Do you believe there is a function for that line to do a local business up and down the White Horse Pike in that territory?

A. We believe if there is a public demand, which we think there is in this territory, for service, we

ought to be permitted to do a station-to-station business in the certificated route of this line.

Mr. Straw: Will you read the question?

(Question read.)

Q. May I have an answer?
A. I did answer it.

Mr. Straw: I submit the question is not answered.

Commissioner Autenrieth: You told us the function of the Pennsylvania Railroad was not the function of the Public Service line. Read the question.

(Question read.)

A. We don't operate that line.

Mr. Straw: Will your Honor instruct the witness to answer?

Commissioner Autenrieth: The question is whether you believe there is a function for that line.

A. I don't know.
Q. Do you believe there is a need for local bus service between Camden and Berlin, Berlin and Egg Harbor and Egg Harbor and Atlantic City, serving the territory on the White Horse Pike in the municipalities between Camden and Atlantic City, locally?
A. We believe ——
Q. Yes or no?

A. Yes.

Q. Does any existing bus operate, either owned by Pennsylvania or associated with Pennsylvania, giving a purely local service today, between Camden and Atlantic City, serving those municipalities?

Mr. Osborne: I submit, first, this is not cross-examination and, second, it doesn't appear from the direct testimony or from anything else, that Mr. Deasy has given any detailed study of the probable local service rendered by any company. Therefore, to insist on an answer which is neither cross-examination or which has no relation in respect to the testimony which the witness is qualified to give, without some foundation for it, I submit is objectionable.

A. We will have another witness who travelled that territory who will answer those questions.

Q. Do you know or don't you know?

Commissioner Autenrieth: You are the witness. What do you know?

A. I don't know.

Q. Now, you spoke at some length about a case tried a year ago on the activity of the Pennsylvania Railroad and the Reading Railroad in opposition to that case, an application of the Public Service Co-ordinated Transport. You said you had conferred with the Reading Railroad or some member of your corporation had, for the purpose of preparing this statement today, and you were expressing not only the views of your own corporation but likewise of the Reading. I ask you whether or not you know what transpired at the hearing January 31, 1928,

part of the hearing or the total hearing of the Public Service's application from Camden to Atlantic City?

A. I wasn't there personally.

Q. Do you know what happened?

A. No, sir.

Q. Then upon what do you base your statement here?

A. On the basis of the record of the case.

Q. Did you read the record?

A. I didn't, personally.

Q. I will read part of it to you, page 446, the hearing at Trenton of January 31st, 1928 ——

Mr. Osborne: What page is this?

Mr. Straw: The Public Service's application.

Commissioner Autenrieth: The case that the witness referred to as to the decline of earnings.

Q. In answer to my question Mr. Osterhout said this: "Q. Would your Reading Transportation Company, as a bus subsidiary of the Reading Company, would you have any plan for operating buses in New Jersey?" "A. I could only say this: that we recognize an evolution in passenger transportation and I cannot say what we are expecting to do or what we hope to do. We have been three years trying to get buses substituted for our little patronized trains in Pennsylvania, where we felt that would be a good thing to do. We have not succeeded yet. In New Jersey, at the present moment, we do not think that it would be a good thing to operate buses on the White Horse Pike. We have discarded that. We don't think it would be a good thing to do."

Mr. Osborne: What is the date of that hearing?

Mr. Straw: January 31st, 1928; pages 446 and 447 of the record, the cross-examination of Mr. Osterhout.

Mr. Osborne: A witness on the part of the Reading Company?

Mr. Straw: The Reading Company.

Mr. Osborne: A year and a half ago.

Mr. Straw: January, 1928.

Q. Do you know that?
A. I don't represent the Reading.
Q. You are talking for the Reading this morning.
A. No; I am not talking for the Reading at all.
Q. You said you were making this statement for both companies. Are you or aren't you?
A. I said we discussed the statement. I am making the statement for the Pennsylvania Railroad.
Q. Nothing you have said this morning, then, should be applied to the Reading?
A. No, sir.
Q. No question about that?
A. No, sir.

Mr. Straw: I then move his answer to Mr. Harding's question be stricken.

Mr. Osborne: Which question? He didn't say, in his direct case, he was speaking for the Reading.

Mr. Straw: He said he conferred with the Reading.

Mr. Harding: I asked him if he conferred with the officials of the Reading Railroad and he said he had. I asked, does the statement you have given here reflect the views of both the officials of the Pennsylvania and Reading Railroads, and he said it did.

Commissioner Autenrieth: That he spoke only for the Pennsylvania Railroad.

Q. You don't know anything about the views of the Reading?

A. I am speaking for the Pennsylvania.

Q. Do you speak for the Reading at all?

A. No, sir.

Q. You spoke of the splendid service rendered between Atlantic City and Camden, rendered by the Pennsylvania Railroad; do you know anything about the service between Camden and Berlin, rendered by the Pennsylvania Railroad?

A. We have ——

Q. Do you know? Yes or no?

A. Yes.

Q. How many trains a day do you have between Berlin and Atlantic City?

A. I can't answer that question without referring to the time-table.

Q. What is your title?

A. Assistant Vice-President in charge of operation.

Q. In charge of operations?

A. Yes, sir.

Mr. Straw: That is all.

Commissioner Autenrieth: Anything further?

Mr. Osborne: That is all.

N. W. Smith, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Will you give your name and address to the stenographer.

A. N. W. Smith, Superintendent of Motor Service of the Pennsylvania General Transit Company at Philadelphia.

Q. Have you had charge of the filing of this application for approval of municipal consents for the operation of buses between Camden and Atlantic City?

A. Yes, sir.

Q. Can you state in a general way the route which it is proposed to operate?

A. From Broad Street Station, Philadelphia, via the Delaware River Bridge to Camden, down the White Horse Pike, with a detour to Hammonton Station of the West Jersey & Seashore Railroad, back to the White Horse Pike, through Egg Harbor, Absecon to the West Jersey & Seashore Railroad Station at Atlantic City.

Q. Have you had a map prepared for this case?

A. Yes, sir. (Witness produces map.)

Mr. Osborne: Let me offer this in evidence.

(Map marked Ex. P. R. R. 1.)

Q. I understand you propose to go into Hammonton via the Blue Anchor Road?

A. Yes; we beg leave to amend the route in that particular, by continuing down the White Horse Pike to Belleview Avenue and then proceeding into Hammonton. This for the purpose of complying with the request of the Reading Company, which company believes that the Blue Anchor Road route would unnecessarily parallel and compete with their rail.

Q. You said in your original application you wanted to operate going by Blue Anchor Road?

A. Yes.

Q. Now you want to abandon that?

A. We ask to be allowed to go down the White Horse Pike to Belleview Avenue, then into Hammonton, and then on through to Atlantic City, to meet the request of the Reading Railroad Company, which thought the line as operating down the Blue Anchor Pike ——

Q. Are you familiar with the organization of the Pennsylvania General Transit Company, the applicant here?

A. Yes, sir. The Pennsylvania General Transit Company is a corporation duly organized under the laws of the State of Pennsylvania, with authority to operate motor vehicles for the transportation for hire of persons, freight, merchandise and other personal property, duly domesticated and authorized to do business in the State of New Jersey.

Q. Who are the officers of the Pennsylvania General Transit Company?

A. The president, Elisha Lee; the vice-president, A. J. County; secretary, Lewis Neilson, and the treasurer, at the present time, H. H. Lee.

Q. And the directors?

A. The directors are Elisha Lee, A. J. County, T. W. Hulme, N. W. Clement, J. L. Eysmans and George J. Adams.

Q. Are these officers and directors all officers and directors of the Pennsylvania Railroad Company?

A. Yes, sir.

Q. Are you also employed by the Pennsylvania Railroad Company?

A. I am general superintendent of motor service and assistant to the general manager of the eastern region.

Q. What are the financial resources of the Pennsylvania General Transit Company?

A. The authorized capital stock is $500,000, which will be increased from time to time as may be necessary.

Q. How many trips does the applicant here, the Pennsylvania General Transit Company, propose to make on its initial operation?

A. We propose on this submission to have fifteen round trips and a schedule will be submitted later by another witness, but the schedule is merely tentative for the purpose of the initial operation and will be, of course, subject to revision in accordance with the public demand. Bus service will also be arranged to more thoroughly supplement the train service of the West Jersey & Seashore Railroad Company, with the idea of furnishing transportation to the public by bus at times when the amount of traffic is insufficient to justify the operation of a train.

Q. What insurance will be carried by the Pennsylvania General Transit Company?

A. We will carry insurance in the amount of $20,000 for one person and, subject to that limit for one

person, $200,000 for any one accident involving more than one person.

Q. Have you had investigations made concerning the bus situation in New Jersey, with regard to the needs of the public for bus service and, if so, what?

A. We have, and reached the conclusion there is an increasing public demand and need for such bus service across the State of New Jersey, between Camden and Atlantic City, legally empowered to carry passengers between points in the State of New Jersey, coordinated with existing rail operation and also whenever practicable with existing bus operation. A subsequent witness will deal more particularly with the advantages to be gained by the public by a bus operation carried on in conjunction with the rail operations of the West Jersey & Seashore Railroad Company. I might state, however, one outstanding practical advantage is the use of passenger stations of the railroad wherever possible; for example, at Atlantic City, Egg Harbor, Hammonton and Broad Street Station, Philadelphia, while the latter station is not in New Jersey we speak of it because New Jersey travel goes largely to Philadelphia and they will have the use of that station. At these stations we will furnish all the conveniences and comfort of a station, sheltered and all that, that would be difficult to provide if it was not maintained for the purpose of rail transportation.

Q. What is your purpose with regard to competition with other local lines in the territory?

A. Why, we feel that any local line or any line existing should be given due consideration for the capital invested and the amount they have expended, but that where we are now performing rail service through those towns that the same rights should be extended to cover station-to-station stops through

such territory and such cities as we enjoy on the railroad with station-to-station stops.

Q. Are you familiar with this territory in question between Philadelphia and Atlantic City?

A. Fairly so, yes, sir.

Q. In your judgment is such service as we desire to inaugurate through this application necessary for the public convenience?

A. Yes, sir.

Q. In these long-distance hauls is it the practice of companies to reserve seats or places on the bus?

A. It is in the operation between here and Philadelphia.

Q. Would facilities for booking seats be had at all of your railroad stations?

A. Yes, sir.

Q. That is one of the advantages?

A. There are some details that will be a little difficult, but we believe they could be worked out satisfactorily.

Q. Just as you book parlor-car reservations now? You can go to the railroad station anywhere in the country, with the arrangement now in use?

A. Yes, sir.

Q. And book a reservation for a bus?

A. Yes, sir.

Mr. Osborne: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. I would like to get straightened out on this application. You have spoken of a station-to-station business. Do you only propose to do a station-to-

station business in this application between Camden and Atlantic City; are you going out of and run into the stations?

A. No.

Q. You will pick up locally?

A. Pick up.

Q. Indiscriminately, on the White Horse Pike?

A. Not indiscriminately, but a reasonable number of stops, so as not to greatly delay the operation?

Q. You are asking to do an indiscriminate picking up.

A. We are asking the right, yes, sir.

Q. You are asking to make as many stops as necessary down there, as you choose?

A. We are asking that right, yes, sir.

Q. When you speak of furnishing service to a specific city, how will you do that between Camden and Atlantic City? Suppose someone is going from Berlin to Atco, how would they make reservation?

A. They would have to make reservations in advance if they wished to be accommodated. I say, there are some difficulties to work out on that, but, generally, the situation would be the same as going over the railroad with a Pullman car. If they had no previous reservation they would not be able to obtain a seat.

Q. Have you or do you propose to file fares for those local rides?

A. One of our traffic officers will be on and file the fares.

Mr. Straw: That is all.

By Mr. Osborne:

Q. Does the schedule which you propose to oper-

ate contemplate a combination of express and local service; that is to say, do you contemplate running buses through and also contemplate other buses which would make these local stops?

A. There are certain trips, certain local trips and certain express trips, in the same way a railroad would be operated.

Q. Local traffic in the territory where it was permitted by the Commission would be taken care of by these local buses; it wouldn't interfere with the buses through trip, by passengers who desired to travel over the route?

A. The trip would run, is our thought, from Philadelphia to Atlantic City, but the local traffic would be arranged, the schedule arranged to take local passengers on certain of those trips and they would be protected.

Mr. Osborne: That is all.

By Mr. Straw:

Q. Those local buses will still be reservation buses?

A. Reservation buses.

Q. But no mass transportation in the sense you just pick up a bus and get on it without making reservations; everything will be parlor-car arrangement?

A. That is our thought.

Mr. Straw: Mr. Maxwell, in his opening, spoke of a restriction to Berlin. You said Mr. Smith had prepared this petition; is it proposed to take that up with Mr. Smith or is somebody else going on on that?

Mr. Osborne: The restriction in Berlin?

Mr. Straw: Yes.

(Discussion off the record.)

Mr. Straw: I have no further questions.

Cross-examination.

By Mr. Harding:

Q. In Mr. Deasy's statement he referred to the operation of the Pennsylvania General Transit Company and the Reading Transportation Company as a coordinated service, a service that will be coordinated with the steam railroad. I notice you refer to it as a supplementary service. Will you tell me the distinction, if any, between the two?

A. Well, it is somewhat difficult to define some of those words. But the proposition of the service would be coordinated in this respect, it would stop at the stations and we would work out arrangements for the interchange of tickets with, supplementing or coordinating with the other service. I had in mind more, in speaking of supplemental, that it is frequently desirable, would be desirable to have additional train service, looking for public necessity and convenience, but the amount of patronage offered for a particular train, say, at a particular time, is so limited as to not be justified, the operation of the train, where it would or might justify the operation of a bus.

Q. Under both schemes, have you or have you not in view the curtailment of the train service?

A. Our view is this, that we want to give the pub-

lic a complete transportation service of trains and of buses. What the patronage is we receive from the public will be the determining factor of what trains will be run and what buses will be afforded.

Q. You don't want to say at this time whether the train service will be curtailed or not?

A. I do not want to say because it is a matter of experience and a matter of the public demand, in the best way that we can for the public, and in accordance with the views of the Public Utility Commission.

Q. I understood you to say one of the reasons why this company was better equipped to handle the bus transportation was because you had better terminal facilities at both Philadelphia and Atlantic City.

A. I make the statement that the terminal facilities we have are available and in giving a bus terminal, considering the question of a bus terminal, it is largely a question of arranging the terminal in the way that some other activity is also accommodated in order that the expense of the terminal will not be too large for the bus to properly carry. However, if the railroad already operates the terminal and that can be adapted to the use of the bus, we have accomplished the purpose, the different interests meeting the expense of the terminal operation.

Q. Do you or do you not intend to handle any freight on your bus line?

A. We do not intend to handle freight.

Q. When you say your terminal facilities are available, you don't mean to any other company, you mean to your own company, do you not?

A. It might be available to other companies; that would be a question that would have to be taken up in each case on its own merits.

Mr. Osborne: It is being used by other companies now.

Q. Were you aware other companies are making provisions to build a union terminal in both Philadelphia and Atlantic City?

A. I have heard that they are talking about it, but I didn't know they had gone so far as to make actual arrangements.

Mr. Harding: That is all.

Mr. Osborne: That is all.

G. F. DELL, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?

A. Pitman, New Jersey.

Q. Your occupation?

A. Inspector of Motor Service, Pennsylvania Railroad, reporting to Mr. Smith.

Q. Have you made any investigation or study regarding the proposed operation under consideration here?

A. I have.

Q. Have you prepared a schedule covering the proposed operation?

A. I have, yes, sir.

Q. Have you copies of it there?

A. Yes, sir. (Witness produces papers.)

Q. What is this paper?

A. This is a proposed schedule of the Pennsyl-

vania General Transit Company for operation of motor buses between Philadelphia, Camden and Atlantic City, via the White Horse Pike.

Mr. Osborne: I will offer this in evidence and ask that it be marked Ex. P. R. R. 2.

(Schedule marked Ex. P. R. R. 2.)

Q. What method did you use in preparing this schedule?

A. A tentative schedule, that is, a prior tentative schedule was prepared after a study of the operating conditions on the route; after which we made tests or trial trips with a bus. On the trial trips the entire operation was conducted in accordance with speed and traffic laws, also with due regard to traffic and operating conditions, such as grades, curves, grade crossings and the like. In other words, in making up these schedules we have carefully considered the factors of speed and safety under actual operating conditions.

Q. How many trips a day does this schedule call for?

A. Fifteen each way. Four of these will be round trips and eleven express trips serving the major cities.

Q. How many buses will it require to operate this schedule?

A. Under normal conditions eight buses will perform the scheduled operations. That is not taking into consideration a reserve for proper maintenance and for representing double-heading the schedules where ——

Q. Saturdays, Sundays and holidays and so forth?

A. Yes, sir, at any time when there is a peak.

Q. How many will be required, then, to meet the whole situation, in your judgment?

A. From our past experience I believe that twenty-five buses, operated as, under the certificate, will take care of the normal requirements. We may have to exceed that on an interstate operation.

Q. You are faimiliar with the territory through which it is proposed to operate?

A. Yes, sir.

Q. In your judgment does public convenience and necessity require this operation in conjunction with the existing rail service?

A. I believe that a necessity exists for a certain amount of local service in the territory. You are speaking of over the entire route or ——

Q. If you will listen to the question carefully you will get the purport. Read the question.

(Question read.)

A. Yes, sir.

Q. Have you made any traffic checks between Atlantic City and Egg Harbor?

A. Yes, sir.

Mr. Osborne: I may say, this relates more particularly to the Public Service application, that phase of the case.

Q. Will you indicate what checks you have made and what they show between Atlantic City and Egg Harbor and between Berlin and Hammonton?

A. Between Egg Harbor and Atlantic City there is now a bus service operated on a two-hour headway. A check of the traffic on this line indicates that only twenty-nine per cent of the available seat

miles are utilized. Recently the Public Service has increased their service between Berlin and Hammonton so that this territory is now served on practically a two-hour headway. The traffic checks on this line indicate that the service is patronized only to the extent of nine per cent of the available seat miles.

Commissioner Autenrieth: What do you mean by "seat miles"?

Witness: A seat mile, if a bus is a twenty-nine-passenger bus there would be twenty-nine seat miles available for each mile of operation of the bus. In other words, passenger miles and seat miles are the gauge of whether you can make a bus operation pay or not. The percentage of occupancy, the percentage of ——

Q. What does this indicate?

A. This indicates that on the basis of the patronage of the present lines the increase of the schedule to an hourly basis through this territory would only produce 5.6 passenger miles per bus mile. Inasmuch as the rate per passenger, as read in Mr. Harper's testimony, I believe, averages 2.27 cents per passenger mile, this amount of patronage would only produce a gross revenue of 12.7 cents per bus mile, which is less than half of the operating cost of a motor-bus.

Commissioner Bacharach: As far as your company is concerned you would not be interested in the service between Egg Harbor and Atlantic City?

Witness: Not as a purely local proposition. I

don't think that a purely local bus service, operating between these points, would be a paying proposition. However, we have ——

Commissioner Bacharach: If they went as far as Berlin they would lose more money up that way; the longer you went, according to your figures, the more you lose.

Witness: Yes, that is right. There is a demand, there is always a demand for more convenient service, greater frequency of service. If the available service in this territory is thrown into an existing bus which operates through there, and I can show that we have available seats on our buses, then it could be handled at a profit.

Commissioner Bacharach: Which are your buses?

Witness: The P. R. T. buses, the Rapid Transit.

Commissioner Autenrieth: Interstate?

Witness: They are now operating interstate.

Q. This operation you now speak of, this local operation, could be handled profitably in conjunction with the P. R. T., the present service?
A. Yes.

Commissioner Bacharach: Doesn't the Pennsylvania General Transit Company now own that wholly? I thought they paid a half a million dollars for the good-will.

Mr. Osborne: That is their operating company, and it operates interstate.

Witness: Seventy-five per cent.

Mr. Osborne: Seventy-five per cent.

Witness: The Peoples Rapid Transit Company.

Q. It was announced, I think, earlier in this case, that this operation would be consolidated and upon the approval, if and when given by this Commission, the operation would be consolidated with the present interstate operation of the P. R. T.

Commissioner Autenrieth: You calculate that the operating revenue is less than half the cost between Egg Harbor and Atlantic City; how do you consider there is any demand for additional service there?

Witness: The point I wanted to make by the estimates which I have made is that the apparent available traffic would not support a purely local bus in there. But there is available, or could be made available by the judgment of this Board, bus service which could accommodate this traffic and handle it as a part of our through traffic, which could be operated at a profit, which would make for permanency.

Commissioner Autenrieth: That would further reduce the revenues of the line that is now operating between Egg Harbor and Atlantic City.

Witness: From Egg Harbor to Atlantic City.

Commissioner Autenrieth: If you take some of their business that would still further be reduced?

Mr. Osborne: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. How much do you think Public Service should get a seat mile, in order to support this line?

A. I wouldn't preport to quote rates for the Public Service.

Q. You have preported by saying we haven't made any money and can't make any money and can't support the line, it only supports half what we should get, a bus mile.

Mr. Osborne: I object.

A. I did not say that.

Mr. Straw: I withdraw the question.

Q. You said that the gross revenue was 12.7 cents per mile, as demonstrated by your figures?

A. That is an estimated revenue, what could be accomplished by a purely local service from Berlin to Atlantic City, which the testimony of the Public Service witness shows they intend to operate.

Q. Which is less than half what we should get, is what you said, isn't it?

Commissioner Autenrieth: Less than half the operating cost.

Witness: Yes.

Q. Let me read from the figures and see how they check with yours. When did you take this check, by the way?

A. During the past week.

Q. What day?

A. Wednesday and Saturday. Saturday was the peak day.

Q. Saturday, June eighth?

A. June eighth.

Q. And Wednesday in June. On June fifth we operated one bus between Egg Harbor and Atlantic City, and took in $58.63.

Mr. Osborne: Is this in the evidence?

Mr. Straw: No. Just a little check-up on the cars.

Mr. Osborne: Assuming you did do that.

Q. Assuming on Wednesday, June 5th, we operated a bus and took in $58.63, would you say that would be enough to make this one bus pay any profit at all?

A. Well, let us do a little calculating and I will tell you.

Q. Do a little calculating.

Mr. Osborne: Between what points?

Mr. Straw: Egg Harbor and Atlantic City, one bus.

Mr. Osborne: Did you give the mileage?

Witness: The mileage I estimate at about 324 miles on that schedule.

Mr. Osborne: Perhaps they didn't operate their schedule.

Witness: Eighteen trips at eighteen miles.

Q. Two hundred and seventy miles per day.
A. Two hundred and seventy?

Mr. Osborne: Is that your schedule, 270?

Mr. Straw: Yes, sir.

Witness: And the revenue you said was fifty-eight dollars?

Q. $58.63.
A. I wouldn't say they made very much.
Q. Did they make anything?
A. I don't believe they did.
Q. On Tuesday, June fourth, assuming they operated the same number of miles and took in $73.03, did they make any money?
A. I think they about broke even on that.
Q. Assuming, June third, they operated the same number of miles and took in $54.05, what have you to say?
A. That is not so good.

Mr. Osborne: Lost money on it, didn't they?

Witness: Yes, sir.

Q. Assuming, on June second, they operated the same number of miles and took in $60.73, what would you say?
A. I didn't say the line that is operating now isn't making money, but I am looking forward, I have read the testimony and know what you are trying to do or what you say you are going to do, by increas-

ing the service, as you say you will, increase it there and, using the basis of what you are doing there now, and there is only 1020 of population in the entire strip through there that isn't served now, I don't see how you can ever hope to make the bus line there pay now.

Q. Let us go back one day to June first, that line, the same bus and the same number of miles took in $100.03.

A. That helped offset the difference.

Q. If you know what we are going to do and say we can't do it, how, on the checks you have prepared for one day, showing the present situation, can you say this line wouldn't pay?

Mr. Osborne: Two days.

A. Two days.

Q. Two days.

A. It is just an indication of what can be done. These buses are equipped with record fare registers, if the evidence disproves it, I think a record taken from that and submitted to the Commission would tell the story, but I am satisfied it would tell the same story I am telling.

Q. What was the weather condition June eighth, Saturday?

A. Saturday was a rainy day. From the nature of the traffic in this territory, that is, going to the stores, which is a local line, a lady going into a store and getting groceries and coming back, traffic of that nature, I believe that the patronage would be heavier under those conditions than on a clear day.

Q. What was the weather conditions on June first?

A. June first?

Q. Saturday, Saturday the week before? As a matter of fact, it was a bright day?

A. Yes, that was a clear day.

Q. Suppose I should tell you that the fares collected June first were $100.03 and on Saturday, June eighth, they were $74.41, would you say the rain increased the riding?

A. That wouldn't bear out the supposition.

Q. What was the supposition? Why don't it? A rainy day it took in $74.41 and a clear day $100.03, yet you say a rainy day does increase the traffic; is that so?

A. I just judged that.

Q. You judged wrong?

A. I judged wrong in that particular instance.

Mr. Osborne: That is, assuming your figures are accurate.

Q. Can you take figures on a part of the route, between Egg Harbor and Atlantic City, and apply those on the whole line, between Camden, Hammonton and Egg Harbor, with fairness and accuracy?

A. Provided the conditions along the line—I wouldn't say the conditions—the population along the line and the operating conditions you are going to meet are more or less comparable.

Q. Would you say the conditions between Egg Harbor and Atlantic City are comparable with the conditions between Hammonton and Egg Harbor?

A. Between Hammonton and Egg Harbor?

Q. Yes; the population and so forth?

A. From my—let me see, the population is lower between Hammonton and Egg Harbor than it is between Egg Harbor and Absecon, Egg Harbor and Atlantic City.

Q. And between Hammonton and Berlin?

A. Hammonton and Berlin, the average popula-

tion per mile, I believe, is slightly lower, just from looking at these figures.

Q. And between Berlin and Camden?

A. Berlin and Camden, there is an entirely different condition exists, a suburban zone.

Q. Have you taken a check of that?

A. No, sir.

Q. How long have you been in the bus business?

A. About five years; in the transportation business, fourteen.

Q. I mean, the bus business?

A. Five years.

By Mr. Osborne:

Q. How long have you been in the transportation business?

A. Fourteen.

Q. Did you make any analysis of the population of this territory?

A. Yes, sir.

Q. Will you give it to us?

A. The population contiguous to the highway, including the recognized communities along the line, was determined by securing from the local people, who are best fitted to know what the population is, there being no census since 1920, an estimated present population. Making a house count in the territory lying between these recognized communities, to which was applied the census average of five; using that basis there is an estimated population of 15,700 between Berlin and Atlantic City, exclusive, of course, of Atlantic City. About 13,900 of this is in the communities, and 1800 is rural, and of that, approximately forty per cent is located in the one community of Hammonton.

Mr. Osborne: Cross-examine.

Further cross-examination.

By Mr. Straw:

Q. Where did you get five as the census average?
A. That is the census average generally recognized.
Q. Isn't it 4.2?
A. Five is the figure that most engineers use. I believe that is the general average.
Q. What engineers?
A. I beg pardon?
Q. What engineers? You say most engineers?
A. Transportation engineers.
Q. Isn't 4.2 the usual census figure taken?
A. That would reflect a worse condition in here.
Q. I am not interested in that. I am asking you whether the usual figure used is 4.2?
A. I have heard of 4.2 used and 5 used by a great many engineers.
Q. The New Jersey figure is 4.2, isn't it?
A. The national figure is 5.
Q. I asked you if the New Jersey figure isn't 4.2?
A. I wouldn't say positively.
Q. How far from the road on each side did you take your house count?
A. From half to a quarter of a mile—from half to a mile.
Q. From half to a mile on each side?
A. Yes, sir. Anything of this nature, of course, is estimated, but it is an indication of what there is there.
Q. You included the main centers of population?
A. Yes.

Q. Like Hammonton and Egg Harbor?

A. I estimated forty per cent of the total population is in Hammonton.

Q. I beg pardon?

A. I estimated forty per cent of that total population is in Hammonton.

Mr. Straw: That is all.

Mr. Osborne: You haven't any more exhibits?

Witness: I think that is all.

Mr. Osborne: That is all.

J. F. Henry, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. Where do you live?

A. Merchantville, New Jersey.

Q. What is your position with the Pennsylvania Railroad?

A. Superintendent of the Atlantic Division, Camden terminal, P. & C. Ferry.

Q. You are familiar with the cost of equipping locomotives and other expenditures for the improvement of the service on these divisions?

A. I am insofar as this brief is prepared, yes, sir.

Q. Have you prepared from your record any data,

figures, information regarding the expense which the railroad has been to for various items of improvements in the service?

A. Yes, sir.

Mr. Harding: I certainly don't see the relevancy of the cost of equipping a locomotive in trying a bus case. It may be we are going to have the 1929 edition of the railroad blues.

Commissioner Autenrieth: I will let it in. I don't know how much relevancy it is going to have.

Mr. Osborne: In the case your Honor decided a year ago it was considered quite relevant because it was referred to in the decision.

(Question read.)

Q. Have you a table of the amount expended by the West Jersey & Seashore Railroad between Camden and Atlantic City to make a safe operation from 1925 to 1928 inclusive?

A. Yes, sir.

Q. Have you it in tabulated form?

A. Yes, sir.

(Witness produces statement.)

Mr. Osborne: I would like to offer this tabulation in evidence.

(Statement of amounts expended by West Jersey & Seashore Railroad, between Camden and Atlantic City to improve and make safe operation, 1925 to 1928, inclusive, marked Exhibit P. R. R. 3,)

Q. What does this exhibit represent; just tell us generally?

A. It represents the cost of the expenditures for automatic train control, laying new rail on fifty-eight miles of steam line between Camden and Atlantic City.

Commissioner Autenrieth: Doesn't it speak for itself?

Mr. Osborne: Yes. I wanted just a very general statement. The expenditures as indicated in the title. The query was raised, some question as to what equipping locomotives had to do with this matter.

Q. Was it necessary to specially equip locomotives for service on the Atlantic City trains?

A. Yes, sir, absolutely necessary.

Q. Just explain that, as briefly as you can.

A. It was orders of the Interstate Commerce Commission.

A. What did they order?

A. They ordered the automatic train control, that works automatically.

Q. Whereabouts?

A. On the rail.

Q. Where, between what points?

A. Between Camden and Atlantic City.

Q. Was it necessary, then, in order to operate over this division with automatic train control, ordered on the part of the Interstate Commerce Commission, to especially equip locomotives for that service?

A. Yes, sir.

Q. What did that cost?

A. The locomotive feature of it cost $324,220, but the wayside signal cost, that was necessary in connection with the apparatus on the locomotives, $562,303, or a total of $886,523.

Commissioner Bacharach: That was the cost between Camden and Atlantic City or between Broad Street Station and Atlantic City?

Witness: Between Haddonfield and Atlantic City for signals and including a total of 132 locomotives that operated in this territory.

Commissioner Bacharach: Haven't you signals between Haddonfield and North Philadelphia and Frankford?

Witness: Not in this order, the automatic train control.

Q. Not in the automatic train control?
A. No, sir.
Q. Have you prepared an exhibit showing the estimated expenditures for additions and betterments for 1929?
A. Yes, sir.
Q. Have you a copy of it there?
A. Yes, sir.

(Witness produces statement.)

Mr. Osborne: I desire to offer this.

(Statement, West Jersey & Seashore Railroad estimated expenditures for additions and betterments, year 1929, marked Exhibit P. R. R. 4.)

Q. This shows just what I have indicated in my question, does it not?
A. Yes.

Commissioner Bacharach: Where does Woodbury come in on this paper, as to Atlantic City and Camden?

Witness: Woodbury is on the West Jersey & Seashore Railroad, Atlantic Division.

Q. Have you prepared an exhibit showing the train service now furnished between Camden and Atlantic City, via Haddonfield?
A. Yes, sir.
Q. And also via the electric line?
A. Yes.
Q. Is this it; have you a copy of it there?
A. Yes.

Mr. Osborne: I desire to offer this in evidence as showing the existing facilities via the railroad.

(Statement: Weekday passenger train service between Camden and Atlantic City, in Haddonfield, as of April 28, 1929, marked Exhibit P. R. R. 5.)

Q. Does that complete the data you are prepared to furnish, showing the expenditures?
A. Yes, sir.

Mr. Osborne: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. What do you propose to prove by Exhibit P. R. R. 3, that is the amount expended by the West Jersey & Seashore Railroad?

Mr. Osborne: Are you asking the witness?

Mr. Straw: Yes, sir.

Mr. Osborne: As to my purpose in introducing it or ——

Mr. Straw: No. I am asking what he, as a witness for the Pennsylvania Railroad, is trying to prove in relation to this case, by Exhibit P. R. R. 3.

Mr. Osborne: You just want the witness's own views?

Mr. Straw: What does the exhibit demonstrate?

Mr. Osborne: That is a matter of legal argument; it is not for the witness.

Commissioner Autenrieth: Yes; I suppose it would be. I will let the witness answer, if he knows.

Witness: It is stated on the top briefly.

Commissioner Autenrieth: What the contents of the paper is?

Witness: Yes.

Q. What point in reference to this application to do a bus business between Camden and Atlantic City does this exhibit make for your company, in your mind? What are you trying to prove as a witness?

A. I am trying to prove, personally, from the West Jersey & Seashore Railroad's point of view, we are called upon, in order to maintain the present service, to make these expenditures.

Q. What has that got to do with a bus line between Camden and Atlantic City?

Mr. Osborne: I object to what it has to do with it.

Commissioner Autenrieth: That is argumentative.

Q. What are you trying to prove with Exhibit P. R. R. 4 in reference to this application to run a bus line between Camden and Atlantic City?

A. What is Exhibit P. R. R. 4?

Commissioner Autenrieth: Here it is. (Handing witness paper.)

A. That is the estimated expenditure for additions and betterments for the year, 1929.

Q. Take your first item, Brooklawn to Woodbury, do any trains other than the Atlantic City trains run over that?

A. Yes.

Q. What other trains run over it?

A. Trains for Cape May, Wildwood, Ocean City, Bridgeton.

Q. Millville?

A. Millville.
Q. And Salem?

Commissioner Autenrieth: Have you put in the entire expense or allocated part to Atlantic City?

Witness: No. This is the West Jersey.

Commissioner Autenrieth: The entire expense?

Witness: Yes, sir.

Q. Is it possible to show how much of that is due to Atlantic City operation?
A. No.
Q. Take the Malaga crossing elimination, that same thing applies there, don't it?
A. It all comes out of the same traffic.
Q. It all comes out of the same traffic; you can't tell how much of that is due to Atlantic City operation?
A. No.
Q. It is all in here?

Mr. Osborne: On this division.

Witness: Yes; all in this division, all in the West Jersey & Seashore Railroad.

Q. Trains for Cape May, Wildwood, Salem, Bridgeton and Swedesboro?
A. No, not Malaga.
Q. What does Malaga include?
A. Malaga would include anything south of Glassboro.
Q. What specifically, what are the bigger centers that goes to?

A. Cape May, Wildwood, Ocean City, Millville, Vineland.

Q. Salem?

A. No, sir.

Q. I can't read that third one; what is the third item there?

A. Mays Landing crossing elimination.

Q. Anything in that outside of Atlantic City?

A. That is all West Jersey.

Q. Is there anything in there outside of trains going to Atlantic City, any other trains?

A. No, sir.

Q. Flashing light figures, you have two figures, $4800 and $23,000?

A. Yes, sir.

Q. Does that include everything on the West Jersey & Seashore division or only Atlantic City trains?

A. It so states, Camden and Atlantic City on the steam line $4800 and other portions of the West Jersey $23,000.

Q. Then the $4800 applies to the Atlantic City operation?

A. There would be a portion of the $23,000 that would apply to Atlantic City too, on the electric line.

Q. How much?

A. I don't know.

Q. Station and wharf improvements, how much of that to Atlantic City?

A. All. That is the $7,400.

Q. What wharf improvements do the Atlantic City trains have anything to do with?

A. Station and wharf improvements.

Mr. Osborne: Where is the wharf?

Witness: We are speaking of the wharf right up at Georgia Avenue.

Commissioner Bacharach: For excursion trains?

Witness: No; freight.

Commissioner Bacharach: You haven't expended $7400 on your stations, have you, in several years?

Witness: Well ——

Q. Strengthening bridges; how much of that for Atlantic City bridges on the steam road?
A. Just the amount stated there, $9,000, Camden and Atlantic City steam line; $10,400 on other portions of the West Jersey.
Q. And additional tracks $13,400 are only for Atlantic City trains on Pennsylvania Avenue?
A. That is right.
Q. Do all these figures include your freight as well as your passenger service?
A. Yes. That includes the expenditures for the betterment of the road-bed.
Q. You run freight trains over all this?
A. That is right.
Q. In Exhibit P. R. R. 3, all this includes freight as well as passenger service?
A. That is the first exhibit?
Q. Yes.
A. Yes, sir.

By Mr. Osborne:

Q. Have you included in this set up the amount of money you have expended and will be required to expend for grade crossing elimination?

A. Yes, sir, for 1929.

Q. Is that in this exhibit?

A. Yes; flashing light signals, in the last exhibit, under the head of other portions of the West Jersey Railroad, will be $23,000.

Q. That includes what the Highway Commission requires the railroad to expend and this Board for grade crossing elimination?

A. Yes, sir. That is what is under negotiation at the present time.

Q. That, I understand, is for the protection of the public?

A. Yes, sir.

Q. Do the buses benefit by these expenditures?

A. They do where they cross our railroads.

Q. They don't pay any part of the expenses?

A. No, sir.

Mr. Osborne: That is all.

Further cross-examination.

By Mr. Straw:

Q. Do the private automobiles benefit by this grade crossing work?

A. All the travel cross there.

Q. Do they pay any part of the expense?

A. No, sir.

Q. I notice a blue sheet in the expenses in this exhibit; that is the electric service, isn't it?

A. Yes, that is right.

Mr. Straw: I submit that has no bearing in this matter, what the electric service expense is.

Mr. Osborne: That shows the service between

Camden and Atlantic City. Of course, the Board is entitled to have it mentioned, necessarily.

Commissioner Autenrieth: That goes by way of Newfield. From terminal to terminal it is the same service.

Mr. Straw: Yes.

Commissioner Autenrieth: From terminal to terminal the service is the same from Atlantic City to Camden.

Mr. Straw: I know; the one line we are talking of is paralleling the White Horse Pike; their theory is they ought to be permitted to run buses paralleling our line. Now, they show a service going this way and it seems to me that has no materiality.

Commissioner Autenrieth: Whatever effect it may have it does present the terminal to terminal cost. It may have little or no weight. That goes to the weight of it, but it has some relevancy.

Q. I notice in the first sheet here, Mr. Henry, Exhibit P. R. R. 5, that you show the passenger service from Camden to Atlantic City via Haddonfield, from Philadelphia, Market Street wharf, in Camden, down to Berlin. In connection with the Public Service application, everything is not to be applied to the Public Service application but only to the complete application?

A. I don't know.

Mr. Straw: That is all.

Cross-examination.

By Mr. Harding.

Q. Your first item on Exhibit P. R. R. 3, indicates that you made an expenditure on account of the Interstate Commerce Commission order. Have you that order here?

A. No, sir.

Q. Do you know what the order provides for?

A. In a general way.

Q. In a general way what does it provide for?

A. It provides for having automatic train control between certain territories and in order to accomplish that it takes certain equipment.

Q. What territory did the order include, as far as your idea of train control is concerned?

A. I was not superintendent at the time the order came out, but inasmuch as the system is in effect between Haddonfield and Atlantic City I assume that is the territory the order called for.

Q. Your testimony is that this item only covers the expense between Haddonfield and Atlantic City?

A. Which item, now?

Q. What did you say?

A. Which item are you referring to?

Q. Item 1 on Exhibit P. R. R. 2?

A. Yes, sir.

Q. Or 3?

A. The $562,000.

Q. The second item, cost of equipping locomotives with control features, 132 locomotives. How many locomotives do you operate between Haddonfield and Atlantic City?

A. How many?

Q. Yes.

A. In the peak period there are 132 different locomotives operating in that territory.

Q. What is the average for ordinary business?

A. Well, I can't tell you what is the average. The average is not the compelling factor. You must have the peak number of equipment.

Q. When you put on your peak equipment you borrow from other lines, don't you?

A. No, sir.

Q. You mean to say in the summer time that you don't borrow locomotives and equipment, and other things, borrow from other divisions?

A. Only sometimes; 102 locomotives that are equipped.

Q. The 132 here are not locomotives that operate wholly and solely between Haddonfield and Atlantic City all the time, are they?

A. No, sir.

Q. The cost of laying new rail, that is main line rail or does that include sidings and cross-overs?

A. That includes main line and crossings in connection with switches.

Q. Do you know what the approximate distance of your line between Haddonfield and Atlantic City is?

A. The approximate distance?

Q. Yes.

A. Fifty-four or fifty-five miles.

Q. Was this line laid a single track line or double?

A. Double.

Q. That ought to make up the fifty-eight miles, is that right?

A. Yes; nearly so.

Q. The flashing light crossing signals, they were just as important for the trains you operate from New York as the trains you operate from Camden by way of Haddonfield?

A. For trains that operate over those crossings.

Q. A portion of the expense could be allocated, I say, to your New York operation, isn't that right?

A. All the trains that operate over the crossing.

Q. So when you offer here an exhibit to show the expense between Haddonfield and Atlantic City you don't consider the Commission should consider only the West Jersey & Seashore operation between Haddonfield and Atlantic City?

A. Yes, it is.

Q. You mean to say a portion is not charged against your New York trains?

A. It is not. It is the charge to the railroad between Haddonfield and Atlantic City.

Q. Shouldn't as much as fifty-one percent, approximately, of this cost be charged against the freight rather than the passenger service?

A. All the trains that operate over the railroad.

Q. Your freight is the big end of your service, isn't it?

A. No; I wouldn't say so.

Q. Would you say the passenger is the big end of your service?

A. It is about equally divided.

Q. So that fifty percent, according to your judgment, should be charged up against the operation of freight?

A. No; charged to the roadbed.

Q. I don't care how you charge it, the roadbed or the freight shed, fifty percent of that cost on Exhibit P. R. R. 3, should be on account of freight, should it not?

A. I shouldn't say so.

Q. What portion of it should be charged up on account of freight?

A. I wouldn't say you could make any allocation at all.

Q. You would not?

A. No.

Q. In other words, if you had no passengers would you be obliged to spend any portion of this amount of money to protect your line and provide the proper means of operation?

A. I would imagine we would be. The volume of traffic has nothing to do with it.

Q. In other words, if you had no passengers at all, you mean by that answer, if you had no passengers at all you would still spend that amount of money to run the line?

A. We might.

Q. On Exhibit P. R. R. 4, I see you estimate for 1929 you will spend approximately $34,600 on your steam line, is that correct?

A. I don't know. My statement don't have them itemized.

Q. I have it here; you can correct me if I am wrong. You have flashing light signals $4,000; station and wharf improvements $7,400 and strengthening bridges $9,000 and for additional tracks, Judge Avenue, Atlantic City, $13,400.

A. Yes, sir.

Q. As I add it up it makes $34,600 on the steam line. The steam line is the real line that parallels the White Horse Pike, isn't it?

A. That is right.

Q. How far from the White Horse Pike is your electric line?

A. It runs from 600 feet, I suppose, up to ten or twelve miles.

Q. So that the line you want really to protect is the steam line?

Mr. Osborne: I object. This witness isn't here to answer questions of that kind. He is here to

give certain facts and as to that question it isn't up to him to say.

Q. Isn't it the steam line that would enter into competition, as far as local business is concerned, with these bus lines on the White Horse Pike?

A. Will you put that question again.

Q. (Question read.)

A. I am not qualified on the traffic end of it. What I am protecting the gross, regardless of where it comes, that is if it comes out of the gross, whether it is freight or passenger.

Q. In other words, you are after money?

A. That is it.

Mr. Osborne: I object.

Commissioner Autenrieth: Strike it out.

Q. You are superintendent of the road, aren't you?

A. Operating superintendent, yes, sir.

Q. As superintendent you are familiar, supposed to be familiar with all the matters of operation, aren't you?

A. Yes, sir.

Q. Can't you answer that question, as to whether the steam line is not the line that will be or is in direct competition with the bus lines on the White Horse Pike, as far as the local business is concerned?

Mr. Osborne: I object. That is not a matter of operation; it is a matter of traffic. This witness's function is handling the operations.

Commissioner Autenrieth: I suppose it is cross-

examination; it is discretionary. I don't know whether the witness gave any direct testimony as to that.

Mr. Osborne: He said he didn't know.

Mr. Harding: They have submitted statements here to undoubtedly influence the Commission in its determination.

Commissioner Autenrieth: Isn't it obvious that the electric line and the White Horse Pike have nothing in common? They are ten or twelve miles away.

Mr. Harding: Absolutely. I would like to get that in the record.

Mr. Osborne: We will admit it; the electric line and the White Horse Pike are not competitive.

Mr. Harding: If the Commission takes note of that I will not press the question.

Commissioner Autenrieth: I sustain the objection.

Mr. Harding: That is all.

By Mr. Osborne:

Q. Would all these expenditures be necessary if you didn't operate freight?

A. Yes.

Q. For the operation of the passenger service to Atlantic City?

A. Yes, sir.

Q. And all these engines which counsel referred to are all necessary because otherwise you would have to stop every train and change engines, wouldn't you?

A. That is right.

Q. In order to run through passenger trains and give the through service you are now giving to Atlantic City it is necessary to have all the engines equipped, whether they go beyond the train control or not?

A. Yes; this number of engines, yes.

Mr. Osborne: That is all.

A. E. Buchanan, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. What is your position with the Pennsylvania Railroad?

A. I am general passenger agent of the Pennsylvania, the West Jersey & Seashore Railroad and the Pennsylvania General Transit Company.

Q. What are your duties?

A. My duties are the care and development of the passenger traffic.

Q. Are you familiar with the general traffic situation on the lines between Camden and Atlantic City?

A. Yes, sir.

Q. And of the effort of the railroad company

to synchronize the operation of the bus and rail service?

A. Yes.

Q. And the various facilities ?

A. Yes.

Q. Have you prepared any exhibits for introduction here?

A. I have.

Q. Have you prepared an exhibit showing the excursion tickets, sale of excursion tickets between Philadelphia, Camden and the South Jersey resorts?

A. Yes, sir. May I explain what led up to this?

Q. There was so much noise I didn't hear you.

A. May I explain what these exhibits are?

Q. I am leading you up to that. I say, have you prepared such exhibits?

A. Yes, sir.

Q. Have you them there?

A. I have.

(Witness produces papers.)

Mr. Osborne: As soon as I distribute them; I don't want you to explain them before they are in the hands of the Commission. The combined batch of papers fastened together will be Exhibit P. R. R. 6.

(Statement of ticket sales between Philadelphia, Camden and South Jersey coast resorts, July, August and September, 1927-1926 etc., marked Exhibit P. R. R. 6.)

Q. Will you explain this exhibit, consisting of six sheets of paper, three flimsies and three photostat sheets; explain them, if you please, and as briefly as you can.

A. The motor coaches started in New Jersey some five or six years ago, first using the ferries, and the operation was more or less spasmodic and unreliable. In the past three years, however, that situation has been entirely changed. The Philadelphia-Camden bridge was completed and put in operation in July, 1926, and has been revolutionary in its effect on the passenger business of the West Jersey & Seashore Railroad. The number of passenger buses has increased enormously and the revenues from passenger revenue of the West Jersey & Seashore Railroad have also enormously decreased. In order to see if we, as a railroad, could recoup some of that lost travel, the two rail carriers between Philadelphia, Camden and Atlantic City and the South Jersey resorts made an experiment with rather drastic reductions in our passenger fares; the basic excursion fare, the only one we had for a number of years between Philadelphia and Camden and Atlantic City was $3.60 via the steam line from the wharf and $3.24 by the electric. This ticket was continued on sale and during the months of July, August and September, 1927 we placed on sale a new two-day excursion ticket, which was continued during the above period at the rate of $2.50 via the steam line for the round trip and from Market Street to Atlantic City, $2.25 via the electric, the round trip fare by bus at that time being $2.00. Correspondingly reduced two day excursion fares were also placed on sale from Broad Street station and Camden to all South Jersey resorts and the tickets were sold at both ends of the line. As a result of this experiment an immediate diversion of higher rate tickets to the two day tickets was caused. That is to say prior to placing the two day ticket on sale the next fare which a passenger would most economically use from Market Street

wharf to Atlantic City, via the steam line, was the seventeen day ticket with a fare of $3.00. An immediate and very heavy diversion took place from the seventeen day ticket, at $3.60 to the two day ticket at $2.50. This meant a loss of a dollar and ten cents on every passenger who otherwise would have used the seventeen day ticket. Diversions of this kind from a higher fare to a lower fare ticket are what makes it so hard to increase the gross revenue by a material reduction in fares. The reduction applies not only to the new business but to a very large portion of the old business at higher fares, and this loss must be absorbed before any additional revenue can be derived from new travel attracted by the new low fares.

Q. Will you give me the result on the Philadelphia-Atlantic City business, between Philadelphia and Atlantic City?

A. Yes, sir. The result of this particular experiment between Philadelphia and Atlantic City, there was a decrease.

Q. That is shown on this exhibit?

A. Yes, as shown on the exhibit.

Q. Whereabouts?

A. A decrease of 6931 passengers or 15.4 percent and a decrease in revenue of $237,736 or 27.4 percent.

Q. Have you prepared an exhibit showing the excursion rates, reduction in excusion rates, or is that with these?

A. Yes; we prepared an exhibit.

Q. That is page No. 4 of this Exhibit 6?

A. Exhibit 6 B it would be.

Commissioner Autenrieth: Excursion rates.

Q. The second of these black sheets?

A. What happened in 1928.

Q. What does it show?

A. In 1928 we went considerably further than we went in 1927, to see if we could help the West Jersey & Seashore revenues by offering further inducements. These inducements consisted of the following: From January 22nd to December 6th, 1928, in addition to the seventeen day ticket regularly on sale at $3.60 from Market Street wharf and Camden, via the steam line, to Atlantic City, we placed in effect a two day excursion ticket at $2.25 and a ten day excursion ticket at $3.00.

Q. Did that help the situation?

A. No, sir. We went further in the hole than we did in 1927. We increased the number of passengers 149,335 or 19.6 percent, but the increase in passengers was not enough to produce the revenue of the preceding year, which was very bad, and as a result of the further reductions we lost, on all classes of tickets affected, a further sum of $83,131 or 5. 9 percent.

Q. Did you make any further effort to stem that loss?

A. Yes, sir. During the period from February to October, 1928 we placed on sale with all stations within the Philadelphia-Camden suburban zone on the West Jersey & Seashore Railroad, in a radius of about forty miles, a one-day excursion ticket, the basis for which was one fare and one-tenth for the round trip. This was equivalent to a reduction of 45 percent in double the one-way fares previously on sale.

Q. What was the result of that. How did that affect the situation?

A. We came out with a decrease of 634,435 passengers or 21.3 percent and a decrease in revenue of $234,571 or 27.3 percent.

Q. One of these exhibits covered that?
A. Yes. The exhibit marked 6 on my sheet.

Commissioner Autenrieth: The last sheet?

Witness: The last sheet.

Q. What did you do, if anything, this year to meet the situation?
A. This year, in addition to the standard seventeen day ticket we are now selling a four-day ticket between Philadelphia, Camden and Atlantic City, which is very attractive to week-end travel, and for purposes of comparison, the seventeen day excursion fare from Market Street wharf via the steam line to Atlantic City is $3.60 and for the four day ticket $3.00.
Q. What conclusion have you reached as the result of these various experiments?
A. First, that the experiments have resulted in a further loss to the West Jersey & Seashore Railroad and that drastic reductions in passenger fares divert so much traffic from the higher rate tickets that such additional business as may be recaptured from the bus line is insufficient to make up the losses, let alone show a profit.
Q. Has the West Jersey & Seashore Railroad suffered losses in its passenger traffic in addition to those you have just referred to?
A. Yes, it has.
Q. Have you prepared an exhibit showing that, an income statement?
A. Yes; marked Exhibit 6, income statement.

(Witness produces statement.)

Mr. Osborne: I offer that.

(Income statement marked Exhibit P. R. R. 7.)

Q. What does this show?

A. This is an income statement of the passenger, freight, mail and express revenue of the West Jersey & Seashore Railroad, eight years, from 1921 to 1928, inclusive.

Q. Have you prepared there for visulation, a graph showing that situation?

A. Yes; a blue-print graph showing the passenger revenue, the trend of passenger revenue from 1921 to 1928.

Mr. Osborne: I offer that.

(Graph showing trend of passenger revenue marked Exhibit P. R. R. 8.)

Q. This shows the trend of the passenger revenue. you say, beginning where?

A. Beginning in 1921.

Q. With the red line?

A. The red line.

What figure, approximately?

A. A little over eight million dollars gross.

Q. And how many years shown on the graph?

A. Eight years.

Q. What was the decrease?

A. In the eight years, the passenger revenue, gross passenger revenue, has gone down from eight million dollars to five million dollars.

Q. A decrease of ——

A. Three million dollars.

Q. That is represented by the red line shown on this graph, is that right?

A. That is right.

Q. Have you those decreases in percentages handy?

A. No, sir, I haven't. I have them briefly summarized but not each year.

Q. I mean, summarized.

A. With normal fluctuations, the years, 1921, 1922, 1923, 1924, 1925 were holding up very well. But in 1926, after the bridge was opened and since the situation has grown progressively worse.

Q. Referring to the graph, does that sudden drop between 1925 and 1926 indicate the time when the bridge was opened?

A. Yes; the bridge was opened the last half of 1926.

Q. Then the fall was very great?

A. You can see how much more abrupt it has been since then.

(Recess from one to two o'clock.)

AFTER RECESS.

A. E. Buchanan, resumes the stand.

Further direct examination.

By Mr. Osborne:

Q. Mr. Buchanan, I think just before the adjournment I was asking you as to the revenues, the passenger receipts of the West Jersey & Seashore Railroad for the period from 1921 to 1928, eight years; had you done that?

A. I don't recall just where we left off. I will re-

view them. Briefly, with the normal fluctuation, the years, 1921, 1922, 1923, 1924 and 1925 were holding up very well, but in 1926, after the bridge was opened in July the situation has grown progressively worse. The three years, 1926, 1927 and 1928 show a decrease over 1925, the year before the bridge was completed, of $2,714,106 or 34.8 percent.

Q. What has happened to the freight traffic on the West Jersey & Seashort Railroad between 1921 and 1928, that period?

A. It has stood up fairly well and is considerably ahead in 1928 of the freight revenues in 1921.

Q. Have you an exhibit showing the taxes which the railroad is called upon to pay during that period.

A. Yes, sir. I have an exhibit showing the accrued taxes of the West Jersey & Seashore Railroad from the year, 1921 to 1928 inclusive.

Mr. Osborne: I will offer that in evidence.

(Taxes, 1921 to 1928 marked Exhibit P. 9.)

Q. These taxes constitute a part of the operating expenses, do they not?

A. Yes.

Q. What do these taxes amount to, total?

A. The year, 1928 they amounted to $1,070,863.40.

Q. Have you other taxes to pay besides these or does that include everything?

A. It includes everything, the local, and Federal income tax.

Q. In your opinion is the situation, as far as the passenger traffic on the West Jersey & Seashore Railroad, on this division, in a serious situation? Is it serious to the railroad, those conditions you have indicated?

A. I think the condition is very serious.

Q. In what respect?

A. The West Jersey & Seashore Railroad is a heavy tax payer to the State of New Jersey and furnishes employment to a large number of the citizens of this State. It has served South Jersey well for a great many years and it is surely entitled to all the support the citizens and the State can give it, in order to keep it a solvent carrier and to earn sufficient money to enable it to meet the requirements of the increasing population of South Jersey and to foster the South Jersey seashore resorts.

Q. Would the granting of these local consents or the approval of the local consents to the Public Service, the applicant here, be a serious matter to the railroad?

Mr. Harding: I object to the question.

(Question read.)

Mr. Harding: That is a matter for the Commission to decide after hearing the evidence.

Commissioner Autenrieth: I suppose it is a conclusion for him to express it in that way. He can state what the effect would be in fact.

A. I believe that the granting of these franchises along the White Horse Pike to do an intrastate business, to a number of different carriers, would be an economic waste and that the result would be a loss to each instead of a gain.

Q. That is, a further loss?

A. Yes, sir.

Commissioner Bacharach: You say a further loss; how does the witness account for the anticipated or estimated return in 1928, as the Federal income tax of $250,000 as against the year previous of $70,876?

Witness: It is explained here in a way.

Commissioner Bacharach: That doesn't explain it unless your net income is greater in 1928 than in 1927.

Q. Do you see what the Commissioner's question refers to?
A. Yes.
Q. Will you explain those facts.
A. Back taxes.
Q. You say in 1921 it was $5,000 and something?

Commissioner Bacharach: Judge, we didn't start to pay income taxes then as we are paying them now. Let us take it from 1923 on, or 1922; that jumped $167,000 that year. 1921 isn't fair.

Q. How do you account for the drop in 1927 to $70,000 when they were $217,000 in 1926, to $70,000 in 1927?

Commissioner Autenrieth: $165,000 for 1928.

Witness: There is $32,000 of under-accrual in 1928.

Mr. Maxwell. Our chief accountant is going on the stand later.

Commissioner Bacharach: That isn't a question

of accounting. Judge Osborne asked him, if these bus privileges were granted to the Public Service and the independents, wouldn't there be a still further reduction in your income. So I am asking how do you account for the fact you will pay a Federal income tax of $165,000 against the previous year, even accounting for this accrual of approximately $102,000?

Mr. Maxwell: It is due mostly to operating economies, not to enlarged revenues.

Q. Are you familiar with the operation of the Peoples Rapid Transit Company, a Pennsylvania railroad subsidiary, now running a passenger line of motor coaches between Philadelphia and Atlantic and the principal intermediate points?

A. Yes, sir.

Q. For interstate travel between Pennsylvania and New Jersey?

A. Yes, sir.

Q. How long has this line been in operation?

A. Since August 29, 1925. It was first, I believe, the first bus line to establish regular scheduled service between Atlantic City and Philadelphia and has continued such service without interruption.

Mr. Straw: What was that question and answer?

(Question and answer read.)

Mr. Straw: Whatever the date is, August 29, 1925, is all right; we have been very lenient; I haven't objected unless it was serious. This ought to be asked directly and answered directly.

Commissioner Autenrieth: I think that is a responsive answer.

Mr. Straw: All right.

Q. What advantage is there in this plan to have the interstate operation by the P. G. T. Co., making these local stops?

A. It is our intention at the start to take three of the round trips now being made on express time between Philadelphia and Atlantic City and place them in local service along the White Horse Pike from Camden to Atlantic City and add one additional local bus each way, making four round trips each way per day locally and making several of the more important stops on the rest of the trip. What advantage has this plan?

Q. Yes.

A. It will afford a new service not now available to travel between Camden and Atlantic City and intermediate points.

Q. Has it any operating advantages?

A. Yes; it will simply require an adjustment of the Peoples Rapid Transit buses now operating bebetween Philadelphia and Atlantic City and by so doing it will eliminate considerable economic waste, such as would be incurred by permitting a new motor coach company to enter this field and become an active competitor for the dwindling local intrastate business which the railroad still carries.

Q. What arrangement has been made for the use of rail tickets or bus tickets for the opposite passengers on the other service?

A. The optional use of rail tickets on the buses is under consideration and we would like to do it. There are, however, some legal technicalities to be

straightened out before we can positively answer this question in the affirmative.

Q. Will arrangements be made to purchase tickets or seats on the bus through your local railroad ticket offices?

A. I listened with interest to Mr. Smith's testimony on that point this morning ——

Mr. Straw: Can't you answer that yes or no?

Witness: Give me the question again.

Q. (Question read.)

A. Only in part.

Q. What advantage will there be to the public under such an arrangement; to what extent will such an arrangement be feasible?

A. We now, on our through buses between Philadelphia and Atlantic City, Washington and New York, reserve seats just in the same manner exactly as we do Pullman chair seats. That is being done every day at the present time. But with local buses making a number of stops, with fairly heavy travel today and the short distance between stops it would be almost an impossible matter to make reservations for everybody. I think the best we can do is to make definite reservations for the through travel and reserve for the intermediate points a certain number of seats based upon the experience as to the requirements from day to day.

Q. That is, is it your purpose to have both through local buses and through buses operating on a local schedule and a through schedule?

A. Well, for both, yes.

Q. Then, of the local business ——

A. We won't reserve seats on the through buses,

express buses, for intermediate travel, but reserve on the local intrastate buses for local travel. We have taken the situation from Camden to Atlantic City, for example, using so many seats for that purpose and we will hold the others for the way travel.

Q. Are there any other advantages you have in mind which will accrue to the public by reason of the granting of this application of the Pennsylvania General Transit Company?

A. Yes, sir. I think the odds are in favor of the rail carriers operating bus lines in that in a great many instances the rail terminal and the bus terminal is at a common point and many of the way stops are used by the buses as well as by the railroad trains. It is therefore, a matter of convenience to the public, who is connecting for a rail journey or taking a bus after he leaves the train, to have that convenience.

Q. Have you made any investigations in other parts of the country in connection with the combination operations of rail service and bus service?

A. Yes, sir.

Q. With what result?

Mr. Straw: That is objected to.

Commissioner Autenrieth: I suppose it calls for an opinion from experience.

Mr. Straw: In some of the other cases we have had, Greenwood and Pittsburg and all the rest; we can't seem to confine this investigation to New Jersey and what happens here.

Commissioner Autenrieth: We are not going into

facts somewhere else, but what happened in some other place.

Mr. Straw: I say that is not material what happened.

Commissioner Autenrieth: I didn't know that expert testimony had a geographical location.

Mr. Straw: I didn't know he was an expert.

Commissioner Autenrieth: I will admit it.

Witness: Answer the question?

Commissioner Autenrieth: Yes.

Witness: Yes, sir. In my experience I have made considerable studies all over the country; for instance, in New England where the buses have been in successful operation for a number of years.

Q. By the railroads?
A. By the railroads, and in California, that the public takes more kindly to the buses operated by rail carriers than they do to those operated by private carriers.

Mr. Straw: I certainly object to that.

Witness: I thought you would.

Mr. Straw: How is this gentleman to say whether the California public takes more kindly to the railroad bus operations than operated by private carriers, or in New England?

Commissioner Autenrieth: I don't think that is important.

Mr. Straw: Just so we get over to the Commission it isn't important.

Mr. Osborne: I will withdraw the question.

Q. I will ask him whether he observed that view of the public as to the operation of the P. R. T. between here and Camden and Philadelphia; that is closer home?

A. I would say decidedly, yes.

Q. What?

A. That the railroad operation of the buses is very popular and is increasing in popularity.

Commissioner Autenrieth: What do you mean by popular? Popular with the railroads?

Witness: Popular with the public. In the few months we took these buses, that is, we combined the Mitten buses, starting in on the thirteenth of February, we used our station here and at Broad Street and we advertised it liberally, we used the same facilities for the bus passengers as we used for our trains; we did everything possible to acquaint the public with the bus service; we sold the tickets at our ticket offices and left it entirely to the passenger's free will as to whether they would use the buses or the trains; they weren't urged either way. The result has been a rapid increase in the traffic so that it had, at the end of two months it had doubled itself and it is now about 150 percent higher than it was when we started in on February thirteenth. When I say higher, I mean

higher than the same period last year on the purely Mitten management.

Q. What is the relationship between the West Jersey & Seashore Railroad and the Pennsylvania Railroad? Does the Pennsylvania Railroad control or own any part of the West Jersey & Seashore Railroad stock?

A. The West Jersey & Seashore Railroad is a separate corporation and has to depend upon its own resources. The Pennsylvania Railroad owns a small majority of the capital stock of the West Jersey & Seashore Railroad, forty-two per cent of the stock of the West Jersey is owned by private parties, many of them citizens of Southern New Jersey.

Mr. Osborne: Take the witness.

Cross-examination.

By Mr. Straw:

Q. What did you mean by owning a small proportion of the capital stock. What proportion does it own?

A. Fifty-eight percent, a majority of eight percent of the stock.

Q. What?

A. Eight percent over fifty percent, fifty-eight percent.

Q. It owns fifty-eight percent?

A. Yes.

Q. Is that a small proportion?

A. A small majority.

Q. A small majority?

A, That is what I said.

Q. There is no question but what the Pennsylvania Railroad owns and operates the West Jersey & Seashore Railroad, is there?

A. No.

Mr. Osborne: It owns fifty-eight percent.

Q. And controls it body and soul, boots and britches?

A. Yes.

(Question objected to.)

(Question withdrawn.)

Q. Looking at Exhibit P. R. R. 7, net income, balance transferred to credit or profit and loss; I notice that 1928 operations show a balance transferred to profit and loss of $291,025 as against a deficit in 1927 of $124,367?

A. Yes.

Q. Has that got anything to do with the fact that the estimated 1928 Federal income tax is a great deal greater than 1927?

A. I should say not.

Q. Why not?

A. Well, if that had a great deal to do with it, in my opinion, there wouldn't be that much money transferred to profit and loss.

Q. In 1927 you lost $124,365?

A. Had a deficit, yes, sir.

Q. Is it true in 1928 you made $291,025?

A. Yes, sir.

Commissioner Autenrieth: That was after, and 1924 was before the bridge was opened?

Mr. Straw: Yes, sir.

Commissioner Autenrieth: The bridge wasn't opened until 1926?

Witness: July, 1926.

Commissioner Autenrieth: There was a greater amount transferred as profit, then, the year, 1924, when the bridge was not open, is that correct?

Mr. Osborne: We will call the chief accountant.

Mr. Straw: I am interested in this witness.

Commissioner Autenrieth: You offered this statement so he may cross-examine on it.

Q. That is true, isn't it?

A. Yes, that is correct.

Q. This morning Mr. Smith testified, as I recall it, specifically, there would be a reservation for every passenger who took these buses. Now, I understand that isn't correct. What is the real situation? I don't understand it I am frank to tell you.

A. I thought I made it pretty plain, but I will do it again.

Q. I would appreciate it if you will.

A. On our through express buses from Philadelphia or between Philadelphia and Atlantic City we sell seats from diagrams, just the same as we do from a pullman diagram. On this local service we are now asking for, it is our purpose to sell except perhaps a few seats, but the likelihood is, people won't use these local buses for through service to any extent, but what I think Mr. Smith had in mind

Q. I am not asking you what Mr. Smith had in mind. I am asking you what you are going to do.

A. All right.

Q. Mr. Smith says there is going to be a seat sold for every passenger; you say there isn't ——

Mr. Osborne: I object. Mr. Smith didn't say there would be a seat sold for every passenger.

Commissioner Autenrieth: Mr. Smith qualified that; a seat sold for every passenger, but he would hold some for local passengers who probably would not care to use it just that way. That is my recollection.

Mr. Straw: I asked whether on a ride from Atco to Berlin a seat for a passenger would be sold as in a pullman?

Commissioner Autenrieth: He said yes, but modified it.

Q. What is your understanding?

A. I say no to that last question of yours. We can't do it; it is impossible.

Q. What are you going to do?

A. We are going to reserve in these local buses sufficient space at all times, unless in case of a sudden rush, to give everybody a seat who wants one between local points at which the bus stops on the way to Atlantic City, and that is all.

Q. How many seats do you suppose you are going to reserve between Berlin and Atco?

A. We start out an empty bus and learn our lesson when we find out how many need it every day,or a good average day, provide that many.

Q. How long is it going to take you to learn your lesson, do you suppose; how many months are you going to fool around?

A. It won't take months. We usually fix these things up in a very short period.

Q. It took you three years to wake up to the fact buses were needed; I am trying to find out how long it will take you to find out how many seats are needed in the bus.

A. We are wide awake now. If it takes three years to wake up it will take about three days to decide this question after we get in operation.

Q. You say you feel you should provide it where the rail service is now in, a local service by bus down the White Horse Pike. In your judgment is the present Public Service operation operating locally between Berlin and Atlantic City serving the public convenience and necessity?

A. Berlin and Atlantic City?

Q. Berlin and Egg Harbor, Egg Harbor and Atlantic City?

A. Well, I have no complaint to make about the service ——

Mr. Osborne: Will you read that question?

(Question read.)

Mr. Straw: Question withdrawn.

Q. In your judgment does the Public Service present local service between Berlin and Hammonton and Egg Harbor and Atlantic City, serve the public convenience and necessity?

A. I should say no.

Q. Why?

A. Because satisfactory and accessible service isn't a service that requires a change at Hammonton.

Q. Does public necessity and convenience require a local service between Berlin and Hammonton, Hammonton and Egg Harbor, Egg Harbor and Atlantic City?

Mr. Osborne: May I object to this question? I don't think this is cross-examination or properly within the province of the qualifications of this witness.

Mr. Straw: This is an expert.

Mr. Osborne: An expert on some things; not on everything.

Commissioner Autenrieth: He purports to speak with some authority as to his experience in the bus business. Just how satisfactory his answer will be, I don't know.

(Question read.)

Mr. Osborne: I renew my objection.

Commissioner Autenrieth: I will permit him to answer.

Witness: Shall I answer the question?

Commissioner Autenrieth: Yes.

Mr. Osborne: Have you answered the question?

Witness: Yes, sir. My answer is the Commis-

sion, I think the Commission decided it pretty fully a year ago.

Commissioner Autenrieth: You mean there is no necessity for a local service?

Witness: I mean the Public Service asked for this very privilege, in asking it they must have been satisfied that their previous service is not satisfactory, nevertheless the Commission refused the application.

Mr. Straw: I insist upon an answer.

(Question read.)

Commissioner Autenrieth: Can you answer that question?

A. I wouldn't want to answer it conscientiously, knowing it was the correct answer.

Commissioner Autenrieth: Then you don't know?

Witness: I don't know.

Q. You don't know?
A. I don't know.
Q. You don't know whether public necessity and convenience requires a local service between Berlin and Atlantic City by anybody, is that right?
A. Well, I wouldn't say that.
Q. What would you say?
A. I would say I don't know, again.

Commissioner Autenrieth: When you say you don't know, you mean you are not qualified?

Witness: Not familiar enough with local conditions.

Commissioner Autenrieth: Your experience isn't sufficient as an expert on the subject?

Witness: That is right.

Q. Your company has lost a great deal of money because of bus operations between Camden and Atlantic City, hasn't it?

A. Yes, sir.

Q. You are proposing to operate a service which you say has now been operated since February thirteenth, which has grown by leaps and bounds and is a tremendously popular bus service between those points?

A. Yes, sir.

Q. How do you expect to protect your railroad investments and recoup your loses if your company is entering the bus field over the same territory at lower rates?

A. We are satisfied that the public wants bus service and we feel that by going into the bus business parallel to our lines, that we will, first, be able to operate at less expense by bus than by trains and, second, that we can keep out a lot of bus competition by furnishing a satisfactory and liberal bus service of our own.

Q. Your rate of fare from Camden to Atlantic City is now what?

A. $2.06 one way and $3.00 a round trip, for a four day ticket.

Q. Your proposal to operate a bus service between Camden and Atlantic City comprehends what fares?

A. A one way fare of $1.20 and a round trip fare of—a one way fare of $1.50 and a round trip fare fare of $2.50.

Q. In your judgment the Mitten service now being operated by and with your company is attracting a great many patrons, is it not?

A. Yes, sir.

Q. You propose to make it more attractive, do you not?

A. Yes, sir.

Q. Are you going to take passengers from your rail service that way?

A. We probably do.

Q. Is that going to increase your net revenues?

A. If we get enough travel it will.

Q. How much travel will you need, how many buses will you need to bring your revenues up to the place you started to lose?

A. We never hope to do that again.

(Question and answer read.)

Q. What do you hope to do?

A. We hope to do the best we can and recoup some of our losses.

Q. With Mitten management running your line?

A. With the present management.

Q. You said that the public likes your rail operation of the buses, that it is particularly pleasing and attractive to the public?

A. Yes.

Q. Since February thirteenth that has been proven by the way the folks have taken to these Mitten buses?

A. Yes, sir.

Commissioner Autenrieth: Did the railroad lose traffic proportionately in that time?

Witness: No, sir.

Commissioner Autenrieth: This is all new business not carried on the railroad?

Witness: We can't say how much came from the railroad by the passenger exercising his option.

Commissioner Autenrieth: When you bring the two facilities into the same terminal does the railroad lose to the individual? You say no, it doesn't?

Witness: I couldn't say.

Q. You know how many tickets you sell for Mitten management buses at Broad Street, don't you?
A. Yes, sir.
Q. Have you got a record of that?
A. Yes.
Q. May we have it?
A. I haven't it with me.
Q. Can you furnish it tomorrow?
A. Yes.
Q. You know how many tickets you sell for Mitten buses from Atlantic City west?
A. Yes.
Q. Will you furnish that tomorrow?
A. I see no reason why we can't; yes.
Q. You know how many bus tickets are sold each way at any station between those two points, if there are any stations between those two points where you sell tickets for Philadelphia?
A. I think we can obtain that for you.

Q. Thank you. Has the fact that since that time that the other lines operating, or some of the other lines operating between Philadelphia and Atlantic City have raised their fares, had anything to do with the, and equalizing of fares of your company, had anything to do with the increase of business on the buses operated by Mitten Management?

A. I don't quite understand that question.

Mr. Straw: I withdraw the question.

Q. As a matter of fact there was a time when the fares on some of these other lines between Atlantic City and Camden and Philadelphia were less than the Mitten fares; was that not so?

A. Yes, that is so.

Q. And the fares were raised, were they not?

Mr. Osborne: Which line?

Q. On the other lines; so that everybody operated at the same price?

A. That is right.

Q. Is that right?

A. Yes.

Q. Did the business increase on the Mitten operation after the raising of the fares proportionately or greatly?

A. Yes.

Q. So that it was, possibly, a choice of equipment, is that so?

A. Well, possibly, and possibly the coordinated feature of the terminal and so on.

Q. Just how many people that get on a Mitten bus, in your judgment, get on it because they think that the Pennsylvania Railroad has an interest in it?

A. I don't think they are particularly solicitous about the Pennsylvania Railroad interests, but we handle in and out of the Broad Street station every day something like 30,000 people. We are advertising this service in every station on the Pennsylvania system, including all suburban stations, at all suburban stations our agents have time-tables and tariffs and tickets just the same as they do railroad tickets, and undoubtedly a good deal of that travel from suburban points, outlying points, and takes advantage of that service because it can get in right at the door of the station.

Q. As you and I go up and down with our every day work, do you ever hear of anybody referring to the line between Philadelphia and Atlantic City as the Pennsylvania line or do they call it the Mitten buses?

A. No, I can't say I have.

Q. As a matter of fact, these other lines operated by the Reading people are known as the Reading buses, wherever you go?

A. Yes.

Q. Is it not the general impression these are Mitten buses?

A. I suppose it is because they have been operating since 1925, but we are doing all we can in the way of boosters and advertising to tell them the truth, and it is the Pennsylvania interests.

Q. As a real matter of fact, this rail operation of the buses hasn't yet percolated the public mind, has it?

Mr. Osborne: I object.

Commissioner Autenrieth: He has said the public liked to have these buses operated by the railroad.

I think he may have some idea. Do you know anything about it?

Witness: No, sir; I can't give you the public's verdict.

Q. You do know this; as we go up and down the street we see certain buses and we simply say that is a Reading bus?
A. Yes.
Q. They will walk here in front of your railroad station and walk up to your ticket agent and say, "Give me a ticket on the Mitten bus."

Mr. Osborne: Is this and this and this an imaginary situation?

Commissioner Autenrieth: Do you know whether that is the fact or not?

Witness: Well, I know it is a fact that the buses at the door of the Broad Street station ——

Commissioner Autenrieth: Strike it out. Do you know whether a person wanting to buy a ticket on a bus at your station, asks for a ticket on a Mitten bus, or asks for a ticket on a railroad bus?

Witness: He asks for a ticket on a bus. I don't know he ever identifies them.

Q. As a matter of fact on the Boulevard you advertise your service as Mitten Tours, don't you?
A. Yes.

Mr. Straw: That is all.

New Jersey State Library

Cross-examination.

By Mr. Harding:

Q. Turn to Exhibit Number 7, take your gross revenues for 1927 and your gross revenues for 1928.

A. Yes.

Q. You suffered a loss in 1928 of gross revenue of about $1,200,000, did you not?

A. Yes.

Q. Take your expenses; in the year, 1927 your expenses were $9,847,874?

A. Yes, sir.

Q. And in 1928 they were $8,084,156?

A. Yes, sir.

Q. You cut your expenses about $1,800,000?

A. Yes.

Q. And then, you increased your net income approximately $400,000, did you not?

A. Yes.

Q. If you go into this bus operation are you going to save on your net income or are you not going to increase the expenses to such an extent you will eat up your savings on your net income?

A. Well, I will have to explain that this saving in operating expenses is what is saving the day for the West Jersey & Seashore Railroad and putting that money into profit and loss.

Q. Aren't you treading on dangerous grounds when you experiment in the bus business; will that not, in other words, decrease your revenues rather than increase them?

A. No, because that part is self-supporting and the West Jersey & Seashore Railroad, if it has to pay anything, will pay a very small proportion of it.

Q. Have you made a checkup from time to time on the buses operating not only on your own line but other lines between Atlantic City and Philadelphia?

A. Yes; we have watched them several times in years past, checked them up.

Q. How many buses are you operating from Philadelphia to Atlantic City?

A. I don't know exactly.

Q. Do you know approximately?

A. No, I couldn't tell you. I couldn't give you an approximate guess on it.

Commissioner Autenrieth: Am I correct that on this Exhibit 7, from 1922 onward and to 1926, the West Jersey & Seashore Railroad increased their dividends from two per cent up to five and a half per cent?

Witness: Yes, sir.

Commissioner Autenrieth: In 1927 and 1928 the dividends continued at five per cent?

Witness: Yes.

Commissioner Autenrieth: As against a prevailing rate of about four or four and a half per cent in 1923 and 1924?

Witness: That is right.

Commissioner Autenrieth: And two per cent in 1922?

Witness: Yes.

Commissioner Autenrieth: It is a common stock dividend, is it?

Witness: Yes, sir.

Q. If I told you that you operated daily on an average of seven to eight buses and I told you the Quaker City Line operated the same number of buses, could you tell me why your income is greater than that of the Quaker City Line?

A. No. I don't know.

Q. You don't know. Then you haven't made any check of these buses?

A. The only check of the buses that I made and with which I am familiar is not for their earnings but rather to see the number of passengers using the buses. We have, similarly, the private cars on a number of occasions in order to try and arrive at some idea of the diversion of the rail passengers to buses and private automobiles.

Q. I understood you in your testimony that you indicated that the operation of the buses by the railroad was more popular than the other operation?

A. Well, I gave it as my own personal analysis, in the result of our operations since we took hold of the Mitten lines; I can go further than that.

By Commissioner Autenrieth:

Q. Did the Mitten line have its terminal at the Pennsylvania station before you took it over?

A. No, sir.

Q. How near was it?

A. Broad and Locust, they had an office across the street there, right above the bank building at Broad and Market.

Q. Where was their terminal for picking up passengers?

A. Broad and Locust.

Q. The nearest point to your station, was that?

A. The nearest point to our station was the station point across from the station.

Q. Now they come into the station?

A. Right where the taxicabs go, land up there.

Q. Right at the place the taxicabs go, the loading platform?

A. Right alongside of it, but at that part of Broad Street, with the passengers under shelter.

Commissioner Autenrieth: Since that time you say the traffic has increased?

Witness: Yes, sir.

Q. As a matter of fact, there was an increase made in the bus fares I think in the last two or three weeks, was there not, by the railroad company and one or two of these other companies?

A. I don't remember the period. It was about a month or six weeks ago, when the excursion fare was advanced from $2.00 to $2.50.

Q. Isn't it a matter of common knowledge among the bus operators along that line that the Quaker City Company was doing pretty near as much business as all the other companies combined?

A. I don't know.

Q. You wouldn't say it isn't true?

A. I don't know.

Commissioner Autenrieth: If he don't know how can he say one thing or the other?

Q. You indicated that your business had picked

up from the time you started your operation in February 13, 1929, to date, about 150 per cent?

A. Yes, sir, I think that is correct.

Q. Did you mean in the number of passengers carried or in the amount of revenue?

A. Passengers.

Q. When did you notice the greatest increase?

A. Well, I haven't those figures with me. I wouldn't like to give any dates.

Q. As a matter of fact, in February there is comparatively little business between Philadelphia and Atlantic City by bus, is there?

A. That is right.

Q. And the same thing is true in March?

A. Yes, but we are comparing with this same period last year.

Q. So if there is any real increase in the business at all it would occur in May and June?

A. Well, there would be a natural seasonal increase, but I wasn't talking about that; I was talking about the same period last year.

Q. You weren't in the bus business last year?

A. The Mitten people were in that business, and the year before, too.

Q. You are relying on the Mitten fares?

A. Yes.

Commissioner Autenrieth: Was there the same service last year, the same trips and the same service?

Witness: Yes; we are running extra buses now.

Commissioner Autenrieth: In the comparable periods, and the same headways?

Witness: Yes, sir.

Commissioner Autenrieth: And Mitten was competing with you last year?

Witness: He wasn't competing with us any more than we were competing with ourselves with the buses today.

Q. I understood in your testimony to say that you believed this application that you are making should be granted by the Commission because the certificate should be awarded to those who are most capable of handling this bus transportation problem. Just what did you mean by those capable?

A. I didn't make any such statement.

Q. What statement did you make if you didn't make that statement?

A. I entered a plea that the rail carrier or carriers should be given preference to protect the line of their road by bus operation, over a private carrier, and if the rail carrier doesn't choose to exercise that privilege and is content to go on and suffer losses from the incursion of the buses, then let somebody else do it, a private carrier. But my thought is that the rail carrier with its heavy investment and heavy obligations should have the preference in providing a substitute service along the line of its right of way.

Commissioner Autenrieth: How long has the bus service been in from Berlin to Camden, for local transportation, do you know?

Witness: I don't know, sir.

Commissioner Autenrieth: Do you know whether the railroad opposed the approval of the certificate for that service?

Witness: I couldn't answer that.

Q. The railroads made no opposition to the operation in Camden to Berlin, did they?

A. I don't know, sir.

Q. Mr. Buchanan, your theory is, then, that the application to operate these bus lines over the White Horse Pike should be given to the Pennsylvania Railroad and to the Reading Railroad Company, is that correct?

A. That is our plea, yes.

Q. Of course, your idea is that the operation should be split fifty-fifty, is that it, half to each company?

A. No. As far as I know there are no plans of splitting or anything else.

Q. How many permits are you asking for?

A. The public would have to determine that.

Q. How many permits are you asking for?

A. In connection with this case?

Q. Yes.

A. Only one, I know of.

Q. You want blanket authority to operate buses, is that it?

A. We want authority to do an intrastate business along the line of the White Horse Pike between Camden and Atlantic City.

Commissioner Autenrieth: In some form or other the number of buses to be operated should be limited, should it not?

Witness: Four round trips for local service.

Mr. Osborne: That is covered by our operating department; not the passenger traffic management, who handles the tickets.

Mr. Harding: I understood this gentleman is head of that department.

Mr. Osborne: The operating department?

Mr. Harding: I understand so.

Mr. Osborne: No.

Witness: Traffic.

Mr. Osborne: He has nothing to do with operation.

Q. I understood you to say you had investigated the coordination of the service of railroad companies throughout the United States?

A. Yes.

Q. You mentioned particularly California and New England?

A. Yes.

Q. Were you up in New England to examine the situation there?

A. I have been up in New England, but not to examine the bus situation. I can't give you an answer as a result of personal experience, but I have attended a session of the A. R. A., motor section, and attended meetings of traffic officials to get the views on motor-buses operating throughout the country.

Q. You didn't confer with the railroad magnates on bus operation?

A. With railroad people and our bus management.

Q. You did confer with them?

A. Yes.

Q. Did you find a line paralleling the New York, New Haven and Hartford line?

A. Yes.

Q. A bus line?

A. Yes.

Q. Tell me how long the railroad has been operating that line?

A. About, possibly two to three years.

Q. Isn't it possibly less than two years?

A. I don't know. I refer to the New Haven, between New York and Boston.

Q. The New York and New Haven did the same as this line, let these operators invest their money and operate a bus for three or four years before they woke up, isn't that true?

A. I don't know what the New York, New Haven and Hartford did. The bus operators didn't ask anybody; they had the same right to go in as anybody else, because it was interstate.

Q. You still say you went up and made an examination and conferred with these people and came here to tell us all about it?

Commissioner Autenrieth: He didn't say he went up there for that purpose. He said he attended meetings of the A. R. A.

Mr. Harding: He made an examination of the coordination scheme.

Witness: Yes. I was called off and told to be specific; I confined myself to the result of our experience with the Mitten operation thus far. If you want extraneous stuff I can give it to you.

Commissioner Autenrieth: Let us not have any more extraneous matter now.

Mr. Harding: That is all.

Re-direct examination.

By Mr. Osborne:

Q. When you were asked about the advantage to the railroad in owning a bus line to take care of the traffic which is flowing from the railroad to the buses, it is your understanding that the revenue would ultimately come back to the railroad if it operated the buses?

A. Yes, indirectly if not directly.

Q. You were asked as to what representations were made to convey to the public the fact that the Pennsylvania Railroad was interested in the P. R. T. and commonly known as Mitten Tours. I show you a timetable (handing witness timetable), and ask you whether that is the timetable of the motor coaches, the motor coach timetable, showing the well-known Keystone of the Pennsylvania Railroad in connection with the Mitten Tours?

A. Yes, sir, that is correct.

Mr. Osborne: I desire to offer that in evidence.

(Motor coach timetable marked Ex. P. R. R. 10.)

Mr. Osborne: That is all.

Mr Straw: That also shows the well-known name of Mitten.

Mr. Osborne: Yes.

Commissioner Autenrieth: It shows what it shows.

By Mr. Straw:

Q. The first thing you see is "Mitten?"
A. Yes.

Mr. Straw: That is all.

C. F. Lamon, sworn on behalf of Pennsylvania General Transit Company.

Direct examination.

By Mr. Osborne:

Q. What is your position with the Pennsylvania Railroad Company?
A. Chief accountant in the accounting department of the Pennsylvania Railroad System.
Q. What does that mean? Does that mean you have to do with the compiling of figures?
A. Yes, sir.
Q. Generally?
A. Statistics and accounts.
Q. I show you Exhibit No. 9 which has been referred to heretofore and referred to in this case (handing witness paper), and ask you if you can explain the apparent discrepancy in the revenue, I mean in the Federal income taxes, and how that was brought about.

Commissioner Autenrieth: Isn't it obvious from Exhibit P. R. R. 7 just what that difference is in the income taxes?

Mr. Osborne: It is obvious, if we assume the obvious is obvious.

Q. Will you explain briefly how that is brought about?

A. In the first place, you will notice an asterisk in the front in front of certain income taxes for the year 1928, indicating that the figure of $250,000 shown for that year includes estimated taxes on account of other years. So that the real figure accrued for the year 1928 amounts to only $165,000 and adding the $32,000 under accrual, shown in the footnotes for 1927 brings that figure up to approximately $102,000, so that the comparison is $165,000 compared with $102,000.

Q. What brought about the decreased operating expenses?

A. Exhibit No. 7 indicates that while there was a considerable decrease in the amount of operating revenues for the year 1927, or the year 1928, as compared with the year 1927, there was a still larger decrease in the operating expenses, resulting in a larger net, consequently a larger amount of income tax accrued on the larger net income earned in that year as compared with 1927.

Q. I show you a series of sheets headed West Jersey & Seashore Railroad, Number of Passengers, Amount of Revenue, Sale of Tickets and so forth (handing witness paper) and ask you what that is, why you prepared it and what it is supposed to represent?

A. This exhibit was prepared under my direction. It shows the number of passengers and the amount of revenue earned from such passengers on the traffic between Philadelphia, Market Street wharf, and Camden, on the one hand, and various stations

on the line between Camden and Atlantic City, on the other hand.

Mr. Osborne: I offer that in evidence.

(Statement headed West Jersey & Seashore Railroad, No. of passengers, etc., marked Exhibit P. R. R. 11.)

Witness: That information is indicated for traffic between Philadelphia and Camden and Collingswood, Haddonfield, Ashland ——

Q. The different points on sheet 1, 2 ——
A. One to ten inclusive.
Q. One to ten inclusive?
A. That is right.
Q. Have you prepared a graph showing the number of passengers in graphic form and the amount of revenue from 1921 to 1928?
A. I have.
Q. Will you explain that graph to the Commission; that shows the same thing in graphic form, which is probably much easier for you to visualize.
A. The graph visualizes the combined result of these statistics shown on Exhibit No. 11.

Mr. Osborne: I offer that.

(Graph showing visualization of Exhibit No. 11 marked Exhibit P. R. R. 12.)

Q. Have you prepared another series of sheets showing the number of passengers between Market Street wharf, Camden, and Ocean City?
A. Yes, sir.

Q. That is the same information as to Ocean City as given on no 11?
A. That is correct.

Mr. Osborne: I offer this in evidence.

(Statement of number of passengers to Ocean City marked Exhibit P. R. R. R. 13.)

Mr. Osborne: We rest. Take the witness.

Mr. Straw: I have no questions.

Mr. Osborne: That is all.

Mr. Harding: No questions.

Mr. Osborne: That is all.

(Adjourned until Tuesday, June 11, at the City Hall, Atlantic City, N. J., at 11 o'clock A. M.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Tuesday, June 11, 1929.

Atlantic City-Camden to Philadelphia. Application of Pennsylvania General Transit Company for approval of local consents to operate motor buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Charles Browne, Esq.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Sr. Inspector.

For Pennsylvania General Transit Company appear:
H. C. Maxwell, Esq.
and
Harry V. Osborne, Esq.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For White Way Tours et al., appears:
Patrick H. Harding, Esq.
and
Emerson L. Richards, Esq.

For Reading Transportation Company et al., appears:

C. T. Wolfe, Esq.
Floyd H. Bradley, Esq.
Clifford A. Baldwin, Esq.

For City of Atlantic City appears:
Joseph B. Perskie, Esq.

———

G. F. Dell, resumes the stand on behalf of Pennsylvania General Transit Company.

Further direct examination.

By Mr. Osborne:

Q. I neglected to ask you whether local consents have been issued by every municipality through which the Pennsylvania General Transit line operates?

A. They have, with the exception of Mullica Township, which we expect to receive in a very short time, and Galloway Township. Pensauken Township has issued the consent but it hasn't been received by us up to date. We propose to operate through these townships with closed doors, providing this application is approved by the Board, until such time as they issue local consents.

Mr. Osborne: Cross-examine.

Mr. Straw: No questions.

Cross-examination.

By Mr. Richards:

Q. That would take in all the territory between Egg Harbor and Absecon, which you do not have permission to operate on the White Horse Pike?

A. Egg Harbor to Absecon, Pomona and Germania are in Galloway Township.

Q. That is a matter of about fifteen miles?

A. That is right.

Q. Those townships asked you to take restrictions?

A. They haven't asked us to take restrictions. They merely asked us to come down and give them a little more light on our application.

Mr. Osborne: As to our fare schedule, it has been prepared but the mimeograph copies have not yet been delivered. With the Board's permission I would furnish the Board and furnish counsel with copies in a day or so.

Commissioner Autenrieth: All right.

Mr. Osborne: Mr. Straw asked for certain information from Mr. Buchanan, concerning something he wanted. I hand copies to Mr. Straw; I have only two copies, and I will furnish the rest of counsel with copies if they desire.

Commissioner Autenrieth: Any more from Mr. Dell?

Mr. Osborne: No.

(Fare schedule marked Exhibit P. R. R. 14.)

(Statement marked Exhibit P. R. R. 15.)

Mr. Baldwin: Briefs, I think, should be filed with expedition so the Board's decision would be speedy.

Commissioner Autenrieth: There are some forty cases still on the conference list. That is the difficulty.

Mr. Baldwin: That is probably true; rather than a series of briefs, I think a limited time should be fixed for each party. I don't think in a case of this kind anyone party is entitled to a reply brief.

Commissioner Autenrieth: How about two weeks?

Mr. Baldwin: Within the next two weeks everyone submit a brief.

Commissioner Autenrieth: Is that agreeable?

Mr. Osborne: That is pretty short. We don't get this testimony for several days.

Commissioner Autenrieth: Counsel suggest expedition. I suggested two weeks.

Mr. Osborne: I would rather take time to do it properly.

Mr. Richards: The summer will be over pretty soon.

Commissioner Autenrieth: If counsel wants to file briefs ——

Mr. Richards: I don't care very much to file a brief unless it is filed quickly.

Mr. Harding: I think, if the Commission please, it should be limited to ten days on the brief. If they are not heard in that time they will not be heard on briefs.

Mr. Bradley: We may not get the testimony very quickly.

Commissioner Autenrieth: You can't get that for several days.

Mr. Harding: From experience, I believe the testimony will be out in the course of three or four days.

Commissioner Autenrieth: Is there some legal point in the briefs?

Mr. Baldwin: I don't want to go into the facts ——

Mr. Osborne: Everybody admits the public necessity for the buses.

Mr. Straw: What is the legal situation?

Mr. Baldwin: The invalidity of the Atlantic City permit, for one thing.

Mr. Straw: If your Honor please, I understand that the railroads are raising some legal objection to

our permits. I think under those circumstances we ought to have their brief first so we will know about it.

Commissioner Autenrieth: We fix their brief at a maximum time, and you can file as soon as you want.

Mr. Richards: Under those conditions, if there is going to be a reply brief we ought to have, say, two weeks for a brief and one week for reply.

Commissioner Autenrieth: That is three weeks.

Mr. Richards: Will it be that way?

Commissioner Autenrieth: Yes. Mr. Baldwin suggests two weeks.

Mr. Baldwin: Yes; we can do it.

Mr. Richards: Two weeks and one week for reply.

Mr. Straw: After we have his brief on this we can reply.

Mr. Osborne: One week thereafter.

Mr. Baldwin: We don't need the testimony so much on the legal point involved.

Commissioner Autenrieth: No. You can get that under way first.

(Matters taken to conference, subject to submission of briefs in two weeks by the railroads, with one week for reply.)

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

(Received April 9, 1929.)

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the matter of the application of the READING TRANSPORTATION COMPANY, a Pennsylvania corporation, for approval of local permission to operate twenty-five autobuses between Philadelphia, Pa., Camden, N. J., and Ocean City, N. J., via Atlantic City, N. J.	Application for Approval of Local Permission to Operate.

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(1) The petition of Reading Transportation Company, with its principal office at Reading Terminal, 12th and Market Streets, Philadelphia, Pa., respectfully shows that it is a corporation of the State of Pennsylvania with authority to do business in the State of New Jersey.

(2) That applicant requests approval of local permission to operate twenty-five autobuses between Philadelphia, Pa.-Camden, N. J., and Ocean City, N. J., via Atlantic City, N. J., and intermediate points, and along the following route:

Beginning at Reading Terminal, Philadelphia, Pa., thence via the Delaware River Bridge, Penn Street and Bridge Boulevard, Crescent Bridge Boulevard, White Horse Pike to the city limits of Atlantic City, thence Absecon Boulevard, Ohio Avenue, Baltic Avenue, Missouri or Arkansas Avenue, as traffic conditions may require, Arctic Avenue to station grounds of the Atlantic City R. R. in the City of Atlantic City, thence via Arctic Avenue, Boston Avenue, Ventnor Avenue, through Ventnor, Margate and Longport, to Longport-Ocean City Bridge, thence entering Ocean City via Bridge Boulevard, Atlantic Road, Battersea Road, Ocean Avenue, Ninth Street to grounds of the 10th Street Station of the Atlantic City R. R. in Ocean City; returning over the same route, except as follows:

In Ocean City, between grounds of the 10th Street Station of the Atlantic City R. R. and Ninth Street and Ocean Avenue, via 10th Street and Ocean Avenue.

In Camden, between Bridge Boulevard and Delaware River Bridge, via Linden Street.

(2a) Length of route: 73 miles.

(2b) That the names of motor bus lines, electric railways, or steam railroads now operating in the territory to be served are as follows:

Atlantic City R. R.
West Jersey & Seashore R. R.
Atlantic City & Shore R. R.
Atlantic City & Suburban Railway Co.
Ocean City Electric Railway Co.
Public Service Railways Co.
Public Service Coordinated Transport Co.
Absecon Bus Company.

(3) That some of the autobuses which the applicant proposes to operate are now owned and being operated by said applicant in interstate service between Philadelphia, Pa., and Atlantic City, N. J., and intrastate between Atlantic City, N. J., and Wildwood, N. J., the latter under approval of the Board of Public Utility Commissioners.

(3a) Have you purchased the bus or buses, if so, state the character of contract: Some are purchased and others are on order. Cash contract.

(3b) That the names, titles and addresses of the various officials of the company or owners or partners, and their interests are as follows:

NAME	TITLE	ADDRESS
Agnew T. Dice	President	Warwick Apartments, Phila., Pa.
Charles H. Ewing	Vice President	Oak Lane, Philadelphia, Pa.
E. D. Hilleary	Vice President	104 E. Cliveden St., Germantown, Phila., Pa.
J. V. Hare	Secretary	Trevose, Pa.
H. E. Paisley	Treasurer	1928 N. Sixth St., Phila., Pa.

(4) That a detailed description of equipment to

be operated in the proposed service will be submitted and filed.

(5) That the proposed time schedule and running time between the points to be served is as follows: Between Philadelphia and Ocean City, two hours 50 minutes each way.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is: None giving the type of service sought.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing same will be submitted and filed.

(7) The following municipalities are located along the route as proposed:

xCity of Camden
Township of Pensauken
xBorough of Collingswood
Borough of Oaklyn
xBorough of Audubon
xBorough of Haddon Heights
xBorough of Barrington
xBorough of Lawnside
xBorough of Magnolia
xBorough of Stratford
xBorough of Laurel Springs
xBorough of Clementon
xTownship of Clementon
xBorough of Berlin
Township of Waterford
Township of Winslow

Borough of Chesilhurst
xTown of Hammonton
Township of Egg Harbor
City of Egg Harbor
City of Absecon
Township of Galloway
Township of Mullica
xCity of Atlantic City
xCity of Ventnor
xCity of Margate
Borough of Longport
xCity of Ocean City.

(7a) The following municipalities have adopted ordinances regulating autobuses or jitneys and have indicated their intention to grant permits to operate said buses over the route specified, subject to the approval of the Public Utility Commission: Municipal consents are attached hereto from the municipalities shown in paragraph (7) which are prefixed with an "x."

(8) That the registration licenses: Will be submitted and filed.

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist, which are relied upon by applicant as justification for approval of the local consents granted:

Your petitioner and the Atlantic City R. R. are subsidiaries of the Reading Company, and it has been concluded that there is an increas-

ing demand for transportation by motor coach for long distances as well as for short distances, and there appears to be a decided movement throughout the country for the railroads to expand their general service by the operation of motor coaches supplemental and complementary to their rail lines, and that the public welcomes this opportunity for choice between either mode of travel with the confidence that the service is furnished by an experienced organization in the transportation field.

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Philadelphia, Pa., this sixth day of April, 1929.

READING TRANSPORTATION COMPANY.
By E. D. OSTERHOUT,
Manager.
FRENCH, RICHARDS & BRADLEY,
Attys.
106 Market St., Camden, N. J.

BE IT RESOLVED, that municipal consent be and is hereby granted to Reading Transportation Company, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said company between Atlantic City, Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

In accordance with application attached hereto and made a part hereof.

READING COMPANY.

Mr. Wm. D. Brown,
City Clerk,
City of Camden, N. J.

Dear Sir:—

The Reading Transportation Company is now operating thru the corporate limits of the City of Camden, a line of autobuses between Philadelphia, Atlantic City and Ocean City on which are carried only interstate passengers.

The Reading Transportation Company is also desirous of furnishing an intrastate service on this line and hereby makes application to the City of Camden for its authority to operate a bus line thru the corporate limits of the City of Camden on which may be carried intrastate as well as interstate passengers, as per the attached copy of proposed Resolution covering this operation.

Yours truly,
P. S. LEWIS,
Superintendent.

ET

CITY CLERK'S OFFICE
CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of A RESOLUTION passed by the Board of City Commissioners, the FOURTEENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this FIFTEENTH day of MARCH, A. D. 1929.

Wm. D. Brown,
City Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers,

AND, that the route of said autobus line within the city limits of Camden shall be over Penn Street and Bridge Boulevard on the southbound trip, and over Bridge Boulevard and Linden Street on the northbound trip.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the City Commission of the City of Camden, in the County of Camden, at a meeting held on 1929.

City Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

P. G. Knebel.
J. W. Cain.
T. M. Cornbrooks.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Board of Commissioners of the Borough of Collingswood in the County of Camden, at a regular meeting held on 18th of March, 1929.

Albert F. Usilton,
(Seal) Borough Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits along White Horse Pike of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Borough of Audubon, in the County of Camden, at meeting held on March 12, 1929.

H. K. Laurence,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers.

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus

line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Haddon Heights, in the County of Camden, at a regular meeting held on April 2d, 1929.

Frank W. DuBree,
Borough Clerk.

(Seal)

RESOLUTION.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality along the White Horse Pike a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, The said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality along the White Horse Pike on which there shall be carried intrastate as well as interstate passengers.

CERTIFICATE.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Barrington, in the County of Camden, at a regular meeting held on March 14, 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Borough of Barrington, this 15 day of March, A. D. 1929.

Harry J. Stone,
Clerk of the Borough of Barrington,
in the County of Camden, N. J.
(Seal) Borough of Barrington.

March 20, 1929.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Lawnside, in the County of Camden, at a Regular meeting held on 3/20, 1929.

Horace J. Bryant,
(Seal) Borough Clerk.
James Hemmings,
Mayor.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the of the Borough of Magnolia, in the County of Camden, at a special meeting held on March 18th, 1929.

O. E. Hagen,
(Seal) Borough Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Mayor & Council of the Borough of Stratford, in the County of Camden, at a Regular Stated meeting held on March 12th, 1929.

R. P. Jones,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that the said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Clementon, in the County of Camden, at a Regular meeting held on 2d day April, 1929.

S. Wayne Clark,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the of the Township of Clementon, in the County of Camden, at a regular meeting held on April 1st, 1929.

Edward Arentzen,
Township Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that the said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Mayor and Members of Council of the Borough of Berlin, in the County of Camden, at a regular meeting held on March 18, 1929.

Geo. R. Duncan,
Borough Clerk.

(Seal)

COPY.

RESOLUTION of the Town Council of the Town of Hammonton, N. J., Adopted March 11, 1929.

RESOLUTION.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits

of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, The said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

CERTIFICATE.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular Meeting held on March 11th, 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town of Hammonton, this Twelfth day of March, A. D. 1929.

(Seal)

W. R. Seely,
Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

Regular meeting of the Board of Commissioners held on March 21, 1929.

President Ruffu Presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

READING TRANSPORTATION COMPANY AUTHORIZED TO OPERATE AN AUTOBUS LINE THROUGH CORPORATE LIMITS OF ATLANTIC CITY.

Resolution by Mayor Ruffu.

WHEREAS, since the year 1923, an autobus line has been operated through the corporate limits of this municipality successively by Franklin G. Greenfield, Shore Service, Inc., and Reading Transportation Company, pursuant to the municipal consent of this municipality which in turn has been approved and validated by the action of the Board of Public Utility Commissioners of the State of New Jersey,

AND WHEREAS, said Reading Transportation Company, upon its acquisition of said autobus line from Shore Service, Inc., the previous owner and operator thereof, expressed a desire to conform to provisions of an ordinance of the City of Atlantic City, entitled, "An Ordinance regulating the operation of autobuses within the City of Atlantic City; providing for operating terminals and the parking of said autobuses; regulating and prohibiting the use of certain streets in said City by said autobuses; and providing penalties for the violation thereof," being Ordinance No. 9, adopted February 9th, 1928; by so modifying its route of operation in the City of Atlantic City as to extend only as far as the Atlantic City Railroad Station at Atlantic Avenue and Arkansas Avenue instead of to States Avenue and the Boardwalk as theretofore, and by operating its said bus line over and along Arctic Avenue instead of Atlantic Avenue, in that section of the City east of Albany Avenue,

AND WHEREAS, the Board of Public Utility Commissioners of the State of New Jersey has heretofore approved said change of route as authorized and provided for by resolution of the Board of Commissioners of Atlantic City,

AND WHEREAS, since the announcement of a decision of the New Jersey Supreme Court, filed February 4th, 1929, the Reading Transportation Company has expressed itself as being still further desirous of co-operating with the City in the enforcement of the provisions of said ordinance by limiting its station stops in the City for the receiving and discharging of passengers to a single stop at the railroad station aforesaid, and by further changing the route of its operation within the city limits so that no part of said operation, either east or west of Albany Avenue, will be on or along Atlantic Avenue, and to that end has announced to the Board of Commissioners its willingness to withdraw from the further attention of the Board of Public Utility Commissioners consideration of its pending application to make more than a single stop in Atlantic City, said withdrawal to be without prejudice to the right of said Company to reinstate said application should said ordinance be amended, repealed, or judicially declared to be without force, and by making the said Board of Public Utility Commissioners a further application to change its route of operation within the city limits of the City of Atlantic City in accordance with the provisions of this resolution.

AND WHEREAS, the said Reading Transportation Company has recently established an additional autobus service between Philadelphia and Ocean City via Camden and this municipality, and it appearing to be desirable in the public interest

that, in addition to those passengers enroute to and from Ocean City and points south thereof, there should also be served, by said additional facilities of the Reading Transportation Company, passengers enroute to and from Camden and other points in New Jersey along the route of operation, as well as passengers whose trip originates north of Atlantic City on said route and terminates south of Atlantic City, and vice versa,

AND WHEREAS, the purpose of this resolution is to give formal expression of the consent of this municipality to the said Reading Transportation Company in order that it may carry out the purposes aforesaid and thereby further co-operate with the municipal authorities of this City.

NOW, THEREFORE, BE IT RESOLVED, that Reading Transportation Company be and it is hereby authorized to operate an autobus line through the corporate limits of this municipality, the route of which within the city limits of Atlantic City shall be as follows:

Beginning at the intersection of Ventnor Avenue and the City Line of Ventnor City, and extending thence eastwardly along Ventnor Avenue, Boston Avenue, and Arctic Avenue, to the privately owned terminal of said Reading Transportation Company, and thence operating along Arctic Avenue, and along either Missouri Avenue or Arkansas Avenue as traffic conditions may require, to Baltic Avenue, and thence along Baltic Avenue to Ohio Avenue, and thence along the same to Absecon Boulevard, and thence along same to the city limits of Atlantic City; returning via the same route.

and that in the course of its aforesaid operations the said Reading Transportation Company shall be privileged to receive and discharge passengers at

its privately owned terminal in Atlantic City, whose trip shall not wholly begin and end within the City of Atlantic City or between the City of Atlantic City, Longport, and intermediate points.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

CITY OF ATLANTIC CITY
DEPARTMENT OF PUBLIC AFFAIRS

Anthony M. Ruffu, Jr., Mayor

I, Bertram E. Whitman, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a portion of the Minutes of a regular meeting of the Board of Commissioners held on March 21, 1929, as taken from the original on file in the office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 27th day of March, 1929.

Bertram E. Whitman,
City Clerk.

(Seal)

Resolution by Mr. Jenkins.

BE IT RESOLVED BY THE COMMON COUNCIL OF VENTOR CITY, N. J.:

WHEREAS, since the year 1923, an autobus line has been operated through the corporate limits of

this Municipality successively by Franklin G. Greenfield, Shore Service, Inc., and Reading Transportation Company, on a route extending from Atlantic City, N. J., to Wildwood, N. J., and Cape May, N. J.;

AND WHEREAS, during said period the operators of said buses have conducted business within the corporate limits of this municipality without objection on the part of the governing body thereof, said business consisting in the acceptance and discharge within this municipality of passengers enroute to or from points along said line south of Ocean City,

AND WHEREAS, this municipality has recognized and approved the doing of said business by accepting payment of a proper share of the gross receipts derived therefrom,

AND WHEREAS, the said Reading Transportation Company has now secured the additional privilege of conducting its business between Atlantic City and Ocean City,

AND WHEREAS, said Reading Transportation Company has recently established an additional autobus service between Philadelphia and Ocean City via Camden, Atlantic City and this municipality, and now desires the additional privilege of transporting passengers between this municipality, also points south thereof, and points in New Jersey north of Atlantic City on aforesaid route,

AND WHEREAS, it is desirable in the public interest that the Reading Transportation Company, succeeding to said operation of Shore Service, Inc., should continue to do business between this municipality and points south of Ocean City heretofore served, as well as to establish service to and from this municipality from and to Ocean City and to

establish service to and from this municipality from and to aforesaid points north of Atlantic City,

AND WHEREAS, by its Ordinance No. 9, approved February 9, 1928, and sustained by the Supreme Court of the State of New Jersey on or about February 4, 1929, the City of Atlantic City has made it unlawful for any autobus to operate on or across Atlantic Avenue in Atlantic City,

AND WHEREAS, the Reading Transportation Company in observance of the aforesaid Ordinance, has rerouted its autobuses so as to operate on Ventnor Avenue instead of on Atlantic Avenue between Boston Avenue and Jackson Avenue in Atlantic City,

AND WHEREAS, in the interest of public safety, which makes it desirable to avoid the use of narrow streets, the crossing of street car tracks, and making of right and left-hand turns across heavy traffic, the Reading Transportation Company desires to operate its autobuses straight through on Ventnor Avenue instead of on Alantic Avenue in Ventnor, Margate and Longport.

AND WHEREAS, the purpose of this Resolution is to give formal expression to the consent of this municipality to the said Reading Transportation Company in order that it may carry out the purposes aforesaid,

THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF VENTNOR CITY, N. J.:

THAT, the Reading Transportation Company be and it is hereby authorized to operate an autobus line through the corporate limits of this municipality and to pick up and discharge therein passengers enroute to and from Ocean City or points south thereof, and passengers enroute to or from points north of Atlantic City,

AND BE IT FURTHER RESOLVED, that the route over which said autobuses shall be privileged to operate within the corporate limits of this municipality shall be along Ventnor Avenue between the Atlantic City line and the line of the City of Margate City.

I, Charles E. Reppetto, Clerk of the City of Ventnor City, do hereby certify that the foregoing resolution was duly adopted at an adjourned meeting of the Common Council of Ventnor City, held this first day of April, A. D. 1929.

In witness whereof I have hereunto set my hand and official seal this fourth day of April, A. D. nineteen hundred and twenty-nine.

Charles E. Reppetto,
City Clerk.

(Seal)

MUNICIPAL CONSENT FROM THE CITY OF MARGATE, N. J.

WHEREAS, since the year 1923, an autobus line has been operated through the corporate limits of this municipality successively by Franklin G. Greenfield, Shore Service, Inc., and Reading Transportation Company, on a route extending from Atlantic City, N. J., to Wildwood, N. J., and Cape May, N. J.,

AND WHEREAS, during said period the operators of said buses have conducted business within the corporate limits of this municipality without objection on the part of the governing body thereof, said business consisting in the acceptance and discharge within this municipality of passengers en-

route to or from points along said line south of Ocean City,

AND WHEREAS, this municipality has recognized and approved the doing of said business by accepting payment of a proper share of the gross receipts derived therefrom,

AND WHEREAS, the said Reading Transportation Company has now secured the additional privilege of conducting its business between Atlantic City and Ocean City,

AND WHEREAS, said Reading Transportation Company has recently established an additional autobus service between Philadelphia and Ocean City via Camden, Atlantic City and this municipality, and now desires the additional privilege of transporting passengers between this municipality also points south thereof, and points in New Jersey north of Atlantic City on aforesaid route,

AND WHEREAS, it is desirable in the public interest that the Reading Transportation Company, succeeding to said operation of Shore Service, Inc., should continue to do business between this municipality and points south of Ocean City heretofore served, as well as to establish service to and from this municipality from and to Ocean City and to establish service to and from this municipality from and to aforesaid points north of Atlantic City,

AND WHEREAS, by its Ordinance No. 9, approved February 9, 1928, and sustained by the Supreme Court of the State of New Jersey on or about February 4, 1929, the City of Atlantic City has made it unlawful for any autobus to operate on or across Atlantic Avenue in Atlantic City,

AND WHEREAS, the Reading Transportation Company, in observance of the aforesaid ordinance, has rerouted its autobuses so as to operate on Vent-

nor Avenue instead of on Atlantic Avenue between Boston Avenue and Jackson Avenue in Atlantic City,

AND WHEREAS, in the interest of public safety, which makes it desirable to avoid the use of narrow streets, the crossing of street car tracks, and the making of right and left-hand turns across heavy traffic, the Reading Transportation Company desires to operate its autobuses straight through on Ventnor Avenue instead of on Atlantic Avenue in Ventnor, Margate and Longport,

AND WHEREAS, the purpose of this resolution is to give formal expression to the consent of this municipality to the said Reading Transportation Company in order that it may carry out the purposes aforesaid,

NOW, THEREFORE, BE IT RESOLVED, that Reading Transportation Company be and it is hereby authorized to operate an autobus line through the corporate limits of this municipality and to pick up and discharge therein passengers enroute to and from Ocean City or points south thereof, and passengers enroute to or from points north of Atlantic City,

AND BE IT FURTHER RESOLVED, that the route over which said autobuses shall be privileged to operate within the corporate limits of this municipality shall be along Ventnor Avenue between the Ventnor City line and the line of the Borough of Longport.

John W. Risley,
John Spalding,
Gottlieb Strotbeck,
Board of Commissioners of
Margate City.

March 28th, 1929.

I, H. Norman McConnell, City Clerk of the City of Margate City, New Jersey, do hereby certify that the attached resolution is a true and correct copy of a certain resolution duly adopted by the Commissioners of the City of Margate, in the County of Atlantic, at a regular meeting held on March 28th, 1929.

H. Norway McConnell,
City Clerk.

(Seal)

MUNICIPAL CONSENT FROM CITY OF OCEAN CITY, NEW JERSEY.

WHEREAS, since the year 1923, an autobus line has been operated through the corporate limits of this municipality successively by Franklin G. Greenfield, Shore Service, Inc., and Reading Transportation Company, pursuant to the municipal consent of this municipality, which in turn has been approved and validated by the action of the Board of Public Utility Commissioners of the State of New Jersey, and

WHEREAS, the said Reading Transportation Company has recently established an additional autobus service between Philadelphia and this municipality via Camden and Atlantic City, and now desires the additional privilege of transporting passengers between this municipality and points in New Jersey along aforesaid route, as well as to continue to do business between this municipality and points along its route between Atlantic City, Wildwood and Cape May, and

WHEREAS, the said Reading Transportation Company proposes to terminate the aforesaid

Philadelphia-Atlantic City-Ocean City autobus line at its privately owned terminal at the 10th Street Station of the Atlantic City Railroad, now, therefore,

BE IT RESOLVED, that the Reading Transportation Company be and it is hereby authorized to operate an autobus line through the corporate limits of this municipality, and to pick up and discharge therein passengers enroute to or from points outside of this municipality, and

BE IT FURTHER RESOLVED, that the route over which said autobuses shall be privileged to operate within the corporate limits of this municipality shall be:

Entering Ocean City on the Ocean City-Longport Bridge, thence along Bridge Boulevard to Atlantic Road, thence along Atlantic Road to Battersea Road, thence along Battersea Road to Ocean Avenue, thence along Ocean Avenue to 15th Street, thence along 15th Street to Asbury Avenue, thence along Asbury Avenue to 34th Street, thence along 34th Street to Central Avenue, thence along Central Avenue to 55th Street; and returning over same route;

Or, in part, via the following alternate route:

From Ninth Street and Ocean Avenue along Ninth Street to grounds of the 10th Street Station of the Atlantic City Railroad, and therefrom to 10th Street, and along 10th Street to Ocean Avenue.

(Signed) Jos. G. Champion,
(Signed) R. W. Edwards,
(Signed) John E. Trout,
Commissioners.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Commissioners of the City of Ocean City, in the County of Cape May, at a meeting held on the 1st day of April, 1929.

James Hildreth,
City Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

Chas. D. Saalman,
Chairman.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the of the Township of Mullica, in the County of Atlantic, at a meeting held on Apr. 6, 1929.

Chas. L. Kuen, Jr.,
Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia and Atlantic City and Ocean City on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of said municipality on which there shall be carried intrastate as well as interstate passengers.

I, William Morgenweck, Jr., Clerk of the City of Egg Harbor City, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Common Council of said city at a meeting duly convened the 18th day of April, 1929.

Wm. Morgenweck, Jr.,
City Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that the said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Chesilhurst in the County of Camden, at a regular meeting held on April 8, 1929.

Fred K. Calnan,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that the said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Committee of the Township of Winslow, in the County of Camden, at a special meeting held on Apr. 9, 1929.

Thos. Priestly,
Chairman of the Committee
of Winslow Twp.

Attest:
John F. Leed,
(Seal) Township Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by Committee of the Township of Waterford, in the County of Camden, at a Regular meeting held on April 11, 1929.

Laurence A. Duble,
(Seal) Township Clerk.

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that the said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Clementon, in the County of Camden, at a Regular meeting held on 2d day April, 1929.

S. Wayne Clark,
Borough Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate twenty-five (25) autobuses on Crescent Bridge Boulevard, within the municipal limits of the Township of Pensauken, as part of a line to be operated by said company between Philadelphia, Atlantic City and Ocean City, on which there shall be carried intrastate as well as interstate passengers, said operation to be subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true copy of resolution adopted by the Township Committee of the Township of Pensauken, in the County of Camden, at a regular meeting held April 22, 1929.

In witness whereof I have hereunto set my hand and the official seal of said township.

Robt. V. Peabody,
Township Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is

hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on White Horse Pike, on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by Council Committee of the Boro of Oaklyn, in the County of Camden, at a regular meeting held on fifth day of June, 1929.

William C. Linck,
Boro Clerk.

(Seal)

WHEREAS, the Reading Transportation Company is now operating through the corporate limits of this municipality a line of autobuses between Philadelphia, Atlantic City, and Ocean City, on which are carried only interstate passengers,

AND WHEREAS, the said Reading Transportation Company is desirous of furnishing an intrastate service on said line,

NOW, THEREFORE, BE IT RESOLVED, that said Reading Transportation Company be and it is hereby authorized and privileged to operate a bus line through the corporate limits of this municipality on White Horse Pike, on which there shall be carried intrastate as well as interstate passengers.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by Council of the Boro of Oaklyn, in the County of Camden, at a regular meeting held on Fifth day of June, 1929.

William C. Linck,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Monday, June 10th, 1929.

Philadelphia, Camden and Ocean City, Application of Reading Transportation Company for approval of local permission to operate auto-buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Charles Browne, Esq.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Senior Inspector.

For Reading Transportation Company appear:
C. T. Wolfe, Esq.
Floyd H. Bradley, Esq.
Clifford A. Baldwin, Esq.

For Pennsylvania General Transit Company, et al., appear:
Harry V. Osborne, Esq.
H. C. Maxwell, Esq.

For Public Service Coordinated Transport appear:
C. S. Straw, Esq.

For White Way Tours, et al., appears:
Patrick H. Harding, Esq.

E. D. Osterhout, sworn on behalf of Reading Transportation Company.

Mr. Baldwin: If your Honor please, as part of the Reading Transportation Company's opposition to the application of the Public Service Coordinated Transport, I offer in evidence a certified copy of the resolution of the city of Atlantic City, adopted January 12th, 1928, revoking the consent granted to that company to operate buses within the corporate limits of Atlantic City, said grant having been made on August 25th, 1927

Mr. Straw: That is objected to. In the first place, it isn't a lawful revocation without hearing and approval of the Utility Board, which has not been done; therefore, it cannot be material in this matter.

Commissioner Autenrieth: No approval was ever given to the revocation.

Mr. Baldwin: Our contention is that no approval of the Board to such a revocation is needed. The Act of 1926, which gives to the Board the right to pass on revocations, limits such rights to pass on revocations to those consents, which were in effect at that time, and we hope your Honor will do it the same way, that the Atlantic City consent has never been in effect. In fact, the Board, in its decision a year ago, refused to validate that consent, by a denial of a certificate.

Commissioner Autenrieth: Let me interrupt you. I will accept it in evidence and leave the validity

of it as a matter of argument, which you may present in your brief.

Mr. Straw: Yes, sir.

(Resolution of Atlantic City, January 12th, 1928, marked Exhibit R. 1.)

Mr. Baldwin: I offer in evidence at this time the record in this preceding case, both for the affirmative, and for the defense, in that case which concerns the application of the Public Service Transportation Company, which I think it was at that time, to operate buses between Camden and Atlantic City, including in that record the Board's decision.

Commissioner Autenrieth: I will accept it upon one condition, that none of it will be repeated today.

Mr. Baldwin: That is what we will try to do.

Mr. Straw: I want to make the same offer, your Honor.

Commissioner Autenrieth: The same condition applies to you.

Mr. Osborne: I would like to make the same offer.

Commissioner Autenrieth: We will assume everybody offers it.

Mr. Baldwin: So much of it as is applicable to this case.

Commissioner Autenrieth: Whatever that is, it has been offered in bulk.

Direct examination.

By Mr. Baldwin:

Q. Mr. Osterhout, are you connected in any way with the Reading Transportation Company?

A. I am; manager.

Q. Do you also hold a position with the Reading Company?

A. Passenger traffic manager of all the Reading lines, Reading Company, Atlantic City Railroad and Ferry Company.

Q. Are the Atlantic City Railroad and Reading Transportation Company subsidiaries of that company?

A. They both are.

Q. Will you outline to the Board, please, the statement of policy which you desire to make on behalf of your company as to its entrance into the motor coach field of operation?

A. We desire to operate a motor coach service on highways in territory contiguous to our railroad lines, as an expansion of our transportation service.

Q. Has there been any motive which has prompted your company to make such a determination of policy?

A. The general acceptance of motor coaches as a means of transportation by the public, the popularity of that form of transportation. We have studied the matter over a period of years. We have been operating lines for sometime in Pennsylvania in connection with our railroad. We have been operating a line in New Jersey, from Atlantic City to Ocean City and Wildwood since last July, and it is proving popular and it is our general policy

to expand that to cover our main rail lines. We filed that application with this Board, and we have similar applications pending in other states of this this similar service.

Mr. Straw: May I interrupt a moment. I assume Mr. Osterhout has a definite statement to make, as Mr. Deasy did, and I know Mr. Warner will. I think for brevity's sake, if Mr. Baldwin cares to, he can just go ahead and let Mr. Osterhout testify without question and answer, I won't object to it.

Mr. Baldwin: I think it might be done a little better by question and answer.

Commissioner Autenrieth: You are the engineer of the record, so you may go ahead.

Q. Are you familiar with that part of the highway transportation development in south Jersey since the lines of buses from Camden to Berlin were established?

A. Yes.

Q. What was the attitude at that time of the Atlantic City Railroad, which you represent, concerning such development?

A. We made no protest as to bus service in local suburban territories or, in fact, anywhere it was established in territory served by a rail line such as a trolley line, either by independents or by the interest affiliated with the trolley line. In other words, we made no protest in any case in the territory which is generally known as suburban, as far as that area is concerned.

Q. It is true, is it not, that you did oppose and resist the application that was made by Public Ser-

vice Transportation Company to operate buses between Camden and Atlantic City?

A. We did.

Q. Did you at that time make any statement of your company's policy regarding its own operation of buses?

A. I did.

Q. What at that time was your opinion and the opinion of your directors?

A. That we should not go into the bus business directly competitive with our steam service; that we felt at that time that the best policy would be to get all the business possible on the railroad and to keep it there, we had large investment there, and to try everything to try to attract the business to the railroad as against the buses.

Q. As a result of those efforts to cover the business with the railroad, can you say that you succeeded?

A. We did not. Our position has declined at a very rapid rate.

Q. Did you acquire and did you operate subsequent to that time, any bus lines in the State of New Jersey?

A. We did. Since last July, we have operated a line between Atlantic City, Ocean City, Wildwood and Cape May, with some branches going into Stone Harbor and Avalon.

Q. Did that line in any way coordinate with your rail service?

A. That was the principal purpose of acquiring the line, to coordinate it with our Philadelphia-Atlantic City rail service. By the means of motorcoaches, we are now operating a far greater frequency of service between points on the Atlantic City Railroad and Ocean City, via Atlantic City, with buses.

Q. As a result of your operating experience with those buses, can you say whether or not you consider the acquisition well advised?

A. We do consider it well advised.

Q. Has your operation of the line been progressively better or worse?

A. Better. It has been a profitable venture for us.

Q. Have you, in your opinion, through the operation of such a line, been able to recapture any business for the railroad main line between Atlantic City and Camden?

A. We think so. Many of the coaches that come in from Ocean City deliver large portions of their load to our trains at Atlantic City.

Q. Has this operation on your part shown to you and your management anything concerning the public desire to ride buses?

A. It has proven to us that the bus transportation is a popular means of travel. That is what is back of our program; to offer the best.

Q. Have, then, your earlier failures to recapture the business for the railroad and the more favorable experience you have enjoyed from the operation of the bus line in New Jersey, caused you to change in any way your policy about operating a line of your own on the White Horse Pike?

A. Yes. Our experience as to bus operation recently and also the fact we have not been successful in the various things we have done, such as reducing fares and so forth and improving the rail service, has brought us to that decision.

Q. Have you, by reason of the opportunity which presented itself, established a purely interstate line from Philadelphia to Atlantic City and Ocean City?

A. Yes, we did, in February.

Q. What has your experience taught you about the operation of that line so far?

A. Well, it has grown, the traffic has grown at an astonishing rate as far as we are concerned. We started in with equipment we picked up here and there, from our other operations, and ran the service every two hours. That soon proved insufficient, and about six weeks ago we started hourly service and we secured some additional equipment, and that is proving to be very popular, very well patronized.

Q. As I understand this present application, you desire to have a certificate of public necessity and convenience for doing of an intrastate business on that line, do you not?

A. That is correct.

Q. And will you tell the Board, please, what is the total length of your line from Philadelphia to Ocean City, let us say?

A. I think it is seventy-one miles.

Commissioner Autenrieth: Going by way of Atlantic City?

Witness: By way of Atlantic City, through the length of Absecon Island, over the Longport bridge and then on down through Ocean City to our 10th Street station.

Commissioner Autenrieth: Otherwise it is the same as the other routes cover between Atlantic City and Camden?

Witness: That is correct, except as to terminals.

Commissioner Autenrieth: The terminal in Camden?

Witness: Camden—Philadelphia and Atlantic City, but the general operation and the general program is the same.

Q. For how many buses on such a line do you desire to obtain a certificate of public necessity and convenience for the doing of a local intrastate business?

A. Twenty-five.

Q. Has your experience from February to the present time taught you that twenty-five buses are needed?

A. Yes; during the peak periods. We have fifteen to twenty in operation during the peak periods, just on the through express service. Of course, the summer traffic is just beginning to get under way.

Commissioner Autenrieth: That is on the interstate operation?

Witness: On the interstate operation we are now running that many.

Q. Are those fifteen or twenty buses well patronized?

A. They are. Additional trips, of course, are not sent out until the schedule trip is loaded. On Sundays they go out in three or four sections.

Q. Do you have any map or diagram which shows the method by which your buses enter into and run to Atlantic City and reach Ocean City?

A. I have. (Witness produces map.)

Mr. Baldwin: I offer that.

(Map, marked Exhibit R. 2.)

Q. I think this map shows the route from Philadelphia to Atlantic City, does it not?

A. This particular map is designed to show the relation of the railroad to the highway between Philadelphia and Atlantic City.

Q. And this course of operation is practically the same as the other application which the Board is considering, is it not?

A. That is correct.

Q. Do you, on your part, run in and out to the railroad stations at Hammonton and Egg Harbor, away from the White Horse Pike?

A. No, we do not. We are proposing to operate directly on the White Horse Pike.

Q. With that exception it is practically the same as the Public Service operation, but different from the Pennsylvania Railroad operation?

A. Slightly different.

Mr. Baldwin: I offer this map.

(Map, marked Exhibit R. 3)

Q. Mr. Osterhout, this exhibit I believe shows more clearly your Atlantic City to Ocean City route of operation, does it not?

A. Yes. This application between Camden and Ocean City overlaps the existing operation between Atlantic City and Wildwood, as far as the territory between Atlantic City and Ocean City is concerned, and this map shows in the solid line the present route of the Atlantic City-Ocean City-Wildwood line. Another application is pending before this Board in connection with our request for a change in route, a slight change in route so that that line, as well as that one, after leaving our station at At-

lantic City, will go along Arctic Avenue and then directly along Ventnor instead of Atlantic Avenue through Ventnor, Atlantic City. Also the through route naturally will continue along down through Ocean City, whereas this route will terminate in Ocean City at our 10th Street station.

Q. You have acquired on the route shown by this exhibit, a right to do a local intrastate business, have you not?

A. We have. The line is an intrastate line.

Q. You are the only operator of buses in that territory doing an intrastate business?

A. Yes, with the exception of the section between Atlantic City and Ocean City, there is another operation there.

Q. Of the Atlantic City and Shore Railroad?

A. The Atlantic City & Shore Railroad; other than that, there is no other intrastate service.

Q. Does this extension of your line from Atlantic City to Ocean City also coordinate with your rail service; that is to say, where is your terminal in Atlantic City?

A. At Arkansas Avenue.

Q. The Atlantic City Railroad station?

A. The Atlantic City Railroad station, and the Camden and Philadelphia coaches will come to that point; some of them will continue on to Ocean City. The trip for Ocean City and Wildwood will start at that point and it is all coordinated with our train service. Generally, it is designed to have a coach leaving within a few minutes after the arrival of every train, so that a passenger coming north, for instance, from Ocean City, upon arrival at Atlantic City, can travel from our station to Camden or Philadelphia by train or by bus on practically a connecting arrangement, as near as it can be done physically.

Q. Considering this whole route of operation in New Jersey, that is to say, from Camden through Atlantic City to Ocean City, are there any restrictions that your company is willing to voluntarily accept?

A. We are willing to accept a restriction not to handle the passengers locally in the territory north of Berlin and locally between Absecon and Atlantic City, and also locally on Absecon Island, that is, from Atlantic City to Ventnor.

Commissioner Autenrieth: You have that restriction already?

Witness: We have that restriction, and we are willing, of course, to take the same restriction on this particular route.

Commissioner Bacharach: Ventnor or Longport?

Witness: Anywhere on Absecon Island, including Longport. That is, we have no desire to transport passengers locally between any two points on Absecon Island.

Q. That also applies to the island on which Ocean City is built?

A. That is correct; not to carry passengers locally. It is not our purpose to compete with these local agencies, trolley or bus within these cities. The service is not designed to transport people that way.

Q. Have you secured municipal consents from all the municipalities along the route from Camden to Ocean City?

A. All but four. We have no municipal consent from Oaklyn, from the Township of Egg Harbor,

from the city of Absecon and Township of Galloway and Borough of Longport.

Q. Have you, however, made application to those four municipalities for such a municipal consent?

A. We have.

Q. Has that application on your part either been neglected or refused?

A. I don't understand that question, on our part.

Q. Has that application on your part for such consent either been neglected or refused?

A. It has.

Commissioner Autenrieth: What do you mean by that; neglected or refused or both?

Witness: I can't answer whether one or the other. Nothing has happened; we do not have the consent.

Commissioner Autenrieth: The municipalities have failed to act?

Witness: That is right.

Q. Do you have municipal consents wich have not been attached to the application?

A. Yes. We have several that had not been received at the time the application was filed, although we had an assurance from the municipality they would be passed and we have several of them here.

Mr. Baldwin: I first offer in evidence all the resolutions and municipal consents which have been attached to the application as filed.

Q. Will you let me have, please, any resolutions or municipal consents which you have subsequently acquired?

A. (Witness complies.)

Mr. Baldwin: I offer in evidence the following resolutions of municipal consents; Township of Pensuaken; Borough of Clementon; Township of Waterford; Township of Winslow; Borough of Chiselhurst; City of Egg Harbor City; Township of Mullica and Borough of Oaklyn, that was just secured, I haven't the date, in June, 1929.

Q. Have you prepared an exhibit showing the names of the municipalities along the route and the status of your municipal consents.

A. I have.

Q. In those municipalities?

A. I would like to explain, it is incorrect, however, in that, in that exhibit we have no consent from the Borough of Oaklyn, but we do have one, it has just been received since that exhibit was prepared.

Q. As I understand your testimony, there are now only four municipalities instead of five in which you hold no consent?

A. That is true.

Q. Namely, the Township of Egg Harbor, the City of Absecon, the Township of Galloway and the Borough of Longport?

A. That is right.

Mr. Baldwin: I offer this exhibit of municipal consents.

(Statement showing municipal consents, marked Exhibit R. 4.)

Q. Has your company acquired the necessary equipment with which to operate the proposed line?

A. We have some of the equipment; we have twenty of the twenty-five now, twenty of the twenty-

five asked for. We propose to purchase the additional five buses upon receipt of the approval.

Q. Is your company in a position to acquire the additional units as they may be needed?

A. Yes, sir.

Q. What provision have you made or are you now making concerning insurance against public liability in connection with the operation of this line if approved?

A. We will take the necessary steps to secure the proper insurance.

Q. Are you familiar with the territory in New Jersey which lies along the route of this proposed line?

A. I am.

Q. And from your knowledge of that territory would you say that the operation of the buses which you propose to operate is necessary and proper for the public convenience?

A. I think so.

Q. And that your company in the operation of them will properly conserve the public interest?

A. Yes, sir.

Mr. Baldwin: There is more testimony which Mr. Osterhout will have to give as part of our case, but that testimony relates somewhat to accounting proof that will be put in by another witness. At this time I would like to turn Mr. Osterhout over for cross-examination and then put in the accounting proof and later recall him to the stand. I think that will save time.

(Informal discussion.)

(Adjourned until Tuesday, June 11th, at the City Hall, Atlantic City, N. J., at 11:00 o'clock A. M.)

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

Atlantic City, N. J., Tuesday, June 11th, 1929.

Philadelphia, Camden and Ocean City, Application of Reading Transportation Company for approval of local permission to operate auto buses.

Before the following Commissioners:
Jos. F. Autenrieth, Esq., President.
Charles Browne, Esq.
Harry Bacharach, Esq.
Frank J. Daly, Esq., Senior Inspector.

For Reading Transportation Company appear:
C. T. Wolfe, Esq.
Floyd H. Bradley, Esq.
Clifford A. Baldwin, Esq.

For Pennsylvania General Transit Company appear:
H. C. Maxwell, Esq.
Harry V. Osborne, Esq.

For Public Service Coordinated Transport appears:
C. S. Straw, Esq.

For White Way Tours, et al., appear:
Patrick H. Harding, Esq.
Emerson L. Richards, Esq.

E. D. Osterhout, resumes the stand on behalf of Reading Transportation Company.

Further direct examination.

By Mr. Baldwin:

Q. How long have you been with Reading Company?

A. Twenty-six years.

Q. Did the operation of the Atlantic City Railroad to Atlantic City precede your connection with the company?

A. It did.

Q. What facilities does the Reading Company and the Atlantic City Railroad Company provide in connection with this service to the seashore?

A. It provides a service on the Delaware River Ferry Company, a line of ferry boats between Philadelphia and Camden that connects up the city of Philadelphia with the rail facilities of the Atlantic City Railroad.

Q. By whom are those ferry boats owned?

A. Reading Company.

Q. And leased to the Delaware River Ferry Company?

A. That is right.

Q. What can you say of the stock holding of the Delaware River Ferry Company?

A. Owned by Reading Company.

Q. What can you say of the stockholding of the Atlantic City Railroad?

A. About ninety-nine percent of it is owned by the Reading Company.

Q. What can you say of the stockholding of the Reading Transportation Company?

A. All Reading Company, all owned by the Reading Company.

Q. So that the Reading Company is the parent corporation under whose ownership and control these three facilities are operated; is that correct?

A. That is correct.

Mr. Baldwin: I think that is all.

Mr. Harding: No questions.

Cross-examination.

By Mr. Straw:

Q. Do you recall the testimony of ——

Mr. Straw: This is the whole case?

Mr. Baldwin: Yes, the main case.

Q. You recall the testimony of January 31st, 1928, at Trenton?

A. I do.

Q. I call your attention to page 446 of the record of that day, your testimony and my cross-examination in which you said in answer to my question: "Would your Reading Transportation Company, as a bus subsidiary of the Reading Company, would you have any plan for operating buses in New Jersey?" "A. I could only say this: That we recognize an evolution in passenger transportation and I cannot say what we are expecting to do, or what we hope to do. We have been three years trying to get buses substituted for our little patronized trains in Pennsylvania, where we felt that would be a good

thing to do. We have not succeeded yet. In New Jersey at the present moment we do not think that it would be a good thing to operate buses on the White Horse Pike. We have discarded that. We don't think it would be a good thing to do.'' I take it that the Reading Company has changed its views in the matter?

A. Yes, sir.

Q. What have you to say with reference to that?

A. That was our view. We felt we should do everything possible to bolster up the traffic on the railroad rather than to go into the bus business with the possibility of diverting some more business from the railroad. Notwithstanding efforts, we have made since that time, in reducing fares and we have an advertising program, we have not succeeded in cutting down the rate of decline in traffic on the railroad. We also, as I explained yesterday, have come to the conclusion that it is wise and proper for us to expand our rail service by the operation of bus lines paralleling the railroad as well as feeding the railroad.

Q. Do you now feel, Mr. Osterhout, there is a need, a public necessity for a local service between Camden and Atlantic City on the White Horse Pike?

A. I do.

Q. You have said you would accept a restriction to do no local business north of Berlin?

A. That is right.

Q. Between Berlin and Camden?

A. Yes.

Q. Why have you fixed Berlin as that point?

A. For the reason that the territory between Camden and Berlin is suburban in character and part of metropolitan Camden, and there is so much service there at this time, that we have no thought of adding to it. The type of operation we have in

mind would not be—we could not haul many local passengers for short distances in the number that we would undoubtedly get in that territory. Our service is designed to carry the general type of patronage that we now get by railroad.

Q. You also suggested you would take a restriction between Absecon and Atlantic City?

A. That is right.

Q. Why not Egg Harbor and Atlantic City?

A. Absecon and Atlantic City, right.

Q. Why Absecon, rather than Egg Harbor to Atlantic City?

A. Because it is a very short distance, comparatively. Also, as far as we are concerned, we don't transport passengers by any method of operation now between Absecon and Atlantic City.

Q. When did the Reading Transportation Company start operating buses between Camden and Atlantic City or Philadelphia and Atlantic City?

A. A few days before Washington's Birthday, February 20th, about.

Q. How many buses are they now operating?

A. Normally, ten.

Q. Is that this year; Washington's Birthday, this year?

A. Washington's birthday, 1929.

Q. I asked you about the buses.

A. Normally, ten, that increases to fifteen and twenty at certain times.

Q. The present application is for twenty-five?

A. Yes.

Q. The old operation, as I recall it, between Atlantic City and the Reading Ferry, Camden, comprehended a transfor to other facilities, going to other facilities. The present application is to operate from Philadelphia to Atlantic City, is it not?

A. It is our first application so far as trips along

the White Horse Pike. Our rail service required the use of the Delaware River Ferry boat to Camden and thence the change, if that is an answer to your question.

Q. Yes; I meant the rail service. Then you transferred passengers to the motor coach, did you not, the Penn-Jersey Motor-Coach over to Philadelphia?

A. We had an arrangement with the Penn-Jersey lines to transport our passengers from Reading Terminal to our station at Camden, but that is about all it amounted to, was an arrangement; it was not patronized. We also have an arrangement with a taxicab company at Philadelphia to transfer passengers, without charge, from our Reading Terminal to the Chestnut Street Ferry, when they are enroute from distant points beyond Harrisburg and west of Wilkes-Barre, and this arrangement with the Penn-Jersey was supplementary to that, so as to have a cheaper means of transferring a large number of people rather than getting a fleet of taxi-cabs, say, for a trainload of 600 or 700 people.

Q. I am wondering why the route starts at Philadelphia and comes to Camden enroute to Atlantic City, rather than the line starting at Camden and running to Atlantic City.

A. To get the business; to get the Philadelphia business. Our facilities, our rail facilities operated from Philadelphia, in our opinion, connected up with Camden by ferryboat.

Q. Is the Reading Transportation Company opposing the application of the Pennsylvania General Transit Company?

A. They are not.

Q. If that petition is granted would you regard the Pennsylvania General Transit Company as being

in competition with the Reading Transportation Company?

A. Yes.

Q. You are opposing the application of the Public Service?

A. We are.

Q. And of this White Way Tours and Union Bus Company and Parlor De Luxe?

A. We are.

Q. Why?

A. Naturally, we could not establish a policy for ourselves as to supplementing our train service and paralleling our own railroad and oppose that similar policy on the part of another railroad which has also helped in the development of the seashore. We do object to any increased traffic to other outside agencies. We have heretofore had no opportunity to present our case to anyone as to the competition offered by the through lines. We couldn't take them to this Board or could we go to the Interstate Commerce Commission, but now we have an opportunity to explain, for the reason they are asking for increased privileges in the way of State rights in addition to the interstate operation.

Q. With a through service from Philadelphia to Atlantic City, in your judgment, will there be seats for local passengers on the bus operation as you propose it?

A. I don't understand that.

Q. With a through service operating on the White Horse Pike, from the Reading Terminal, Philadelphia, to Atlantic City, will there be seats for purely local passengers, for instance, Elm to Waterford or Atco?

A. We will see to it there are seats. Just how that is going to be worked out, I don't know. We have the experience now in the transportation of

passengers between Ocean City and Atlantic City on the same equipment that went through to Philadelphia, and it worked out. After a few days' time we will know just how many purely local buses should be operated. The situation will be different on Sundays than other week days and different in the winter time than it is in the summer.

Q. Have you filed your fare schedule?
A. No.
Q. And public time-table yet?
A. Not yet.
Q. We may have copies of that?
A. Yes.
Q. Have you prepared your time-table schedule?
A. We have, but it has not been introduced yet.
Q. We may have copies of that?
A. Yes.

Mr. Straw: That is all.

Mr. Baldwin: I will recall Mr. Osterhout later.

William E. Steptoe, sworn on behalf of Reading Transportation Company.

Direct examination.

By Mr. Baldwin:

Q. Are you employed by the Reading Company?
A. I am.
Q. In what department?
A. In the office of the comptroller, at Reading Terminal, Philadelphia.

Q. Does that office supervise and control the accounting processes of the Reading Company, the Atlantic City Railroad Company, the Delaware River Ferry Company and the Reading Transportation Company?

A. It does.

Q. Do you have an exhibit showing the comparative income account of the Atlantic City Railroad for the eight years which ended December 31st, 1928?

A. I have. (Witness produces statement.)

Mr. Baldwin: I offer that in evidence.

(Comparative income account, Atlantic City Railroad Company, etc., marked Exhibit R. 5.)

Q. It is my understanding that a somewhat similar exhibit was used in the earlier case, but that it did not have the 1928 figures reflected therein?

A. That is correct.

Q. Will you state for the benefit of the Board, please, just how the deficit has increased, if it has increased, for 1928 over 1927?

A. The deficit for the year ended December 31st, 1927, was $771,511.95. For the year 1928, the deficit was $1,080,833.63.

Q. Of course, you are not in the operating department of the company?

A. No, sir.

Q. You are not in a position to describe or equalize that increased deficit?

A. No, sir.

Q. Do you have any exhibit, Mr. Steptoe, showing the investment in road and equipment and physical property of the Atlantic City Railroad?

A. I do.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of investment in road and equipment, Atlantic City R. R., marked Exhibit R. 6.)

Q. What is the total investment of the Atlantic City Railroad in such property as of December 31st, 1928?

A. $17,043,787.12.

Q. So that the road and equipment account is by far the largest of the two items?

A. Yes, sir; $15,458,727.13.

Q. Have you any exhibit, Mr. Steptoe, which shows the additions and betterments, taxes, assessments and deficits for the year ended December 31st, 1918 to 1928 inclusive?

A. I have.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of additions and betterments, etc., marked Exhibit R. 7,)

Q. I presume this $7,514,371.53, shown in the column, at the foot of the second column, is that the investment which you just described in Exhibit R. 6?

A. The investment since January 1st, 1918, to December 31st, 1928, inclusive.

Q. So that this does not include your investment prior to January 1st, 1918?

A. That is right.

Q. How did you add to your investment during the year 1928, by what amount?

A. $105,470.19.

Q. The next column is headed United States Government and relates to tax assessments; is that your income tax situation?

A. Well, it is the taxes paid to the U. S. Government on tax free bonds. It isn't an income.

Q. But it is the net income tax, is it not?

A. Yes.

Q. Did that increase or decrease during the year 1928?

A. It decreased to the extent—it decreased about $130.

Q. And correspondingly, your tax assessment in the State of New Jersey, both State and municipal, increased during that year, did they not?

A. They increased to the extent of approximately $20,000.

Q. And these deficit figures, which you have outlined in red, are the deficit figures also reflected by this Exhibit R. 5, are they not?

A. They are.

Q. Do you have an exhibit showing what amount is due from the Atlantic City Railroad to the Reading Company for advances?

A. I have. (Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of amount due from Atlantic City R. R. to Reading Company, marked Exhibit R. 8.)

Q. For what purpose does the Reading Company make advances to the Atlantic City Railroad?

A. To meet the operating deficit, pay the interest on the funded debt and the investment, the cost of new work.

Q. How much of an advance did the Reading Company make to the railroad company during the year 1928?

A. Approximately $830,000.

Q. So that these advances, as they progress from year to year on this deficit statement, are cumulative, are they?

A. Yes, sir. This statement reflects the amount to the end of each of the years leased.

Q. So that almost $1,000,000 was advanced during the year 1928?

A. That is correct.

Q. Do you have an exhibit showing the excess equipment required by the Atlantic City Railroad for its seasonal business during July and August of each year?

A. I have. (Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of excess equipment required, marked Exhibit R. 9.)

Q. The figures which are shown in this exhibit speak for themselves and originate in your department, do they not?

A. The units, the number of units were furnished to us by our operating department, as to the number of units they required; the amounts shown were arrived at by our department.

Q. Taking the information received from the operating department, you were able to calculate the value of those units?

A. That is correct.

Q. Do you have an exhibit showing the situa-

tion with respect to the ferry boats of the Delaware River Ferry Company?

A. I have. (Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement as to ferry boats required, marked Exhibit R. 10.)

Q. This Exhibit R. 10, shows that two of the boats are owned by the ferry company and the other six are leased from the Reading Company, is that right?

A. That is correct.

Q. And the total value of that equipment as is carried in your department is as shown by the exhibit?

A. That is correct.

Q. Do you have an exhibit showing the deficit, if any, of the Delaware River Ferry Company for the years between 1918 and 1928?

A. I have. (Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of deficit of Delaware River Ferry Company, marked Exhibit R. 11.)

Q. Did the Delaware River Ferry Company have an operating deficit for the year 1928, and, if so, how much?

A. The operating deficit for the year ended December 31st, 1928, $152,523.33.

Q. And the total deficit for that eleven year period amounts to how much?

A. A total deficit of $1,631,575.52.

Q. Do I understand from this statement that for the years 1925 and 1926, there was no deficit?

A. That is correct.

Q. And the deficit began to reoccur in the year 1927?

A. That is correct.

Q. Does the Ferry Company also take advances from the Reading Company?

A. It does.

Q. Do you have an exhibit showing those advances?

A. I do. (Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of advances to Ferry Company, marked Exhibit R. 12.)

Q. This exhibit is also cumulative, I believe, is it not?

A. It is.

Mr. Baldwin: Take the witness.

Mr. Straw: I have no questions.

Commissioner Autenrieth: Are there any questions?

(No response.)

By Mr. Baldwin:

Q. I might ask if your accounts are checked and these exhibits have been prepared in accordance with the accounting system of the Interstate Commerce Commission?

A. They have, and I might add, they are the same as filed, the sworn copies filed with the Interstate Commerce Commission as well as with the Board of Public Utility Commissioners of the State of New Jersey.

Mr. Baldwin: That is all.

E. D. Osterhout, resumes the stand on behalf of Reading Transportation Company.

Further direct examination.

By Mr. Baldwin:

Q. I presume in your capacity of passenger traffic manager, you supervise the passenger operations throughout the Reading system, do you not?

A. I do.

Q. Are there any particulars in which the traffic of the Atlantic City Railroad Company differs from that over other parts of the system?

A. It is decidedly different because, in the first place, there are more passengers carried—more passenger revenue, rather, in proportion to the freight revenue, than anywhere else. On the Atlantic City Railroad, fifty-six and a half per cent of the revenue comes from passengers, whereas on the Reading Company, which does a diversified business, only 8.6 is from passengers. Also——

Q. So that, to accommodate that passenger movement, you require passenger equipment to a greater degree than on your other railroads, do you not?

A. Yes, that is correct. And furthermore, there is not the incidental revenue or additional revenue from freight to the same extent, proportionately, there is on the Reading or, in fact, any other railroad as far as I know. I think the proportion of passenger revenue on the Atlantic City Railroad to the total is greater than any other railroad in the country.

Q. What other characteristics are there of this seashore traffic?

A. It is very seasonal; it is largely carried in the two summer months, July and August. In those two months, sixty-two days, which is seventeen percent of the year, during that time forty-two percent of the passenger revenue of the Atlantic City Railroad is obtained. Also, it has frequent peaks, all the year round and particularly in the summer, considerably more business is done on week-ends than on week days and the movement is very largely in one direction at a time. During week days, the heavy movement is northbound in the morning and southbound in the afternoon, with no return loads at those times. On Sunday it is the reverse; heavy southbound in the morning and northbound at night. The equipment goes back empty to make the reverse movement. The railroad is peculiar in that respect, in that it has no passing-over business; the only business we get is in one direction, to the seashore. For instance, on the Reading we have, in addition to the local, traffic similar to the Philadelphia-seashore traffic, we would have pass-over business on line from Philadelphia to New York. In addition to the Philadelphia to New York, we have Philadelphia-Chicago and Boston, Jacksonville, business. There is nothing like that on the Atlantic City Railroad.

Q. Are there any other characteristics?

A. There are no large places on the Atlantic City Railroad, large manufacturing centers, large centers of populations except in two cases, the seashore resorts at one end and Camden and Philadelphia at the other. So that there is only two kinds of traffic, really, local suburban traffic and the seashore traffic. There are a few places, Hammonton and Egg Harbor and Cape May Court House, but they do not provide a very large percentage of the total business.

Q. In view of your furnishing this seashore traffic with facilities, are you required in any way to furnish facilities which are outstanding for their excellence?

A. The entire seashore traffic is not only temperamental but very exacting; they demand high speed service and the best of equipment. And it is our effort at all times to furnish it with the very best of service. It is necessary to do that in order to get any business at all; it has to be an outstanding service.

Q. Are you able, Mr. Osterhout, in your passenger department, through the sale of tickets or otherwise, to make any determination as to the trend of traffic at given points along that route?

A. We have made such studies at certain designated points over a period of years and have brought it up to date. They are the same studies that were introduced in the application between Camden and Atlantic City, and have been brought up to the end of the year 1929.

Q. You spoke of the suburban traffic and the Seashore traffic; now, the Camden end of the line, is there any typical station that could be described as supplying the suburban demand?

A. Haddon Heights is a representative suburban place.

Q. Have you prepared a study showing the trend of traffic at that point?

A. I have. (Witness produces statement.)

Mr. Baldwin: Will you distribute that, please? I offer that in evidence.

(Trend of traffic, Haddon Heights, marked Exhibit R. 13.)

Q. Will you analyze for the Board your study, particularly with reference to any changes which have taken place during the year 1928?

A. The top portion of the exhibit shows the tabulation as to the number of trips made by various classes of passengers. The first column is the normal one-way and round trip tickets; the next ten-trip ticket, the third should be a fifty-trip ticket, those are the low rate commutation tickets, and on the right side are the totals of those trips and also the total revenue obtained from all classes, with a percentage, using 1921 as 100 per cent. That information is shown graphically in the bottom portion.

It will be noted that the solid black line shows the number of trips and the broken black line the revenue, and they have been consistent in their movement up and down, and since the year 1923, there has been a very steady and sharp decline. The only increase shown is indicated by the red line, which is brought about by a reduction in the fares. The round trip tickets, filed last year, the round trip fare between Philadelphia or Camden and Haddon Heights was fifty-two cents. We reduced this and put on a round trip good for one day for thirty cents. That increased the number of passengers but the additional revenue was not sufficient to make

very much change in the total number of trips or the total revenue. The traffic was diverted, to a large extent, from other forms, which will be noted; the ten-trip ticket took another drop, as did the fifty and sixty-trip tickets. So that the passengers either left us for other form of transportation or used the round trip ticket, but the result was not favorable.

Q. Have you prepared a similar study or exhibit in connection with your Hammonton operation?

A. I have.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of trend of traffic, Hammonton, marked Exhibit R. 14.)

Q. Will you describe the operating conditions reflected by this exhibit?

A. The exhibit was made up in the same form as the previous one, but indicates a better picture. Hammonton is the only point where we have shown some increases. The commutation traffic represented by the blue line has steadily advanced and the number of passengers carried on the round trip tickets pull that revenue up, with the result that there was about a six per cent increase in the total number of trips, and a three per cent increase in the revenue. The ten-trip ticket dropped off very sharply. Of course, that was taken up by increase in the round trip ticket, the number of round trip fares being less than a round trip on the ten-trip.

Q. Regardless of those favorable conditions you have described, do I understand your total revenue is still less than the 1921 revenue?

A. Still 88.4 per cent of 1921.

Q. Have you prepared a similar study with respect to Egg Harbor business?

A. I have.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Trend, Egg Harbor, marked Exhibit R. 15.)

Q. Are there any peculiar characteristics with respect to Egg Harbor business, with respect to the year 1928?

A. No. It indicates a general downward trend. The only increase was in the round trip tickets, represented by the red line, which, however, had no appreciable effect upon the downward trend of the revenue and the trips. The total number of trips in 1928 was 74.8 per cent of 1921, and the revenue was only 55.4 per cent of the 1921 revenue. The revenues in most cases goes down faster than the work done represented by the trips.

Q. Would a similar exhibit, prepared with respect to the sale of Atlantic City tickets, show the condition on your railroad with respect to its through business, as between Philadelphia and Atlantic City or intermediate points between Philadelphia and Camden and Atlantic City?

A. Yes. We have an exhibit showing the situation at Atlantic City.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of trend, at Atlantic City, marked Exhibit R. 16.)

Q. I understand this exhibit to be a through business exhibit, that is correct?

A. Through business, representing the traffic between Philadelphia and Camden combined on one end, and Atlantic City on the other, both directions. It is the total traffic we handled between these two places.

Q. Will you analyze the exhibit for us?

A. That shows the same general situation as applying generally. There is an upward trend recently in the tax earnings or number of passengers carried on round trip tickets and one-way tickets, but it has not materially affected the general trend of the traffic. The total number of trips in 1928, was 83.1 per cent of 1921. The total revenue is some seventy-one and a half per cent of what it was in 1921.

The one-day excursion traffic shows a sharp decline and is now about one-half what it was in 1921. The commutation trips have also dropped off sharply in the last two years.

Q. This one-day excursion business, as reflected by the green line, reached its peak in the year 1925, did it not?

A. That is right.

Q. At that time was it a profitable line of business to your railroad?

A. No. The Atlantic City Railroad was not profitable in 1925, but the general trend was upward and we were very much encouraged by it. We thought at that time we had at last reached its stride, but everything dropped off very sharply in the year 1926, due almost entirely, in our opinion, to the opening of the Delaware River Bridge, on July 4th,

1926, when automobile and bus traffic became a big factor in the transportation between Philadelphia and Atlantic City.

Q. Have you been able to determine from your operation of buses between Philadelphia and Atlantic City, that a good deal of it is one day business, down in the morning and up at night?

A. That is correct. A large portion of it is of that type and they are attracted to the buses, which leave at frequent intervals. Our dollar and a half excursions, a passenger is required to leave early in the morning at Philadelphia and leave at an arbitrary time in the afternoon returning.

Q. Have you prepared a similar exhibit for through business to Ocean City?

A. I have.

(Witness produces statement.)

Mr. Baldwin: I offer that.

(Statement of trend, Ocean City, marked Exhibit R. 17.)

Q. In connection with that business, did you also reach a peak in the year 1925?

A. That is right.

Q. What is the condition today?

A. The same general result. The decline has not been quite as sharp in some cases as in Atlantic City, but the picture is generally the same as I explained. The total number of trips in 1928, 67.2 per cent of 1922 and the revenue 61.5 per cent of 1922. The low rate excursions, that is, not the one-day excursion, but the two and four-day excursion trips to Ocean City, did not produce even an addi-

tional number of trips there, as indicated by the red line. Of course, the revenue on those trips fell off very materially for the reason that the fare was lowered and had its effect upon the total revenue, which gets further away from the line represented by the trips. In other words, the revenue is falling off at a greater degree than the business done.

Q. Is there any considerable part of the physical property of the Atlantic City Railroad which is designed to serve the Ocean City business and not the main line Atlantic City business?

A. Yes. The Ocean City services leaves the main line at Winslow Junction and uses the same trackage as for all South Jersey resorts, which is Tuckahoe, and the portion from Tuckahoe to Ocean City is purely for Ocean City business. Some of the traffic to Ocean City may have been devoted to our bus operation between Atlantic City and Ocean City, the latter part of last year. We did not secure authority to transport passengers by coach between Atlantic City and Ocean City until sometime in September, that is, after the summer rush, and while we have carried an increasing number of passengers to Ocean City via Atlantic City, and then by bus, because of the fact it was in the winter time and during the slack season it did not have a very marked effect on the revenue.

Q. Do I understand on the Atlantic City Railroad, Ocean City tickets are accepted for carriage to Atlantic City and vice versa?

A. Ocean City rail ticket is good to Atlantic City, but an Atlantic City rail ticket is not good to Ocean City. An Ocean City ticket by rail is not valid via Atlantic City and motor-coach for the reason, under our interpretation of the Interstate Commerce Commission Act, we cannot do that because we would be recognizing the transportation company as a

common carrier and doing a joint business with them.

Q. Have you prepared tentative time-tables of the operation on this line if approved?

A. I have.

(Witness produces statement.)

Mr. Baldwin: I offer that in evidence.

(Tentative time-table, marked Exhibit R. 18.)

Q. Mr. Osterhout, does this time table take into account your voluntary restriction not to do a local business between Camden and Berlin and Absecon and Atlantic City?

A. It does. With reference to the marks, for instance, the local travel leaving Philadelphia at 10.30 A. M., in the territory suburban in New Jersey, is marked with "a," which means stops only at signal to pick up passengers from points beyond Berlin, New Jersey. This time-table is lined up in a spirit of cooperation and coordination with the Pennsylvania Railroad time-table in the express trips between Philadelphia and Alantic City, leaving on the hour. During the summer period we propose to leave on a half hour, that giving a half-hourly railroad and motor-coach service between Philadelphia and Atlantic City.

And the motor-coach on the local trips, they are sent in midway, approximately, but there is a gap generally of two hours in the local service, although the local service in my opinion will be much better than two hours because I think a very large proportion of the local service will be carried on the through buses. The through buses will be stopped

at the important points, such as Hammonton and Egg Harbor, which are the larger centers of population and produce most of the traffic. I think they will take the through equipment rather than wait for a local bus.

Q. Between Camden and Berlin you have provided for both express and local service, have you not?

A. That is right.

Q. How many round trips a day do you contemplate operating in both directions on your railroad?

A. On the buses?

Q. On your system.

A. Four round trips locally and fifteen express trips, most of which are going through to Ocean City or at least connecting at Atlantic City for Ocean City.

Q. From your knowledge of the proposed Pennsylvania motor-coach schedule does this just about duplicate their service?

A. Just about duplicates their service except it doesn't duplicate their time.

Q. And their time is about midway between yours?

A. That is correct.

Q. They do not, however, run to Ocean City, do they?

A. Not through. We have a subsidiary of ours operating a line between Atlantic City and Ocean City. The Atlantic City & Shore Railroad ——

Q. Are you confident, Mr. Osterhout, that the arrangement between the railroad and dividing headways will be in the public interest?

A. I think it will be very greatly to the public interest. Instead of two scheduled trips at the same time every hour, there wil be a scheduled trip every

half-hour from Central Philadelphia to Central Atlantic City.

Q. Have you prepared a schedule of fares to be charged in connection with your operation?

A. A schedule is being prepared. Unfortunately it hasn't arrived. I didn't think it would be needed so soon. It could be here very soon.

Q. It will be here later in the day?

A. Later in the day, yes.

Q. I think you said in your earlier testimony that your company has had experience in motor-coach operation in New Jersey which dates back to July, 1928, is that correct?

A. That is correct.

Q. And have you compiled any passenger data arising out of that motor-coach operation?

A. Prepared a statement showing the total number of passengers carried by the Reading Transportation Company within New Jersey since last July.

Mr. Straw: May I ask where the termini are; from where to where?

Commissioner Autenrieth: It ought to have some relation to the proposed route.

Witness: The schedule shows the number of passengers carried by the Philadelphia, Atlantic City-Ocean City line and the Atlantic City-Ocean City line as well as the Atlantic City-Wildwood-Cape May-Wildwood and Avalon-Wildwood line.

Q. Are there any duplications on that, Mr. Osterhout; that is to say, does the Atlantic City-Ocean City line also include those passengers that were

carried on the Philadelphia-Atlantic City-Ocean City line?

A. It does not. There are no duplications. In other words, there were a total of 159,016 different passengers handled in the New Jersey operation.

Q. And do you feel that the experience which your company has gained in handling that many passengers has been beneficial from a standpoint of knowing how best to provide for their future need?

A. We think so. We think we are capable of running this operation. I am satisfied we are.

Q. What provision has your company made and what provision does it now have for insurance against public liability?

A. At the moment I don't recall the amount. There are witnesses who can tell you. I don't remember what amount we have.

Q. Do you carry your own insurance or with an insurance carrier?

A. With an insurance carrier. I think we have the maximum we can get, but I don't recall the amounts.

Q. What type of equipment have you operated and do you propose to operate on this line if approved?

A. The type is the same as now running in interstate service, which we call club-parlor, which are designed to meet all possible requirements as to comfort and convenience. The baggage is taken care of inside and the operator does not have to do anything to handle the baggage, he has no responsibility except to drive the coach. Fares are collected, wherever possible, by ticket agents, so that he has no concern with that or punching out receipts.

We have made every possible effort to give the very best service, and apparently the public thinks

so, because our business is increasing steadily. It doubled in April, there were 5,469 passengers carried between Philadelphia and Atlantic City and Ocean City. That number rose to 10,692 in May and the figures in June will undoubtedly be twice as much as they were in May, leaving in back July, August and September.

Q. Are there any advantages, in your opinion, through the proposal to use your Philadelphia and Atlantic City and Ocean City railroad stations as termini?

A. I think we have every advantage as against anyone else, because these stations have always been looked upon as transportation centers, they have all the facilities for passengers, comfort facilities and expensive waiting rooms, and reservations can be made, they are known, everyone knows where they can get reservations. We are also making reservations on motor-coaches at any station on the Reading System, and they can be made at any station of any other railroad by wiring or telephoning down to the Reading Terminal, and there is a lot of that sort of business.

Q. What is your proposal as to reservations for those passengers who are desiring an on and off local bus?

A. Not to make reservations for those passengers but provide sufficient seating space without reservations.

Q. Your sale of reservations, then, will be limited to long hauls and through business?

A. That is correct. We now have the same combination of service in connection with through trips between Philadelphia and Ocean City. A coach starting out of Ocean City, it has some local passengers on for Atlantic City and some few passengers on for Philadelphia, for which reservations are

made; a certain number of seats are reserved for the through passengers. That is very carefully watched and we have had no difficulty with it. If it is insufficient an increased number is set aside, and the reverse, if we have too much there is more available for the other traffic.

Q. With respect to your fare tariff, will there be any difference in the fare between your operation and that of the Pennsylvania Railroad Company, the Pennsylvania General Transit Company?

A. I think not. I think there will be no difference except on our route which goes through to Ocean City, whereas their route terminates at Atlantic City, we will have the additional fare to Ocean City.

Q. Under existing conditions today on the interstate buses, are there any difference in fare tariffs existing?

A. There are not.

Q. So that all lines that operate will charge the same fare as your company charges?

A. No; that is not correct. The Pennsylvania Railroad operation and our operation are the same. As far as I know, all other lines are lower. Some of them recently reduced, a day or so ago.

Q. Up until that recent time, were the fare tariffs all the same?

A. They were all the same, with one exception, the Quaker City Line between Philadelphia and Atlantic City has been fifty cents, and has been lower than ours since we started, but that was not much concern to us; we felt our service was better and our equipment was better and the rate we were charging was a proper charge and we didn't do anything about it at all.

Mr. Baldwin: Take the witness.

Mr. Straw: No questions.

(Statement marked Exhibit R. 19.)

Cross-examination.

By Mr. Richards:

Q. What is the petition in relation to the profit and loss of the Reading Bus Lines since they have commenced operation, to date?

A. We have made a profit.

Q. How much?

A. I don't know whether I could tell you exactly. It is around, between five and ten thousand dollars, five and ten thousand dollars profit.

Q. Over the whole period?

A. Over the whole period, and we think that is very good because that takes in all the development expenses and also includes all items of expense with a five-year depreciation basis and so forth; every cent has been charged to it, including all these developments. That rate of profit should increase very rapidly.

Q. I think in this revenue operating sheet, I can't refer to the exhibit here, as to the exhibit number —

A. Income account, Atlantic City Railroad?

Q. Yes. I note a decrease there in the income between 1927 and 1928 of approximately $500,000; do you attribute that to the bus competition?

A. I think that possibly a fair share of it is attributable to bus operation.

Q. How much of it?

A. I don't know. I think from calculations which we have made that if all the passengers who traveled between Philadelphia and the seashore resorts

by bus have used the railroad, at the normal fares, we would have had no deficit and we would have had a steadily increasing business from 1925 to date.

Q. Do you remember my asking you this same question about a year ago before this Board and you said there were exactly nine reasons why there had been a falling off in that revenue?

A. I don't recall the nine reasons, Senator.

Q. Those nine reasons were nine rainy Saturdays in that year?

A. It is a fact for the last three years the weather has been decidedly unfavorable to seashore traffic. Last year and the year before, in fact, the year before that, since 1925 the Sundays, week-ends, have been usually rainy or cold or threatening, and even if the Sunday happened to be clear, it would be preceded by unfavorable weather Friday and Saturday, when most people make up their minds to make the trip, and it was discouraging all through.

Q. Those rainy Sundays came in the month of July and August in both years?

A. Yes.

Q. And undoubtedly, they contributed to a very large extent in the falling off in all business in the resorts as well as the railroad business, is that not so?

A. It had its effect upon our traffic. I would like to add, though, that the bus traffic seemed to have kept its pace better than the railroad traffic, from counts which we made of our own operation.

Q. Mr. Osterhout, let us get down to what this case is about: All these statistics are of course very interesting, showing the general falling off in railroad service; but what we are concerned with in this application is the effect upon your local business. How many trains a day, local trains a day, do you run on the Atlantic City Railroad between

Atlantic City and Philadelphia or Philadelphia and Atlantic City?

A. If I may have a time-table; I don't know the information; I can tell you from the time-table. Our local service between Camden and Atlantic City is just about the same as it has been in the past. I can read off the ——

Q. Just tell me how many trains there are.

A. As far as Winslow Junction we have ——

Q. Local trains I am talking about, that stop at the various local stations.

A. We have six as far as Winslow Junction and Hammonton and two through to Atlantic City. These are distinctly local trains which stop at all points; but we have a general service to the important intermediate points, principal points, Hammonton and Egg Harbor; most of our express trains stop at those points and transport the local passengers between the centers of population.

Q. The two trains that would be most affected would be the two entirely local trains?

A. No, sir.

Q. Is that correct?

A. No, sir, I don't think so. I think the trains that would be most affected would be the express trains because I think most of the business would come from Hammonton and Egg Harbor. That is, it would be Philadelphia and Camden, Hammonton and Egg Harbor and Atlantic City would be most affected. Possibly ninety-five per cent of the total local business would be between those points.

Q. Of course, your line does not parallel the Pennsylvania Railroad below Hammonton; it branches off and goes to Pleasantville?

A. That is right.

Q. So there is no competition between Hammon-

ton and Atlantic City by the White Horse Pike bus line and your line; that is right?

A. No; it is not. The competition is between Hammonton itself, Egg Harbor itself, and Atlantic City itself. I don't think there is very much traffic between other points in that area and our trains, we have suburban train service between those points. If there is bus service operating between those points it will very seriously affect the railroad.

Q. The matter, then, in dispute here is the competition mainly by the people who would be diverted from taking your trains at Hammonton and Egg Harbor, either going north to Philadelphia or south to Atlantic City; that is your contention?

A. I think that would be the big factor that would affect the railroad.

Q. That is a fair statement of the proposition?

A. That is right, and because those places have the most population.

Q. Have you any figure here to show the amount of revenue received from your operation between those two points and have you also the figures here showing the operating costs of obtaining that business?

A. We have not.

Mr. Richards: That is all.

Mr. Baldwin: That is all.

JAMES DOAK, sworn on behalf of Reading Transportation Company.

Direct examination.

By Mr. Baldwin:

Q. Where do you live?
A. Haddon Heights.
Q. How long have you lived there?
A. About six years.
Q. In your residence at Haddon Heights, do you make use of the railroad trains to and from that point?
A. Yes, sir.
Q. For what purpose?
A. Well, I have to go to Philadelphia.
Q. Do you ever make the trip in the opposite direction, the direction toward Atlantic City?
A. No, sir.
Q. Do you ever come to Atlantic City either for business or pleasure?
A. Yes, sir.
Q. In your desire to come to Atlantic City, would you be accommodated by a bus line along the White Horse Pike operated by the Reading Transportation Company, which would make stops at Haddon Heights?
A. We certainly would; all Haddon Heights would be benefited by that.
Q. Are there many people in Haddon Heights, to your knowledge, who desire to come to Atlantic City?
A. There are.
Q. And also to Ocean City?

A. Yes, sir.

Q. Are there any intermediate points to which people in Haddon Heights might desire to go along the White Horse Pike?

A. I presume there is. There are a lot of people connected with Haddon Heights doing business in Haddon Heights, that would be a great advantage for them.

Q. Is there any local service on the White Horse Pike at the present time, to your knowledge, which runs from Haddon Heights to Atlantic City and Ocean City?

A. No, sir. We have to go to Philadelphia if we want to go to Atlantic City or Ocean City.

Q. Do you find that inconvenient?

A. Very inconvenient. In the first place, it takes thirty-five minutes to go to Philadelphia; we have to go to Philadelphia from Haddon Heights, and then when you came back from Atlantic City or Ocean City you have to go into Philadelphia, which takes thirty-five minutes more, to come back home again. It costs us fifty cents; twenty-five cents to Philadelphia and twenty-five cents back again.

Commissioner Autenrieth: How do you get to Atlantic City from Haddon Heights?

Witness: I have to go to Camden.

Commissioner Autenrieth: Is that the way you actually go?

Witness: Yes, sir.

Q. Let us suppose there were two services in operation along the White Horse Pike, one of which

could take you by a direct trip to Atlantic City and Ocean City, the other of which would require a change on your part at Berlin; which of those two would be the more convenient to you?

A. I would take the direct trip.

Q. Are there any reasons in your mind why the operation of these local buses by either the Pennsylvania or the Reading Railroad System would be preferable to bus operation by anyone else?

Mr. Straw: I have no objection if he means preferable to him.

Mr. Baldwin: Yes; preferable to him.

Mr. Straw: All right.

A. The way I feel is like this: We have a lot of wildcat buses on the White Horse Pike now. The Reading Railroad, I will speak for the Reading Railroad, we feel that the Reading Railroad is more responsible people that will give us better service. They have always given us good service on the railroad; we will get better service and more responsible.

Q. Are those the compelling reasons in your mind why you would ride a railroad bus in preference to any others?

A. Yes; I would ride the railroad bus.

Mr. Baldwin: Take the witness.

Cross-examination.

By Mr. Straw:

Q. You feel the Pennsylvania Railroad is also responsible, if they operate buses?

A. Yes, sir.

Q. Have you ever asked the Reading to stop trains at Haddon Heights so your people might get to Atlantic City on that fine road bed?

A. Asked the Reading Railroad?

Q. To stop their trains at Haddon Heights, their through trains.

A. The only train that stops at Haddon Heights is the excursion train.

Q. Have you folks of Haddon Heights ever petitioned the Reading to stop their through service there?

A. Not that I know of.

Q. If they did that you would have fine service into Atlantic City?

A. I assume we would.

Q. That is the real way to get to Atlantic City from Haddon Heights, isn't it; that would be the ideal way to get there?

A. Yes.

Q. If the Reading did stop their trains at Haddon Heights that would serve the public necessity and convenience in your town for Atlantic City?

A. The trip ——

Q. Would it or wouldn't it?

A. It would, but the trouble ——

Mr. Straw: That is all.

Witness: Let me answer the question. The trouble with that is all the rest of the boroughs

would want the same thing and it would be practically—it wouldn't be an express train. We don't want them going to stop at every whitewashed fence.

By Mr. Straw:

Q. This application we are now hearing is an application of the Reading Railroad to do a local business on the White Horse Pike?

A. Yes, sir.

Q. Stopping at every fence post?

A. That is all right. The bus is a little different from the trains. You go down in an automobile and you are not in such a big hurry to get there. You have scenery to look at going all the way down the White Horse Pike. There isn't so much if you are in a train.

Q. What particular scenery do you look at between Haddon Heights and Atlantic City?

A. Everything on the White Horse Pike, it is all scenery.

Q. Are you in business in Haddon Heights?

A. No, I am not.

Q. Where are you in business?

A. I am not in business anywhere.

Mr. Straw: That is all.

I am perfectly willing to do this, to stipulate all the rest of the public witnesses will testify the same.

Mr. Baldwin: They are from different points. They will be brief.

JOSEPH CALVI, sworn on behalf of Reading Transportation Company.

Direct examination.

By Mr. Baldwin:

Q. Where do you live?
A. Hammonton.
Q. Are you in business there?
A. Yes, sir.
Q. What business?
A. Electrical contractor.
Q. How long have you lived in Hammonton?
A. For the past ten years.
Q. Are you familiar with the application which the Reading Railroad is making to run buses along the White Horse Pike?
A. Yes, sir.
Q. To Atlantic City and Ocean City?
A. Yes, sir.
Q. Do you have occasion to go to Atlantic City and Ocean City?
A. Every day.
Q. And in your desire to reach those points, would it be convenient to you to have such local bus service along the pike?
A. It would be a great convenience.
Q. Do you have at the present time any service along the White Horse Pike which you can make use of to go to Atlantic City and Ocean City from Hammonton?
A. Only one way. We can come into Atlantic City and Ocean City but we cannot go back; they won't let us off in Jersey.

Q. You can't make any ride along the White Horse Pike that is entirely in New Jersey, can you?

A. No.

Q. Are there any reasons which in your mind would make you prefer such local service by either the Reading or the Pennsylvania Railroad?

A. Yes.

Q. To any other operator?

A. Yes.

Q. What are those reasons?

A. Well, first of all, I think we could get better service, better facilities and better accommodations.

Q. Are you familiar with the service which the Reading Railroad has given you between Hammonton and Philadelphia?

A. I am.

Q. Have you made use of it?

A. I commute every day to Atlantic City.

Q. You commute to Atlantic City every day?

A. Yes.

Q. Are there any points between Atlantic City and Hammonton to which you might desire to have access which the railroad would not conveniently serve?

A. Yes, there are quite a few.

Q. In your business do you do work along the White Horse Pike?

A. I do.

Q. Between Atlantic City and Hammonton?

A. I do.

Q. Are there other people in Hammonton who, to your knowledge, are also in need of such service?

A. Quite a few.

Commissioner Autenrieth: How do you get to Atlantic City every day?

Witness: I will get that 9.42, which will take me in at 10.15, and half of my day is gone.

Commissioner Autenrieth: On the train?

Witness: On the train.

Commissioner Browne: Is there an earlier train than that?

Witness: There isn't. If there was an earlier train—I lost quite a little business last week because I couldn't get there in time enough.

Q. Would more frequent bus operation along the White Horse Pike suit your needs better?
A. I certainly think it would do so.

Mr. Baldwin: Take the witness.

Mr. Straw: No questions.

Mr. Harding: No questions.

A. G. Vantrinot, sworn on behalf of Reading Transportation Company.

Direct examination.

By Mr. Baldwin:

Q. Where do you live?
A. Egg Harbor City.
Q. How long have you lived there?
A. All my life.

Q. Are you in business there?

A. I am.

Q. What do you do?

A. I am cashier of the Commercial Bank at Egg Harbor.

Q. Do you have any affiliation with civic bodies in Egg Harbor City?

A. I have.

Q. What are those connections?

A. I am president of the Chamber of Commerce.

Q. How long have you been president of the Chamber of Commerce?

A. About seven or eight years.

Q. Are you familiar with the application pending before this Board on the part of the Reading Transportation Company to operate a local bus service along the White Horse Pike between Philadelphia and Camden and Atlantic City and Ocean City?

A. I am.

Q. Would that operation extending to Egg Harbor City, be convenient to you or to your townspeople?

A. It would.

Q. What would be the phases of that convenience; what convenience would it be?

A. It would simply give us more outlets. The service we have now is more or less limited.

Q. What service do you have, for instance, into Atlantic City, local bus service?

A. We have a bus line that the Public Service operates at intervals between Egg Harbor City and Atlantic City, and then we have the railroad; of course, that service is more or less limited.

Q. Which of those two services was prior, in point of time, the railroad or the bus?

A. The railroad.

Q. Do you find your present bus service adequate with respect to the number of trips it operates?

A. Well, no. I think they ought to operate a little more than what they do.

Q. What about in the other direction; do you have any local bus service from Egg Harbor northward along the White Horse Pike?

A. No. We have no service.

Q. Is it desirable you should have?

A. It is.

Q. What point along the White Horse Pike north of Egg Harbor might it be convenient for your people to reach?

A. Well, we could reach Elwood, Hammonton and all intermediate points between Camden and Egg Harbor City.

Q. What about Camden itself?

A. It would be convenient for them.

Q. Do you have any local bus service along the White Horse Pike now by which you can get to Camden?

A. We have none.

Q. If you did have a choice of two services, one of which went through to Camden and one of which involved a change at Berlin, which of those two would you find more convenient?

A. The one that took us to Berlin, of course.

Q. The one by which you change at Berlin?

A. Where we got better service, in order to reach intermediate points.

Q. You might not have understood my question. I am comparing two different services, one of which goes through Camden and the other goes to Berlin and you change there for Camden, which of those two services would be more convenient?

A. I don't think it would be desirable to change,

unless there was a bus waiting there to take you right along.

Q. If the proposed plan does not contemplate having a waiting bus, would you find that convenient?

A. No, sir.

Q. Have you made use of the Reading Railroad facilities at all?

A. The railroad facilities?

Q. Yes.

A. Yes, sir.

Q. From the experience which you have gained through that use of the railroad, do you believe that your service would be rendered by the Reading Transportation Company that would meet with your approval?

A. It would.

Q. Would there be any reason in your mind why such local bus service is furnished by one of the railroads, the Pennsylvania and the Reading, would be more convenient and suitable to you than that furnished by any other operator?

A. I believe so.

Q. What are those reasons?

A. Well, in the first place, you have a company that has been in business a good many years; if they put on a schedule you can depend on it. It would be the more desirable company to have the privilege, than some small company, that had just been organized to operate these buses and was probably undesirable.

Mr. Baldwin: Take the witness.

Cross-examination.

By Mr. Straw:

Q. Do you need more buses on that Public Service, Berlin-Egg Harbor-Atlantic City line?

A. At times we could, to meet the demand on them. At times they run, I think, at intervals of two or three hours.

Q. So you need more on that line?

A. Not necessarily. If we can't get any more, we have to be satisfied with those.

Q. If you could get more, would you want them?

A. There are people prefer to take them at different times.

Q. If you can get more buses on that line, do you want them?

A. Yes, sir.

Mr. Straw: That is all.

Mr. Baldwin: That is all.

Commissioner Autenrieth: Why can't these witnesses, regardless of where they come, why wouldn't their testimony be of a similar nature?

Mr. Baldwin: I have only one other.

JOHN S. WESTCOTT, sworn on behalf of Reading Transportation Company.

Direct examination.

By Mr. Baldwin:

Q. You live in Ventnor City?
A. I do.
Q. And have for how long?
A. Twelve or fourteen years.
Q. Can you say whether or not there is any community of interest between your city and points on the White Horse Pike north of Atlantic City?
A. I should say yes.
Q. Can you also say whether there is a community of interest between your city and Ocean City?
A. Yes.
Q. Would that convenience be served by a line of buses operating from Philadelphia and Camden along the White Horse Pike to Atlantic City, Ventnor City to Ocean City?
A. I think so.
Q. Do you have any existing bus facilities by which you can make the trip to points on the White Horse Pike north of Atlantic City?
A. I couldn't answer that. I don't know about the operation of them.
Q. I beg pardon?
A. I know nothing about the operation of them. I don't know anything about them.
Q. Have you had any experience with the operation of railroad trains by the Atlantic City Railroad Company?
A. Yes.

Q. Do you believe that if the Reading Transportation Company operated the proposed line of buses such as I have described, it would be suitable and convenient to the public?

A. From past experience of operation on the railroad, I should say they would be abreast of the time.

Q. Are there any reasons in your mind why the operation of such bus facilities by using the Pennsylvania or the Reading would be more desirable than that operation by any other carrier?

A. I am somewhat prejudiced when you say carriers; I am in favor of good service on the railroad at reasonable rates.

Q. Do you believe that it would be of advantage to the railroad, to give them the privilege, as distinguished from any other carrier?

Commissioner Autenrieth: Can you tell me what possible good that question can have, whether he believes it is of advantage?

Mr. Baldwin: He is a man of public affairs.

Commissioner Autenrieth: That is the thing we have to determine, the equity between the parties. I don't care what he believes.

Mr. Baldwin: I withdraw the question. That is all.

Mr. Straw: No questions.

Cross-examination.

By Mr. Harding:

Q. When you said you were sort of prejudiced, you didn't mean that?

A. No. I meant to say the railroad interest.

Q. You haven't any ——

A. Not at all, but ——

Q. You want service to Atlantic City?

A. Within reason.

Q. You have been in Atlantic City many years and are a member of the bar?

A. Born here.

Q. And have been mixed up with the people. You want all the facilities to come into Atlantic City, isn't that right?

A. No, I can't say that.

Q. You want them to bring the people.

A. Yes, I think conservatively so.

Q. As long as it is safely and properly conducted, you want that to bring people into Atlantic City?

A. I don't believe in monopolizing the public highway in transportation with innumerable public buses where they are not required to meet the service.

Q. In other words, you don't believe in any more service being imposed on the White Horse Pike than there is at the present time?

A. I think that covers it.

Q. So that you are not really in favor of these applications at the present time?

A. I would rather see them than some other people.

Q. When you say "them," do you mean the present operators?

A. I don't know who is operating it. I don't travel on them. I don't know anything about them.

Q. You think there is enough operation on the pike now?

A. I take from my experience, traveling in an automobile.

Q. If the number are not increased, that would meet with your approval, is that it?

A. Yes.

Mr. Harding: That is all.

Mr. Straw: No questions.

Mr. Baldwin: That is all. We rest.

(Ordinance No. 9 of City of Atlantic City, received and marked Exhibit R. 20.)

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(Matter taken into conference subject to the submission of briefs.)

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

In the matter of the application of the WHITE WAY TOURS for approval of local permission to operate twenty buses between Atlantic City and Philadelphia, Pa.	Application for Approval of Local Permission to Operate.

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(1) The petition of the White Way Tours, with its principal office at Camden, New Jersey, respectfully shows that it is a corporation of the State of New Jersey.

(2) That applicant requests approval of local permission to operate autobuses between Atlantic City and Philadelphia, Pa., and intermediate points along the following route:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse

Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

(2a) Length of route: 60 miles.

(2b) That the names of the motor-bus lines, electric railways, or steam railroads now operating in the territory to be served as follows:

(3) Have you purchased the bus or buses? If so, state nature of contract. Yes. Cash contract.

(3a) Liability Insurance.
Nature of policy—(As prescribed by Utility Commissioners).
Name of company—Commonwealth.

(3b) That the name, title and address of the various officials of the company are as follows:

NAME	TITLE	ADDRESS
Patrick H. Harding	President	Camden, N. J.
O. G. Schultz	Treasurer	Camden, N. J.
J. M. Carey	Secretary	Camden, N. J.

(4) That a detailed description of equipment to be operated in the proposed service is as submitted: Will be filed.

(5) That the proposed time schedule and run-

ning time between the points to be served is as follows: Schedule will be filed.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is none.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing the same, are set forth in Exhibit attached. Exhibit will be filed.

(7) The following municipalities are located along the route as proposed.

Names of Municipalities.

Audubon Boro	Haddon Twp.
Absecon City	Haddon Hts. Boro
Atlantic City	Hammonton Town
Berlin Boro	Laurel Springs Boro
Berlin Twp.	Lawnside Boro
Barrington Boro	Magnolia Boro
Camden City	Mullica Twp.
Collingswood Boro	Oaklyn Boro
Clementon Twp.	Pensauken Twp.
Clementon Boro	Stratford Boro
Chesilhurst Boro	Waterford Twp.
Egg Harbor City	Winslow Twp.
Galloway Twp.	

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commission:

Names of Municipalities.

Camden City	Clementon Twp.
Audubon Boro	Stratford Boro

(8) That the registration licenses are as follows:

(8a) Has the Commissioners of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of the local consent granted.

STATE BRIEFLY SEVERAL REASONS

To furnish local transportation.

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Camden, N. J., this 14th day of March, 1929.

WHITE WAY TOURS,
By (Signed) GEORGE W. BOOZ,
Manager.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF PENSAUKEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate twenty (20) autobuses via Crescent High-

way and the Bridge Approach Road from Cooper River to Camden City Line, within the municipal limits of the Township of Pensauken, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to be subject to existing laws regulating the operation of autobuses.

To the Board of Public Utility Commissioners:

I hereby certify that the foregoing is a true copy of resolution adopted by the Township Committee of the Township of Pensauken, in the County of Camden, at an adjourned regular meeting held March 13th, 1929.

In witness whereof I hereunto set my hand and the official seal of said Township, March 13, 1929.

Robt. V. Peabody,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF GALLOWAY.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Township of Galloway, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed March 16th, 1929.

Clarence M. Conover,
Chairman.

(Seal)

Attest:

Fred Hoenes,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

BOROUGH OF COLLINGSWOOD.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Collingswood, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of resolution duly adopted by the Board of Commissioners of the Borough of Collingswood, in the County of Camden, at a regular meeting held on March 18th, 1929.

Albert F. Usilton,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 23, 1929.)
(Received March 25, 1929.)

Regular Meeting of Board of Commissioners held March 21, 1929.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

Camden, New Jersey,
February 20th, 1929.

To the City of Atlantic City,
Gentlemen:

The White Way Tours, hereby makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality, over the following route, from Atlantic City to Philadelphia, Pa.

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

The applicant hereby agrees to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
WHITE WAY TOURS,
By Patrick W. Harding, (Signed)
Pres.

This communication was referred to the Mayor.

MUNICIPAL CONSENT GRANTED WHITE WAY TOURS TO OPERATE AUTOBUSES BETWEEN PHILADELPHIA AND ATLANTIC CITY.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

COPY.

RESOLUTION ADOPTED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, N. J., March 11th, 1929.

TOWN OF HAMMONTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to ope-

rate auto-buses within the municipal limits of the Town of Hammonton, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

CERTIFICATE.

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby certify that the foregoing is a true and correct copy of a resolution had and adopted by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular Meeting of said Council held on the eleventh day of March, A. D. 1929.

In WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town of Hammonton, this Twelfth day of March, A. D. 1929.

W. R. Seely,
(Seal) Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

Regular meeting of the Board of Commissioners held March 21, 1929

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent (0).

MUNICIPAL CONSENT GRANTED TO WHITE WAY TOURS, TO OPERATE BUSES WITHIN CITY LIMITS, AS PART OF LINE BETWEEN ATLANTIC CITY AND PHILADELPHIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

ATTEST:
Bertram E. Whitman,
City Clerk.

(Received March 30, 1929.)

CITY OF ATLANTIC CITY

DEPARTMENT OF PUBLIC AFFAIRS

Anthony M. Ruffu, Jr., Mayor

I, BERTRAM E. WHITMAN, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a Resolution which was passed at a regular meeting of the Board of Commissioners of Atlantic City, N. J., held March 21, 1929, as taken from the original on file in the office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 23rd day of March, 1929.

Bertram E. Whitman,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAUREL SPRINGS.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to ope-

rate autobuses within the municipal limits of the Borough of Laurel Springs, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAWNSIDE.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Lawnside as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge

local passengers subject to existing laws regulating the operation of autobuses.

Passed 3/20/29.

James Hemmings,
Mayor.

(Seal)
Horace J. Bryant,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF BERLIN.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Berlin, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed by Mayor and Members of Council, March 18, 1929.

Geo. R. Duncan,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

A RESOLUTION GRANTING THE CONSENT OF THE CITY OF ABSECON CITY TO THE WHITE WAY TOURS TO OPERATE BUSES WITHIN THE LIMITS OF ABSECON CITY AND THE REGULATION OF SAID BUSES WITHIN THE MUNICIPAL LIMITS OF SAID ABSECON CITY.

WHEREAS, on February 20, 1929, application was made to Common Council for the municipal consent to allow the White Way Tours permission to operate autobuses within the municipal limits within the City of Absecon City, and

WHEREAS, after due deliberation, the Common Council of Absecon City is of the opinion that such consent should be granted, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ABSECON CITY THAT:

SECTION 1. The White Way Tours is and it is hereby given the consent of Common Council to operate twenty autobuses within the municipal limits of the City of Absecon City as part of a line to be operated by said company between Atlantic City, N. J., and Philadelphia, Pa., and between Philadelphia, Pa., and Atlantic City, N. J.

SECTION 2. Said consent is granted on the condition that the said White Way Tours will not accept passengers in Atlantic City for discharge in Absecon City or passengers in Absecon City for discharge in Atlantic City.

SECTION 3. And further, that the White Way Tours agrees to comply with all municipal and State regulations governing the operation of said autobuses.

SECTION 4. This resolution to take effect immediately.

Adopted at a meeting of Common Council held Mar. 19, 1929.

Samuel Johnson,
(Seal) City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

TOWNSHIP OF HADDON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Township of Haddon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses. Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

I hereby certify that this is a true copy of a resolution Adopted by the Township Committee of Haddon Township at a regular meeting held on March 19th, 1929.

Richard Griffith,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

CITY OF CAMDEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

In accordance with application attached hereto and made a part hereof.

Camden, New Jersey.
February 20th, 1929.

To the City of Camden,
Gentlemen:

The White Way Tours hereby makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality, as part of a line from Atlantic City to Philadelphia, Pa.

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

The applicant proposes to furnish this service with buses having a seating capacity of twenty-five (25) persons. The name of the maker of the autobuses, the serial and engine numbers, the registration number, information on lighting equipment and the year of make will be furnished. Schedule and insurance policy or statement of insurability will be filed before operation is commenced.

Applicant agrees, for itself, its agents and servants, to operate on streets designated in the license, and to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
WHITE WAY TOURS,
By Patrick H. Harding,
President.

STATE OF NEW JERSEY, } ss.
COUNTY OF CAMDEN, }

PATRICK H. HARDING, of full age, being duly sworn according to law, on his oath, deposes and says, that he is President of the WHITE WAY TOURS and that the matters and things stated in the above application are true, all of which is hereby certified.

Patrick H. Harding.

Sworn and subscribed before me this second day of March.

Annie L. Coles,
Notary Public of N. J.

CITY CLERK'S OFFICE
CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of A RESOLUTION passed by the Board of City Commissioners, the FOURTEENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this FIFTEENTH day of MARCH, A. D. 1929.

Wm. D. Brown,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF AUDUBON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Audubon as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

True copy.

H. K. Laurence,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF STRATFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to ope-

rate autobuses within the municipal limits of the Borough of Stratford, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted by the Mayor & Council of the Boro of Stratford at a regular meeting held on the 12th day of March, 1929.

R. P. Jones,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

TOWNSHIP OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate twenty autobuses within the municipal limits of the Township of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Done at a meeting of the Township Committee of The Township of Clementon held in the school house at Lindenwold, this 8th day of March, A. D. 1929.

Insertion above made before signing.

J. M. McArthur,
Chairman.

(Seal)

Attest:

Edward Arentzen,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF MAGNOLIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Magnolia, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at a special meeting of the Council held March 18th, 1929.

Approved March 18th, 1929.

Thomas A. Graham,
Mayor.

Attest:

O. E. Hagen,
Borough Clerk.

I hereby certify that the foregoing is an exact copy of a resolution adopted by the Magnolia Borough Council at a special meeting held March 18th, 1929.

O. E. Hagen,
Borough Clerk.

(Seal)

(Received April 12, 1929.)

TOWNSHIP OF MULLICA.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Township of Mullica, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at meeting of Apr. 6, 1929.

Chas. D. Saalman,
Chairman Tp. Com.

Attest:
Chas. L. Kuen, Jr.,
Clerk.

(Received April 12, 1929.)

BOROUGH OF HADDON HEIGHTS.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to ope-

rate autobuses within the municipal limits of the Borough of Haddon Heights, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers existing laws regulating the operation of autobuses.

Borough of Haddon Heights, N. J.
Frank W. DuBree,
(Seal) Boro Clerk.

(Received April 12, 1929.)

BOROUGH OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

BOROUGH OF CLEMENTON.
S. Wayne Clark,
(Seal) Clerk.

BOROUGH OF OAKLYN.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the

Borough of Oaklyn, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Passed by Council 4/3/29.

William C. Linck,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 6, 1929.)
(Received April 9, 1929.)

TOWNSHIP OF WINSLOW.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Township of Winslow, as part of a line to be operated by said company between Atlantic City and

Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I do hereby certify that this is a true copy of a Resolution passed by the Committee of Winslow Township at their regular meeting held on March 30, 1929.

Chairman, Committee of Winslow Twp.

Attest:

John F. Leed,

(Seal) Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF BARRINGTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate twenty (20) autobuses via White Horse Pike within the municipal limits of the Borough of Barrington, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Adopted at a regular meeting of the Borough Council of the Borough of Barrington in the County of Camden, held Apr. 11, 1929.

Wm. H. S. Deckard,
Mayor.

(Seal)

Attest:

Harry J. Stone,
Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF CHESILHURST.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Borough of Chesilhurst, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Borough of Chesilhurst, N. J.
April 8, 1928.

At the regular meeting of the Borough Council, held on the above date, the above resolution was adopted.

Fred K. Calnan,
(Seal) Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

TOWNSHIP OF WATERFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to White Way Tours, to operate autobuses within the municipal limits of the Township of Waterford, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed April 11th, 1929.

Lawrence A. Duble,
(Seal) Township Clerk.

TESTIMONY

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Atlantic City, N. J., Tuesday, June 11, 1929.

Atlantic City-Camden to Phila.—Application of WHITE WAY TOURS for approval of local consents to operate 20 buses.

Ocean City-Camden to Phila.—Application of PARLOR DE LUXE COACH COMPANY for approval of local consents to operate 25 buses.

Atlantic City-Camden to Phila.—Application of PARLOR DE LUXE COACH COMPANY for approval of local consents to operate 20 buses.

Atlantic City-Camden to Phila.—Application of UNION BUS COMPANY for approval of local permission to operate 20 buses.

Before the following Commissioners:
JOS. F. AUTENRIETH, ESQ., President.
CHARLES BROWNE, ESQ.
HARRY BACHARACH, ESQ.
FRANK J. DALY, ESQ., Senior Inspector.

For White Way Tours, et al., appear:
PATRICK H. HARDING, ESQ.
and
EMERSON L. RICHARDS, ESQ.

For Public Service Coordinated Transport appears:
C. S. STRAW, ESQ.

For Pennsylvania General Transit Company, et al., appear:
HARRY V. OSBORNE, ESQ.
and
H. C. MAXWELL, ESQ.

For Reading Transportation Company, et al., appear:
C. T. WOLFE, ESQ.
FLOYD H. BRADLEY, ESQ.
CLIFFORD A. BALDWIN, ESQ.

Mr. Straw: I don't know the order; the Pennsylvania finished and the Reading finished; I have some rebuttal. Mr. Harding hasn't got on yet.

Mr. Harding: We have three applications to Atlantic City and one to Ocean City; I think I can prove that in short order.

Commissioner Autenrieth: There is no use starting rebuttal until everybody is finished.

GEORGE W. BOOZ, sworn on behalf of White Way Tours, et al.

Mr. Harding: We are now dealing with four applications, three applications to Atlantic City, one made by the Parlor De Luxe Coach Company, one by the White Way Tours and one by the Union Bus Company, for twenty permits to operate to Atlantic City, and one by the Parlor De Luxe Coach Company for twenty-five permits to operate between Camden and Ocean City.

Direct examination.

By Mr. Harding:

Q. What is your position with these respective companies?

Mr. Osborne: In order to see that the record is straight, may I inquire whether the appearances taken in the other cases apply to these cases.

Commissioner Autenrieth: All appearance are entered in all cases.

Mr. Osborne: All appearances are entered in all cases.

(Question read.)

Q. What was your answer to that question?
A. I didn't answer it.
Q. Your position with the company?
A. Manager.

Q. Have you filed the applications with the Commission for these permits?

A. I have.

Q. Where does the Parlor De Luxe Coach Company operate from and to what point?

A. From Philadelphia to Atlantic City and from Philadelphia to Ocean City.

Q. And over what route?

A. Over the White Horse Pike.

Q. What is the alternate route applied for in that application, if any?

A. There is an alternate route via Crescent Highway, Bridge Approach Road and Linden Street between the White Horse Pike and the Delaware River Bridge, returning via Penn Street, Bridge Approach Road and Crescent Highway. That is, the only change over the regular route would be within the city limit of Camden and touching a small portion of Collingswood and Pensauken Township.

Mr. Osborne: What it amounts to is six alternate routes applied for and routing them either one or the other.

Commissioner Autenrieth: It is a detail of in and out of Camden.

Witness: An alternate route.

Mr. Osborne: You want both of them or one of them?

Witness: We seek the right to run express service over the Crescent Highway at times when it is needed there. The regular local service will be run over the route that is applied for.

Mr. Osborne: I can't hear the witness.

Witness: The regular route will be run over each applied for in the application.

Q. What is the route of the White Way Tours, where does it begin and where does it end?

A. The White Way Tours begins at Philadelphia and ends at Atlantic City.

Q. And over what route will the regular trips be made on that line?

A. Over the same route as the Parlor DeLuxe Coach Company.

Q. Is there any alternate route provided for?

A. The same as the Parlor DeLuxe Coach Company.

Q. How about the Union Bus Line; where does it begin and where does it end?

A. The Union Bus Line begins at Philadelphia and terminates at Atlantic City.

Q. Is there an alternate route provided for in that application?

A. Yes, sir.

Q. Is it the same as the route in the application of the Parlor DeLuxe Coach Company?

A. The alternate route is the same as in the application of the Parlor DeLuxe Coach Company.

Q. In regard to the Parlor DeLuxe Coach Company's operation Philadelphia to Atlantic City or Ocean City, will you tell us where that begins and ends?

A. It begins at Philadelphia and ends at Atlantic City, or ends at Ocean City.

Q. Will you tell us what the route of that line is from Philadelphia to Ocean City?

A. Via the White Horse Pike, Shore Boulevard and Ocean Avenue in Ocean City.

Q. Is there any alternate route provided for in that application?

A. The same as in the other application.

Q. Are these corporations, corporations of the State of New Jersey?

A. All except the Parlor DeLuxe Coach Company, which is a corporation of the State of Delaware and has been approved ——

Q. Is the charter or certificate of the Parlor DeLuxe Coach Company to do business filed with this Commission?

A. We have filed it.

Q. Have you a schedule of fares prepared showing the rates to be charged between Camden and Atlantic City and between Camden and Ocean City on these lines?

A. It has not been prepared yet, but is in the process of preparation and will be filed with the Board.

Mr. Osborne: And copies furnished to counsel.

Mr. Harding: Copies will be furnished.

Witness: Yes, sir.

Q. What headway do you propose to operate the three lines named between Philadelphia and Camden and Atlantic City?

A. Thirty minutes.

Q. And at what headway do you expect to operate the line between Camden and Ocean City?

A. We will operate five trips a day, which will be approximately a two and a half hour headway. In some portions it may be slightly longer headway.

Q. Have you made any provision for seasonal increase in the service?

A. We will place some additional service in operation as it is needed and when it is needed.

Q. Have you all the available equipment necessary to put into effect this operation in accordance with any service that may be required?

A. We have, and it is now in operation.

Q. You have made a complete survey, I presume, of these lines as to the necessity for service?

A. I have made a study of it.

Q. In your judgment would the public convenience and necessity be served by doing a local business between Camden and Atlantic City and Camden and Ocean City on these lines?

A. It would.

Q. What was the pioneer bus line between Philadelphia and Atlantic City?

A. The Union Bus Company.

Q. That was the first line on the White Horse Pike, was it?

A. Yes, sir.

Q. Doing a business between Philadelphia and Atlantic City?

A. Yes, sir.

Q. As to the matter of municipal permit, have you received the permits of all the municipalities in the State between Camden and Atlantic City and between Camden and Ocean City.

A. We have received permits or resolutions from all the municipalities for the lines operating to Atlantic City and they have been filed with the Board. And the line operating to Ocean City we have received all the permits excepting Pleasantville and they have been filed with the Board.

Q. Do you know anything about the resolution at Pleasantville?

A. We have asked for a resolution in Pleasant-

ville, filed an application; they are requesting us to make the line run around in the town and then over an unguarded railroad crossing, which we will not agree to do.

Q. Are you willing in your operation to either Atlantic City or Ocean City, through Pleasantville, to run with the doors closed, if the Commission so ordered?

A. Yes, sir.

Mr. Harding: Cross-examine.

Cross-examination.

By Mr. Baldwin:

Q. These companies for whom you appear are now actually doing business, are they?

A. Interstate business.

Q. Are the three companies operating twenty buses each and the fourth company twenty-five buses?

A. On Sundays and in the heaviest peak we even operate more than that.

Q. So that you do operate eighty-five or more buses when the business is heavy?

A. We operate eighty-five or more buses when the business is heavy, but we have not as yet this summer operated the full twenty-five in Ocean City.

Q. What is your normal number of operating units when the business is not so heavy?

A. Seventeen per day.

Q. Taking all four lines together?

A. Yes, sir.

Q. So that you have seventeen buses a day and in peak period that is expanded to eighty-five or more?

A. Yes, sir.

Q. As I understand it those buses are now carrying only interstate passengers?

A. Yes, sir.

Q The reason for your expansion from seventeen to eighty-five or more is because so many interstate passengers offer themselves for passage, is that right?

A. The reason we asked for the large number of buses ——

Q. I didn't ask you that. I asked you the question is it because so many interstate passengers offer themselves that you expand this service from seventeen, which is normal, to eighty-five or more?

Witness: Will you read that question?

(Question read.)

A. We are not asking for any additional buses over what we operate.

Commissioner Autenrieth: The question is whether you run eighty-five because your passengers require you to run them.

Witness: Yes.

Q. That is purely interstate passengers?

A. Yes.

Q. Now you propose to superimpose on your interstate line this local business along the White Horse Pike?

A. To superimpose?

Q. Yes, to carry local passengers as well as interstate passengers.

A. Yes.

Q. You propose to operate that service on a half hour headway?

A. That is a half hour headway through the weekdays, yes, sir.

Q. Do you think that a half hour operating headway is a proper headway along the White Horse Pike for local service?

A. At times. At other times I believe that certain portions could probably use more, with convenience.

Q. During the week?

A. For convenience, yes, sir.

Q. Do you operate at the present time any closer than thirty minutes on your present seventeen buses?

A. During the week?

Q. Yes.

A. Yes; sometimes run special trips down, yes, sir.

Q. But they are not scheduled trips, are they?

A. No, sir.

Q. What is the closest scheduling of your trips along the White Horse Pike, your present interstate operation?

A. Half hour.

Q. Half hour?

A. That is the ——

Q. Let us suppose in the local New Jersey business two railroads are operating bus lines along the White Horse Pike which have a half hour headway; would you consider there is need of any more service than that?

A. Yes, sir.

Q. Where would the service be interspersed in the schedule?

A. Where would what?

Q. Where would that service find a place in the schedule?

A. Wherever they saw fit to put it.

Q. What would be the most favorable place to put it, from an operating standpoint?

A. The most favorable place to put it would be co-ordinate, commonly known as co-ordination between all the operators.

Q. So that if the two railroads between them were operating half hour service along the pike it is your thought that any other service would most properly be divided in those periods at fifteen minute intervals, is that right?

A. Yes.

Q. Is fifteen minute service needed on the White Horse Pike, local, intra-state service?

A. As far as convenience goes, yes.

Q. As far as necessity, is it needed?

A. No, not speaking of capacity loads, no.

Mr. Baldwin: That is all.

Mr. Straw: I have no questions.

Cross-examination.

By Mr. Osborne:

Q. I am not clear in your testimony whether this half hour service should be operated by each of these companies?

A. No, sir.

Q. Or all together?

A. All together.

Q. They are all working together?

A. Yes.

Q. Isn't it all one company?
A. No, sir.
Q. You represent them all?
A. Yes.
Q. Are they independent units?
A. Yes.
Q. Separate units, operating units?
A. Yes.
Q. Who owns the buses?
A. Who owns the buses? The buses of the Parlor DeLuxe Coach Company are owned by the Parlor DeLuxe Coach Company.
Q. How many does the Parlor DeLuxe Coach Company own?
A. The Parlor DeLuxe Coach Company own twenty-seven buses at the present time.
Q. Twenty-seven?
A. Yes, sir.
Q. How many do the other companies own?
A. The Union Bus Company owns at this present moment, outright, fourteen buses.
Q. Yes, and the next company?
A. The Merz or White Way Tours ——
Q. That is the Merz-White Way Tours?
A. No; the White Way Tours.
Q. Is that different from Merz?
A. Yes, sir, it is. The White Way Tours own twenty-five buses.
Q. Yes; you have one more?
A. The other is the Parlor DeLuxe Coach Company.
Q. There are two applications for the Parlor DeLuxe Coach Company?
A. Two applications, but it is the same company.
Q. How many do they run altogether as a maximum, eighty-five?

A. Eighty-five, yes.

Q. That isn't eighty-five; where do you get your other buses?

A. We lease them.

Mr. Richards: I don't know how that is pertinent, whether we own them or how we get them. I think we should get through here. We don't care whether the Pennsylvania Railroad own its dining cars or doesn't. Why should he inquire whether these people own the buses or how they get them?

Mr. Osborne: I think it is more important to get the facts than to get through. It is quite pertinent to this case. In fact, the petition they filed and the application makes all the facts relevant before the Board.

Mr. Richards: All the facts that are pertinent to this issue and this issue is whether this operating line that is operating these buses should have the right to open its doors. The fact that they are operating the buses is sufficient. We didn't inquire a few moments ago from Mr. Osterhout who actually owned the ferry boats that were operated by the Delaware River Ferry Company.

Commissioner Autenrieth: The various interests in this case have brought everything into it except the Atlantic Ocean; I suppose on the same principle we should take these incidental things.

Mr. Richards: I think not. I think there should be a stop.

Commissioner Autenrieth: I will let the question be answered.

Q. Where do you get these extra buses you spoke of?

A. We do the same as the Mitten Management does, that are operating the others; we lease them from other companies.

Q. Who do you lease them from?

Mr. Richards: That is objected to.

(Discussion.)

(Question read:)

Commissioner Autenrieth: I don't think it is of any particular importance, but as I say, it may be incidental to the general interests.

Mr. Richards: Of what possible use is it to know who they lease of?

Commissioner Autenrieth: Under the statute a person may operate a bus of his own or a bus leased; where he gets it from is of no particular importance if he has approval for the operation. I will let the testimony come in. It is part of the general history and interest of the parties.

Q. Please answer.

A. We lease some from Nelson & Johnson Transportation Company; some from the Worth Motor Bus Corporation; some from the P. & G. Transportation Company; some from the Philadelphia & Hammanton Bus Company, and a few other various companies that I manage.

Q. Do you lease any from the Public Service?

A. No, sir.

Mr. Richards: That is objected to.

Commissioner Bacharach: He has answered. He seems to be willing to answer, so go ahead.

Q. You do not?

A. We have on one Sunday leased from the Public Service and the rates were so high, so I used my own.

Q. These buses comprise the twenty extra buses you will put on locally?

A. What did you say?

Q. These leased buses comprise the twenty extra buses you put on when necessary?

A. Yes, sir.

Q. In your petition you stated you were operating no buses on this route; can you explain that?

A. We were operating no intra-state buses on this route, no, sir.

Q. You meant you were operating no intra-state buses?

A. Yes, sir.

Q. How many buses does each one of these companies operate in this combined schedule?

A. In this combined schedule?

Q. Yes.

A. Weekdays, seventeen.

Q. Yes, but each company?

A. Each company?

Q. You have four companies here?

Mr. Harding: Three.

A. You are speaking of all four collectively?

Q. They all run as far as Pleasantville over the same ——

A. In weekdays it requires three buses to operate it, at the present time, to Ocean City; we are going to put in a new schedule which will require four.

Q. Wait a minute.

A. (Continuing.) On Atlantic City, the Union Bus Company requires seven buses for their schedule.

Q. The Union contributes seven?

A. Yes, sir, and on the Parlor DeLuxe Coach Company they use four and the White Way Tours uses three, making a total of seventeen.

Q. Four, seven and three, is that right?

A. Four and seven and three and three.

Q. That is on the Ocean Line?

A. Three on the Ocean City, three on the White Way Tours, four on the Parlor DeLuxe and seven on the Union.

Q. Could not any one of these companies by an expansion of its service meet all the demands of the service?

A. It could, but it wouldn't be fair to the investments in the other companies.

Q. What is the idea of having these four separate companies operating this multiplicity of routes?

A. Because they were existing lines and they were purchased by Mr. Schultz.

Q. Purchased by whom?

A. Mr. Schultz.

Q. Then, while they are four separate corporations they are all controlled by the same individual?

A. Mr. Schultz owns all the stock, yes, sir.

Q. So that it is really one operation?

A. No; they are separate identities, but we work together.

Q. Why waste time. I understand they are three separate corporate entities; is that right?

Mr. Richards: I object to it. What difference does it make, again, whether this gentleman owns all the stock or doesn't own it all; how is it pertinent. These are four separate applications by four separate companies, three of whom are operated under charters granted by the State of New Jersey, and the fourth is under a Delaware charter. Under those circumstances it wouldn't make any difference whatsoever who owns the stock of them. They are operated under the proper corporate identity.

Mr. Osborne: I don't know why there is such a violent effort to conceal facts from the Commission.

Commissioner Autenrieth: I don't see how it comes within our jurisdiction, but we will permit it to save further argument.

Q. All these companies are operated and controlled, or, as you said, Mr. Schultz bought them, by one interest, are they not, although they are three separate corporate entities?

A. Mr. Schultz controls the stock of these three companies, they are separate corporate identities, and they are operated as such and under the control of what is known as Schultz Management.

Q. They are operated as one management?

A. They are co-ordinated together and work together.

Q. You can use your word or I can use mine?

A. That is correct.

Q. For instance, you are the representative of all of them?

A. Yes, sir.

Q. Not prying into your private affairs; I assume you are paid by all of them?

A. All of them.

Q. This service is operated as a single service?

A. No; I wouldn't say that.

Q. Haven't you said these operations were co-ordinated and there was a combined time-table?

A. Each one had its own separate schedule which it operates, but that combined schedule was established to give the people better service.

Q. As far as the Commission is concerned, it is a combined operation?

A. No.

Q. Under one direction and management?

A. It is under one direction and management.

Q. And it is so co-ordinated there is no confliction in the service?

A. No. We divide our service.

Q. Exactly. Under the one management you divide the service of the four corporations and their buses so that it is unified?

A. According to what each company is entitled to in the entire division, yes, sir.

Q. Entitled to? In proportion to the number of buses it contributes to the operation?

A. Yes.

Q. Do you know whom Mr. Schultz represents?

A. Yes.

Mr. Richards: I object to that.

Commissioner Autenrieth: I don't see where that has anything to do with the case. Did you want to answer it?

Witness: No. He objected to it.

Mr. Richards: I object to the answer.

Commissioner Autenrieth: Proceed with any other questions.

Mr. Osborne: That is all.

Mr. Straw: I have no questions.

By Mr. Harding:

Q. Mr. Daly suggests a question: The Union Bus Line on its route from Philadelphia to Atlantic City goes through Pleasantville, doesn't it?

A. Yes, sir.

Q. So what you have testified in regard to the Ocean City operation, and the failure to obtain permits from Pleasantville, that operation also applies to the same operation from Philadelphia to Atlantic City of the Union Bus Company?

A. It does and it was my error not stating that before.

Mr. Harding: That is all.

By Mr. Baldwin:

Q. Do you have a municipal consent for these companies in the city of Atlantic City?

A. Yes, sir.

Q. If this application was granted where would the terminus in Atlantic City of your intra-state operation be?

A. Where will it be?

Q. Yes.

A. We will have a terminal when this is granted.

Mr. Osborne: A little louder, please.

Witness: We will have a terminal to comply.

Q. Have you got one now for your interstate buses?

A. Have we one?

Q. Yes.

A. We are stopping now, yes, at Arkansas Avenue and Atlantic Avenue with the Union Bus.

Q. That is the Union Bus. Where do your other buses stop?

A. Where do the other buses stop?

Q. Yes.

A. The White Way Tours and the Parlor DeLuxe ach Company stop on Commerce, at the Annelli Hotel.

Q. Are those points within the city limits of Atlantic City?

A. Yes, sir.

Q. They are on the public highway, are they?

A. Yes, sir.

Q. Are you familiar with the fact that such acts on the part of your company constitute a violation of ordinance No. 9 of the city of Atlantic City?

A. I don't know whether it does or not.

Q. If they do constitute such a violation, is it your purpose, should your present application be granted, to continue your present practice?

A. No, sir. We are going to have a terminal of our own.

Q. Whereabouts?

A. That hasn't been decided as yet.

Q. So that part of your proposed operation is still unknown, is it?

A. Definitely.

Q. As to where the public will be served by this line?

A. Definitely, yes.

Q. It is true, is it not, if you have such a terminal in Atlantic City that will be the only place at which you will be permitted to receive and discharge passengers in Atlantic City?

A. No; not if we are granted this permit, no, sir.

Q. Can you stop along the streets and highways of Atlantic City to make passenger stops?

A. I believe we can, if the Board grants us a permit.

Q. You think that is so, do you?

A. Yes.

Q. Let us assume, however, even against your good judgment, that such a practice would be unlawful and you were limited in Atlantic City to a single stop and that at a terminal; do you consider it would be a matter of public interest to know where that terminal is going to be?

Mr. Richards: I think that is a little far-fetched. They want to find out where that is with a view of interfering with our property.

Commissioner Autenrieth: He said he hasn't determined where the terminal may be.

Mr. Baldwin: The public is interested in knowing where it will be; I think the Board is interested. Atlantic City is a big city and to make the terminal out on the meadows somewhere where it is not accessible, that is one thing; if you put it nearer the center of the population that is another.

Commissioner Autenrieth: If the terminal is off the existing route as now planned they will have to

get permission to operate there for the change. We can only meet that when we get to it.

Q. Is the proposed terminal off the existing route?

A. It has not been definitely decided yet.

Q. You don't know where the Atlantic City terminus would be?

A. Except it will be in the center of the business area.

Q. You don't know where?

A. Not the definite place.

Q. So the public you expect or hope to serve don't know where it will be?

A. They will know probably before the Board makes its decision.

Q. Is it on the oceanward side of Atlantic City?

A. I haven't definitely decided.

Mr. Richards: I object. Atlantic City has an ordinance and we have to obey it, is the answer to that.

Mr. Baldwin: I think a person's conduct can be judged somewhat from past experience and a lot of violations have taken place at the present time; they may continue. I think that is an element of public interest, to determine whether or not, if this line is granted approval, it is going to continue to violate the ordinance.

Commissioner Autenrieth: Your question is whether they will have a terminal oceanward of Atlantic Avenue. The witness has said four times they haven't decided where the terminal would be.

Mr. Richards: What justification is there for counsel's statement they are violating the ordinance?

Mr. Baldwin: By his own statement.

Commissioner Autenrieth: I sustain the objection. That is the quickest way to dispose of it.

Q. Do you know where the Camden terminal is going to be?

A. On the route over which we go.

Q. You haven't any fixed terminal there; passengers will be received and discharged on the highway; is that correct?

A. At any point they wish to go, yes.

Q. Will there be any place along your route where you will maintain station facilities, for the comfort and convenience of your passengers?

A. We will have comfort stops.

Q. You will have comfort stops?

A. Yes, sir.

Q. At points owned by your own company?

A. Either owned or leased. At the present time we are leasing.

Q. Where are those stops at the present time?

A. One is at Raleigh Inn on the White Horse Pike, near the Speedway, and the other at the Speedway Inn.

Q. None of those are owned by your own company?

A. No. We are leasing the right to stop there.

Mr. Baldwin: I think that is all.

By Mr. Osborne:

Q. Do I understand you to say you expect this Commission to approve this application without your being able to state where your terminus is going to be and what your route will be?

A. I have stated where our terminus is at the present time.

Q. In Atlantic City?

A. Yes, in Atlantic City.

Q. You are asking for the approval of a local permission to operate into Atlantic City over a specific route to a specific terminal. Do I understand you to say you will expect this Commission to grant this application without you being able to inform them, or willing to inform them, where your terminal is going to be?

Mr. Richards: I object to that question; it is based on a hypothesis that is not in the testimony. The witness' testimony is they have a terminal at the present time. He was asked whether or not they propose to have any other terminal in Atlantic City and he said that was not determined. At the present time the application stops at the present terminal.

Commissioner Autenrieth: I understand the present application is to operate to the present existing terminal.

Mr. Richards: Yes.

Commissioner Autenrieth: If there is any doubt about the question ——

Mr. Richards: That isn't the question Judge Osborne asked.

Commissioner Autenrieth: If there is any doubt about it, you may answer that.

A. We are asking the right to stop at the terminal where we are now stopping, as I stated before. I was asked the question whether we intended to establish an additional terminal. I said we would establish a new terminal. I was asked where that new terminal was. I said I couldn't definitely say because I didn't know definitely.

Q. You expect to change your terminal and operate to a new terminal, if this route is approved, some new terminal somewhere?

A. We will try to look up a new terminal.

Commissioner Autenrieth: If you establish that new terminal you will make a request to the Board to see whether necessity and convenience requires that change.

Witness: We would.

Mr. Daly: Absecon permit calls for a restriction.

Witness: Calls for a restriction; we will accept that, any restriction in the permit.

Mr. Harding: That concludes our case, with the understanding that the testimony offered by the Public Service Coordinated Transport and the railroads regarding our application, that all testimony taken under those applications should apply to every case involved.

Commissioner Bacharach: You mean testimony as to necessity and convenience?

Mr. Harding: Yes, sir. That concludes our case.

Mr. Baldwin: We have an offer to make in opposition to the application advanced by Mr. Harding, the White Way Tours, and so on. I offer in evidence a certified copy of Ordinance No. 9 of the city of Atlantic City and ask if there is any objection.

Mr. Harding: I don't know what the purpose of the offer is. I don't know that it goes in this case

Commissioner Autenrieth: What is the ordinance?

Mr. Baldwin: Ordinance No. 9 provides two or three different things. One of them is no autobus shall have its terminal in the city of Atlantic City on a street or highway; it must be on privately owned property. Another is they shall not operate on Atlantic Avenue. Another is, they must not stop to pick up or discharge passengers on streets or highways of the city of Atlantic City.

Mr. Booz's testimony is at the present time the Union Bus Company, for whom he appears, is violating this ordinance by maintaining on the public highway at Atlantic and Arkansas Avenues what it chooses to call its Atlantic City terminal. I think to show what I have described as a fact is in law a violation of that ordinance. It is necessary to introduce the ordinance because the Board will not take judicial notice of it.

Mr. Richards: May I suggest if we are violating this ordinance we would have been arrested and

punished for it already. Very evidently we are not. He can't in this way impeach our good faith.

Commissioner Autenrieth: I don't know that we are concerned with whether a local ordinance is being violated, as far as this particular question is concerned.

Mr. Baldwin: I think you are, from the standpoint of knowing what operator to approve and what operator to disapprove.

Commissioner Autenrieth: Yes, that might be some consideration. I will admit your offer.

(Matter taken into conference subject to the submission of briefs.)

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

In the matter of the application of UNION BUS COMPANY for approval of local permission to operate twenty autobuses between Atlantic City and Philadelphia, Pa.	Application for Approval of Local Permission to Operate.

---

(1) The petition of the Union Bus Company, with its principal office at Camden, New Jersey, respectfully shows that it is a corporation of the State of Delaware.

(2) That applicant requests approval of local permission to operate autobuses between Atlantic City and Philadelphia, Pa., and intermediate points along the following route:

From Terminal in Atlantic City to Philadelphia, Pa., via Albany Blvd., Main Shore Road,

White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

(2a) Length of route: 62 miles.

(2b) That the names of motor-bus lines, electric railways, or steam railroads now operating in the territory to be served are as follows:

(3) Have you purchased the bus or buses? If so, state nature of contract. Yes. Cash contract.

(3a) Liability Insurance.

Nature of Policy (As prescribed by Utility Commissioners).

Name of Company—Commonwealth.

(3b) That the name, title and address of the various officials of the company are as follows:

NAME	TITLE	ADDRESS
Patrick H. Harding	President	Camden, N. J.
O. G. Schultz	Treasurer	Camden, N. J.
J. M. Carey	Secretary	Camden, N. J.

(4) That a detailed description of equipment to be operated in the proposed service is as submitted: Will be filed.

(5) That the proposed time schedule and running time between the points to be served is as follows: Schedule will be filed.

(5) That the number of buses operating on the particular route on which the applicant proposes to operate is none.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing the same, are set forth in Exhibit attached. Exhibit will be filed.

(7) The following municipalities are located along the route as proposed.

NAMES OF MUNICIPALITIES.

Audubon Boro	Haddon Hts. Boro
Absecon City	Hammonton Town
Berlin Boro	Laurel Springs Boro
Berlin Twp.	Lawnside Boro
Barrington Boro	Magnolia Boro
Camden City	Mullica Twp.
Collingswood Boro	Oaklyn Boro
Atlantic City	Pensauken Twp.
Clementon Twp.	Pleasantville City
Egg Harbor City	Stratford Boro
Galloway Twp.	Waterford Twp.
Haddon Twp.	Winslow Twp.
Clementon Boro	Chesilhurst Boro

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commissioners.

NAMES OF MUNICIPALITIES.

Clementon Twp.	Camden City
Stratford Boro	Audubon Boro

(8) That the registration licenses are as follows:

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of the local consent granted.

STATE BRIEFLY SEVERAL REASONS.

To furnish local transportation.

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Camden, N. J., this 14th day of March, 1929.

UNION BUS COMPANY,
By (Signed) George W. Booz,
Manager.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

BOROUGH OF COLLINGSWOOD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, as part of a line to be operated within the municipal limits of the Borough of Collingswood, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of resolution duly adopted by the Board of Commissioners of the Borough of Collingswood in the County of Camden at a regular meeting held on March 18th, 1929.

Albert F. Usilton,
(Seal) Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF GALLOWAY.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Township of Galloway, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed March 16th, 1929.

Clarence M. Conover,
Chairman.

(Seal)

Attest:
Fred Hoenes,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF PENSAUKEN,

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to

operate twenty (20) autobuses via Crescent Highway and Bridge Approach Road from Cooper River to Camden City Line, within the municipal limits of the Township of Pensauken, as part of a line to be operated by said company, between Atlantic City and Philadelphia, Pa., said operation to be subject to existing laws regulating the operation of autobuses.

To the Board of Public Utility Commissioners:

I hereby certify that the foregoing is a true copy of resolution adopted by the Township Committee of the Township of Pensauken, in the County of Camden, at an adjourned regular meeting held March 13th, 1929.

In witness whereof I hereunto set my hand and the official seal of said Township, March 13, 1929.

Robt. V. Peabody,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS

(Received March 23, 1929.)
(Received March 25, 1929.)

Regular Meeting of the Board of Commissioners held March 21, 1929.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent (0).

Camden, N. J.
February 20th, 1929.

To the City of Atlantic City,
Gentlemen:

The Union Bus Company hereby makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality, over the following route, from Atlantic City to Philadelphia, Pa.,

From terminal in Atlantic City to Philadelphia, Pa., via Albany Boulevard, Main Shore Road, White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via the same route.

The applicant hereby agrees to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
UNION BUS COMPANY,
By Patrick W. Harding, (Signed)
President.

CITY OF ATLANTIC CITY.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject

to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

ATTEST:
Bertram E. Whitman,
City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

A RESOLUTION GRANTING THE CONSENT OF THE CITY OF ABSECON CITY TO THE UNION BUS COMPANY TO OPERATE BUSES WITHIN THE LIMITS OF ABSECON CITY AND THE REGULATION OF SAID BUSES WITHIN THE MUNICIPAL LIMITS OF SAID ABSECON CITY.

WHEREAS, on February 20, 1929, application was made to Common Council for the municipal consent to allow the Union Bus Company permission to operate autobuses within the municipal limits within the City of Absecon City, and

WHEREAS, after due deliberation, the Common Council of Absecon City is of the opinion that such consent should be granted, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ABSECON CITY THAT:

SECTION 1. The Union Bus Co. is and it is hereby given the consent of Common Council to operate twenty autobuses within the municipal limits of the City of Absecon City as part of a line to be operated by said company between Atlantic City, N. J., and Philadelphia, Pa., and between Philadelphia, Pa., and Atlantic City, N. J.

SECTION 2. Said consent is granted on the condition that the said Union Bus Company will not accept passengers in Atlantic City for discharge in Absecon City or passengers in Absecon City for discharge in Atlantic City.

SECTION 3. And further, that the Union Bus Company agrees to comply with all municipal and State regulations governing the operation of said autobuses.

SECTION 4. This resolution to take effect immediately.

Adopted at a meeting of Common Council held March 19, 1929.

Samuel Johnson,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

TOWNSHIP OF HADDON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to

operate autobuses within the municipal limits of the Township of Haddon, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

———

I hereby certify that this is a true copy of a Resolution Adopted by the Township Committee of Haddon Township at a regular meeting held on March 19th, 1929.

Richard Griffith,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF MAGNOLIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Magnolia, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at a special meeting of the Magnolia Borough Council held March 18th, 1929.

Approved March 18, 1929.

Thomas A. Graham,
Mayor.

Attest:
O. E. Hagen,
Borough Clerk.

I hereby certify that the foregoing is an exact copy of a resolution adopted by the Magnolia Borough Council at a special meeting held March 18th, 1929.

O. E. Hagen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

COPY.

RESOLUTION ADOPTED by the Mayor and Town Council of the Town of Hammonton, In the County of Atlantic, N. J., March 11, 1929.

TOWN OF HAMMONTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Town of Hammonton, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

CERTIFICATE.

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby certify that the foregoing is a true and correct copy of a resolution had and adopted by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular Meeting of said Council held on the eleventh day of March, A. D. 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town of Hammonton, this Twelfth day of March, A. D. 1929.

W. R. Seely,
(Seal) Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF BERLIN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Berlin, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed by Mayor and Members of Council March 18, 1929.

Geo. R. Duncan,
(Seal) Boro Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAUREL SPRINGS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Laurel Springs, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of auto buses.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

Regular meeting of the Board of Commissioners held March 21, 1929.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent (0).

MUNICIPAL CONSENT GRANTED TO UNION BUS COMPANY, TO OPERATE AUTOBUSES WITHIN CITY LIMITS AS PART OF LINE BETWEEN ATLANTIC CITY AND PHILADELPHIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu, this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

ATTEST:

Bertram E. Whitman,
City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

CITY OF ATLANTIC CITY

DEPARTMENT OF PUBLIC AFFAIRS

Anthony M. Ruffu, Jr., Mayor

I, BERTRAM E. WHITMAN, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a Resolution which was passed at a regular meeting of the Board of Commissioners of Atlantic City, N. J., held March 21, 1929, as taken from the original on file in the Office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 23rd day of March, 1929.

Bertram E. Whitman,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAWNSIDE.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Lawnside, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local pasengers subject to existing laws regulating the operation of autobuses.

Passed 3/20/29.

James Hemmings,
Mayor.

(Seal)

Horace J. Bryant,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

TOWNSHIP OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to

operate twenty autobuses within the municipal limits of the Township of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Done at a meeting of the Township Committee of The Township of Clementon held in the school house at Lindenwold this 8th day of March, A. D. 1929.

Insertion above made before signing.

J. M. McArthur,
Chairman.

(Seal)

Attest:

Edward Arentzen,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF STRATFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Stratford, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The following resolution adopted by the Mayor & Council of the Boro of Stratford, at a regular meeting held on the 12th day of March, 1929.

R. P. Jones,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF AUDUBON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Audubon, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

True copy.
H. K. Laurence,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

CITY OF CAMDEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

In accordance with application attached hereto and made a part hereof.

Camden, N. J.
Feb. 20, 1929.

To the City of Camden,
Gentlemen:

The Union Bus Company hereby makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality, as part of a line from Atlantic City to Philadelphia, Pa.

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach

Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

The applicant proposes to furnish this service with buses having a seating capacity of twenty-five (25) persons. The name of the maker of the autobuses, the serial and engine numbers, the registration number, information on lighting equipment and the year of make will be furnished. Schedule and insurance policy or statement of insurability will be filed before operation is commenced.

Applicant agrees, for itself, its agents and servants, to operate on streets designated in the license, and to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
UNION BUS COMPANY,
By PATRICK H. HARDING,
Pres.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } ss.

PATRICK H. HARDING, of full age, being duly sworn according to law, on his oath deposes and says, that he is the President of the UNION BUS COMPANY, and that the matters and things stated in the above application are true, all of which is hereby certified.

PATRICK H. HARDING.

Sworn and Subscribed before me this Second day of March, 1929.

Annie L. Coles.
Notary Public of N. J.

CITY CLERK'S OFFICE

CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of A RESOLUTION passed by the Board of City Commissioners, the FOURTEENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this FIFTEENTH day of MARCH, A. D. 1929.

Wm. D. Brown,
(Seal) City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 29, 1929.)
(Received May 3, 1929.)

CITY OF EGG HARBOR.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to

operate autobuses within the municipal limits of the City of Egg Harbor, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I, William Morgenweck, Jr., Clerk of the City of Egg Harbor City, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Common Council of said city at a meeting duly convened the eighteenth day of April, 1929.

Wm. Morgenweck, Jr.,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

TOWNSHIP OF WATERFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Township of Waterford, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed April 11th, 1929.

Laurence A. Duble,
(Seal) Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF CHESILHURST.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Chesilhurst, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Borough of Chesilhurst, N. J.
April 8, 1928.

At a regular meeting of the Borough Council, held on the above date, the above resolution was adopted.

Fred. K. Calnan,
(Seal) Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF BARRINGTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Co., to operate twenty (20) autobuses via White Horse Pike within the municipal limits of the Borough of Barrington, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses. Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Adopted at a regular meeting of the Borough Council of the Borough of Barrington, in the County of Camden, held April 11, 1929.

Wm. H. S. Deckard,
Mayor.

(Seal)

Attest:
Harry J. Stone,
Borough Clerk.

(Received April 12, 1929.)

BOROUGH OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

BOROUGH OF CLEMENTON,
S. Wayne Clark,
(Seal) Clerk.

(Received April 12, 1929.)

BOROUGH OF HADDON HEIGHTS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Haddon Heights, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of auto-buses.

Borough of Haddon Heights, N. J.
Frank W. DuBree,
(Seal) Boro Clerk.

(Received April 12, 1929.)

TOWNSHIP OF MULLICA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Township of Mullica, as part of a line to be operated by said operation between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at meeting of April 6, 1929.

Chas. D. Saalman,
Chairman Tp. Com.

Attest:
Chas. L. Kuen, Jr.,
Clerk.

BOROUGH OF OAKLYN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Borough of Oaklyn, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike,

Haddon Ave., Federal St., Broadway to the Delaware River Bridge, and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Passed by Council 4/3/29.

William C. Linck,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 6, 1929.)
(Received April 9, 1929.)

TOWNSHIP OF WINSLOW.

BE IT RESOLVED, that municipal consent be and is hereby granted to Union Bus Company, to operate autobuses within the municipal limits of the Township of Winslow, as part of a line to be operated by said company between Atlantic City and Philadelphia, said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I do hereby certify that this is a true copy of a Resolution passed by The Committee of Winslow

Township at their regular meeting held on March 30, 1929.

Chairman, Committee of Winslow Twp.

Attest:
John F. Leed,
(Seal) Clerk.

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

In the matter of the Application of PARLOR DE LUXE COACH COMPANY for approval of local permission to operate twenty buses between Atlantic City and Philadelphia, Pa.	Application for Approval of Local Permission to Operate.

---

(1) The petition of the Parlor De Luxe Coach Company, with its principal office at Camden, New

Jersey, respectfully shows that it is a corporation of the State of Delaware.

(2) That applicant requests approval of local permission to operate autobuses between Atlantic City and Philadelphia, Pa., and intermediate points and along the following route:

From terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

(2a) Length of route: 60 miles.

(2b) That the names of the motor-bus lines, electric railways or steam railroads now operating in the territory to be served are as follows:

(3) Have you purchased the bus or buses? If so, state the nature of contract. Yes. Cash Contract.

(3a) Liability Insurance.
Nature of Policy (As prescribed by Utility Commission).
Name of Company Commonwealth.

(3b) That the name, title and address of the various officials of the company are as follows:

NAME	TITLE	ADDRESS
Patrick H. Harding	President	Camden, New Jersey.
O. G. Schultz	Treasurer	Camden, New Jersey.
J. M. Carey	Secretary	Camden, New Jersey.

(4) That a detailed description of equipment to be operated in the proposed service is as submitted: Will be filed.

(5) That the proposed time schedule and running time between the points to be served is as follows: Schedule will be filed.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is none.

(6) That the proposed fares or rates to be assessed for this service, and rule and regulations governing same, are set forth in Exhibit attached. Exhibit will be filed.

(7) The following municipalities are located along the route as proposed:

NAMES OF MUNICIPALITIES.

Audubon Boro	Winslow Twp.
Absecon City	Clementon Twp.
Atlantic City	Chesilhurst Boro
Hammonton Town	Egg Harbor City
Berlin Boro	Mullica Twp.
Lawnside Boro	Oaklyn Boro
Waterford Twp.	Clementon Boro
Berlin Twp.	Galloway Twp.

Barrington Boro	Haddon Twp.
Laurel Springs Boro	Haddon Hts. Boro
Camden City	Pensauken Twp.
Collingswood Boro	Stratford Boro
Magnolia Boro	

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commission:

NAMES OF MUNICIPALITIES.

Camden City	Clementon Twp.
Audubon Boro	Stratford Boro

(8) That the registration licenses are as follows:

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of local consents granted.

STATE BRIEFLY SEVERAL REASONS.

TO FURNISH LOCAL TRANSPORTATION.

Wherefore, applicant requests that the Board of Public Utility Commissions of the State of New Jersey approve of the said local consents.

Dated at Camden, N. J., this 14th day of March, 1929.

PARLOR DE LUXE COACH COMPANY,
By (Signed) George W. Booz,
Manager.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF PENSAUKEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty (20) autobuses via Crescent Highway and Bridge Approach Road from Cooper River to Camden City Line, within the municipal limits of the Township of Pensauken, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to be subject to existing laws regulating the operation of autobuses.

To the Board of Public Utility Commissioners:

I hereby certify that the foregoing is a true copy of resolution adopted by the Township Committee of the Township of Pensauken, in the County of Camden, at an adjourned regular meeting held March 13th, 1929.

In witness whereof I hereunto set my hand and the official seal of said Township, March 13, 1929.

Robt. V. Peabody,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF GALLOWAY.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Galloway, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed March 16th, 1929.

Clarence M. Conover,
Chairman.

(Seal)
Attest:
Fred Hoenes,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

BOROUGH OF COLLINGSWOOD.

BE IT RESOLVED, that municipal consent be

and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Collingswood, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of resolution duly adopted by the Board of Commissioners of the Borough of Collingswood in the County of Camden, at a regular meeting held on March 18th, 1929.

Albert F. Usilton,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 23, 1929.)
(Received March 25, 1929.)

Regular Meeting of the Board of Commissioners held March 21, 1929.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

Camden, New Jersey,
February 20th, 1929.

To the City of Atlantic City,
Gentlemen:

The Parlor De Luxe Coach Company, hereby

makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality over the following route, from Atlantic City to Philadelphia, Pa.

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

The applicant hereby agrees to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
PARLOR DE LUXE COACH COMPANY,
By (Signed) Patrick W. Harding,
President.

This application was referred to the Mayor.

PARLOR DE LUXE COACH COMPANY GRANTED MUNICIPAL CONSENT TO OPERATE AUTOBUSES BETWEEN ATLANTIC CITY AND PHILADELPHIA, PA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia. Said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

A RESOLUTION GRANTING THE CONSENT OF THE CITY OF ABSECON CITY TO THE PARLOR DE LUXE COACH COMPANY TO OPERATE BUSES WITHIN THE LIMITS OF ABSECON CITY AND THE REGULATION OF SAID BUSES WITHIN THE MUNICIPAL LIMITS OF SAID ABSECON CITY.

WHEREAS, on February 20, 1929, application was made to Common Council for the municipal consent to allow the Parlor De Luxe Coach Company permission to operate autobuses within the municipal limits within the City of Absecon City, and

WHEREAS, after due deliberation, the Common Council of Absecon City is of the opinion that such consent should be granted, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ABSECON CITY THAT:

SECTION 1. The Parlor De Luxe Coach Company is and it is hereby given the consent of Common Council to operate twenty autobuses within the municipal limits of the City of Absecon City as part of a line to be operated by said company between Atlantic City, N. J., and Philadelphia, Pa., and Philadelphia, Pa., to Atlantic City, N. J.

SECTION 2. Said consent is granted on the condition that the said Parlor De Luxe Coach Com-

pany will not accept passengers in Atlantic City for discharge in Absecon City or passengers in Absecon City for discharge in Atlantic City.

SECTION 3. And further, that the Parlor De Luxe Coach Company agrees to comply with all municipal and State regulations governing the operation of said autobuses.

SECTION 4. This resolution to take effect immediately.

Adopted at a meeting of Common Council held March 19, 1929.

Samuel Johnson,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

TOWNSHIP OF HADDON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Haddon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike,

Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

I hereby certify that this is a true copy of a Resolution Adopted by the Township Committee of Haddon Township at a Regular meeting held on March 19th, 1929.

Richard Griffith,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF MAGNOLIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Magnolia, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject

to existing laws regulating the operation of autobuses.

Adopted at a special meeting of the Council held March 18th, 1929.

Approved March 18th, 1929.

Thomas A. Graham,
Mayor.

(Seal)

Attest:

O. E. Hagen,
Borough Clerk.

I hereby certify that the foregoing is an exact copy of a resolution adopted by the Magnolia Borough Council at a special meeting held March 18th, 1929.

O. E. Hagen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

COPY.

RESOLUTION ADOPTED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, N. J., March 11th, 1929.

TOWN OF HAMMONTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Town of Hammonton, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

CERTIFICATE.

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby certify that the foregoing is a true and correct copy of a resolution had and adopted by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular Meeting of said Council held on the eleventh day of March, A. D. 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town of Hammonton, this Twelfth day of March, A. D. 1929.

W. R. Seely,
(Seal) Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF BERLIN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Berlin, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed by Mayor and Members of Council, March 18, 1929.

Geo. R. Duncan,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAWNSIDE.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the munic-

ipal limits of the Borough of Lawnside, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed 3/20/29.

James Hemmings,
Mayor.

(Seal)

Horace J. Bryant,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAUREL SPRINGS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Laurel Springs, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

Regular Meeting of the Board of Commissioners held March 21, 1929.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent (0).

MUNICIPAL CONSENT GRANTED TO PARLOR DE LUXE COACH COMPANY TO OPERATE BUSES IN CITY LIMITS, AS PART OF LINE BETWEEN ATLANTIC CITY AND PHILADELPHIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Atlantic City, as part of a line to be operated by said company between Atlantic City and Philadelphia. Said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses, and subject to local ordinances regulating autobuses and terminals.

Upon motion of Mayor Ruffu, this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

ATTEST:
Bertram E. Whitman,
City Clerk.

(Received March 30, 1929.)

CITY OF ATLANTIC CITY

DEPARTMENT OF PUBLIC AFFAIRS

Anthony M. Ruffu, Jr., Mayor

I, BERTRAM, E. WHITMAN, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a Resolution which was passed at a regular meeting of the Board of Commissioners of Atlantic City, N. J., held March 21, 1929, as taken from the original on file in the Office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 23rd day of March, 1929.

Bertram E. Whitman,
(Seal) City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

CITY OF CAMDEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

In accordance with application attached hereto and made a part hereof.

Camden, New Jersey.
February 20, 1929.

To the City of Camden,
Gentlemen:

The Parlor De Luxe Coach Company hereby makes application for municipal consent to operate twenty (20) autobuses within the limits of your municipality, as part of a line from Atlantic City to Philadelphia, Pa.

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

The applicant proposes to furnish this service with buses having a seating capacity of twenty-five (25) persons. The name of the maker of the autobuses, the serial and engine numbers, the registration number, information on lighting equipment and the year of make will be furnished. Schedule and insurance policy or statement of insurability will be filed before operation is commenced.

Applicant agrees, for itself, its agents and servants, to operate on streets designated in the license, and to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
PARLOR DE LUXE COACH COMPANY,
By Patrick H. Harding,
President.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } ss.

PATRICK H. HARDING, of full age, being duly sworn according to law, on his oath, deposes and says, that he is President of the Parlor De Luxe Coach Company, and that all matters and things stated in the above application are true, all of which is hereby certified.

Patrick H. Harding.

Sworn and Subscribed before me this Second day of March, 1929.

Annie L. Coles,
Notary Public of N. J.

CITY CLERK'S OFFICE

CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of A RESOLUTION passed by the Board of City Commissioners, the FOURTEENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this FIFTEENTH day of MARCH, A. D. 1929.

Wm. D. Brown,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF AUDUBON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach

Company, to operate autobuses within the municipal limits of the Borough of Audubon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

True copy.

H. K. Laurence,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

TOWNSHIP OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty autobuses within the municipal limits of the Township of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Done at a meeting of the Township Committee of The Township of Clementon held in the school house at Lindenwold this 8th day of March, A. D. 1929.

Insertion above made before signing.

J. M. McArthur,
Chairman.

(Seal)

Attest:

Edward Arentzen,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF STRATFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Stratford, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted by the Mayor & Council of the Boro of Stratford at a regular meeting held on the 12th day of March, 1929.

R. P. Jones,
Boro Clerk.

(Seal)

(Received April 12, 1929.)

MULLICA TOWNSHIP.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Mullica, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at meeting of April 6, 1929.

Chas. D. Saalman,
Chairman.

Attest:
Chas. L. Kuen, Jr.,
Clerk.

(Received April 12, 1929.)

BOROUGH OF HADDON HEIGHTS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Haddon Heights, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers sub-

ject to existing laws regulating the operation of autobuses.

Borough of Haddon Heights, N. J.,
Frank W. DuBree,
Boro Clerk.

(Seal)

(Received April 12, 1929.)

BOROUGH OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Clementon, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

BOROUGH OF CLEMENTON,
S. Wayne Clark,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 6, 1929.)
(Received April 9, 1929.)

TOWNSHIP OF WINSLOW.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach

Company, to operate autobuses within the municipal limits of the Township of Winslow, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I do hereby certify that this is a true copy of a Resolution passed by The Committee of Winslow Township at their regular meeting held on March 30, 1929.

Chairman, Committee of Winslow Twp.

Attest:

John F. Leed,

(Seal) Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF BARRINGTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty (20) autobuses via White Horse Pike within the municipal limits of the Borough of Barrington, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and dis-

charge local passengers subject to existing laws regulating the operation of autobuses. Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Adopted at a regular meeting of the Borough Council of Barrington in the County of Camden, held April 11, 1929.

Wm. H. S. Deckard,
Mayor.

(Seal)

Attest:

Harry J. Stone,
Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 18, 1929.)
(Received April 19, 1929.)

BOROUGH OF OAKLYN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the munic-

ipal limits of the Borough of Oaklyn, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Passed by Council 4/3/29.

William C. Linck,
(Seal) Boro Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

TOWNSHIP OF WATERFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Waterford, as part of a line to be operated by said company between

Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted April 11th, 1929.

Lawrence A. Duble,
(Seal) Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF CHESILHURST.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Chesilhurst, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Borough of Chesilhurst, N. J.
April 8, 1928.

At a regular meeting of the Borough Council held on the above date, the above resolutions were adopted.

Fred K. Calnan,
(Seal) Borough Clerk.

BOROUGH OF OAKLYN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Oaklyn, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

Passed by Council 4/3/29.

William C. Linck,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 29, 1929.)
(Received May 3, 1929.)

EGG HARBOR CITY.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach

Company, to operate autobuses within the municipal limits of the City of Egg Harbor, as part of a line to be operated by said company between Atlantic City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I, William Morgenweck, Jr., Clerk of the City of Egg Harbor City, do hereby certify that the foregoing is a true and correct copy of a resolution passed by the Common Council of said city at a meeting duly convened the eighteenth day of April, 1929.

Wm. Morgenweck, Jr.,
City Clerk.

(Seal)

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

In the matter of the application of PARLOR DE LUXE COACH COMPANY, for approval of local permission to operate twenty-five buses between Ocean City and Philadelphia, Pa.	Application for Approval of Local Permission to Operate.

---

(1) The petition of the Parlor De Luxe Coach Company, with its principal offices at Camden, New Jersey, respectfully shows that it is a corporation of the State of Delaware.

(2) That applicant requests approval of local permission to operate autobuses between Ocean City and Philadelphia, Pa., and intermediate points and along the following route:

From Terminal in Ocean City to Reyburn Plaza, Philadelphia, Pa., via Ninth St., Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Ave., Federal St., and Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

(2a) Length of route: 67 miles.

(2b) That the names of the motor-bus lines, electric railways, or steam railroads now operating in the territory to be served are as follows:

(3) Have you purchased the bus or buses? If so, state the nature of contract. Yes. Cash contract.

(3a) Liability Insurance.
Nature of Policy (As prescribed by Utility Commission).
Name of Company—Commonwealth.

(3a) That the name, title and address of the various officials of the company are as follows:

NAME	TITLE	ADDRESS
Patrick H. Harding	President	Camden, New Jersey
O. G. Schultz	Treasurer	Camden, New Jersey
J. M. Carey	Secretary	Camden, New Jersey

(4) That a detailed description of equipment to

be operated in the proposed service is as submitted: Will be filed.

(5) That the proposed time schedule and running time between the points to be served is as follows: Schedule will be filed.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is none.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing same, are set forth in Exhibit attached. Exhibit will be filed.

(7) The following municipalities are located along the route as proposed:

NAMES OF MUNICIPALITIES.

Audubon Boro
Absecon City
Berlin Boro
Berlin Twp.
Barrington Boro
Camden City
Collingswood Boro
Clementon Twp.
Clementon Boro
Chesilhurst Boro
Egg Harbor City
Galloway Twp.
Haddon Twp.
Haddon Hts. Boro
Hammonton Town
Laurel Springs
Linwood Boro
Magnolia Boro
Mullica Twp.
Northfield City
Oaklyn Boro
Lawnside Boro
Ocean City
Pensauken Twp.
Stratford Boro
Somer Point City
Upper Twp.
Waterford Twp.
Winslow Twp.

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commission:

NAMES OF MUNICIPALITIES.

Camden City	Clementon Twp.
Audubon Boro	Stratford Boro
Upper Twp.	

(8) That the registration licenses are as follows:

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of local consents granted.

STATE BRIEFLY SEVERAL REASONS.

To furnish local transportation.

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Camden, N. J., this 14th day of March, 1929.

PARLOR DE LUXE COACH COMPANY,
By (Signed) George W. Booz,
Manager.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

BOROUGH OF COLLINGSWOOD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Collingswood, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of resolution duly adopted by the Board of Commissioners of the Borough of Collingswood in the County of Camden at a regular meeting held on March 18th, 1929.

Albert F. Usilton,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF PENSAUKEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty-five (25) autobuses via Crescent Highway and Bridge Approach Road from Cooper River to Camden City Line, within the municipal limits of the Township of Pensauken, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.
To the Board of Public Utility Commissioners:

I hereby certify that the foregoing is a true copy of resolution adopted by the Township Committee of the Township of Pensauken, in the County of Camden, at an adjourned regular meeting held March 13th, 1929.

In witness whereof I hereunto set my hand and the official seal of said Township, March 13, 1929.

Robt. V. Peabody,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

CITY OF CAMDEN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Camden, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

In accordance with application attached hereto and made a part hereof.

Camden, N. J.
Feb. 20, 1929.

To the City of Camden,
Gentlemen:

The Parlor De Luxe Coach Company, hereby makes application for municipal consent to operate twenty-five (25) autobuses within the limits of your municipality, as part of a line from Ocean City to Philadelphia, Pa.

From Terminal in Ocean City to Reyburn Plaza, Philadelphia, Pa., via Ninth St., Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Ave., Federal St., and Broad-

way to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and Delaware River Bridge. Return via same route.

The applicant proposes to furnish this service with buses having a seating capacity of twenty-five (25) persons. The name of the maker of the autobuses, the serial and engine numbers, the registration number, information on lighting equipment and the year of make will be furnished. Schedule and insurance policy or statement of insurability will be filed before operation is commenced.

Applicant agrees, for itself, its agents and servants, to operate on streets designated in the license, and to comply with all lawful municipal and State regulations governing the operation of autobuses.

Very truly yours,
PARLOR DE LUXE COACH COMPANY,
By Patrick H. Harding,
Pres.

STATE OF NEW JERSEY, }
COUNTY OF CAMDEN, } ss.

Patrick H. Harding, of full age, being duly sworn according to law, on his oath deposes and says, that he is President of the Parlor De Luxe Coach Company, and that the matters and things stated in the above application are true, all of which is hereby certified.

Patrick H. Harding.

Sworn and Subscribed before me this Second day of March, 1929.

Annie L. Coles,
Notary Public of N. J.

CITY CLERK'S OFFICE

CAMDEN, NEW JERSEY

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of A RESOLUTION passed by the Board of City Commissioners, the FOURTEENTH day of MARCH, A. D. 1929, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this FIFTEENTH day of MARCH, A. D. 1929.

Wm. D. Brown,
(Seal) City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF AUDUBON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach

Company, to operate autobuses within the municipal limits of the Borough of Audubon, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Conway Bennett.
Louis C. Graupner.
John W. Zanger.

True copy.

H. K. Laurence,
Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

BOROUGH OF STRATFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Stratford, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The following resolution adopted by the Mayor & Council of the Boro of Stratford at a regular meeting held on the 12th day of March, 1929.

R. P. Jones,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

TOWNSHIP OF UPPER.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Upper, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Fredk. F. Bainbridge,
Chairman, Pro Tem.

Attest:
James Shoemaker,
Clerk, Upper Township.

I hereby certify the above is a true copy of a Resolution passed by the Township Committee of Upper Township, this ninth day of March, 1929.

James Shoemaker,
(Seal) Clerk, Upper Township.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

BOROUGH OF LINWOOD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Linwood, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed at a regular meeting of Borough Council, held on March 18th, 1929.

Approved March 18th, 1929.

Chas. E. Brown,
Mayor.

(Seal)

Attest:
Jas. Farish,
Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 21, 1929.)
(Received March 22, 1929.)

TOWNSHIP OF GALLOWAY.

BE IT RESOLVED, that municipal consent be

and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Galloway, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed March 16th, 1929.

Clarence M. Conover,
Chairman.

(Seal)

Attest:

Fred Hoenes,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 18, 1929.)
(Received March 21, 1929.)

TOWNSHIP OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty-five autobuses within the municipal limits of the Township of Clementon, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Done at a meeting of The Township Committee of The Township of Clementon held in the school

house at Lindenwold this 8th day of March, A. D. 1929.

Insertion above made before signing.

J. M. McArthur,
Chairman.

Attest:
Edward Arentzen,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

TOWNSHIP OF HADDON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Haddon, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Route to be as follows:

From Terminal in Atlantic City to Philadelphia, Pa., via Absecon Blvd., White Horse Pike, Haddon Ave., Federal St., Broadway to Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road, and Linden St., between White Horse

Pike and the Delaware River Bridge. Return via Penn St., Bridge Approach Road and Crescent Highway.

I hereby certify that this is a true copy of a Resolution Adopted by the Township Committee of Haddon Township Adopted at a regular meeting held on March 19th, 1929.

Richard Griffith,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

A RESOLUTION GRANTING THE CONSENT OF THE CITY OF ABSECON CITY TO THE PARLOR DE LUXE COACH COMPANY TO OPERATE BUSES WITHIN THE LIMITS OF ABSECON CITY AND THE REGULATION OF SAID BUSES WITHIN THE MUNICIPAL LIMITS OF SAID ABSECON CITY.

WHEREAS, on February 20, 1929, application was made to Common Council for the municipal consent to allow the Parlor De Luxe Coach Company permission to operate autobuses within the municipal limits within the City of Absecon City, and

WHEREAS, after due deliberation, the Common Council of Absecon City is of the opinion that such consent should be granted, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ABSECON CITY THAT:

SECTION 1. The Parlor De Luxe Coach Company is and it is hereby given the consent of Common Council to operate twenty-five autobuses within the municipal limits of the City of Absecon City as part of a line to be operated by said company between Ocean City, N. J., and Philadelphia, Pa., and between Philadelphia, Pa., and Ocean City, N. J.

SECTION 2. Said consent is granted on the condition that the said Parlor De Luxe Coach Company will not accept passengers in any of the municipalities between Ocean City, N. J., and Absecon City, N. J., for discharge in Absecon City, and will not accept passengers in Absecon City for discharge in any of the municipalities between Absecon City and Ocean City.

SECTION 3. And further, that the Parlor De Luxe Coach Company agrees to comply with all municipal and State regulations governing the operation of said autobuses.

SECTION 4. This resolution to take effect immediately.

Adopted at a meeting of Common Council held March 19, 1929.

Samuel Johnson,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF MAGNOLIA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Magnolia, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at a special meeting of the Council held March 18th, 1929.

Approved March 18th, 1929.

Thomas A. Graham,
Mayor.

(Seal)

Attest:

O. E. Hagen,
Borough Clerk.

I hereby certify that the foregoing is an exact and true copy of a resolution adopted by the Magnolia Borough Council at a special meeting held March 18th, 1929.

O. E. Hagen,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

COPY.

RESOLUTION ADOPTED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, N. J., MARCH 11, 1929.

TOWN OF HAMMONTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Town of Hammonton, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

CERTIFICATE.

I, W. R. Seely, Clerk of the Town of Hammonton, in the County of Atlantic, N. J., do hereby certify that the foregoing is a true and correct copy of a resolution had and adopted by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic, at a Regular meeting of said Council held on the Eleventh day of March, 1929.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Corporate Seal of the Town

of Hammonton, this Twelfth day of March, A. D. 1929.

W. R. Seely,
Clerk of the Town of Hammonton,
in the County of Atlantic, N. J.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF BERLIN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Berlin, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed by Mayor and Members of Council March 18, 1929.

Geo. R. Duncan,
Boro Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAWNSIDE.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Lawnside, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Passed 3/20/29.

James Hemmings,
Mayor.

(Seal)

Horace J. Bryant,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received March 26, 1929.)
(Received March 30, 1929.)

BOROUGH OF LAUREL SPRINGS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach

Company, to operate autobuses within the municipal limits of the Borough of Laurel Springs, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I hereby certify that the foregoing is a true and correct copy of a certain resolution duly adopted by the Council of the Borough of Laurel Springs, in the County of Camden, at a regular meeting held on March 18, 1929.

E. C. Kitchen,
(Seal) Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 18, 1929.)
(Received April 19, 1929.)

CITY OF NORTHFIELD,

Atlantic County, New Jersey.
William B. Stokes, Mayor
George H. Muller, City Clerk
Albert A. Barkoff, President of Council
Harold E. Williams, Receiver of Taxes
George W. Meredith, Treasurer

RESOLUTION.

BE IT RESOLVED, That municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Northfield, as part of a line to be operated by said company between Ocean City, New Jersey, and Philadelphia, Pa., said operation to accept and discharge local passengers for and from the territory between Egg Harbor City, N. J., and Philadelphia, Pa., subject to existing laws regulating the operation of autobuses.

Offered by Mr. Bates.

Adopted April 15th, 1929.

Approved April 16th, 1929.

William B. Stokes,
Mayor.

George H. Muller,
City Clerk.

I, George H. Muller, Clerk of the City of Northfield, N. J., hereby certify that the above is a true and accurate copy of a resolution duly and regularly adopted by the Common Council of the City of Northfield, N. J., on Monday, April 15th, 1929, and approved by the Mayor on April 16th, 1929.

Given under my hand and seal of the City of Northfield, N. J., this seventeenth day of April, 1929.

Geo. H. Muller,
City Clerk.

(Seal)

(Received April 12, 1929.)

BOROUGH OF CLEMENTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Clementon, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

BOROUGH OF CLEMENTON,
S. Wayne Clark,
(Seal) Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 3, 1929.)
(Received April 5, 1929.)

CITY OF OCEAN CITY.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Ocean City, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept

and discharge local passengers subject to existing laws regulating the operation of autobuses.

Signed,
Jos. G. Champion,
R. W. Edwards,
John E. Trout,
Commissioners.

I, J. Reeves Hildreth, City Clerk of the City of Ocean City, New Jersey, hereby certify that the foregoing resolution was adopted at a meeting of the Board of Commissioners held on the 25th day of March, 1929.

J. Reeves Hildreth,
(Seal) City Clerk.

(Received April 12, 1929.)

BOROUGH OF HADDON HEIGHTS.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Haddon Heights, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Borough of Haddon Heights, N. J.,
Frank W. DuBree,
(Seal) Boro Clerk.

(Received April 12, 1929.)

TOWNSHIP OF MULLICA.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Mullica, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Adopted at meeting of April 6, 1929.

Chas. D. Saalman,
Chairman Tp. Com.

Attest:
Chas. L. Kuen, Jr.,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 3, 1929.)
(Received April 5, 1929.)

CITY OF SOMERS POINT.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the City of Somers Point, as part of a line to be operated by said company between

Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Approved March 22, 1929.

R. J. Harris,
Mayor.

Attest:
James G. Scull,
City Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 6, 1929.)
(Received April 9, 1929.)

TOWNSHIP OF WINSLOW.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Winslow, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

I do hereby certify that this is a true copy of a Resolution passed by The Committee of Winslow

Township at their regular meeting held on March 30, 1929.

Chairman, Committee of Winslow Twp.

Attest:

(Seal) Clerk.

BOROUGH OF OAKLYN.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Oaklyn, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

The route to be as follows:

From Terminal in Ocean City to Reyburn Plaza, Philadelphia, Pa., via Ninth St., Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Ave., Federal St., and Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and Delaware River Bridge. Return via same route.

Passed by Council 4/3/29.

William C. Linck,

(Seal) Boro Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

TOWNSHIP OF WATERFORD.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Township of Waterford, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge passengers subject to existing laws regulating the operation of autobuses.

Passed April 11th, 1929.

Lawrence A. Duble,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF CHESILHURST.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate autobuses within the municipal limits of the Borough of Chesilhurst, as part of

a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Borough of Chesilhurst, N. J.
April 8, 1928.

At the regular meeting of the Borough Council, held on the above date, the above resolutions were adopted.

Fred. K. Calnan,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received April 17, 1929.)
(Received April 19, 1929.)

BOROUGH OF BARRINGTON.

BE IT RESOLVED, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company, to operate twenty-five (25) autobuses via White Horse Pike within the municipal limits of the Borough of Barrington, as part of a line to be operated by said company between Ocean City and Philadelphia, Pa., said operation to accept and discharge local passengers subject to existing laws regulating the operation of autobuses.

Route to be as follows:

From Terminal in Ocean City to Reyburn Plaza, Philadelphia, Pa., via Ninth St., Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Ave., Federal St., and Broadway to the Delaware River Bridge and thence to Philadelphia, Pa. Return via same route.

Or, via Crescent Highway, Bridge Approach Road and Linden St., between White Horse Pike and Delaware River Bridge. Return via same route.

Adopted at a regular meeting of the Borough Council of the Borough of Barrington in the County of Camden, held April 11, 1929.

Wm. H. S. Deckard,
Mayor.

(Seal)

Attest:

Harry J. Stone,
Borough Clerk.

DECISION.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

In the matter of the application of PUBLIC SERVICE COORDINATED TRANSPORT for approval of municipal consents to extend the present Atlantic City-Egg Harbor Route to Berlin, N. J., and to operate eleven additional autobuses on said route.

In the matter of the application of the READING TRANSPORTATION COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Atlantic City and Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PENNSYLVANIA GENERAL TRANSIT COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of UNION BUS COMPANY for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

Decision.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of WHITE WAY TOURS for approval of municipal consents to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.

In the matter of the application of PARLOR DE LUXE COACH COMPANY for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna.

CHARLES S. STRAW, for Public Service Coordinated Transport.

FLOYD H. BRADLEY, C. T. WOLFE and CLIFFORD A. BALDWIN, for Reading Transportation Company and Atlantic City Railroad Company.

HARRY V. OSBORNE, F. T. LLOYD, JR., H. C. MAXWELL and GEORGE A. BOURGEOIS, for Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Pennsylvania General Transit Company.

JOSEPH B. PERSKIE, for City of Atlantic City.

PATRICK H. HARDING and EMERSON L. RICHARDS, for Union Bus Company, Parlor De Luxe Coach Company and White Way Tours.

LOUIS LIEBERMAN, for the City of Camden.

The applications of Pennsylvania General Transit Company, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company for approval of municipal consents to operate autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.; the Parlor De Luxe Coach Company and Reading Transportation Company for approval of municipal consents to operate autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., and the application of Public Service Coordinated Transport for approval of municipal consents to extend its Atlantic City-Egg Harbor route to Berlin and for permission to operate eleven additional autobuses thereon, were heard by the Board at the same time.

In the application of Public Service Coordinated Transport, municipal consents were obtained from all the municipalities located along the route between and including Berlin and Atlantic City.

The route over which the Public Service Coordi-

nated Transport proposes to operate, which includes the present Atlantic City-Egg Harbor route, is as follows: Beginning at the bus terminal located on Indiana Avenue near Atlantic Avenue, thence on Indiana Avenue, Absecon Boulevard, White Horse Pike, thence into the center of Hammonton, thence via Bellevue Avenue and White Horse Pike to the intersection of Blue Anchor Road to Berlin; returning via same route. The alternate route to be operated in Hammonton is via White Horse Pike to the intersection of Blue Anchor Road in Berlin; returning via the same route.

On May 24, 1928, the Board in its decision approved of the application of Public Service Coordinated Transport for transfer of municipal consents from Edward Lawrence to operate one autobus between and including Egg Harbor and Atlantic City and imposed in said decision the following condition:

> "That the operators of the bus shall not accept passengers who begin and end their trips between the City of Absecon and Atlantic City, N. J."

The instant application is to extend this route from Egg Harbor to Berlin and to operate eleven additional autobuses thereon. The petitioner agreed to accept the same restriction.

The Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Atlantic City Railroad Company appeared in opposition to this application.

Testimony in support of all the applications was offered by municipal officials and witnesses residing in the various municipalities through which the petitioners propose to operate autobuses. Wit-

nesses representing the petitioners testified as to the necessity for autobus service over the various proposed routes. Evidence was also offered indicating the character of service being furnished at the present time by the existing transportation facilities as well as financial figures showing the cost of rendering such service. All of this testimony was considered by the Board in its determination of all the applications herein referred to.

The application of Pennsylvania General Transit Company for approval of municipal consents to operate twenty-five autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., was over the following route: Beginning at the Delaware River Bridge Plaza in the City of Camden to the intersection of 7th and Penn Streets, thence via Penn Street to Bridge Entrance Road, thence via Bridge Entrance Road to its intersection with Crescent Boulevard in Pensauken Township, thence via Crescent Boulevard to its intersection with the White Horse Pike, thence via the White Horse Pike through the municipalities of Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon Township, Stratford, Laurel Springs, Clementon Borough, Berlin Borough, Waterford Township, Chesilhurst and Winslow Township, to the intersection of Bellevue Avenue, thence via Bellevue Avenue in the Town of Hammonton to the intersection of Egg Harbor Road, thence via Egg Harbor Road to the West Jersey & Seashore Railroad Station, and continuing on Egg Harbor Road to its intersection with the White Horse Pike at DaCosta, thence via the White Horse Pike through the municipalities of Mullica Township, Egg Harbor City and Galloway Township to the corporate limits of the City of Absecon, with an alternate

route in Egg Harbor City via Liverpool Avenue and Atlantic Avenue, to the West Jersey & Seashore Railroad Station, thence via Philadelphia Avenue to the White Horse Pike, and continuing on the White Horse Pike to the corporate limits of the City of Absecon, thence through the City of Absecon via the Absecon Boulevard to Atlantic City, thence in Atlantic City via Absecon Boulevard, Indiana Avenue, Adriatic Avenue, Kentucky Avenue, Arctic Avenue, and a private driveway to the West Jersey & Seashore Railroad Station, at Atlantic and Tennessee Avenues.

Municipal consents have been granted the Pennsylvania General Transit Company by all the municipalities situated along the route, except Mullica and Galloway Townships, which under the statute precludes the petitioner from conducting any business in these municipalities.

The Pennsylvania General Transit Company, as well as the Reading Transportation Company, agreed to accept the restriction that the operators of the buses would not accept passengers who begin and end their trips between and including Camden and Berlin, N. J.

The application of Reading Transportation Company is for approval of municipal consents to operate twenty-five autobuses between and including Ocean City and Camden, N. J., via Atlantic City to Philadelphia, Penna., over the following route: Beginning at the Reading Terminal, Philadelphia, Penna., thence via the Delaware River Bridge, Penn Street and Bridge Boulevard, Crescent Bridge Boulevard, White Horse Pike, to the city limits of Atlantic City, thence on Absecon Boulevard, Ohio Avenue, Baltic Avenue, Missouri or Arkansas Avenue as traffic conditions may require, Arctic Avenue to station grounds of the Atlantic City Railroad in

the City of Atlantic City, thence via Arctic Avenue, Boston Avenue, Ventnor Avenue through Ventnor, Margate and Longport, to Longport-Ocean City Bridge, thence entering Ocean City via Bridge Boulevard, Atlantic Road, Battersea Road, Ocean Avenue, Ninth Street to grounds of the Tenth Street Station of the Atlantic City Railroad in Ocean City; returning over the same route, except as follows: In Ocean City, between grounds of the Tenth Street Station of the Atlantic City Railroad and Ninth Street and Ocean Avenue via Tenth Street and Ocean Avenue. In Camden, between Bridge Boulevard and Delaware River Bridge, via Linden Street.

Municipal consents have been given to the petitioner to operate autobuses in all the municipalities located along the route, with the exception of the Township of Egg Harbor, City of Absecon, Township of Galloway and Borough of Longport, which, under the statute, would preclude the petitioner from conducting any business within the limits of these municipalities.

As to the applications of Union Bus Company to operate twenty autobuses between and including Atlantic City, Camden, N. J., to Philadelphia, Penna., the White Way Tours to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia, Penna., the Parlor De Luxe Coach Company to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia, Penna., and to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., this operation under these applications is under the management of the O. G. Schultz Management.

The route over which the Union Bus Company proposes to operate its autobuses is as follows: From the terminal in Atlantic City, via Albany

Boulevard, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route or alternately in Camden via Crescent Highway, Bridge Approach Road, Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road, Crescent Highway.

The petitioner has been granted municipal consents in all the municipalities through which it proposes to operate its autobuses except the City of Pleasantville, which, under the statute, would preclude it from conducting any business within the limits of said municipality. The municipal consent given by the City of Absecon restricts the petitioner from conducting any business between the City of Absecon and Atlantic City.

The applications of the White Way Tours to operate twenty autobuses and the Parlor De Luxe Coach Company to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., are over the following route: From terminal in Atlantic City, via Absecon Boulevard, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. Alternate route in the City of Camden is via Crescent Highway to Bridge Approach Road and Linden Street between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

Municipal consents have been granted to both of these companies to operate autobuses in all the municipalities situated along the route. The consent of the City of Absecon, however, restricts the operation in that no passengers can be accepted

who begin and end their trips between and including the City of Absecon and Atlantic City, N. J.

The application of Parlor De Luxe Coach Company for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., is over the following route: From a terminal located in Ocean City, thence via Ninth Street, Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. The alternate route in the City of Camden is via Crescent Highway, Bridge Approach Road and Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

The petitioner has been granted municipal consents by all the municipalities except the City of Pleasantville which, under the statute, would preclude the petitioner from conducting any business within the limits of said municipality. The consent of the City of Northfield is as follows:

> "Be it resolved, That municipal consent be and is hereby granted to Parlor De Luxe Coach Company to operate autobuses within the municipal limits of the City of Northfield, as part of a line to be operated by said company between Ocean City, New Jersey, and Philadelphia, Penna., said operation to accept and discharge local passengers for and from the territory between Egg Harbor City, N. J., and Philadelphia, Pa., subject to existing laws regulating the operation of autobuses."

The City of Absecon grants permission to the petitioner on the condition that it will not accept

passengers in any of the municipalities between Ocean City and Absecon, N. J., for discharge in Absecon City, and will not accept passengers in Absecon City for discharge in any of the municipalities located between Absecon City and Ocean City.

The Public Service Coordinated Transport previously submitted to the Board an application for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro route to Atlantic City, N. J. The Board in its decision of July 17th, 1928, denied the application. In this decision it is stated that a through bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger income of the railroads. Testimony in that proceeding indicated that the Atlantic City Railroad Company and the West Jersey & Seashore Railroad Company were opposed to the application and testified that the transportation by the use of autobuses was not necessary between and including Camden and Atlantic City. In the instant matters, however, it appears that testimony was offered to the contrary, therefore there appears to be no doubt that public convenience and necessity require transportation by the use of autobuses over these various routes.

As to the application of Public Service Coordinated Transport, the evidence shows that the petitioner is operating autobuses between Camden and Hammonton, N. J., over the White Horse Pike, conducting a local business; also a route between Egg Harbor and Atlantic City, which route furnishes service only from Egg Harbor to Atlantic City and vice versa. Both of these bus routes were established several years ago by parties other than the Public Service Coordinated Transport. The company acquired by purchase these bus routes within

the last few years. It also appears that these bus routes were established without any objection being interposed by the Atlantic City Railroad Company or the West Jersey & Seashore Railroad Company. It is now proposed to extend the route from Egg Harbor to Berlin, thus providing a service between Hammonton and Egg Harbor, a distance of approximately twelve miles.

The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City.

Upon consideration of the evidence, the Board therefore finds and determines that the municipal consents given to the Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to Berlin, New Jersey, and for the operation of additional autobuses thereon are necessary and proper for the public convenience and properly conserve the public interest and approves of the same with the following conditions:

1. That the operators of the buses shall not accept passengers who begin and end their trips between and including Absecon City and Atlantic City, N. J.

2. That five buses are sufficient to render this service and the Board hereby approves the municipal consents for five buses on this service.

As to all the other applications the Board is also satisfied from the proofs that there is necessity for additional autobuses operating between and including Camden-Atlantic City and Ocean City. The character of service to be furnished should only make express stops. Such a method of transportation would greatly add to the convenience of persons desiring to travel to and from Atlantic City by requiring less running time. The number of

buses applied for under these applications amount to one hundred thirty-five. Such a number is clearly unnecessary to meet the demands of service.

The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Penna.; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation.

The Board will approve of the applications of the Pennsylvania General Transit Company, Camden to Atlantic City, N. J., for the operation of ten autobuses; White Way Tours, Camden to Atlantic City, three autobuses; Parlor De Luxe Coach Company, Camden to Atlantic City, three autobuses; Union Bus Company, Camden to Atlantic City via Pleasantville, four auto buses; Reading Transportation Company, Camden to Atlantic City, ten autobuses, and an additional two autobuses to be operated between and including Camden-Atlantic City and Ocean City, and Parlor De Luxe Coach Company, Camden to Ocean City via Pleasantville, two autobuses, with the provision that said number

of buses shall be permitted to furnish the following means of transportation:

To accept passengers in Camden for discharge in Atlantic City and vice versa.

To accept passengers in Berlin for discharge in Atlantic City and vice versa.

To accept passengers in Hammonton for discharge in Atlantic City and vice versa.

Several of the municipal consents given to the petitioners restrict the operation of the petitioners' autobuses. The Board in considering these matters approves of the conditions mentioned in said consents.

Therefore, upon consideration of the evidence, the Board finds and determines that the municipal consents given to the Pennsylvania General Transit Company, Union Bus Company, Reading Transportation Company, White Way Tours, and Parlor De Luxe Coach Company, are necessary and proper for the public convenience and properly conserve the public interest and approves of the same in accordance with the findings stated herein.

Dated, June 27th, 1929.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

By (Signed) Jos. F. Autenrieth,
President.

(Seal)

Attest:

(Signed) Emmett T. Drew,
Secretary.

I hereby certify the foregoing to be a true copy of a decision rendered by the Board of Public Utility Commissioners and ordered filed by said Board.

(Seal) *Secretary.*

TESTIMONY.

SUPREME COURT OF NEW JERSEY.

WEST JERSEY & SEASHORE RAILROAD COMPANY and PENNSYLVANIA GENERAL TRANSIT COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

Testimony

ATLANTIC CITY RAILROAD COMPANY & READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY,
Defendant.

Testimony.

September 12, 1929.

Before WILLIAM J. KRAFT, Supreme Court Commissioner.

APPEARANCES:

LEWIS LIBERMAN, ESQ., for the City of Camden.

WILLIAM H. SPEAR, ESQ., CHARLES STUART STRAW, ESQ., for the Public Service Company.

PATRICK H. HARDING, ESQ., for White Way Tours, Parlor De Luxe Coach Company & Union Bus Company.

FLOYD H. BRADLEY, ESQ., C. T. WOLFE, ESQ., CLIFFORD A. BALDWIN, ESQ., for the Reading Transportation Company & the Atlantic City Railroad Company.

HARRY V. OSBORNE, ESQ., for the Pennsylvania Railroad & Pennsylvania General Transit Company.

EMMETT T. DREW, sworn.

By Mr. Osborne:

Q. Mr. Drew, are you the secretary of the Board of Public Utility Commissioners of New Jersey, the defendant in this proceeding?

A. Yes, sir, I am.

Q. Have you, at my request, and by virtue of a subpoena duces tecum, produced certain records here this morning?

A. Yes, I have.

Q. I think I furnished you with a list as a matter of convenience?

A. Yes, sir.

Q. I will refer to that list. Have you produced the decision of the Board with reference to the decision in this case of Strano and others?

A. Yes, sir, I have a copy of what was a report at that time, in 1921, dated June 15th.

Q. At that time they called their decisions reports?

A. Yes, sir.

Q. What is the date?

A. It is dated June 15th, 1921.

Q. Does the Atlantic Coast Railroad Company appear there as an objector?

A. I can read you the appearances at the top, but they wouldn't indicate they were necessarily objectors, unless I read through it. Harry R. Cooper for the Borough of Bellmawr; William C. Webb for applicants; George W. Cade for Atlantic Coast Electric Railway Company.

Q. Have you read the decision?

A. No, I have not.

Q. Look at the decision.

A. The conclusion of the Board ——

Mr. Spear: In order to facilitate this proceeding —I believe Mr. Drew wants to get away as soon as possible—I will enter an objection at this time on the record to any evidence along this line, and particularly to the piece of evidence which is now offered, on the ground that it would be merely cumulative, it is incompetent and immaterial, and not warranted and authorized by the certiorari Act, and is in disregard to all the decisions of that Act.

Q. Read the record.

A. The application of these operators was denied.

Mr. Osborne: I don't want to encumber the record with a lot of immaterial matters, and I will ask the witness to read into the record the reference to the appearances, and the Board's decision.

The Witness: "In view of this situation, and

assuming that the Railway Company will afford adequate service during the height of the season, the Board is of the opinion that public convenience does not now require additional transportation facilities upon this route, and the application will therefore be denied.''

Mr. Spear: That is quoting from the report?

The Witness: Yes.

(After a discussion between counsel.)

The Commissioner: The understanding is that all this testimony comes out, he doesn't call for this paper.

(To the stenographer.) The balance of the testimony from there on leave out, omit it.)

Mr. Spear: My objection is to the general line of all this testimony.

The Commissioner: I guess, inasmuch as all of this is stricken out, probably, when he asks another question you had better make your objection anew.

Mr. Spear: It is now stipulated before your Honor that my objection to the general line of the testimony on the grounds urged now will stay in the record, and will be considered as an objection to all the testimony along that line.

Q. Now, have you produced the record in the case of Public Service Transport Company, Plainfield-Newark Line?

A. Yes, sir.

Q. What is the date of that decision?

A. December 2, 1926.

Q. May I see the decision?

A. (Witness complies.)

Q. I call your attention to the language on the second page, and ask you if it is a part of that decision; "The Central Railroad Company of New Jersey appeared in opposition to the application," is that part of the language of the decision?

A. That is part of the language of one paragraph of the decision.

Q. Those words do appear in the decision, do they not?

A. Yes, sir.

Mr. Spear: What was that?

The Witness: Judge Osborne read the first part of the paragraph, the Central Railroad Company of New Jersey appeared in opposition to the application, and asked me if that was part of the decision, and I say it is part of the language of a paragraph of the decision.

Mr. Osborne: We can take the whole decision, but after I state to counsel my purpose perhaps we can limit it. These decisions, of course, are very long, and some of them relate to matters many of which are not pertinent to this issue and, of course, will never be argued. I merely wish to show by this, and similar decisions, that the railroads have in fact appeared in opposition to the various bus applications, just as they are doing today, and that will be one of the points which will be an issue in this case. Now, it is quite apparent, of course,

when I show by the language that the Commission in its decision says that a railroad appeared in opposition that is all I need of that decision for that purpose. Of course, we could go on and put the paragraph in, or the whole decision, but it seems to me it would be "love's labor lost."

Mr. Spear: I don't want to clutter the record, but there is one thing, of course, that is of extreme importance which has been entirely left out, and that is, what is the date of this.

The Commissioner: He asked him that, it was sometime in December.

The Witness: The date is December 2nd, 1926.

Mr. Spear: I think another thing is that this was a denial by the Board of the Commission, and that a rehearing was had in this particular case and on that hearing the permission was granted.

Mr. Osborne: The issue is not whether ——

Mr. Spear: I know your point, but we have a point, too.

Mr. Osborne: I haven't any objection to your putting it in for your own purpose.

Mr. Spear: If I wait until you are all through I will have to go all over this again, and I want Mr. Drew to get away. If you put in about this one the fact as to what happened, then there was a rehearing, and so on, I will have nothing to ask him.

The Commissioner: I guess you get the drift.

Mr. Osborne: I don't get the pertinency of it.

The Commissioner: It won't be necessary, probably, for him to re-examine this witness if you show the application was either granted or denied.

Mr. Spear: A rehearing was had and then it was granted.

Q. In view of Judge Spear's statement will you state what the result of the decision was?

A. The first application, decision rendered, December 2, 1926, the approval was denied.

Q. And there was a rehearing?

A. Yes, under date of February 9, 1928, an application was made, Public Service, Plainfield-Newark Route, which was granted.

Q. I ask you with reference to the next item, have you the record of the second case?

A. Yes, I think so. Yes, sir, I have the record of the second case.

Q. The date of that was what?

A. February 9, 1928.

Q. And does that record show the Central Railroad Company appeared in opposition?

A. It does, it shows Mr. William A. Barklow appeared for the Central Railroad.

Mr. Spear: What has the Central got to do with this thing, they have nothing to do with this proceeding?

Mr. Osborne: That is true. I don't suppose there is any point in arguing it.

Mr. Spear: No, I am only making the suggestion.

Mr. Osborne: The Board in its decision made a sweeping and general statement that the railroad has permitted these bus lines to develop without opposition, and their decision was based entirely on that statement, and we propose to show that is not a fact, that they have constantly opposed where their interest was jeopardized.

Mr. Spear: Suppose, if the Court please, all the other railroads did permit, or have not permitted, what effect would it have on these, the question is one of estoppel, and you don't estop by what somebody else did, it is by what you did yourself.

Q. Will you turn to the next item, Jersey City Transport Company?

A. Jersey City Transportation Company.

Q. What was the date of that decision?

A. September 8th, 1926.

Q. What railroads appeared there in opposition?

A. The appearance of William A. Barklow, Central Railroad of New Jersey, John A. Hartpence, for the Pennsylvania Railroad Company, United New Jersey Railroad and Canal Company, and Perth Amboy and Woodbridge Railroad Company.

Q. As to the Orange Coach Company?

A. The Board rendered a decision in the matter of the Orange Coach Company under date of January 12, 1927, in which the application was denied. William J. Larrabee appeared in opposition to the application on behalf of the Delaware Lackawanna and Western Railroad, the date of the decision was January 12, 1927.

Q. I will just give you the names.

A. I think I have them in order here.

Q. Jersey City-Rutherford.

A. Under date of March 31, 1927, the Board rendered a decision in the matter of the application of the Jersey City-Rutherford Bus Company, and it appears that G. R. James, attorney for the Erie Railroad Company, George H. Blake and C. S. Straw for Public Service Railway appeared in opposition, and the application was denied.

Q. In the Public Service Transport, Plainfield-Newark, is that the case in which I asked you whether the Central Railroad appeared in opposition?

A. You read a part of the decision, yes, sir.

Q. This Orange Coach Company, case, does the Commission in its decision recite the opposition by the Delaware Lackawanna Railroad and another railroad?

A. A paragraph in the decision states "Approval of the consent is opposed by the Delaware Lackawanna and Western Railroad Company, Public Service Railway Company, and Public Service Transportation Company.

Q. Now, we are down to Jersey-City-Rutherford.

A. I gave you that, Judge. I testified as to Jersey-City-Rutherford.

Q. Number six, Nevins, have you that decision?

A. April 12th, 1927.

Q. Do any railroads appear in opposition there?

A. A. C. Wall appears for the Pennsylvania Railroad, E. M. Moffett, Central Railroad Company of New Jersey—do you want the other appearances?

Q. I am not interested in the rest.

A. They are the only two railroads that opposed the application.

Q. I call your attention to a paragraph on the third page with reference to the appearance of the

Pennsylvania Railroad and ask you what the decision recites?

A. In a paragraph of the decision it is stated, "The Pennsylvania Railroad Company objected to the application and offered testimony as to the character of service furnished by its facilities between Jersey City and Camden. There was included in this testimony the operating expenses in maintaining this service between these points.

Q. Did you state the conclusion?

A. The Board found and determined that the municipal consent given ——

Q. Was it approved or disapproved?

A. Approved with conditions.

Q. Farrell, Jersey City—Asbury Park?

A. Decision in this matter was rendered by the Board under date of May 17th, 1927, and it appears William A. Barklow, attorney for the Central Railroad Company, and Allen W. Carrick appeared as attorney for the Pennsylvania Railroad Company in opposition to the application.

Q. And the recital of the decision relates to the appearances?

A. And the permission was approved for the operation of one auto-bus with restrictions.

Q. I call your attention to the first paragraph at the top of the third page and ask you to read that paragraph.

A. In a paragraph of the decision it is stated: "Central Railroad Company of New Jersey and the Pennsylvania Railroad Company objected to the approval of the application and submitted testimony as to the character of service furnished by their facilities between Jersey City and Asbury Park."

Q. Number eight on the list which I furnished you.

A. Under date of June 23, 1927, the Board rendered a decision in connection with the application of

the Journal Square Coach Transportation Company, and it appears that Grover R. James, attorney for Erie Railroad opposed the application, which was denied.

Q. Next number.

A. Application of John R. Abrams, for approval of consent to operate between the City of Newark and the city of Long Branch; it appears William A. Barklow, attorney for the Central Railroad Company appeared in opposition to the application, and the application was denied.

The Commissioner: Did you put in the date?

The Witness: The date of the decision is June 30, 1927.

Q. The next case.

A. The next case is an application of the Somerset Bus Company for rehearing in the matter of the application for the approval of local consents to extend its route between and including Somerville and Irvington and Newark; E. M. Moffett, Alfred Kuble and H. B. Thomas, appeared as attorneys for the Central Railroad Company of New Jersey in opposition.

Mr. Spear: Who appeared for the Bus Company?

The Witness: H. V. Osborne for the Somerset Bus Company. Under date of February 9, 1928, the Board rendered a decision granting permission to extend the route with restrictions.

Q. Now, if you will just take them down.

A. Under date of September 8, 1927, the Board

rendered a decision on the application for a rehearing of the Orange Coach Corporation to operate nine buses between Maplewood and Journal Square, Jersey City. John R. Hartpence appeared as attorney for the Pennsylvania Railroad Company in opposition to the application.

Mr. Spear: What happened?

The Witness: The Board vacated its previous findings of January 12, 1927, and approved the application for the operation of nine buses.

Q. Then they sold out to the Public Service?

A. That is the way it goes. Under date of September 20, 1927, application of the Jersey City-Greenwood Lake Bus Company to operate four buses between Journal Square and Greenwood Lake; that was passed upon in a decision in which it was found that public convenience and necessity had not been established and the application was denied. Duane E. Minard appeared in opposition as attorney for the Erie Railroad, and the New York, Susquehanna and Western Railroad.

Mr. Spear: Did you say there that the Public Service appeared also?

The Witness: I did not, because the Judge has not been asking me for all the appearances, only the railroads.

Mr. Spear: The Public Service did appear?

Mr. Osborne: Yes, they appeared in all these cases, practically.

Mr. Spear: And the decision was largely made on the testimony of Mr. Warner of the Public Service?

The Witness: My recollection is that was a fact.

Mr. Spear: Will you admit that the decision in this case is largely based upon the testimony of Mr. Warner, largely upon his intelligence?

Mr. Osborne: I am willing to admit that Mr. Warner is a highly intelligent man; the Public Service never have anyone on their staff that isn't intelligent.

The Witness: Under date of February 9, 1928, the Board made a decision in the matter of the application of Public Service Transportation Company to operate five De Luxe autobuses between and including Plainfield and Newark. There appeared in opposition to the application William A. Barklow for the Central Railroad Company of New Jersey. The application was favorably acted upon with restrictions. Under date of March 19, 1928, the Board rendered a decision in the matter of the application of the Boonton, Caldwell, New York Bus Company for approval to operate six autobuses between and including Doval and Journal Square, Jersey City. Do you want the appearances in this?

Mr. Osborne: I am only interested in the Railroad appearances.

Mr. Spear: You may mention Mr. Osborne's appearance, I don't care about the rest.

The Witness: G. R. James appeared in opposition as attorney for the Erie Railroad; H. V. Osborne for the Butler-Newark Bus line, and Decamp Bus line, and the application was denied. Under date of April 12th, 1928, the Board rendered a decision in the matter of the application of the Jersey City and Montclair Bus Company for approval of municipal consent for extension of their Jersey City, Verona and Caldwell, and there appeared in opposition G. R. James, attorney for the Erie Railroad Company, H. V. Osborne for the Butler Newark Bus Line, Inc., and it was determined the consent given for the extension of the route were necessary and proper for the public convenience and it was approved. Under date of May 16, 1928, the Board rendered a decision on the application of the Paterson-Palisade Sight Seeing Company to operate six autobuses between Paterson, Palisade Amusement Park, Cliffside, New Jersey, and it appears that G. R. James, attorney for the Erie Railroad Company and C. S. Straw for the Public Service Coordinated Transport appeared in opposition, and the application was dismissed. On June 13th, 1928, the Board rendered a decision on the application for a rehearing of the Public Service Transportation Company to operate five DeLuxe buses between and including Plainfield and Newark. William A. Barklow for the Central Railroad Company and H. V. Osborne for the Somerset Bus Company appeared in opposition, and certain restrictions imposed upon the operation were modified. On June 19th, 1928, the Board rendered a decision on the application of Harry McCloskey for permission to operate one autobus between Burlington and West Palmyra. W. Holt Apgar, attorney for the Pennsylvania Railroad, and Charles S. Straw, for the Public Service, appeared in opposition, and the application for re-

hearing was denied. That is number 19 on your list.

Mr. Bradley: What about 17?

The Witness: I covered that, didn't I?

Mr. Osborne: Yes, I think you covered that.

The Witness: That related to the other, Mr. Bradley, and I testified as to that. June 27, 1928, the Board rendered a decision on the application of the Public Service Coordinated Transport for the extension of the Hopatcong Route, operating between Morristown, Metcong and Newton. W. J. Larrabee, attorney for the D. L. and W. Railroad appeared in opposition, and the Board approved the application. On June 28th, 1928, application of the Jersey City and Keensburg Bus Company to operate six autobuses between Journal Square and Keensburg, New Jersey, was passed upon in a decision and denied. William A. Barklow and E. M. Moffett, attorneys, appeared for Central Railroad in opposition; John A. Hartpence and George G. Tenant, Jr., for the Pennsylvania Railroad.

Mr. Osborne: Did you give the date of that?

The Witness: Yes, sir, I did. July 12, 1928, the Board rendered a decision in the matter of the application of Charles H. Shinn, to operate between Trenton, Mt. Holly and Medford Lakes, and the application was approved with conditions or restrictions. W. Holt Apgar, attorney, appeared in opposition for the Pennsylvania Railroad. I am not giving all the appearances, just merely the Railroad.

Mr. Spear: I understand.

The Witness: July 12, 1928, the Board rendered a decision on the application of the Gray Line Auto Company to operate over a route between Asbury Park and Atlantic Highlands. The Board finally determined that the municipal consents granted for the operation were necessary for public convenience and necessity. Harry V. Osborne appeared in opposition for the Coast City Railway Company and Pillion Shibla Bus Company, William a Barklow and E. M. Moffett in opposition for Central Railroad Company, John A. Hartpence, attorney for the Pennsylvania Railroad Company, in opposition.

The Commissioner: Gentlemen, you all agreed that the testimony should be taken stenographically and the signatures of the witness waived?

Mr. Spear: Certainly.

The Witness: January 31, 1929, the Board rendered a decision in the matter of the application of the Gray Line Auto Company for approval of municipal consents to operate two autobuses between and including Asbury Park and Atlantic City. Theodore Strong, attorney for the Pennsylvania Railroad Company appeared in opposition, as did R. D. Branch, passenger agent of the Central Railroad Company of New Jersey.

Mr. Osborne: Did you get my appearance for the Coast Cities Railroad Company in the last case?

The Witness: Yes. July 17, 1928, the Board rendered a decision in the application of the Schevalier Bus Company to operate eight autobuses be-

tween and including Journal Square and Wayne, New Jersey. There appeared in opposition G. R. James and E. L. Dodrill, attorneys for the Erie Railroad Company, H. V. Osborne for the Butler-Newark Bus Line, and the Board in its decision found that the operation was not necessary for the public convenience and denied the application. July 17, 1928, the Board rendered a decision in the matter of the application of Public Service Transportation Company for extension of the Camden, Berlin, Atco, Tansboro route, to Atlantic City. There appeared in opposition to the application George H. Bourgeois, H. C. Maxwell and George M. Shipman for the West Jersey Seashore Railroad Company, William L. Kinter, Edward L. Katzenbach, Floyd H. Bradley and C. T. Wolf for the Atlantic City Railroad Company. The Board in its opinion decided the proposed route would carry through traffic from Atlantic City to Camden, reducing the passenger income to the railroad, which would probably result in further curtailment of service and denied the application. August 7, 1928, decision was rendered by the Board on the application for rehearing by Christ Polletti to operate four autobuses between and including Union City and Keensburg. E. M. Moffett, attorney for Central Railroad Company of New Jersey, and John R. Hartpence, attorney for Pennsylvania Railroad Company, appeared in opposition. The application was denied. On August 20, 1928, the Board rendered a decision on the application of the Shore Service, Inc., for approval of change of route. There appeared in opposition Floyd H. Bradley for the Reading Transportation Company, and the application was denied. September 6, 1928, the Board rendered a decision on the application of the DeLuxe Transit Corporation, for approval of municipal consents granted by the Bor-

ough of Keysport. William A. Barklow, attorney for Central Railroad Company, and A. F. Conway, attorney for Pennsylvania Railroad, appeared in opposition to the application, and it was denied. September 20, 1928, the Board rendered a decision in the matter of the application of the Inter-County Motor Corporation for approval to operate two autobuses between and including Clinton and Phillipsburg. C. D. O'Connell, attorney for Lehigh Valley Railroad Company appeared in opposition, and the application was approved. October 9, 1928, the Board rendered a decision on the application of the Journal Square Coach Transportation Company to operate between Jersey City and Harrington Park, and there appeared in opposition E. L. Dodrill, for the Erie Railroad Company, John R. Hartpence, attorney for the West Shore Railroad Company, and the New York Central Railroad Company. I think that is an error in there.

Mr. Osborne: We agree that the correction should be made.

The Witness: It is merely a typographical error. The application was denied.

Mr. Bradley: The application of the Inter-County Motor Company it appears H. C. Osborne was attorney for the petitioner.

Mr. Spear: That is the Bus Company?

Mr. Bradley: Yes, sir.

The Witness: December 13, 1928, the Board rendered a decision in the matter of the application

of Charles Wasenda, and Thomas Wasenda, to operate six autobuses, 54th Street, Bayonne, Central Avenue, Carney. E. M. Moffett, attorney for the Central Railroad Company appeared in opposition and the application was denied. January 17, 1929, the Board rendered a decision on the application of the Waur Bus Company, Inc., for approval of permit to operate between Phillipsburg and Riegelsville. H. V. Osborne appeared for the applicant, W. Holt Apgar appeared in opposition for the Pennsylvania Railroad, and the application was approved. January 29, 1929, the Board rendered a decision in the application of William H. Merz, for approval of municipal consent to operate two autobuses between and including Asbury Park and Mt. Holly. William B. Hunter, attorney for the Pennsylvania Railroad, appeared in opposition and the application was approved. June 6, 1929, the Board rendered a decision on the application of the Paterson-Jersey City Transportation Company. E. L. Dodrill, attorney for Erie Railroad Company and W. H. Larrabee for D. L. & W. Railroad, appeared in opposition, and the application was denied.

Mr. Bradley: What about the Gray Line, Asbury Park?

The Witness: What did you say?

Mr. Bradley: The Gray Line, Asbury Park-Atlantic City?

Mr. Spear: I think he covered that.

The Witness: I think it is listed twice. As a matter of fact, I have gone over that decision. I

don't understand your list, you have two or three matters listed there under Gray Line.

Mr. Osborne: Have you got a number 34?

The Witness: Just a moment, Judge.

Mr. Osborne: Asbury Park to Atlantic City, decision of 1-31-29?

The Witness: I think that is covered in that other decision.

Mr. Spear: Subject to the objection of materiality, relevancy, and so on, if you tell us what it is we will save time by saying that is what he will swear to, and so on, if the Judge will tell me what it is.

Mr. Osborne: Suppose we pass that for a moment.

The Witness: Just a minute, perhaps we can straighten it out. I had this mixed up with other papers, I have it here. January 31, 1929, the Board rendered a decision on the application of the Gray Line Auto Company for approval of municipal consent to operate two autobuses between Asbury Park and Atlantic City. Theodore Strong appeared as attorney for Pennsylvania Railroad Company in opposition, as did V. D. Branch, passenger agent for Central Railroad Company of New Jersey, and the application was granted, or approved.

Q. That completes that particular group, doesn't it?

A. Yes, sir.

Q. So far as my inquiry of you is concerned?

A. Yes, sir.

Q. I have asked you to produce the decision in an additional group of cases beginning with Robert T. Wilson, Red Bank and Rumson, have you got that? That is number one on the second group?

A. Wasn't that number one on your first group, Judge?

Q. Number one on the first group was Strano. Have you number one there, or if you prefer, you can take them in whatever order you have them, and I will check mine against yours.

A. I have Gassior here.

Q. That is still another group?

A. I don't know what you refer to.

Mr. Osborne: Do you mind my discussing the matter with the witness in order to straighten it out?

Mr. Spear: No.

The Witness: I don't think, Judge, I have those decisions with me, because I looked them over this morning.

Mr. Osborne: These are important, because from these decisions I expect to put on the record the Board's declaration of public policy.

The Witness: If you will stipulate it ——

Mr. Osborne: He hasn't this particular group, he seems not to have brought those with him. I think, perhaps, when I tell Judge Spear the purpose of it we can get together without any formality.

Q. I show you a decision in this group which you have just been testifying to, in the case of Paterson-Palisade Sight Seeing Company, rendered May 16, 1928, by the Board, and ask you whether this language appears therein, "The petitioner's application is merely to operate buses during the summer months when the seasonal business presents itself, without being burdened with the operation during the other seasons of the year. The preservation of the utilities which are willing and able to furnish service to the traveling public continuously during the entire year appears to be in the public interests."

A. Yes, sir, that is a part of the decision.

Q. Now, did you bring, at my request, the Board's decision in the Gassior case, February 7, 1922, between Camden and Berlin, that is part of the route in question in this case?

A. Yes, sir, I did.

Q. The West Jersey and Seashore, did they appear as an objector?

A. Frank F. Neutze appeared for the objector, West Jersey and Seashore Railroad Company.

Mr. Spear: What is the date of that?

Mr. Osborne: February 7, 1922.

Q. Does it show whether the Atlantic City Railroad Company received notice?

A. There was no record on the report which shows that notice was received, although restriction was made in favor of the Pennsylvania Railroad in the decision, but there is no appearance noted.

The Commissioner: No appearance noted for the Atlantic City Railroad.

Q. The Atlantic City Railroad was my inquiry?

A. No, sir.

Q. The West Jersey and Seashore is the Pennsylvania?

A. I see.

Q. Have you brought the record in the cases of McLaughlin, Mackler and Kubiac?

A. I have a copy of a report dated October 11, 1921, in the matter of the application of William McLaughlin, which indicates William B. Knight appeared for the applicant, and H. C. Donecker for the Public Service.

Q. Does that record show the West Jersey and Seashore, the Atlantic City Railroad, or the Pennsylvania Railroad, or the Reading Railroad, received notice of that hearing?

A. Now, Judge, as I explained to you this morning, I can't say definitely.

Q. Mr. Drew, you don't apprehend my question. I am not asking you whether they did or did not receive notice, I ask what the record says.

A. The record shows that they did not.

Mr. Spear: Are you sure about that? The record shows they did not appear, does it show distinctly they did not receive notice?

The Witness: All I have here is two carbon copies of a letter, one was sent to Mr. Knight and one to Mr. Armstrong of the Public Service.

Mr. Spear: What you mean is the record does not show they did receive notice?

The Witness: That is correct.

Mr. Spear: And it doesn't show, on the other hand, they did not?

The Witness: It is a negative proposition, the file I have in my hand indicates they did not.

Q. Does it show other people did receive notice?

A. It shows, Mr. Knight and Mr. Armstrong of the Public Service received notice.

Q. I asked you about the Mackler case?

A. October 11, 1921, the Board issued a report on the application of Benjamin Mackler to operate a motor-bus between Camden and Berlin. William B. Knight appeared for the applicant, and H. C. Donecker, for the objector, Public Service Railway Company. Those appear as the only two persons who were notified.

Q. The record shows those two were notified?

A. Yes, sir.

Q. It doesn't show any railroad company was notified?

A. They were the only ones.

Q. What about Kubiac?

A. Under date of November 17, 1921, the Board issued a report in the application of Nicholas Kubiac, to operate between Camden and Berlin. William B. Knight, for the petitioner, George H. Blake, for the objector, Public Service Railway Company, and Morris Odell, city clerk of Camden, were notified. Recorder Wright, for the objector, town of Clementon, also made an appearance.

Q. It doesn't show that any railroad was notified?

A. No, sir.

Mr. Osborne: By the way, can it be admitted that these lines were the original lines which were sub-

sequently acquired by the Public Service, that is, Kubiac?

A Voice: We bought buses from Kubiac, but I don't recall these particular buses.

Mr. Osborne: In other words, you are the successors of these original operators?

A Voice: Yes.

Mr. Osborne: These are the lines that were subsequently acquired and now being operated by Public Service.

Q. Berlin Bus Company?
A. Under date of February 10, 1925 ——
Q. Who received notice, did either of the railroads?
A. On this list it does not appear, the name of any railroad.
Q. You say there is a long list of persons who presumably received notice, though?
A. Yes, sir.
Q. By the way, where does that line run, the Berlin Bus Company, that is between Berlin and Camden, isn't it?
A. Application for permission to operate six additional autobuses between Camden, Berlin, Atco Lake and Tansboro.
Q. Have you any record there of a line operating between Egg Harbor and Atlantic City?
A. No, sir.
Q. By a man by the name of Lawrence?
A. No, sir.
Q. I show you what purports to be a copy of the

decision of the Board, and which I have shown counsel, and which we, for the purpose of this hearing, assume to be a correct copy—of course, if it isn't, it can be corrected later—and ask you the name of the case, the date of the decision, and the appearances, and where the route runs?

A. This is a copy of the decision of the Board in the matter of the application of the Public Service Coordinated Transport for approval of transfer of municipal consents from Edward Lawrence to operate one autobus between Egg Harbor and Atlantic City, under date of May 24th, 1928. Appearances, Charles S. Straw for the applicant, Thomas E. French, for the Atlantic City Railroad Company, George M. Shipman for the West Jersey Seashore Railroad Company, Emerson L. Richards for the Absecon Bus Company.

Q. Have you a copy of the record of the original approval of these consents with you?

A. No, sir, I have not.

Q. You can produce it, I presume, it is in your files?

A. Yes, sir.

Mr. Osborne: Will there be any objection to having Mr. Drew furnish that?

The Witness: I can give you a certified copy.

Mr. Spear: There will be more things we will need, too, as well.

Mr. Osborne: This is the proper place for that to be inserted, and I offer that as a whole.

Mr. Spear: Subject to our general objection.

Mr. Osborne: Yes, everything we are doing is subject to your general objection.

By Mr. Bradley:

Q. Mr. Drew, you are shown what purports to be a letter from A. N. Barbour, secretary of the Board of Public Utility Commissioners, dated November 4, 1922, entitled "Notice of hearing on application for Board's approval of local licenses to operate autobuses," and addressed to W. L. Kinter, Esq., General Solicitor, Reading Railroad Company, and you are asked if that is Mr. Barbour's signature?

A. It is.

Mr. Bradley: I will ask to have this marked at this time.

(Said paper offered in evidence and marked Exhibit P. 1 as of 9-12-29.)

Mr. Bradley: There wasn't much time for me to get together some of these decisions, but I have a few here, and I would like to ask Mr. Drew about them.

Q. Mr. Drew, how long have you been connected with the Board of Public Utilities?

A. Since December, 1924.

Q. This is before his time.

A. That is a certified copy, any how.

Q. Will you give us the title of that case?

A. This is a certified copy of a decision of the Board of Public Utility Commissioners in the matter of the application of Horace L. Brewer, approval of municipal consent to operate an additional bus

between Camden and Williamstown and also a request to modify the Board's previous decision and permit an extension of the route between Turnerville and Williamstown, New Jersey.

Q. Give us the names of the objectors there.

A. Floyd H. Bradley, attorney for Atlantic City Railroad Company, George H. Blake, Public Service Railway Company, Patrick H. Harding for Walter Garvin, Clifford A. Baldwin, attorney for the applicant, January 4, 1923.

Q. Was that granted?

A. The Board approved the application.

Q. Mr. Drew, I show you what purports to be a certified copy of another decision, will you read that?

A. This is a certified copy of the decision in the matter of the application of Mathew and Walter Garvin, to operate three buses between Camden and Hammonton. The application was denied, and there appeared Clifford A. Baldwin for Horace L. Brewer, Frank F. Neutze, for West Jersey & Seashore Railroad Company, Floyd H. Bradley, Atlantic City Railroad Company, and George H. Blake, Public Service Railway Company, all in opposition to the application.

The Commissioner: Put the date in, too.

The Witness: The date, January 2, 1923.

Q. I show you what appears to be a further certified copy of a decision, will you proceed in the same way?

A. Under date of December 8, 1922. This is a decision dated December 8, 1922, duly certified, in the matter of the application of Charles W. Mastin

for approval of municipal consents to operate two autobuses between Audubon and Camden, and the request to modify a decision of March 24, 1922, as to restrictions and extension of the route. George H. Blake for Public Service Railroad Company, Clifford A. Baldwin for Hill and Horner, Arthur A. Hunter and Joseph Bower, C. Kisselman, for J. Clarence Atkinson, Frank F. Neutze for West Jersey & Seashore Railroad, Floyd H. Bradley for Atlantic City Railroad, appeared in opposition to the application, which was denied.

Q. I show you another certified copy of the Board.

A. I have a certified copy of a decision dated December 7, 1922, in the matter of the application of J. Clarence Atkinson for approval of municipal consents to operate 3 autobuses between Camden and Audubon. There appeared in opposition George H. Blake for Public Service, Clifford A. Baldwin for Hill and Horner Transportation Company, Arthur A. Hunter and Joseph Bower, Edward West for Charles W. Mastin, Frank F. Neutze for West Jersey & Seashore Railroad Company, Floyd H. Bradley for Atlantic City Railroad Company, and Mark F. Casselman for Martin Fries.

Q. Did you give us the date of that?

A. Yes.

Q. I show you what further appears to be a certified copy of an opinion of the Board.

A. Certified copy of a decision of the Board, dated April 22, 1927, application of the Cumberland Transit Company for approval to transfer of municipal consents to operate two buses between and including Bridgeton and Camden. There appeared in opposition Clifford A. Baldwin for the West Jersey Transportation Company, Walter H. Bacon for the West Jersey Seashore Railroad Company, Floyd H. Bradley for the Atlantic City Railroad Company,

Charles S. Straw for the Public Service Railway and Transportation Company, Frank S. McKee for the City of Bridgeton. The application was approved.

Q. I show you what purports to be a further certified copy of an opinion of the Board.

A. This is a certified copy of the Board dated March 8, 1928, and the application of Anthony Iroro, for approval of municipal consent to operate autobuses between and including Hammonton and Turnerville. There appeared in opposition Charles S. Straw in behalf of Public Service Coordinated Transfer, Floyd H. Bradley and Thomas E. French for Atlantic City Railroad Company, George A. Bourgeois for West Jersey & Seashore Railroad Company and the application was denied.

Cross-examination.

By Mr. Spear:

Q. I would like to ask you whether you have produced the records of all the hearings at which the railroad companies were interested, or simply those which you were notified to produce by Mr. Bradley and Judge Osborne?

Mr. Bradley: I didn't notify him.

Q. By Judge Osborne, then.

A. Judge Osborne submitted a list of selected cases which he desired to have copies of decisions produced here today. They do not in any way indicate which of the cases the Board has disposed of in that time.

Q. I understand you to say there were more cases than those asked for by him?

A. Many hundreds more.
Q. Many hundreds more?
A. Yes.

By Mr. Osborne:

Q. You mean many hundreds more generally or many hundreds more in which any railroad or these prosecutors appeared as objectors?
A. I can't answer that question unless I look at the decisions.
Q. I want to know what you mean by your answer, you said many more cases, did you mean many more cases—are there many more cases in which the railroads appeared as objectors, or many more cases generally of various kinds?
A. It would be a mere expression of an opinion if I answered that, I couldn't tell you definitely whether there were or were not unless I looked at each individual case.
Q. As I understand you, what you have produced here is a record of the list which I gave you, and in your files there are many more cases of all kinds which come under their jurisdiction?
A. Yes.
Q. But you don't know if there are any more cases, and if so, how many more cases there are, in which the railroads have appeared as objectors?
A. I have in mind one right now, it was the first case in which the Erie Railroad ever entered an appearance, that was the Bellville Nutley, Journal Square Bus Line, which they made a very strenuous opposition to the granting of the application.
Q. About when was that?
A. That was about 1925, I should say, it was one of the first cases.
Q. Now, my list may not be complete, if you have

knowledge of any more cases I would appreciate your letting me know what they are.

A. I couldn't do it, Judge, it is physically impossible.

By Mr. Spear:

Q. And what you would be willing to say is there were many cases in which applications have been made for approval of bus permits, which would be in the neighborhood where railroads are located, in which the railroad did not appear and urge any objection?

A. I know several cases which certainly the Lackawanna had a great interest and they never appeared, never entered an appearance, let alone put in any testimony.

Q. Could you make out a list in which an interest of that kind existed?

A. I am telling you now from memory, because, as assistant secretary, I heard so many of these cases. It is a pretty big job to wish on anybody to try to dig through all the decisions and pick out a particular type of case.

Q. Could you pick out, for instance, several cases in which the railroads were interested and did not appear?

A. I think your Mr. Warner is perhaps just as familiar as I am with reference to the Lakawanna Railroad, because certainly Public Service has paralleled this line all along in the Oranges and Maplewood, and independent bus lines have operated, and until a short time ago the Lackawana Railroad never sent their attorney to enter an appearance in those cases, and yet their interest was vital.

Q. You said a moment ago that the first case you recollected in which the railroads had interposed

a strenuous objection was in 1925, when the Erie appeared?

A. That was a case where the terminal of the bus line was brought up to the station of the railroad. I am speaking of North Jersey.

Mr. Osborne: I take an exception to the quotation because it isn't a statement at all of what the witness said.

The Witness: I merely mentioned that as one of the cases in which the railroad was concerned, and which Judge Osborne did not include on his list.

Q. Do you remember the time when the railroads first commenced to make appearances?

A. That would be before my time.

Q. Before your time?

A. Yes, sir.

The Commissioner: Anything else, gentlemen?

By Mr. Harding:

Q. Mr. Drew, you keep, I presume, a special index of bus applications in the Utility office?

A. Yes, sir.

Q. And the index will show the applicant as well as the respondent, will it not?

A. I don't quite understand what you mean.

Q. Those that are made parties, in other words, when the application is presented to the Commission?

A. Not necessarily, on the card would be the name of the applicant.

Q. Only?

A. Yes, sir, the detail of the persons who were

advised of hearing is a matter for the file. Judge Osborne is familiar with that. Prior to this system we used to send letters, and that would be the list of persons notified in this case, but it wouldn't be on the card.

By Mr. Osborne:

Q. Prior to this you sent letters and kept copies?
A. Yes.
Q. Do you know when that change was made?
A. No, I can't say, Judge; our card index would indicate the name of the person making the application, but further than that there wouldn't be any notation concerning those who made up any opposition.

By Mr. Spear:

Q. You were telling us a moment ago in response to Judge Osborne' and Mr. Bradley's questions, in respect to these appearances by the railroad companies as objectors, you didn't mean to say in any of those cases that the railroad company had appeared in that they offered testimony and objections?
A. No, I didn't mean to say that, because that would be disclosed by the stenographic minutes.
Q. All you mean to say is the records you were reading from show that a man appeared and stated they objected?
A. Merely entered an appearance; he might not offer any testimony, or he might, it would not be indicated here.
Q. You don't mean to indicate he presented any further objection than his appearance?
A. The stenographic records would show that.

By Mr. Osborne:

Q. Isn't it a fact, in a number of these decisions you have just been referring to in the decision itself it recites the opposition and in many cases recites the testimony offered in opposition?

A. Reference is made in some of them, you called attention to some of them, but the definite test is your stenographic record of the hearing.

By Mr. Bradley:

Q. That is true with reference to the reports I called your attention to, isn't it?

A. Yes, sir.

By Mr. Osborne:

Q. In a number of these decisions the Board in its decision quotes from the testimony, either verbatim, or refers to the character of the testimony offered in opposition?

A. It would probably be general characterization.

Q. I say, there is a reference to the fact there is testimony given in opposition to a number of these cases?

A. You called my attention to some of them.

Q. I called your attention to some of them?

A. That is correct.

By Mr. Spear:

Q. So that unless Judge Osborne put in the decision, at least, of the Board, it would be quite impossible for the Court, or anybody else, to tell whether a real, substantial objection was made, or a mere perfunctory one?

A. No, you couldn't tell.

The Commissioner: That would be perfectly obvious, because the testimony would be silent in regard to it, because the decisions are not put in.

By Mr. Osborne:

Q. You had some difficulty in locating a list of cases and I think you have since indicated to me you have them there but they are included with others?

A. Yes, there is a duplication on your second list. The only cases of decisions which I do not have that you have asked for are Robert T. Wilson, Joseph and Frank Hambloch, and the West Milford Electric Company, all these other decisions you have here.

Q. Can you let me have them now, at least, after you leave the witness stand, and see if we can't agree?

A. I don't have them here.

Q. I thought you said you had 6, 7, 8, 9, and 10?

A. They are in here.

Q. Will you get them for me?

A. Yes.

Mr. Osborne: I would like to offer so much of these decisions, the body of these decisions, as relate to the appearances and the testimony in opposition by the railroad, not the whole, but just so much as is pertinent, if we can agree. If not, I may not even press it.

Mr. Spear: I press my general objection and then I further object to so much of this going in as to what the Judge desires to extract from them, without putting the rest of it in, which would possibly

clarify it and would put the Court in a position to understand it. One of those instances arose a moment ago when it appears that in some, according to Judge Osborne's statement, that the Board has referred to the character of the testimony offered in opposition, in others nothing of that kind appears, and in some, perhaps, it may be said that no testimony was offered on the part of the railroad. Of course, that is a very important factor and therefore I should object to any curtailing of it because it does not give a complete picture of it.

The Commissioner: I can't rule on it, counsel appreciates that.

Mr. Harding: Representing the Parlor De Luxe Coach Company, the Union Bus Line, and the White Way Tours, I want to make the same objection as Judge Spear has made, relating to ——

Mr. Bradley: Wouldn't the Public Service objection cover the whole thing?

Mr. Spear: If you care to admit that, I suppose Mr. Harding will agree it shall.

FLOYD H. BRADLEY, ESQ., sworn.

By Mr. Baldwin:

Q. Mr. Bradley, you are an attorney and counsellor at law of the State of New Jersey?
A. Yes, sir.
Q. Associated with what firm?

A. French, Richards and Bradley.

Q. Is that firm engaged as counsel in this vicinity for the Atlantic City Railroad Company?

A. It is.

Q. And has it been engaged as such counsel continuously since 1921, or prior thereto?

A. It has, but not under the same name; within the last few years the name has been changed to French, Richards and Bradley from French and Richards, but I was a member of the firm, and I have been a member of the firm since 1918.

Q. Have you on behalf of that firm, and on behalf of the Atlantic City Railroad Company, made appearances before the Board of Public Utility Commissioners, in opposition to any pending applications?

A. I have.

Q. With respect to what type of bus applications did you enter your appearance in opposition?

A. I don't believe I understand your question. What type?

Q. In what vicinity did the bus line propose to operate where you saw fit to enter an objection?

A. Where they competed with the Atlantic City Railroad Company's business, or we considered it so.

Q. And briefly speaking, in what part of this section of the State does the Atlantic City Railroad Company operate?

A. Between Camden and Atlantic City, between Camden and Grenlock, Williamstown and Camden and Cape May, by way of Winslow Junction, and Ocean City and Wildwood on that same route.

Q. On what main highways leading out of Camden might buses operate which would operate in competition with the Atlantic City Railroad Company?

A. Principally the Black Horse Pike and the White Horse Pike to Atlantic City.

Q. Do you have a list of the specific cases in which you entered your appearance for the Atlantic City Railroad Company and opposed pending applications?

A. Not a complete list. I have such a list as I was able to gather hurriedly from our records, because I presumed the matter had been covered by Judge Osborne until I found out a couple of days ago it had not.

Q. Supplementing the cases which Judge Osborne has read into the record, do you have any in which your firm entered an appearance for the Atlantic City Railroad Company?

A. I do. The application of Shore Service, Inc., for approval of local permits to operate 15 buses between Cape May, Wildwood and Philadelphia, we appeared in that case a few times, and there has been no decision as yet.

Q. When was that?

A. The first hearing was on March 25, 1929, and testimony was taken on May 20.

Q. You say in that case there has been no final determination?

A. No.

Q. Did you introduce any proof in opposition to the application?

A. We did.

Q. What other cases have you appeared in?

A. On January 1st, 1929—No, July 19, 1928, application of Public Service Transportation for twelve buses between Camden and Atlantic City. That was very strenuously opposed, and the Board denied the application.

Q. Did you introduce proof?

A. We did, full proof. In the application of the

Shore Service in Atlantic City, I think that has been testified to. In the case of Anthony Iroro for bus route from Hammonton to Sicklerville and Turnerville, I appeared on January 16, 1928, in opposition. Some testimony was taken, and I was assured by a representative of Public Service Corporation, that it would not be necessary to introduce any evidence, and I don't think we put in any evidence. In many instances where the Public Service and another corporation were involved we worked along with those corporation as objectors and did not put in any individual testimony.

Q. What happened in the Iroro case?

A. It was denied. Then there was an application of Peter A. Sessa, for extension of bus route to Haddon Heights. I appeared before the Public Utility Board opposing that on January 9, 1928. On December 5, and 12, 1927, I attended a hearing of the Public Utility Board in opposition to the application of the Public Service Transportation Company for approval of extension of route Camden, Berlin, Atco, Tansboro route to Atlantic City. That has been covered, also. On January 24th, 1927, and February 28, 1927, we appeared in opposition to an application of Samuel W. Phillips for extension of a bus line.

Q. In these respective cases did you introduce proofs?

A. We did. Then in the year 1926, between August and September we learned there would probably be an application for the Fishermen Bus Route between Camden and Atlantic City, and we opposed the municipal consents.

Q. Before the Board or before the governing bodies?

A. Before the governing bodies. On June 9, 1924, there was an application of Public Service Trans-

portation to divert the Gloucester Line to Reading Ferries, and we attended the Board that time, but whether or not we put in any testimony I don't know.

Q. That application was somewhat to the liking of the Atlantic City Railroad Company, wasn't it?

A. Yes, it ran to their terminal. On July 16, 1923, I appeared before the Board on application of Horace L. Brewer, and in 1923, we appeared, on July 16, before the Utility Board in the application of Joseph Mahon for license to operate two additional buses, Camden to Runnemede, and put in testimony in opposition. On January 12, 1923, in the matter of the application of Horace L. Brewer for bus line, Camden, Turnerville and Williamstown, we appeared there on April 9th before the Utility Board and also on June 4th and 11th, opposing that application. On June 18, 1923, we attended before the Public Utility Board opposing the application of Mathew & Walter Garvin. That has been testified to. November 22, 1922, we appeared in opposition to an application of Charles B. Aceto, trading as Continental Coach Company, for local license to operate bus lines from Camden to Atlantic City.

Q. Did you introduce proof?

A. I am not sure about that.

Q. What happened in that case?

A. It was denied. As I say, in some of these cases, after the objectors got together, one of the objectors often suggested carrying the brunt of the cases, and that was often done, especially the Public Service, who we knew were well equipped, often, after their examination, we hadn't anything further to offer because the ground had been very fully covered. On November 13, 1922, we appeared in opposition to an application of Charles J. Atkinson, for authority to

operate three autobuses between Camden and Audubon. On December 19, 1922, we appeared in opposition to an application of Horace L. Brewer for additional bus lines to Williamstown, and an emergency bus to Turnerville, and put in proof. That, hurriedly, is just a few cases at random which I have picked up, because I made no extensive study of it.

Q. Mr. Bradley, have there ever been any cases involving the proposed operation of autobuses in the Camden-Atlantic City territory of which your Atlantic City Railroad Company had notice in which that company has not entered an objection?

A. Not to my knowledge, all those that have come to my knowledge, whether directly or indirectly, I have opposed.

Q. Over how long a course of years has that tendency to oppose such applications lasted?

A. To my own knowledge I appeared before the Board since about 1921, whenever we had notice, or were able to secure notice in any manner.

Q. Was 1921 the year in which the operation of automobile buses were brought under the jurisdiction of the Utility Commission?

A. Yes.

Mr. Osborne: Under their limited jurisdiction.

Mr. Baldwin: Yes.

Q. Did you experience any difficulty in obtaining notices of hearing before the Board where applications were pending for a proposed bus line in the Camden-Atlantic City area and in which it would be desired on your part to enter objection on behalf of the Atlantic City Railroad Company?

A. I did.

Q. Will you explain, please, the course that you adopted in seeking to obtain notice in such applications?

A. We appeared on October 23, or thereabouts, 1922, before the Board to oppose an application of a new bus line from Camden to Hammonton, and we were surprised to learn of an existing application pending before the Board for an application between Camden and Gloucester and then ——

Q. Had your company received any notice of that application?

A. We had not. I took the matter up with Honorable Harry Bacharach, who was sitting that day, and told him that we had not been notified of either one of these applications, in fact, the application in which I was present I was notified by a representative of the Pennsylvania Railroad, Mr. Garrison, and I asked Mr. Bacharach if we couldn't be notified in the future when these applications were pending, and Mr. Bacharach stated to me it was a practice of the Board not to notify the Railroad Company who would be affected by the granting of the application on hearing, and he stated these companies could probably secure a list of the pending applications from the secretary of the Board. This matter was reported by me to our general solicitor, and in pursuance of that I have a letter, which has been offered in evidence, and marked P-1, as of September 12th. In addition to that, on two or three occasions, I asked Mr. Frank Daly, who was connected with the Board, if he would keep us advised, and he informed us it couldn't be done. The nearest approach I came to it was in a conference with Mr. Blake, but that did not work out. It was a case of finding out haphazardly, or being informed by Mr. Garrison of the West Jersey & Seashore

Railroad Company, when he knew of applications, or of drifting into the Board in other matters, like the vacating of crossings, or petition for extra crossing signs, or petitions for bells, or lights. We didn't have any notice of the pending applications.

Q. Did you receive any notice of the application of one Edward Lawrence to operate a bus between Egg Harbor and Atlantic City, New Jersey?

A. No.

Q. Did you receive any notice of the application of the Public Service Coordinated Transport to approve the transfer of that Edward Lawrence bus?

A. No.

Q. Mr. Bradley, during July of this year, after the case now under consideration had been decided by the Utility Commission, did you see any buses of the Public Service Coordinated Transport in and about Camden which advertised a new service which the Board's order of June 26, I think it was, approved?

A. I did.

Q. What form did that advertising of a new service take?

A. This is some of the advertising on double deck buses which appeared down at the Ferry of the Philadelphia and Camden Ferry Company, on the plaza, operated by the Public Service Railway Company, there appeared the following notice on the sides of the buses, "New Service, Sunday, July 14, Berlin to Atlantic City, hourly service, route #60 from Camden, connects at Berlin, Public Service," and with a seal of the Public Service, or their trademark, with a triangular form which they have. Notices were not only put on the sides of several of the buses but were also put on the starter boxes at the ferry.

Q. Do you have in your possession any photo-

graphs which accurately portray the type of advertising on the buses and on the starter boxes such as you have described?

A. I have.

Q. This particular photograph, is that of a double deck bus containing the advertising?

A. It is.

Mr. Spear: We object to this, yes, sir.

Q. Mr. Bradley, can you say whether or not all of the buses on which you saw this advertising displayed were those of the Public Service Coordinated Transfer, or of some other carrier?

A. I can't say who owned the buses, but they all operated here in Jersey, and mostly had number eight on them, which ran from the terminal out River Road, they were not buses then being used for interstate transportation.

Q. Do you have any photograph in which the identity of Public Service Coordinated transfer as the operator of the particular bus is displayed?

A. No, these buses on which I noticed these signs at the time were not in operation, they were just standing there in the space in the plaza, but I did see these particular buses come up and go by Second and Market Street in Camden, with people, from the Ferry, and go north on Second Street, and I am quite sure it was bus number eight.

Q. Did the advertisements themselves contain any emblem indicating the Public Service as the advertiser?

A. They did. At the bottom of the advertisement it said, "Public Service" with a circle and a triangular, which is their regular trademark.

Q. Will you show me any photograph you may have of such an advertising device?

A. I can't show you a photograph which shows it on the side of the buses, but I observed it very carefully myself; the picture is very small as to that. As far as on the side of the watchman or starter's box is concerned that is rather indistinct, but you can see it, it was the same symbol, the Public Service symbol.

Q. This advertising poster itself has the words "Public Service" on it, doesn't it?

A. Yes.

Mr. Baldwin: I offer these photographs in evidence and ask that they be marked.

Mr. Spear: We object to it as not being properly established.

(Said photograph marked Exhibit P2 as of 9-12-29.)

The Witness: The same form appears on the starter's box.

Q. I show you another photograph and ask you if this is the same starter box as is photograped in the previously offered Exhibit?

A. No, we did not show any starter's box in the previous picture, the previous offer was only—I thought you had only offered one photograph.

Q. This is the one offered.

A. Yes, that is. The same notice appears there as appeared on the side of the buses.

Mr. Baldwin: I offer the photograph then containing the advertisement on a double deck bus.

Mr. Spear: Same objection raised, no proper foundation laid.

(Said photograph marked Exhibit P3 as of 9-12-29.)

The Witness: I know of my own knowledge these photographs correctly represent what was on the side of the buses, and also what was on the starter's box, because I made a copy of each for my own records and they are in the office.

Q. Using these photographs for the purpose of refreshing your memory, will you read into the record the advertising which you yourself read as to the new service between Berlin and Atlantic City?

A. "New service, Sunday, July 14th, Berlin to Atlantic City, hourly service, route 60 from Camden connects at Berlin. Public Service." And in between the words "Public" and "Service" a circle with a triangle which is the regular stamp mark of the Public Service Corporation.

Q. Where else have you seen such a mark or stamp?

A. I have seen it on their office buildings in Newark, I am a stockholder in the Public Service Corporation, I own a little of their preferred stock, and some of their common stock, and I think I have seen it on some of their checks, and I am very familiar with it. It appears also in their gas and electric company offices.

Cross-examination.

By Mr. Spear:

Q. What is the regular emblem of the Public Service?

A. I don't know what you mean by the regular emblem.

Q. That is what you are testifying to.

A. I didn't call it the regular emblem.

Q. What was it you saw?

A. I saw a circle with a triangle, and there were three words inside that triangle.

Q. What are the words?

A. I don't recall at the present time.

Q. How do you recall this thing you saw if you don't recall what the words were as the emblem or insignia of the Public Service?

A. I have seen it so many times, and if you show me the true one ——

Q. Yes, then you would say it was the true one.

A. It is very foolish of me, but I can't recall whether it is "power, light and transportation" or whether it is "gas, electricity and transportation." It is a three sided figure within the circle upon which there is lettering.

Q. But you don't recall what the words are?

A. I don't recall it, but I know it very, very well, and I have seen it a great many times. There is no doubt in my mind it is the correct one.

Q. You clearly recollect this emblem or insignia, but you can't tell us what the words are?

A. Yes, the thing as a whole appears to me and makes a definite image on my mind, and I have no doubt in my mind but that I am telling the truth.

Q. When did you first get instructions from the

Atlantic City Railroad Company to oppose any applications that were made for bus service in territory served by your line?

A. You mean in point of time?

Q. Yes.

A. I think sometime in 1922; I know several in 1922.

Q. What were the instructions?

A. Here is one I have in 1923, I just picked it out offhandedly—I haven't all my papers here—a letter from Mr. Kinter, "In re: Application of Mr. Mahon for license to operate two additional buses to Runnemede." It is addressed to me. "I have received your letter of the 18th instant, and note that the hearing in the above matter has been postponed until July 16. Please attend the hearing and see that the opposition of this company to the application is properly presented." That is one of them. Here is another. "Application of Horace L. Brewer—order fixing schedule of buses between Camden and Turnerville." Dated June 13, 1923, addressed to me. "Dear Sir"—this is from Mr. Kinter, the general solicitor, as was the previous letter—"I have received your letter of the 11th instant, with reference to hearing in the above matter, and also hearing in the application of Mr. Mahon, advising that the hearings scheduled for last Monday have been postponed until June 18th. Please attend these hearings and take the proper action in opposition to the granting of the application." I have another one here. "In re: Application of Horace L. Brewer for regulation of service between Camden and Turnerville." Dated June 19, 1923, and the letter is addressed to me, signed by the general solicitor, William L. Kinter. "Dear Sir. I have received your letter of the 18th instant, and note that hearing in the above matter has been post-

poned until July 16th. Please attend the hearing and see that the opposition of our company to the application is properly presented." I have a letter here of January 6, 1923, a letter to Mr. Thomas E. French—of which I am a member of the firm—"I have received your letter of the 5th instant, inclosing decision of the Board of Public Utility Commissioners, refusing consent to the operation of three buses between Camden and Hammonton. This will be gratifying to our people, and, knowing the difficulty there is in preventing the approval of these applications, I congratulate you heartily on this decision." My instructions were, in a general way, to appear and oppose the applications. And sometimes Mr. Kinter, being an exceedingly fine gentleman would say, "Give the matter requisite attention." Application of Walter Gawin, et al., for bus line from Camden to Hammonton, addressed to me, signed by W. L. Kinter; and appears on the Philadelphia and Reading Company letterhead, and the Atlantic City Railroad Company is a subsidiary company, it says, "I have received your letter of the 19th instant, reporting developments at hearing on above application, and hope the Board of Public Utility Commissioners will decline to issue a license" I was instructed to oppose these applications and when we were successful we received congratulations.

Q. Is that all you wanted to read?

A. I may have some more, I don't know, I haven't gone over these for that purpose. June 11, 1923, "In re: Consideration of service afforded by the operators of buses of the Camden-Turnerville route." Under date of June 11, 1923, "Confirming telephone conversation which you had this morning with Mr. Woodcock of this office, we have been advised by the Management that they desire to oppose the application for two additional buses to operate

between Kaighn's Point Ferry and Runnemede, which you referred to in your letter of June 6th. Please take the proper action in opposition to the granting of the application."

One of December 19, 1927. "Application of Peter Sessa for extension of his present bus line from Audubon to Haddon Heights." T. Wolf, Claims Attorney, Reading Company "I quote herewith portion of a letter received from Mr. Osterhout, Passenger Traffic Manager, in connection with the above application: 'We desire to have legal representative at this hearing to enter protest to the extension of this bus line beyond Audubon, which if granted will further increase the present competition by bus lines now existing at many local points on our Atlantic City Railroad, which is effecting great losses in passenger revenue! Will you please arrange to have legal representative attend, and we will request District Passenger Agent Buch to have a representative present to introduce time-tables, schedules of fares, etc., requesting him to confer with you prior to the hearing.' This hearing has been fixed for January 9th at 11 A. M. at Camden, N. J. If you will kindly arrange to be in attendance at this hearing a representative from our Passenger Traffic Department will be present to present such testimony as you deem advisable." Letter under date of January 12, 1928, from C. T. Wolf, Claim Attorney, to me as attorney for the Railroad Company. One paragraph. "I might also add that the granting of this certificate would further increase the present competition by bus lines now existing at many local points on the Atlantic City Railroad. Will you please see that the matter receives the necessary attention."

Q. I note that each one of these letters starts out

with the statement that it is in response to a letter from you or your firm to them?

A. Yes.

Q. I gather from that your firm was keeping its eyes open to see when applications were made in which you thought the railroad was interested?

A. Not all applications, but I immediately informed Mr. Kinter's office that the Board had said we were not entitled to notice, and if I secured it from another railroad, or in an offhand manner, I immediately communicated it to the railroad, which I did in all matters.

Q. You did a good job of that by notifying them of every case?

A. I won't say I did a good job, because if I did I should have attended the hearings every time they met, which I didn't do; I was often engaged in work in defending the railroad in other causes, and I don't consider I did a good job at all.

Q. By that I understand you to mean there were instances in which applications were made, in which the railroad was interested, and at which it was not represented at all at the hearing before the Board?

A. I think that is true, many instances which I knew nothing at all about, hadn't any knowledge from any source whatever until long after the hearing.

Q. I understood you a moment ago to say that the reason you did not attend some of these hearings was because you were engaged elsewhere in court?

A. That is so, but you misunderstood what I meant when I said "attended the hearing" it has a double meaning, one would mean to be physically present, and I couldn't do that if I was in another court, I couldn't come into the room where the cases were being heard and see whether there was anything in

which we should be interested. If I wasn't otherwise engaged I did try to find out about the hearings, but I was very busy at times in defending the railroad in accident cases.

Q. The fact remains that when you were engaged in these accident defenses for the railroad and cases came on before the Board, of which you had knowledge, you did not attend the hearing before the Board but did take care of the company's interest in the accident litigation?

A. That is not a fact, and I did not so state.

Q. What is that fact?

A. The fact is every case of which we had any knowledge, or could secure any knowledge, either from the Public Service, or anyone else, we came up and defended it. There is more than one member of the firm, sometimes Mr. French came in.

Q. Then, what possible application has the accident feature with this situation if in every case you had knowledge of, you appeared?

A. It complicated it in this way, had we been given notice, we would have had one member of the firm present.

Q. That did not have any relationship to the accident business at all, did it?

A. No, if I was engaged elsewhere I couldn't be in here looking around to see whether the railroad company was in any wise interested.

Q. But, according to your statement a moment ago, another member of the firm might have been there?

A. Had we known of the hearing.

Q. Do you want us to understand there were hearings before the Board of which you had no notice?

A. Many, many of them.

Q. Of which you had no knowledge?

A. At the time they were heard, yes, absolutely.

Q. What were they, can you give us any names of those?

A. Yes, we hadn't any knowledge when the lines were taken out to Berlin, those original applications.

Q. Which lines do you mean?

A. The original lines that were taken out, that have been referred to this morning, before the Public Service took them over.

Q. When did you first learn after the hearing that such a hearing had taken place?

A. Not until years afterwards on those; In fact, I never knew it until this morning as to when those hearings had taken place.

Q. And you never made any effort to find out until this morning?

A. I never made any effort to find out something which I had no knowledge of, certainly not, I don't know how I could do that.

Q. You knew the lines were running, didn't you?

A. To Berlin?

Q. Yes.

A. Yes.

Q. Did you think they were running with or without permit?

A. With permit, but after they had been running that long, well, it would do no good to investigate; when they secured them I presumed it was in the regular course and the Board had properly issued the permit.

Q. When they started running didn't you have knowledge they were running?

A. Are you referring to the Public Service or the original running of them?

Q. The original running.

A. No, I did not, they seemed to spring up like a mushroom growth around here.

Q. But you did see them spring up?

A. I don't believe I recall a single instance where I knew of a bus running to Berlin, I had no business to go down there.

Q. Didn't your operating department notify you about it?

A. No, sir, they did not.

Q. Don't you read the newspapers about these lines that have been running there?

A. We have one newspaper in Camden, and as is the custom, we usually depend on our Philadelphia newspapers for information, and I did not read it, I didn't even know it was in the paper.

Q. Are the Board's decisions usually published here within a few days?

A. Not necessarily.

Q. Not necessarily, but aren't they generally?

A. No.

Q. I notice from these letters you read from Mr. Kinter that he talked about the further inroads being made by the competition?

A. In some of them he did.

Q. And don't you suspect now if there were inroads made by the competition the railroad company knew about the operation there?

A. No, I know they did not.

Q. So it did not amount to enough for you to notify them?

A. They did not know of it at the time. We had conferences endeavoring to find out by what method we could secure notices when they got their municipal consents, and we went to the City of Camden, and several other municipalities, and we endeavored to get their agents to notify us, but it wasn't done.

Q. So I understand you now to tell us you did

not know about the operation of these lines until this morning, notwithstanding the fact that in the letters Mr. Kinter is telling you about the inroads made by competition?

A. That is not so.

Q. What is the fact?

A. About what?

Q. What I am asking you about.

A. I did know about the operation of this line before this morning, it is number 60, I got on it at Haddon Heights last summer.

Q. Is that the first you knew about it?

A. No.

Q. When is the first you knew about it?

A. The first I knew about it, I suppose was, you might say, a year or two or three years after it was opened up.

Q. So then you will say that is true, anyway, from the time the line was opened up until a year, or two or three years after it had been in operation, the railroad company called your attention to the fact that the line was running or was interfering with it by competition?

A. No, I don't recall any conversation, but there might have been some.

Q. Do you say there were not?

A. I say I don't recall it. The matter was discussed very generally, it was a very serious matter to the railroad company, and I was given instructions that we should oppose all further inroads into our business.

Q. Why didn't you take proceedings in court to test by certiorari the granting of those orders?

A. I knew of no orders that were irregular, we had not been given notice, and we were informed we were not entitled to notice.

Q. You say you had no notice, and if you were

interfered with and your property taken, as you allege in your petition, without notice, you had a right to interfere by certiorari, or any other way.

A. That is a legal question.

Q. Didn't you think of that?

A. Didn't I think I might certiorari any of these proceedings?

Q. Didn't you think you had a ground, if your property had been taken without due process of law, to test the order taking it by appropriate legal proceedings?

A. I wouldn't say I thought at that time it was a deprivation; I knew it was being done.

Q. Why do you think it is a deprivation now?

Mr. Baldwin: I object to that question as not being proper cross-examination.

The Witness: Because we found it out.

Q. When did you find it out?

Mr. Baldwin: I object, it is not cross-examination, and it does not touch anything about which the witness was examined upon in his direct examination.

Mr. Spear: I press the question.

The Witness: When I gave the matter very serious consideration and found that the revenues of the railroad were decreasing very materially, that they were losing hundreds of thousands of dollars a year, that traffic was being diverted from railroad to buses, when I finally realized that people desired to ride on buses instead of trolley cars, when

I found, in my own experience, people going to the outside districts, such as Merchantville, preferring the buses, and when I saw the throat-cutting competition of the ——

Q. You think there is a great public convenience advanced by the operation of buses on this line, don't you?

Mr. Baldwin: I object, this witness was not examined as to his opinion concerning this operation on his examination in chief.

The Witness: I don't know what you refer to by "on this line"—the railroad line?

Q. The subject-matter in this suit.
A. Specifically state what line.
Q. The line that runs from Atlantic City to Berlin and Berlin to Camden.
A. Do you mean the bus line?
Q. Surely, the bus line.
A. Of the Public Service Corporation?
Q. Any of the bus lines concerned as the defendants in this application.

The Witness: Now, what is the question?

(Question repeated.)

The Witness: No.

Q. You don't think so?
A. No.
Q. Nevertheless, you think people are going to the buses, riding on them in increasing numbers,

cutting into the business of the railroad company, and they are doing it because it is an inconvenience?

Mr. Baldwin: I object for the same reason.

A. No, I think they are doing it foolishly.

Q. Foolishly?

A. Yes, I think it is a far greater convenience for them to ride on the railroad and have safe means of transportation.

Q. You think it is a far greater convenience for them to go to the railroad station and wait hours for a train?

A. Not to wait hours, you don't wait hours.

Q. Not if you go just in time to catch it.

A. There is just as much convenience in riding on the railroad as the service we get to Merchantville by the Public Service, and more.

Q. Oh, I see, you allow your bias to tincture your judgment?

A. No, sir, I do not.

Q. You think all the other people who are using these lines are using them as a great inconvenience and because they don't like them?

A. No, they evidently like them, or they wouldn't use them, but I think they show very poor judgment. They will stand here, going to Merchantville, maybe 15 will wait for buses, and 5 get on the trolley car, when they have a perfectly safe way of going on the trolley car, they have an opportunity to carry packages, proper ventilation and heat, and not the smell which accompanies the buses which the Public Service is running to Merchantville, which is very detrimental to health, that carbon monoxide smell.

Q. Did you ever smell carbon monoxide?

A. No, I did not.

Q. Do you know anybody else who ever did?

A. Well, that is the smell we speak of, it is the smell we speak of that comes from the carbon in the exhaust; of course, it isn't carbon monoxide, you don't smell that, and if you happen to take a whiff of it you pass out. I am sorry you didn't give me credit for knowing better.

Q. I have always been led to believe you were very accurate in your language.

A. I try to be as much as any lawyer appearing before the Courts.

Q. You then think that the whole people who are using these lines are not using them because they are a greater convenience but because of their utter foolishness, is that right?

A. I didn't say the whole people at all.

Q. The whole people that are using them?

A. No, I didn't say that.

Q. Why do they use these buses?

A. I don't know why a person would go to Sixth and Market and pay $1.50 to go down on a slow-moving bus to Atlantic City, one way, when they can get the same convenience, and better, by going to the railroad, going down on a fast train at 8 or 9 o'clock in the morning, and coming back at 6 o'clock at night, or 9 o'clock, and on a railroad which offers some of the finest facilities in the world—I can't understand it, and I don't know anyone else who can. We operate trains down there every few minutes, and there are no safer trains or roadbeds in the world, and why people ride in a bus, where they have no toilet facilities, or anything of that kind, and where they can't smoke—why they want those inconveniences, I don't know.

Q. Why do you think they ride on Reading buses to Atlantic City instead of the Reading trains?

A. I don't know.

Q. They must be foolish, too.
A. I don't know why they do, I have tried both.

Mr. Osborne: Has the Commissioner any authority to limit this examination?

Mr. Baldwin: By adjourning Court.

Mr. Spear: I am willing to adjourn.

Q. Now do you know what the fare on a bus to Atlantic City is?
A. No, the bus which I was referring to had relation to the advertisements I have seen in the newspaper—you take the bus on the corner here for a $1.50.
Q. Do you know the bus fare to Atlantic City, round fare is $2.00, do you know that?
A. On some lines it is, and some lines it is more.
Q. On some lines it is?
A. Yes.
Q. What is the train fare a round trip.
A. The fare which I was referring to was $1.50.
Q. Is the round fare trip to Atlantic City by train $3.50 or $3.78?
A. I am not sure of that. When I was speaking I wasn't referring to the regular train fare, I was referring to the fare that enabled you to go down and back on the same day and gives you first class accommodations.
Q. I am speaking about regular fare, for people who want to go down and come back when they feel like it.
A. I don't know, I travel on a pass.
Q. I congratulate you, I used to, but I don't anymore. If the regular fare on the train is $3.78, and

on the bus two dollars, you can readily see why people might prefer the bus, couldn't you?

A. Yes.

Q. And it would be a great convenience to people to be able to ride to a place for $2.00 where otherwise they might be obliged to pay $3.78?

A. It might so far as money was concerned.

Q. That is what I am talking about.

A. Yes.

Q. And if you had two or three in a family going to Atlantic City for a week-end it would be quite an item.

A. Not going to Atlantic City the matter of fare wouldn't interfere in your going one way or the other, no, because your board would be so large in comparison with that if you stopped on that account you wouldn't have money to put up at a hotel.

Mr. Baldwin: I would like to have a blanket objection to everything being asked since I made my first objection that the questioning was not proper cross-examination.

Mr. Spear: I agree to that, with your Honor's consent to it, I agree.

Q. Let me ask this. What proceedings in Court, if any, did you ever take, your firm, on behalf of your client, to test the validity or the propriety of an order of the Public Utility Board allowing the approval of permits for bus operations in territory served by your agent?

A. I don't know of any.

Q. You never did take any?

A. I don't know of any personally, I don't know whether the other attorneys ever did or not.

Q. Why not?
A. Why I did not?
Q. Why not take them?
A. We are taking them.
Q. Now, yes.
A. We did not lose a year ago on the question of the Atlantic City to Camden proposition.
Q. In the Brewer case, for instance, and in the Lawrence, Egg Harbor-Atlantic City case, why didn't you take proceedings on behalf of the railroad?
A. For what purpose?
Q. Way back in 1922 and 1923.
A. In the Lawrence case we didn't know of that at the time.
Q. The Brewer case, you knew of that?
A. Yes. Which Brewer case do you refer to?
Q. Any one of them.
A. You will have to designate one so I will know what you are talking about.
Q. It is over 4 years ago, Brewer has not been operating for four years.
A. If you will designate your case I will try to tell you.
Q. Take the Camden-Williamstown application.
A. Just what is the date of that, please?
Q. It is 4 or 5 years ago.
A. Give me that a little closer, so that I can refer to it.
Q. The fact is you never did, to your knowledge, your company, take any proceedings outside of this one, in Court, to test—whether you appeared or did not appear before the Board—the granting of municipal permits to operate in territory served by your railroad, that is a fact, isn't it?
A. I think that is a fact, Judge.
Q. Why not?

A. As I just told you, the one previously, we won the fight with the Public Service to operate to Atlantic City, the Board determined it was not a public necessity, it was cutting in on the railroad, and we were successful, and that is the first we ever had.

Q. Do you mean to say there wasn't another case in which you did not win?

A. Yes, we won in most instances, and a lot of times when we were successful we were allied with the Public Service.

Q. When you were not successful, allied or not allied with the Public Service, why didn't you take proceedings?

A. I don't know why the heads of the railroad didn't take the cases up.

Q. Did you advise taking them up?

A. I don't know, I won't say that I did not, because I had in some instances. There were conferences when I urged that the matter be given consideration, but what their action was I don't know. There were applications also, in which I did not appear, where representatives of the railroad came over here to hearings.

Q. Were any of those taken up?

A. Not that I know of.

Q. So you can say, to the best of your recollection, no case was ever taken up respecting the propriety or the legality of the order of the Board of Public Utility Board granting approval of permits to operate buses in territory served by your railroad?

A. As far as I know there were not.

Q. And as to why it was not done you can't tell, although your recollection is, perhaps, you conferred with them and advised the propriety of considering taking them up?

A. I can't say definitely as to that. My general

impression is, it is a fact because I felt the situation very keenly that we were not being properly taken care of in the cases.

Q. Do you remember the circumstances of this Iroro case, how you came to appear in it?

A. I don't think we were given notice, I think I was up here in another matter, and Mr. Straw, or someone from the Public Service, told me another matter was coming up. I think I found it out haphazardly.

Q. Didn't Mr. Straw ask you to appear?

A. I don't know that, maybe he did.

Q. And didn't he solicit you rather hard to appear?

A. No, sir.

Q. Are you sure he did not?

A. Absolutely.

Q. Did you put in any proof in the Iroro case?

A. I don't know whether I put any proof in or not, I think I did submit time-tables. I think in this Mr. Straw assured me he was looking after the matter and the Public Service was against it and it would not pass. I know I asked some questions in every case. We didn't come here loaded down with all the tariffs, but I considered it proof if I cross-examined, and I certainly would have been entitled to some compensation for my services if I took part, and where there were several defendants, in many instances the Public Service took the brunt of the thing, and after they exhausted what we considered the information, or went into the thing very carefully, we said, "No further question" because the Board does not like you to go over the same thing and hash it over, they want you to shorten it.

By Mr. Baldwin:

Q. Mr. Bradley, as a lawyer, are you familiar with

any time limit imposed by law in which a certiorari must be taken from an order of the Board?

A. Why, within 30 days you must take a certiorari; it would do no good after several years.

Q. And as a lawyer also you know that a writ of certiorari is one of the discretionary rights of the Court?

A. Yes.

Q. Why, Mr. Bradley, did you advise taking this pending case up to the Supreme Court?

A. Largely for the reasons stated, one of them was—the reason in the decision, they stated we had sat idly by and done nothing, made no opposition, and then, all of a sudden, after the territory was fully developed by the buses, we started to make opposition, which I considered was not a fact, and there was no testimony to that effect, and I knew I personally used all the efforts I possessed to represent the railroad and oppose these applications for years.

Q. Were you able to reconcile the Board's order in the present case with the Board's order a year ago in the Camden City case?

A. No.

Q. Were you able to reconcile it with the trend of the judicial opinion throughout the country?

A. No, in nearly all the States the existing transportation facilities, referring to railroads, have been protected.

Q. Were you able to reconcile the Board's decision in this case with the judicial policy it, itself, had established in past decisions?

A. No, and furthermore, I don't think these independent bus lines, the Shultz Management, have any right in Atlantic City.

By Mr. Spear:

Q. In that state of mental preservation and irreconcilability you made up your mind to let the Court decide it?

A. Yes. There are certain things in life you have got to take, but I thought the matter should be reviewed.

Q. And the grounds that were urged in the applying papers were grounds that you yourself discovered in looking into the facts of the case, legal grounds?

A. No, I won't say I did the whole thing, I didn't want to convey that meaning, I worked in conjunction with others.

Q. And this matter on the taking of property without due process of law, that was your invention?

A. No, I never invented that.

Q. That, you think, belongs to Judge Osborne, he invented that?

A. I won't say he has entire credit for that, either.

Harry Hurst, sworn.

By Mr. Osborne:

Q. Where do you live, sir?

A. In Pittsburg, Pennsylvania.

Q. Are you one of the officials of the Pennsylvania Railroad Company?

A. I am assistant to the treasurer of the Pennsylvania Railroad Company.

Q. There is some testimony in this case as to the

relationship and connection between the Pennsylvania General Transit Company and the Pennsylvania Railroad, it has been referred to as a subsidiary of it, and also testified that the Pennsylvania Railroad had a bus line called the General Transit Company, won't you, in order to clarify the situation, indicate the extent, character and ownership of the Pennsylvania Railroad in the Pennsylvania Transit Company?

Mr. Spear: I object to that as not being the best evidence of that relationship.

Q. You know the relationship, I understand, in connection with your office?

A. I do.

Q. Will you state it?

Mr. Spear: I object to it again.

The Witness: Pennsylvania General Transit Company, its entire capital stock is owned by the American Contract and Trust Company, and the entire capital stock of the American Contract and Trust Company is owned by the Pennsylvania Railroad Company.

Q. Do you know the extent of the Pennsylvania Railroad in the West Jersey & Seashore Railroad?

A. The ownership of the Pennsylvania Railroad of the West Jersey & Seashore is approximately 58%.

Q. And through that percentage of ownership the Pennsylvania controls the West Jersey & Seashore?

A. They do.

Q. Is the West Jersey & Seashore operated as an integral part of the Pennsylvania Railroad system?

A. I am hardly qualified to answer that, that being rather an operating matter, but if you want my view I will be glad to express it.

Mr. Spear: I object to an expression of view by this gentleman, because he expressed himself as being unqualified to give it.

Q. Do you know whether or not the Pennsylvania Railroad does control the operation of the West Jersey & Seashore?

A. I do.

Q. Does it?

A. It does.

Q. Is the operation of the West Jersey & Seashore co-related with the operation of the Pennsylvania?

A. Yes.

Q. Now, can't you say whether it is operated as an integral part of the Pennsylvania system?

A. What do you mean by the word "integral"?

Mr. Osborne: I happened to look that up in the dictionary before I used it, and perhaps that is the reason you have some hesitancy about it.

Mr. Spear: I want to congratulate you on having it right.

Mr. Osborne: I wanted to find one word I could use to express the situation.

Q. Suppose I borrow a word from our friend. Is it co-ordinated with the Pennsylvania system?

A. Yes.

Q. Operated in conjunction with it?

A. Yes.

Q. Synchronized?

A. Yes.

Q. Controlled?

A. Yes.

Q. How long has the West Jersey & Seashore been operating?

A. I am unable to give you the exact date, but something over 50 years.

Q. Between Camden and Atlantic City?

A. Yes. That may not be just as the West Jersey & Seashore, but by the railroad that came to be the West Jersey & Seashore.

Q. Was this railroad originally the Camden and Atlantic Railroad?

A. Yes.

Cross-examination.

By Mr. Spear:

Q. What do you mean when you say the West Jersey & Seashore is synchronized with the Pennsyvania?

A. You objected a little while ago about my qualification in attempting to indicate what I meant by the word "synchronize." All the operation of trains and service to the public is brought into uniformity on the West Jersey & Seashore, at least, to some extent, with the main lines of the Pennsylvania Railroad. In that respect, if you please, through cars are operated, Pullman cars, from different parts of the Pennsylvania system over the West Jersey, to the summer resorts.

Q. What do you understand "synchronize" to mean?

A. Movement, or cooperative features that would work in harmony between bodies or persons, a simultaneous movement.

Q. A simultaneous movement?

A. A simultaneous movement, or a movement that would be in conjunction with two bodies or persons, a conjunction at one and the same time.

Q. Do you think synchronization of operation is the same as uniformity of operation?

A. That would be rather a hard question to answer. One might synchronize a given movement without full cooperation, I might say. I am taking that in a general way, I am not referring to this particular thing I have in mind. You asked a question about synchronization.

Q. Then you don't think synchronization of operation is equivalent to uniformity of operation?

A. In the connection of these railroads, you are getting back to that?

Q. Yes, that is what I am talking about.

A. In the matter of uniformity of operation there is a uniformity of operation between the service of the Pennsylvania Railroad and the West Jersey & Seashore, but just how far that will synchronize I am not prepared to say.

Q. Whether there is a synchronization between the two railroads or not, you can't say?

A. Not in the sense of operating, but in the sense I gave you, yes,

Q. The West Jersey & Seashore has its own directors, hasn't it?

A. The West Jersey & Seashore has its own Board.

Q. And the Pennsylvania has its Board?

A. Yes.

Q. And they are run independently of each other, aren't they?

A. The two corporations, yes.

Q. And they have their own system of bookkeeping, haven't they?

A. Yes.

Q. They keep their own accounts?

A. They do.

Q. And the same thing applies to the American Contract Company, whatever it is, and the Pennsylvania General Transit?

A. Yes.

Q. They are separate and distinct corporations?

A. Yes.

Q. And the operation confided to their care they run separately and distinctly?

A. That is true.

Q. What interest has the Pennsylvania Railroad in the Pennsylvania General Transit Company?

A. The Pennsylvania Railroad has an interest in the Pennsylvania General Transit Company through the ownership I established a little earlier in the testimony, through the ownership of the American Contract and Trust Company.

Q. The Pennsylvania does not assume to control in any way the actions and operations of the directors of the Pennsylvania General Transit, does it?

A. I am not prepared to answer that question, sir.

Q. You don't know whether it does or not?

A. No.

Q. And you don't know what influence the Pennsylvania exercises, if any, over this American Contract Company, the directors, and the operations of that company, you don't know anything about that, do you?

A. No.

Q. Now, as a matter of fact, the Pennsylvania Railroad does not attempt to interfere with the

operation or control of the buses of the Pennsylvania Transit Company which run to Atlantic City, that is a fact?

A. I am not qualified to answer that question.

Q. You don't know anything about that, do you?

A. No.

Q. You don't know whether that is controlled and managed by Mitten Management, do you?

A. What?

Q. The operations of the Pennsylvania General Transit?

A. Controlled by Mitten Management?

Q. Controlled to the extent of looking after the management and supervising its operation?

A. I can answer it has not. The control is determined, as I said a little while ago, by the record.

Q. Who does control the buses of the Pennsylvania General Transit?

A. They operate their own buses, and the ownership of that company is controlled by the American Contract and Trust Company, and the ownership of that by the Pennsylvania Railroad.

Q. You are talking about ownership of the stock, aren't you?

A. Ownership and control.

Q. You mean the power ownership of stock gives to the company?

A. Yes.

Q. Now, do you mean to tell us, as you sit there, that the Pennsylvania Railroad Company exercises control in the sense of directing and managing the movements of the directors of the Pennsylvania General Transit Company?

A. That is an operating feature, sir, that I have no knowledge of.

Q. So you don't know anything about that, do you?

A. No.

By Mr. Osborne:

Q. Does the Pennsylvania Railroad guarantee the earnings of the West Jersey & Seashore?

A. Guarantee their earnings?

Q. Dividends?

A. I am unable to answer that question, sir.

Q. You don't know whether they guarantee the dividends?

A. Not the West Jersey, I can't tell about that.

By Mr. Spear:

Q. Will you swear that it is not a fact that the Pennsylvania Railroad Company owns 75% of the stock of the Pennsylvania General Transit, and that the Mitten Management owns 25%, will you swear to that?

A. To the best of my knowledge and belief I can swear that is not a fact.

Q. What knowledge have you?

A. The knowledge that I gave in my testimony a little while ago, that the ownership is entirely by the Pennsylvania Railroad Company.

Q. Where do you derive that knowledge from?

A. From the records that I have in the treasury department.

Q. What records did you look at to ascertain that fact before coming here?

A. To answer that question directly, sir, I got that by telephone since I left the office, and the record that was looked at I can't answer.

Q. What you are giving us is what somebody told you over the telephone?

A. No, that was in support of information I had, just to corroborate information that I had.

Q. Who told you?

A. One of the clerks at my office.

Q. What information did you have?

A. Information that there was an ownership of something over 50%, the exact figure—you are speaking now of the Pennsylvania General Transit?

Q. Yes.

A. I beg your pardon, I misunderstood your question. The information I received was about the West Jersey ownership, about the Pennsylvania Transit Company. I got that out of one of the annual reports.

Q. What annual report?

A. Annual report of the Pennsylvania Railroad Company.

Q. But what annual report, what year?

A. The last annual report issued for the year 1928.

Q. So that what changes have taken place in the stock ownership since 1928 you don't know, do you?

A. I can answer very well the ownership in that respect has not changed.

Q. Are you quite sure the company was in operation in 1928?

Mr. Osborne: Organized, or in operation?

Mr. Spear: I said in operation.

Mr. Osborne: I heard what you said. Stock ownership hasn't any necessary relationship to operation.

New Jersey State Library

Q. Are you sure the Pennsylvania General Transit Company was in operation in 1928?

A. I am not sure, sir, that it was in operation in 1928, no.

Q. Was it incorporated in 1928?

A. I can't give you the exact date of its incorporation.

Q. Where did you get your information about the stock ownership about the company whose beginning you admit you know nothing of?

A. From the records I have, I can assemble all these factors for you. If I had known I was going to be asked these questions I would have been prepared.

Q. What I want to ask you is whether you mean positively that you got out of the annual report for the year 1928 of the Pennsylvania Railroad Company a statement of the ownership of stock in Pennsylvania General Transit Company?

A. That is where I understand, sir, it came, I didn't get it myself.

Q. You didn't get it?

A. It was gotten for me by the employees in the office.

Q. All you are trying to tell us now is what somebody else told you?

A. No, I am trying to tell you what the record is.

Q. What you're trying to tell us now is that somebody employed in your office told you, after he had looked into the annual report of 1928, that in that report the stock ownership of the Pennsylvania Transit Company was as you stated it?

A. That is a fact.

Q. And that is all?

A. Yes, being a fact, that is all.

Mr. Spear: I am satisfied to let it go at that.

By Mr. Baldwin:

Q. Have any of these questions relating to the interlocking of the Pennsylvania Railroad with the West Jersey & Seashore Railroad, which you have answered today, been answered of your own knowledge?

A. Of my own knowledge.

Q. Without anyone looking it up for you?

A. Yes.

By Mr. Spear:

Q. Which one?

A. The questions that were asked.

Q. Which question?

A. I think I might have an elaboration there of what questions you have in mind.

Q. You have already told us some that were not necessarily of your own knowledge.

A. Well, you asked some questions about synchronization.

Q. Let us talk about stock ownership. Have any of the questions you have answered today with respect to the ownership of stock in the various companies concerning which you have testified been of your own actual knowledge?

A. Yes.

Q. Or from information furnished to you, upon your request, by employees of yours?

A. Both. Naturally, I get my information from the employees who are employed to prepare that data.

Q. The information you have given us today with

respect to stock ownership, in all its particulars, is information that has been furnished to you by the employes you have detailed to get it for you?

A. That is true.

By Mr. Osborne: These employees are in your office, attached to your office, as part of your organization, and under your direction and control?

A. Yes.

Q. When you want a book off the shelf, you don't necessarily take it down yourself, do you?

A. That is the point I am making.

JOHN CHOLERTON, sworn.

By Mr. Baldwin:

Q. Mr. Cholerton, are you employed by the Atlantic City Railroad Company?

A. The Reading.

Q. In what capacity?

A. Assistant photographer.

Q. Did you, on September 10, that being Tuesday of this week, take a ride to Atlantic City on a bus out of Camden?

A. I did.

Q. What kind of a bus was it?

A. A bus operated by the Public Service Corporation of New Jersey.

Q. How did you determine the fact it was a Public Service bus?

A. There was an insignia on the side of it, and I had seen figures on the side indicating the bus number and route number.

Q. What route number was on the particular bus which you rode?

A. I rode several of them. On the 10th I rode—there was no number on it, it was marked, let me get straightened out here, I was on several of them. There was no number on the bus I rode, it was marked "Egg Harbor."

Q. Did you board the bus at its terminus in Camden?

A. Yes.

Q. Where was that?

A. The plaza of the Pennsylvania Railroad Station on the north side of the loop.

Q. Now, did you consult with anyone about this ride to Atlantic City before you boarded the bus?

A. I questioned a couple of starters, I asked information where I could get the bus.

Q. Whose starters were they?

A. Public Service starters.

Q. How did that exhibit itself to you?

A. They had a mark on their cap, and a number.

Q. What did you say to the first starter that you consulted, and what did he say to you?

A. "Where do I get the bus for Atlantic City?" and his answer was, "Over on the other side, the next one leaves at 4 o'clock."

Q. What side of the ferry plaza were you on when you asked that question?

A. The south side.

Q. And he sent you to the north side?

A. Yes.

Q. Did the bus leave at 4 o'clock as he said it would?

A. A few minutes after 4, about 4:03.

Q. And were there distinguishing marks or devices on the uniform of the driver of that bus?

A. I didn't notice on the driver, no.

Q. Was there any sign on the bus indicating his name and employment number?

A. "The operator of this car is" and then it gave his name—operated by Raymond Evans, #7507.

Q. The second starter you spoke to, on the north side of the plaza I presume that was, wasn't it, did he have a number?

A. Number 82.

Q. And what did you ask him?

A. A woman was in front of me and she was inquiring about a bus down the White Horse Pike.

Q. Did he tell her what bus to take?

A. Number 60 he told her to take, and I asked, "Is that the one to Atlantic City?" and he said, "Yes."

Q. Did you ask him whether you had to change in Berlin?

A. When he said, "Yes," I said, "I don't have to change at Berlin?" And he said, "No," and I said, "What time does it leave?" and he said, "Four o'clock."

Q. As a matter of fact, did you have to change at Berlin?

A. No.

Q. Did you ride in that same bus all the way from the ferry terminal to Atlantic City?

A. Yes.

Q. Where did you get off the bus in Atlantic City?

A. The Union Bus Terminal on Atlantic Avenue.

Q. Did that same driver take the whole trip for you?

A. Yes—no, they changed drivers at Berlin.

Q. But you didn't change?

A. No, I didn't change.

Q. Who was the driver that took you from Berlin to Atlantic City?

A. U. G. Wisemer, 7531.

Q. As you left Berlin were there any other passengers on the bus?

A. There was one, one other one on the bus.

Q. Where was that passanger discharged?

A. At Atco.

Q. Did any other passengers then board the bus?

A. I think we picked up—we picked up another gentleman somewhere along the line, I don't recall where that was, an employee of the Public Service.

Q. By the time you reached Absecon how many were there on the bus?

A. That gentleman was discharged at Absecon and I was alone.

Q. You were alone with the driver from Absecon to Atlantic City?

A. Yes, sir.

Q. Did you have any conversation with him?

A. Yes, I started to talk with him after the other person got out.

Q. What did you say?

Mr. Spear: I object to that testimony, if the Court please, it is literally against the rule of law laid down in Blackman v. West Jersey & Seashore Railroad Company, 39 Vroom, page 1, where it says the driver is not there to talk unless it is in the performance of some function he is performing for the company, and I object on that ground.

Mr. Baldwin: I press the question.

A. I asked him, "Why is it that some Public Service buses take you right through to Atlantic City while on others it is necessary to change at Berlin?" and he answered, "I don't know why that

is, they are all supposed to change, I think this is the only one that does not. The one I bring back leaving Atlantic City at 6:30 P. M., goes right through, too, I take that right to Camden, but after Thursday they will all change at Berlin. I guess it is only at busy times you don't have to change."

Q. Did he mean Thursday today?

A. Yes.

Q. Did you ride a bus back from Atlantic City to Camden?

A. Yes, I took another bus.

Q. Was that the same bus in which you had gone down or a different one?

A. A different one.

Q. Was it a Public Service bus?

A. Yes, a Public Service bus.

Q. How was that indicated?

A. I asked for the next Public Service bus, and I was told the time it would leave.

Q. What bus did you get on?

A. Bus number B2746.

Q. What route number did it have?

A. Route 60, Camden in large letters, and Berlin and Atco in smaller letters.

Q. Did that leave the same terminal in Atlantic City where you had been discharged on your down trip?

A. It did.

Q. What was the number of the bus you went on?

A. D8805.

Q. And this was 2746?

A. Yes.

Q. Did the starter at the bus terminal make any announcement as you approached the bus?

A. "Camden local, Egg Harbor, Hammonton, Berlin and Camden."

Q. Did you observe the name of the driver that brought you back?

A. Alva H. Wilson.

Q. Was that a through trip, or did you change anywheres on the route?

A. No, went straight through.

Q. With Mr. Wilson?

A. Yes.

Q. He did not change?

A. No, he went through.

Q. Where did you get off?

A. The Pennsylvania Railroad Plaza, Camden.

Q. You rode then from the Atlantic City terminal of the bus to the Camden terminal?

A. Yes.

Q. Did you ask that driver, Mr. Wilson, if you had to change at Berlin?

A. As I got on I said, "Does this bus go to Camden?" and he answered, "Yes," and I said, "Do I have to change at Berlin?" and he said, "No, this bus goes right through, I will take your fare to Berlin, and then you will pay from there to Camden."

Q. How much fare did you pay?

A. One dollar from Atlantic City to Berlin and 35¢ from Berlin to Camden.

Q. Did he make two separate collections of that fare?

A. Yes.

Q. And was that true, only in the inverse order, on the way down?

A. Yes.

Q. What evidence of fare payment did you receive?

A. I retained my coupon.

Q. Do you have those with you?

A. I have some. I had a tussle keeping the

others, but I retained what I could. They were for the trip on the 10th.

Q. Will you identify which of those tickets you received for the downward trip from Camden to Berlin? On the 10th you received 4 tickets, didn't you?

A. Yes.

Q. Two of 35¢ each and two for one dollar?

A. That is right.

Mr. Baldwin: I offer these tickets in evidence and ask that they be marked.

(Said tickets offered and marked Exhibits P3, 4, 5 and 6 respectively.)

Q. Mr. Cholerton, what time did your trip from Atlantic City to Camden on the 10th take?

A. It took about 2½ hours in each direction.

Q. And you left Atlantic City about what time?

A. 6:30.

Q. And arrived in Camden at what time?

A. 9:07.

Q. On Wednesday of this week, September 11, 1929, did you make a trip from Camden to Atlantic City?

A. I did.

Q. Did you have anyone in your company?

A. Yes, sir, Mr. John Schneider went along with me.

Q. Did you make any inquiries of the starter at the ferry terminal?

A. I approached starter number 98 at the Camden terminal on the south side.

Q. Was that a Public Service starter?

A. Yes.

Q. Indicated by the words "Public Service" on his cap or uniform?

A. He has a small marker on his cap, the number was the most prominent thing.

Q. The number was the prominent thing?

A. Yes, that is the thing I noticed.

Q. And what did you ask him?

A. "Where do I get the Atlantic City bus?" and he answered, "Over on the other side," and I said, "Do they make close connections at Berlin?" and he answered, "Some of them go right through, you don't have to change at all, it takes about 2½ hours, you see, they take a roundabout way, they go through in back of Berlin, and in back of Hammonton," and I said, "If I have to change in Berline do I have to wait long?" and he said, "No, there is always a bus waiting."

Q. What bus did you get on in pursuance of those directions?

A. Bus B8005. I think there must be an error in this statement on the 10th, I believe that is the same bus, instead of 8805 it should be 8005.

Q. On the 10th and 11th it was the same vehicle?

A. Yes sir.

Q. What was the name of the operator?

A. Milton Rowley, #7521.

Q. How was the bus marked?

A. The bus was marked "Egg Harbor."

Q. Did you ask any other starter about getting to Atlantic City?

A. I asked starter #83 in the booth on the north side—no, he was at the bus, directly at the bus, the steps of the bus, I said, "Is this the bus to Atlantic City?" and he answered, "Yes," and I said, "But it is marked "Egg Harbor" and he shook his head yes, and I said, "Why isn't it marked Atlantic City?" and he said, "It only goes to Berlin," and

I said, "Then, do I have to change at Berlin?" and he said, "No, not today, this bus goes right through."

Q. And did it go right through?

A. Yes.

Q. You made the whole trip to Atlantic City?

A. Yes, in the same bus.

Q. And that same operator took you?

A. They changed operators at Berlin.

Q. As they had the day before?

A. Yes.

Q. Did the man who got on the bus at Berlin as its operator put his name and number plate in the rack?

A. No, he did not.

Q. What did he do?

A. When the first driver got out of the bus he whispered something into the ear of the second driver, and he cast a suspicious looking glance up at us, and when he got in the bus he put the number plate on the seat.

Q. He did not put it up in the rack?

A. No, sir.

Q. So you don't know ——

A. It happened to be the same fellow who took me down the day before.

Q. You knew it was 7507?

A. Yes.

Q. Was there any different method in collecting your fares that day than there was the day before?

A. The day before they took your fare—I paid from Atlantic City to Berlin, and he collected my fare before the bus started, and from Berlin he again collected the fare before the bus left Berlin, but yesterday, after we left Berlin, he never collected our fare until we reached Hammonton, he

stopped, pulled to the side, and requested us for our fare, and he requested us to surrender the coupon from Camden to Berlin.

Q. Did you surrender your coupon?

A. No.

Q. Did Mr. Schneider surrender his?

A. Mr. Schneider surrendered his at Atlantic City. I surrendered the one from Berlin to Atlantic City when we reached Atlantic City, but I managed to retain the other.

Q. Do you have all four coupons?

A. No, I have two, and I have the numbers of the two that he lifted.

Q. You didn't ride back then yesterday?

A. Yes, sir, I rode back, I have the one I came back with, I have one going down and one coming back.

Q. How much was the coupon for?

A. The fare from Camden to Berlin is 35¢ and from Berlin to Atlantic City is one dollar.

Q. Which ones do you have?

A. The two 35¢ ones.

Q. What happened to the coupons for your riding from Berlin to Atlantic City in both directions?

A. We surrendered them at Atlantic City but got a receipt for them.

Q. Did you surrender the one coming home, the one dollar coupon?

A. I surrendered that at Berlin.

Q. At the end of the trip?

A. Yes.

Q. Now, what bus did you leave Atlantic City on last night, or yesterday afternoon?

A. Bus number D-2746, operator H. L. Shive.

Q. What did the starter announce before that left Atlantic City?

A. The operator called "Egg Harbor, Hammonton, Berlin and Camden."

Q. Did you ride the same bus on the whole trip from Atlantic City to Camden?

A. Yes.

Q. Without change?

A. Yes.

Q. Were you told before you left Atlantic City that would be the case, you wouldn't have to change at Berlin?

A. No, I don't believe we questioned anyone, we just got on. We did make a telephone call ——

Q. Did you make it?

A. No.

Q. Will you let me have the coupons you received for yesterday's ride?

A. (Witness complies.)

Mr. Baldwin: I offer these.

(Said coupons marked Exhibits P7 and P8.)

By Mr. Osborne:

Q. Do you know what these various marks and letters mean on these coupons?

A. The top number is apparently the register number.

Q. I show you one marked P3.

A. It has the date, September 10, 6807, surrender when leaving car, from 11-26, that apparently is the station number, fare $1.00, operator 529. 11 is Berlin and 26 is Atlantic City.

Q. What else?

A. And then it has number 13 on the bottom.

Q. What does number 13 indicate?
A. I don't know the 13 may be the number of the register.

Mr. Spear: 13 is the number of the register.

Q. I show you P6, and ask you if it contains the same register number?
A. It is number 13.
Q. And would that indicate and establish the fact that both of these were given to you on a continuous trip?
A. Yes.
Q. In the same car?
A. Yes.
Q. As shown by the same registry number on these tickets?
A. Yes.
Q. And is that also true of 4 and 5?
A. Yes, they have register number 4.

Mr. Spear: If the Court please, with due respect to the shortness of human life and human appetite, we won't cross-examine this witness.

JOHN H. SCHNEIDER, sworn.

By Mr. Baldwin:

Q. Did you ride on September 10, with Mr. Cholerton?
A. No, sir, I rode on the 11th.
Q. On the 11th, rather, with Mr. Cholerton, on the ride to and from Atlantic City he described?

A. Yes, sir.

Q. Did you have any difficulty with the operator of the bus concerning the surrendering of your fare coupons?

A. Yes, sir, at Hammonton they came to collect the second fare, which was a dollar, and I paid 35¢, and they gave me the receipt for that which I had in my pocket, and at Hammonton he came to collect the second fare, and I said, "Is there any way of my retaining this to keep as a memorandum for my expense account?" and he said "No," and I said, "If I write out a receipt will you sign it as my paying my fare?" and he said, "Yes, and you can surrender both the receipts in Atlantic City," so when we arrived at Atlantic City I handed him a small receipt which I wrote up for him to sign, and he said he wouldn't sign it, and then I said, "I won't give you the receipt," so then the manager of the Union Bus Terminal came over and he agreed to put his signature on it, and I turned the receipts over to him, and he turned them over to the operator.

Q. And the receipts you turned over to him, were they of the same appearance which Mr. Cholerton handed to me and which were offered in evidence?

A. Yes, sir.

Q. Those two receipts together represented your transportation from Camden to Atlantic City?

A. Yes, sir.

Q. Was that trip all on the same bus?

A. Yes, sir.

Q. Did you have to get out at any point?

A. No, sir.

Q. You did pay two fares, however?

A. Yes.

Q. Will you show me the receipt which you obtained?

(Witness complies.)

Q. Did this man who signed that receipt give you any kind of indication as to who he was and for whom he was working?

A. I asked him whether he had his card after the bus driver told me he was the boss.

Q. Did he give you this card?

A. Yes, sir.

Mr. Baldwin: I offer that in evidence.

(Said card marked Exhibit P9.)

Q. Is this paper I show you the receipt which Mr. Harrington gave you?

A. I wrote that out and he signed it.

Mr. Spear: I object to this, this man had no authority to make a receipt out for us.

Mr. Baldwin: I offer it.

(Said paper offered in evidence and marked Exhibit P10.)

REASONS.

(Filed Sep. 11, 1929.)

NEW JERSEY SUPREME COURT.

WEST JERSEY & SEASHORE RAILROAD COMPANY and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *Defendant.*	On Certiorari. Reasons.

West Jersey & Seashore Railroad Company and Pennsylvania General Transit Company, prosecutors of the above entitled writ of certiorari, by Osborne, Cornish & Scheck, their attorneys come and pray that the order of the Board of Public Utility Commissioners of New Jersey, made on the 27th day of June, 1929, wherein, among other things, the said Board approved certain municipal consents of Public Service Coordinated Transport, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company for bus operations over the Camden-Atlantic City route, and denied approval of certain municipal consents of the Pennsylvania

General Transit Company for bus operations over the same route, as by reference to the said order will more fully appear, may be declared null and void, set aside and for nothing holden for the following reasons, namely:

1. There was no evidence before the Board of Public Utility Commissioners reasonably to support the said decision.

2. There was no evidence before the said Board reasonably to support its determination that the municipal consents given to the Public Service Coordinated Transport, Union Bus Co., White Way Tours and Parlor DeLuxe Coach Company for bus operations over the Camden-Atlantic City route are necessary and proper for the public convenience and properly conserve the public interest.

3. There was no evidence before the said Board reasonably to support its determination that the municipal consents of the Pennsylvania General Transit Company (a subsidiary of the Pennsylvania Railroad Company, and West Jersey & Seashore Railroad Company) and of the Reading Transportation Co. (a subsidiary of the Atlantic City Railroad Company), for the operation of twenty-five buses each over the Camden-Atlantic City route are not necessary and proper for the public convenience and do not properly conserve the public interest.

4. There was no evidence before the said Board reasonably to support its determination that the prosecutors do not have a valid and subsisting legal right to render transportation service over the Camden-Atlantic City route to the exclusion of all

others except as to the local service between Camden and Hammonton, and between Atlantic City and Egg Harbor to the extent heretofore rendered by the Public Service Coordinated Transport.

5. There was no evidence before the said Board reasonably to support the reversal of the decision of the said Board in the matter of the application of Public Service Coordinated Transportation Company for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro Route to Atlantic City, N. J., dated July 17, 1928, in which the said Board found that:

> "All the exhibits clearly indicate that the railroads are losing vast sums of money operating their facilities between these points, a considerable loss being caused by the continued increase in the number of privately owned automobiles, the continued increase in interstate bus transportation, which is without regulation and increases at will. Because of this situation the railroads are maintaining service at a great loss, which will be increased by the addition of other transportation facilities. The testimony indicates that most of the intermediate business is now being amply served by buses as well as the railroads as far east as Hammonton and from Egg Harbor to Atlantic City. It is evident, therefore, that direct competition in through business will result from the proposed application. The Supreme Court of this State has set forth the rule for the Board to follow in the case of Hunter, Pros. v. Board of Public Utility Commissioners, 1 N. J. Misc. 409, as follows:
>
> 'The State assumes to regulate the rates for transportation, and the character of the service

rendered. Morally and legally it should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service.'

The Board is of the opinion that a bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger incomes of the railroads which would probably result in a further curtailment of service."

6. There was no evidence before the said Board reasonably to support its finding of fact that:

"The railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation."

7. There was no evidence before the said Board reasonably to support its finding of fact that:

"The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City."

But there was evidence before the Board that Public Service Coordinated Transport has not been supplying the local transportation over the entire route located between Camden and Atlantic City.

8. There was no evidence before the Board to support the determination of the Board that:

"The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service."

9. There was no evidence before the Board to support its determination that the railroads' willingness to supply bus service should pre-empt the territory against other lines

> "which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation."

when there was no evidence before the Board that any other applicant had been carrying on both interstate and intrastate service in this territory at any time, or that any of the applicants referred to in the above quoted paragraph had been carrying on intrastate business.

10. There was no evidence before the Board reasonably to support its necessary finding that Public Service Coordinated Transport has valid and subsisting local consents from the City of Atlantic City to operate four additional buses upon the Egg Harbor-Atlantic City route extended to Berlin.

11. The order of the said Board is invalid in that it purports to approve five municipal consents of Public Service Coordinated Transport from the City of Atlantic City for the operation of autobuses upon the Egg Harbor-Atlantic City route extended to Berlin for that only one of the said five municipal consents is valid and subsisting.

12. The decision of the said Board is unlawful in that it approves the municipal consents of Public Service Coordinated Transport for the operation of five buses in a local service between and including Atlantic City and Berlin, N. J., without restricting the said operator from carrying through passengers from Camden to Atlantic City.

13. The said order of the said Board directly contravenes the established policy of the State favoring existing transportation systems and does not properly protect the public interest in that it permits and encourages destructive competition and does not adequately protect existing transportation facilities.

14. The said decision of the Board of Public Utility Commissioners is erroneous, contrary to the law and exceeds the power of the said Board under the pertinent statutes of the State of New Jersey.

15. The said order of the said Board is unlawful in deciding that:

> "The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Penna.; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation."

16. The said order of the said Board is unlawful in approving the municipal consents of the exclusively interstate operators (Union Bus Company, White Way Tours and Parlor DeLuxe Coach Company) to operate intrastate buses in competition with the West Jersey & Seashore Railroad Company and Atlantic City Railroad Company.

17. The order of the said Board is unlawful in that it denies to the said railroads or their subsidiaries a preferential right to render exclusive service in the territory served by them for many years before any other existing common carrier entered the field, although the said railroads are prepared and are willing to render all the service necessary for the public convenience.

18. The order of the said Board is unlawful in that it denies to the railroads a preferential right to supply local autobus service between points now exclusively served by the said railroads.

19. The said order of the Board of Public Utility Commissioners deprives the prosecutors of rights guaranteed by the Constitution of the State of New Jersey and the Constitution of the United States.

20. The said order of the said Board deprives the prosecutors of property without due process of law and deprives them of the equal protection of the laws contrary to the provisions of the Fourteenth Amendment of the Constitution of the United States.

21. The said order of the said Board takes private property without just compensation, contrary to Section 16 of the Constitution of New Jersey.

22. If the provisions of any Statute of the State of New Jersey may be so construed as to authorize the said Board to make the said order, then such provisions are unconstitutional and especially violate the Fourteenth Amendment of the Constitution of the United States in that they deprive the prosecutors of property without due process of law and deprive them of the equal protection of the law and also violate Section 16 of the Constitution of the State of New Jersey in that they take private property without compensation.

23. The said order of the said Board is arbitrary and unreasonable in limiting the operation of autobuses by the prosecutor, Pennsylvania General Transit Company, and in allowing the operation of autobuses by the Public Service Coordinated Transport, Union Bus Company, White Way Tours and Parlor DeLuxe Coach Company in the said area, as in said order provided.

OSBORNE, CORNISH & SCHECK,
Attorneys for Prosecutors.

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NEW JERSEY SUPREME COURT.

Camden, N. J., Monday, Sept. 30, 1929.

WEST JERSEY & SEASHORE RAILROAD COMPANY and PENNSYLVANIA RAILROAD COMPANY,

Prosecutors,

v.

BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et al.,*

Defendants.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,

Prosecutors,

v.

BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et al.,*

Defendants.

Depositions taken before WILLIAM J. KRAFT, ESQ., Supreme Court Commissioner of the State of New

Jersey, at the Court House, Camden, New Jersey, on Monday, September 30th, 1929, at 11 A. M.

(By agreement of counsel the testimony was taken stenographically and the signature of witnesses waived.)

Before Supreme Court Commissioner William J. Kraft, Esq.

For Prosecutors, Atlantic City R. R. Co. and Reading Transportation Co., appear:
Clifford A. Baldwin, Esq.,
Floyd H. Bradley, Esq.

For prosecutors, West Jersey & Seashore R. R. Co. and Pennsylvania R. R. Co., appears:
Harry V. Osborne, Esq.

For Public Service Co-ordinated Transport appear:
William H. Speer, Esq., and
Charles S. Straw, Esq.

EMMETT T. DREW, recalled.

Further direct examination.

By Mr. Osborne:

Q. You have been sworn?
A. Yes, sir.
Q. When you left the stand at the last hearing I think I had asked you for certain opinions which at the moment you couldn't locate?
A. That is correct.
Q. I now recall you for the purpose of completing that list. I hand you a group of decisions, a number of decisions (handing witness papers) and ask you to refer to the application of the Passaic & Bergen Transportation Company and tell me if that paper is a copy of the original order or decision, at least, on file in that case, on file with the Board of Public Utility Commissioners?
A. This is a copy of the decision of the application of the Passaic-Bergen Transportation Company, dated October 15, 1925.
Q. The decision?
A. The decision, yes.
Q. Does this language appear in the decision ——

Mr. Speer: At this point, so it may be understood we are not waiving any objection by sitting idly by while testimony is given, I wish to renew my objection as to any garbling of any order or decision of the Board, any wresting from the testimony of a part of the opinion without putting the rest of it in. And furthermore, to the relevancy and the competency and materiality of the evidence in any

way; my objection being it is not relevant and not material and not competent to this proceeding and that a mere selection of a sentence or two from an opinion, without putting the contexts in, which will tincture and color and explain and make it clear, is entirely without precedent in the law, and I object to it on that ground.

Mr. Osborne: I assure counsel I have no intention of garbling the decision. I merely wanted to offer certain excerpts from it in evidence.

Mr. Speer: That is garbling; that is the point I want to make.

Mr. Osborne: That may be your interpretation of the word garbling.

Mr. Speer: It is not mine.

Q. Will you turn to the sentence beginning, "The law which gives the Board jurisdiction in this matter"?

A. Yes, sir.

Q. I ask you whether that decision of the Board contains this language: "The law which gives the Board jurisdiction in this matter is designed to accommodate public necessity and convenience, and also to protect existing transportation facilities against uneconomic competition. The lifting of restrictions when the evidence indicates that the existing facilities are providing reasonable service would jeopardize the continued existence of the present transportation service."

A. Yes, sir, that is a part of the decision.

Q. Turn to the case of Jerry Triano. Have you that?

A. Yes.

Mr. Speer: We might save time if I ask a question here.

Mr. Osborne: All right.

Cross-examination.

By Mr. Speer:

Q. Is there any appearance for any railroad in that case?

A. The appearances are H. V. Osborne for the petitioner and George H. Blake for the Public Service Railway Company.

Q. And no appearance for any railroad company?

A. No, sir.

Q. The opinion contains an infinitude more of language beside that just read to you by Judge Osborne, does it not?

A. It is a four-page decision.

Q. And the opinion shows that the bus line parallels the Erie Railroad and the West Shore along that route, does it not, and if the opinion doesn't show it the record of the case will, is that not true, Mr. Drew?

Commissioner Kraft: I suppose you want to insert in your objections that your objection goes to the succeeding opinions, too?

Mr. Speer: Yes; it was understood the other day. Furthermore, in my objection the other day,

there was included (which I didn't put in just now) that not only do we object to the mere excerpts from the opinion or decision of the Board, as such, but to the non-inclusion of the record so as to make clear that to which the opinion is applicable.

A. There is a description of the route in the decision, which reads: "The bus line on Tenafly Road is about one thousand to fifteen hundred feet distant from the private right of way of the Englewood trolley line of the Public Service Railway Company, and between the private right of way and Tenafly Road is located the Northern Railroad of New Jersey" (that, of course, is a subsidiary of the Erie) "which makes it difficult for a passenger to walk from Tenafly Road over to the private right of way of the Public Service Railway Company." I don't think the West Shore is involved that far over, at that point, although it may be.

Q. It is the upper end of the route?

A. Yes; it is the upper end of the route.

Mr. Speer: That is all.

By Mr. Osborne:

Q. Jerry Triano?

A. Yes; I have it here; decision rendered in this matter July 29, 1926.

Q. Does the decision of the Board contain this language: "The Board concludes that the existing facilities should be reasonably protected against competition."

A. That is a part of a paragraph.

Q. That language is contained in the decision?

A. Yes.

Mr. Osborne: These are all matters that the Public Service have been contending for, so I don't suppose they can object seriously to the proposition contained in the decision.

Mr. Speer: That don't go in the record.

Commissioner Kraft: You don't want me to rule for or against you.

Mr. Speer: Do you want to ask any more about this?

Mr. Osborne: No.

Cross-examination.

By Mr. Speer:

Q. I would like to ask you, does not the opinion contain, in the paragraph that Judge Osborne just asked you to read, and is this not the entire language, which he has tried to garble and to abbreviate ——

Mr. Osborne: Does that go in the record?

Mr. Speer: That is in the record.

Q. (Continuing). "The Board concludes that the existing facilities should be reasonably protected against competition, but believes that several restrictions would be difficult to carry out by the petitioner."

A. I haven't it before me.

Q. (Witness is handed papers.)

A. Yes, sir; that is the balance of the paragraph.

Q. And it also appears by that decision that notwithstanding the objection of the Public Service Railway Company the route was granted, notwithstanding the competition, over our objection?

A. Frankly, the decision doesn't indicate any appearance on the part of the Public Service, although the record may do so.

Q. At any rate, notwithstanding the language you have been asked to put in the record by your testimony, the route was granted?

A. This was an application to change a route which they were operating, which involved competition with other utilities, and the Board dealt here with the question of imposing restrictions which on their face could not be very well operated.

Q. And granted the route, the extension?

A. Yes; the change of route.

Mr. Speer: All right.

By Mr. Osborne:

Q. Will you turn to the Paterson-Westwood-Ridgewood Transportation Company, decision November 29, 1926, and tell me whether it includes this language: "The Board believes that certain restrictions should be placed upon the operation of the petitioner's buses in order to eliminate any unnecessary competition."

A. I beg pardon; will you just give me that again?

Q. "The Board believes that certain restrictions should be placed upon the operation of the petitioner's buses in order to eliminate any unnecessary competition." Do you find it?

A. "And believes that certain restrictions should

be placed upon the petitioner's buses in order to eliminate any unnecessary competition," is part of a sentence.

By Mr. Speer:

Q. What is the rest?

A. The entire sentence reads: "The Board believes that the operation of the petitioner's buses to Ridgewood from Paterson would compete with the existing transportation facilities now serving Paterson and Ridgewood and believes that certain restrictions should be placed on the operation of the petitioner's buses in order to eliminate any unnecessary competition. The greatest portion of the route serves a territory which is not now conveniently served by any other means of transportation."

Q. Were there any appearances for railroad companies in that case?

A. Yes, sir.

Q. Who were there?

A. George H. Blake for the Public Service Railway Company; Grover R. James for the Erie Railroad Company and an independent operator whose route was parallel in Ridgewood.

Q. The route was granted, was it not, with restrictions?

A. That route was approved with restrictions.

By Mr. Osborne:

Q. Tri-County Transportation, decision May 5, 1927?

A. Yes, sir; I have it before me.

Q. Please see if you can locate this language in the decision: "Yet the fact remains that the pur-

pose of restrictions is to eliminate destructive competition, which would be detrimental to the continuance of the existing facilities''?

A. That language is part of a paragraph.

Mr. Speer: Won't you read the paragraph?

Witness: ''When the Tri-County Transportation Company appeared before the Board in its original application, it was apparent at that time that the purpose of the creation of the line was to afford through service, but apparently, from the traffic records submitted in evidence, the company is not carrying any great number of passengers on its through buses.'' (That involved a line from Paterson to Morristown.) ''Although it is obvious that the lifting of restrictions would perhaps provide additional service to the traveling public, yet the fact remains that the purpose of restrictions is to eliminate destructive competition, which would be detrimental to the continuance of the existing facilities.''

Mr. Speer: There is a considerable amount more in the decision.

Witness: There are some two pages.

Mr. Speer: Did the railroads appear in that case?

Witness: No, sir. C. S. Straw for the Public Service and Wood McKee for the petitioner.

Q. Zellen, Paterson-Oradell route, decision June 7, 1927?

A. Yes, sir; I have it before me.

Q. Do you find this language: "The legislative policy is to protect existing transportation facilities from unnecessary competition where it is shown that the existing facilities are affording adequate service"?

A. Yes, sir, that is part of a paragraph in this decision.

By Mr. Speer:

Q. You say it is only part of a paragraph?

A. Yes.

Q. Are there any railroads appearing in that case?

A. C. S. Straw for Public Service Railway. No railroads.

By Mr. Osborne:

Q. Passaic-Athenia Bus Company v. Consolidated Bus Line, decision of March 24, 1927: "Restrictions are imposed to carry out the policy of the State to protect existing utilities that give satisfactory service." Do you find that language?

A. No. It is rather difficult, it is so long, Judge, I have to pick them out.

Q. That is the only reason I don't offer the whole thing in evidence is because it would be just uselessly encumbering the record.

Mr. Speer: It would be not only illuminating but useful.

Witness: Just give me a line or two so I can catch it again.

Q. "Restrictions are imposed to carry out the policy of the State."

A. Yes, sir, that is a part of the paragraph in the decision.

Mr. Osborne: May I shorten it by finding some of these for you beforehand?

Commissioner Kraft: I was going to suggest that.

By Mr. Speer:

Q. That is only part of a paragraph?

A. Yes, sir.

Q. There were no railroads appearing in that case or represented in that case?

A. No, sir; attorneys for the two bus companies were the only appearances.

By Mr. Osborne:

Q. Safeway Transportation Company, this is October 22, 1925: "The purpose of the foregoing restriction was to afford service to the public along the proposed route."

By Mr. Speer:

Q. "Along the proposed route at such points where no transportation service existed and to restrict the operation at such points along said route that are now adequately served by other transportation facilities."

A. Yes, sir; that is the entire paragraph in the decision.

Q. Is that all the language with respect to that or only a part of the opinion?

A. It is one paragraph in a decision of two pages.

Q. There were no railroads appearing in the case?

A. No. Mr. Armstrong for the Public Service.

By Mr. Osborne:

Q. B. & N. Transportation Company, application for change of route, decision October 29, 1925, this language: "The Board believes that the through business from Madison and Millburn can be properly taken care of by the present trolley facilities offered by the Morris County Traction Company as well as the Delaware, Lackawanna & Western Railroad Company, and for these reasons will impose certain restrictions."

A. That isn't the exact language, Judge.

Q. That is a part of a paragraph, is it not?

A. Yes.

By Mr. Speer:

Q. And it is not an exact quotation, is it?

A. No, sir, it is not.

By Mr. Osborne:

Q. Isn't it an exact quotation of the words that I used, leaving out part of a paragraph?

A. It is not an exact quotation.

Q. Let me read it again.

A. I tried to follow you.

Q. I am reading from my notes, Mr. Drew has the record in front of him and as he is the witness I will ask him to read that paragraph.

A. "The Board is of the opinion that the application for the extension of the route should be approved so as to permit the applicant to furnish local transportation between Madison and points located west of Millburn center, but believes that the through business from Madison and Millburn can be properly taken care of by the present trolley facilities offered by the Morris County Traction Company, as well as the Delaware, Lackawanna & Western Railroad Company, which now has stations at Madison and Millburn, N. J., and for these reasons will impose certain restrictions."

Q. The only word I read to you that wasn't in there was the word "to" instead of the word "and."

By Mr. Speer:

Q. The Delaware, Lackawanna & Western Railroad Company didn't appear in that case, did it, as far as the opinion shows?

A. No, sir, they did not.

By Mr. Osborne:

Q. Joseph B. Owen, application to lift restrictions on the Camden-Gibbstown-Billingsport route, decision December 8, 1925.

A. Yes, sir, I have it here.

Q. In that decision does the Board refer to the decision of May 22, 1924, imposing its restrictions?

A. Yes, sir.

Q. Then doesn't it use this language: "In its decision of May 22, 1924, heretofore referred to, the Board was of the opinion that the territory in question should be protected against unnecessary com-

petition, provided, however, that the service furnished by the Camden-Swedesboro buses is reasonable and adequate''?

A. Yes, sir, that is the entire paragraph.

Mr. Osborne: Any cross-examination?

By Mr. Speer:

Q. How long is the opinion? It is a double page, isn't it?

A. Three pages.

Q. Did anyone appear for the railroads there?

A. Mr. Baldwin appeared for the petitioner, George H. Blake for the Public Service, Arthur A. Hunter and Karl Kisselman for the Camden-Swedesboro bus company. No railroad appeared.

Q. No railroad appeared? Neither Mr. Bradley or Mr. Neutze appeared in the matter?

A. It doesn't appear they did, no, sir.

By Mr. Bradley:

Q. That line was from Camden to Swedesboro, was it not?

A. It was an application of Joseph B. Owen for modification of restrictions on the Camden-Gibbstown-Billingsport route.

Q. You didn't notify the Atlantic City Railroad in that case; that isn't in their territory, is it?

A. I can't tell you from that.

Q. It doesn't show you notified them?

A. I haven't the record here.

Q. Have you any knowledge or record here that the Atlantic City Railroad was notified in that application?

A. That record is in the office at Trenton.
Q. Have you, of your own knowledge?
A. No.

By Mr. Osborne:

Q. Somerset Bus Company, Irvington and Somerville, decision of November 12, 1925; do you find this notation: "The operation of buses," have you that?
A. Yes.
Q. (Continuing.) "By the Somerset Bus Company between Mountain Avenue and Bound Brook and Somerville would be competitive with the Safeway Transportation Company's bus line, therefore, the Board will impose restrictions to eliminate unnecessary competition between said points."
A. Yes, sir; that is part of a paragraph in the decision.

Mr. Osborne: Cross-examine.

By Mr. Speer:

Q. This, Mr. Drew, is an opinion of six pages, is it not?
A. Yes, sir, it is.
Q. That part he read is just one sentence excerpted from this long paper?
A. Yes, sir.

Mr. Osborne: For Judge Speer's information I will say both of these are excerpts from an opinion containing many other matters which have nothing to do with the point which I am now developing, the purpose of these excerpts being to indicate the

policy of the Board of Public Utility Commissioners as evidenced by the language it used in these decisions.

Mr. Speer: If that statement goes down I want to say very much in this opinion has very much to do with the point he is developing, and is entirely left out.

Mr. Osborne: You are deliberately putting that in.

Mr. Speer: It is in.

Q. There is no appearance for the railroad in this?

A. No, sir; no appearance of any railroad company.

By Mr. Osborne:

Q. The next case is the matter of the application of the Somerset Bus Company for modification of decision of November 12, 1925, decided February 16, 1926, and I ask you if this language appears in that decision: "The operation of buses by the Somerset Bus Company between Mountain Avenue, Bound Brook, and Somerville would be unduly competitive with the Safeway Transportation Company's bus line, therefore the Board imposed restrictions to eliminate unnecessary competition between said points."

A. Yes, sir, that is a part of a paragraph in the decision.

By Mr. Speer:

Q. The bound reports of the Board of Public

Utility Commissioners goes through Volume 12 and through the decisions of 1926, do they not?

A. Yes, sir, the next volume will be published very shortly.

By Mr. Osborne:

Q. Can you say whether this decision is reported in the bound volumes, Mr. Drew?

A. I don't recall just how far the last volume goes, whether it includes February 16th or not; I would rather think it did not; it would be in this volume coming out.

Q. Are all the decisions of the Board published in the bound reports?

A. I beg pardon?

Q. Are all the decisions of the Board published in the bound reports?

A. Yes, sir.

Q. Sure about that?

A. Yes, sir. I can't say for the earlier ones, but I know they are all now.

By Mr. Baldwin:

Q. You mean the volume you are preparing now?

A. Yes.

By Mr. Osborne:

Q. You are only speaking as to the volume now in preparation?

A. Yes, sir.

Q. Let me refer to the volumes heretofore published; is that true up to and including twelve?

A. Yes.

Q. Whatever they are. Were all the decisions of the Board published in those volumes?

A. I think so, Judge. I am quite certain.

Q. How long have you been secretary?

A. Since the first of May.

Q. Have you any knowledge previously?

A. My familiarity goes to the reading of them.

Q. It is your opinion they are all?

A. That would be my opinion, yes, sir.

Q. I will ask you to look at the opinion in the Consolidated Bus Line, Inc., extension of Passaic-Clifton route, September 8, 1926, and ask you whether it contains this language: "It is obvious that both bus routes would serve the through passengers from Clifton who desire to be transported to the center of Passaic and that the competition which would be created by the proposed extension against the buses operated by the Passaic-Athenia Bus Company would be between the Passaic Terminal and Clifton. The Board therefore believes that this competition would be eliminated by imposing a restriction upon the operation of the buses by the Consolidated Bus Line over the route as extended."

A. It reads: "A reasonable restriction." "Imposing a reasonable restriction."

Mr. Osborne: Insert the word "reasonable" in my question.

A. That is correct. That is part of a paragraph in the decision.

By Mr. Speer:

Q. How long is the opinion?

A. Three pages.

Q. Any appearances for any railroads in that case?

A. No, sir.

Mr. Speer: That is all.

By Mr. Osborne:

Q. Will you turn to the opinion of the Board in the Crosstown Transportation Company, of Clifton, decision May 19, 1927, and tell me whether you find this language: "The Board determines, however, that the existing transportation facilities should be reasonably protected against direct competition and will therefore impose certain restrictions."

A. "Any direct competition."

Q. "Any direct competition and will therefore impose certain restrictions."

A. That is a paragraph in the decision of the Board.

Mr. Osborne: Cross-examine.

By Mr. Speer:

Q. The opinion is several pages long?

A. Three pages, yes, sir.

By Mr. Osborne:

Q. Turn to the opinion of the Jersey City and Montclair Bus Company, opinion June 16, 1927, and see if you find this language used by the Board: "The Board, however, will impose certain restric-

tions on the buses in order to eliminate competition with the existing intervening transportation facilities.''

A. Yes, sir. That is a part of the decision of the Board.

By Mr. Speer:

Q. And the Delaware, Lackawanna & Western Railroad runs from Montclair to Jersey City, does it not?

A. It does.

Q. And there is no appearance for the Delaware, Lackawanna & Western Railroad, is there?

A. An appearance for the Erie Railroad, G. R. James.

Q. But not the Delaware, Lackawanna & Western Railroad?

A. No, sir.

By Mr. Osborne:

Q. I show you the opinion in the case of Dominic Ferraro, July 28, 1927, (handing witness paper) and ask you whether you find in it a paragraph as follows: ''In order to eliminate any unnecessary competition on the existing facilities, the Board will impose certain restrictions.''

A. Yes, sir. That is a paragraph in the decision of the Board.

By Mr. Speer:

Q. And the decision itself is several pages long?

A. Yes, sir.

Q. And no appearance for any railroad?

A. C. S. Straw for Public Service Railway Company and two other appearances, one for the Bergen County Bus Company and the other for the Borough of Fairlawn. No railroad appeared.

Q. I would like to ask one question right there: Do you know a single restriction that has been imposed in this State in favor of any railroad?

A. Yes. I think the Board imposed—I am trying to think out loud ——

Mr. Osborne: Wait a moment. You should not think out loud on the record.

A. My answer is yes.

Q. Are there any substantial number of such?

Mr. Osborne: I object. The question is, what substantial number, that is rather vague.

Q. How many, do you know?

A. The one that I recall is an operation between Rutherford and Journal Square, Jersey City, where the Board ——

Q. In favor of the railroad?

A. Yes. I think the Erie was one of the parties who objected, as well as the Public Service, and of course the restriction, as I recall it, would benefit the Erie Railroad; that is between Rutherford and Jersey City.

Q. The one from Jersey City to Keansburg is another, isn't it?

A. Yes. That was a denial of the application; that was in favor of the Jersey Central Railroad.

Mr. Osborne: The Public Service Railway objected there, too. They always object, don't they?

Witness: In a great many cases.

Q. Which is something which can't be said for the railroads, can it?

A. I do not care to pass an opinion on that.

Q. Those are all you can remember?

By Mr. Osborne:

Q. Now, will you turn to the case of North Jersey Bus Company, Inc., decision of October 3, 1927, and tell me whether you find this language used in a paragraph by the Board: "The Board, therefore, will approve of the change of route with certain restrictions in order to eliminate any undue competition with existing transportation facilities."

A. Yes, sir; that is a paragraph in the decision of the Board.

Mr. Osborne: That is all.

By Mr. Speer:

Q. You read it so fast—I understood him to say "any undue competition."

A. Yes, sir.

Q. That is a long opinion of several pages?

A. Four pages.

Q. The route in this application of the North Jersey Bus Company would compete with the New York, Susquehanna & Western, a division of the Erie, would it not?

A. No, sir. This would compete with the Delaware, Lackawanna & Western Railroad from Paterson to Boonton.

Q. And there was no appearance for the Delaware, Lackawanna & Western Railroad in that case opposing it, was there?

A. No, sir. Mr. Straw appeared for the Public Service and Mr. Osborne for the Butler-Newark Bus Line.

By Mr. Osborne:

Q. Now, will you refer to the opinion of the Board in the matter of the application of Chevalier Bus Company, for approval of municipal consents for the operation of buses between Journal Square and the Township of Wayne, July 17, 1928, and tell me whether you find this language used by the Board in that decision: "The creation of a multiplicity of bus lines in a territory which apparently is now adequately served would not be in the public interest. The Supreme Court in this State, in the case of Hunter, Pros., v. the Board of Public Utility Commissioners, held: 'The State assumes to regulate the rates for transportation and the character of the service rendered. Morally and legally it should protect the business of the established utilities from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service.'"

A. Yes, sir; that is part of the decision of the Board in the case.

By Mr. Speer:

Q. That is only part of the long opinion or decision?

A. Yes, sir; it is five pages.

By Mr. Osborne:

Q. Now, will you turn to the case and produce the record of the decision in the matter of the application of the Paterson-Palisade Sightseeing Company for approval of municipal consents, May 15, 1928, and tell me whether in the course of its opinion the Board said, among other things: "The preservation of the utilities which are willing and able to furnish service to the traveling public continuously during the entire year appears to be in the public interest."

A. Yes, sir, that is a paragraph in the decision.

Mr. Speer: That is all.

Q. Will you turn to the decision of the Board in the matter of the application of the Journal Square Coach Transportation Company to operate five auto buses as a de luxe express service, rendered June 23, 1927, and tell me whether in the course of the opinion of the Board, among other things, it did not use this language, did not say this: "To add to the transportation facilities now existing would create a more intensive competition, which would not, in the Board's opinion, be in the public interest, but would have the usual effect of destructive competition in the proper maintenance of effective and adequate service now along the route."

A. Yes; that is a part of a paragraph in the decision of the Board.

Mr. Speer: Journal Square, Jersey City?

Witness: Jersey City and Closter.

Q. Mr. Bradley calls attention to the fact, which Judge Speer failed to note in this case, there was a railroad in the appearances.

A. The Erie Railroad was represented by Grover R. James.

Q. Now, will you turn to the opinion of the Board in the matter of the application of the Orange Coach Corporation, for approval of municipal consents to operate between and including Maplewood, Orange, East Orange and Journal Square, decision January 12, 1927, and tell me whether the following language was not used by the Board in this opinion, among other things, as a part of a paragraph: "Approval of the local consents given to the petitioner would result in unnecessary and wasteful competition which would not properly conserve the public interest."

A. That is the last part of a paragraph of the decision of the Board.

By Mr. Bradley:

Q. The railroads were entered in that, too?

By Mr. Speer:

Q. There was a re-hearing on this application, was there not, Mr. Drew?

A. Yes, sir.

Q. And on the re-hearing, notwithstanding on the original hearing the application had been denied, on the re-hearing it was granted, is that not true?

A. Yes, sir.

By Mr. Osborne:

Q. Was that on the application of the Public Service?
A. I think it was, yes.

By Mr. Speer:

Q. And in that case where the permission was granted, the D., L. & W. Railroad Company appeared and resisted the granting of the application, did they not?
A. Yes, sir, they did.

By Mr. Osborne:

Q. These cases which you have referred to, extracts from these cases which you have referred to, are merely excerpts from the opinion of the Board?
A. Yes, sir, they are.

Mr. Osborne: I think that is all.

By Mr. Speer:

Q. The cases to which you have referred are merely excerpts from the tremendous volume of opinions on cases of this kind that have passed before the Board for review?
A. A small part of it, yes.
Q. A small part.

By Mr. Osborne:

Q. You have the opinion in full in your hand from which you have been quoting?

A. Yes, sir, in each case.

Q. So that if there is any part which Judge Speer desires to have, they are now available; they are here?

A. Yes, sir.

Mr. Speer: Judge Speer concedes the whole thing to be entirely inadmissible and offers nothing.

Q. When you give notice to parties who may presumably be interested, where do you get your information as to whom notice should be given?

A. The Board has a printed application form for the approval of transfers, for the approval of municipal consents, and various different forms. There is a space on the application for the approval of local consents wherein information is asked concerning existing facilities that may be affected by the proposed operation. Then, in addition to that, the Board's inspectors at Newark, are supposed to be entirely familiar with present routes and they take this application and check it to see that all of the interested parties who wish to receive notice are advised of the hearing.

Q. So that primarily the information is taken, is furnished you by the applicant?

A. We expect the burden for that information shall be borne by the applicant.

Q. When did you first begin to notify the railroads of the applications for the approval of local consents by bus operators, if you know?

A. Under the original act the Board only had limited jurisdiction over the operation of bus routes where they paralleled tracks of a street railway. Later on the act was brought down to include all buses, and at about that time, which would be—I

don't recall the date, maybe you can furnish me the date—can you furnish me the date?

Q. The Act of 1926.

A. Yes, the Act of 1926.

Q. Prior to that Act the railroads were not notified as they had no standing, status in the matter?

A. Prior to that the railroads did not receive notice because the Act did not contemplate that operation should be affected; that is, they were not set forth in the Act similar to the tracks of the street railway; therefore, Mr. Barber took it that the railroads did not have to receive notice.

By Mr. Bradley:

Q. Is it not a fact until very recently you relied entirely upon the petitioners themselves or the public utilities that were interested, they were the only ones that were given notice?

A. Those are two questions. Not entirely. As I explained to you before ——

Q. I talked to you about it last Tuesday.

A. The Board's inspectors, I know of a number of instances and it was expected of them, that they would add to the list of persons to be notified, any utilities that they thought might be affected.

Q. It wasn't your policy to notify all the utilities and let them determine whether they were affected or not, all the utilities in the neighborhood or in that vicinity?

A. Any that we had knowledge of would get a notice. But of course it might be that the applicant, in preparing his application, if he didn't follow the strict printed form of the Board, it is possible that some might have been omitted.

Q. You know some that have been, don't you?

A. No, sir, I do not.

Q. What would you do when they didn't put any, any names of the utilities in the neighborhood?

A. I can only speak as of May first, because prior to that I wasn't in my position.

Q. You can only speak of before May first?

A. As of May first.

Q. Did you see the application of The Shore Service, Inc., to operate buses between Camden, Wildwood and Cape May?

A. Of what date?

Q. The first hearing was on May twentieth, of this year.

A. That appears to have been filed in April.

Q. What would you do if they came into your office without the name of any utility on them?

A. I have, since May first, I have given instructions that all applications shall be made on the form furnished by the Board, which has a place thereon for the listing of utilities who are affected by the operation.

Q. I understand the form all right, but suppose they don't have anything under that particular section; what would you do?

A. Then we assume that the application is properly filled out unless the inspectors at Newark, who are supposed to keep in touch with all applications, discover that it is improperly filled out; it would be returned to my office and I would, in turn, send it to the utilities.

Q. How long has that scheme been adopted?

A. Since the first of May.

Q. So that it is perfectly possible before that time there would be utilities that would be affected and would be interested in the application, that were not given notice because of the fact their names were not put on the petition?

A. The Board has had difficulty in the past due to the fact that interested persons, after a hearing had been held, came in and asked for a rehearing on the ground that they had not received proper notice. In an effort to correct that situation I am now insisting that all applications be made on the printed form.

Q. How many times do you know that that has happened, where they haven't been given notice?

A. Well, I couldn't say offhand, but wherever that is the case the Board readily grants the rehearing.

Q. Yes; provided that the utility company knew of it.

A. If they come in and say they received no notice it is perfectly obvious they didn't have their day.

By Mr. Speer:

Q. The practice of the Board is to give them their day?

A. Yes, sir.

Mr. Speer: That is all.

Mr. Osborne: That is all; thank you.

EDWARD F. HARRISON, sworn on behalf of Reading Transportation Company, et al.

Direct examination.

By Mr. Bradley:

Q. You are official photographer of the Reading Railroad Company and the Reading Transportation Company?

A. I am.

Mr. Speer: It is understood my objection goes to this line of testimony also. There is another objection also I wish to offer in advance.

Commissioner Kraft: You mean, to the testimony of this witness?

Mr. Speer: Yes, sir. The objection being that even if there were a violation of the restrictions placed by the Board, or any promise made by anybody at the hearing, that the appropriate tribunal to bring that matter up before is the Public Utility Commissioners, and it has no place in the present proceeding.

Q. How long have you been engaged in taking photographs for the Reading and its subsidiary lines?

A. Since 1909.

Q. At my request did you ride a line of the Public Service Coordinated Transport during the month of July, 1929?

A. I did.

Q. Will you tell me when?

A. It was August fifth, August tenth, August thirteenth and August sixteenth and August twenty-second.

Q. The request came in July and you rode them in August?

A. Yes.

Q. Will you state, please, what conversations you had with employees of the company where you boarded the bus and your experience on the trip?

A. On August fifth, "I want to get the bus for Atlantic City." Public Service bus starter No. 82 stated, "Right here; on the hour and every hour."

Q. Where was that?

A. At the Pennsylvania ferry.

Q. Where is that?

A. That would be the foot of Market Street.

Q. Philadelphia or New York?

A. No, Camden.

Q. All right; go ahead.

A. "Do you have to change at Berlin?"

Q. These are questions you asked?

A. I asked the starter.

Q. Start again and indicate what you asked and what was said. It is very technical here and we want it very accurate.

A. I asked starter No. 82, "Do you have to change at Berlin?" "Sometimes," the starter said, "sometimes if the bus for Atlantic City stops for repairs we run the Camden bus through, but not very often." "Q. If you get a full load for Atlantic City would you run through without change?" "A. Yes, on Sundays and holidays, but you will have plenty of room; traffic is not heavy at this time." This was at 12.30 P. M. Then I made a picture of the sign posted on the starter's stand.

Q. What day?

A. The same day, August fifth.

Q. Witness is being shown Volume No. 3 of the state of the case, West Jersey & Seashore Railroad and the Pennsylvania General Transportation Company, prosecutors, v. Board of Public Utility Commissioners of the State of New Jersey, and so forth, defendants, Atlantic City Railroad and Reading Transportation Company, prosecutors, v. Board of Public Utility Commissioners, et al., defendants, on page 41 (handing witness volume) and is asked if he took the original from which this exhibit was made?

A. Yes, I made that photograph.

Q. Will you produce the photograph itself?

A. This is the contact print here. (Producing photograph.)

Mr. Bradley: I offer this in evidence.

Mr. Osborne: Is this a photostatic copy of the exhibit?

Witness: This is an enlargement.

Mr. Osborne: Not a photostatic enlargement?

Witness: No.

Mr. Osborne: It is an enlargement of the exhibit, isn't it?

Witness: It is an exact reproduction of the picture, I just handed you to be marked; only this is an enlargement.

Mr. Osborne: Made from the same film?

Witness: Made from the same film.

Q. Is that a copy of that picture which you took on page 41? (Indicating.)

A. On page 41 is an exact copy of the picture I made, from the same negative.

Mr. Bradley: I will withdraw the offer.

Q. On page 42 of the same record, what is that title at the top of picture 2A?

A. It is a picture of the same sign as seen on page 41, fastened on top of double-deck bus of the Public Service Corporation.

Q. Did you take that picture?

A. I did.

Q. And does this exhibit on page 42 correctly represent the picture as you took it, except it is enlarged?

A. It is.

Q. Please proceed.

Mr. Speer: I renew the objection made the last time, that this is not a Public Service bus at all, and there is no proof it is, and no person has seen it operate.

Mr. Bradley: Yes, there is proof you are operating it.

Mr. Speer: We object on that ground.

(Discussion.)

Q. Where was this bus?

A. Standing opposite the Public Service starter's

stand in Camden, at the foot of Market Street. You can see the bus standing.

Q. Do you happen to have a front view of that bus?

A. No, there is no sign on the front of the bus at all. The places where the sign would appear were blank.

Q. Does the same kind of a sign appear here as on the starter's box?

A. Yes, it does.

Q. Will you continue?

Mr. Speer: What do you mean by "here?" What do you mean by sign on the starter's box?

Q. Does the same sign that appears on Exhibit —

A. Page 41 ——

Q. 42. Was it the same identical sign that appeared on Exhibit 41 on the starter's box?

A. Yes.

Q. On 42 it appeared on the side of that double-decked bus standing down there by the Camden & Philadelphia Ferry Company terminal?

A. Yes, the foot of Market Street.

Mr. Speer: The bus in the picture that Mr. Bradley just had in his hand, is that the one you mean?

Witness: Yes.

Q. Go ahead.

A. Having time to wait for the bus, I went to the opposite side and asked Public Service bus starter No. 85, "Where do you get the Atlantic City bus?" "On the other side; on the hour."

Mr. Speer: I want to renew my objection, that a mere casual conversation, had while a gentleman was waiting for a bus, without any purpose of taking the bus or performing any business transaction in connection with it, is utterly inadmissible.

Q. Did you ride the bus?
A. I did ride the bus.
Q. Were you endeavoring to secure information about those buses?
A. Yes. I wanted to make sure I got on the bus you wanted me to.

Mr. Osborne: On the through bus?

Witness: On the through bus.

Mr. Speer: There is no such thing as a through bus, you proved it yourself.

Mr. Osborne: Is that on the record?

Mr. Speer: Yes.

Witness: The starter—question to the starter No. 85: "Where do you get the Atlantic City bus?" "On the other side; on the hour, every hour."

Q. Wait a minute. You say, "On the hour, every hour;" you better give the question and the answer.
A. The answer was, "On the hour. On the other side; on the hour; every hour." "Q. Do you have to change at Berlin?" "A. I don't know." On August tenth, 1929 ——
Q. Did you ride the bus that day?
A. Not that day. I made the photographs that day.

Mr. Speer: You didn't mean to ride the bus that day, did you?

Witness: I intended to, yes.

By Mr. Speer:

Q. Did you ask him at that time in order to enable you to take passage down on that bus?

A. Yes.

Q. Why didn't you?

A. I had another engagement, more important.

Q. You had that when you went to ask him?

A. No.

Q. When did you make it?

A. It was made after I made the inquiry.

Q. What was this other engagement that was more important?

A. It was a personal call.

Mr. Bradley: I object. I think it is incompetent, irrelevant and immaterial.

Mr. Speer: I insist on the question.

A. It was a personal call; pertinent to the patent office.

Mr. Bradley: Do you want to cross-examine after each question, or wait until the end?

Mr. Speer: We will do it sometimes one way and sometimes the other, if there isn't objection.

Mr. Bradley: There is.

Mr. Speer: Then I will wait until you finish.

Witness: August 10, 1929, at 9 A. M., bus from Atlantic City did not arrive. I was waiting for that particular bus and was informed they had a breakdown. At 9.20 A. M. I was instructed by the starter to take this bus, which was marked "Berlin," and he had a full load and one got off and I got on.

By Mr. Bradley:

Q. Where was this bus you got on?
A. At Market Street, Camden.
Q. The same place?
A. The same place.
Q. All right.
A. It was B-2618, that was the bus number. The bus went through Berlin, stopped at the garage for oil and gas. At the hotel in Berlin six passengers off and five on.

At 11 A. M. the bus stopped near Ancora and would not go. There was a bus came from Atlantic City with no passengers in it and the bus driver stopped the Atlantic City bus and changed the passengers that got on the bus for Atlantic City to the Atlantic City bus B-2383. Frank Murry, No. 7573, the driver on the A. C. bus, took charge of our stalled bus, and the driver from Camden to Atlantic City took charge of the Atlantic City bus; in other words, took us through. He stated that the driver from the Atlantic City bus, stated his bus was out since 4 A. M. and they looked out for gas and oil, Inspector No. 90 ——

Q. Wait a minute. How far did you continue on that bus from the terminal?
A. Why, until it stalled.
Q. Then you boarded another bus?

A. They transferred the passengers to the bus coming from Atlantic City; it had no passengers.

Q. You continued the trip that way?

A. Yes.

Q. Other people did the same that were on the bus?

A. Yes.

Q. Any others that had gotten on at Camden?

A. I should say they had, yes.

Q. Then what was the next trip you made? Did you come back that day?

A. No. I didn't come back that day.

Q. Is Ancora below Berlin, toward Atlantic City, below Berlin?

A. Yes.

Q. How long would you think it took to go from Berlin to Ancora?

A. The bus started at 11 A. M.

Q. What time did you leave Berlin?

A. I don't know.

Q. Do you know about how long it was?

A. I can give you the time I left Camden. The bus only stopped to let off passengers and take passengers on.

Q. Then when did you next make inquiry or get on one of these buses?

A. August thirteenth.

Q. Where did you go that day?

A. Bus B-2615 ——

Q. No. Where did you go?

A. Went to Atlantic City.

Q. Where did you go to board the bus?

A. Boarded the bus at Market Street, Camden, and went to Atlantic City.

Q. Did you make any inquiry that day concerning buses?

A. Yes; from the starter.

Q. What starter and what number?

A. I didn't get the starter's number, but the same starter, the same place all the time.

Q. What did you ask him and what did he say?

A. I asked him how long the next bus would be to Atlantic City. "He said on the hour, every hour. You can take a bus at quarter past, thirty or thirty-five or forty-five; you have to change at Berlin."

Q. Did you talk to more than one starter that day?

A. No, the same.

Q. Did you board a bus?

A. I did.

Q. What bus?

A. Public Service Corporation bus.

Q. What bus?

A. Route No. 60 and 100.

Q. Where did you ride?

A. Atlantic City.

Q. Clear through on that bus?

A. No. I changed at the hotel in Berlin that day.

Q. Then did you come back that day?

A. No.

Q. Where is the next trip you made?

A. August sixteenth, I made a trip.

Q. Where did you go to get on?

A. I made the trip from the same place to Berlin; they changed that day.

Q. How close was the connection?

A. They stepped off one bus onto the other. The Atlantic City bus was waiting for them.

Q. Is that the same thing that happened the previous time?

A. Yes.

Q. Did you make a through trip any other time?

A. I did, August twenty-second.

Q. Where did you get on the bus?

A. I left Atlantic City at 9.30 P. M. on bus B-2742, C. L. Lentz, No. 7565, was the driver; he collected one dollar at Berlin. Then he collected thirty-five cents from Berlin to Camden.

Q. You stayed on the same bus?

A. I did.

Q. Where did you get on that bus?

A. Atlantic City.

Q. Where did you get off?

A. Camden.

Q. And you didn't, as I understand, you didn't change at Berlin at all?

A. No.

Q. It was a through bus?

A. Right through bus.

Q. Is that all you have ridden them?

A. That was all.

Q. Did you get receipts for your ——

A. You have to surrender the receipts, but I was able to keep ——

Q. On the through trip was the only one you were able to retain the receipt?

A. I have the receipt here for the twenty-second.

Q. That was on the through trip from Atlantic City to Camden?

A. Yes.

Q. These two tickets that you handed me, dated August twenty-seventh at the top, 984 and August twenty-second, 994, represent the tickets you secured from through trips from Atlantic City to Camden?

A. They do.

Q. And by "through trips" you mean the trips on which you boarded a bus of the Public Service in Atlantic City and did not get off that particular bus until you got to Camden; they brought you all

the way through from Atlantic City to Camden without changing buses?

A. That is right.

Mr. Bradley: I offer these two in evidence.

(Receipts marked Exhibit P10, Sept. 30, 1929, and P11, Sept. 30, 1929, respectively.)

Q. I show you what purports to be a time-table and various schedules (handing witness paper), and ask you where you secured that?

A. At the starter's stand in Atlantic City and on August twenty-second.

Mr. Bradley: I offer that in evidence.

(Time-table marked Exhibit P12, Sept. 30, 1929.)

Mr. Bradley: Cross-examine.

Mr. Speer: That is all.

Arthur T. Warner, sworn on behalf of prosecutors.

Direct examination.

By Mr. Osborne:

Q. Prior to the decision of the Board in the matter, under date of September 27, 1929, was a bus or trolley service in operation between Hammonton and Egg Harbor on the White Horse Pike?

A. Yes, sir.
Q. There was?
A. Yes.
Q. Between Hammonton and Egg Harbor?
A. Yes.
Q. Doing business between those two points?
A. You didn't ask that. You asked if there was a bus.
Q. I know I didn't ask that. That is a captious answer.

Mr. Speer: I object to that.

Mr. Osborne: He knows perfectly well what I mean.

Mr. Speer: The witness said you didn't ask that question. If you ask what you want to know ——

Mr. Osborne: I will repeat the question.

Q. Was there a bus line doing an intrastate business between Hammonton and Egg Harbor prior to the decision of the Board, July twenty-seventh?
A. No, sir, there was not.

Mr. Bradley: What was the answer?

Witness: No, sir, there was not. There were Pennsylvania ——

Mr. Bradley: Don't volunteer. You have answered the question.

Q. What local transportation was there between those points?

A. There wasn't any.
Q. Was there any railroads operating?
A. There were railroads operating; not on the White Horse Pike.

Mr. Osborne: Will you read the question? I think I said nothing about the White Horse Pike.

A. The whole.

Mr. Osborne: Read the question.

Q. (Question read.) What local transportation was there between Hammonton and Egg Harbor?
A. On the White Horse Pike?
Q. Will you repeat the question?

Witness: I am trying to get it clear.

Mr. Speer: I don't understand it at all.

(Question and answer read.)

Mr. Speer: What kind of transportation; bus, trolley, railroad or what?

Mr. Osborne: Any kind of transportation between those two points.

Mr. Speer: I suppose you start with taxi-cabs. The witness is entitled to clear questions.

Witness: What was your question?

Q. You understand what I want to know, Mr. Warner.

A. I was trying to give it to you so as to make the thing plain.

Q. You were?

A. Yes. You know I was, too.

Q. Let us try again. Will you tell us what means of transportation existed prior to the decision of the Board in this case, between Hammonton and Egg Harbor?

A. The service of the Pennsylvania Railroad and the Reading Railroad.

Q. That is all?

A. That is all.

Q. By that, I suppose you mean the West Jersey & Seashore Railroad and the Atlantic City Railroad?

A. Yes, sir; whatever they are as to title.

Q. Prior to the decision of the Board the service of the Public Service Coordinated Transport, terminated, from Camden out, terminated at Hammonton, did it not?

A. Yes, sir.

Q. That is bus and trolley service?

A. Bus service.

Q. Where did the trolley service terminate?

A. The trolley service terminated at Clementon.

Q. And the bus at Hammonton. On the other hand, the Public Service operated one bus from Atlantic City west to Egg Harbor, did it not?

A. Yes, sir.

Q. Do you remember the date when that bus was purchased?

A. No. I think it is in the record.

Q. I think it is, too; I am not sure about it. Do you know where Lindenwold is?

A. No; not without a map in front of me.

Q. Didn't your street railway service on the trolleys previously end there?

A. No, sir.
Q. Three miles from Berlin?
A. No, it ended at Clementon; right there at the creek in Clementon.
Q. Is that east or west of Berlin?
A. That is west of Berlin, southwest.

Mr. Osborne: That is all.

Cross-examination.

By Mr. Straw:

Q. You may have been able to understand what Judge Osborne was trying to ask you; I didn't, frankly; I am wondering whether you will clarify the situation for me. Prior to the decision of the Board in this hearing, what facilities operated locally on the White Horse Pike between Hammonton and Egg Harbor, if any?
A. Operating locally?
Q. Yes.
A. You mean by that, doing a local intrastate business?
Q. Doing a local intrastate business.
A. Between Hammonton and Egg Harbor on the White Horse Pike?
Q. No. What facilities operated that were not doing a local intrastate business?
A. A large apportionment of interstate buses, owned by the Reading Transportation Company, the Pennsylvania General Transportation Company, the P. R. T., or whoever operated them, some by the Schultz Management and some by various independents.
Q. Between Hammonton and Egg Harbor there were rail operations, were there not?

A. There were rail operations; the time-table shows the amount of them.

Q. Does it show the local business between Egg Harbor and Hammonton?

A. Not as I understand the interpretation of the word "local," no.

Q. The time-tables are in evidence?

A. The time-tables are in evidence and they show the few trains that made stops at the station in that section.

Q. Other than that so-called local service on the railroad there was no intrastate local service of any kind or description, the taxi-cabs and so forth excepted, between Hammonton and Egg Harbor, was there?

A. That is right.

Mr. Straw: That is all; on this phase of it.

Mr. Speer: Now he is our witness.

(Discussion.)

By Mr. Speer:

Q. You are general manager in charge of traffic of Public Service Coordinated Transport?

A. Yes, sir.

Q. You have been connected with the transportation organization of Public Service since 1910?

A. Yes; June, 1910.

Q. Will you just in your own way, tell us what the situation is with respect to that transportation on the matters now under investigation and scrutiny?

A. I have been connected with the transportation organization of the Public Service since ——

Mr. Bradley: Will you read that question?

(Question read.)

Mr. Bradley: I would like to have it indicated the witness is reading from a paper.

Mr. Speer: Surely.

Witness: Nobody wrote this. I wrote it myself.

Mr. Osborne: May I make this suggestion, in reading the statement which Mr. Warner now proposes to do, we have no opportunity to interpose objections as we would have if the examination were conducted in the question and answer form. Personally, I don't know how my colleagues feel, I have no objection to this course being pursued if it is understood that our right to object is reserved until the completion of the statement.

Mr. Speer: I agree to that. I don't want to try to trip you by things you can't object to.

Q. All right; go ahead.

A. I have been connected with the transportation organization of the Public Service since 1910. The Act of 1911 created the Public Utility Commissioners and gave them the powers of supervision that they now possess. I have assisted in the preparation or presentation, or both, of every case involving Public Service transportation agencies before the Board of Public Utility Commissioners since its creation in 1911. I am, therefore, personally familiar with the entire history of utility regulation in this State as far as Public Utility Com-

mission hearings and decisions are concerned, with transportation agencies.

Prior to 1921 there was no regulation for buses except the provision of the Kates Act of 1916, calling for insurance and taxation. The passage of the so-called Elliott Bill in 1921 placed buses, whose route paralleled in whole or in part a street railway line, under the jurisdiction of the Board and made it necessary for such buses to prove necessity and convenience for their operation over such routes.

The first hearings under this Act were held in Camden, in May, 1921. There were applications for buses paralleling both the Reading and the Pennsylvania line. Judge Osborne at that time was president of the Board. Mr. Baldwin was present at that hearing, representing Arthur A. Hunter. The record of that hearing shows that the only objector to all these applications was Public Service Railway. These applications included lines to Blackwood and Haddon Heights, both paralleling the Reading service; or Atlantic City Railroad, or whatever it is called; lines to Merchantville, Gloucester, Brooklawn, and through Woodbury to Swedesboro, all paralleling the Pennsylvania and the West Jersey & Seashore Railroads. This hearing was the subject of considerable newspaper comment both before and after, but in spite of this there was not a single railroad objector and not a word on the record from any of the railroads involved.

From 1921 on, the Board has been flooded with applications for the approval of local consents to operate buses. From all branches of our organization we have sought the help of the railroads in fighting these cases. The records of the Board show large numbers of cases through that period where

there were no appearances by any representative of any railroad. We literally begged the railroad organizations to come in and help us. They were very luke-warm ——

Mr. Osborne: What is that?

Witness: We literally begged the railroad organizations to come in and help us.

Mr. Osborne: I want it to appear on the record now, I think this line of examination is entirely incompetent and beyond the pale of any excuse. He is now attempting to tell what the record of the Board shows over a period of years and what he or the company begged the railroads to do. It is manifestly improper, it would not have been admitted if there was anyone here to rule on the testimony. I can't sit here and listen to this long tirade, of this character, and let it go in without imposing my very serious objection.

Q. Go ahead.

A. (Continuing.) They were very luke-warm about it and finally consented in some cases to have their attorneys appear. When such appearances were filed, however, they were merely perfunctory ones. Cases were not prepared and in many instances absolutely no testimony was given. I have already mentioned several of the cases at the first hearing in Camden, in May, 1921. In that list were: West Jersey Transportation Company to run to Blackwood, paralleling the Reading; J. Donohue to Merchantville, paralleling the Pennsylvania; Lettie M. Slim to Merchantville, paralleling the Pennsylvania; Benjamin Mackler to Haddon Heights,

paralleling the Reading Railroad; G. H. Berry to Haddon Heights, paralleling the Reading Railroad; Samuel Hurwitz to Haddon Heights, paralleling the Reading Railroad; Arthur A. Hunter to Swedesboro, paralleling the West Jersey & Seashore Railroad.

On June 20, 1921, in the cases of Joseph B. Owen to Gibbstown, paralleling Pennsylvania Railroad; Paul S. Denlinger to Haddon Heights, paralleling the Reading; Horace S. Brewer to Williamstown, paralleling the Reading; Arthur A. Hunter to Swedesboro, paralleling the Pennsylvania Railroad. No appearances were entered on behalf of either the Reading, Pennsylvania or the West Jersey & Seashore Railroad.

The situation was also true in the northern part of the State. The application of the Butler-Newark bus line, which parallels the Erie and Susquehanna Railroads over a large part of its route and the Mountain Lakes bus line, which paralleled in part the Lackawanna Railroad, were not contested by the railroads. The first case covering these routes was held in Newark on August 4, 1921. On September 13, 1921, in Trenton, applications of Benjamin Mackler and William McLaughlin to operate from Berlin to Camden, there were no appearances by any railroad representative. That is the start of this whole situation, those first buses from Berlin to Camden.

On September 23, 1921, at hearings involving transfer of permits between Perth Amboy and Carteret, although both the Pennsylvania and the Central Railroads were paralleled, there were no appearances.

Through 1921 we kept pounding at the railroads, asking them for more cooperation in opposing independent bus applications. Their attitude continu-

ally was one of lack of interest. They would claim that they did not have notice. I offered to give notice to them and I know that Mr. Gilmore, Mr. Wakelee and Mr. Blake have made similar offers several times. Even if these railroads did not receive notices, if they really had the interest at that time, that they now claim they had, it would have been a very simple matter for a local railroad agent to call at the Board's offices in either Trenton or Newark, where access is always obtainable to the Board's calendar as a public record. As a matter of fact, there was a former trainmaster of the West Jersey & Seashore Railroad situated in Camden, who was at the Board's offices in Trenton about every time I was there. The man's name slips my mind now, but I remember his face perfectly well. I have seen him up there dozens of times; he always told me he was looking to find out what cases were on.

Mr. Bradley: I object to that. That isn't part of what he is reading. I object to that as incompetent, irrelevant and immaterial, and pure hearsay.

Mr. Osborne: It is really taking advantage of this situation to introduce this matter that otherwise wouldn't be admitted.

Mr. Bradley: My objection was going to be made after he read the paper. I was reserving my objection to reading the whole paper until he finished.

Witness (Continuing): My own organization now operating through 344 municipalities makes it a regular practice to cover every single municipal

meeting and in this way all matters pertaining to our company coming before municipal bodies are reported to us. It is inconceivable that the railroad companies themselves seriously accept their present statement that they had no notice of the hearings.

In 1922 we find the situation which existed in 1921 was largely continued. There were some railroad attorneys who occasionally filed an appearance in a case, but it was very evident that their presence and point of view was a matter of form, perfunctory and with no adequate preparation of their case. In looking over very hurriedly records of the Board's calendar in 1922, I note the following cases where the records will show no appearances by railroads: Butler-Paterson, hearing held January 4, 1922, Erie and Susquehanna both affected, no appearance. Mountain Lakes-Newark line ——

Mr. Bradley: Between what places was that?

Witness: Butler and Paterson. Second case. Mountain Lakes-Newark, twenty-sixth of April, 1922, the Lackawanna Railroad parallels, and no appearance. The twenty-second of June, 1922, Perth Amboy-Carteret, both Pennsylvania and Central Railroads affected, no appearance.

The Camden-Berlin, thirtieth of January, 1922, application of Joseph F. Gasier; Judge Neutze appeared for the West Jersey & Seashore Railroad but introduced no testimony.

Camden-Turnerville, fourth of June, 1922, parallels the Atlantic City Railroad, Mr. Bradley appeared but offered no testimony.

Camden-Wrightstown ——

Mr. Bradley: Where was that?

Witness: Camden and Turnerville, in which you appeared and offered no testimony.

Camden-Turnerville, fourth of June, 1922.

Camden-Wrightstown, third of July, 1922, parallels the Pennsylvania Railroad, Mr. Apgar appeared, but offered no testimony.

Camden-Audubon, thirteenth of November, 1922, parallels West Jersey & Seashore Railroad and Atlantic City Railroad; Mr. Bradley appeared and introduced a time-table.

Camden-Williamstown, 12/18/22; application of Horace L. Brewer, parallels Atlantic City Railroad; Mr. Bradley appeared and presented no testimony.

Mr. Bradley: Where was that?

Witness: Camden to Williamstown; Horace L. Brewer, eighteenth of December, 1922.

In 1923 and 1924 the situation continued. If the railroad attorneys appeared at all, they conducted a perfunctory handling of the cases with very apparently no preparation and if any testimony was offered it consisted merely of a time-table. I recall one case which is perhaps typical of the interest the railroads were taking at that time: A representative of the Lackawanna Railroad, who should have been interested in a case of an independent bus paralleling the Lackawanna line, noted after the calendar was called that this case was well down on the list. He turned to Mr. Blake, general solicitor for the Public Service, asked Mr. Blake if he would enter an appearance for him and left a bundle of Lackawanna time-tables to be filed as his evidence. When this case was called Mr. Blake entered an appearance for this gentleman of the Lackawanna Railroad and intro-

duced the Lackawanna schedules. Now the railroads point to the appearance of this Lackawanna representative in this case as evidence of the interest they were showing, when he was probably five or six miles away.

If this Court could take the time to examine in detail records of the cases before the Board of Public Utility Commissioners in 1921, 1922, 1923 and 1924, they would see how lacking and how desultory the railroad interest was. I have discussed in detail cases that took place in 1921, 1922 and 1923, that took place in that period, but for the sake of brevity I shall just name by title cases commencing with 1924.

Starting the seventh of January, 1924, Riverside-Palmyra, application of George D. Steedle, parallels Pennsylvania Railroad, no appearance.

January 24, 1924, Paterson-Bloomfield, application of Benjamin Huff, Lackawanna Railroad parallels, no appearance.

April 3, 1924, Perth Amboy-South Amboy, Wolf Cohen, application, parallels Pennsylvania and Central; no appearance.

April 7, 1924, Camden-Billingsport, Mr. Baldwin's case; Joseph B. Owen was the applicant; Pennsylvania Railroad parallel, no appearance.

The tenth of April, 1924, Perth Amboy-New Brunswick; the Grey Bus Line; parallels the Pennsylvania Railroad in part; no appearance.

The tenth of April, 1924, Paterson-Butler, A. Lydecker, parallels the Erie and Susquehanna; no appearance.

The fourteenth of April, 1924; Camden-Billingsport; Joseph B. Owen again; parallels the Pennsylvania; no appearance.

The twenty-eighth of April, 1924, Tacony-Pal-

myra, George D. Steedle, Pennsylvania Railroad parallels and no appearance.

The twenty-eighth of April, 1924, Camden-Billingsport; Joseph B. Owen, another hearing; Pennsylvania Railroad parallels; no appearance.

Same case was heard further on the fifth of May that year. No appearance then.

Fifteenth of May, 1924, Butler-Newark; Butler-Newark Bus Company; parallels Erie and Susquehanna in part and the Lackawanna in part; no appearances.

The twenty-sixth of May, 1924; Alcyon Park-Pitman; G. R. Wood; West Jersey & Seashore Railroad parallels; no appearance.

The twenty-third of June, 1924, Camden-Berlin; Berlin Bus Company, N. Kubiak, J. T. Gasior; parallels West Jersey & Seashore and Reading, and Judge Neutze appeared on behalf of the West Jersey & Seashore or the Pennsylvania, whichever it was, and he testified himself.

Mr. Bradley: What line was this?

Witness: Camden-Berlin. You weren't there.

Mr. Bradley: I didn't know about it.

Witness: The eighth of September, 1924, Camden-Riverside line, B. J. Maguire; Mr. Baldwin was his counsel, if I remember; the Pennsylvania Railroad parallels and no appearance.

The eighteenth of November, 1924, Hightstown-New Brunswick, application of Israel Weisberg, Pennsylvania Railroad parallels and no appearance.

The eighth of January, 1925, Perth Amboy-Carteret; application of J. Horvath; Pennsylvania Railroad and Central Railroad parallels; no appearance.

The twenty-third of February, 1926, Trenton-New Brunswick; Motor Transportation Company; Pennsylvania Railroad parallels; no appearance.

The eighteenth of November, 1926, Maplewood-Journal Square, Jersey City; Orange Coach Company, first hearing.

Mr. Bradley: I didn't hear that. Witness is kindly requested to read from his paper in an intelligible fashion so that counsel can hear.

Witness: All right. Listen and you will hear.

Mr. Speer: You will put on the record at the same time, counsel was talking with his conferer and apparently couldn't hear at the same time.

Mr. Bradley: Also put on, that isn't a fact.

Witness: Eighteenth of November, 1926, Maplewood-Journal Square; the Orange Coach Company; Lackawanna presented the first case that had real indication of showing adequate preparation.

The thirtieth of December, 1926, Newark-Asbury Park. First application of A. Soellner, Pennsylvania and Central Railroads parallel; the Central Railroad presented its case, but the Pennsylvania Railroad did not.

The twenty-third of January, 1927, Philadelphia-Asbury Park; application of Philadelphia-Asbury Park Coach Company; Mr. Conway appeared for the Pennsylvania Railroad, but offered no testimony.

The twenty-seventh of January, 1927, Newark-Asbury Park. Another hearing in the case of A. Soellner; the Pennsylvania and the Central Railroad parallel; the Central appeared and offered testimony.

The twenty-seventh of January, 1927, Philadelphia-Asbury Park, Vail Burke Coach Company; the Pennsylvania Railroad appeared and put in a full case. This is the latter part of 1926 and through 1927 when you were getting work up.

(Last of answer read.)

Witness: The eleventh of April, 1927, Camden-Riverside; application of B. J. Maguire, parallels the Pennsylvania Railroad and the Pennsylvania Railroad filed a time-table.

The fourteenth of April, 1927, and the twenty-second of April, 1927, Jersey City-Asbury Park; the application of J. Farrell, parallels both the Pennsylvania and the Central Railroad; both railroads appeared and filed schedules.

The eighth of December, 1927; application of South Orange Independent Bus Owners for extension of line to South Orange; Judge Osborne's case. No appearance for the Lackawanna Railroad. Rehearing on the same matter the ninth of May, 1928. The Lackawanna Railroad still affected; no appearance.

It is only necessary to make a casual study of the records of the Board, of bus cases before the Board in the last eight and a half years to see that the railroads expressed little or no interest in bus operations before 1925 and 1926. During the elementary period of development there was no serious opposition to buses on the part of the railroads. They told us very frankly they did not consider the buses seriously; they would help us if they could, but that it was our problem.

In the spring of 1926, when the Reed-Bacharach bill to place bus operation under regulation over the

Camden Bridge and through the Holland Tunnels was before the Federal Congress, our vice-president, Mr. Wakelee called on the Pennsylvania Railroad officials in Philadelphia, seeking their assistance. Even as late as that time he was informed that the Pennsylvania had no interest in the passage of this legislation.

In a conference with Mr. Deasy of the Pennsylvania Railroad just this last spring I reminded him of the stand that his outfit took concerning the Reed-Bacharach bill. First he said he did not know anything about it, but later said they had changed their minds. Mr. Baldwin, who is now here representing the Reading Railroad, and Judge Osborne who, from 1921 to 1925 was chairman of the Board of Public Utility Commissioners, will certainly recall the pitiful efforts made by the railroads to present cases against bus applications those days. It was not until the bus had established itself as a means of transportation; had taken its place in the field of local service and was developing itself as a carrier, that the railroads started to take an interest. If they had fought independent applications in those early days with anything like the vigor with which they now oppose Public Service applications the bus situation in this State might have been different. Certainly we would not have the feeling that we were being double-crossed.

As late as April of this year, in the matter of the rehearing of the Nevins case to operate buses between Jersey City and Camden, in which the Pennsylvania Railroad was vitally interested, as was the Public Service, we filed the presentation of a very elaborate case. The attorney for the Pennsylvania Railroad offered no new evidence of any kind, no attempt to bring their service up to date and to meet the many new facts that had been injected into the

case. They were content to rest on the case as we had presented it. Their attorney then turned to Mr. Straw with the remark that he (Mr. Straw) would probably file a brief any way so the Pennsylvania Railroad didn't think it necessary. I, personally, remonstrated with Mr. Deasy of the Pennsylvania, concerning the way this case was handled and Mr. Deasy referred it to Judge Osborne, who at that time had just been retained.

Just to show that these remarks of mine, that I can check up with them ——

Mr. Bradley: I object to this.

Witness: You gentlemen had ——

Mr. Bradley: I move this be stricken out as incompetent, irrelevant and immaterial. This is not part of this lengthy statement which the witness is reading from the paper, on which we agreed to reserve our objections until he is through.

Witness: In view of the fact that the real attitude of the railroads is not disclosed by the decisions of the Board, which state merely the lawyer's record appearance, when, in some cases, he was away off, but rather an examination of the record will disclose such lack of preparation; the real way to handle the matter is by an examination of the court record rather than by simply a recourse to the decision.

Mr. Bradley: Isn't that part of the paper you are reading or are you interpolating?

Witness: You can call it both.

Mr. Bradley: I object. I move it be stricken from the record as incompetent, irrelevant and immaterial, as not part of the statement of this witness which he is reading from any record, which we agreed not to object to until the statement is complete.

Mr. Speer: All right. Proceed.

Witness: Considerable agitation has been displayed by the railroads in the present case because of alleged through operation of buses between Camden and Atlantic City. At the last hearing in Atlantic City I testified that we did not plan to operate through service. Instructions to that effect were given out. The orders for the service as approved by the Board called for schedules from Camden to Berlin and Hammonton and from Atlantic City to Berlin. The two routes had been kept separately in our records and there is no such thing as a through ticket. Even the witnesses for the railroad testified he purchased two tickets and paid two fares. Owing, somewhere along the line, to a misunderstanding or misinterpretation of what I considered very positive orders, some buses have run through. Our supervisory forces claim that this was confined largely to vehicles that were being transferred between Egg Harbor and Berlin and Camden for purposes of overhauling or repair. Whatever it was it was against our instructions, a misinterpretation of orders, and I immediately after the hearing of September twelfth, which was the first personal knowledge I had of it, I made it my business to see that all buses of that description and for any purpose were not operated in through service.

We can go out practically any minute ——

Mr. Bradley: Have you finished reading?

Witness: I have finished reading but I had a thought ——

Mr. Bradley: We object to this as incompetent, irrelevant and immaterial and I move that the statement as read by the witness be stricken from the record.

By Mr. Speer:

Q. What were you going to say?
A. I wish to say this: You can go out practically any day and see the Reading Railroad doing an illegal business along the White Horse Pike. I gave Mr. Bradley a list just now of cases which came to my attention this morning.

By Mr. Bradley:

Q. Where did you get the information?
A. I got the information from the supervisor who saw it.
Q. Who?
A. In Atlantic City this morning.
Q. Who is the man?
A. What is the name?
Q. Give us the name; you say you got the name; where did you get the information?
A. From Mr. Harper.
Q. So you don't know anything about it personally?
A. I didn't see it myself, no, sir.
Q. You are willing to come here and testify to certain things you don't know anything about except hearsay?

A. I said it was hearsay.

Q. Your purpose was to get hearsay into the record, wasn't it?

A. No. The purpose was to give you a chance to get your own hands clean. I told you before I went on the stand so you can do it.

Q. Between Butler and Paterson there is only one railroad running through service, isn't there?

A. Butler and Paterson?

Q. Along that route; there is only one railroad running through service?

A. Both branches, the Erie and the Susquehanna along that route.

Q. Where does the Erie Railroad run from Paterson to Butler?

A. Runs from Wayne to Butler.

Q. Is Wayne between Paterson and Butler?

A. Yes.

Q. Where is Wayne?

A. Wayne is on the Pompton Turnpike.

Q. That is a station between Paterson and Butler, is it?

A. Yes.

Q. Just give me the stations between Paterson and Butler?

A. Each one of them?

Q. Yes. I know them.

A. I can't do it.

Q. Can you give any? Where does Wayne come in?

A. Wayne is on the Pompton Turnpike.

Q. Isn't it a fact between Butler and Paterson, the only railroad that runs there is the New York, Susquehanna & Western, a branch of the Erie?

A. Yes.

Q. And the Erie operates no trains between Butler and Paterson?

A. Well, ——

Q. Is it or is it not a fact?

A. The Erie operates no trains between Butler and Paterson that is true I guess.

Q. Then you are mistaken?

A. No; a branch of the Erie follows it.

Q. Where does it go? I am familiar with the route.

A. Out of Butler and follows all the way down the line. I am correct on it; they are paralleling a branch of the Erie Railroad.

Q. I am speaking of the service between Butler and Paterson.

A. All the way through? No; you are correct on that. Part of the route, in part, parallells.

Q. You spoke of Horace L. Brewer application between Camden and Williamstown, was it?

A. Well, we had several in here at different times.

Q. Can't you tell us what you testified to without reading your paper?

A. No.

Q. Who prepared the paper?

A. I did.

Q. Who looked at it after it was prepared, before you came here today and spoke on it?

A. I showed it to Judge Speer and Mr. Straw, both of them.

Q. Do you know who helped pass on it before they gave you permission to read it?

A. No one.

Q. Let us see the paper.

A. Outside of my secretary and the typewriter.

Q. Who told you to get this up; who suggested it?

A. I suggested it myself.

Q. To whom, Judge Speer and Judge Speer said it was a good thing?

A. Yes, sir.

Q. Did Judge Speer know all the hearsay that was getting injected into the record by means of this paper?

A. I don't know.

Mr. Speer: I object to the question. That question contains an assumption of fact.

Q. (Question read.)

A. He knew what was in it because he saw ——

Q. Did he make suggestions or changes?

A. No, sir, I don't think so.

Q. You know, don't you?

A. I don't know whether he made any ——

Q. Did it come back to you in the same condition you sent it?

A. Yes, sir.

Q. When did Mr. Gilmore die?

A. Mr. Gilmore died in August, 1923, I think.

Q. Wasn't it 1921?

A. No.

Q. Sure of that?

A. Yes.

Q. Why are you so sure?

A. Because it was later than that.

Q. What is that?

A. It was later than that.

Q. Later than 1923?

A. Later than 1921.

Q. How do you know?

A. I know I had more cases before the Board, bus cases, than simply the early summer of 1921 would give me with Mr. Gilmore, before Mr. Blake came.

Q. Were you present at the Utility Board in a conversation between Mr. Blake and myself in which Mr. Blake promised to give me notice of these applications?

A. I think I was.

Q. Did you know that Mr. Blake did not do it?

A. No.

Q. When did Mr. Blake start handling these cases?

A. I think a few months after Mr. Gilmore died. Senator Wakelee was in for a short time and then Mr. Blake gradually took it over, through, as I remember it, the fall of 1922.

Q. Didn't Mr. Gilmore, as a matter of fact, die before the time the Hunter case was tried and the Supreme Court decided the matter on certiorari?

A. I can't give you that date. Mr. Gilmore died in August, I think it was 1923.

Q. You will not be sure, will you?

A. No.

Q. You haven't any way to check that up now, have you?

A. No.

Q. What cases do you know that Mr. Gilmore made offers to the railroad in?

A. I know that Mr. Gilmore talked to Mr. Kinter; I remember being right in his office when he talked to Mr. Kinter.

Q. Mr. Kinter's office?

A. And that was the first time I heard of Mr. Kinter.

Q. Mr. Kinter's office?

A. No; Mr. Gilmore's.

Q. You only heard one end of the conversation?

A. Yes.

Q. That is hearsay as far as you are concerned?

A. Yes, sir.

Q. You were listening to the conversation?

A. Yes.

Q. When did Mr. Gilmore—do you know of any notice he sent to the railroads?

A. I don't know.

Q. Do you know of any Mr. Blake sent to the railroads or sent to me, personally?

A. No.

Q. Do you know of any Mr. Wakelee sent to the railroads or sent to me personally as representing the Atlantic City Railroad?

A. No.

Q. Do you know, Mr. Warner, whether between the date the Board decided the previous case in January, 1928, up to the present time the railroads have refused to participate or failed to participate in any applications of which they have had notice, on the White Horse Pike?

A. I don't know.

Q. Or refused to object?

A. Not that I recall. You are limiting it now to the White Horse Pike?

Q. Yes, the White Horse Pike. I don't speak for the others.

A. None that I recall.

Q. Did I understand you to say that in all of the cases to which you have referred in this elaborate memoranda which you have prepared, and which has been supervised and passed upon by the learned counsel in the case, that it is a fact the railroads never did anything but put in time-tables?

A. I think I went into a finer detail; some of them I showed where they put in a full case, or no appearance at all, or whatever the record showed.

Q. I am speaking of the cases where they had notice and came into court. Is it a fact in any case the Atlantic City Railroad did nothing but put in a time-table? There were always questions asked?

A. Sometimes you didn't put in any case at all, not even a time-table.

Q. Do you know of any case where merely time-tables were presented or nothing was done at all?
A. No; not even a time-table in some cases.

Mr. Speer: What case do you refer to?

Mr. Bradley: I am not speaking of the Iorio case which Mr. Straw just gave me. The matter didn't pass; there is no good going into that.

Witness: I will throw that out.

Mr. Bradley: Excluding that case, you knew that ——

Witness: I knew you were ready to pass the buck on him for that.

Mr. Bradley: You know it happened, though.

Witness: No. I have a couple where you appeared and put in testimony. Here you are, Camden and Turnerville, fourth of June, 1922. Mr. Bradley appeared and introduced no testimony.

Q. Where did you get the information from which you have made up this statement?
A. Right out of the testimony, the records of the Board, read out of the testimony.
Q. Well, not from a paper in your office?
A. Yes.

Mr. Osborne: Are you through, Mr. Bradley?

Mr. Bradley: Yes.

Mr. Osborne: I want to interpose an objection

to this statement because it is read by Mr. Warner, with his interpolations, on account of it being incompetent, immaterial and irrelevant and containing matters of hearsay, matters of opinion, matters that are argumentative and references to records, where the records themselves would be the best evidence, and because it was insisted that it be introduced into the record by counsel nothwithstandig our objection and notwithstanding the infirmities pointed out; whereby I will move at the first opportunity to have it stricken out, for the reasons I have indicated.

Mr. Bradley: Have you a copy of that?

Witness: No.

Mr. Osborne: I don't know how much is in the statement and how much is interpolated. There is a further objection, it is not responsive to any question that is asked.

By Mr. Osborne:

Q. I would like to ask Mr. Warner, before he leaves the stand; I understood him correctly in saying that this statement which he has just read had been submitted to and approved by Judge Speer and Mr. Straw?

A. You will have to ask them whether they approved. I read it to them and they let me go out without any material changes from what I read there.

Q. They never suggested to you that it was entirely beyond the scope of the elementary rules of evidence or that it contained illegal or improper matter?

A. No.

Q. I suppose they told you that you could force it into the record by this method because the hearing was before a Master and could not be ruled upon, did they not?

A. No, sir.

Q. You knew that, did you not, from your experience as an expert?

A. I have seen the same thing happen last week so I thought it might be possible.

Q. You knew it might be possible?

A. Yes.

Q. From your supposing and experience ——

A. I saw you do it last week.

Q. You saw me do it?

A. Yes.

Q. This sort of a ——

A. Yes.

Q. Can you point out in the record where ——

A. Hearsay.

Q. (Continuing.) Where statements were read in response to a request from me?

A. No, not that. But hearsay evidence, you read in last week.

Q. How can you say that—the record shows certain things in this case.

A. I believe they do, yes.

Q. I think you said the record would be the best evidence of what it contained?

A. Yes.

Q. Have you made any attempt to produce the record?

A. That is not up to me. I went through, personally, the record of every case I cited, the testimony and record.

Q. Of course, you know the record is available if you wanted it, don't you?

A. Yes.

Q. I think you said that the real facts could be obtained from the record, is that not so?

A. Yes, sir.

Q. I think that is the language you used?

A. I think so.

Q. Do you mean to distinguish between the facts as they would be disclosed by the record and the facts as they were given to us by you?

A. No. I meant to distinguish between the facts as they did appear in the record and the facts as they appeared in one sentence in a decision quoted by you.

Q. You say this was referred to me by Mr. Deasy?

A. Mr. Deasy spoke to you about it or Mr. Smith did, because they were both on it last week.

Q. You haven't noticed any lack of vigor in the opposition since the matter was referred to me, have you?

A. No, sir.

Mr. Osborne: That is all.

By Mr. Bradley:

Q. Why did you give instructions to stop the through service between Camden and Atlantic City after the last hearing?

A. Because it shouldn't have been operated. Whatever there was should not have been operated.

Q. Why?

A. Because I promised there wouldn't be.

Q. You promised at the hearing before the Board?

A. Yes.

Q. You took so much interest in it you didn't even concern yourself enough to know whether it was

being violated or you were permitting it to be violated?

A. If you are putting it ——

Q. I want an answer to the question. Can you answer?

A. Yes.

Q. Go ahead and answer.

A. I went on my vacation on the last day of July or the first day of August and returned after Labor Day, and I am mighty sorry I went on my vacation at that time ——

Mr. Bradley: Don't make a speech.

Mr. Straw: He has to answer this. I think he is entitled to answer fully.

Mr. Bradley: I think he said he went on a vacation.

Witness: You asked me why I didn't give it personal attention. I am telling you because I went on my vacation.

Q. Don't put in the sob stuff. Go ahead.

A. I have answered.

Q. Your answer is you are sorry you went on a vacation?

A. Yes.

Q. When was this notice put on the side of the buses and put on down at the ferry?

A. I don't know.

Q. Why don't you?

A. Because I don't.

Q. Is that under your jurisdiction?

A. Somewhat.

Q. Is it under your jurisdiction?

A. Yes.

Q. Why don't you know?

A. I suppose a hundred of those things go in my office and out. How can I remember the day of each one?

Q. I didn't ask the date. Why didn't you stop it? What is your position?

A. General manager in charge of traffic.

Q. And those are things you are supposed to know? You are responsible for the transportation, aren't you?

A. Yes.

Q. You mean to tell us you didn't know about this through bus service?

A. No.

Q. Until the twelfth of September?

A. I say that.

Q. Who would know about it?

A. I don't know.

Q. You know they knew about it down here in Camden?

A. Yes.

Q. Who knows about it?

A. The supervisor of the line.

Q. Who is he?

A. Morgan.

Q. Don't you get a report from Morgan of what is going on?

A. Not direct from Morgan.

Q. Where are the reports made by Morgan?

A. To his resident division manager, from the division manager to me.

Q. From the business manager to you?

A. Yes; the division manager.

Q. The division manager. When did he report to your office about this through traffic?

A. I never got any report of through traffic.
Q. Why not?
A. I say, I was on my vacation in August.
Q. You came back when?
A. A little after Labor Day.
Q. You didn't know it then, when you came back?
A. No.
Q. Why not?
A. I didn't happen to see it.
Q. In giving your testimony to the Board didn't you urge as a reason why this application should be granted, that no through service would be done in competition with the railroads?
A. I don't remember giving that as a reason. I said there would be no through service operated.
Q. You meant it?
A. I meant it and I mean it now.
Q. How long was this violation of your agreement?
A. I don't know.
Q. Have you made any endeavor to find out?
A. Yes; I made an endeavor to stop it right away.
Q. Have you concerned yourself enough to find how many times it was violated?
A. No.
Q. And you have known it since September twelfth. Why haven't you?
A. Because the fact it was being done was enough.
Q. You haven't tried to find out who was responsible?
A. Yes. I have found out.
Q. But you haven't found out the number of times it was violated?
A. No, sir.
Q. You didn't consider it was worth while to do it?
A. The number of times, no.
Q. You didn't care?

A. No; I care.

Q. You cared enough so you made no inquiry about the number of times it was violated, have you?

A. Not the exact number of times.

Q. What inquiry did you make as to the number of times it was being violated?

A. I found out this, that through traffic ——

Q. No; don't tell us what you found out. What inquiry did you make?

A. If you will let me tell you ——

Q. No. I asked you what inquiry you made?

A. I asked of the man operating the line what through service was operated.

Q. Who was he?

A. Mr. Rothery.

Q. Who else did you inquire of?

A. Mr. Harper.

Q. Mr. Harper is a person responsible, too, is he?

A. In part.

Q. Mr. Harper is your assistant?

A. That is not his title.

Q. He is?

A. That is not his title. He is one of my assistants.

Q. The report came to Mr. Harper of these through trips?

A. Yes; they might.

Q. Did they?

A. They did.

Q. He didn't stop it, did he?

A. It wasn't his place.

Q. He didn't stop it, did he? No. Did Mr. Harper know where you were on your vacation?

A. I don't think he did.

Q. Where were you?

A. On the coast of Maine; only one man in the organization knew where I was.

Q. Some man knew, if you had to be secured?

A. Yes.

Q. That wasn't reported to you. Mr. Harper was present and testified at the hearings in this case and he also testified that you didn't want to run and didn't intend to run a through service, didn't he?

A. I don't remember; I think he did. Mr. Harper ——

Q. Just a minute. He also said, did he not, no effort would be made to make close connections there?

A. I don't remember that. If it is in the record.

Q. Weren't many questions of Mr. Baldwin's directed to that particular phase of the situation, when he was asked which would be the more convenient, to take and board a train from Camden and get off in Atlantic City rather than to board a bus of the Public Service at Camden which hadn't any direct connection for Atlantic City and then get off at Berlin and then wait there, without any effort at a close connection, and board another bus there and go to Atlantic City?

A. Whatever the testimony was there the testimony will show. I wasn't present at one hearing at which Mr. Harper testified.

Q. You were present when he testified they did not intend to operate through service?

A. I don't know. We did not intend to run through service; I can't make it any plainer than that.

Q. Who conceived the plan of running through service?

A. I don't know.

Q. Did you intend to make close connections in Berlin at the time you were giving your testimony before the Board?

A. I didn't testify to that.

Q. What?

A. I didn't testify to that.

Q. Was it the policy of your company at that time to make close connections or not make close connections?

A. The first schedule of the line to Atlantic City did not make close connections at Berlin.

Q. You changed them to make close connections?

A. The change was made possible by making better running time.

Q. You made the changes?

A. No.

Q. Did you?

A. No.

Q. Did you have anything to do with making the changes?

A. I don't make the schedules.

Q. Do you pass on them?

A. Yes.

Q. Did you make a closer connection?

A. Yes.

Q. Than anticipated by the Board?

A. I don't know what was anticipated by the Board.

Q. You knew the testimony before the Board was that you were not making close connections and no effort would be made to make close connections?

Mr. Speer: I object because that is not the testimony before the Board.

Q. Did Mr. Harper testify to that?

A. I don't recall.

Q. What day weren't you present, at what hearing?

A. I don't remember. The hearings in Camden I was not present.

Q. Were you present at all of them in Atlantic City?

A. Yes, sir.

Q. Wasn't the question asked several times there by Mr. Baldwin, which would be the more convenient, to go by the train running direct or to stop at Berlin, wait for a connection, which was not a close connection, and which no attempt would be made to make a close connection, and then go from Berlin to Atlantic City? You heard that question asked?

A. No.

Q. No. Wasn't there a comparison between the two buses there then?

A. I don't know.

Q. One a transfer and one without a transfer?

A. I don't know.

Q. Were you present at all of the hearings in Atlantic City?

A. I think it was.

Q. Did you stay there in the room and listen?

A. Yes, practically all the time.

Q. You knew the policy of your company at that hearing was not to make close connections?

A. I know as a matter of policy the first schedule laid out was not to make a close connection.

Q. How close was it?

A. I don't remember the details now.

Q. Did you have anything to do with the making of it?

A. The making of it? No.

Q. Do you consider the change was a breach of your word to the Board? When you advertised the connection at Berlin did that precede or follow the modification of your schedule?

A. About the same time. I don't recall the exact date.

Q. You approved of the change?

A. It was apparent we could make better time than we thought we could on the first schedule.

Q. You modified the schedule and then advertised it to show a close connection?

A. Yes, it was about that time; the change might have been a day or so before the other, but it was about the same time.

Q. You gave similar instructions after you stopped the through service to stop advertising a connecting service?

A. I don't see ——

Q. Did you? Don't argue.

A. No.

Q. Do you consider, then, you were violating your agreement with the Board not to have a close connection or attempt to make it convenient for a through service?

A. There is no such agreement I know of.

Mr. Straw: There is no such agreement; never was.

Q. I am not speaking about a written one. I noticed this morning you were very technical when you were asked what facilities there were, if any, between Hammonton and Egg Harbor; you hedged, you are not hedging now?

A. I take responsibility for this statement and was responsible for this statement, there would be no through service between Camden and Atlantic City. I take full responsibility for that statement. I take no responsibility for a so-called agreement or understanding as to connecting schedules or lack of them. There wasn't any.

Q. Was any testimony submitted by your com-

pany at those hearings in which it was said no effort would be made to have the connection close?

A. I don't think so.

Q. Do you know?

A. Yes.

Q. You know there was not?

A. No.

Q. You are positive of that, there wasn't?

A. No, I am not positive.

Q. How are you positive if you weren't at all the hearings?

A. I said I wasn't positive.

Q. Have you looked it up?

A. No.

Q. You didn't look it up to find out in making a close connection you were violating the spirit of your testimony before the Board or not?

A. No.

Q. You don't care?

A. Yes.

Q. Did the Public Service care?

A. Yes.

Q. So you merely went ahead and made these schedules and modified them, at your suggestion they were modified?

A. I didn't make the schedule.

Q. You suggested they be modified?

A. It went up to my office for approval and went through.

Q. Did you modify it?

A. No.

Q. Did you call anyone's attention to the fact they were making a close connection?

A. No.

Q. Who suggested the change to make it closer than it had previously been?

A. I don't know. It came up to the office in the

regular routine way, the schedules, for approval and they were approved.

By Mr. Osborne:

Q. Mr. Warner, you have just asked Mr. Bradley to refer to the testimony; do you remember testifying on page 193 of the record in the case in Atlantic City, you were asked as follows on cross-examination by me in reference to this matter: "You have stated in the statement you have no thought or idea of making a bid for the through business?"

"A. I have said so last year; I said it again; I don't know how I can make it any plainer. Q. You can make it a lot plainer to me if you would read into the record a restriction you would accept no through business which originated in Camden and terminated in Atlantic City, or vice versa. Mr. Straw: That restriction the Public Service Coordinated Transport declines to voluntarily state. Mr. Warner has definitely stated we do not propose to operate through buses. Our case is entirely built up on local business. Further than that, we go no further."

On pages 195 and 196: "Q. Is there anything your company is willing to do that would discourage through business? A. I think the form of the present application is what you can do to discourage through business and what we have tried to do. Q. And that is all? A. Yes. I don't see any more we can do. It seems to me that shows good faith, as far as we can go. Q. Will you sell through tickets from Camden to Atlantic City? A. No, sir. Q. Via Berlin? A. No. Q. You agree not to? A. I have just said we wouldn't. What more do you want me to say? Q. What is that? A. I have just said

we wouldn't. Q. You wouldn't? A. Yes. Q. Will you consent to a restriction that no through passages will be sold from Camden to Atlantic City or vice versa? A. On this application? Q. Yes. A. Yes." Do you remember testifying to that?

Mr. Speer: I object to the question and answer on the ground, first of all, it contains an assumption of fact or assume a fact which is not a fact at all. Judge Osborne said I wish that testimony read; I had no desire to have the testimony read; it is utterly colorless. What I did ask from the record is the agreement Mr. Warner made, and that is all I asked, and all the purpose of this reading ad infinitum in this record is made for the purpose of emphasizing that point. I object to it.

Q. You were asked regarding Mr. Harper's testimony; Mr. Harper in this matter is your ultra ego, is he not?

A. Sometimes I wish he was not.

Q. He was in this case, was he not?

A. Yes.

Q. You nodded your head?

A. I said, yes, sir.

Q. On page 40 of the stenographer's minutes, do you recall that Mr. Harper on cross-examination by Mr. Baldwin testified as follows: "Q. Now, Mr. Harper, you have said that this line is not intended to be competitive with the railroads? A. No, sir. Q. Would you take a restriction that your buses should carry no through passengers from Berlin to Atlantic City or vice versa? A. No, I think that would be unfair to the public and I don't think it would be a just restriction to place on this operation, because there is such little service now between Berlin and Atlan-

tic City, even by train, for all the people who want to take this journey, and I don't see why the people should be prohibited from taking it if they so choose. Q. So you expect to carry people from Berlin to Atlantic City and return? A. If people present themselves for a ride from Berlin to Atlantic City and desire to spend two hours in a bus we will take them, yes, sir. Q. You do have a line from Camden to Berlin, do you now? A. Yes; we do have a line from Camden to Berlin, and other points south. Q. Where is the terminal at Berlin of that line? A. The terminal of that line is at the forks of this road at Berlin. Q. Exactly at the same point where the terminal of this line is? A. The same terminal, which is the center of Berlin."

On page 69 of the record of the stenographer's minutes: "Q. In your previous cross-examination you stated your company would be unwilling to accept a restriction denying your company the right to carry through passengers from Berlin to Atlantic City, is that still your position? A. Yes, sir. Mr. Straw: May I have that answer read? Mr. Baldwin: That was in the early part, page 40. Q. Would you take a restriction that your buses should carry no through passengers from Berlin to Atlantic City or vice versa? A. No. I think that would be unfair to the public and I don't think it would be a just restriction to place on this operation, because there is such little service now between Berlin and Atlantic City, even by train, for all the people who want to take this journey, and I don't see why the people should be prohibited from taking it if they so choose."

Page 71, Mr. Harper said: "A. I wouldn't think anybody would transfer from the Camden-Berlin line to the Berlin-Atlantic City line. Q. So that your thought is your Berlin to Atlantic City line would

not be a connecting carrier to Atlantic City with your Camden to Berlin service? A. No, I wouldn't say there would be any substantial transferees. Q. How many people, then, in your opinion, would be discommoded if you did have an operating restriction you should carry no through business from Berlin to Atlantic City? A. There is another section of the route between Camden and Berlin that we must keep in mind; that is, those towns located between the stations that either use the bus service to the railroad station or to Berlin and if it was more convenient for them to transfer they would transfer for points below, but I doubt very much whether they would ride through to Atlantic City. Q. It was your opinion there would be no transferring at Berlin. A. Yes, practically no transferring at Berlin. Q. So that little harm could be done if you accept a restriction to carry no through passengers from Berlin to Atlantic City, would there? A. You must consider the Berlin people also, you don't want to discommode them. Q. I have asked you how many of those take a trip to Atlantic City in one day's time? A. I couldn't answer that question; I didn't interview them. Q. You do know there are only twenty-six hundred people in the whole town? A. Yes; that is in Berlin proper. Q. Where do you propose to have your Berlin terminal of your Atlantic City line? A. At the intersection of Blue Anchor Road and the White Horse Pike. Q. Is that the present point of terminus of the Camden line? A. The short service terminates at the same point. Q. So there would be every opportunity for connecting with those facilities? A. As far as the connecting the physical lines, the two lines would terminate there. There would be no schedule arrangement, one being an hourly headway and the other being a twenty minute headway, that would make the con-

nection feasible; that is, bus for bus. Q. Would there be a connecting arrangement that would make the transfer feasible? A. No; I wouldn't say there would be a connecting arrangement. Q. You would not sell, let us say, at Camden, a through ride ticket to Atlantic City? A. No; that is not contemplated. Q. Would you agree not to do it? A. No. I wouldn't agree not to do it."

Mr. Harper, on cross-examination by Mr. Osborne, page 87: "Q. You don't propose to give the people who are riding on that line, if you are granted the privilege, the benefit of through service, as I understand? A. This is local service. Q. I say, you don't propose to give them the benefit of through service, as I understand your testimony? A. No. The only way they could take advantage of through service would be by making this very inconvenient transfer at Berlin. Q. And the facilities for through service will be very inconvenient, will they not? A. Yes. Q. You don't propose to make them convenient, if you can help it? A. No, sir. Q. There will be no schedule arrangement in Berlin between the Atlantic City buses and the Camden buses? A. It is not contemplated. The Berlin-Atlantic City schedule will be made up separate from the Camden-Berlin schedule. Q. Why didn't you make the transfer convenient, if you had to make a short service between Berlin and Camden? A. Well, there is a possibility there that they might try to make connections, but the character of the ride on the Camden-Berlin line would also preclude the possibility of a person riding from Camden, especially in the rush hours. Commissioner Autenrieth: Because of the local service? Witness: Because of the local service and the standees carried. Commissioner Bacharach: On that same theory why would a person from Berlin want to come to Atlan-

tic City on a local bus when they can get through service, if your theory is right on the other? Witness: I doubt there will be very many riders between Berlin and Atlantic City on the local buses."

On page 90, continuing: "Q. There is one more question I would like to ask if you are through. (This question is by me.) If you don't propose to afford any facilities for people travelling through, either by through service or by proper connection at Berlin, if you don't think there is any traffic that the bus provides for that, why do you so insistently object to accepting a restriction to do no through business? A. While I don't think there would be very many people of that character, if there was I don't think they should be precluded from taking the ride. Q. In other words, after you get this permit you may come in and ask for through service next week or next month or when you think you can get by with it? A. No; I wouldn't say that." Mr. Warner, didn't you say this on direct examination by Mr. Straw, page 167: "We do not plan to operate through buses between Camden and Atlantic City if this application is granted. Through service will not be given under this application."

A. Yes, sir, I said that.

Q. You agree to all this testimony I have read, do you?

A. I said that down there. I don't know what you mean by "agreeing." There is nobody accepts the agreement. I made that statement.

Q. That was your intimation?

A. Yes, sir.

Q. To the Board of Public Utility Commissioners when you solicited their consent or the approval, at least, of the municipal consent?

A. Yes.

Q. To say to them you did not intend to operate through service?

A. Yes.

Q. Or make it convenient to take a through ride?

A. Yes, sir.

Q. That was the basis of your application, was it not?

A. No, it wasn't the basis of the application, but it is in there plain enough.

Q. When you modified your schedule or changed it right after the decision was rendered, how close was your connection made?

A. I don't remember how close. It was made a few minutes, as I remember; we were able to make shorter time than we thought we could; that brought the connecting buses closer together.

Q. You did, immediately after the decision of the Board remodel your schedule, did you not?

A. Yes.

Q. Did you make your buses connect?

A. Within two or three minutes. One thing that made that possible was placing into effect a fifteen minute headway from here to Berlin instead of the old twenty minutes there, that affected it.

Q. That condition still exists?

A. The fifteen minutes is still operating.

Q. That modified schedule, so-called, makes the buses in operation connect?

A. Will you read that question?

Q. (Question read.)

A. That schedule is still in effect.

Q. Notwithstanding your representation to the Board?

A. I don't interpret that as any ——

Q. I don't suppose you do. I am just asking you.

A. The original schedule as laid out did not contemplate by the running time a time to connect.

After we laid out the summer schedule we found we could do it. There was no thought of any change in mind or any attempt of subterfuge, no.

Q. When you discovered that your representation to the Board had not been kept in good faith ——

A. With regard to what?

Q. With regard to the schedule.

A. I think they were kept in good faith.

Q. When did you discover that the schedule had been so changed or modified as to bring about a close connection, enabling passengers to make a through trip without inconvenience?

A. If you will take that statement it was without inconvenience and stick to it, I am perfectly willing to take it that way.

Q. When did you discover the changed conditions? You told us a little while ago you discovered when it was brought out, was the first time you discovered they were running through buses?

A. Yes. That wasn't a schedule change.

Q. Then you changed it, after we showed you, didn't you?

A. After what?

Q. After we brought to your attention the fact you were running through buses, in violation of your representation to the Commission, on the basis of which you got the consent?

A. I don't admit that at all.

Q. I know you don't admit it.

Mr. Speer: It isn't true.

Witness: Of course, it isn't true.

Q. When you discovered it or it was brought to your attention, you changed it?

Mr. Speer: I object to that. We made no such representation and the question is entirely unwarranted.

Mr. Osborne: I understood you to say you had discovered it.

Witness: You have been talking about two things.

Mr. Osborne: No, I haven't.

Witness: Yes, you have.

Mr. Osborne: I have been talking about facts.

Mr. Speer: No, you haven't; that is one thing you haven't touched.

Q. I want to know, Mr. Warner, whether you didn't say somewhere in this examination that you didn't know about this running through?

A. I didn't. That has nothing to do with the schedule change. There is no single thing on the schedule change that calls for through service, if there had been I would have got it.

Q. If I can keep you from talking so much we can get along much nicer. When you discovered it you changed it?

A. Discovered what? That is the point.

Q. The service my last question referred to; if you can link one question with another. You said that?

A. Yes; I stopped all through buses running through.

Q. When did you stop it?

A. The twelfth of September.

Q. After it was brought out here in your examination, wasn't it?

A. Yes.

Q. When did you discover the change in the schedule?

A. The change in the schedule?

Q. When did you discover the change in the schedule?

A. The present schedule has been operating since, I don't know, the latter part of July.

Q. When did you change that, after you discovered it?

A. When did we change it?

Q. After you discovered it?

A. I didn't discover it.

Q. You didn't discover it?

A. No.

Q. I thought you just said you discovered it in July?

A. This schedule became effective August first.

Q. How soon after the Commission's decision?

A. I think the Commission's decision was dated the latter part of June.

Q. It was as soon as you could get it out, wasn't it?

A. No. The line had been operating about two weeks before this time, before this schedule went into effect.

Q. When did you discover this new schedule?

A. I didn't discover it.

Q. When you found out it was being operated—did you find out it was being operated?

A. Yes.

Q. When was that?

A. It went through my office.

Q. You said a little while ago a lot of things go through your office?

A. It must have been through my office the last week in July.

Q. After that you discovered it; some time after that?

A. Yes.

Q. When you discovered it, what step, if any, did you take to modify it so it would comply with the representation to the Commission?

A. I think it does comply with the representation to the Commission because ——

Q. I didn't ask you what you thought; I asked you what you did?

A. Nothing.

Q. You took no steps to modify it?

A. Took no steps to modify this?

Q. To make your schedule conform with the representation you made to the Commission.

Mr. Speer: I object to the question.

A. You can't hang that on me or anything like that you can interpret.

Mr. Osborne: That is all.

Witness: Is that all?

Mr. Bradley: As far as I am concerned.

Commissioner Kraft: Are we all through, now?

Mr. Speer: I am through.

Mr. Bradley: Yes.

Ex R-10

Sept 20/-4

Ex P-10

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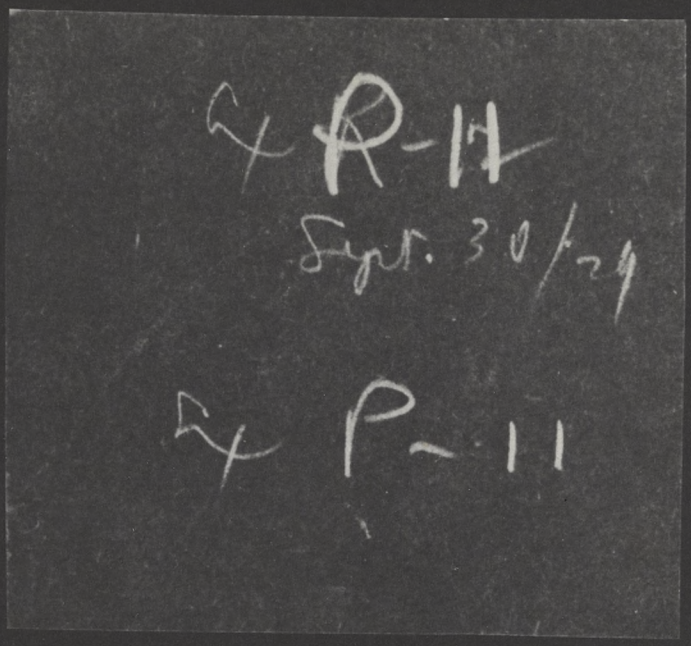
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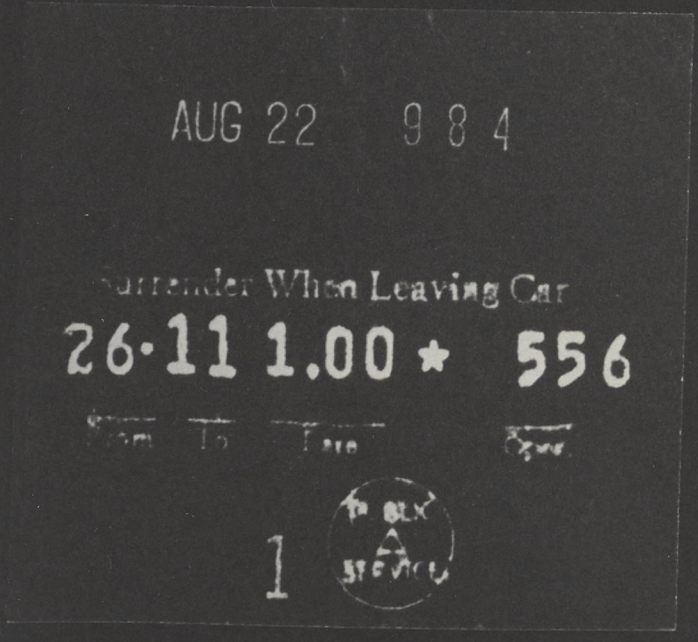
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From To Fare Class
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CEDAR BROOK SECTION

NORTHBOUND

Cedar Brook Dep.	Tansboro	Berlin	Camden Arr.
5.25	b5.35	b5.45	b6.45
6.25	b6.35	b6.45	b7.45
6.40	s6.50	s7.00	s8.00
7.25	b8.35	b8.45	b9.45
8.40	8.50	9.00	10.00
12.00	12.10	12.20	1.20
2.40	2.50	3.00	4.00
6.00	k6.10	k6.20	k7.20
6.18	r6.28	r6.38	r7.38
8.00	p8.10	p8.20	p9.20
8.18	r8.28	r8.38	r9.38
8.40	s8.50	s9.00	s10.00
9.53	r10.03	r10.08	r11.08
10.18	p10.28	p10.38	p11.38
11.53	11.58	12.08	1.08

SOUTHBOUND

Camden Lv.	Berlin	Tansboro	Cedar Brook Arr.
7.20	8.20	8.30	8.40
10.40	11.40	11.50	12.00
1.20	a2.20	a2.30	a2.40
1.30	p2.30	p2.40	p2.50
4.40	5.40	5.50	6.00
6.45	b7.45	b7.55	b8.05
7.20	s8.20	s8.30	s8.40
8.38	b9.38	b9.43	b9.53
9.20	s10.20	s10.30	s10.40
10.38	b11.38	b11.45	b11.55

LOWDEN-ATCO SECTION

NORTHBOUND

Lowden	Atco	Berlin	Camden
6.00	6.05	6.20	7.20
7.00	7.05	7.15	8.15
9.05	9.10	9.20	10.20
11.05	11.10	11.20	12.20
1.05	1.10	1.20	2.20
3.05	3.10	3.20	4.20
5.05	5.10	5.20	6.20
k7.05	k7.10	k7.20	k8.20
r7.15	r7.20	r7.38	r8.38
s9.05	s9.10	s9.20	s10.20
b9.15	b9.20	b9.38	b10.38

SOUTHBOUND

Camden	Berlin	Atco	Lowden
7.40	8.40	8.50	8.55
9.40	10.40	10.50	10.55
11.40	12.40	12.50	12.55
1.40	2.40	2.50	2.55
3.40	4.40	4.50	4.55
5.40	6.40	6.50	6.55
r7.38	r8.38	r8.48	r8.53
k7.40	k8.40	k8.50	k8.55
s10.00	s11.00	s11.10	s11.15

s Runs Sundays only. k Does not run Weekdays. r Runs Weekdays only.
p Runs Saturdays only. a Does not run Saturdays. b Does not run Sundays.
A.M. Light face type. P.M. Bold face type. (Subject to change)

TIME TABLE
and
FARES

Camden Berlin Hammonton Egg Harbor City Atlantic City

Bus Routes
No. 60 and 100

EFFECTIVE
AUGUST 1, 1929

PUBLIC SERVICE

TT No. 29 15M

ROUTES Nos. 60 and 100

Serving
CAMDEN, BERLIN, HAMMONTON
EGG HARBOR CITY
ATLANTIC CITY

From P. R.R. Ferries, Camden, through the following localities to Atlantic City.

Camden, Woodlynne, West Collingswood, Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Magnolia Heights, Somerdale, Lindenwold, Stratford, Laurel Springs, Kirkwood Lake Park, Pine Lake Park, Clementon, Silver Lake Park, Watsonville, Berlin Heights, West Berlin, Berlin, Tansboro, Cedar Brook.

ROUTE No. 100

Berlin, Bishops Bridge, Atco, Lowden, Dunbarton, Fishers, Chesilhurst, Waterford, Ancora, Elm, Hammonton, Dacosta, Amatol (Speedway), Elwood, Devonshire, Egg Harbor City, Germania, Pomona, Absecon, Absecon Highlands, Atlantic City.

FARES FROM BERLIN

Absecon	$.90	Germania	$.70
Atlantic City	1.00	Haddon Heights	.30
Camden	.35	Hammonton	.45
Cedar Brook	.25	Pine Lake Park	.15
Chesilhurst	.25	Pomona	.75
Devonshire	.65	Silver Lake Park	.10
Egg Harbor City	.65	Stratford	.25
Elm	.35	Tansboro	.15
Elwood	.55	Waterford	.25

Restrictions—No local passengers between Absecon and Atlantic City.

CAMDEN (P.R.R. FERRIES) TO BERLIN

SOUTHBOUND
Every 10 minutes in Commission hours
Every 30 minutes in Evenings

NORTHBOUND
Every 20 minutes in Non-Commission hours

Connecting Buses for points South of Berlin leave P. R.R. Ferries, Camden
WEEKDAYS AND SATURDAYS
7.00 A.M. and every hour until 5.00 P.M. then 7.08 P.M. and 9.08 P.M.
SUNDAYS—7.00 A.M. and every hour until 9.00 P.M.

BERLIN TO ATLANTIC CITY

SOUTHBOUND

Berlin	Atco	Waterford	Elm	Hammonton	Elwood	Egg Harbor City	Absecon	Atlantic City
6.00	6.05	6.10	6.15	6.25	6.35	6.40	7.05	7.30
7.00	7.05	7.10	7.20	7.30	7.40	7.50	8.15	8.30
			and every hour until					
6.00	6.05	6.10	6.20	6.30	6.40	6.50	7.15	7.30
s7.00	s7.05	s7.10	s7.20	s7.30	s7.40	s7.50	s8.15	s8.30
8.00	8.05	8.10	8.20	8.30	8.40	8.50	9.15	9.30
s9.00	s9.05	s9.10	s9.20	s9.30	s9.40	s9.50	s10.15	s10.30
10.00	10.05	10.10	10.20	10.30	10.40	10.50	11.15	11.30

NORTHBOUND

Atlantic City	Absecon	Egg Harbor City	Elwood	Hammonton	Elm	Waterford	Atco	Berlin
7.30	7.45	8.10	8.20	8.30	8.40	8.45	8.50	9.00
8.30	8.45	9.10	9.20	9.30	9.40	9.45	9.50	10.00
			and every hour until					
7.30	7.45	8.10	8.20	8.30	8.40	8.45	8.50	9.00
s8.30	s8.45	s9.10	s9.20	s9.30	s9.40	s9.45	s9.50	s10.00
9.30	9.45	10.10	10.20	10.30	10.40	10.45	10.50	11.00
s10.30	s10.45	s11.10	s11.20	s11.30	s11.40	s11.45	s11.50	s12.00
11.30	11.45	12.10	12.20	12.30	12.40	12.45	12.50	1.00

Buses connecting at Berlin, leave P. R.R. Ferry Weekdays and Saturdays, every hour on the hour, from 7.00 A.M. to 5.00 P.M., then 7.08 P.M. to 9.08 P.M. Buses connecting at Berlin, leave P. R.R. Ferry Sundays, every hour on the hour, from 7.00 A.M. to 9.00 P.M.
s Runs Sundays only. A.M. Light face type (Subject to change) P.M. Bold face type

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Volume II

APPLICATION FOR APPROVAL OF LOCAL PERMISSION TO OPERATE.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)
(Received Nov. 12, 1927.)

In the matter of the application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of local permission to operate twelve buses on the (State number) Camden - Atlantic City Route between Camden and Hammonton, New Jersey.	Application for Approval of Local Permission to Operate.

---

(1) The petition of Public Service Transportation Company, with its principal office at 80 Park Place, Newark, New Jersey, respectfully shows that it is a corporation of the State of New Jersey.

(2) That applicant requests approval of local permission to operate autobuses between Camden and Hammonton and intermediate points, and along the following route: Beginning at the Pennsylvania Railroad Ferries, Camden; thence on Federal Street; thence on Haddon Avenue, thence on White Horse Pike through Oaklyn, Audubon, Haddon Hts., Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs and Watsontown; thence on Franklin Avenue, West Berlin, to Haddonfield Road, thence to White Horse Pike and Main Street, to P. R. R. Station Ferries, Hammonton; returning via same route.
(Names of streets or roads must be stated.)

(2a) Length of route: 30.6 miles.

(2b) That the names of motor-bus lines, electric railways, or steam railroads now operating in the territory to be served are as follows:

(3) Have you purchased the bus or buses?
If so, state nature of contract.
Yes. Cash contract.

(3a) Liability Insurance. (Self-insurance).
Nature of policy.
Name of Company Amount of Policy
Dated Expires

(3b) That the names, titles and addresses of the various officials of the company or owners, or partners, and their interests are as follows:

NAME	TITLE	ADDRESS
Thomas N. McCarter	President	80 Park Place, Newark, N. J.

T. Wilson Van Middlesworth Treasurer 80 Park Place, Newark, N. J.
Charles M. Breder Secretary 80 Park Place, Newark, N. J.

(4) That a detailed description of equipment to be operated in the proposed service is as submitted:
See attached list.

(5) That the proposed time schedule and running time between the points to be served is as follows:
2½ hours each way.

(5a) That the number of buses operating on the particular route on which the applicant proposes to operate is 24.

(6) That the proposed fares or rates to be assessed for this service, and rules and regulations governing same, are set forth in Exhibit "A" attached hereto.
See attached list.

(7) The following municipalities are located along the route as proposed:

NAMES OF MUNICIPALITIES.

Camden	Stratford
Collingswood	Laurel Springs
Oaklyn	Clementon Twp.
Haddon Twp.	Clementon Bor.
Audubon	Berlin
Haddon Hts.	Waterford
Lawnside	Winslow
Barrington	Chesilhurst
Magnolia	Hammonton

New Jersey State Library

(7a) The following municipalities have granted licenses or permits to operate said bus (buses) over the route specified, subject to the approval of the Public Utility Commission:

NAMES OF MUNICIPALITIES.

Camden	Laurel Springs
Collingswood	Clementon Twp.
Oaklyn	Clementon Bor.
Audubon	Berlin
Haddon Hts.	Waterford
Lawnside	Winslow
Barrington	Chesilhurst
Stratford	Hammonton

(Applicants must attach CERTIFIED COPY of the resolution of governing body or of consent of municipal officer having jurisdiction.)

(8) That the registration licenses are Nos. 04676, 04677, 04661, 04719, 016337, 03637, 03638, 03639, 03635, 06630, 016428, 016427, issued by the Commissioner of Motor Vehicles.

(8a) Has the Commissioner of Motor Vehicles ever suspended or revoked your driver's license? No.

(9) That the following conditions exist which are relied upon by applicant as justification for approval of the local consents granted.

STATE BRIEFLY SEVERAL REASONS.

This service is needed in order to give a through service to Atlantic City.

New Jersey State Library

Wherefore, applicant requests that the Board of Public Utility Commissioners of the State of New Jersey approve the said local consents.

Dated at Newark, New Jersey, this 7th day of November, 1927.

PUBLIC SERVICE TRANSPORTATION COMPANY,
By GEO. H. BLAKE,
Attorney.

(Signature of applicant.)
(Attorney, if any.)

NOTE:—Applicants shall prepare at least five copies of all exhibits to be presented at hearings.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Dec. 7, 1927.)
(Received Dec. 8, 1927.)

BE IT RESOLVED by the Borough Council of the Borough of Magnolia, that permission be and is hereby granted the Public Service Transportation Company to operate twelve additional buses, over the White Horse Pike, in the Borough of Magnolia; these being twelve additional buses on the Berlin bus line.

I hereby certify that the foregoing is an exact and true copy of a resolution adopted by the Magnolia Borough Council at a regular meeting held November 22nd, 1927.

O. E. Hagen,
(Seal) Borough Clerk.

Regular Meeting of Board of Commissioners held January 12th, 1928.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

PERMIT GRANTED PUBLIC SERVICE TRANSPORTATION COMPANY TO OPERATE TWELVE AUTOMOBILE BUSES IN ATLANTIC CITY, REVOKED.

WHEREAS, the Board of Commissioners of the City of Atlantic City, did at one of its regular meetings, held on August 25, 1927, grant the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, permission to operate its twelve (12) automobiles within the corporate limits of the City of Atlantic City; and

WHEREAS, the said Board of Commissioners are now of the opinion that for the public good of the entire City, the said permit should be revoked:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Atlantic City, that the permit by resolution, granted at a regular meeting of the Board of Commissioners of the City of Atlantic City, N. J., on August 25, 1927,

to the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, to operate its twelve (12) automobile buses within the corporate limits of the City of Atlantic City, be and the same is hereby revoked, declared null and void, and for nothing holden.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

CITY OF ATLANTIC CITY.

DEPARTMENT OF PUBLIC AFFAIRS.

I, JOSEPH A. McNAMEE, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, Do Hereby Certify, that the foregoing is a true copy of a resolution which was passed by the Board of Commissioners of the City of Atlantic City, at a regular meeting held January 12th, 1928, as taken from the original on file in the office of the City Clerk.

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this 12th day of January, 1928.

Joseph A. McNamee,
City Clerk.

(Seal)

30 20 10

EXHIBIT P. S. 5.

FARE ZONES

Camden-Atlantic City Route.

Zone	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Camden 1	$.25	.30	.35	.50	.60	.70	.80	.90	1.00	1.00	1.05	1.10	1.20	1.25	1.25
West Berlin 2		.10	.10	.25	.35	.45	.55	.65	.75	.75	.80	.85	.95	1.00	1.20
Berlin 3			.10	.15	.25	.35	.45	.55	.65	.65	.70	.75	.85	.90	1.10
Atco Lake 4				.10	.10	.20	.30	.40	.50	.50	.55	.60	.70	.75	.95
Waterford 5					.10	.10	.20	.30	.40	.40	.45	.50	.60	.65	.85
Elm 6						.10	.10	.20	.30	.30	.35	.40	.50	.55	.75
Hammonton 7							.10	.20	.30	.30	.35	.40	.50	.55	.75
Elwood 8								.10	.20	.20	.25	.30	.40	.45	.65
Egg Harbor 9									.10	.10	.15	.20	.30	.35	.55
Second High Bridge 10										.10	.15	.20	.25	.30	.50
Mannheim Avenue 11											.10	.15	.20	.30	.45
Kennedys Hotel 12												.10	.15	.25	.40
Absecon Highlands 13													.10	.15	.25
Absecon & N. Y. Rd. 14														.10	.25
Atlantic City 15															.25

Revised--1/1/28.

Unity for Service XC Atlantic City, N. J.
THE ATLANTIC CITY EXCHANGE CLUB
Pres. Arthur G. Walker
508 North Tennessee Avenue
Granville H. Steelman, Jr.
Secretary-Treasurer
302 Chelsea National Bank Bldg.
1st Vice-Pres. C. Wood Smith
2nd Vice-Pres. Albert B. Johnson
3rd Vice-Pres. J. Howard Blackman

January 28, 1928.

Mr. Samuel P. Leeds, President,
Atlantic City Chamber of Commerce,
Atlantic City, New Jersey.

My dear Mr. Leeds,

The Atlantic City Exchange Club, a civic luncheon club, composed of a number of the leading business men of Atlantic City, at their meeting, Thursday, January 26th, went on record as opposed to the granting of franchises for the Public Service Transportation Company to operate twelve (12) buses between Camden and Atlantic City, and twelve (12) buses between Camden and Hammonton. They are further firmly convinced that railroad service is the only permanently satisfactory method of transportation for long hauls, and any curtailment of this service, brought about through the installation of additional parallel bus transportation service, will be a step backward in the growth of not only Atlantic City, but all South Jersey coast resorts.

As Secretary of the Atlantic City Exchange Club, I have been instructed to write you this, expressing the sentiments of this organization.

Very truly yours,
Granville H. Steelman, Jr.

GHS G

CITY OF ATLANTIC CITY.

EXHIBIT 1.

Jan. 30/28.

Member of the Chamber of Commerce of the United States and of the New Jersey Chamber of Commerce

CHAMBER OF COMMERCE
Atlantic County Trust Building
Atlantic City, New Jersey
ATLANTIC
CITY
All The Time
Atlantic City—the World's Playground

OFFICERS

Samuel P. Leeds, President
Charles H. Godfrey, Vice-President
C. H. Howell, Vice-President
Luther L. Jones, Vice-President
Maurice Y. Cole, Solicitor
Charles E. Fell, Treasurer
Lockwood M. Seely, Assistant Treasurer
W. Lane Dilg, Secretary
Thomas L. Husselton, Ass't Secretary

DIRECTORS

Harry Bacharach	Leonard D. Algar
Ezra C. Bell	Willard Eldredge
Walter J. Buzby	Albert J. Feyl
Dr. Wm. J. Carrington	Charles H. Godfrey
Frank P. Gravatt	C. H. Howell
Frederick Hickman	Matthew B. Markland

Luther L. Jones	Alvin C. Poffenberger
Samuel P. Leeds	Louis St. John
Richard E. Swift	Alex Vollmer

WHEREAS: The Public Service Transportation Company, a subsidiary of the Public Service Corporation, has applied to the Board of Public Utility Commissioners of the State of New Jersey for a permit to operate on the White Horse Pike twelve motor busses between Camden and Hammonton, and twelve motor busses between Camden and Atlantic City, and

WHEREAS: It is a foregone conclusion that further reduction of the revenues of the rail companies because of increased motor bus competition will compel a reduction of rail service to Atlantic City, and

WHEREAS: It is our opinion that motor busses now operating between Atlantic City and outside points cause serious congestion of our streets and our entering highways, particularly the White Horse Pike, and any increase of such means of transportation will only add to this congestion; be it

RESOLVED: That the Board of Directors of the Atlantic City Chamber of Commerce is opposed to the application of the Public Service Transportation Company to put on these additional motor busses.

Resolution adopted by the Board of Directors, Atlantic City Chamber of Commerce, January 26, 1928.

S. P. Leeds,
President.

Attest
W. Lane Dilg,
Secretary.

The Ventnor City Chamber of Commerce, believing that further reduction of the revenue of the rail companies, from increased motor-bus competition, will compel the reduction of rail service to Atlantic City, and similarly affect Ventnor City, is opposed to the granting of franchises for the Public Service Transportation Company to operate twelve (12) buses between Camden and Atlantic City, and twelve (12) buses between Camden and Hammonton.

And, we further are firmly convinced that railroad service is the only permanently satisfactory method of transportation for long hauls, and any curtailment of this service, brought about through the installation of additional parallel bus transportation service, will be a step backward in the growth of not only Atlantic City and Ventnor City, but all South Jersey coast resorts.

Granville W. Steelman, Jr.,
President.
George H. Bratten,
Secretary.

Sworn and subscribed to before me this 27 day of January, A. D. 1928.

Joseph E. Aliantro, Jr.,
(Seal) Notary Public.

Below is an excerpt from minutes of meeting of Executive Committee of the Camden Chamber of Commerce, held January 14th, 1928, at 4 P. M.

IT WAS RESOLVED that J. J. Ruster, Manager, Transportation Department, be authorized to testify on behalf of the Camden Chamber of Commerce at the hearing before the Public Utilities Commission, concerning bus transportation between Camden and Atlantic City.

Signed, Francis B. Wallen,
President,
CAMDEN CHAMBER OF COMMERCE,
of Camden, N. J.

Attest:
L. D. Odhner,
(Seal) Executive Secretary.

Members of Executive Committee who were present at meeting on Saturday, January 14th, 1928:
Messrs. John B. Kates, J. Lynn Mahaffey, M.D., A. W. Stedman, R. A. Robinson, Francis B. Wallen, Sr., J. J. Ruster, L. D. Odhner.

Below is an excerpt from minute of Sixth Meeting, Board of Directors, Chamber of Commerce, Wednesday, July 20th, 1927, 4.15 P. M.

"Item 10. Powers of Executive Committee. The Executive Committee was granted such powers as would ordinarily fall to the Board of Directors when it should meet in lieu of the Board of Directors."

Signed, L. D. Odhner,
(Seal) Executive Secretary,
CAMDEN CHAMBER OF COMMERCE.
January 16th, 1928.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

Type	Year	Name of Mfr.	Eng. No.	Seating Capacity
Bus	1927	Mack	L2-39	29
"	1927	"	L2-44	29
"	1925	White	92-47	27
"	1926	Yellow Coach	15190	30
"	1926	Mack	536-66	25
"	1925	"	492-81	28
"	1925	"	492-74	28
"	1925	"	493-68	28
"	1925	Pierce Arrow	9217100	28
"	1926	Mack	560-55	25
"	1926	"	512-86	25
"	1926	"	492-46	25

Length	Width	Outside Ht.	Inside Ht.	Registration No.
28′	7′6″	8′4″	6′4″	04676
28′	7′6″	8′4″	6′4″	04677
26′10″	7′7″	8′7″	6′4″	04661
28′	7′10″	9′6″	6′6″	04719
27′11″	7′6″	8′7″	5′4″	016337
27′4″	7′8″	8′8″	5′4″	03637
27′4″	7′8″	8′8″	5′4″	03638
27′4″	7′8″	8′8″	5′4″	03639
28′	7′8″	9′7″	6′6″	03635
28′	7′9″	8′7″	5′4″	06630
28′	7′9″	8′7″	5′4″	016428
28′	7′9″	8′7″	5′4″	016427

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

SCHEDULE OF FARES.

From P. R. R. Ferry, Camden, to Station Ave., Haddon Heights ..... 10¢

From P. R. R. Ferry, Camden, to Laurel Road, Stratford ..... 15¢

From Laurel Road, Stratford, to Silver Lake Park, Clementon ..... 5¢

From Silver Lake Park, Clementon, to Trout Run, Watsontown ..... 5¢

From Trout Run, Watsontown, to P. R. R. Crossing ..... 5¢

From P. R. R. Crossing to Forks of Road, Berun ..... 5¢

From Forks of Road, Berun, to Bishop's Bridge Road ..... 5¢

From Bishop's Bridge Road to Atco Ave., Atco ..... 5¢

From Atco Ave., Atco, to Atco Lake, Atco.... 5¢

From Atco Lake, Atco, to Waterford Road, Winslow Twp. ..... 10¢

From Waterford Road, Winslow Twp., to Elm, Winslow Twp. ..... 10¢

From Elm, Winslow Twp., to P. R. R. Station, Hammonton ..... 10¢

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED, by the Board of Commissioners of the City of Camden, New Jersey, that permission be and it is hereby granted the Public Service Transportation Company to operate twelve (12) additional buses on the Berlin line, from the Pennsylvania Railroad Ferries, Camden—out Federal Street to Haddon Avenue, thence on Haddon Avenue to the White Horse Pike, to the Camden City Line. Inbound from Camden City Line, thence on White Horse Pike to Haddon Avenue, to Seventh Street, to Market Street to the Pennsylvania Railroad Ferries.

AND BE IT FURTHER RESOLVED, that permission be and it is hereby granted, under these twelve (12) permits, to allow any of said buses operating by reason hereof, to terminate at the Court House, Camden, New Jersey, and to operate over the following route:

Inbound from the Camden City Line on the White Horse Pike to Haddon Avenue, to Federal Street, to Sixth Street, to Market Street, to Seventh Street, to Haddon Avenue, to the White Horse Pike, to the Camden City Line.

The permission hereby given for the operation of said autobuses is subject to all present ordinances of the City of Camden and all ordinances of the City of Camden hereafter adopted, and all laws of the State of New Jersey now in force or hereafter adopted.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

CITY CLERK'S OFFICE.

CAMDEN, NEW JERSEY.

I, William D. Brown, City Clerk of Camden, New Jersey, do hereby certify that the foregoing is a true copy of Resolution passed by the Board of City Commissioners, the Third day of November, A. D. 1927, as taken from and compared with the original now on file in my office.

In Testimony Whereof, I have hereunto set my hand and seal, of the City of Camden at Camden, this Fourth day of November, A. D. 1927.

Wm. D. Brown,
City Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Collingswood that permission be and is hereby granted the Public Service Transportation Company to operate fifteen autobuses, between the East Borough line and the West Borough line, of the Borough of Collings-

wood; being fifteen additional permits required for the operation of the Berlin line.

Adopted Sept. 19, 1927.

P. G. Knebel.
J. W. Cain.
F. M. Cornbrooks.

Albert F. Usilton,
Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Oaklyn that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Oaklyn; these being additional permits required for the operation of the Berlin bus line.

I hereby certify that the above is a true copy of resolution passed by the Board of Commissioners of the Borough of Oaklyn at a regular meeting held on Thursday evening, September 22, 1927.

Walter W. Cook,
(Seal) Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Audubon that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) autobuses, over the White Horse Pike, in the Borough of Audubon; being additional permits required for the operation of the Berlin line.

Conway Bennett.
Louis C. Graupner.

I hereby certify the above to be a true copy of resolution adopted by the Board at their meeting held Wednesday, Sept. 21, 1927.

(Seal) H. K. Laurence.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Council of the Borough of Haddon Heights that permission be and is hereby given the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Haddon

Heights; these being additional permits required for the operation of the Berlin bus line.

Passed Oct. 27, 1927.

Frank W. DuBree,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Lawnside that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Lawnside; being additional permits required for the operation of the Berlin bus line.

The foregoing is an exact copy of a resolution passed by Borough Council at its regular meeting held Oct. 5, 1927.

James Hemmings,
Mayor.

(Seal)

Attested:

Horace J. Bryant,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Barrington that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Barrington, being additional permits required for the operation of the Berlin bus line.

I hereby certify that the attached is a true and correct copy of the resolution as passed by Council.

Harry J. Stone,
Borough Clerk.

(Seal)
Sept. 26, 1927.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Council of the Borough of Stratford that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Stratford; being additional permits required for the operation of the Berlin bus line.

The above resolution was adopted by the Council of the Boro of Stratford at a regular meeting held on Oct. 11, 1927.

Royden K. Lippincott,
Mayor.

(Seal)
Attest:
R. P. Jones,
Borough Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Commissioners of the Borough of Laurel Springs that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Borough of Laurel Springs; being additional permits required for the operation of the Berlin bus line from Camden to Atlantic City and intermediate points.

Passed Oct. 10, 1927.

W. H. Mick,
Acting Mayor.

(Seal)
Attest:
H. E. Bryson,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Township Committee of the Township of Clementon that permission be and is hereby granted the Public Service Transportation Company to operate twelve autobuses, over the White Horse Pike, in the Township of Clementon; being additional permits required for the operation of the Berlin bus line.

Certified this 23rd day of October, A. D. 1927.

Edward Arentzen,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Council of the Borough of Clementon, that permission be and is hereby granted the Public Service Transportation Company, to operate twelve autobuses, over the White Horse Pike, in the Borough of Clementon; being additional permits required for the operation of the Berlin bus line.

Frank C. Somers,
Mayor.

(Seal)

S. Wayne Clark,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Township Committee of the Township of Berlin that permission be and is hereby granted the Public Service Transportation Company to operate twelve additional buses, over the White Horse Pike (via Franklin Avenue and Haddon Avenue), in the Township of Berlin; this being twelve additional buses on the Berlin bus line.

Adopted Sept. 26, 1927.

Christopher Myrtetus,
Chairman.

(Seal)
Attest:
Albert B. Walker,
Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

BE IT RESOLVED by the Borough Council of the Borough of Berlin, that permission be and is hereby granted the Public Service Transportation Company to operate twelve (12) additional buses, over the White Horse Pike, in the Borough of Berlin; these being twelve (12) additional buses on the Berlin bus line.

Passed Sept. 19, 1927.

Attest:
Geo. R. Duncan,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Waterford, that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four autobuses over the White Horse Pike, in the Township of Waterford, as part of the Berlin bus line operating between Camden and Atlantic City.

(Signed) Lawrence J. Dubl,
Township Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Township Committee of the Township of Winslow, that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four buses over the White Horse Pike, in the Township of Winslow, as part of the Berlin bus line operating between Camden and Atlantic City.

Passed Oct. 29, 1927.

(Signed) Herman U. Priestley,
Chairman.

(Seal)

Attest:

(Signed) John Fleed,
Township Clerk.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

BE IT RESOLVED by the Borough Council of the Borough of Chesilhurst that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four autobuses, over the White Horse Pike, in the Borough of Chesilhurst; being additional permits required for the operation of the Berlin line.

The above resolution was approved, by the Borough Council, at a regular meeting held on Oct. 8, 1927.

Attest:

(Signed) Fred J. Calnan,
Borough Clerk.

(Seal)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Nov. 10, 1927.)

CERTIFIED COPY OF THE FOLLOWING RESOLUTION ON FILE WITH BOARD OF PUBLIC UTILITY COMMISSIONERS, WITH APPLICATION OF PUBLIC SERVICE TRANSPORTATION COMPANY FOR APPROVAL OF THE EXTENSION OF THE CAMDEN-BERLIN-ATCO AND TANSBORO ROUTE TO ATLANTIC CITY, NEW JERSEY, FILED ON SEPTEMBER 14th, 1927.

ROOM OF THE TOWN COUNCIL.

Hammonton, N. J.

BE IT RESOLVED by the Town Council of the Town of Hammonton that permission be and is hereby granted the Public Service Transportation Company to operate twenty-four buses, in the Town of Hammonton, as an extension of the Berlin bus line, operating between Berlin and Atlantic City.

BE IT FURTHER RESOLVED that the permission is hereby granted subject to the express condition that twelve of said buses shall operate through Hammonton by way of Bellevue Avenue and Egg Harbor Road, and twelve by way of White Horse Pike.

(Signed) Chas. Cummingham,
Mayor.

Adopted September 26th, 1927.

Attest:
(Signed) W. R. Seely,
Town Clerk.

The foregoing is certified by me to be a true copy.
WITNESS my hand and the seal of the Town of Hammonton, this 27th day of September, 1927.
(Signed) W. R. Seely,
Town Clerk.
(Seal)

PETITION TO AMEND APPLICATION.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

(Received Dec. 2, 1927.)

Petition to amend application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of local permission to operate twelve buses on the Camden-Atlantic City route between Camden and Hammonton, New Jersey.	Petition to Amend Application.

Public Service Transportation Company respectfully shows:

1. That it has filed an application to operate buses on the Camden-Hammonton route, as follows:

Beginning at the Pennsylvania Railroad Ferries, Camden; thence on Federal Street, thence on Haddon Avenue, thence on White Horse Pike, through Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs and Watsontown; thence on Franklin Avenue, West Berlin,

to Haddonfield Road, thence to White Horse Pike and Main Street, to P. R. R. Station, Hammonton; returning via same route.

2. That it is desired to operate the route as follows:

Beginning at the Pennsylvania Railroad Ferries, Camden, thence on Federal Street, thence on Haddon Avenue, thence on White Horse Pike through Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs and Watsontown; thence on Franklin Avenue, West Berlin, to Haddonfield Road; thence to White Horse Pike and Bellevue Avenue, thence on Bellevue Avenue, to Egg Harbor Road and White Horse Pike, to the Hammonton Line; returning via same route to Haddon Avenue and Federal Street, Camden, thence via Seventh Street, Market Street, to P. R. R. Ferry, Camden. Also providing that any of the autobuses may terminate at the Camden County Court House, the route in Camden then being via White Horse Pike, Haddon Avenue, Federal Street, Sixth Street, Market Street, Seventh Street, Haddon Avenue, and White Horse Pike to the city line.

Your petitioner prays that the application be amended to include the foregoing changes.

Respectfully submitted,

PUBLIC SERVICE TRANSPORTATION COMPANY,

By GEO. H. BLAKE,

General Solicitor.

Dated, Newark, N. J.,
November 30th, 1927.

TESTIMONY

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Camden, N. J., December 5th, 1927.

Camden-Atlantic City route, between Camden and Hammonton—Application of Public Service Transportation Company for approval of local consents to operate 12 buses.

Before the following Commissioners:
FREDERICK W. GNICHTEL, ESQ.
CHARLES BROWNE, ESQ.
FRANK J. DALY, ESQ., Senior Inspector.

For the Applicant appears:
CHARLES S. STRAW, ESQ.

For the Atlantic City Railroad appear:
FLOYD H. BRADLEY, ESQ.,
and
C. T. WOLF, ESQ.

For the West Jersey & Seashore Railroad appears:
GEORGE M. SHIPMAN, ESQ.

For Absecon Bus Company appears:
C. R. FLACK, ESQ.

Mr. Shipman: If your Honor please, in this case and also in the case of the Camden-Berlin-Atco-Tansboro-Atlantic City Route, the West Jersey & Seashore is prepared this morning to offer a certain amount of testimony, but we are not prepared to offer certain oral and written testimony concerning the passenger earnings of the railroad company in previous years as compared with the present time, which we would like to present at some future date, but we are ready to go ahead with what we have this morning, if your Honor will then grant us a continuance.

Commissioner Gnichtel: Are you ready to proceed, Mr. Straw?

Mr. Straw: Yes, sir.

Mr. Bradley: I was going to say, on behalf of the Atlantic City Railroad, that we would also like that opportunity to put in the matter of the difference between the revenue in the past few years, as bearing on the question, and we would be prepared to give that today, only we have had very short notice.

Commissioner Gnichtel: All right, we will go ahead with the petitioner's testimony and then we will give you an adjournment.

ARTHUR T. WARNER, sworn, on behalf of applicant.

Direct examination.

By Mr. Straw:

Q. Mr. Warner, you are general manager in charge of traffic of the Public Service Railway Company and the Public Service Transportation Company, are you not?

A. Yes, sir.

Q. This is an application on the part of the Public Service Transportation Company for the approval of local permission to operate twelve buses on the Camden-Atlantic City Route between Camden and Hammonton; is that correct?

A. Yes, sir.

Q. What is the proposed route?

A. From the Pennsylvania ferries, Camden, via Federal Street, Haddon Avenue, White Horse Pike, through Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs, Watsontown, thence on Franklin Avenue, West Berlin, to Haddonfield Road, thence to the White Horse Pike to Hammonton.

Q. Have you prepared a map?

A. Yes, sir.

Q. May I have it, please?

A. (Produces map.)

Mr. Straw: I offer that in evidence and ask that it be marked as an exhibit.

(Map, received and marked Exhibit P. S. 1.)

Mr. Daly: Have you decided your route in Hammonton? Because the municipal consents were obtained upon the theory that you were to use certain streets in Hammonton.

Q. Mr. Warner, our attention has been directed to the route in Hammonton; what is the designated route in Hammonton?

A. According to the permission obtained from Hammonton, these twelve buses will operate through Hammonton by way of Bellview Avenue and Egg Harbor Road.

Q. And then there are twelve others that will operate by way of the White Horse Pike, in another application?

A. Yes, sir.

Q. Have municipal consents been obtained from the municipalities through which the line proposes to operate?

A. (No reply.)

Q. My attention is called to the fact that apparently there are two routes; one is from the Court House Plaza, as I understand; is that not included in the entire route which you have just designated?

A. It is.

Q. Have municipal consents been obtained from the municipalities through which the line proposes to operate?

A. They have been obtained from Camden, Collingswood, Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Stratford, Laurel Springs, Clementon Township, Clementon Borough, Berlin, Waterford, Winslow, Chesilhurst and Hammonton.

Q. In other words, all of the municipalities through which the line proposes to operate have

granted permits, is that correct, with the exception of Haddon Township, so it appears?

A. Yes, sir, I think so.

Q. What type bus do you propose to operate, Mr. Warner? The Borough of Magnolia also does not seem to have granted a permit here. Has application been made to that municipality?

A. Yes, it has granted a permit.

By Mr. Daly:

Q. The Board has not received it.

A. It is on its way to you then. I know it has been granted.

By Mr. Straw:

Q. It has been granted?

A. Yes, sir, because the Borough has acted on it.

Q. The municipal consents are filed with the petition?

A. Yes, sir.

Q. What type bus do you propose to operate?

A. Mack buses.

Q. And they conform, do they, to the specifications of the Board of Public Utility Commissioners?

A. Yes, sir.

Q. What is the length of the route?

A. The total length of the route to Hammonton is thirty and a half miles.

Q. And what is the running time proposed to be operated?

A. Two hours and a half each way.

Q. What schedule do you propose to operate on, or are you going to fit the schedule to meet the service requirements?

A. It depends upon the traffic, as to seasonal variation. This operation is really an increase from the operation of the present line as far as Berlin and Atco and Tansboro, and down through that section.

By Commissioner Gnichtel:

Q. How far does the present bus run?

A. The present bus runs all the way to Hammonton.

Q. You have a line running now from Camden to Hammonton?

A. Yes but a large part of the service ends at Berlin and Atco and Tansboro, and in there, and this is to allow an increase in the service on the entire line.

Q. By putting on more buses and running all the way to Hammonton?

A. Yes, sir; all buses do not go to Hammonton under the present method of operation.

Q. How many trips do you make each day to Hammonton?

A. Just two trips at present.

By Mr. Straw:

Q. Is the schedule of the rates of fare attached to the petition, and if it is, will you tell us what the schedule of fares filed is?

A. The schedule is filed with the petition, showing all the fares for the route.

Q. Is there a need for this service, Mr. Warner?

A. Yes, sir, there is a need for this service. The Berlin Line is increasing all the time. This is really an extension and an increase in the service

of the Berlin line. The schedule will vary as to seasonal requirements. There should be more service operating now to Berlin, between Berlin and Camden, and we are now operating only two trips beyond there to Hammonton, and more trips are needed in that section and this application is to increase the service all the way down.

Q. In your judgment, would the granting of the permission sought serve the public convenience, and in your judgment, is it a public necessity?

A. Yes, sir.

Mr. Straw: Take the witness.

By Mr. Daly:

Q. Mr. Warner, the twelve buses to Hammonton, are they additional buses to what you are operating now to Hammonton?

A. Yes, sir.

Q. You have got twelve permits as far as Berlin and Atco, and how many permits beyond Berlin to Hammonton?

A. My memory is that we have one permit beyond.

Q. And that permit was acquired when you purchased the Berlin bus line, was it not?

A. Yes, I think there was one permit to continue on and that is the permit under which we are making the two trips a day down there now.

Cross-examination.

By Mr. Bradley:

Q. You say you have one bus running from Camden to Hammonton at the present time?
A. Yes, sir, beyond Atco.
Q. And you are asking for twelve?
A. Yes, sir, but we will not operate all twelve all the way to Hammonton at the present time.
Q. The service that you say is necessary now to the public is principally between Camden and Berlin, isn't it?
A. Principally, yes.
Q. And now you say there is a public necessity to go to Hammonton?
A. Yes, sir.
Q. Hammonton is served by two railroads, is it not?
A. Yes.
Q. And the train service is very frequent, is it not?
A. I don't know how frequent it is.
Q. Then how can you say there is a demand for this other service, unless you know what the train service is?
A. Because the trains do not operate along the White Horse Pike and do a local business that a bus line would do.
Q. Don't the trains go to Oaklyn?
A. Yes, I guess they do.
Q. The Atlantic City Railroad runs to Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford and Laurel Springs, does it not?
A. To the stations at those points, yes.

Q. And how far are the stations at those points from the White Horse Pike?

A. Well, varying distances.

Q. We will say, for instance, at Haddon Heights?

A. At Haddon Heights I should say it is a matter of two or three hundred yards from the White Horse Pike.

Q. One square, isn't it?

A. I guess it is.

Q. You know it is, don't you?

A. Yes.

Q. You are familiar with what you are testifying to, here today, aren't you?

A. Yes, sir.

Q. How far is it in Oaklyn?

A. About the same—I would say it was a little further.

Q. Well, would you say it was three or four squares?

A. No, I don't think it is that far.

Q. Well, how many squares?

A. I don't know how many squares, but I don't think it is four; I think it is slightly further at Oaklyn than it is at Haddon Heights.

Q. Will you say two squares?

Mr. Straw: Is there any question as to how far it is?

Mr. Bradley: I don't know; this witness is testifying ——

Witness: I said I thought it was further at Oaklyn than it is at Haddon Heights.

Q. Well, how much further?

Mr. Straw: Nothing that Mr. Warner says can change the physical aspect of the distances from the White Horse Pike to the Atlantic City Railroad Stations, and I am perfectly willing to agree that whatever Mr. Bradley's engineer says is the distance is the correct distance.

Mr. Bradley: Here is a witness basing his testimony on one particular thing, and I think it is up to him to show on cross-examination that he knows what he is basing it on.

Witness: I don't know how many squares it is at Oaklyn from the railroad station to the White Horse Pike.

Q. Do you know how many it is at Barrington?
A. No, sir.
Q. Do you know how many it is at Lawnside?
A. No, sir.
Q. At Magnolia?
A. No, sir.
Q. Somerdale?
A. No, sir.
Q. Stratford?
A. No, sir.
Q. Laurel Springs?
A. No, sir.
Q. What kind of service does the Atlantic City Railroad furnish to these places that we have just spoken of, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford and Laurel Springs?

Mr. Straw: If your Honor please, there isn't any use in speculating about that; there are time-tables

here, and I am perfectly willing to agree that they put them in.

Commissioner Gnichtel: The witness may answer the question. If he doesn't know he may say so.

A. I don't know.

Q. In spite of the fact that you do not know the distance from the White Horse Pike to the various stations on the Atlantic City Railroad, and in spite of the fact that you do not know what service is given by the Atlantic City Railroad to the places we have just mentioned, you still say that the service is inadequate and that the public is not being properly served?

Mr. Straw: I object to the question.

Commissioner Gnichtel: I will allow it.

A. I did not say that.

Q. You have seen these municipal consents, have you?

A. I would not swear that I have seen all of them. They have passed through my office, but whether I have personally seen them or not, I do not remember.

Q. Then so far as the consents are concerned, that is hearsay?

A. Some of them ——

Mr. Straw: Is that a question or is it a statement?

Mr. Bradley: It is a question.

Mr. Straw: I object to the form of the question.

Commissioner Gnichtel: You made a statement rather than put a question, I think. I think the objection is well taken, in that respect.

Mr. Bradley: All right, I will withdraw it.

Q. These consents that you speak of, you say that they came through your office, but that you do not know whether they have been properly obtained or not, whether they have been obtained or not? You do not know of your own knowledge?

A. I will not swear that I have seen them all, but perhaps I have.

Q. Are there any places to which this proposed line is to run which you have not secured consents from?

A. Haddon Township.

Q. You said that the running time between Camden and Hammonton was to be what?

A. Two hours and a half. That is the schedule.

Q. Is that round trip or one way?

A. Each way.

Q. And how many trips will you make a day?

A. The schedule will vary by the season; it will vary with the seasons and with the traffic demand.

Q. How many are you going to keep up all the time?

A. Well, I would say that we would start this service with about a one-hour headway and that that would vary as the traffic demanded.

Q. And how many buses would that require?

A. Five.

Q. And then it is your idea that that would take care of the needs at the present time?

A. Assuming that we start at this season of the year, the middle of the winter ——

Mr. Bradley: Will you read my question, please?

(Question repeated by stenographer.)

A. That is the headway to Hammonton, one hour, but in addition to that there will be further increases to the Berlin service, the service to Berlin, Atco and Tansboro.

Q. How many buses are you going to run between Camden and Hammonton at the present time, what headway?

A. About an hour headway.

Q. And how many buses will that require?

A. Five buses.

Q. And what are you going to do with the other seven?

A. Some of them would operate as far as Berlin and others would be operated as the summer business appeared.

Q. What have you to show as to the demand for the five buses between Atco and Hammonton?

Mr. Straw: I don't know whether the witness understands that or not. I don't.

Q. You say there is need for that transportation at the present time between Atco and Hammonton?

A. Yes, sir, I think there is.

Q. Upon what do you base that?

A. Well, largely upon the condition of the bus service that is on the White Horse Pike at the present time and the large amount of interstate bus traffic which is supposed to do no local business in the State of New Jersey, and is continually doing it and is continually creating a demand for local traffic down in that section.

Q. Now, what observations did you personally make, and when did you make them which would lead you to believe that there is need for increased service between Atco and Hammonton?

A. I have not made any personal observations, except I think it was early in October.

Q. And how long were you there?

A. I drove through that section.

Q. Just once?

A. Back and forth. You are asking me what personal observations I have made and I am telling you.

Q. Yes, you drove back and forth.

A. Yes, sir.

Q. On how many occasions?

A. Once.

Q. At what time of the day?

A. Well, as I remember it, I went down about the middle of the morning and back the latter part of the afternoon, that is, went east, I would say, between 10.00 and 11.00 o'clock in the morning ——

Q. And that is the only personal observation you have made?

A. That is the only personal observation I have made in the last six months or so.

Mr. Bradley: That is all.

Cross-examination.

By Mr. Shipman:

Q. Are there any other bus lines running between Berlin and Hammonton, besides the Public Service?

A. There are a number of interstate bus lines.

Q. Where do they stop?

A. Most of them run from Philadelphia to Atlantic City.

Q. Do they stop at Berlin?

A. What do you mean, "Do they stop at Berlin?"

Q. Do they take on passengers and discharge passengers at Berlin?

A. Yes, sir, for Philadelphia.

Q. Can a passenger get on at Berlin and ride to Hammonton?

A. Legally, no, but there is actually a great deal of it done—I wouldn't say a great deal, but considable.

Q. Are there any other bus lines, besides interstate bus lines, that run between Berlin and Hammonton?

A. Not to my knowledge.

Q. The bus line that you propose to operate, will that end at Hammonton?

A. Yes, sir.

Q. Where in Hammonton will the terminus of that line be with respect to the station of the Reading Railroad and the West Jersey Railroad?

A. At the Pennsylvania Station.

Q. It will end at the Pennsylvania Station?

A. Yes, sir.

Re-cross examination.

By Mr. Bradley:

Q. You propose to run twelve buses from Camden to Hammonton and then you are going to run twelve other buses from Camden to Atlantic City?

A. Yes, sir.

Q. So you are going to try to pick up the trade between Camden and Hammonton with twenty-four buses; is that your purpose?

A. Yes, sir, and I think there are times when we could run twice as many as that in the summer-time.

Q. That is your observation?

A. No, sir, that is from reports that have been made to me.

Re-direct examination.

By Mr. Straw:

Q. Mr. Warner, I assume you have some folks who work for you and who report to you, do you not?

A. Some 7,700.

By Commissioner Gnichtel:

Q. Some 7,700 folks?

A. Yes, sir.

By Mr. Straw:

Q. I assume that there are folks whose duty it is to observe things and report to you so that you can make decisions; is that true?

A. Yes.

Q. Do you personally go out and inspect every line to see what the situation is?

A. I try to.

Q. How often do you do that?

A. Different sections in different periods. I think I cover every bit of the system, involving some 800 miles of trolley track and almost the same amount of bus mileage at least once every six months, if not oftener.

Q. The things to which you have testified today, I take it, are the result of folks whose duty it is to report to you; is that true?

A. Yes, sir.

Mr. Straw: No further questions.

By Mr. Shipman:

Q. Would you be willing to restrict your buses to do a local business and refuse to take through passengers from Hammonton to Camden?

A. No, sir, I do not think I would be willing to make a voluntary restriction to do that.

Mr. Shipman: That is all.

ELDON MORGAN, sworn, on behalf of applicant.

Direct examination.

By Mr. Straw:

Q. Where do you live, Mr. Morgan?

A. 95 North 48th Street, Camden, New Jersey.

Q. By whom are you employed?

A. The Public Service Transportation Company.

Q. In what capacity?

A. Supervisor of the Berlin Line.

Q. Is that the line which is under discussion here this morning?

A. Yes, sir.

Q. What has been your experience with folks who are traveling, with respect to the need of an ex-

tension of the Berlin Line, or as to service between Camden and Hammonton? Have you had any experience at all?

A. Why, the people of Chesilhurst have made a personal request for additional service, which we are unable to render at this time because we haven't the permits to do it. The service at the present time is not adequate.

Q. Have folks in any other community asked you for additional service?

A. And also the people in Waterford have asked for additional service. At times it has been necessary to send chartered buses into that territory to take care of them, because the service there at the present time is inadequate.

Q. There are interstate bus operations there, are there not?

A. Yes, sir.

Q. As a matter of fact, what is the situation with reference to a local business being done, either in violation of the law or otherwise, by these interstate operators?

A. What is that question?

(Question repeated by stenographer.)

Q. Do they actually do an intrastate business, or a local business?

A. The interstate operators?

Q. Yes. Have you ever seen them doing a local business?

A. Yes, sir.

Q. Whether they are allowed to do so or not, the fact remains that they do it.

A. That is beyond Atco and down as far as Egg Harbor Avenue, they do.

Q. In your judgment, would service, such as is now being petitioned for, serve the public convenience and is it a public necessity?

A. Yes, sir.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. Upon what do you base that conclusion?

A. From actual observation of the territory as it is being served at the present time. The interstate operators are doing some more or less local business in that territory, due to the fact that we haven't got the necessary permits to give them the service in that territory which is necessary and needed.

Q. How many passengers are they picking up?

A. I could not say because I have no way of telling just how many they are picking up.

Q. Well, there is a demand for how many passengers, would you say, a day on this line between Atco and Hammonton?

Mr. Straw: I don't know whether counsel means just what he asks or not.

A. That would be really hard to determine, just how many passengers the proposed line would carry per day.

Q. Well, what is the need now? How many people want to get on now and want to go from Atco to Hammonton, who cannot be served?

A. Possibly the need of an hour service.

Q. How many people are there that you know of? You say there is a public necessity for it; tell us what you know about it.

A. Well, I have had personal requests within the territory which you have mentioned from around 200 people that I know of, who travel from one point to the other, in the territory you have mentioned.

Q. That is, between Hammonton and Atco?

A. Yes, sir.

Q. A day?

A. Yes, sir.

Q. How are they getting there now?

A. Some of them are traveling by train and some are traveling in their own automobiles.

Q. They are all getting there, aren't they?

A. Yes, sir.

By Commissioner Gnichtel:

Q. Do any travel in your buses?

A. Some, yes.

Q. How are those buses patronized? Are there many people traveling in them?

A. Why, yes, but the service, being so long a headway, the people won't wait at times, so only those that are there at the time the bus comes along get on.

Q. Is the majority of that travel between Atco and Hammonton or is it to some of those little stations between those points?

A. Well, some of it is between those points, from points like Waterford to Hammonton, Chesilhurst to Hammonton, and some of it is to Waterford and points beyond, Oaklyn and Camden.

By Mr. Bradley:

Q. How large a place is Atco, where you say all these people want to go?

A. Atco has, I suppose in that immediate territory, probably 100 people—and when I was speaking of that you asked me in the territory which I was serving or intended to serve, which takes in Elm, Waterford and also Atco.

Mr. Bradley: That is all.

Mr. Straw: That is all I have to present today, your Honor.

Commissioner Gnichtel: Do you desire to go on with the case?

Mr. Shipman: Yes, sir, I can put on one witness, Mr. Flinn.

Commissioner Gnichtel: All right, proceed.

Frank T. Flinn, sworn, on behalf of West Jersey & Seashore Railroad.

Direct examination.

By Mr. Shipman:

Q. What is your occupation?

A. Assistant passenger train master, West Jersey & Seashore Railroad.

Q. Are you familiar with the schedules maintained between Camden and Hammonton?

A. Yes, sir.
Q. Have you those schedules with you?
A. Yes, sir.
Q. How many express trains a day are run between Camden and Hammonton?

Mr. Straw: The schedule, I suppose, speaks for itself. May I have it?

Commissioner Gnichtel: He may say how many trains run there.

Mr. Straw: May I have a copy of it, for convenience?

Commissioner Gnichtel: Yes.

Q. Is that the schedule there? (Indicating.)
A. Yes, sir, this is the present schedule.
Q. What does that show?
A. Eleven trains each way daily, three of which are express trains.
Q. That is between Camden and Hammonton?
A. Yes, sir.

Mr. Shipman: I offer that in evidence.

(Schedule showing number of W. J. & S. R. R. Co. trains per day between Camden and Hammonton, received and marked Ex. W. J. & S. R. R. 1.)

Q. On what page of that time-table do those trains show?
A. There are several pages of the time-table on which they show.
Q. Point them out, please.
A. Pages 4, 5, 6 and 7.

Mr. Shipman: That is all.

Cross-examination.

By Mr. Straw:

Q. Your train service runs up and down the White Horse Pike, I suppose?

A. No, sir.

Q. How far is it from the White Horse Pike?

A. We do not touch the White Horse Pike until we get about to West Berlin.

Q. How far are you from the White Horse Pike at Collingswood?

A. I don't know.

Q. At Oaklyn?

A. I don't know.

Q. At Haddon Township?

A. I don't know.

Q. Do you know at any place along the line how far you are from the White Horse Pike?

A. No, sir, I have no measurements as to the distances between our line and the White Horse Pike.

Q. You are the West Jersey & Seashore, aren't you?

A. Yes, sir.

Q. Do you go to Oaklyn?

A. No, sir.

Q. Do you go to Haddon Township?

A. We run in Haddon Township, yes.

Q. Whereabouts in Haddon Township?

A. Between Camden and Haddonfield.

Q. Where is your station in Haddon Township?

A. Well, there is Liberty Park——

Q. Where is that?

A. Collingswood is the first station in Haddon Township.

Q. Collingswood is a borough, isn't it?

A. It may be a borough.
Q. It is not in the township of Haddon, is it?
A. Well, possibly not.
Q. Do you know whether it is or isn't?
A. I couldn't swear.
Q. Do you go to Audubon?
A. No, sir.
Q. Haddon Heights?
A. No, sir.
Q. Lawnside?
A. No, sir.
Q. Barrington?
A. No, sir.
Q. Magnolia?
A. No, sir.
Q. Stratford?
A. No, sir.
Q. Laurel Springs?
A. No, sir.
Q. Clementon Township?
A. You got me on Clementon Township.
Q. Clementon Borough?
A. No, sir.
Q. You do go to Berlin, don't you?
A. West Berlin would be the nearest point we come to the White Horse Pike.
Q. Have you a station in West Berlin?
A. Yes, sir.
Q. You have a station in Berlin, too, haven't you?
A. Two of them.
Q. Reed's Crossing ——
A. That would make three, counting Reed's Crossing; Berlin, Bishop's Bridge and Reed's Crossing.
Q. Have you a station in Waterford?
A. Yes, sir.
Q. Winslow?

A. Winslow Junction.
Q. Is that in the Township of Winslow?
A. I presume it is; I couldn't swear to it.
Q. Chesilhurst?
A. Yes, sir.
Q. And Hammonton?
A. Yes, sir.
Q. So you have, from Collingswood until you get to Berlin, you have no stations at all?
A. At West Berlin we have a station, but not near the White Horse Pike.
Q. You do not have stations in any of those towns, do you, between Collingswood and West Berlin?
A. No, sir.
Q. So that you do not do a business locally, or otherwise, between Camden and any point in Clementon Township, which is the station just before you get to Berlin; isn't that true?
A. That is true, so far as our operation is concerned.
Q. Has there been a diminution of your train service recently?
A. Yes, sir.
Q. When?
A. In our last time-table.
Q. When was your last time-table?
A. September 25th, 1927.
Q. You do a great deal of business in the summer months and very much less in the winter months; isn't that true?
A. That would not apply to local service between Camden and Hammonton.
Q. Have you recently had an application to restore the service which you curtailed?
A. Not that I am aware of.

Q. Well, would you be aware of it if such an application had been made?

A. Not if it were in the superintendent's office and had not been passed down to the train master for arrangement.

Q. Do you know whether or not there has been a discussion between folks in the territory I have outlined and your company as to the restoration of the service which has just been curtailed?

A. I do not know.

Q. You do not know whether or not there has been such a discussion?

A. No, sir, I do not.

Mr. Straw: That is all.

Re-direct examination.

By Mr. Shipman:

Q. What stations are there between Hammonton and Winslow Junction, on the West Jersey & Seashore?

A. Bellehurst and Murphy's.

Q. Is there a station called Caldwell's Crossing?

A. No, sir.

Q. Is there a station called Ankora?

A. Yes, sir.

Q. Where is that?

A. Between Winslow Junction and Waterford.

Q. Where is Waterford?

A. Waterford is between Ankora and Chesilhurst.

Re-cross examination.

By Mr. Straw:

Q. How often do trains stop at these stations you have just mentioned?

A. All the local trains, except the express trains.

Q. How often do they stop?

A. Every time there are any passengers to get on or off each week day; they are flag stops.

Q. Well, do they stop every hour or every week or every month or when?

A. No, we could not do that.

Q. When do they stop?

Mr. Shipman: I object to the question; the schedule speaks for itself.

Q. Now, as I understand it—the schedule speaks for itself—as a matter of fact, you do not stop at those points unless somebody flags the train, do you?

A. They are flag stops, the same as you would do with a bus.

Q. So regardless of what your time-table says it does not mean anything unless somebody flags the train to stop?

A. If somebody is there and flags the train, it will stop and pick them up.

Q. And, of course, they appear on the time-table with a nice little mark alongside them, which indicates that they are flag stops?

A. Yes, sir.

Q. So that the schedule does not speak for itself.

A. Yes, it indicates that they are flag stops.

Q. But you do not stop at those points unless somebody wants to get on or off; do you?

A. No, sir.

By Mr. Shipman:

Q. Does the schedule indicate whether they are flag stops or not?

A. Yes, sir, it does.

Mr. Bradley: Might I say, in reference to this map that has been offered by the Public Service, it is not very explicit. It seems to me that they ought to supplement it by showing how far they do run from the White Horse Pike and how far they run from our railroad. They base their demand upon the fact that we do not run down the White Horse Pike.

Commissioner Gnichtel: You may put in a supplemental map to show that, if you want to.

Mr. Straw: Thank you.

William S. Cooke, sworn on behalf of Atlantic City Railroad.

Direct examination.

By Mr. Bradley:

Q. Mr. Cooke, what is your position with the Atlantic City Railroad Company?

A. Traveling passenger agent.

Q. And are you familiar with the Atlantic City Railroad Company between Camden and Hammonton?

A. I am, yes, sir.

Q. And do you know the time-tables and the schedules of fare between those points?

A. Yes, sir.

Q. Have you a summer and a winter season?

A. We have, yes, sir.

Q. I show you what purports to be a Reading Railroad system time-table, effective September 25th, 1927; is that the time-table that is in effect at the present time between Camden and Hammonton?

A. It is.

Mr. Bradley: I offer that in evidence.

(Reading Railway System Time-table, effective September 25th, 1927, received and marked Exhibit A. C. R. R., 1.)

Q. How many trains run between Camden and Hammonton?

A. We have nineteen trains running between Camden and Hammonton, ten going and nine returning.

Q. And that is your winter schedule?

A. It is, yes, sir.

Q. Have you a summer schedule here?

A. Not here.

Mr. Straw: Mr. Bradley may put that in any time he wants to.

Commissioner Gnichtel: Yes, he may supply that later.

Q. Have you a schedule of the rates of fare between these points?

A. Yes, sir.

Q. What is the one way fare between Camden and Hammonton?

A. $1.05.

Q. And the ten trip ticket?

A. $7.59.

Q. Forty-six trip?

A. $11.82.

Q. Fifty trip?

A. $20.86.

Q. Sixty trip?

A. $15.39.

Q. Now, have you any other rate?

A. Not any other rate that I know of, Mr. Bradley.

Mr. Bradley: That is all.

By Commissioner Gnichtel:

Q. Which ticket is used most, the fifty trip or sixty trip?

A. Well, there are quite a number of fifty trips used.

Q. Those are commuters?

A. I should say the sixty trips are the commuters. And then we have perhaps another ticket that is used to a very large extent, and that is the forty-six trip, which is a school ticket.

Q. Which ticket is used most by the passengers riding between Camden and Hammonton? In other words, what is the character of the travel between those points, is it commuter or transient, or what is it?

A. Well, you naturally want an intelligent answer and I could not give it to you unless I had the

facts here to tell you just what it is. I should say offhand it would be an equal spread of everything.

Mr. Bradley: I offer that schedule in evidence.

(Schedule of rates of fare on Atlantic City Railroad between Camden and Hammonton, received and marked Exhibit A. C. R. R. 3.)

Cross-examination.

By Mr. Straw:

Q. Do you know what the rate of fare to be charged by the proposed bus line is?

A. No, sir, I do not.

Q. How often do your trains run? You say you have nineteen trains. I notice by your time-table that one leaves Camden at 5:22 in the morning, Does that train stop at Hammonton?

A. No, it does not go to Hammonton.

Q. It says so here. It gets there at 5:57.

A. Yes, that is correct.

Q. Your next train is 8:14?

A. Yes.

Q. Your next, 9:10?

A. Yes.

Q. Your next train is two hours and twenty minutes later, 11:30?

A. Yes, sir.

Q. And your next is at 1:10?

A. Yes, sir.

Q. And then there is nothing until 2:10?

A. Our 1:12 has a connection there.

Q. A connection at Winslow Junction?

A. Yes, sir.

Q. You have to wait how long there?
A. About sixteen minutes.
Q. It says here 2:14 and it leaves at 2:37, that would be twenty-three minutes.
A. Well, whatever the difference is there in time.
Q. So that you might just as well wait for the 2:10 if you going right through?
A. That is right.
Q. Your next train is two hours and twenty-one minutes later, 4:31?
A. Yes, sir.
Q. And your next is 5:12?
A. Yes, sir.
Q. Then 5:30?
A. Yes, sir.
Q. And your next is 6:10?
A. Yes, sir.
Q. And the next is 8.40?
A. Yes, sir.
Q. And then 9:57?
A. Yes, sir.
Q. And then 11:50?
A. Yes, sir.
Q. And then there is a local at 11.52.
A. That is right.
Q. So that you are averaging between an hour and a half and two hours between trains?
A. Whatever the service warrants.

By Commissioner Gnichtel:

Q. What is your fare from Camden to Hammonton?
A. $1.05.

Commissioner Gnichtel: And what is the fare by bus?

Mr. Straw: The bus fare is eighty cents.

By Mr. Straw:

Q. And how does your service from Hammonton north figure, approximate average?

A. Well, we have nine trains, that is, first class express trains—I did not count the locals there ——

Q. Well, for instance, you can leave at 6:11 in the morning and then there is nothing until 7:27 ——

A. From Hammonton?

Q. From Hammonton north.

A. You can leave at 5:00 A. M.; then there is a train at 5:35; then the next one is at 6:11 ——

Q. And the next is at 7:27?

A. Yes, sir.

Q. Then 7:49?

A. That is right.

Q. Then there is nothing until 9:36?

A. Right.

Q. Then nothing until noon, 12:02?

A. Right.

Q. Then nothing until 3:06?

A. Right.

Q. Then 4:31?

A. Right.

Q. Then there is a local at 4:55?

A. Right.

Q. Then 6:35?

A. That is right.

Q. 8:31?

A. Yes.

Q. And 11:52, which I suppose is the owl?

A. That is right.

Q. Between 7:49 in the morning and 4:31 in the afternoon there are four trains?

A. That is right.

Q. Inclusive?

A. Five inclusive.

Q. Of course, you folks have cut your schedule, haven't you?

A. Yes, we do at this time of the year.

Q. All railroads do, don't they?

A. I think so.

Q. What has your schedule been cut from, that is, the number of trains in the summer schedule to the present schedule?

A. I would say approximately one half.

Q. The fact is that there are more folks using this service in the summer time than there are in the winter time, aren't there?

A. That is right; in fact, the travel is sometimes two hundred per cent greater.

Q. Have there been any complaints received by you from the Hammonton Section asking for the restoration of the curtailed service?

A. Not to my knowledge, no, sir.

Q. Could it have come in without your knowing of it?

A. It isn't likely; the Atlantic City Territory is mine and if the complaint had come in I would have naturally followed it up.

Q. I don't suppose you know how far the stations on your railroad are from the White Horse Pike?

A. Just approximately.

Q. Could you tell me how many squares ——

A. I know the relationship between the White Horse Pike and Laurel Springs and Haddon Heights, just about the same as you do; I know at Oaklyn it is about a square and a half and that the deviation of the road naturally lengthens or shortens the distance between the stations and the White Horse Pike.

Mr. Straw: That is all, thank you.

Mr. Bradley: We would like to prepare a composite schedule of the West Jersey & Seashore Service and that of the Atlantic City Railroad and submit them to you. We are of the opinion that they are rather fixed so that the people will get more service than they would get if the schedules were not so fixed.

Mr. Straw: And we should like to bring some folks up from that territory to testify as to the actual need for this service.

Commissioner Gnichtel: Then do you want to adjourn now?

Mr. Bradley: Yes, sir, and also the other matter.

Commissioner Gnichtel: Will next Monday be satisfactory?

Mr. Straw: Yes, sir, we will be ready then.

Mr. Daly: The Absecon bus company is up here from Atlantic City and they have a statement to make. Possibly the petitioner could agree upon a restriction, in order to save them from coming here again.

C. R. Flack, sworn on behalf of Absecon Bus Company.

Mr. Warner: What is the restriction you want?

(Informal discussion.)

Mr. Warner: I will state for the record that it is agreed that in the event of the approval of this application we will consent to do no local business between Absecon and Atlantic City.

By Commissioner Gnichtel:

Q. Is that satisfactory to you?
A. Yes, sir.

Commissioner Gnichtel: Then this case will go over until next Monday, and the other one too.

(Adjourned to Monday, December 12th, 1927, at the Court House, Camden, N. J., at 11:00 A. M.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Camden, N. J., Monday, December 12th, 1927.

Camden-Atlantic City route between Camden and Hammonton application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of local consents to operate twelve buses.
Camden-Berlin-Atco-Tansboro route to Atlantic City, PUBLIC SERVICE TRANSPORTATION COMPANY, application for approval of extension of route.

Before the following Commissioners:
FREDERICK W. GNICHTEL, ESQ.
CHARLES BROWNE, ESQ.

For Public Service Transportation Company appears:
C. S STRAW, ESQ.

For Atlantic City Railroad Company appears:
FLOYD H. BRADLEY, ESQ.
and
W. L. KINTER, ESQ.

For West Jersey & Seashore Railroad Company appears:
GEORGE M. SHIPMAN, ESQ.

Mr. Bradley: I would like to introduce Mr. Kinter, the general solicitor of the Reading and the Atlantic City Railroad, in reference to these two matters, the Hammonton line and the extra buses to Atlantic City. He desires to make a statement.

Mr. Kinter: May it please the Court, we are obliged by circumstances beyond our control to ask for a continuance so far as presenting our defense is concerned. We have no desire to cause any inconvenience to the applicant or their witnesses. It is perfectly satisfactory to have their testimony taken, if they desire. But we are in this situation: we first had notice of these proceedings the latter part of the week preceding last Monday. The notice that we received, thanks to the courtesy of your Board, merely states the fact that a hearing will be held on a certain application; it gives us no information as to details, as to the volume of the motor-bus transportation that is contemplated or anything of that kind. We had no idea, until our representatives came over here a week ago, of the importance of these applications. It is a simple statement of truth to say that they are vitally important to our company. As your Board doubtless knows, the Atlantic City Railroad Company is a deficit railroad. It is able to operate and give the grade of service it does, because of stock ownership by the Reading; the fact that the Reading supports it. I do not know offhand the amount of the accumulated deficits due from the Atlantic City to the Reading, it is many millions. The Atlantic City Railroad operated at a loss of a little over a half million dollars in 1926, and this year the loss will be greater. A few years ago, largely due to the in-

sistence of your Board at that time, the Atlantic City Railroad incurred the expenditure of between two and three million dollars for a new terminal at Camden. As you doubtless know, we have entered into a contract with Atlantic City, providing for the elimination of certain grade crossings and the erection of new station facilities that will cost several million dollars, if completed. We have spent something in the neighborhood of $800,000 for automatic train control on the Atlantic City Railroad in the last few years. There has not been time to make up a comprehensive statement covering the heavy improvements that have been made on the Atlantic City. Those familiar with the facts assure me that it will be found that something in the neighborhood of $10,000,000 has been spent on this line in the last few years, to make it the equal of any railroad in the United States for passenger service. So far the benefit of that heavy investment has been realized almost entirely by the State of New Jersey. There has been no return on it to the company, and the benefit from the improvement of the Atlantic City Railroad property is direct and definite in taxes alone. A statement handed me this morning just as I was leaving the office ——

Mr. Straw: If your Honors please—pardon me, sir—if this is to be a statement, it seems to me, affecting costs, in the nature of testimony—apparently that is what it is—it ought to come here in the form of a sworn statement from a witness, not otherwise. I understood this was a motion for an adjournment and I am prepared to meet that. I am not prepared to meet any long statement by counsel or otherwise as to what the Reading Railroad has lost as the result of doing what it should have done, and I certainly object to this being on the record.

Commissioner Gnichtel: That is a matter that would properly come in as testimony.

Mr. Kinter: Of course, it would, sir. I think, as indicating the importance of this matter, both to our company and to the State of New Jersey, I should be permitted to say that in the last year the Atlantic City Railroad Company paid taxes exceeding $469,000.

Mr. Straw: I object, if your Honor please, and ask that be stricken out.

Commissioner Gnichtel: Your motion is merely to have a postponement, as far as the introduction of your case is concerned?

Mr. Kinter: That is correct, sir, and I am trying to explain why the case requires time to prepare.

Commissioner Gnichtel: I realize the importance of that. The Board usually gives that time and I do not suppose there would be any objection.

Mr. Straw: I haven't the slightest objection.

Commissioner Gnichtel: We will go on with the testimony of the witnesses here, and we will fix a time that is convenient for you to present your case.

Mr. Shipman: May I interpose a similar request on behalf of the West Jersey & Seashore Railroad.

Commissioner Gnichtel: Yes. This case No. 1, Mr. Straw, that is the Camden, Atlantic City route between Camden and Hammonton; does that mean

that is an application for buses to run to Atlantic City?

Mr. Straw: Twelve buses.

Commissioner Gnichtel: Lower down there is another one, Camden-Berlin-Atco-Tansboro route to Atlantic City.

Mr. Straw: I understand that counsel in both cases want to put their case in at some time other than today.

Commissioner Gnichtel: Yes, that is both cases; that means the two railroads. What I do not understand is this calendar; there seems to be an error about it in some way. There are two applications here for buses to Atlantic City.

Mr. Straw: One is to do a local business.

Commissioner Gnichtel: The word Atlantic City in the first application, that ought to be stricken out, the first application should be an application for a route between Camden and Hammonton.

Mr. Daly: That is right. That is what is heard.

Commissioner Gnichtel: The second one, that was continued without any hearing, that is the Camden-Berlin-Atco-Tansboro to Atlantic City.

Mr. Daly: Yes, sir, that is right; that is not heard.

Commissioner Gnichtel: Proceed with the first case.

Mr. Straw: I have some witnesses here by whom I hope to show public convenience and necessity between Absecon and points up the line to Hammonton. Is there any good reason why they should not be put on this morning so they will not come back?

Commissioner Gnichtel: That is in case No. 1?

Mr. Straw: That is in both cases.

Commissioner Gnichtel: You can put them right on.

William B. Kessler, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Kessler, where do you live, please?
A. In Hammonton, New Jersey.
Q. What business are you engaged in?
A. Manufacturing clothing.
Q. With what company?
A. Under the name of William B. Kessler.
Q. Do you employ other folks there at your place of business?
A. I do.
Q. How many?
A. About 350.
Q. Where do most of those folks live?
A. Most of them live in Hammonton.
Q. We are now considering an application of the

Public Service Transportatioin Company, in which it is sought to do business between Camden and Hammonton and intermediate points down the line, and Camden and Atlantic City, both applications being heard together. What have you to say as to your desire and the need for service between Hammonton and Atlantic City or Hammonton and Atco or places from there to Camden, bearing in mind particularly the needs of the people whom you employ?

Mr. Bradley: It seems to me it is immaterial, if it is his desire.

Mr. Straw: I will withdraw the word desire. The question stands.

Commissioner Gnichtel: You may answer.

A. Well, there are several people that I employ that live in Atco, Waterford, Elm, all along the line, and down below Hammonton, in Elwood, and also Egg Harbor, that have no way of coming in on time in the mornings nor leaving the correct time in the evening. Some have to leave around four o'clock in order to get a train. Others I have to carry with my own truck. That is the only way I can take them back and bring them forth to work. I think it will do them, as well as me, a lot of good to have a bus line to bring them in at the desired hours.

Q. Is there any direct means of transportation, Mr. Kessler, between those points mentioned by you, so that folks living there can go to your place of employment on time, at the present time?

A. Only one train in the morning coming up.

By Commissioner Gnichtel:

Q. Up from where?
A. From Egg Harbor to Hammonton, and then they would reach the place about twenty minutes too late.
Q. That train is on what road?
A. That is on the Atlantic City, on the Reading Railroad. That train arrives 7:31. It would take them about fifteen or twenty minutes to get to the place and get ready to go to work and that would be about twenty minutes too late.

By Mr. Straw:

Q. With respect to the railroad station, where is your factory?
A. It is about, I judge, around ten minutes walk.
Q. Is it nearer the railroad station or the White Horse Pike?
A. Well, just about the same.
Q. About midway?
A. Yes, sir.
Q. Do you feel that the public convenience would be served and that there is a necessity for the service which is prayed for this morning?
A. I think so.

Cross-examination.

By Mr. Bradley:

Q. How many buses do you say it is necessary to accommodate your people?
A. I don't know exactly how many buses.
Q. Then how do you know that it is a necessity to have all these buses that are asked for?

A. I was never told how many buses were asked for.

Q. Then you don't know the number of buses they have asked for in the petition at all, do you?

A. No.

Q. Then why did you say that the prayer of the petition for these additional buses should be granted, if you don't know how many there are?

A. All I know is, it is a new line being asked for between the points of Camden and Hammonton that we have not got at the present time.

By Commissioner Gnichtel:

Q. Which is more important for you, in your view, the line from Camden to Hammonton or the line from Camden to Atlantic City?

A. The line from Camden to Atlantic City.

Q. That would be more important for your convenience and necessity?

A. Yes, sir.

By Mr. Bradley:

Q. You say that there are no trains from Egg Harbor to Hammonton except one in the morning?

Mr. Straw: He did not say that, if your Honor please. I object to the question.

Commissioner Gnichtel: Did you say that?

Witness: The only one I know of is the one that arrives at 7:31.

Q. And you say that is on which railroad?

A. On the Reading.

Q. When did you examine the schedules last?

A. I did not look through the schedules of the Reading Railroad, because they did not make any changes.

Q. Didn't you know there is a train that arrives there at 6:11, at 7:27 and 7:49 from Egg Harbor?

A. On which line?

Q. On the Atlantic City Railroad line.

A. The one that you mentioned that arrived at 6:11 is too early for the people to go out.

Q. Did you know there is one that arrives at 7:27 and 7:49?

A. I figured 7:31, which is only four minutes difference; that would still be too late.

By Commissioner Gnitchel:

Q. Do any of your employees take that train now?

A. No.

By Mr. Bradley:

Q. How many of your employees come up from Egg Harbor at the present time?

A. From Egg Harbor and Elwood about twenty-three.

Q. What are your hours of employment?

A. 7:30 in the morning.

Q. To what?

A. Six.

Q. How many people do you employ?

A. About 350.

Q. What is the nature of your business?

A. Clothing, manufacturing clothing.

Q. Did you ever make any application to the railroad to put on an earlier train in order to accommodate your people?

A. I did not.

Q. How many people come from Atco?

A. I think around four.

Q. Don't you know?

A. I am not sure. No, I do not.

Q. What time can they reach your plant?

A. They come in with their own automobile at the present time.

Q. Do other people from Egg Harbor operate automobiles?

A. Do they? I run my own to bring them.

Q. You bring all the people from Egg Harbor?

A. From Egg Harbor.

Q. Twenty-three people?

A. Yes, sir.

Q. How about Waterford; how many people are at Waterford?

A. Why, I could not tell you exactly. I think there is just one that comes in from Waterford. She gets in about nine o'clock in the morning and leaves about four in the afternoon. There is only one.

Q. What is her position?

A. She works in the factory.

Q. How does she get there?

A. I don't know. I judge she comes in by train, because that is the only train available.

By Mr. Shipman:

Q. Mr. Kessler, isn't there a Pennsylvania train leaving Egg Harbor at 6:24 A. M., arriving at Hammonton at 6:45?

A. I am not very well acquainted with the Pennsylvania schedule.

Q. Assuming that there is such a train, couldn't your employees take that train?

A. 6:24?

Q. Arriving at Hammonton at quarter of seven?

A. I believe they would find it a little too soon to go out of town and leave at 6:24. They would have to leave the house at least six o'clock. The way we have it arranged now, my own bus leaves at 7:00 o'clock, Egg Harbor, and there is plenty of time to get to the place at 7:30. We have to make it as convenient as possible for them, otherwise they would refuse to work.

EMERSON A. BURDICK, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Burdick, what is your full name?

A. Emerson A. Burdick.

Q. Where do you live?

A. Hammonton, New Jersey

Q. In what business are you engaged?

A. Justice of the peace and garage owner.

Q. Where is your office?

A. I have an office in Hammonton and an office at Speedway on the White Horse Pike.

Q. Speedway is what used to be known as Amatol, is it not?

A. Yes.

Q. Right across from the race track where automobiles perform?

A. Yes, sir.

Q. What have you to say about the need, if any,

for service between Camden and Hammonton, by buses on the White Horse Pike, and Camden and Atlantic City?

A. From my experience, from having my business on the White Horse Pike and having a rest-room in my garage, I have seen a continued and immediate need for transportation, mostly hourly transportation between the towns on the White Horse Pike that are to some extent isolated from the railroads.

Q. Particularly what towns, Mr. Burdick?

A. Particularly from Elwood to Berlin, along down the line, one way or the other. It seems to be continually that there are people stranded and unable to get proper train service, and also it has been called to my attention on numerous occasions, people have requested the desire for hourly transportation on the White Horse Pike.

Q. How do folks living on the White Horse Pike in the towns indicated by you in your answer just a moment ago, go from there to Berlin and places where there is a community of interest?

A. There are two or three different modes of transportation down there but some are satisfactory and some are not. Some hire a jitney to take them between the different towns and others use their own transportation, cars and so on and so forth, and others have been riding, in order to get to the towns up the way—there has been a quite a demand for people who have been riding on the buses to Philadelphia and getting off in Philadelphia and coming back over to Camden again; there has been a large demand of traffic there.

By Commissioner Gnichtel:

Q. What do you mean, they hire jitneys?

A. In each municipality, in Egg Harbor and in

Hammonton, there has been about, I would say, on the average nine or ten omnibuses or jitneys we call them down there, who make a business of transporting people from one town to another, backward and forward, and at a considerably high rate of charge.

Q. Under special contract, you mean, or just casually?

A. Well, no; they have a jitney license. I presume they operate under the omnibus——

By Commissioner Browne:

Q. Practically the same as a taxicab?

A. Practically the same as a taxicab. Some are Fords and some are Dodges.

By Mr. Straw:

Q. What sort of rail service do you have between Speedway or Amatol, Elwood and Berlin, and places between those points?

A. Personally, the only thing I can tell about the train service is what has been called to my attention by other people. Personally, I do not use the train service enough to know exactly what their service is, outside of the fact that people are continually calling on me ——

Mr. Bradley: I object, if he does not know of his own knowledge.

By Commissioner Gnichtel:

Q. What service do you use?

A. Do I use personally, myself?

Q. Yes.
A. I use the bus service when I go between ——
Q. Do you have a car of your own?
A. I have a car of my own.
Q. You go back and forth in that?
A. Yes.

By Mr. Straw:

Q. You are married, are you not?
A. Yes, sir.
Q. Is there any community of interest between Speedway and Atlantic City, and do members of your family have occasion at any time to go to Atlantic City or Camden?
A. Yes, considerable.
Q. How do they go now?
A. Have to go from Speedway to Hammonton or Elwood and catch a train from there to go to Atlantic City.
Q. How do they go from Speedway to Hammonton and Elwood?
A. Either have to use their own transportation or hire a jitney, and go from Hammonton to Speedway and take them back to Hammonton again.
Q. Meaning a taxicab?
A. Yes, a taxicab.
Q. Do you feel the public convenience would be served and that there is a public necessity for a bus route between Camden and Hammonton and Camden and Atlantic City on the White Horse Pike, giving hourly service or better?
A. I myself certainly feel that it is an immediate need.

Cross-examination.

By Mr. Bradley:

Q. How are these people being taken care of now that you feel there is an immediate need for them?

A. They are not being taken care of.

Q. What are they doing, staying in?

A. Some walk and some hire taxicabs, others take any mode of transportation they can possibly procure.

Q. Do you live in Hammonton?

A. Yes, sir.

Q. Your family live in Hammonton?

A. Yes, sir.

Q. Your family does not have to go from Amatol to go to places, do they?

A. I have two places, I have a place on the pike at Amatol and a place in Hammonton; also I divide my time between the two places.

Q. Your family live in Hammonton?

A. Not all the time. Part of the time at Speedway and part of the time in Hammonton.

Q. How large a family have you?

A. I have a family of my wife and my son and I also have a young man who stays with us.

Q. Does your son help in the business?

A. My son goes to school.

Q. Then he is in Hammonton, isn't he?

A. No, he is at Speedway.

Q. Goes to school at Speedway?

A. Yes—he don't go to school at Speedway, he goes to school at Hammonton; he has to go every morning and back every night.

Q. There is no train service between Elwood and Atlantic City or Philadelphia, is there?

A. To my attention there is train service, but very seldom; it is not train service that seems to take care of the public needs.

Q. You don't know what the service is, do you?

A. No, I do not.

Q. You are a garage man?

A. Yes, sir.

Q. These buses would be motor vehicles, wouldn't they?

A. What buses are you speaking about?

Q. The buses going to be put on by the Public Service, that they contemplate using, are motor-buses?

Mr. Straw: I will admit that they are automobiles, if your Honor please.

Q. How many people are there at Speedway, how many families?

A. At Speedway—the Speedway employs four, I employ six, that is four besides myself and the boy.

Q. That is ten people there?

A. Yes, right at Speedway.

Q. How many buses does it need to carry those ten people back and forth a day?

A. It is not a question of just carrying those people. They are not the only people. Speedway is a place where in summer time it is inhabited by, you might say one hundred people a day, where in winter time there is only possibly five or six inhabitants. I am speaking for the people who are using the White Horse Pike continually and who at some time or other become abandoned or break down or get in a position where they are required to take other transportation than their own, and at that time they fall into my place and want to get out.

Q. You say there is a need between Camden and Hammonton for additional service, don't you?

A. Yes, there is a need.

Q. What trains run now, both on the Atlantic City and the Pennsylvania Railroad between Camden and Hammonton, and how often is the service?

A. I don't know exactly what the schedule is of the trains.

Q. Do you know anything about it at all?

A. Yes.

Q. You have studied it, the schedule of both railroads?

A. Yes—not the schedules; I am not interested in the schedules.

Q. What are you interested in, just getting buses?

A. I am interested in what the public came to me, criticizing and telling me what they felt was their demand.

Q. You are the spokesman?

A. My personal attention has been called to the fact that the need for transportation is very great on the White Horse Pike.

Q. After they called that to your attention you immediately consulted the time-tables to see if they were correct, didn't you?

A. No.

Q. To see if they could go otherwise?

A. I may ask them the question as to why they could not get train service.

Q. I object to what they told you. You did not investigate the present train service and the summer train service between Camden and Hammonton and Hammonton and Camden, did you?

A. I did not investigate the schedule, no, I did not.

By Mr. Shipman:

Q. You say you are a justice of the peace?
A. Yes, sir.
Q. Isn't it a fact that there are already several bus lines between Camden and Atlantic City?
A. From Hammonton?
Q. From Camden to Atlantic City.
A. Yes, there are some bus lines go down the pike from Camden to Atlantic City in summer time, not in the winter.
Q. Isn't it a fact that the White Horse Pike is crowded with buses from Camden to Atlantic City?
A. No, that is not a fact.
Q. From the standpoint of public safety, what is your opinion of additional buses?

Mr. Straw: Objected to, unless counsel will designate whether the buses to which he is referring are interstate or intrastate buses.

Commissioner Gnichtel: I think this question is admissible. He is now speaking of the safety of the road. His question is whether it would be safe to put any more buses on, no matter what they are. I think it is admissible.

A. In regard to the safety problem, I have also tried to make a study of that on the White Horse Pike, and to some extent there is some difference in regard to the safety as applies to buses, and I find that the buses as controlled by legitimate large enough companies to employ men who are qualified to drive their buses and operate on the schedule time are operating in a legitimate manner and does not conflict with the safety at all, where there are

several independent lines who are running up and down the White Horse Pike in a haphazard manner, not on a schedule, just running back and forward as fast as they can deliver passengers and take them on, that are making it very hazardous for the rest of the public.

By Commissioner Gnichtel:

Q. Why do you think a bus on schedule is less dangerous than a bus that is not on schedule?

A. For this reason, that when they are running on a schedule, there is a time set for them to arrive in Atlantic City and a time set for them to leave Philadelphia. When they go down they are not supposed to come in ahead of time nor behind time and the schedule calls for time enough to operate at a reasonable rate of speed. Where I find other bus lines that are not operating on a steady schedule, the only idea they have in mind is to get to Atlantic City, get a load and get back again to Philadelphia as quick as they can so as to get in as many loads as they can in a day.

Q. This question to you, I think had reference to the saturation point of the road. With the number of buses on the road now and the number of cars, do you think it is safe to put any more buses on? That was the question.

Mr. Shipman: That is it.

A. If they are operated in a lawful manner, yes, it will be safe.

Q. Operated lawfully or not, isn't there a point when it is unsafe to put any more buses on?

A. There is, but it is not unsafe yet.

Q. You say it is not unsafe yet?
A. No, it is not. I would not say it is unsafe.

By Mr. Shipman:

Q. Did you see a statement of Mayor Charles C. Durges of Oaklyn that a special road for buses ——

Mr. Straw: Objected to, if your Honor please. I have the greatest respect and affection for Mayor Charles C. Durges of Oaklyn, I have known him for years, but I cannot see that a statement of Mayor Charles C. Durges of Oaklyn is any more effective or binding upon this witness than a statement of Mayor W. Freeland Kendrick of Philadelphia whom I have also known for years, and have the greatest affection for.

Commissioner Gnichtel: I will hear you.

Mr. Shipman: I am asking whether he saw the statement and whether he agrees with it.

Commissioner Gnichtel: You were commencing to read the statement, as I understood it.

Mr. Shipman: I am reading from an article in the newspaper.

Commissioner Gnichtel: I think that is hearsay.

By Mr. Straw:

Q. These bus lines, are they intrastate or interstate buses?
A. The majority of them are interstate buses.

Q. I cannot hear you.
A. Interstate buses.

By Mr. Bradley:

Q. How do you know that?
A. I know that by the advertising.
Q. You don't know where they run, do you?
A. Yes.
Q. Have you seen them where they start?
A. Yes.
Q. You spoke about these races down at Amatol. How many a year do they have; only two, don't they?
A. They have sometimes two or three, and they have on an average three or four tests in between the races, engineering tests.
Q. Hundreds of people go down for the tests?
A. Yes, I would say hundreds, maybe one hundred, two hundred, three hundred.
Q. How many buses are running down there, do you know, between Camden or between Philadelphia and Hammonton or Philadelphia and Atlantic City?
A. When you say that, do you mean all the lines concerned?
Q. Yes.
A. Through a day?
Q. Yes.
A. I should imagine—I was just trying to count them up by the individual lines—I should imagine all the lines together amount to possibly twelve buses that make the trip down to Atlantic City.
Q. You mean twelve particular lines?
A. No, not twelve particular lines. Twelve buses.
Q. Only twelve buses a day; how about in the summer time?

A. In the summer time, I could not just exactly estimate right off-hand just how many buses there are go down.

Q. It is crowded, the Pike?

A. A considerable increase, yes.

By Mr. Daly:

Q. Those buses you referred to, they do not do any business between Camden and Hammonton?

A. No, they do not pick up any passengers in any of the municipalities, except going to Philadelphia; they do not allow any off the buses until they get to Philadelphia.

By Mr. Bradley:

Q. You don't know whether they do or not, do you?

A. Through my personal experience I know they do not.

Q. You were not here the last time when it was testified they were doing an illegal business, picking up people?

A. I was not here.

Q. You don't know anything about that?

A. I only know what was called to my own attention.

By Mr. Kinter:

Q. Does it sometimes happen that these buses are held up by a traffic jam, both those that operate on schedule and those that do not operate on schedule?

A. That is possible.

Q. Frequent delays from reasons beyond the control of the driver of the bus?

A. There are delays, yes, sure.

Q. In the case of a delay enroute, which bus will be in the greatest hurry to get to its destination, one that has a schedule and has undertaken to put its passengers at destination at a fixed time or one that is running as it pleases without schedule?

A. From my experience with the bus lines who have been operating in a lawful manner, I find they are operated in practically the same manner as the railroad operates their trains. If there is a delay, the driver of the bus makes out a report as to the reason for his delay and he is not censured for the delay, with a legitimate excuse of traffic delay.

Q. He does not try to make up time?

A. There is no excuse for getting in ahead of time.

Q. You mean to say that none of the drivers of these motor buses try to make up time after they have been held up along the way?

A. I did not say any of them. I said the bus lines that are operated in a lawful manner.

Q. Have you personally investigated, to be in a position to say what ones are operated in a lawful manner; what do you mean by that?

A. I know some of them, yes.

Q. How many of them?

A. I know possibly three or four of the lines operating are operated under that principle.

Q. Have you ridden on them to see if the drivers of these three or four lines who are held up enroute never try to make up time?

A. On these lines, yes.

Q. How often have you ridden them?

A. I possibly have ridden on them, possibly ten times a month, something like that.

Q. On each of the three or four that you say are operated in a lawful manner?

A. Not on each of them. I have ridden on those particular lines I mentioned.

Q. Don't you know as a matter of fact, as everybody does who lives along a busy motor highway, that these motor buses that are held up and get behind time, operate at a rate of speed that is dangerous to all of the users of the highway?

A. They all do not, absolutely not.

ALBERT B. FISCHER, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. What is your full name, please?
A. Albert B. Fischer.
Q. Where do you live?
A. Atco.
Q. In what business are you engaged in?
A. Manufacturing.
Q. In Atco?
A. No, sir.
Q. Where?
A. At Hammonton.
Q. Mr. Fischer, do you ever go to Hammonton?
A. Every day.
Q. How do you go there?
A. By my own car.

Commissioner Gnichtel: How far is Atco from Hammonton?

Witness: About twelve miles.

Q. Do you know other folks in Atco who go to Hammonton?
A. The people I take down myself.
Q. How many of them are there?
A. Four.
Q. Why do you use your own car?
A. I have no other transportation.
Q. Is there no train service from Atco to Hammonton?
A. Yes. The train leaves Atco at 8:27, I think, and arrives at Hammonton around about nine. We start our work at seven.

Commissioner Gnichtel: What is the name of the road?

Witness: The Pennsylvania Railroad.

Q. You start to work at seven?
A. Yes, sir.
Q. The train does not get you there in time?
A. No, sir.
Q. Is there any other transportation facility between Atco and Hammonton that can take you there in time?
A. Not as I know of.
Q. What have you to say as to the public, convenience to the public, and the public necessity of a transportation line of buses giving you service hourly or better between Atco and Hammonton?
A. Well, I feel for the working class of people that commute in between, there is lots of time they have to use their own cars, and there are times when the family wants to use the car and they have no way of going down there.

Q. Is there a need for such service, in your judgment?

A. I think there is, yes.

Q. In your judgment, would it serve the public convenience?

A. I think so.

Q. If such a service were in operation, would you and your associates use it?

A. Yes, sir.

Q. Do folks who live in Atco go to Hammonton for shopping purposes?

A. Some.

Q. Would or would not, in your judgment, such a service offer them a public convenience and do you feel it is a necessity for them?

A. I would say so.

Cross-examination.

By Mr. Bradley:

Q. Did you say you were in business in Hammonton?

A. Yes, sir.

Q. What business?

A. Manufacturing cut glass.

Q. Of course, you are perfectly willing for any bus line to go down there and any number of buses, aren't you; the more the better?

A. As long as they give us service.

Q. Have you tried to get service on the train, or appealed to the Pennsylvania Railroad for additional service?

A. There is no use, because they keep taking trains off.

Q. I say, did you appeal to them for service?

A. No, sir. I have gone up before the Commissioner up here in Camden and asked for train service from Camden to Atco and they would not grant it.

Q. Did you show him the need for it?

A. Yes, sir.

Q. What need did you have for it?

A. Why, for the commuters.

Q. How many commuters?

A. At Atco?

Q. Yes.

A. I would say there are about 200.

Q. Between Atco and Camden?

A. Yes, sir, Camden and Philadelphia.

Q. Yes, that is what I mean. How do these 200 commuters get there now between Atco and Camden or Philadelphia?

A. A lot of them are leaving town on account of not getting proper service.

Q. How many people are there in Atco?

A. How many?

Q. Yes.

A. Atco proper or the township?

Q. Were you speaking of Atco proper or the township? You were asked Atco.

A. I would say there are about 800.

Q. 800 people in Atco?

A. Around about 800.

Commissioner Gnichtel: How far is Atco from Camden?

Witness: Eighteen miles.

Q. How did you say they were getting there, between Atco and Camden or Philadelphia?

A. Some by Pennsylvania and some by bus.
Q. They are all being taken care of, aren't they?
A. Not as they want to be.

By Mr. Shipman:

Q. Mr. Fischer, even if these buses were put on, or even if there was additional train service, wouldn't you continue to go back and forth in your own car just the same?

A. Not necessarily, because there are times I am called to Philadelphia, I have to make the trip to Hammonton and then go back again, that is to deliver these fellows that work for me, then I have to go back again, and then go to do my business in Philadelphia, and then come back and get them at five o'clock. That breaks up the day.

Q. I understand you make daily trips, every day, between Atco and Hammonton?

A. Yes, sir.

Q. Wouldn't you rather do that in your own car than go in the bus?

A. No.

Q. These commuters you talk about, from Atco to Camden, isn't there a train leaving Atco at 7:18 in the morning?

A. Yes, sir, around about that time. I am not just familiar with the schedule.

Q. There is another train leaving Atco at 6:48?

A. Yes, sir.

Q. Another train leaving at 6:13?

A. Yes, sir.

Q. Another train leaving at 12:55 in the afternoon?

A. Yes, sir. What about a train in between, what about the business, the people that have offices, that

do not want to take that early train? They had a nine o'clock train and they took it off.

Q. Why did they take it off, do you know?

A. That I don't know.

Q. Isn't it a fact, they took it off because there were not enough people using it to warrant their running it?

A. That I don't know.

MRS. ETHEL M. LEACH, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mrs. Leach, where do you live, please?

A. Hammonton.

Q. Do you have occasion to go to Atlantic City?

A. I do, because I lived in Atlantic City for twelve or fifteen years; I have been in Hammonton about three years, and I always love to go to Atlantic City, quite naturally.

Q. How do you go there?

A. I do drive, but I am not experienced; I have driven only a short while, and if I go by train I can manage to drive to the Hammonton railroad station, but I have no place to leave my car, unless I leave it on the street, and I do prefer the bus to the train always.

Q. How far from the station do you live?

A. About a half mile.

Q. You say you prefer bus transportation to Atlantic City?

A. I do. I dislike the train.

Q. Would a bus service running from Hammonton to Atlantic City hourly or better, serve your convenience?

A. It would.

Q. And do you feel it would be a necessity?

A. It would, yes, very nicely, very nicely.

Q. Why do you not like train service?

A. I never have enjoyed riding on trains.

Cross-examination.

By Mr. Bradley:

Q. Do you think you should have buses because you do not like trains?

A. Not for my personal use, but coming in contact with many of the organizations in Camden, as I have, I find most of our people, townspeople, prefer the buses to the train, and a lot of our people are really too far away from the railroad station.

Q. You live a half mile; that is a considerable distance, isn't it?

A. Yes, it is, it is for me to walk. Perhaps if I was just a younger woman, I would not mind walking.

Q. You don't think it would suit your convenience, perhaps your health, better to walk than to ride all the time?

A. No, it would not suit me. Perhaps a few years ago I would not mind hiking a mile or two, when I was in Atlantic, on the boardwalk. In my present condition I find walking taxes me too much.

Q. You go to Atlantic City every day?

A. I do not go every day.

Q. How often do you go?

A. I average two or three times during the week.

Q. You are in business in Atlantic City?

A. No, I am not. I am a housewife. That is my prime business.

Q. What do you go to Atlantic City for, just for pleasure?

A. Pleasure, and to attend perhaps meetings of clubs, organizations. I have done quite a good deal of that, charitable work.

Q. The train service is good between Hammonton and Atlantic City, isn't it?

A. They may have a pretty good schedule.

Q. Don't you know about it?

Mr. Straw: May the lady finish?

A. I expect their schedule is all right for those who want to travel on the train and perhaps are close enough to the station so they can just walk, within walking distance, but I am not.

Commissioner Gnichtel: Which station are you nearest?

Witness: The Reading is the one we depend on if we depend on any at all.

By Commissioner Gnichtel:

Q. You live nearest to the Reading?

A. Yes, sir.

Q. How far is the Pennsylvania?

A. The Pennsylvania is one-third of a mile beyond the Reading.

Q. There are trains on both roads between Atlantic City and Hammonton?

A. As for the Pennsylvania, I am not at all familiar with their schedule.

Q. But there are trains back and forth?

A. Yes, I believe on both roads.

By Commissioner Browne:

Q. You personally prefer the buses?

A. I do.

By Commissioner Gnichtel:

Q. You live near the White Horse Pike?

A. Yes, sir, closer to the Pike than I am to the railroad, very much closer to the Pike.

By Mr. Shipman:

Q. How close to the Pike are you?

A. I am just about a third of a mile to the Pike.

Q. If you walked that distance you would be able to walk that, would you?

A. I would if I had to. I think it would be a great convenience to have the bus go through Hammonton. We do have buses who do go through the town.

Q. You have a number of buses that go through at the present time?

A. No, not a number. I believe there has been one line recently that is not satisfactory, not entirely satisfactory.

Q. How many lines do you have between Hammonton and Philadelphia?

A. I could not say about that. I am not well versed on the buses.

Q. Don't you ride in the buses?

A. I do, but I never kept track of how many bus lines there are.

Q. You don't go to Philadelphia often?

A. I have a house to take care of; when I want to go to Atlantic City I arrange a convenient way for myself.

Q. You would not need a bus every hour or half hour to go to Atlantic City, to just take you?

A. No, not I, not for myself.

MRS. BLANCHE WHITE, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mrs. White, where do you live, please?

A. Hammonton.

Q. How near to the railroad station do you live?

A. About one mile.

Q. Which station?

A. Reading.

Q. How far are you from the Pennsylvania station?

A. I should say a mile and a quarter, a mile and a quarter from the Pennsylvania and a mile from the Reading.

Q. Where is the residential section of Hammonton with respect to the railroad?

A. I should say from our place it is about two miles.

Q. Are most of your folks near the railroad, live near the railroad or near White Horse Pike?

A. Quite a few live near the White Horse Pike.

Q. Do you have occasion to go to Camden and to Atlantic City?

A. I do, quite often.

Q. I cannot hear you.

A. Quite often.

Q. When you go to Camden, how do you go?

A. I go up on the bus.

By Commissioner Gnichtel:

Q. Where do you live with respect to the Pennsylvania depot?

A. I would not say a mile and a quarter; I might have made a mistake in that.

Q. Do you live north of the track or south?

A. No, north.

Q. Which is the nearest station to you?

A. The Reading is the nearest to me.

Q. The Reading is south of the Pennsylvania?

A. I live nearest the Reading, then that is south.

Q. You live south of the track?

A. I guess it is south.

Q. You live a mile and a quarter from the Reading?

A. No. A mile from the Reading, and the Pennsylvania is up further.

Q. Do you live nearer the track or nearer the White Horse Pike?

A. I live nearer—I suppose the trains would be nearer.

By Mr. Straw:

Q. Do you live nearer the White Horse Pike or the railroad station?

A. I suppose I live nearer the railroad station.

Q. Then do I understand when you go to Camden you have to take an interstate bus, and go to Philadelphia and come back?

A. I do.

Q. Going to Atlantic City, how do you go?

A. I take the bus.

Q. What bus do you take?

A. The P. R. T. I have to walk into town and get the bus at Kelly's.

By Commissioner Gnichtel:

Q. What is the P. R. T., the Philadelphia Rapid Transit; is that the bus you take?

A. I suppose that is it.

Q. They take passengers there for where?

A. To Atlantic City.

Q. From Camden?

A. No, to Philadelphia, not to Atlantic City. I have never gone down to Atlantic City on it.

By Mr. Straw:

Q. When you are in Hammonton and want to go to Atlantic City, how do you go there?

A. I generally have my own car to go. It is not always convenient to go when I want to go, because I have to wait to be taken.

Q. Therefore, you do not use the train service?

A. No, I do not care for it.

Q. Would a bus line running from Camden to Hammonton and a bus line running from Hammonton to Atlantic City serve your convenience?

A. It would.

Q. Do you feel there is necessity for it?

A. I do.

Mr. Bradley: I object to that. I do not think this is a question of convenience, individual convenience of each of these families.

Commissioner Gnichtel: No. It is a question also of necessity. Counsel has a right to separate the two, if he wishes, and ask first the convenience and then the necessity. The mere fact that a bus is convenient, as I understand it, under the law, is not sufficient. It must also be necessary.

Mr. Bradley: I object to the form of that question.

Commissioner Gnichtel: She has answered it. I will let it stand, but it will have very little weight.

Mr. Straw: I could not hear what your Honor just said.

Commissioner Gnichtel: It will be of very little weight unless the testimony also shows that it is necessary.

Q. Are there other folks living in Hammonton who have occasion to go to Camden whom you know?

A. I do, lots of them.

Q. Do other folks living in Hammonton have occasion to go to Atlantic City, whom you know?

A. Yes.

Q. How do they go to Camden now?

A. I suppose they use the train, but it probably is not convenient for them. The bus would be much better.

Q. Why do you say that?

A. Because they run better; I suppose the time

suits them a whole lot better than the train time did. I could not tell you.

Q. Do you know how they go to Atlantic City from Hammonton?

A. I suppose some take the train, some take the bus. I don't know.

Q. Your own friends, how do they go there?

A. Some by their own cars, but it is more convenient to go by bus, without someone taking them. They do not drive the cars and have to wait until someone takes them. It would be a whole lot better to get out and take a bus and not wait for the other party to take me.

Q. You therefore, feel there is public necessity and need for this bus line?

A. I do.

Cross-examination.

By Mr. Bradley:

Q. You would be perfectly willing if they had buses every fifteen minutes on the Pike going to Atlantic City?

A. It would suit me, sometimes, if I was going, sure.

Q. What is the fare going to be on this new line between Hammonton and Atlantic City that you are in favor of having put in ?

A. What is the fare? Indeed I don't know.

Q. How do you know you would use it then if you do not know what the fare is?

A. It has not been as high as the railroad fare.

Q. The new line has not been there at all, yet?

A. I know it has not, but judging from the other lines, I should judge it would be about the same.

Q. You would use it regardless of the fare?

A. Sure, if I wanted to go any place very bad I would.

Q. You have good train service from Hammonton to Atlantic City, don't you?

A. I don't know much about the trains. I never use them.

Q. Why do you say that there is necessity for the buses if you don't know what service the trains give?

A. Because I myself prefer the bus.

Q. I suppose you are another person who don't like to ride on trains?

A. I am not particularly fond of them, no.

Q. It wouldn't make any difference how much service they had there you would still use the buses if you could get them?

A. I would use the buses.

Q. All you mean to say is you are in favor of buses regardless of whatever train service is given?

A. That would be me, yes.

Q. If the train service would be doubled or tripled, you would still use the buses?

A. I would still use the buses.

Q. You live nearer the railroad than you do the White Horse Pike?

A. Yes.

Q. Do you drive your own car?

A. No, I do not.

Q. You don't know how often the trains run, do you?

A. No, I do not.

Q. You don't know whether they keep their schedule or not?

A. I don't know anything about them.

Q. Do you know whether the buses keep their schedule?

A. I do, some that I take.

Q. Where, between what points?

A. I have gone up to Philadelphia.

Q. What schedule do they make?

A. I don't know the schedule. I have gone up to Philadelphia by bus and come down by our own car very often.

Q. If you don't know what the schedule is between Camden and Hammonton, how do you know they maintain their schedule?

A. I don't know anything about it. The only thing I know is when I want a bus I call up and have one at the time I want, I make an appointment for that bus.

Q. How do you know it will be more convenient, if you don't know what the schedule is?

A. Well, I don't know what the schedule will be, but I presume they will have more buses on.

Q. How do you know it will be more convenient if you don't know what the schedule is?

A. That will come later.

Q. What is that?

A. That will come later, when the schedule comes out.

Q. You are willing to take a chance?

A. I am willing to take a chance.

Q. That is the way the other people are?

A. Yes, sir.

Q. They want buses in preference to the train?

A. They want buses.

Q. At any cost?

A. I don't know what they want. I know just what I want.

Q. That is what you want?

A. Yes.

By Mr. Shipman:

Q. In answer to a question of counsel for the other side, with regard to other people in Hammonton who travel from Hammonton to Atlantic City and from Hammonton to Camden, you said you supposed that those people went on the train or buses or their own cars. Do you really know, or are you just guessing?

A. I do know some that do. I do know some friends that use the train, some use the buses, some use their own car.

Q. Was your own answer to that question simply a guess?

A. No, it was not a guess. I would not be guessing at it.

Q. Do you know or are you simply supposing?

A. No, I am not supposing. I really know that some friends do.

Q. How many people do you really know?

A. I could not just count out how many people. I have scores of friends. I do not keep tabs on each and every one, how they go.

ERNEST R. GRUNOW, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Grunow, where do you live, please?
A. Galloway Township.
Q. Is that Pomona?
A. Pomona, yes.

Q. Pomona is in Galloway Township, is it not?

A. Yes, sir.

Q. Do you hold any official position in the township?

A. Township committeeman.

Q. You are township committeeman?

A. Yes, sir.

Q. Do you have occasion to go to Camden and Atlantic City or points between Pomona and those two termini?

A. Just for pleasure, not exactly on business.

Q. Do folks who live in your township have occasion to go to Hammonton or to Atlantic City?

A. Oh, yes.

Q. How many folks who live in your township would you say have occasion to go to Hammonton, for instance?

A. Well, I don't know—there are quite a few.

Q. What rail facilities are there between Pomona and Hammonton?

A. We have the early morning train going up and one going up around four o'clock on the Pennsylvania, and I think about the same way on the Reading.

Q. What is the early morning train; is that a Reading train or Pennsylvania?

A. Pennsylvania, I think goes up about 6:20 or so in the morning.

Q. When does that get to Hammonton, do you know?

A. No, I do not.

Q. How far are you from Hammonton?

A. About fifteen miles, I should judge.

Q. What time is your early Reading train if there is one?

A. I really don't know. I live further away

from the Reading, and their early train is early, it goes before the station is open.

By Commissioner Gnichtel:

Q. How far apart are the stations on the two roads?

A. At Cologne and Germania, they are six or seven hundred feet apart and at Pomona and Brigantine Junction they are about a mile apart.

Q. Which station do you live nearest to?

A. Pomona.

Q. The Pennsylvania?

A. The Pennsylvania.

By Mr. Straw:

Q. With respect to the stations and the White Horse Pike, Mr. Grunow, where do your folks live; are they nearer the stations or nearer the White Horse Pike?

A. The majority of them are closer to the White Horse Pike.

By Commissioner Gnichtel:

Q. That is close to the Pennsylvania station at Pomona?

A. Yes.

Q. You live at Pomona?

A. Yes.

By Mr. Straw:

Q. You know this is an application for permission to operate buses between Camden and Hammonton,

making intermediate stops of which Pomona would be one?

A. Yes, sir.

Q. And Atlantic City and Camden?

A. Yes, sir.

Q. What have you to say as to the public convenience and need, necessity for such a line?

A. I think it would be a great thing for our people if they want to go to Atlantic. We can either only go down in the morning or late in the evening on the railroad. If we had an hourly schedule on the bus line, I think it would be a good thing.

Q. Would the same hold true as to Hammonton going north, to Camden, going north?

A. I think it would.

Q. Do you feel it is a public necessity?

A. I think so.

Cross-examination.

By Mr. Bradley:

Q. Mr. Straw asked you the question in which he incorporated the town of Pomona between Camden and Hammonton. That is not so, is it? You are not between Camden and Hammonton?

Mr. Straw: I did not mean to infer that if I did.

Witness: We are not between Camden and Hammonton, no.

Q. Where is it?

A. Between Hammonton and Atlantic City.

Q. Where is it with reference to the Pennsylvania station and the Atlantic City Railroad station?

A. Pomona?
Q. Yes.

Commissioner Gnichtel: The stations are in Pomona.

Witness: Yes. The station is at Pomona.

Q. How large a place is Pomona?
A. Well, that is one town in the township.
Q. How large is it?
A. I don't know how large you want to consider it.
Q. How many houses are there, how many families are there?
A. I guess about a hundred.
Q. How do the people go to Atlantic City now from Pomona?
A. I guess some go in their own machines, some on the train and some on buses.
Q. They all get there though, don't they?
A. I guess they have got to.
Q. You don't know the necessity for service between Hammonton and Philadelphia, do you, Hammonton and Camden?
A. No.
Q. You don't know anything about that?
A. No.

By Commissioner Browne:

Q. Is there a bus line now between Pomona and Atlantic City?
A. It starts from Egg Harbor and goes through.
Q. Does a local business all the way down?
A. Yes.

Q. You can get a bus from Pomona to Atlantic City?

A. Yes, sir.

Q. How often does it run?

A. Three times a day, twice in the morning and once in the afternoon.

By Commissioner Gnichtel:

Q. As far as Atlantic City is concerned you are taken care of?

A. No, not on holidays and in the evening.

Q. You mean you need more buses?

A. I think so.

Q. The other way, Camden, you have two railroads there?

A. Yes, but we have only got to go just when the trains go. We cannot go when we want to go.

Q. That would be so with the buses; you have to go when the buses run?

A. I know, but if we had buses going every hour, we have a better chance than if we only have two trains north on the railroad.

Q. You have to go at those hourly times?

A. I know that, but going up on the railroad, we can only go up in the morning ——

Q. You do not understand that any utility would run buses or railroads or anything else just when you want them; you would not expect that, would you?

A. No.

Q. There has to be a time-table?

A. Yes.

Commissioner Gnichtel: That will have to be whether the bus runs or whether the railroad runs.

By Mr. Bradley:

Q. Aren't there five buses between Egg Harbor and Atlantic City, five buses a day?

A. No, three.

Q. Sure? What time do they go?

A. One goes down around seven.

Q. What time does that arrive in Atlantic City?

A. I could not tell you what time it gets there.

Q. Haven't you ever gone down on it?

A. Not on the early bus.

Q. What is the next bus?

A. Between eight and nine.

Q. What is the next one?

A. Half-past two.

Q. Which bus did you go on?

A. I went down on the one, around nine o'clock.

Q. How long did it take you to go down there?

A. I should judge about forty minutes.

Q. Don't you know as a matter of fact, if there was more demand for buses between Egg Harbor and Atlantic City, that this bus line that is now operating there would operate their buses oftener?

Mr. Straw: Objected to, if your Honor please, How can he know that?

Commissioner Gnichtel: He may answer that. Do you know whether if a demand was made on this bus line down there now, to run more buses, they would have to do it?

Witness: I don't know whether he would or not.

By Mr. Daly:

Q. The bus line you refer to is operated by Edward Lawrence, isn't it?
A. Yes.

By Mr. Bradley:

Q. How many buses does he operate? I don't mean how often a day, but how many buses has he on that line?
A. I guess he has one bus, I guess, makes all the trips I suppose, and one he uses to collect the school children with; he can use that in between.
Q. That bus that goes down at seven, is that the same bus that goes down at 8.30?
A. It has been, yes.
Q. It has been?
A. Yes.
Q. You have gone down quite often?
A. No, sir.
Q. How often do you use it?
A. Not very often at all.
Q. Not many people use it from there, from Pomona, use the bus?
A. I guess a few.
Q. A very few, aren't there? Does this take care of all the people who want to go down to Atlantic City from Pomona?
A. He just goes at those hours. I think if there would be a different bus going different hours, there would be more people going down.
Q. This takes care of all the people that go down now, doesn't it?

Commissioner Gnichtel: With the trains. Some go by train, don't they?

Witness: Well, there are a few go by train.

By Mr. Shipman:

Q. As a member of the township committee, would you be in favor of having Pomona served solely by buses?

A. I think it would be all right as much as I know.

By Commissioner Gnichtel:

Q. What is your answer?

A. I think I would, as much as I know about it.

Q. And have the railroad close the depot? That is what he means, remove the depot.

A. Well, in case of freight or something like that we would need the depot.

By Mr. Shipman:

Q. Would you be willing to have the Pennsylvania Railroad and the Reading close up their station there?

A. The Reading?

Q. I don't know whether the Reading goes to Pomona.

Commissioner Gnichtel: It has a depot there.

Q. Would you be willing, would you as township committeeman, be in favor of having those railroads close up those stations?

A. The railroad on Brigantine, I think I would.

Q. How about the Pennsylvania?

A. We get a little freight there, we need that for a thing like that.

Q. Just the freight is all you are interested in?
A. Yes.

By Mr. Daly:

Q. What municipality is Pomona in?
A. In Galloway Township.

FRANK C. SCHRAMM, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Schramm, you live in Atco, do you not?
A. Yes, sir.
Q. What official position do you hold in Atco?
A. Committeeman of Waterford Township.
Q. Are you also a magistrate?
A. Yes, sir.
Q. Do you have occasion to go to Camden and occasion to go to Atlantic City?
A. Quite often to Camden, but there is no way of going to Atlantic City, only one train in the morning and one at night; there are no buses at all.
Q. What have you to say as to public necessity and convenience of the bus line for which petition is made today?
A. To Atlantic City it is a necessity. Anybody who wants to go to work or even business, we have one train leaves Atco 8:27 in the morning, when it is on time; in the summer time it is mostly nine o'clock.
Q. Is that the Pennsylvania or the Reading?

A. The Pennsylvania. The Reading, we have no passenger service; we have freight service in there.

Q. No passenger service at all?

A. No passenger service.

Q. I did not mean to interrupt you. Go right ahead. You said you had one train.

A. One train that leaves at 8:27 in the morning.

By Commissioner Gnichtel:

Q. What is the name of the town you are in?

A. Atco. That is in Waterford Township.

Q. You say you have one train in the morning?

A. One train in the morning goes to Atlantic City. We have several trains that go in the morning, that go at the working time, and then skip and leave at twelve something, and then they go at night, there are a couple go at night again.

Q. Coming back from Atlantic City, what shape are you in?

A. There is one leaves there at 3:20, that is the only one to come back on, it gets to Atco about quarter to five, I judge, somewhere near that.

Q. How do your people go there now?

Mr. Bradley: Go where? I object to the question.

Mr. Straw: We have been talking about Atlantic City. I withdraw the question.

Q. How do people going to Atlantic City go to Atlantic City now, if they want to go to Atlantic City?

A. Most of them want to go to Atlantic City, or any seashore resort, they go to Camden and then

down by train. We have buses go right by our door; we cannot get in them; they are interstate buses. We have to go clean to Camden to go to the Seashore resorts or either go by our own machine.

Q. That is what they are doing now?

A. That is what they are doing now.

Q. Do you have folks who work in Hammonton?

A. There are several in our town, and there would be several more going there but they have no connection for going there.

Q. How do they go to Hammonton now?

A. By their own machines or somebody else taking them in their machine.

Q. You feel those people need a bus line to Hammonton, do you?

A. They should have service either by bus or train, which they haven't got.

Q. Are you speaking now as a township committeeman as well as for yourself?

A. I am speaking for the township. For myself, I do not need it, for my business is right at home; I am in the real estate business. I am speaking for the township in general.

Cross-examination.

By Mr. Bradley:

Q. When did you have this meeting that authorized you to speak for the community?

A. Why, I was sent here by the other two committeemen, they could not come here; we were all asked to be present at this time.

Q. Where was that meeting held that they asked you to be present?

A. It was held at Mr. Bryson's house, our chairman.

Q. A formal resolution asking you to come up here and demand this?

A. No. Yesterday morning, Sunday morning, we talked over it.

Q. How many were there?

A. Three of us.

Q. What demand is there to go from Atco to Atlantic City; how many people need service between those points?

A. We cannot tell.

Q. Why do you say that there is more service needed, if you don't know how many go or how many need to go?

A. I know several occasions—we have several carpenters, bricklayers and so forth around our township that would go to Atlantic City and work, but they cannot go, they have no connection.

Q. When you say several, do you mean a hundred, two hundred or three hundred?

A. I would not say that. I would say maybe twenty-five or fifty.

Q. You know that many men will actually want to go between Atco and Atlantic City every day if they could have work at Atlantic City?

A. They would go to Hammonton, around there.

Q. You know twenty-five at least?

A. Would go in that direction.

Q. Who are the twenty-five, give me the names of any of them.

A. I cannot sit here and name you the twenty-five of them. But a particular one; about five years ago, I had a job in Atlantic City and could not get there.

Q. I am not interested in five years ago. You say you know twenty-five people that would go if there was service; at what time?

A. At what time? To go down there and start work at eight o'clock.

Q. You mean it would only be necessary to have service early in the morning to take those men down. What time would they have to leave Atco to get there, on this schedule that the Public Service Transportation Company intends to put in.

A. They would have to leave at six or a quarter after, something like that, I imagine.

Q. What is the running time between Atco and Atlantic City on this new proposed schedule of buses?

A. About an hour and a half.

Q. Do you know that?

A. Not to be exact, no.

Q. What are you basing it on?

A. Basing it on what people have told me, and whatever I heard from people that went down there.

Q. I thought you said they did not go there that way now, by bus?

A. In their own cars.

Q. You think the bus would go as fast as the car?

A. No, but approximately thirty miles an hour limit, they will.

Q. Are these buses going to stop any place between Atco and Atlantic City or go direct down to carry these people?

A. No, they would stop at all the little towns on the way.

Q. How far are you from Atlantic City?

A. Forty miles.

Q. You think in stopping at every town between Camden and Atlantic City, a distance of forty miles, it would only take an hour and a half to go?

A. Approximately that, yes. I am only figuring my own judgment.

Q. Didn't you know that the running time between Camden and Hammonton on this proposed line was two hours and a half?

A. Two hours and a half?

Q. Yes.

A. From Camden to Hammonton?

Q. Yes, on the line that is going to stop, the accommodation line we will call it.

A. No, I don't know that. But I know their schedule from Atco to Camden is one hour.

Q. How far?

A. Well, approximately they take in about twenty miles.

Q. Then if you went forty miles ——

A. From Atco to Hammonton is about eleven miles; basing it on the same figure.

Q. If it takes them an hour to go eighteen miles, you figure it would take an hour and a half to go forty miles?

A. There would be considerably more stops between Atco and Camden than there will be between Atco and Atlantic City.

Commissioner Gnichtel: That two hours and a half, that is from Camden to where?

Witness: He said to Hammonton.

Mr. Bradley: That was testified, Camden to Hammonton, the running time on their buses that stop at the intermediate stations, last week they said it would take two hours and a half. If they intend on that same line to stop at the intermediate stations going down, it is going to take them somewhere near the same length of time.

Mr. Straw: That is a round trip, that is the testimony, two hours and a half round trip, and that is the service.

Commissioner Gnichtel: Under your application

from Camden to Atlantic City, what is the running time?

Mr. Straw: Two hours and a half between Camden and Atlantic City, two hours and fifteen minutes, two hours and a half I guess; it is a round trip between Camden and Hammonton.

Mr. Bradley: Two hours and a half each way, I am sure the testimony was.

Commissioner Gnichtel: Camden to Atlantic City.

Mr. Straw: To Hammonton.

Commissioner Gnichtel: To Atlantic City.

Mr. Straw: Two hours and a half each way to Atlantic City is correct.

Charles E. Jones, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Jones, where do you live, please?
A. Atco.
Q. In what business are you engaged?
A. I am a bricklayer.
Q. You have occasion to go to Atlantic City?
A. I have occasion now, yes; I have a job offered me there that will last a year, but I cannot get there.

Q. Where?
A. Atlantic City.
Q. What place?
A. Convention Hall.
Q. You cannot take the job?
A. No, sir.
Q. Why?
A. Not unless I leave home and stay away all week. There is no transportation.
Q. Your family is in Atco, is it?
A. Yes, sir.
Q. If this proposed bus line is operated, will you be able to take your job?
A. Yes, sir.

Mr. Bradley: This is the testimony I referred to, on page 12, taken the last time. "You said the running time between Camden and Hammonton was to be what?" "Two hours and a half that is the schedule." "Is that a round trip or one way?" "Each way."

Mr. Straw: I will call Mr. Warner and have it corrected under oath.

Commissioner Gnichtel: Whose testimony is that?

Mr. Straw: The testimony of Mr. Warner.

Mr. Warner: That is my testimony. If it reads that way, I would like to correct it.

Q. Are there any other folks that have occasion to go to Atlantic City from Atco, whom you know?
A. Yes. I know there are several that work along

the line from Atco down, that have no way of going to Atlantic City for them to go to work.

Q. Do you know where those places are, Mr. Jones?

A. There are men in Hammonton.

Q. How do they go there now?

A. Either by car or being late. There is no way for getting there. 8:27, when I leave Atco, I arrive in Atlantic City 9:45; you get to work at 10:30. Nobody will stand for that now.

Q. When you say go by car, I assume you mean private automobile?

A. By their private car, yes, sir.

Q. Do you feel the public convenience and necessity require the operation of the line as sought?

Mr. Bradley: I object to that question. I do not think it is a question of public convenience. I think it is a question of necessity.

Mr. Straw: The statute certainly says public convenience and necessity are to be considered by this Board.

Commissioner Gnichtel: I will admit the question. You may answer.

A. Absolutely.

Cross-examination.

By Mr. Bradley:

Q. Mr. Jones, you are the only bricklayer there that goes to Atlantic City?

A. As far as I know.

Q. These other people that you know you say live in Hammonton?

A. There are men live along the line, yes, bricklayers and carpenters that I have met.

Q. Men who live there in Hammonton that work on this job in Atlantic City?

A. They have the opening to work there, yes.

Q. They have service to Atlantic City?

A. They perhaps might have service to Atlantic City.

Q. You know they do, don't you?

A. No, I don't know.

Q. Then you were not testifying with reference to them?

A. I am absolutely speaking for my own wants and the wants of the people in Atco who have similar work, the same as I have.

Q. You know there are twenty-five trains that go down between Hammonton and Atlantic City a day, don't you?

A. I know there is one train that leaves Atco in the morning, leaves 8:27, arrives Atlantic City at 9:42.

Q. I meant to say Hammonton.

A. I am speaking between Atco, transportation between Atco and Atlantic City and back again.

Q. How many other people in Atco need to go back and forth?

A. I don't know how many there would be to go back and forth. If we had transportation there is no telling how many might use it.

Q. You are the only one at the present time?

A. I am speaking individually for myself now.

Q. Where do these other people live now between Atco and Hammonton that need train service?

A. Any of those small towns along the road that we have no service at the present time.

Q. Do you know any people who live there who need to go to Atlantic City?

A. There are lots who have to work, need to go to Atlantic City. Personally, I am not speaking for them.

Q. You are not?

A. No.

Q. You are only referring to your own case?

A. I am speaking for the needs only in Atco, for the service we need there. We have no service at the present time there to Atlantic City and back again.

Q. What do you mean when you say you are speaking for the people, in one breath and in another saying that you are only speaking for yourself?

A. For the working men there is no acommodation between Atco and Hammonton. I worked in Hammonton in the summer and only by the kindness of one of your witnesses before, was I able to go back and forward. The train leaves at 4:05 in the evening and a man doesn't quit until five o'clock, he waits until nine o'clock to go back to Atco again.

Q. Which line do you mean?

A. The Pennsylvania; the only train that runs into Atco.

Q. Is there a bus line at the present time between Atco and Hammonton?

A. Absolutely not; no good to us; there is no bus line.

Q. Is there a bus line there?

A. No, sir.

By Commissioner Browne:

Q. What time would you have to leave Atco by bus if you wanted to get on the job in Atlantic City, do you know?

A. About six o'clock.
Q. Six o'clock?
A. Yes, sir.
Q. It would take about how long, an hour and a half?
A. An hour and a half, yes, sir.
Q. Do you know what time the first bus leaves Camden on that proposed route?
A. I think it leaves Berlin at six o'clock.
Q. That would be the one you'd take?
A. That is three miles above me. Yes, sir, that would get me in there good.

ROBERT BOLLING, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Bolling, where do you live, please?
A. Elwood.
Q. In what business are you engaged?
A. In the cotton seed oil business in Philadelphia.
Q. Do you have occasion to go to Atlantic City and to Hammonton, from Elwood?
A. I have to go to Hammonton to catch the train to commute to Philadelphia.
Q. You have occasion to go to Philadelphia, do you?
A. Yes.
Q. And to Camden also?
A. No, except to go to Philadelphia.
Q. How do you go to Hammonton now?
A. I drive over to Hammonton and take the train.

Q. Drive in your own car to Hammonton?
A. Yes, sir.
Q. Is there any rail facility between Elwood and Hammonton which makes it possible for you to go to Hammonton?
A. No, I could not use it.
Q. Sir?
A. No, sir.
Q. Is there any bus facility between Elwood and Hammonton, which is possible for you to use?
A. No, sir.
Q. Are there other folks in Elwood who have occasion to transact business in Hammonton or go to Hammonton for any purpose?
A. Well, I am only speaking for myself and my family. I don't know about the others so much. I suppose there are. Yes, there are, because I frequently have applications to know if I will take people to Hammonton with me.
Q. Do you do that frequently?
A. Yes, sir.

By Commissioner Gnichtel:

Q. How do you travel now?
A. By Ford; I drive a Ford.
Q. Your own car?
A. Yes, sir.
Q. How far is Elwood from Hammonton?
A. About five miles.
Q. You have two railroads between there, too, haven't you?
A. Yes, sir.
Q. You said there were no accommodations on the railroads there; aren't the trains accommodating?

A. They do not stop conveniently, sir. It would seem to me it would be up to the railroads to adjust the schedule from Elwood and make it satisfactory for people, or put on buses themselves.

By Mr. Straw:

Q. Do you live near the White Horse Pike or near the station?

A. About 1,000 feet from the White Horse Pike.

Q. Do you feel or do you not feel that the institution of hourly bus service between Elwood and Hammonton would serve public convenience and necessity?

A. I do.

Cross-examination.

By Mr. Bradley:

Q. How large is Elwood?

A. Just to take a guess at it, I would say about 400 people. I don't know whether I am out of the way or not.

Q. You haven't any occasion to go to Camden, you said; it was to go to Philadelphia?

A. To go to Philadelphia, yes, sir.

Q. Can't you go on the interstate buses?

A. Yes, sir, I do that.

Q. You do that?

A. When it is bad weather or I miss a train.

Q. Do you work in Philadelphia?

A. Yes, sir.

By Commissioner Gnichtel:

Q. You commute back and forth every day?

A. Yes, sir, nearly every day.
Q. What railroad do you take?
A. I take the Reading.

By Mr. Bradley:

Q. Going down, there are trains that stop there in the evening, aren't there?
A. There is a train that goes, it takes two hours or so, two hours and half; it is impossible to make any time, to make it convenient; too much time lost.
Q. There is a train down at three o'clock in the afternoon, gets there at 4:33.
A. To Elwood?
Q. Yes.
A. Does it stop at Elwood?
Q. Yes.
A. That would be too early for me to leave Philadelphia.
Q. You didn't know that?
A. I didn't know that. It would not be any good to me.
Q. You are not very familiar with the railroad schedules, are you?
A. I am on the Reading, the trains I use.
Q. Nearly all the trains stop at Egg Habor?
A. Yes, sir.
Q. Aren't you nearer Egg Harbor than you are to Hammonton?
A. About the same distance.
Q. There is a train between Philadelphia and Elwood that leaves Philadelphia at eight and gets there at 9:57, one leaves at 4:20 and gets there at 5:24, one leaves at 5:00 o'clock and gets there 6:32, and another leaves there on Sundays at 8:00 and gets there at 9:24, another leaves on Sundays at 3:00 and gets there at 4:33.

A. Are you reading the Pennsylvania or the Reading?

Q. I am reading the Reading. Did you know all those trains were there?

A. I only know the trains convenient for me. I pick them out, the ones I use.

Commissioner Gnichtel: Is it necessary to go into that? Put the time-table in and show that.

Q. Which way do you live 1,000 feet, which way, toward the railroad?

A. Away from the railroad.

Q. Nearer the Pike than the railroad?

A. Yes, sir.

By Commissioner Gnichtel:

Q. Did you say "yes"?

A. Yes, nearer the Pike than the railroad.

Q. How far is the Pike from the Pennsylvania Railroad?

A. It is about two blocks, a block from the Pike.

Q. How far is the Reading on the other side?

A. Two blocks.

KARL BIESELIN, sworn on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Where do you live, Mr. Bieselin?

A. In Elwood.

Q. Have you any official position in Elwood?

A. Why, yes.

Q. What is it, please?

A. I have several, but the one that I am interested in this case particularly is as secretary of the board of trade and also in my own business, which is real estate.

Q. Mr. Bieselin, were you instructed to come here and speak for your board of trade today with reference to this application?

A. Yes, sir.

Q. What have you to say about it?

A. When this new bus line was proposed it was found that it would be a good idea to have representation, because the people in Elwood have no convenient way— when I say convenient, I mean during the middle of the day—to get there, to Hammonton or to Egg Harbor, to do their shopping. There is a train that comes from Atlantic City that goes up to Hammonton from Elwood early in the morning, between six and seven. Then there is another one at four something, or very near four in the afternoon; that is on the Pennsylvania. I guess there are two like trains on the Reading. Going the other way, nine o'clock going down, and six something in the evening. Take the housewife that has to do her shopping—by the way, we have two stores in Elwood, one sells some meat and groceries and the other a few canned goods. When people want to do their shopping they either have to hire a jitney or call on their friends if the railroad schedules are not convenient to them. Therefore, the Board thought it would be a very good thing, since it was promised to have hourly service, if these various people could go from Elwood, both north and south at various times, of the day, either to do their shop-

ping or could go further, go to Atlantic City or to Camden, as they chose.

Q. You therefore, feel that the public convenience and necessity require the bus line?

A. I sure do.

Cross-examination.

By Mr. Bradley:

Q. What you need in Elwood is more stores, isn't it, instead of more transportation for the housewives?

A. If there were more stores there they would go out of business, because—I will tell you why—the stores in Elwood cannot compete with the chain stores in Egg Harbor and in Hammonton.

Q. You would have a chain store in Elwood, if there is a demand for it from those housewives that have to go to Hammonton, wouldn't you?

A. That proposition has been put to the A. & P. people and they found there was not enough business there to put in a store.

Q. The board of trade wants transportation instead of stores; that is it, is it?

A. No, sir, no, sir. We will get the stores after we have the transportation; you have to bring people there first and then you can sell them.

Q. You are a real estate man?

A. Yes, sir.

Q. You are interested in developing Elwood?

A. I sure am.

Q. By bus?

A. I don't care which way it is. This seems to be the best way at hand.

Q. You would still want the bus regardless of what train service there was, wouldn't you?

A. I don't say that.

Q. What do you say?

A. I say the bus people are offering us better service than the train people have ever had or have had any inclination to.

Q. What is the time that they are offering transportation between Elwood and Atlantic City?

A. Hour service.

Q. How long is it going to take to go from Atlantic City to Elwood?

A. Oh, I don't know.

Q. They didn't tell you that?

A. No.

Q. What is the rate of fare going to be?

A. They didn't say.

Q. You want the bus service regardless of the fare?

A. No, sir.

Q. How do you know it is going to serve the public convenience and necessity when you don't know what the rate of fare is going to be?

A. From past experience, because the fare on the train now is higher than on any of the bus lines.

By Commissioner Gnichtel:

Q. What is the fare from Elwood to Atlantic City on the train?

A. As I remember, it is a dollar and forty some cents, I believe.

By Commissioner Browne:

Q. There is no bus line now, is there from Elwood to Atlantic City?

A. No.

Q. It runs from Egg Harbor?
A. Egg Harbor, not from Elwood.

By Commissioner Gnichtel:

Q. What is the fare from Elwood to Philadelphia?
A. I think it is a dollar and some forty cents.
Q. The bus stops there, you can take a bus from Elwood to Philadelphia.
A. Yes.
Q. What do they charge?
A. One dollar, one dollar and a quarter.
Q. When people go to Philadelphia, which way do they go, bus or railroad?
A. Invariably take the bus if it is between train times. For instance, the last train to Philadelphia in the morning would be about nine o'clock, and if anyone goes to Philadelphia after that, they stand on the Pike and hail a bus.
Q. Are there any commuters there that work in Philadelphia?
A. Yes, sir.
Q. How do they go?
A. There are two I know of; one man takes the

Q. How do they go?
A. One takes the train and the other, Mr. Bolling, he has testified before me.
Q. He takes the bus?
A. His own car or the train.
Q. They all take the train?
A. And have to go to Hammonton.

By Mr. Bradley:

Q. Don't you know the fare between Elwood and

Atlantic City is eighty-one cents and not a dollar and forty some?

A. I was asked from Elwood to Philadelphia.

Q. Atlantic City I asked first. What is the fare there?

A. From Atlantic City to Elwood?

Q. Yes.

A. I would say about eighty cents, as far as I know.

Q. The people that go there from Elwood, going up they want to go to Philadelphia; they don't want to go to Camden, do they?

A. We have one, for instance, a paint contractor who buys from Camden, he has to take a bus to go to Philadelphia and come back.

Q. Most of the people that go between Elwood and Philadelphia that you are speaking for need service to Philadelphia?

A. Go to Philadelphia.

By Mr. Daly:

Q. Elwood is the Mullica Township?

A. Mullica Township.

Q. Is Elwood in Mullica Township?

A. Yes.

By Mr. Shipman:

Q. Speaking for the board of trade, the position of the board of trade is that they prefer the buses to the trains at the present time?

A. It was not said in that way, no. If the trains would give us the same service as the bus line we would favor the train.

Q. Let me ask you what is your present position; do you favor the buses or the trains?

A. Favor the buses because they have ——

Q. Wait a minute. Speaking for the board of trade, would you be willing to have the railroad stations closed up?

A. No, sir. We would like to have better service though. About a year and a half ago I approached one of the officials about having an express train stop through Elwood and he said, don't you know it costs us five dollars to stop a train, it does not pay?

Q. Did he tell you the reason they could not stop a train or they could not run more trains was because of the competition of the buses?

A. No.

Q. Isn't that a fact?

Commissioner Gnichtel: Let us not get into argument.

Witness: When I asked him why we didn't get more service ——

Commissioner Gnichtel: This will have no bearing.

Witness: Just a minute ——

Commissioner Gnichtel: Never mind that. That has nothing to do with it.

By Mr. Kinter:

Q. Wouldn't it be feasible for the people of Elwood to drive to Hammonton and take a train there?

A. I would not want to leave my car stand in the street in Hammonton and take a train and stay there all day and come back.

Q. How far are you from Hammonton?
A. Seven miles.
Q. A good road?
A. Fine road.
Q. You know you have excellent service from Hammonton to Philadelphia and back?
A. Yes.

MARK G. CLAYTON, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. You are pastor of the Presbyterian Church in Elwood, are you not?
A. Yes, sir.
Q. Are you familiar with this petition to operate buses?
A. The petition?
Q. Yes.
A. No, I am not.
Q. Do you have occasion to go to Camden, Hammonton?
A. Yes, sir, two, three times a week.
Q. How do you go there?
A. Well, sometimes I have the inconvenience of having to go on that early train on the Pennsylvania, 6.32.
Q. From where?
A. To Hammonton. And staying all day, unless I get a chance to ride home, otherwise I must hire someone to take me. We have no bus service.
Q. Are there other folks in your community who have occasion to go to Hammonton?

A. Yes, sir, I know quite a number.

Q. How do they go there?

A. About the same way I do, if they are unfortunate like myself, having no car.

Q. Do you have occasion to go to Atlantic City?

A. Yes, sir.

Q. What is the situation there, Doctor?

A. Well, to go to Atlantic City, I must take the nine o'clock train in the morning and the work I have to do down there—it is official work in the Church and Sunday School, work that requires me to stay there all day; I cannot get through in time to get the local train in the afternoon, and then I have to go to Egg Harbor on the express, 6.14 arriving there, and pay a taxi $2.00 to bring me to Elwood.

Q. On what road is this, please?

A. Pennsylvania.

Q. Do you have occasion to go to Camden?

A. How is that?

Q. Do you have occasion to go to Camden?

A. To Camden, yes, sir, quite often.

Q. How about that situation?

A. Well, to go to Camden, I must go up in the morning and take that early train on the Pennsylvania or the early train on the Reading. The Reading is about six o'clock and the Pennsylvania is 6.32.

Q. What time do you want to be in Camden?

A. Nine o'clock, or ten would be soon enough for me.

Q. What time do you get there by the early train?

A. I generally spend the day up there. I have business, and I must take the accommodation train, the only train that stops at Elwood on either the Reading or the Pennsylvania.

Q. When you go up on the morning train, what time do you arrive in Camden on the early train?

A. A little after eight o'clock, if my memory serves me right.

Q. In your judgment, would a bus service, such as has been indicated here, serve the public convenience and necessity?

A. Yes, sir, I do.

Cross-examination.

By Mr. Bradley:

Q. Would eight o'clock be too early for you to go to Camden?

A. I beg your pardon.

Q. If you were going to Camden, would eight o'clock in the morning be too early for you to go?

A. No, that would be about right. I take the bus now, I can get an interstate bus at eight o'clock.

Q. Don't you know on the summer schedule there is a train leaves Elwood at 8.02 on the Reading?

A. Oh, yes, a little while in the summer only; they take it off after a little while.

Q. The summer schedule runs to September?

A. I want that service the year round. Two or three months in the summer don't serve me the rest of the nine months.

Q. Isn't that service between June and September?

A. Yes, that is only about three months.

Commissioner Gnichtel: How long did you say that was, two months?

Witness: Three or four months.

Q. How many times do you go to Camden and Philadelphia?

A. I go on the average three times a month to Philadelphia and Camden. I attend the ministers' meeting practically every ministers' meeting in Philadelphia, every two weeks.

Q. In summer time when this service is on, do you use the train?

A. Yes, I could use the Reading train very comfortably.

Q. Do you use it?

A. Yes, I have used it.

Q. Where do you go in Philadelphia, where do you meet there?

A. The Witherspoon Building.

Q. So the bus service is better for you because it runs you up there near the city hall?

A. Yes, they take us right up in the city; but I don't mind the other service across the river. However, the bus service is much more convenient.

Q. You can always use that interstate bus going to Philadelphia?

A. I beg your pardon.

Q. You can always use that interstate bus going to Philadelphia?

A. Well, I can, but I want the local service, too.

Q. How often do you go to Atlantic City?

A. I go, in the space of about three months, I go probably four times.

Q. Four times in three months to Atlantic City?

A. Yes, sir.

Q. You do not think it is proper for you to be asked to go either to Hammonton or Egg Harbor to get the trains, do you?

A. How is that?

Q. You do not think that you ought to be required

to go to Egg Harbor or Hammonton to get the trains?

A. No, sir, I do not.

RICHARD C. WILLIAMS, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Mr. Williams, where do you live, please?
A. Elwood.
Q. What business are you engaged in?
A. Well, I have no business at all.
Q. What is that?
A. I am not in business at all.
Q. Do you have occasion to go to Hammonton?
A. Yes, very often.
Q. How often do you go to Hammonton?
A. Whenever I want to.
Q. How often is that, approximately?
A. Well, I don't know. I never put it down. If I want to go to Hammonton, I go.
Q. How do you go to Hammonton?
A. I either have to take the accommodation we have got, or else have somebody to take me; that is all.
Q. What accommodations have you?
A. We have got the Pennsylvania. You can go there 6.14 in the morning and come back at night. Then you can go up again at 3.57, I think, and come back at twenty minutes past six.
Q. Do those accommodations serve your need?

A. They have to.

Q. Do they?

A. No, they do not.

Q. Why don't they serve your needs?

A. Well, we want in Elwood to get the same privilege to go to Atlantic City or to go to Hammonton or to go to Egg Harbor, as I can get on the corner there to go to Philadelphia. If I want to go to Philadelphia, I can get a car there every hour pretty near.

Q. I did not hear the last.

A. If I want to go to Philadelphia I can get a car every hour. If I want to go to Camden I have to walk, that is all.

Q. From Elwood?

A. Yes. With the accommodation we have got now, with the buses.

Q. Do you have occasion to go to Camden?

A. Sir?

Q. Do you have occasion to go to Camden?

A. Oh, yes.

Q. How often do you have to do that?

A. I don't know. If I knew that you people wanted to know exactly what I was doing I would put it down and then you would know. What I come here for, from Mullica Township—I am on the Township Committee—we want the same right to go in the towns in the State of New Jersey as we can to go over the river. I can go over the river every hour if I have got the money, but I cannot go to Camden.

Q. You are on the Township Committee?

A. I am, sir.

Q. Have you had complaints from your citizens, or have you had any discussion with your citizenry or constituency?

A. We get that very often.

Q. As to the present situation of transportation between Hammonton, Atlantic City and Camden?

A. I was sent here, that we as the Township Committee are in favor of the buses every hour if we can get it.

Q. You feel that a bus line every hour will serve the public convenience and necessity, do you?

A. Yes, or a train every hour; I don't care which; it don't matter to me, so long as I can go where I want to go.

Cross-examination.

By Mr. Bradley:

Q. You think there is necessity for having a bus service there from Elwood, every hour of the day?

A. We are going to get it.

By Commissioner Gnichtel:

Q. How big a population have you in Elwood?

A. I think Mullica Township is about seven hundred, seven hundred and fifty or eight hundred.

Q. Your complaint is that you can go to Philadelphia when you please but you cannot stop at these other places?

A. No, we cannot; we cannot go to Hammonton.

By Commissioner Browne:

Q. Would it serve your purpose if you could get off the bus at Camden, the interstate bus?

A. Yes, if we can go down anywhere like where we want to. If I want to go to Camden I have to

go over the bridge and come back again before I can get there.

(Recess from one to two P. M.)

AFTER RECESS.

HERMAN W. PRIESTLEY, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. What is your full name?
A. Herman Winfield Priestley.
Q. And you live in Elm?
A. I do.
Q. In what business are you engaged?
A. Farming.
Q. Do you hold any official position in your municipality?
A. I do.
Q. What is your position?
A. Township Committeeman.
Q. Of the township of what?
A. Winslow.
Q. Of Winslow?
A. At the present time the chairman.
Q. Chairman of the Township Committee?
A. Yes, sir.
Q. Are you speaking for your constituency as well as personally, or are you merely in your personal capacity?

A. In my personal capacity.

Q. By the way, does the Pennsylvania Railroad go to Elm as well as the Reading?

A. It goes through one part of it, what we call Elm, but not the town proper.

Q. Is it a station stop?

A. Yes.

Q. The Reading goes to Elm does it not?

A. Yes.

Commissioner Gnichtel: How far are you away from the depot?

Witness: About a mile; that is, to where I live, about a mile and a half.

Commissioner Gnichtel: How far is the center of Elm away from the depot?

Witness: Well, right around there somewhere.

Commissioner Gnichtel: Elm, I see by the map, is located on the White Horse Pike.

Witness: It is.

Commissioner Gnichtel: And the Pennsylvania Railroad is some distance to the south and the Philadelphia and Reading a little further, is it?

Witness: Yes; about a block difference between the two railroads, at Winslow Junction.

Commissioner Gnichtel: At Winslow Junction?

Witness: Yes.

Commissioner Browne: There is a station at Ancora?

Witness: Yes.

Commissioner Browne: That is equally accessible?

Witness: Yes; that is about, a little over a mile from the town proper.

Q. With respect to the White Horse Pike where is the center of your population, near the railroad station or near the Pike?

A. Near the White Horse Pike.

Q. First of all, do you have occasion to go to Hammonton?

A. I do.

Q. How frequently?

A. About three times a week.

Q. Do any of your people have occasion to go to Hammonton?

A. They do.

Q. Is there a community of interest between Elm and Hammonton?

A. There is.

Commissioner Gnichtel: What is its nature; what do they do there; shopping?

Witness: Well, we go there shopping and we attend different organizations we are members of.

Commissioner Gnichtel: How far is it?

Witness: About five miles.

Q. How do you get there, Mr. Priestley?

A. By automobile.

Q. Private automobile?

A. Yes, sir.

Q. Is there any way of getting there by rail transportation?

A. We will say, if we do not use our car, it will be necessary to walk about a mile and a half to the Pennsylvania Railroad or the Reading at Winslow Junction, and thereby take the train on in.

Q. What sort of train service do you have, by connection or otherwise?

A. At the present time I am not able to state just the exact time the trains run.

Q. How far do you have to walk to the White Horse Pike?

A. Three-tenths of a mile.

Q. Three-tenths of a mile?

A. Yes.

Q. I take it, then, it is nearer to the White Horse Pike for most of your folks than it is to the station?

A. It is.

Q. To what other towns do you have occasion to go?

A. Waterford, Audubon, Berlin and sometimes Egg Harbor.

Q. Speaking first of Waterford, what is the community of interest, if any, between your municipality and Waterford?

A. Largely of a shopping interest between friendly families we visit.

Q. Folks living in your community want to go to Waterford to see folks there, and that is general, is it?

A. Some sort of business interest that may arise from time to time.

Q. There are some folks who do go to Waterford for shopping reasons or business reasons?

A. Yes, there are.

Q. Directing your attention to Berlin: Berlin is more or less of a shopping district, is it not, for quite a large community?

A. Yes.

Q. Do you folks go to Berlin, occasionally? Of course your main shopping district is Hammonton, is it not?

A. Hammonton.

Q. What have you to say as to the proposed bus service between Camden and Hammonton and Camden and Atlantic, giving you hourly service or better from Elm to Hammonton and Elm to Atlantic City in one direction, and coming up toward Camden, stop at Berlin, in the other direction, and Audubon?

A. I believe that—in fact, I know it will be a good thing for a good many of the people who wish to travel to work. I might say that a little while back ——I don't know whether this comes in right or not.

Q. I can't hear you.

A. (Continuing.) A little while back a bus line started and they had a good bit of patronage going back and forth to work. It was taken off.

Q. From where to where?

A. They went to work at Hammonton, a good many living at Blue Anchor go to Hammonton to work and some from Elm, on into Philadelphia, and Clementon and around there, wherever they can necessarily be engaged in work; there seems to be a great demand for bus transportation that will give them a more convenient way of getting to their work.

Q. I interrupted you when you spoke of a bus service that had been discontinued, I think you said?

A. Yes.

Q. What about it?

A. Berlin Bus Company, put through, I believe, by McLaughlin, I believe there was an extension from Berlin to Hammonton.

Q. Do you regard, therefore, the proposed service as a public necessity?

A. I do.

Mr. Straw: Take the witness, gentlemen.

Commissioner Gnichtel: Let me ask you a question, before you go to cross-examination: There is a bus now from Camden to Hammonton, isn't there?

Witness: I believe, Philadelphia to Hammonton.

Mr. Straw: Only makes two trips a day.

Mr. Daly: There is a bus line from Camden to Burlington, on the main line there, and there was an extension on two trips a day, on the same line, to Hammonton.

Commissioner Gnichtel: There is a bus running to Hammonton now, did you know that?

Witness: I didn't know of it until yesterday.

Mr. Daly: There is a bus line running two buses to Hammonton.

Mr. Straw: Two trips a day.

Commissioner Gnichtel: You haven't noticed that?

Witness: I wasn't aware of it until yesterday.

Commissioner Gnichtel: You never used that?

Witness: No, I haven't.

Commissioner Gnichtel: When you spoke of a community of interest from Elm westward, that has all been covered by the bus that is there now, isn't it?

Witness: Well, it may be; speaking locally.

Commissioner Gnichtel: That is all. Cross-examine.

Cross-examination.

By Mr. Bradley:

Q. How many buses, do you know, run between Elm and the intermediate points northerly at the present time; the line that runs to Berlin?

A. There is no bus we can get to Elm. We get off at Berlin.

Q. Except the Public Service, two buses a day?

A. That is all.

Q. You didn't know of that at all?

A. Not until yesterday.

Q. How long have you been investigating this matter?

A. I haven't come right down into details at all, as far as that is concerned.

Q. The people, when they go up there on pleasure trips, to Audubon and Waterford or Berlin, they usually go in autos, don't they?

A. Yes.

Q. They would if there were buses? You would use your own auto to go and visit someone?

A. In my particular business, speaking for myself, lots of times it is impossible, the farming business I am in.

Q. What is your business?

A. Farming.

Q. Farming?

A. Fruit farming. It is not always convenient for me to get away to take my wife and children, through the middle of the day. I have a sister-in-law living in Audubon and we possibly may go there two or three times a week.

Q. Most of these people going on business take their husbands, don't they?

A. Not always.

Q. Mostly?

A. Sometimes they do.

Q. The women are around the house; you don't expect them to go visiting in the middle of the day?

Commissioner Gnichtel: He said they do, but he can't take them.

Mr. Bradley: Drop their housework and go visiting?

Commissioner Gnichtel: He said they go visiting whether they drop their housework or not.

Q. How many, do you know that, do that, beside your family?

A. I can't say I know of a great many.

Q. Any?

A. I know some do, yes.

Q. This line that was taken off, wasn't that discontinued because there wasn't anyone to use it?

A. I don't think so.

Q. Do you know why it was taken off?

A. No. I don't know why it was taken off. I do know of numerous complaints that were made that they have to go and wait half an hour or an hour for a bus and sometimes the bus would run and sometimes it wouldn't run.

Mr. Bradley: That is all.

Mr. Straw: That is all.

JAMES BREAREY, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. What is your full name?

A. James Brearey.

Q. You are Mayor of Chiselhurst, are you not?

A. Well, yes, eighteen years, that is all.

Q. Mayor, what sort of a community is your community, an industrial community or a residential community?

A. We are trying to make it grow, if that is the question you are asking.

Q. What is it mainly, residential?

A. Residential.

Q. What rail communication have you in Chiselhurst?

A. The Pennsylvania Railroad, and away back at

the other end, two miles back, is the Reading Railroad.

Q. Are there station stops on both systems?

A. We have two railroad stations in our town.

Q. With regard to the center of the population, just tell me, if you please.

A. Four hundred and fifty or something in that neighborhood, around that. We haven't any twenty-story buildings there yet and our railroad companies are trying to keep us so we will never get them.

Q. I am interested in that. Can you tell me the situation in reference to the railroads?

A. The situation is, a lot of our citizens came to me last week and wanted to know, at the last meeting of Council, would I allow it to be brought up in regard to their transportation. I can't say just how many men, but we are brought here to tell the truth and nothing but the truth; that is all we want. Don't try to cut it up and twist the question; ask us do we or do we not.

Q. What?

A. Want this transportation.

Q. Do you or do you not want this transportation?

A. I do. My people living in our town want it.

Q. Do you feel that the proposed bus line would afford a public convenience and is it a public necessity for your community?

A. I do. Do you want me to tell why?

Q. Why?

A. I have a great many coming here, and I know in our borough no one can live there and work in Atlantic City. I am not paid by anyone to come here; I am independent of anyone; I am coming here for the good and welfare of the general com-

munity. You had one gentleman here from Atlantic City—who wanted to work in Atlantic City; he can't work down there; Mr. Jones or whoever the man may be won't have him. Why? He gets there too late. Our school children have been getting down there too late.

Commissioner Gnichtel: Where do your school children go?

Witness: Hammonton.

Commissioner Gnichtel: They go to Hammonton?

Witness: If you would like me to tell you, I am in a position to do it, why we have done these things, I will tell you.

Q. I would like to know.

A. I have been before Mr. Boyd and Mr. Craig on several different occasions.

Q. Who are they?

A. Pennsylvania Railroad officials and certainly Mr. Boyd and Mr. Craig gave me to understand, we don't care, we don't cater to your local trade at all. "What do you cater to?" "We want your freight." "I always thought it was our stores. You want our freight. Did you ever hear of anybody ever stopping in the middle of a woods, with a road back of it, to leave freight off there?" We want somebody to join in here and help build up the community. This bus company has no jurisdiction or anyone in paying me. I am working for the benefit of the general public. It is my duty to do it; they asked me at the last meeting. How can we expect to build up our place, when the first question

they ask is what is the transportation? That is all their thought and on their mind; isn't that the first question they ask, how are they going to get in and how are they going to get out? I don't want you to smile; this is nothing new to me; I have tried over eight hundred cases. That is why we are struggling; they came to me and asked me if I would allow them to take it up and I said, "Sure." The Pennsylvania Railroad has for years—don't ask me days and dates and minutes. I can't tell you—when we went where we go now it cost eighty-one cents ——

Q. Where is that; is that Clementon?

A. No; from Camden to Chiselhurst eighty-one cents. I can bring you a picture of it and the data on it. At that time I talked with Mr. De Long and Mr. Boyd and Mr. Craig it was a ninety-one cent ride each way. Never mind about that being too long; the why and whyfor is it isn't that now. They changed the gait now. We tried at one time to build it up and get people to build houses there and they asked where is your convenience to get to and from, which when we can't point out the communication what you are going to do?

Commissioner Gnichtel: How long have you lived in Chiselhurst?

Witness: Twenty-six years or twenty-seven years; twenty-six years the 16th of last April.

Commissioner Gnichtel: Are you in business there?

Witness: No. I am too lazy to work.

Commissioner Gnichtel: You don't have occasion to go in and out every day?

Witness: No; I will say no.

Commissioner Gnichtel: Are there any commuters from that place?

Witness: We had forty-five. I can't tell you what they have today. We did have forty-five.

Commissioner Gnichtel: They made use of the railroads, I suppose?

Witness: Yes. That is what I had the argument with Mr. Boyd and Mr. Craig and Mr. De Long, over that.

Commissioner Gnichtel: They leave in the morning?

Witness: Leave in the morning; they have a train at twenty minutes after five, that is about it; anybody can correct me.

Commissioner Gnichtel: We will have that from the time-table.

Witness: Exactly.

Commissioner Gnichtel: During the day is there much traffic?

Witness: Well, brother, I can't answer that, only in a short way. I have been so I have not been able to work for a long, long time.

Mr. Straw: Take the witness, gentlemen.

Cross-examination.

By Mr. Bradley:

Q. You said there was only one train in the morning?

A. No, sir. Don't start that, will you?

Q. They have no trouble getting up there?

A. We are not saying anything about trouble. Ask me anything about what trains we have for the commuters.

Commissioner Gnichtel: You are on the Pennsylvania Railroad?

Witness: Absolutely.

Commissioner Gnichtel: You are some distance from the Reading?

Witness: Yes; two miles we will say.

Commissioner Gnichtel: This early train you have mentioned, the five something, is on the Pennsylvania?

Witness: Absolutely.

Q. You have the 6.05 train, haven't you?

Commissioner Gnichtel: On the Pennsylvania?

Mr. Bradley: Yes.

A. I think twenty minutes after five. I never get up that early. I told you I didn't work.

Q. You have the 6.40 to Philadelphia?

A. They may have.

Q. Have you the 7.06 to Philadelphia? There are plenty of trains to take the commuters?

A. I am not arguing with you in regard to that train service. I am only arguing with you it is the idea of the people of our town we should have bus service.

Q. You don't care what train service you have; you want the bus service?

A. Mr. Boyd and Mr. De Long distinctly told me, "We are not looking for the individual train service."

Q. Do you prefer bus service or train service?

A. I am not particular which one I get, when I go up.

Q. Are you willing to have the train service discontinued and only have the bus service?

A. If you discontinue any more than what it is it won't be continued at all.

Q. You said you are not interested in the train service, but the bus service?

A. I am speaking on behalf of those who are.

Q. You have been down there twenty-six years?

A. Yes, and over.

Q. How large a place was it when you first went there?

A. That is just as large now as it ever was, but it would have been much larger if the railroads gave the service.

Commissioner Gnichtel: How large is it?

Witness: One mile over and two miles west.

Q. How many houses?

A. If you want me to go there I will count them.

Q. How many houses were there when you first went there?

A. I can't tell you. We would have a great many more if the railroads gave the service.

Commissioner Gnichtel: That is not answering the question. The question was how much of an increase has there been since. Has it increased in the last twenty-six years?

Witness: Yes.

Commissioner Gnichtel: How much; one hundred per cent?

Witness: No; I wouldn't say that.

Commissioner Gnichtel: It hasn't doubled in twenty-six years?

Witness: No, it has not.

Q. You have been head of that community the whole twenty-six years?

A. No.

Q. Or eighteen years. You haven't been able to develop it in eighteen years?

A. Maybe if you got hold of it you could do it in about ten minutes.

Q. You can't do it by talking?

A. No. Will you go down with me and count the houses?

Mr. Bradley: That is all.

CHARLES S. BUNDESMAN, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. What is your full name?
A. Charles S. Bundesman.
Q. You live at Bishops Bridge, do you not?
A. Yes, sir.
Q. In what business are you engaged?
A. Well, I was in the gasoline service station business, but am temporarily out of it now.

Commissioner Gnichtel: Where did you say you lived?

Witness: Bishops Bridge.

Commissioner Gnichtel: Where is that?

Witness: The station stop between Atco and Berlin.

Commissioner Gnichtel: That is called Bishops here?

Witness: Yes, sir.

Q. What rail facilities do you have in your immediate locality?
A. None whatever.
Q. The Pennsylvania Railroad?
A. The nearest we have is at Williamstown Junc-

tion; it is approximately a mile and a half over from the Reading.

Q. In what township is Bishops Bridge?

A. Berlin Township.

Q. Berlin Township?

A. Yes, sir; Berlin Borough now.

Q. Is it part of the borough now?

A. Yes, sir.

Q. Do you have occasion to go to Hammonton or points between Berlin and Atlantic City?

A. Yes, sir.

Q. How often do you have occasion to go there and where?

A. Well, I generally go over with the "better half" and the particular work that she is interested in at the present time. If the gentleman of the railroad will give me the schedule out of Bishops Bridge or Berlin I will try to show you it is almost impossible to go anywhere in South Jersey from either Berlin or Bishops Bridge. I am not familiar with the schedule. In fact, I forgot to bring them. If they will give me the commuting schedule there.

Mr. Bradley: Don't you know of your own knowledge of the operation of these trains?

Witness: There are only two trains a day there, one in the morning and one at night, as far as I can remember.

(Witness is handed time-table.)

Mr. Bradley: I would like to have it noted on the record the witness is examining the time-table of the Pennsylvania Railroad.

Commissioner Gnichtel: Proceed.

Witness: For instance, if you desire to go to Hammonton or Egg Harbor or Atlantic City and say, arrive there at eight o'clock and get home at night, it is almost impossible. You have to wait until next morning to get back. We have had several occasions where it was necessary to go into Atlantic City to attend various meetings and the only way we could do it was to get on an interstate bus and convince him there was something wrong with the springs of the car of the automobile so he would stop at my service station so I could possibly telephone, on one particular occasion; otherwise you go to Atlantic City and go to Philadelphia, and take the Public Service back into Berlin and practically double back, possibly twenty or twenty-five miles to get back where you want to go, simply because of the fact there were no trains out of Atlantic City that day.

Q. Are there other people living in Bishops Bridge south of Berlin who have occasion to go to Camden and Atlantic City?

A. Yes, several, quite a few that are very active in fraternal organizations down there who would like to visit in South Jersey, and the only way you can possibly do it at the present time is to have your own automobile.

Q. Would the proposed bus line take care of the needs of these persons going to Hammonton and Atco and Egg Harbor?

A. I am only speaking my opinion on it, on what the Public Service has already got for us down there, as far as Atco and Lowden. When I first went in South Jersey there it was almost impossible for me to go to the bank. It required us to walk a mile to go into Berlin.

Q. To the Berlin National Bank?

A. To the Berlin National Bank. As it is now, you can go out there most any old time and get a Public Service bus and go to Berlin and do your shopping and come back. In fact, we leave home a few minutes—ten minutes after the hour and do a little shopping and there is a bus and we will get back to Bishops. We can't do that with the trains. If they will give us the same service for Berlin and Atco I am heartily in favor of granting the right all the way through. They did for a while give us service into Hammonton. I don't know whether it was due to financial inability or what, the service was temporarily discontinued.

Q. Has the service of which you spoke, going into Berlin and shopping and going back to Bishops Bridge, taken any business from the railroad, do you know?

A. I shouldn't say that it does. There was a time I used the railroad exclusively, but after the Public Service, or not the Public Service, but Gasior and the other fellows along that Berlin line, they had quite a battle, their service was so good we forgot the railroad was there.

Q. Do you or do you not say that the operation of the proposed bus line would serve the public convenience and is a public necessity?

A. I do, if they render the service, yes, sir; if they give us a service equal to the Berlin bus line there is no question but what it will serve the public in South Jersey.

Q. That is the Public Service?

A. Yes, sir.

Cross-examination.

By Mr. Bradley:

Q. You said from Bishops you are now able to get up to Berlin, going to the bank, on these buses of the Public Service?

A. Yes, sir.

Q. How often do those buses run?

A. I think the schedule has been changed, but it used to leave ten minutes after the hour and that would give you approximately twenty-five or thirty minutes to do whatever business we may do in Berlin, the bank or groceries or shopping.

Q. When do you come back?

A. There is a bus every hour; there is an interval of about twenty-five minutes.

Q. At the present time you say that there is a bus that runs between Berlin and Bishops every hour?

A. Every hour, yes, sir.

Q. Every hour?

A. Yes, sir. You understand, we go up on one at ten minutes after and one leaves the bank corner approximately twenty minutes of the hour; that gives you thirty minutes shopping.

Q. That service between Bishops Bridge and Berlin is very good service?

A. Positively.

Q. Why do you need this service?

A. We want the service south. We haven't any. If we go to Hammonton at the present time or Elwood or Atlantic City it takes practically the whole day to go anywhere.

Q. As I understood, the bus service only ran between Camden and Berlin?

A. No. It goes to Atco and Lowden; we have an extension of that service runs to Lowden.

Q. Where is Lowden?

A. Approximately two miles outside of Atco, off the pike.

Q. You said your nearest point on the Reading was at Williamstown Junction?

A. Williamstown Junction, yes.

Q. Isn't Albion nearer?

A. No. That is still farther away; that is still farther away.

Q. If you want to get to Atlantic City you go over to Williamstown Junction and you have good train service, haven't you, on the Reading?

A. How are you going to get to Williamstown Junction?

Q. You have an automobile?

A. Yes. I don't care to take an automobile and leave it in the woods over there.

Q. If you go into an isolated community you can't expect to get train service every few minutes, can you?

A. I don't think a country that has an assessed value, an appraised value of $100 or $150 a foot is isolated country. That is the principal artery of travel of the county.

Q. Down there you have an appraised value of $150?

A. I understand so.

Q. You are not selling any property at that price, are you?

Commissioner Gnichtel: Who appraises it at that? Not the assessor?

Witness: I have a piece of property that has been carefully appraised and assessed by one of the

largest corporations in the world—in the country; they have offered me $25,000 for it.

Q. When did you get the offer?

A. It is now under consideration and has been for a year.

Q. That was made in the boom, wasn't it?

A. No. That was long after.

Q. Didn't it go up in the boom?

A. We had nothing to do with the boom, no, sir.

Commissioner Gnichtel: Was that the assessment by the assessor, the tax assessor?

Witness: That is on the established business and the business we were doing and the location, yes, sir.

Commissioner Gnichtel: That is your business; but the land along there isn't assessed at $150 a foot, is it?

Witness: No; not the county assessment, no, sir.

Q. How much is your assessment, per foot, of the county assessor?

A. I can't say offhand.

Q. How large is your place?

Commissioner Gnichtel: It is for the sale of the business.

Witness: Mine was an established business.

Q. You mean the established service station?

A. I am trying to prove it isn't an isolated section.

Q. How many people reside there?
A. At Bishops Bridge possibly seventy-five or one hundred.
Q. You don't call that isolated?
A. No, I do not. We have approximately thirty-five thousand cars an hour pass our crossroads.
Q. Thirty-five thousand?
A. Yes.
Q. You don't mean that, do you?
A. I certainly do, yes, sir.
Q. That price is for your business?
A. For my business, yes, sir.

By Mr. Shipman:

Q. Aren't there about six trains a day going to Atlantic City?
A. I don't know there is, that stop at Bishops Bridge. There is a mail train in the morning.
Q. You have had the time-table. Aren't there about six trains make a flag stop at Bishops?
A. A flag stop?
Q. You examined the time-table of the Pennsylvania Railroad; isn't it a fact about six trains make a flag stop at Bishops to go to Atlantic City?
A. Have you ever been down that way?
Q. Isn't that a fact?
A. Yes, but is there anyone would stand out in the wind and cold and sleet and rain to flag a train? I am sure I don't.
Q. Where do you stand to get a bus?
A. We have a certain schedule so we can get them.
Q. The train has a schedule.
A. They do when they are there. In the summertime it is almost impossible to depend on the scheduled stop of the train.

Q. Would you rather stand out in the rain and wet for the bus than the train?

A. I haven't used the train for three years, for that one particular reason, we can't depend on them.

Q. What do you use?

A. I use the buses exclusively.

Q. Where do you stand for the buses?

A. I live within hearing distance.

Q. Do you stand at the station or in the street?

A. I stand in my service station. I can see it coming.

Mr. Shipman: All right, that is all.

DAVID BERNSTEIN, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Where do you live?

A. Pomona.

Q. Do you have occasion to go to Atlantic City?

A. Yes, sir.

Q. How often do you go there?

A. Five or six times a week; sometimes three times; according to how I feel.

Q. How do you get there?

A. Sometimes I get there by the early morning train and sometimes ——

Q. What time is it?

A. 9.23, I think it is; the schedule is changed. That early train I got that only once.

Q. What time can you get back?
A. Five o'clock that evening.
Q. Leaving Atlantic City?
A. Yes.
Q. Arriving at Pomona at what time?
A. About 5.25 or 5.30.
Q. Is there any other way of getting to Atlantic City, except by those trains, except that train?
A. Yes, one bus leaves Atlantic City at 5 o'clock.
Q. And stops at Pomona?
A. Yes, sir.
Q. Discharges passengers at Pomona?
A. Well, those that want to get off, yes.
Q. Are there other folks who live in Pomona who have occasion to go to Atlantic City?
A. Yes, they are all complaining about the facilities going and coming.
Q. Do you feel that the proposed bus operation, giving hourly service or better, to Atlantic City, will take care of the transportation difficulties?
A. Well, according to what I hear. I am trustee for the firemen and we have sixty odd members and most every one of them is in favor of having a bus.
Q. Are you speaking on behalf of the Firemen's Department?
A. I am speaking of everyone in general that I communicate with in the association.
Q. In your judgment, therefore, is the proposed bus line to serve the public needed and necessary?
A. Surely.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. Suppose you had a two-hour service, would that serve you properly?

A. Well, that would serve me, but what I hear from the men, I told you, I am not talking for the men, I am talking for the community, for the men I associate with.

Q. What is your business?

A. I am not doing anything. I am living on the interest of my rent.

Q. Do you have to go to Atlantic City five or six times a week?

A. I do.

Q. Why do you go there so often?

A. To see my friends and kill a little time, for the sea air and sea breeze, and take in shows. If I take in a show late I can't come here until next day.

Q. How do the people who want to get to Atlantic City get there now?

A. They go in by bus; some of them go in—most of them, I guess, go by the bus. If they miss the bus they can't get back.

Q. There are plenty of facilities they can get to Atlantic City now by bus?

A. There is not. Those coming from Philadelphia won't pick anybody up.

Q. Won't pick anyone up?

A. No, sir.

Q. How many bus lines have you that run from Pomona into Atlantic City?

A. One.

Q. One bus line. How often does that operate?

A. Twice a day.

Q. Twice a day?
A. Yes.

Mr. Bradley: That is all

Cross-examination.

By Mr. Shipman:

Q. Do you agree with the Township Committeeman who testified here this morning, he would be in favor of closing up the railroad station?
A. I don't understand.
Q. Did you hear the Township Committeeman of Pomona who testified this morning?
A. Yes, sir.
Q. I forget his name.
A. I have been here since the Court has opened.
Q. He represented Pomona. Did you hear him testify?
A. Yes.
Q. Do you agree with his statement? He was in favor of closing up the railroad station and having exclusive bus service for Pomona?
A. Absolutely not. Close up the station?
Q. You don't agree with him?
A. No. I wouldn't want to see the station closed. It is a convenience there with our mail and baggage and so forth. That is essential to have the station down there. It is valuable for us to have it there.
Q. Is there anybody using the railroad trains out of Pomona now?
A. Yes; sure they do; a few of them use it.
Q. How many passengers a day do they have, do you know?
A. Very few; you could count them on one hand.

Q. Sometimes they don't have any?
A. That is true.

Mr. Shipman: That is all.

GEORGE R. PHIPARD, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. You live at Chiselhurst, do you?
A. I do.
Q. What business are you engaged in?
A. I have a refreshment stand.
Q. Do you have occasion to go to Hammonton and Atlantic City?
A. Well, yes, at times I do.
Q. Do you have occasion to go to Camden and points between Chiselhurst and Camden?
A. Yes.
Q. How frequently?
A. Not very often, I must say, especially in the summer-time. At other times of the year for amusement and social calls and so forth.
Q. How do you get there?
A. Well, I don't depend on the trains.
Q. Why not?
A. Because they don't suit the hours that I desire to get into the city.
Q. And what part of Chiselhurst do you reside?
A. I would say about the center of it. Right on the White Horse Pike.

Q. Right on the White Horse Pike?

A. Yes.

Q. How far is it from your home to the Reading station?

A. The Reading station? I would imagine about two miles and a half.

Q. And to the Pennsylvania station?

A. Probably about one-third or one-quarter of a mile.

Q. When you go to Atlantic City and Hammonton, how do you go?

A. Well, I have been obliged to depend upon the hospitality of my friends or neighbors; I don't happen to own a car myself. I don't like cars, to begin with, not well enough to own one, anyway. I am always going with some neighbor or friend.

Q. By private automobile?

A. Yes.

Q. There are other folks who live in your immediate vicinity and in your municipality who have occasion to go to Hammonton and Atlantic City?

A. Yes.

Q. How do they go?

A. Some of them have cars and those that don't do the same as I do, get a lift from those who have cars.

Q. Would a bus line such as has been the subject under discussion today, enable you to get to Atlantic City more conveniently than you do now?

A. Certainly.

Q. Do you regard it as a public necessity?

A. I certainly do.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. Why?

A. For the reason that the railroads do not furnish a desirable time-table or enough trains at the proper time in the day.

Q. How many people are there in Chiselhurst?

A. Probably about four hundred, I suppose, something like that, as near as I can say.

Q. You don't travel very often to Atlantic City?

A. How is that?

Q. You don't travel often to Atlantic City?

A. Not very often; not in the summer, anyway. This would be the time of year I go there because I am occupied in the summer months with my business.

Q. You would only go there occasionally, wouldn't you?

A. That is very true.

Q. For the few times you could go the train service would be adequate, wouldn't it?

A. No, sir. I have already stated that.

Q. Why not? Why wouldn't it be adequate?

A. Because the time of running doesn't suit my convenience or the time I want to get there.

Q. You are not in business in the winter time, are you?

A. That is the time I make my social calls.

Q. Make what?

A. Social calls.

Q. In the morning?

A. No, in the winter time.

Q. In the winter time?

A. Yes.

Q. What time do you want to go to Atlantic City in the winter time?

A. I don't consider a question of that kind relevant or material.

Q. Answer the question, please.

A. No; I refuse to answer that question.

Commissioner Gnichtel: The question is, what time do you want to go. That is a proper question.

Witness: The time I can go in reason and come back in reason.

Q. Is 8.24 too late in the morning?

A. Too late?

Q. Yes.

A. Too early.

Q. Too early?

A. Yes.

Q. How about 11.23?

A. That is too late. Now, sir, I will ask you a question if I am permitted. Am I permitted?

Commissioner Gnichtel: No. He wants to find out what your view is about it.

Mr. Bradley: That is all.

VINCENZO CAGGIANO, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. You live at Elm, do you not?
A. Yes.
Q. What is your full name?
A. Vincenzo Caggiano.
Q. Do you have occasion to go to Hammonton and Atlantic City?
A. I do.
Q. How often do you go?
A. Direct to Hammonton about one day, sometimes two or three times a day.
Q. Does your business take you there?
A. Yes.

Commissioner Gnichtel: What is your business?

Witness: I am a farmer and farmer supplies.

Q. How do you get there?
A. I have got my own car.
Q. Is there any means of transportation by rail or otherwise, a public conveyance to get you from Hammonton to Elm?
A. No, there is not, by rail; we live too far.
Q. How do you mean "too far"?
A. Too far from the White Horse Pike. We haven't much convenience—well, there is no train from Winslow to Hammonton, but we live far off and people don't want to walk a mile and a half or two.

Q. How far do you live from the station?
A. A mile and a half.
Q. How far from the White Horse Pike?
A. I am a mile from the White Horse Pike.
Q. How do you feel about the proposed bus service operating with stops?
A. It is mighty good if we get it.
Q. Are there other folks in Elm have occasion to go to Atlantic City and Hammonton?
A. They are very anxious to get there.
Q. Do you feel that the proposed bus line is a public necessity and would take care of the public convenience?
A. Yes, sir; especially the local part.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. You mean especially between Elm and Hammonton?
A. Between Elm and Hammonton and Atlantic City.
Q. After you get down to Hammonton you can get good train service?
A. I don't see what use a man has to go to Hammonton and stop and wait for the train when he could get on the bus and go right down.
Q. You could get faster service on the train to Atlantic City than the bus, can't you?
A. I don't know about that. The bus leaves Hammonton and they can make good time.
Q. They go as fast as the train, can they?
A. I don't say how fast.

Q. You say you are a farmer there and sell farm implements?

A. Yes.

Q. What takes you to Hammonton?

A. What?

Q. Why do you go to Hammonton?

A. Why I go?

Q. Yes.

A. To do my business, especially in the bank. I have notes due every day; I have to meet them.

Q. You are very anxious to get there in a hurry?

A. I have got to. They make me.

Cross-examination.

By Mr. Shipman:

Q. Even if you had good train service or bus service you would continue to go in your own car, wouldn't you?

A. If I can afford I do, but it looks to me, the way things are now, we can't afford it very much.

Mr. Shipman: All right; that is all.

Commissioner Gnichtel: I don't think it appears how large the population of Elm is. The last census what was the population of Elm?

Witness: I imagine about five hundred. They are all scattered around.

Commissioner Gnichtel: Farmers mostly?

Witness: Yes.

MICHAEL MOFFA, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. What is your full name?
A. Michael Moffa.
Q. You live at Atco, do you not?
A. Yes.
Q. What business are you engaged in?
A. Garage.
Q. Garage?
A. Yes.
Q. Have you a garage right on the White Horse Pike?
A. Yes.
Q. On the corner?
A. Not on the corner. It is about a mile and a half the other side of Atco.
Q. The other side of Atco?
A. Yes; a town called Dunbarton.
Q. Do you have occasion to go to Hammonton and Atlantic City?
A. Yes.
Q. How often do you go and for what purpose?
A. Sometimes I go two or three times a week, other times once.
Q. On business?
A. Yes.
Q. In connection with your garage?
A. Yes, sir.
Q. That is to Hammonton, is it, or Atlantic City?
A. Atlantic City and Hammonton, both.
Q. There are other folks in Atco that have occasion to go to Hammonton and Atlantic City?

A. Why, yes; Hammonton we have.
Q. To Hammonton?
A. Yes.
Q. How many go, do you know?
A. I don't know how many.
Q. More than one or two?
A. Yes.
Q. How do you get there?
A. I have to use my own car.
Q. Are there any rail facilities for getting there?
A. Only one way, by the train, that is all.
Q. By the Pennsylvania Railroad?
A. Yes.
Q. How far are you from the Pennsylvania Railroad?
A. About two squares.
Q. What kind of service do you have down there?
A. You mean on the train?
Q. Yes.
A. At 1.08 in the morning, that is all, for Atlantic City.
Q. How about coming back?
A. One at night, gets to Dunbarton about quarter of five.
Q. What have you to say about the proposed bus service proposed to be run from Atco to Hammonton and Atlantic City, and make local stops?
A. All right; fine.
Q. You feel there is a public necessity for it?
A. Yes, sir.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. What is the necessity; how does the necessity arise?
A. In what way?
Q. You are telling us.

Commissioner Gnichtel: Why is it necessary? You said it was necessary.

Witness: For the buses?

Commissioner Gnichtel: To have these buses, yes.

Witness: Sure. I'd do away with my car, where it would be much cheaper to go in the bus.

Q. Wouldn't you still keep the car for pleasure?
A. Yes. What use is it to run eighty miles?
Q. What is your business?
A. Garage man. The most times I am down after cars; I always drive an extra car for that purpose.
Q. I am, first, talking of Hammonton?
A. The same way with Hammonton.
Q. You wouldn't wait for a bus to Hammonton, you would go in your own car?
A. Not if I could make good connections, I would not.
Q. If these things ran once an hour you wouldn't wait an hour for the bus, you would use your own car, wouldn't you?
A. Sometimes I would, yes.

Q. You have a garage place on the Pike?
A. Yes.
Q. You are naturally interested in getting all the cars past there you can, aren't you?
A. Sure.

Cross-examination.

By Mr. Shipman:

Q. How much does it cost you to run your car from Atco to Hammonton?
A. From Atco to Hammonton?
Q. Or Atco to Atlantic City, either one?
A. It runs about $4.
Q. To go to Atlantic City?
A. That is a Hudson; all I get is about twelve miles on a gallon of gas.

Mr. Shipman: All right.

FRANK L. ADSHEAD, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. You live in Elwood, do you not?
A. Yes, sir.
Q. In what business are you engaged?
A. Electrical contractor.
Q. You have occasion to go to Hammonton?
A. Yes, sir.

Q. How often?

A. Well, sometimes every day in the week; sometimes maybe twice a week.

Q. Do you have occasion to go to Atlantic City?

A. Yes, sir.

Q. How often?

A. About the same.

Q. Would you say that the shopping district is in Hammonton or in Atlantic City for your folks?

A. Egg Harbor for me, that is where I do my shopping.

Q. How often do you go to Egg Harbor?

A. Every day.

Q. How far do you live from the Pennsylvania station in Elwood?

A. About a mile, I guess.

Q. Does the Reading Railroad go into Elwood?

A. Yes, sir.

Q. How far are you from that?

A. The Reading is about a square from the Pennsy station there at Elwood.

Q. Farther away from the center of population?

A. Further away from my home.

Q. How far are you from the White Horse Pike?

A. Almost a mile. The station is about a square from the Pike. I am about as close, I can figure, about a mile from the station.

Q. So that you are nearer the station than the pike?

A. No, sir; nearer the pike than the station.

Q. Are there other folks in Elwood who have occasion to go to Egg Harbor and Hammonton and Atlantic City?

A. Yes, sir.

Q. In numbers?

A. Well, quite a number. Almost everybody either shops—that is, who live in Elwood, do their

shopping either in Egg Harbor or Hammonton, going in either direction, about two miles, go to Hammonton and Egg Harbor.

Q. How do they go?

A. Most of them go in their own machines, in private machines.

Q. Are the rail facilities of such a character they could go conveniently and return?

A. No, sir. The trains, as far as I understand—you see, there is a train up to Hammonton in the morning about 7 o'clock, as near as I can say, on the Pennsy—8 o'clock maybe it is; I don't know; I haven't used the train for years. That is, going to Hammonton on the morning train you can't get back until 6 something in the evening. Going to Egg Harbor there is a train at 9 or 9.15, something like that, and coming back arrives at Elwood about 4.08, I think it is.

Q. What have you to say with reference to a bus line that is proposed to be operated which would take you on an hourly service or better between Elwood and Hammonton?

A. That would be a wonderful thing, I think.

Q. And Elwood and Egg Harbor and Atlantic City on the south?

A. Well, it would save me taking a day off once in a while to take my mother shopping at Hammonton or Egg Harbor or wherever we feel like shopping.

Q. And it would be a great convenience for other folks in Elwood?

A. Yes.

Q. Would or would not you regard it as a public necessity?

A. I do.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. What time do you go with your mother to Egg Harbor?

A. Any time we feel like going.

Q. If she goes at 8.57, three minutes of nine, is that a convenient time?

A. Maybe for her, I don't know.

Q. Have you a car?

A. Yes, sir.

Q. What business are you in?

A. Electrical contractor, house wiring and so forth.

Q. How long do you stay in Hammonton when you go shopping?

A. I don't always shop. Sometimes I work around there.

Q. I am referring to when you go with your mother.

A. Well, half an hour; sometimes three-quarters and an hour; twenty minutes.

Q. You think it is too much trouble to ride five miles in your car; you think you need bus service?

A. Not too much trouble; not too much trouble to me for my mother, there isn't anything too much.

Q. Are you basing the need for this service because of the fact that you have to take your mother?

A. Because it is more convenient for her and everybody else in the family.

Mr. Bradley: That is all.

Witness: All the property owners along the pike. We live about a mile and a quarter or a mile and a

half from Elwood; that would mean her walking to the train and taking the morning train and staying at Egg Harbor and coming back at night.

Q. How far do you live from the pike?

A. Live right alongside the pike. She owns property along the pike.

Mr. Bradley: That is all.

H. B. Jones, sworn, on behalf of petitioner.

Direct examination.

By Mr. Straw:

Q. Where do you live, please?

A. Well, I live between Elm and Winslow.

Q. In what township?

A. Winslow Township.

Q. How far do you live from the Pennsylvania or the Reading station?

A. Well, I live pretty near a mile from the Pennsy and the Reading station is just close by.

Q. Do you have occasion to go to Hammonton and Egg Harbor and Atlantic City?

A. Yes.

Q. How often do you have occasion to go?

A. Well, sometimes I don't go ——

Q. I can't hear a word you say.

A. Sometimes I don't go for a week; sometimes I might go two or three times a week.

Q. How do you get there when you do go?

A. On the Pennsylvania Railroad.

Q. Do you find that a convenient and satisfactory service?

A. Well, sometimes it is not so convenient when you have to walk a mile to get there.

Q. How close are you to the White Horse Pike?

A. Well, I live less than half a mile.

Q. Would you find a bus service operating on an hourly schedule on the White Horse Pike more convenient to you?

A. Well, yes, it would.

Q. Are there other folks who live in your immediate community who have occasion to go to Hammonton and Atlantic City?

A. Oh, yes. There are lots of them, neighbors around that go to Hammonton to shop. I go there myself and I find it very convenient that would stop anywhere or pick you up anywhere, like the small bus, if you remember that, that used to go down there from Atco and Berlin; why, you would catch them down to Hammonton, and when I wanted to come back I would have to wait until noon before I got back.

Q. Do you feel that such a service as is proposed is a public necessity?

A. Yes.

Q. You do?

A. I do.

Mr. Straw: Take the witness.

Cross-examination.

By Mr. Bradley:

Q. What is your business?

A. My business is nothing.

Commissioner Gnichtel: Your business is nothing?

Witness: Yes, retired engineer.

Q. Your business is an engineer?

Commissioner Gnichtel: He is retired.

A. Retired engineer from the railroad.
Q. Which railroad?
A. Pennsy.
Q. Which railroad?
A. Pennsylvania.
Q. You said you are closer to the Reading Railroad?
A. No.
Q. Pardon me; I thought you said you were one mile from the Pennsylvania Railroad?
A. And the Reading was right close by, pretty near a stone's throw, just on the other side.
Q. You meant the Reading was a little bit further?
A. Yes.
Q. And what about the service on the Reading to Atlantic City and Hammonton?
A. The service of the Reading is all right, but I don't very often go on the Reading.
Q. You use a pass on the Pennsylvania Railroad?
A. Yes.
Q. So, then, you don't much care about what service the Reading gives?
A. No.
Q. You wouldn't use the Reading anyhow, no matter how many trains they ran there, because you use a pass, isn't that so?

A. Yes. My fare is paid, that is the reason I ride the Pennsy.

Q. You wouldn't ride on the buses if you had your fare paid?

A. Yes. Don't think that. When I go to Hammonton, say, once a week or twice a week, I have to wait until noon before I can get back to Winslow. Well, instead of waiting that there to noon, I can do my little bit of shopping or whatever I have to do, jump that bus and come home. Then I have a little less time and half a mile to walk.

Q. Why are you in such a hurry? Why does time make so much difference to you, if you haven't anything particular to do?

A. Well, better to be home in case of fire.

By Mr. Shipman:

Q. What division did you work on on the Pennsylvania Railroad?

A. Seashore.

Q. How long were you an engineer?

A. Thirty-four years.

Mr. Shipman: That is all.

Mr. Straw: If your Honor please, I have four more persons to call; it is 3.25; their testimony will practically be the same; one is from Chiselhurst, two from Elwood and one from Elm.

Commissioner Gnichtel: Will the other side admit that the testimony of these witnesses you would call would be practically the same testimony as the other witnesses from those places?

Mr. Bradley: Yes.

Commissioner Gnichtel: They admit that; give their names.

Mr. Straw: Mrs. Brown, of Chiselhurst; Mr. Delamauntz, of Elm; Mr. Meade and Mr. Miller, of Elwood, and Mr. Pipard, of Chiselhurst; they would all testify to the facts the others testified to that were here today. We have had a discussion on the question of adjournment until another time this morning. I have given the railroad, or I am arranging to give them (I don't know whether they have them or not) our exhibits, so they may be prepared.

Commissioner Gnichtel: Your case is practically finished?

Mr. Straw: Except Mr. Warner's testimony on the Atlantic City line, and I could bring another busload of folks up here, if you want them; I thought we had quite a number.

Commissioner Gnichtel: I thought it was only the independents indulged in that practice of bringing busloads of witnesses.

Mr. Straw: I wanted to see how it felt.

(Discussion as to date of adjournment.)

(Adjourned until Monday, January 16th, 1928, at the Court House, Camden, N. J., at 11 o'clock A. M.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Camden, N. J., Monday, January 16th, 1928.

Camden-Atlantic City route between Camden and Hammonton application of PUBLIC SERVICE TRANSPORTATION COMPANY, for approval of local consents to operate twelve buses.
Camden-Berlin-Atco-Tansboro route to Atlantic City, Public Service Transportation Company, application for approval of extension of route.

Before the following Commissioners:
F. W. GNICHTEL, Esq.
CHARLES BROWNE, Esq.
FRANK J. DALY, Esq., Sr. Inspector.

For Public Service Transportation Company appears:
C. S. STRAW, Esq.

For Atlantic City Railroad Company appears:
WILLIAM L. KINTER, Esq.
FLOYD H. BRADLEY, Esq., and
C. T. WOLFE, Esq.

For West Jersey & Seashore Railroad Company appears:
GEORGE A. BOURGEOIS, ESQ.,
and
H. C. MAXWELL, ESQ.

For City of Atlantic City appears:
A. J. SIRACUSA, ESQ.

For Camden Chamber of Commence, Transportation Department, appears:
J. J. RUSTER, ESQ.

For Atlantic Tours, Inc., appears:
HAROLD SHERTZ, ESQ.

(Appearances noted.)

Commissioner Gnichtel: Are there any other appearances?

(No response.)

Mr. Siracusa: Simply for the purpose of the record, I want to present a certified copy of a resolution passed on last Wednesday by the City Commission of Atlantic City revoking a permit previously granted to Public Service Transportation Company to operate twelve automobile buses between Camden and Atlantic City. The City Commissioners took the position that the original permit was granted through an error by them and they are simply reversing the position they originally took.

Mr. Straw: If I may interrogate the City Solicitor through your Honor, may I inquire whether or not there was a notice of the intention of the Commission to have a hearing on this matter and whether a hearing was given in accordance with the 1926 Act? I might say, we have never received any notice. I think in fairness to the city solicitor he should state his position.

Mr. Siracusa: I don't know whether any notice was given. I only know the resolution revoking the permit was passed and I was sent here to present this to the Commission and offer it in evidence for what it may be worth.

Mr. Straw: I think, although it is entirely unnecessary, I do feel I should call your Honor's attention to Chapter 144 of the Laws of 1926 requiring notice of a hearing to be given. Our position, therefore, is the revocation is not a lawful revocation as it stands before the Board. I must, therefore, object to the admission of such a document.

Mr. Siracusa: This states the position of Atlantic City at this time so that the Commission may have some knowledge of the attitude of the City of Atlantic City and the people and so forth, what it is with regard to the granting of this permit; it simply shows our attitude in this matter.

Mr. Straw: I have no objection to the city solicitor stating the position of Atlantic City but I do object to any formal document which might purport to be a resolution which will stand before this Board. I am anxious to cooperate with Mr. Sira-

cusa in his getting away; I know he has got to go. However, if he wants to state his position I haven't the slightest objection; he has to be at the State House.

Commissioner Gnichtel: Do you object to that?

Mr. Straw: I do.

Mr. Kinter: The decision of the Board under date of June 26th, 1924, in the matter of the application of the Public Service Transportation Company for approval of municipal permits to operate ten autobuses between Camden and Gloucester, New Jersey ——

Commissioner Gnichtel: Yes; I am familiar with that decision. I heard the case.

Mr. Kinter: You will recall in that case you said: "This Board, however, will not attempt to determine the legality of the act of the municipality revoking this permit. This question may be determined in appropriate proceedings before another tribunal." We think this, of course, is a binding precedent in this situation.

Commissioner Gnichtel: I sat in that case, but my opinion was the other way and the Board overruled me. This is the opinion of the Board. I will admit this in evidence at present; I can't rule on it without the entire Board being present, and it will be brought up in conference.

Mr. Straw: Over my objection.

Commissioner Gnichtel: Your objection will appear.

Mr. Straw: May I say, in reply to counsel, since the rendering of that decision, the 1926 Act has been passed and your Honors decided the Hillside case, which is a direct reversal of the case just cited.

Commissioner Gnichtel: Yes; I am familiar with the Hillside case, too. I think the facts were somewhat different in the two cases.

(Resolution of Atlantic City marked A. C. 1.)

Commissioner Gnichtel: You had not finished the last time.

Mr. Straw: I had not concluded, no, sir.

J. J. Ruster, sworn. on behalf of Public Service Transportation Company.

Direct examination.

By Mr. Straw:

Q. By whom are you employed?
A. Manager of the Transportation Department of the Camden Chamber of Commerce.

Commissioner Gnichtel: Camden?

Witness: Camden.

Q. Are you familiar with the application of Public Service Transportation Company for approval of local consents to operate buses between Camden and Hammonton and Camden and Atlantic City?

A. Yes, sir.

Q. The subject-matter of this inquiry?

A. Yes, sir.

Q. Are you authorized to speak on behalf of the Chamber of Commerce of the City of Camden?

A. I am.

Q. How long have you been engaged in your present work, not necessarily with this Chamber of Commerce, but in the general work of transportation?

A. The last twenty years.

Mr. Straw: I might say, for counsel, if it is necessary I will go ahead and qualify this gentleman, but I think we all know him.

(No response.)

Commissioner Gnichtel: His qualifications seem to be admitted.

Q. What, in your opinion, as an expert, have you to say with reference to the question of the public convenience and the necessity of a line operating intrastate between the City of Camden and Hammonton and the City of Camden and the City of Atlantic City, bearing in mind you are expressing not only your own opinion but your opinion as an expert.

Mr. Kinter: I didn't apprehend that the question would take that form. If this gentleman is to

express an opinion as an expert, then I think it would be pertinent to qualify him as an expert in dealing with motor-bus transportation. The work done for a Chamber of Commerce doesn't ordinarily include a thorough-going investigation of motor-bus transportation, so that I would ask he be qualified.

Mr. Straw: I withdraw the question.

Q. What has been your experience, Mr. Ruster, in the matter of the investigation of bus lines, pertaining to your work in the Chamber of Commerce?

A. During my connection with the Camden Chamber of Commerce it has not only been my duty to look after the transportation interests of Camden, as far as the carriers are concerned, but local transportation as well as bus line transportation.

Q. Have you had any experience in bus transportation insofar as survey work and things of that sort are concerned?

A. We have been spending practically two years in the surveying of bus transportation in connection with the Chamber work.

Mr. Straw: I will turn the witness over to counsel if they desire to cross-examine.

Commissioner Gnichtel: Do you desire to ask anything?

Mr. Kinter: Yes.

Cross-examination.

By Mr. Kinter:

Q. Then your experience in motor-bus transportation is confined to two years?

A. Just how do you mean?

Q. I mean, from your answer as well as previous answers, when you were asked whether you had any experience in dealing with motor-bus matters and you said for more than two years.

A. My experience in the motor-bus industry has been this: in attempting to solve the problems affecting Camden, generally speaking.

Q. How far back does it go? How many years have you been dealing with that problem?

A. Since December, 1925.

Q. Can you give us some definite idea of the surveys that you referred to?

A. We have made surveys, with reference to local conditions. We have made surveys with reference to interstate operations and we have studied the bus situation as compared to Camden and other communities.

Q. It is not a fact that the main part of your work has been to study the local problem relating to motor-bus service between Camden and other communities adjacent to Camden in New Jersey?

A. That has been the bulk of the work, yes, sir.

Q. Are there at present any motor-buses running through from Camden to Atlantic City, except the interstate buses?

A. Not to my knowledge; outside of the special excursion buses that operate some Sundays, as I understand it.

Q. Then, is it not a fact, that your study of motor-bus transportation, as far as Atlantic City is con-

cerned, has been wholly in connection with the present interstate buses?

A. Yes, sir.

Commissioner Gnichtel: The interstate?

Mr. Kinter: The interstate.

Witness: Interstate, yes, sir.

Commissioner Gnichtel: You have made no investigation of intrastate at all?

Witness: Not to Atlantic City, no, sir.

Mr. Kinter: That is all.

Cross-examination.

By Mr. Bourgeois:

Q. You are here to testify to convenience and necessity. You say you have examined or made a survey of the interstate buses from here to Atlantic City. Can you tell the Commission how many passengers during a year they carry?

A. No, I cannot.

Q. Have you made any investigation at all as to the operation of trains between Camden and Atlantic City?

A. No, sir.

Q. Do you know the number of passengers they carry?

A. No, sir.

Q. Do you know the number of passengers they are capable of carrying?

A. No, I do not.

Q. Do you know the number of passengers the buses are capable of carrying?

A. We are not particularly interesetd in the interstate bus operation between Philadelphia and Atlantic City because they don't affect Camden.

Q. They do not affect Camden?

A. No, sir.

Q. Then you don't know whether they carry one thousand people or whether they carry a hundred thousand people, a month?

A. No, I do not.

Q. You don't know whether they are always filled or whether there is plenty of room for other passengers?

Mr. Straw: I ask that counsel's questions be separated.

Q. Do you know whether they are filled when they go to Atlantic City?

A. My own personal observation, from what I have seen of the Atlantic City buses going through the street, I would say they are only partially filled.

Q. Partially filled?

A. Yes.

Q. Have you made any investigation to ascertain how many people there would be in Camden who would use these buses running to Atlantic City or Hammonton?

A. I have not made a study of that, no, sir. That is really a hard study to make; that is, a service rendered from Camden to Atlantic City proper is somewhat hard for the average Camdenite to take advantage of.

Q. The buses running into and out of Camden

run where? These buses that do business in Camden where do they run from and to?

A. They run to the city limits of Camden; they run to the outer limits of Camden and run to interurban territory.

Q. Can you tell me some of the places? I don't know; tell me some of the places they reach?

A. In what particular point are you interested?

Q. In South Jersey, south of Camden.

A. We have direct service out of Camden for Haddonfield, Audubon, Riverside, Moorestown, Merchantville; many of the South Jersey points.

Q. They are all in the County of Camden?

A. Sir?

Q. They are all in the County of Camden where they run?

A. Some of them are and ——

Q. What are those lines within the City of Camden but not within the County of Camden?

A. I don't have the list right here; I wouldn't be able to call those off authentically.

Q. Have you made any survey to ascertain the probable traffic from Hammonton to Camden that would not be accommodated on the interstate buses?

A. From Hammonton to where?

Q. Hammonton to Camden.

Commissioner Gnichtel: Aren't you getting into his testimony rather than to inquire whether he made a study on this question?

Mr. Bourgeois: No.

Mr. Straw: Buses are running from Camden to Hammonton, I have no doubt that is being done, but not legally.

Mr. Bourgeois: No; I want to find out whether he has made a survey of Hammonton to find out how many people would be there to use the buses, that can use the interstate buses.

Commissioner Gnichtel: I can conceive of an expert being an expert and not having done that. I would say the duty of an expert would be to get all the information he could and make all the examination he can and then base his judgment on that.

(Question read.)

Commissioner Gnichtel: That is overruled. The doctor calls my attention to the fact that the interstate buses couldn't take business to Camden.

Q. Eliminate from the question the interstate buses, and say if you made any survey of that?

A. Will you read the question?

Q. (Question read as follows: "Have you made any survey to ascertain the probable traffic from Hammonton to Camden?")

A. No; I have not.

Mr. Bourgeois: I think that is all.

By Mr. Kinter:

Q. Have you made any survey to determine whether or not the existing rail service between Hammonton and Camden serves public convenience and necessity?

A. No; I couldn't answer that question.

Mr. Kinter: I think the witness has not quali-

fied as an expert. There is no objection to his testifying to anything he knows but I do object to his expressing any opinion as an expert.

Commissioner Gnichtel: We will overrule the objection and hear the testimony.

Mr. Kinter: The objection will be noted?

Commissioner Gnichtel: The objection is on the record.

Further direct examination.

By Mr. Straw:

Q. In your opinion is an intrastate line between Camden and Hammonton necessary and will it serve the public convenience?

A. I believe it is. Camden, as you know, has been suffering materially from a business standpoint because of the interstate bus operations.

Q. In your opinion is the line operating intrastate between Camden and Atlantic City and serving the municipalities between those points with a local service a necessity and will it serve the public convenience?

A. I think it will, yes, sir.

Q. Why do you answer affirmatively in both cases? First, take the Hammonton situation and then the Atlantic City situation.

A. We have received at the Chamber of Commerce Headquarters during the past two years, especially since the time of the opening of the Delaware River Bridge, a great many complaints from our membership, due to the fact that residents and

customers living outside of the so-called Camden district wished to come to Camden to do their shopping or make their purchases and are unable to do so because of the interstate bus operation not stopping in Camden.

Q. As a result of which they have to do what?

A. The result they have either got to board these buses to Philadelphia and come back or they have to use their own machine, or some other means of conveyance of getting to Camden.

Q. That is equally true, is it, of folks desiring to come from Hammonton to Camden, and folks desiring to come from Atlantic City to Camden by bus?

A. I didn't get the first part of that question.

Commissioner Gnichtel: Just read it.

Q. (Question read.)

A. Yes, sir.

Q. You have spoken of complaints received from the members of your Chamber of Commerce. What is the membership of your Chamber of Commerce, numerically?

A. Approximately twelve hundred members.

Q. Will you describe the territory on the White Horse Pike between Berlin and Camden, point out particularly where, in your judgment, there is a community of interest between those two towns, bet?ween Berlin and Camden?

A. As I understand it, the territory between Camden and Berlin especially situated on the White Horse Pike is a practically new residential section, one town after another, and those towns find it more convenient to come to Camden to do their shopping and trading than to go to Philadelphia on the interstate buses, but because of the lack of service

in the operation of the interstate buses the community you speak of is very much confused with the bus situation.

Q. Is that a territory which is rapidly building up?

A. What is that?

Q. Is that territory rapidly building?

A. I think it is one of the fastest building territories we have in South Jersey.

Q. What have you to say as to the territory between Hammonton and Berlin and Camden, with reference to the kind of territory proposed to be served?

A. The territory between Berlin and Hammonton on the White Horse Pike, of course, is some distance away from either the Reading or the Pennsylvania, and the usual method of procedure is building the homes in the vicinity of the White Horse Pike to enable the occupants of those homes to use the service of the White Horse Pike back and forth.

Q. In your judgment, would a line from Camden to Atlantic City serving the local municipalities, and considering the territory between Hammonton and Atlantic City bring business into Camden?

A. Well, our merchants and business houses in Camden would welcome such a service and the communities such as Atlantic City and Hammonton and the intermediate stops that would be made would be very grateful to have that service.

Q. What, if anything, have you done or attempted to do, representing the Chamber of Commerce, or your particular branch of the Chamber of Commerce, in the past looking toward the supplementing of the rail service with some sort of transportation, namely, bus service?

A. To answer that question correctly, Mr. Straw,

it would take me back a couple of years to explain to you the Greater Camden or the comprehensive plan.

Q. I think we should have that; the Board is interested. I will ask you to explain what you tried to do to get proper service?

A. During 1925 when the city was realizing the coming and the opening of the so-called Delaware River Bridge, the City of Camden and the Chamber of Commerce and other civic organizations, banded together to map out a program of improved conditions for Camden to be followed, say, ten years hence. In that program it called for the elimination of discriminatory fares charged on passengers coming to and from Camden; improvements to the terminal facilities in Camden, which were termed at that time inadequate to serve a community such as Camden, and many other projects that would have no direct bearing on this hearing. It might be of interest for the Commissioners to know just what method we used in going to the carriers to solve the Camden problems, particularly the so-called Philadelphia rate on Camden fares ——

Mr. Bourgeois: Is that relevent in this inquiry?

Mr. Straw: I submit it is.

Commissioner Gnichtel: I understood him to say insofar as the rail transportation.

Witness: Yes, sir.

Commissioner Gnichtel: Between here and Atlantic City?

Witness: Yes, sir.

Mr. Bourgeois: It seems to me he is testifying to some conversations he had with the railroad.

Commissioner Gnichtel: I don't know what he will testify to. He testified to some of the rail transportation.

Witness: Yes.

Commissioner Gnichtel: That is admissible. Whether he is going to do it in an irrelevant or incompetent way I don't know. You may go on.

Witness: (Continuing.) That program, as I say, was worked out in 1925 and our first conference with the carriers was on February 11th; that was with the Pennsylvania Railroad.. The members of that conference, as I recall it, were Mr. R. V. Massey, General Manager of the Eastern Region, David M. Bell, Traffic Manager; George Ogden, Traffic Manager; Mr. J. W. Roberts, General Superintendent of Transportation. A similar conference was arranged with the Reading Company as well, which was attended by Mr. Harry Stauffer, Freight Traffic Manager; Mr. F. M. Falck, the General Manager, and Mr. Selby their General Passenger Agent, and Mr. George D. Buck, Division Freight Agent. We attempted to show the carriers at these conferences the things that were lacking in Camden as far as transportation was concerned and particularly their passenger arrangement as affected from Camden to Atlantic City. It is a well known fact that anyone wishing to board a train for Atlantic City or other South Jersey points, it is necessary for you to pay a Philadelphia fare. In addition to that, a resident of Camden ——

Q. What do you mean by "a Philadelphia fare?"

A. Well, the railroads contended at an agreement reached several years ago between the City of Camden and the northern New Jersey towns, such as Jersey City and Hoboken, that any passenger fares bought or sold to these communities would be either paid on the basis of the New York fare, I believe, to the northern New Jersey towns, and the Philadelphia fare applied to Camden.

Q. I understand if I buy a ticket for Atlantic City or Hammonton at Camden I pay the same price as a man in Philadelphia would pay?

A. That is right.

Q. Will you go on, please.

A. In addition to this, a resident in Camden, whether he lives in East Camden, South Camden or North Camden, must have some means of transportation to get to either the Pennsy or the Reading terminal and we suggested at the conferences that if no arrangement were possible to offset the fare proposition, that the railroads make some arrangement by opening up a down-town ticket office and giving the Camden resident, wherever he may be, an opportunity of buying his ticket up town, an arrangement with the carriers, either through the Public Service, or some other means of getting them to the Market Street terminal or the Reading terminal, as the case might be. Having in mind the opening of the Delaware River Bridge and the construction of the Holland Tunnel at Jersey City we felt that a change of passenger fares to Camden was rightfully due, and especially so with the new mode of transportation that is bound to come with the opening of the bridge.

The railroads at that time said they would give our proposition every consideration, but they would wait until the opening of the bridge and the open-

ing of the tunnel. At a conference held shortly after the opening of the bridge, I think, to be exact it was on September 21st of 1926, we suggested to the carriers that in order to protect the so-called intrastate bus operator, who was operating on an established route, that some arrangement might be made with the carriers for operating these buses over the ferries, thereby protecting the intrastate operator from being trampled on by the newly formed interstate operator, thinking with the ferry service in operation this service could be performed at no expense to the carrier and could give them an added revenue which they were losing because of the opening of the bridge. That situation was also considered by the carriers but no action was taken.

A short time later we received a notice from the Baltimore & Ohio Railroad that they were withdrawing the service from the Pennsylvania station in New York and would inaugurate a bus service from Jersey City to Manhattan Island.

Commissioner Gnichtel: You are getting away over on the other end; how does that relate to the matter here?

Witness: I am lining it up with the proposition I am going to suggest to you.

Commissioner Gnichtel: Suppose you drop that and state your proposition without going into the New York situation.

Witness: I want to show, Mr. Commissioner, the efforts we have made with the carriers in attempting to solve our business problems.

New Jersey State Library

Commissioner Gnichtel: You are getting into an argument rather than facts on this proposition.

Witness: All right. We presented to them a formal proposition as affecting Camden, whereby we requested the carriers to establish a service from the Broadway station, Camden, to the Broad Street station, Philadelphia. That was also under consideration, but those are the problems we have fetched up and brought up to the carriers in two years' time in reference to the Camden situation.

Now we come to a condition that the Public Service of New Jersey have requested the Utility Board for the operation of buses between Camden and Atlantic City. Our merchants and business houses in Camden, generally speaking, believe that if favorable action is given by the Board for the operation of these buses it will serve, in a way, to remedy the so-called interstate bus operations, because we believe that with this service inaugurated along the White Horse Pike it will be followed by similar service not only on the White Horse Pike but in other communities where the interstate bus operations are now the only means of transportation.

I am asked by our executive committee, Mr. Commissioner, to say to you that the Chamber of Commerce, the Broadway Business Men's Association, the Kaighn Avenue Business Men's Association, the Federal and Market Street Association, are heartily in favor of taking care of this proposition ——

Mr. Bourgeois: That either should be stricken out or his testimony as an expert be stricken out. He is no longer an expert now.

Commissioner Gnichtel: He is testifying to that, individually, here. We usually admit that, as we

do petitions; that is not part of the record but it comes in.

Q. Are you authorized to speak for the Chamber of Commerce of the City of Camden?

A. I am, sir.

Q. What is their attitude with reference to this?

Mr. Bourgeois: I object.

Mr. Straw: I understood Mr. Bourgeois' objection was that was his personal opinion.

Commissioner Gnichtel: When he gives it as his opinion all the merchants would be benefited by this thing I consider it his personal opinion. Are you delegated by all these societies to say that?

Witness: Yes.

Mr. Kinter: I would like to know in detail how this gentleman is detailed to speak for the Chamber of Commerce and so forth. We are members of that Chamber of Commerce, of Camden. I certainly have had no notice of his intention to come here and sponsor this proposition. I would like to know how he is authorized?

Witness: I am not speaking for Atlantic City Chamber of Commerce. I am speaking for the Camden Chamber of Commerce.

Mr. Kinter: I say, the Camden Chamber of Commerce.

Commissioner Gnichtel: How did they instruct

you to come here? What instructions did they give you?

Witness: We had a meeting Saturday afternoon, composed of our executive secretary and our president, and two or three other members composing the executive committee, at which time we went into this question very thoroughly, and they authorized me to appear here this morning before the Board.

By Mr. Kinter:

Q. This was last Saturday afternoon?

A. Yes, sir.

Q. Do your rules permit the executive committee to make a committment binding on the Chamber of Commerce of Camden? You are here as a result of an executive committee meeting and nothing else?

A. I am here as a representative of the Camden Chamber of Commerce.

Q. Appearing by authority of the executive committee, not passed on by the Chamber of Commerce?

A. The executive authority has authority to pass on any problems we have in the organization.

Mr. Kinter: I ask that you take this copy of the by-laws and refer to the section that gives you authority to appear for the Chamber of Commerce.

Commissioner Gnichtel: Will you do that and send that to us?

Witness: Yes.

Mr. Kinter: On that first question, as to what

the witness said was the way he came to appear here.

Cross-examination.

By Mr. Kinter:

Q. When you have received requests from members in the outlying community about transportation to Camden, have you ever taken the trouble to look up train schedules and see what service there is between Atlantic City and Camden, or whatever the community may be in which the inquirer lives?

A. I have at times, when I have been requested to do so, yes, sir.

Q. Unless you have been requested to do so, you haven't done it, is that correct?

A. That is correct.

Q. I understood from your opening testimony that you have made no study whatever of the express train service between Atlantic City and Camden or between the stations intermediate between Atlantic City and Camden, is that correct?

A. That is correct.

Q. Without such study as that you conclude there is such need for additional motor-bus transportation?

A. We do, and we do it on this basis, that the service to be started by the Public Service is a convenience to the Camden public because of the starting point being in the heart of Camden.

Q. Where is the starting point of the proposed service?

A. Right here at this square, as I understand it.

Q. Is there a starting point at the approach to the Delaware Bridge?

A. I don't think so.

Q. What is the exact location of the starting point? If you don't know I will ask counsel to state.

Mr. Straw: Right here.

Mr. Kinter: Right here, at the Court House?

Mr. Straw: Both here and at the ferry, as I understand.

Q. The proposed starting point seems to be at the ferry as well as the space here about the Court house. Are there any residents at the ferry, proper?

A. None that I know of, no.

Q. I am not sure from what standpoint you are advocating the proposed service. I gather from your testimony you were interested in getting the carriers to put on interstate service between Camden and Philadelphia, is that correct?

A. You misunderstood my statement.

Q. I would like to understand it. What is the truth?

A. The statement regarding that proposition was this: we had in Camden already established intrastate carriers on prescribed intrastate routes.

Q. Of course, none of those crossed the Delaware River?

Mr. Straw: May the witness complete his answer.

Q. Go ahead, please. I beg pardon.

Commissioner Gnichtel: Is there anything further you wish to add?

Witness: No.

Q. None of those intrastate operators crossed the Delaware River?

A. No, sir.

Q. What bus was it you wanted the carriers to take upon their ferry?

A. I don't know just really what they were.

Q. Clearly, they could not have been intrastate operators or they wouldn't have wanted to cross the river, would they?

A. They would do this with the consent of the Utility Board.

Q. Do you mean to say that no motor-buses operating in New Jersey use the ferries at the present time?

A. Very few.

Q. Did I understand you correctly that the Camden problems you are interested in would be solved, substantially, if the present interstate buses stopped at Camden?

A. No; I didn't say that it would. Depending entirely on what lines you would want to stop here.

Commissioner Gnichtel: What do you understand this present application is; for express service between here and Atlantic City or for local service?

Witness: My understanding is for local service between Camden and Atlantic City.

Commissioner Gnichtel: What is the community of interest between Atlantic City and Camden, ex-

cept pleasure seeking and that business; what other community of interest is there?

Witness: I don't understand.

Commissioner Gnichtel: You do think it would take a local business from Atlantic City to Camden, of what class of people?

Witness: Many of the people living in Camden would prefer the bus operation to save the trouble of going to the ferries, and undoubtedly there are many people living in Atlantic City, Hammonton and Egg Harbor and along the White Horse Pike ——

Commissioner Gnichtel: I am not speaking of that. I am speaking of Atlantic City and Camden.

Witness: I can't speak of the ——

Commissioner Gnichtel: Do you know any class who would take the local buses?

Witness: I can't answer that question. I don't know.

Commissioner Gnichtel: Is that usual for people? If you wanted to go to Atlantic City, how would you go?

Witness: I either drive down or take the Penn. or the Reading.

Commissioner Gnichtel: You take the train?

Witness: Yes.

Commissioner Gnichtel: Don't most of the people take the train if they want to go to Atlantic City? They don't take a local bus?

Witness: That is the only means of transportation today, without going to Philadelphia.

Commissioner Gnichtel: I don't understand you.

Witness: We don't have any local bus service.

Commissioner Gnichtel: I say, if there was a local bus established. This in an application for local buses.

Witness: Yes.

Commissioner Gnichtel: Would anybody, wanting to get to Atlantic City, be likely to take the local bus?

Witness: Yes.

Commissioner Gnichtel: Instead of the train, which takes them there quicker?

Witness: Yes, sir.

Q. Did I understand you correctly in your direct testimony, that you had made no survey along the lines of this proposed operation to find out how many people there were who would like to use the motor-buses that the Public Service Transportation Company wants to put on?

A. No, I have not.

Q. Then, when you have made no survey to de-

termine that there are people who want this transportation it is merely a surmise on your part there are such people?

A. Nothing any more than what we get from our members at large of the service to Atlantic City.

Commissioner Gnichtel: That is what I tried to get from you; what class?

Witness: The laboring classes.

Commissioner Gnichtel: They go down there to work?

Witness: They go down there to spend the day.

Commissioner Gnichtel: They can do the same thing much quicker by train, I suppose?

Witness: It takes some time ——

Commissioner Gnichtel: Wouldn't they be more likely to take an express bus than a local bus? I am trying to find out what class of people want to go from Camden to Atlantic City, who would prefer a local bus to an express bus or express train. This bus takes two hours and a half. I am trying to find whether you can give me some class of people who would be attracted by that sort of service.

Witness: Not having the train schedules here I would not be able to answer that intelligently, but my thought on that whole situation would be that anyone wishing to go to Atlantic City, having the bus service right here at our door, even though

it took fifteen or twenty minutes longer than the express buses that they would use that service.

Commissioner Gnichtel: I can see that a man might go by the local bus for experience once or twice, but if you wanted to get to Atlantic City and had, on the one hand, an express bus and, on the other, express trains, I am inclined to think he would take one or the other.

Witness: I haven't made any study of that.

Mr. Straw: Does your Honor understand there is no express bus between Camden and Atlantic City? You have to go to Philadelphia to get one.

Commissioner Gnichtel: The interstate?

Mr. Straw: Yes.

Commissioner Gnichtel: But it serves them by going across the river.

Q. What is the running time of the proposed local buses between Camden and Atlantic City?
A. I haven't seen that schedule. I wouldn't know that.
Q. You don't know?
A. No, sir.

Mr. Kinter: May I ask counsel what it is? I think it should be a matter of record.

Mr. Straw: Two hours and a half. It is in the record.

Q. Have you ever talked with a single individual

who has expressed a wish for this motor-bus service from Camden to Atlantic City?

A. I have.

Q. Who is he?

A. Business men who come to Camden occasionally; he may not be a Camden resident; he may be a man coming here for a market.

Q. Name some of them.

A. I haven't them in my pocket.

Q. You don't recall a single one?

A. No, sir.

Q. I understood in answer to questions by the Commissioner it was the laboring people who would use it. Have you talked to a single laboring man who wants to spend two and a half hours getting from Camden to Atlantic City by motor-bus?

A. Yes.

Q. Who is he?

A. I can't give his name.

Q. You said Camden would welcome the bus service. In your opinion have the railroads presently serving this territory and operating between Camden and Atlantic City had anything to do with building up Camden?

A. That is rather a large order to answer.

Q. Have they had anything to do with building up Camden?

A. When you speak of the railroads as far as Atlantic City is concerned in its relation to Camden, I would say that Camden is very little considered.

Q. How long have you been with the Chamber of Commerce of Camden?

A. Going on five years.

Q. Is that far enough back for you to become familiar with the earnest efforts made by the Chamber of Commerce and Camden authorities to get the

Atlantic City Railroad to build the present new terminal at Camden?

Mr. Straw: That is objected to. That is predicated on the assumption there had been earnest effort on their part.

Mr. Kinter: I will withdraw the question. In his direct examination he spoke about inadequate rail terminals in Camden ——

Witness: You didn't understand me there. I spoke there on the Market Street terminal of the Pennsylvania Railroad. I didn't mention the Reading.

Q. Do you or do you not consider the Atlantic City terminal the Atlantic City Railroad terminal in Camden adequate?

A. I do.

Q. Do you know whether or not the Camden authorities and the Chamber of Commerce made an earnest effort, extending over years, to have that terminal built?

A. I understand that, yes, sir.

Q. You know that is a fact, don't you?

A. I understand that, yes, sir.

Q. When you say that Camden would welcome bus service, do you mean by that that Camden doesn't care what happens to the railroads?

A. Let me answer that in this way. We are not unmindful of the services that the carriers render Camden. By that we mean, we want the carriers serving Camden to have all the business they can possibly get; we know they need it for taxation purposes. But the service that we are talking about

here this morning is something that the railroads can't give.

Q. But you haven't gone into the railroad schedules to see what service they do give?

A. We are talking about the White Horse Pike.

Q. The railroads parallel the White Horse Pike, don't they?

A. Part of the way, yes, sir.

Q. As a result of bus operations that presently are subject to no regulations, and the result of this application, should it be such as to divert traffic from the railroad to the extent that they would be obliged to curtail their train service between Atlantic City and Camden, would Camden welcome that?

A. I don't believe that would have any effect on Camden at all.

Q. You go on record, as a representative of the Camden Chamber of Commerce and say you don't care what the train service between Camden and Atlantic City by rail is, is that correct?

Mr. Straw: That is objected to. Mr. Kinter can't use Mr. Ruster in one instance as a representative of the Chamber of Commerce and in the next breath object to his being a representative of the Chamber of Commerce. Is he a representative of the Chamber of Commerce?

Mr. Kinter: The Court has recognized him as such.

Mr. Straw: That is objected to.

Commissioner Gnichtel: Objection overruled.

Q. (Question read.)

A. That isn't the way I would answer the question.

Q. Answer it in your own way.

A. You understand what I have said to you before of what Camden wants to do for its carriers. That holds true in the passenger situation as well as the freight. But when you ask is Camden a factor in the establishment of the schedules by the Reading or the Pennsylvania to Atlantic City we have no voice in it.

Q. Have you ever sought a voice in it?

A. Yes.

Q. When?

A. We have asked the carriers at different conferences to stop the Atlantic City trains at certain points in Camden to permit passengers from Camden boarding those trains, instead of going to the Market Street Terminal.

Q. Have you asked the Atlantic City Railroad to stop at any outlying point?

A. I don't recall.

Q. Is there any point short of the Camden terminal where our trains could stop for the convenience of the Camden people?

A. I am not familiar with the Reading situation because we haven't had any complaints on the Reading.

Q. Have you ever asked either railroad company to make changes in train schedules and to gear up its service in a different way from the way it is arranged?

A. Yes.

Q. When?

A. At a conference held at the Broad Street Station on February 11th, 1926.

Q. I am limiting the question to the Atlantic City Railroad.

A. That, as I recall, was two or three days later.

Q. What additional service did you want?

A. We requested the Reading Railroad at that time to make some provision to take care of the Camden passengers living in this section of town who was forced to get to the Reading terminal at considerable trouble.

Q. How could the Reading Railroad get into this section of town?

A. Perhaps by hooking up with some bus arrangement or some other means.

Q. Then you didn't understand my question; what you stated you wanted to accomplish was to provide some more convenient method of getting intended passengers to our terminal; my question had to do with the train service.

A. No, sir.

Q. You have never made any complaint of the train service?

A. No, sir; that has been very satisfactory.

Mr. Straw: That is all.

Cross-examination.

By Mr. Bourgeois:

Q. Where was it you wanted the West Jersey Railroad to make a stop in Camden?

A. At the Broadway station.

Q. That means you wanted their express trains to stop at the Broadway station?

A. Yes.

Q. How far is the Broadway station from the ferry, from the terminal?

A. Possibly a mile.

Q. Then it is your notion that all the express trains running between Atlantic City and Camden on the West Jersey & Seashore Railroad should stop every train one mile from the terminal, every express train, to take on such passengers as might be there and who wanted to go?

A. I should say so, for the convenience of the Camden people.

Q. What would be true there would also be true of every other locality through which they go; they would have just as much right to have them stop?

A. I don't know.

Q. What difference would it make, if only individual convenience is going to be served?

Mr. Straw: I thought he was talking about those of Camden.

Commissioner Gnichtel: That is a perfectly proper question.

A. Answering your question, I would say this: The difference between Broadway and another station along the line is this; that Broadway is in the district of the originating point of the train, just the same as Broad Street in West Philadelphia is on the other side of the river.

Q. Well, the difference is because the Broad Street Station is a terminal there, a junction with the New York and Washington trains; does that not make a difference?

A. We have the same situation in Camden on a smaller scale.

Q. Where would those trains go, those express trains you want to stop; where would they go except to Atlantic City? Do you know?

A. I don't quite get the reference you make.

Q. Would you expect the express trains of the West Jersey road to stop at the Broadway station here so that passengers might change and take a train going to New York, for instance, on this side of the river?

A. They might wish to go to Trenton; they might wish to go to Trenton and they might wish to go to Burlington, and they might wish to go to Woodbury or some other place.

Q. In other words, your complaint is the West Jersey road don't turn the express service into a local, as far as Camden is concerned?

A. That is not a complaint. That is a suggestion.

Q. That is a suggestion. That is your only suggestion in regard to it?

A. Yes.

Q. That you want them stopped there. In that, of course, you do not take into consideration the loss of time, do you, that would be required in making that stop?

A. We have been told that, yes, sir.

Q. You don't take into consideration the complaint of some of the other passengers having to stop in that short distance; you don't take that into consideration at all?

A. Usually a train would have to slow up, to a certain extent, in entering a main terminal.

Q. In other words, isn't it to secure that convenience for Camden and the Camden Chamber of Commerce to the exclusion of everybody else you want the trains stopped there?

A. We are out to get everything we can get.

Q. I see. You say your complaint is with relation to the Camden railroad terminal; in other words, you have no complaint against the Reading because they have built a three or four-million-dollar station

for you. Your complaint is the Pennsylvania haven't built that, is that it?

A. It is not a complaint. It is a suggestion to enable a passenger to get to the electric or steam train instead of bucking the ferry crowds.

Q. Do you think, as an individual or as a representative of the Chamber of Commerce, that a further decrease in the revenues of the railroad company will be a means of getting that depot or that terminal?

Mr. Straw: May I have that question.

Commissioner Gnichtel: It was whether a depletion of the income of the railroad would bring about that result.

(Question read.)

Mr. Straw: I object. He is entitled to be shown there is a further decrease, in the first place.

Commissioner Gnichtel: He is an expert, I will allow him to answer.

A. We believe that it is the object in the plan of the Pennsylvania Railroad in serving those various territories to make it as convenient for its patrons as it is possible to be.

Q. That don't answer the question.

A. (Continuing). And we had in mind, in talking about the Camden terminal, some improvements that would make it possible for the patrons to get to the steam and electric train without a great deal of inconvenience.

Mr. Bourgeois: Will you read my question?

Q. (Question read.)

A. I can't see where the depletion of revenues would have any bearing on that question. Just what is it you want to know?

Q. Doesn't this improvement of the railroad terminal involve an expense, a money expense?

A. The improvements we asked for were so small or so reasonable ——

Q. I didn't ask you that.

Mr. Straw: May he complete his answer. I think he is trying to answer these questions.

(Question read.)

Commissioner Gnichtel: That is self-answering.

Witness: Yes, I would say the better the terminal the more patronage they would get.

Commissioner Gnichtel: No. The question is, if they put in a new terminal improvement would there be an expense?

Witness: Yes.

Q. The answer is in the affirmative?

A. Yes.

Q. In view of the fact it does take money to do it, is it your notion that this bus line would be a means of enabling the railroad company to furnish it for you, the proposed bus line?

Commissioner Gnichtel: I think we can answer that as well as he. Is there any other question?

Mr. Bourgeois: Yes, an important question.

Q. You say that all the merchants here want this bus line. Won't you tell us who the merchants are? You are speaking for all of them; we don't know whether you are speaking for an individual ——

Mr. Straw: There are hundreds.

Mr. Kinter: He has no authority but that of the executive committee.

Commissioner Gnichtel: You may argue this thing after the testimony. You may answer.

A. I personally talked with Mr. Wallen, Mr. Harry Pelouze, Mr. Walter Campbell, Mr. James Moran and Howard Dudley.

Q. That is how many, seven in all?

A. Those were the representative men of the ——

Q. How many merchants are there in Camden?

A. I can't answer that question.

Mr. Kinter: What is the business of each of these five? The business of each of these five?

Witness: I couldn't say that either.

Q. Now, you spoke about the people who would want to stop in Camden on this bus line; you say they are now riding through to Philadelphia. What would they want to stop in Camden for?

Mr. Straw: Of course, that is the question he answered.

Commissioner Gnichtel: He wasn't able to say as to that.

Mr. Bourgeois: I want to know if he knows why they do stop here. I can't conceive of anybody coming from Atlantic City or such town and coming within a mile of Philadelphia and stopping in Camden.

Commissioner Gnichtel: I tried to have him classify those, what class of person it would be; he said he was unable to say.

Q. Is it the shoppers you have in mind?

A. Shoppers and people working in Camden and other people who make calls in Camden.

Commissioner Gnichtel: When I asked you before I did not include people, say, between here and Hammonton and Berlin taking local buses.

Witness: Yes.

Commissioner Gnichtel: I can see the reason for their coming here or shopping here or coming here on other business. I confined my question to people from Atlantic City to Camden and Camden to Atlantic City.

Witness: I see.

Commissioner Gnichtel: You understand that?

Witness: Yes. I can't answer that question. I haven't made a survey of that.

Q. You don't know of any class of people coming from Atlantic City who would want to come to Camden?

A. Nothing, any more than what our merchants

have told me of some particular customer that they have in that community.

Q. Do you know of a single merchant who has told you of a single person from Atlantic City who wanted to come to Camden to shop?

A. I have never talked with them on just that thought.

Q. You use the White Horse Pike when you go to Atlantic City, you say?

A. Sometimes, yes, sir.

Q. When you leave here on the White Horse Pike you have no obstruction until you get as far as Berlin; Berlin, that far down you are served by the local buses. What is there in the way of population between Berlin and Hammonton?

A. Very small communities between Berlin and Hammonton on the White Horse Pike that have sprung up because of the White Horse Pike being available for transportation back and forth.

Q. What one, except Atco (that didn't spring up, that was there), what other community is there between Berlin and Hammonton, except Atco?

A. I don't have the map right here before me; I don't know.

Q. Atco is served by the railroad and has a station right there?

A. I think so, yes.

Q. The only place there is, along the White Horse Pike that isn't adjoining or near to the Pennsylvania Railroad, is at Winslow Junction, is that not true?

A. I couldn't tell you without looking at the map.

Q. There are no houses there?

A. I don't know.

Q. From Hammonton on down, do you claim you get traffic from there?

A. I couldn't answer that question.

Q. Is your complaint, your present complaint, the fact that the interstate buses take the people right on through Camden or over to Philadelphia to do shopping instead of dropping them off here, is that the complaint?

A. I don't know that we have any complaint.

Q. Why do you want some other bus line and say it is necessary and a convenience if there is no complaint?

A. Simply because it is an improvement to the service.

Q. Why is it an improvement to the service? If it isn't needed, it would be a detriment to the service.

A. We haven't said it wasn't needed.

Q. I am asking you; is it your notion you want to get certain people who will shop in Camden? In other words, is it that the interstate buses are carrying the people through your town?

A. That is one of the reasons, yes, sir.

Q. You want to avoid that? In other words, you would rather have all intrastate buses than to have these interstate?

A. Absolutely.

Q. Why is it you want the Pennsylvania Railroad to give the facilities, direct facilities from Broadway station to Broad Street station; what was that for?

A. That was to facilitate the transportation of passengers between Camden and those wishing to take the Pennsylvania trains out of the Broad Street station, West Philadelphia or North Philadelphia, not particularly for Atlantic City ——

Q. You had some means in mind of doing it; what was the means of enabling them to do that?

A. By using the intrastate independent bus operators.

Q. I did not catch that.

A. By using the intrastate individual bus operators, or some other means.

Q. How would they do that?

Mr. Straw: Let him complete his answer.

Mr. Bourgeois: I thought he had.

Commissioner Gnichtel: Is there anything else you want to state?

Witness: That is all.

Q. How would that accomodate the people between Broadway and Broad Street, taking the interstate buses from Broadway station and running to Broad Street?

A. You evidently didn't follow my testimony when I explained it fully.

Q. Maybe I didn't. I tried to.

A. I will repeat that again to you. The plan was, we endeavored to make some arrangement with the carriers, principally the Pennsylvania Railroad, for taking care of Camden passengers who wished to use the Pennsylvania service from Broad Street, West Philadelphia or North Philadelphia, who ordinarily would have to travel over there in a taxi cab, or ferry over, or some other means.

Q. What was your idea?

A. To put Camden on the same basis as Philadelphia.

Q. What was your idea; what did you have in mind as the means of that transportation?

A. Bus transportation.

Q. You want, then, to run interstate buses, right?

A. Absolutely.

Q. Not to get all the people, but only their own passengers?

A. Anybody as patrons.

Commissioner Gnichtel: How does that affect this question?

Witness: It don't.

Commissioner Gnichtel: Let us keep to this question, because it looks as though it would take some time before we finish the case.

Mr. Bourgeois: I think that is all.

Cross-examination.

By Mr. Shertz:

Q. Your principal interest for the merchants of Camden is because the interstate bus goes through and doesn't permit the passengers to get off and shop in Camden?

A. That is one of them, yes.

Q. Let us come to the history of this particular case; isn't it true that the merchants of Camden made an application to the local Camden commission to obtain the local rights for interstate buses to pick up and discharge passengers in Camden?

A. I can't answer that question.

Q. Don't you know, very recently, that the merchants of Camden, through counsel, did appear before the local commission, asking that permission —

A. I am not familiar with that. I don't recall that proposition.

Q. Isn't it true that as a result of that, that the

action of the local Camden Commission was to refuse that and suggest that this operation be by the Public Service Corporation?

A. I couldn't answer that question either.

Q. Do you know also that the representative of the Camden Chamber of Commerce, with the same view in mind of having passengers permitted to drop off and shop in Camden, appeared through representation before Congress in support of the Bacharach Bill?

A. I read something of that, yes.

Q. That was in aid of having interstate buses permitted to drop passengers off and pick up passengers in Camden so that they might do shopping?

A. Not necessarily shopping; but do their business transactions.

Q. Do you know the number of passengers, in answer to the question of the Commissioner, who would desire to use the express service between Camden and Atlantic City by auto?

A. I can't answer that question.

Q. Would the people you represent be interested in one service, one bus trip a day between Camden and Atlantic City?

A. Hardly.

Q. How frequent service would be a convenience to the people?

A. That would be determined, I would say, by the survey of the operators.

Q. Do you think an hourly service would be a convenience?

A. I would say so, yes.

Q. Do you think there is enough people either in Atlantic City or in Camden desiring that convenience and service that would justify the imposition of the Public Service Commission of that regular

schedule of hourly service between Camden and Atlantic City?

A. I can't answer that question because I don't know what the patrons will require in the way of service.

Q. You have made a study of this thing on behalf of the Chamber of Commerce here and know something about transportation?

A. Not the Atlantic City situation, because we have no bus operation from Camden to Atlantic City.

Q. I will put it the other way. You are interested in service to Camden by Public Service Corporation mostly, aren't you?

A. Any service.

Q. Would you want to ask that corporation to have imposed on it a service of an hour between Camden and Atlantic City to accommodate the few people that might want to ride between those points and impose upon the corporation a loss in operation?

A. I answered that question before, previously, when I stated to you I was unable to gage the schedule or the headways (as they call them) of what was actually required in the Atlantic City operation.

Q. From your general knowledge or these conferences you have had, would you say there are twenty-five or thirty people every hour desirous of riding between Camden and Atlantic City by bus?

A. I can't answer that question because I don't know what the intermediate stops would pick up.

Commissioner Gnichtel: He is just confining himself to Camden and Atlantic City.

Witness: About an hourly service?

Commissioner Gnichtel: Just repeat that question.

(Question read.)

Commissioner Gnichtel: Can you answer it?

Witness: I can't, because I don't know how many would avail themselves of the service.

Q. You are interested in conditions on the White Horse Pike, as far as traffic movements are concerned, are you not?

A. No, I am not.

Q. Don't you want freedom of movement over the Pike so people can get into Camden by automobile?

A. We are interested in the development of Camden.

Q. If you have an overcongestion of the highway you are retarding the development of Camden, aren't you?

A. I can't answer that question.

Mr. Shertz: That is all.

Commissioner Gnichtel: Anything further?

By Mr. Kinter:

Q. I understood you in your testimony down to this point as having made no survey along the line of this proposed motor-bus transportation outside of Camden itself, is that correct?

A. That is correct.

Q. That applies to both the proposed operation, your inquiry and your investigation in connection

with these two propositions has been confined to Camden itself, is that correct?

A. We have looked at it ——

Q. Please answer that question yes or no and then explain.

A. I will answer that, no.

Q. All right. What investigation have you made outside of Camden?

A. We have made no investigation outside of Camden because we have had no cause to make an investigation.

Q. Then you could have answered that question. However, you have answered it now. Then in Camden you have held yourself out as speaking either for the merchants of Camden or the Chamber of Commerce or for both, which is it?

A. I am speaking for the Chamber of Commerce and the merchants who are members of the Chamber of Commerce.

Q. How many merchant members does the Chamber of Commerce have, if you know?

A. I am sorry, I can't answer that question.

Q. Your personal inquiries have been limited to five or six gentlemen, is that correct?

A. So far, yes, sir.

Q. Did I understand you correctly, you don't know the business of any one of the five or six you named?

A. That question was not asked me.

Q. Do you know their business?

A. Yes. I can answer that question.

Commissioner Gnichtel: You were asked about their business.

Mr. Kinter: He was certainly asked and he said he didn't know.

Q. What is the business of these five or six gentlemen you named as having consulted with?
A. Will you name those names? I have forgot.
Q. Mr. Wallen?
A. He is a jeweler on Broadway.
Q. He is what.
A. A jeweler.
Q. Mr. Pelouze?
A. An optician.
Q. And Mr. Campbell?
A. Mr. Campbell is Mr. Pelouze's partner.
Q. Mr. Moran?
A. He is Manager of the Hurley Store.
Q. What do they do?
A. General department store.
Q. The other is Mr. Dudley?
A. Owner and proprietor of a furniture store.
Q. You have had no conversation of any kind with any other members of the Chamber of Commerce of Camden other than these five you have named?
A. That is all, yes, sir.
Q. I have asked you, when you were testifying over objection, to point to the section of the by-laws of the Chamber of Commerce that enabled the executive committee without a vote of the Chamber of Commerce itself to send you here to testify in a case of this kind. There are the by-laws (handing witness booklet), please look them over and tell us where you derive your authority.

Commissioner Gnichtel: Will that require the reading over of some of it?

Witness: Yes.

Commissioner Gnichtel: Suppose you call another witness.

Mr. Kinter: That is perfectly satisfactory.

Re-direct examination.

By Mr. Straw:

Q. You testified after years of earnest effort the Chamber of Commerce was able to get the Reading Railroad to build a new ferry terminal. How many years of earnest effort did it take you to get the Reading to build a decent terminal?

A. I didn't get that.

Q. How many years of earnest effort did it take the Chamber of Commerce to get the Reading to build a terminal in Camden?

A. I can't answer that question.

Commissioner Gnichtel: Is that of any importance? Didn't you object to the use of the words, "earnest effort" yourself?

Mr. Straw: Your Honor permitted it to be used.

Commissioner Gnichtel: He says he can't state. He don't know how many years.

Witness: No, sir.

Mr. Straw: That is all.

Commissioner Gnichtel: Call your next witness.

Mr. Straw: I will call Mr. Warner.

Commissioner Gnichtel: You can look that over and give the answer later.

Witness: Yes, sir.

ARTHUR T. WARNER, sworn on behalf of Public Service Transportation Company.

Direct examination.

By Mr. Straw:

Q. Where do you live?
A. Maplewood, New Jersey.
Q. In what business are you engaged?
A. Transportation business.
Q. With what company or companies?
A. Public Service Railway Company and Public Service Transportation Company, Bergen Point and Port Richmond Ferry Company, Riverside and Fort Lee Ferry Company, Public Service Railroad; I think that is all.
Q. Do you hold any official position in those companies?
A. General Manager in charge of traffic.

Commissioner Gnichtel: Are you engaged in proving his qualifications?

Mr. Straw: Yes.

Commissioner Gnichtel: Is there any objection to admitting his qualifications as an expert? He has been before the Board about a thousand times in the last five years.

Mr. Bourgeois: I have no objection; it don't matter to me.

Commissioner Gnichtel: If there is no objection

you need not go through that. It is admitted he is an expert in this line.

Q. You are general manager in charge of traffic, I think you have testified, of these corporations?

A. Yes, sir.

Q. Are you familiar with the applications before this Board for the approval of local consents to operate buses between Camden and Hammonton and Camden and Atlantic City?

A. Yes, sir.

Q. What type of service is that service proposed to be?

A. That service proposes to be a local service from Camden through to Hammonton for twelve buses, and an additional twelve buses to operate a local service from Camden through to Atlantic City, connecting, making all stops at any point and all points along the White Horse Pike, to handle a really local traffic.

Q. They are not in any sense of the word to be express buses between Camden and Atlantic City?

A. No, sir.

Q. Or express buses between Atlantic City and Camden?

A. No, sir.

Q. Is it in any sense of the word to be an interstate operation?

A. It is not to be an interstate operation.

Q. Where will the line start?

A. Our Camden consents allow us to start at either the Market Street ferry or this Court House loop. I would say that the Hammonton service would start from the Market Street ferry and additional service from the Court House loop, as a start. If it was necessary to change that around it would be done as traffic developed.

Q. Have you any thought that you are going to do a great amount of through business between Camden and Atlantic City or Atlantic City and Camden?

A. I think there will be some through business between Camden and Atlantic City, particularly the portion of Camden lying to the east of this point and adjacent to this point. These passengers going to Camden will find it easier to take our buses going to Atlantic City from Camden, who reside in this section of Camden, so they may reach the buses without change, without having to go to the railroad station, without having to go to Philadelphia to take an interstate bus. That kind of traffic I believe we will get some business from.

Anyone in a hurry we can't compete, from a point of view of time, with the Reading Railroad or the Pennsylvania Railroad between Camden and Atlantic City, nor would anyone to whom time is the important element, they would probably seek the express trains.

Q. As a matter of fact, are you endeavoring to compete with either the Atlantic City Railroad or the Pennsylvania Railroad?

A. No, we are not. I don't think it will be a competition. I think it will be a benefit to each of those roads to have this bus line in operation.

Q. Why?

A. I believe it will develop the White Horse Pike below Berlin in the same manner it developed the White Horse Pike north of Berlin now. It certainly has been an aid to the section of the White Horse Pike north of Berlin to have the local transportation facilities serving it that serve that section, the trolley service and the bus service. That local service stops at Berlin; you can see immediately

upon leaving Berlin the lack of development below that point because there is no local service.

The steam railroad has its function, it has its very proper function, but its function does not go far enough to provide a strictly local transportation service such as this bus line would give. No community was developed by steam railroad service alone, and each of the other services operated with it, combined with it, and supplemented that service to make a complete service.

As the community develops and builds up it will mean certainly an increase in business to the railroads, from a freight transportation point of view and also an increase from a passenger transportation point of view. The people coming there and living there they are bound to take the railroad service at times, anyway. If there is nobody there they can get no passengers and they can get no freight.

Q. Do you anticipate that the operation of the line as prayed for will build up the section of the White Horse Pike below Berlin?

A. Yes, sir. I will take the history, the development of any main highway leading out of Camden, or any other similar community, and you can see where transportation is there goes the population; without the transportation there is no population.

Q. What sort of transportation facilities do folks living below Berlin now have for local transportation?

A. Well, they have the intermittent stops of the railroad trains at the stations between Berlin and Hammonton, we have trains stopping at Hammonton but between those points there are four or five hour gaps in their train service.

The question of the congestion on the highway came up: People in this day and generation won't

wait four or five hours to get to a place. The private car and—well, largely the development of the automobile, has changed the art of transportation so that the frequency and regularity of service is a point to be considered.

You can't censor the railroad for cutting train service. When they do not carry reasonable loads a train can't operate that way, but a bus can. A bus from here to Atlantic City carrying a half load or a three-quarters load with fifteen or twenty people can operate at a profit. A train carrying that many people would be a dead loss. The Board remembers I asked Mr. Hope that question, Mr. Hope of the Central Railroad, what his train operated with from Plainfield to Newark. He said they carried an average of thirty passengers and they were operating at a loss he said, a considerable loss. We could operate a bus and carry thirty passengers, and it would be wonderfully attractive proposition; with half that number it would be an attractive proposition.

So it becomes again the point of view of the difference of the functions of the two facilities. A bus service can furnish a greater frequency than a steam railroad can possibly do.

Q. What headway do you propose to operate?

A. We propose to operate an hourly headway to Atlantic City. After this thing starts it will be changed to meet conditions, as conditions develop after the line has been put into effect. Also an hourly headway to Hammonton.

Q. The section through which the bus line will operate, should the permits be granted, will be the White Horse Pike?

A. Yes.

Q. Reference has been made in this hearing and prior hearings to stations bearing town names, the

same as the town name on the White Horse Pike, going to Atlantic City?

A. Yes.

Q. In what parts of the towns are the railroad stations located and where is the residential section of those towns; taking first the location of the railroad station and the White Horse Pike section?

A. I would say, as a rule, the residential portion is between the White Horse Pike and the railroad station, probably in most cases ——

Commissioner Gnichtel: Wasn't that covered by witnesses at the last session?

Witness: I think so, probably better than I could do. I have been down to the White Horse Pike but when you get to giving town by town you get me lost.

Q. Will or will not this bus line in your judgment feed the railroad lines?

A. Yes, sir; I think it will. I think it will develop business for the railroads.

Q. I don't know whether I have asked Mr. Warner before this question, if I have it will just take a moment: Will or will not, in your judgment, the granting of the petition as prayed for in these two lines serve the public convenience and is there, in your judgment, a public necessity?

A. I believe it will serve the public convenience and I believe it is a public necessity.

Q. Have you had checks made showing the situation?

A. I have a number of exhibits; I think I furnished copies of these to the gentlemen on the other side, so I would like to offer them as a matter of record. This is the map.

Mr. Straw: I will offer that as Exhibit P. S. 2.

Commissioner Gnichtel: If there is no objection it will be marked as Exhibit P. S. 2.

(Map marked Exhibit P. S. 2.)

Q. Have you anything to say about this map?

A. P. S. 2 shows the route of this line all the way from Camden to Atlantic City. In purple it shows the route of the present bus line as far as Berlin and along the line of the extension from Berlin on down through to Atlantic City.

The brown dots show the stations on the West Jersey & Seashore Railroad as that line operates from Camden to Atlantic City.

The black dots show the stations on the Camden and Atlantic City Railroad. This map is on the scale of one mile to the inch.

The next is a map, a part of the same map as Exhibit P. S. 2, which shows the route of the Hammonton service.

Mr. Straw: I offer that as Exhibit P. S. 3.

(Map showing Hammonton route marked Exhibit P. S. 3.)

Q. Will you discuss Exhibit P. S. 3?

A. The yellow line is the route of the Hammonton buses stopping at the lower city line of Hammonton. The stations on the two railroads are shown in the same manner as in the other exhibits.

I have a series of checks of the interstate bus service now being operated over the Delaware River Bridge from Philadelphia to points down the White Horse Pike.

Mr. Straw: I offer that as Exhibit P. S. 4.

(Checks of interstate bus service marked Exhibit P. S. 4.)

Witness: These are taken from our records and are checks taken on the dates as shown.

Q. Will you describe Exhibit P. S. 4, briefly, please.

A. P. S. 4 snows the interstate bus service given on four dates, March 4, 1927, April 8, 1927, September 13th and September 18th, 1927, showing as high as eighty bus trips carrying over two thousand passengers in strictly interstate buses up and down the pike.

Commissioner Gnichtel: Is this from Atlantic City or from places or towns below?

Witness: The top portion is from Atlantic City; the lower part is the service from Berlin to Philadelphia, and on the extreme right it shows the point where the checks were taken, either the Bridge Plaza or passing our garage in Berlin.

Commissioner Gnichtel: Between what hours is this taken?

Witness: It shows the hours taken. Either from 6:30 to 12 or the hours covering when the checks were taken.

Q. What is your next check, Mr. Warner?
A. I want to file my fares.
Q. Yes.
A. The fares, the complete set of tariff.

Mr. Straw: I desire, if the Commission please, to file the set of tariffs revised January 1st, 1928.

(Tariff marked Exhibit P. S. 5.)

Q. Is that a change?
A. I think it is; there were some typographical errors. I don't think it is material, but I think it was incorrect.

Commissioner Gnichtel: Is there anything further?

Witness: Yes. I have a series of tabulations I want to introduce showing the service between Camden and Atlantic City and Camden and Hammonton and the number of trains from each station in each direction, the distance between stations and the distance these stations are from the route of this bus line.

Mr. Straw: Do you want to offer them as a group or individually?

Witness: There are four or five tabulations. The information as to the train service is taken from the schedules of the railroad.
The first is four sheets showing the Camden & Atlantic City Railroad train service between Camden and Atlantic City and each station en route.

Commissioner Gnichtel: Have you copies of it?

Witness: Yes.

Mr. Straw: I offer that as Exhibit P. S. 6.

Mr. Kinter: Is this a complete set (indicating)?

Mr. Straw: Yes.

Witness: Yes; a complete set of this one exhibit.

(Tabulation of train service, Camden & Atlantic City R. R. marked Exhibit P. S. 6.)

Witness: The next is the service between Camden and Hammonton on the Atlantic City Railroad.

Mr. Straw: I offer that as Exhibit P. S. 7.

(Tabulation of service between Camden and Hammonton on Atlantic City R. R. marked Exhibit P. S. 7.)

Witness: The next is Camden to Atlantic City on the West Jersey.

Mr. Straw: I will offer that.

(Tabulation of service between Camden and Atlantic City on West Jersey & Seashore R. R., marked Exhibit P. S. 8.)

Witness: The next is the service from Camden to Hammonton on the West Jersey.

Mr. Straw: I offer that.

(Service from Camden to Hammonton on the West Jersey & Seashore R. R., marked Exhibit P. S. 9.)

Mr. Straw: That is all.

Cross-examination.

By Mr. Bourgeois:

Q. You say that the bus line is going to build up the business of the railroad companies. Will you explain to me how that is going to happen?

A. Well, this bus line is to function for doing local business. This bus line is to function doing a local business along the White Horse Pike. Its main reason for operation is that section of the pike beyond Berlin, east of Berlin, from Berlin through to Hammonton, and from Hammonton on through to Egg Harbor, and Absecon to Atlantic City. With regular service on that pike the population, the development will follow the service and an increase in population will certainly mean more traffic to every means of transportation. Those people have to live; they have to receive freight; you have to haul the material to build their houses with to start with. All of that will certainly increase the general business and the general population and general business of the locality.

Q. Where bus service has been established paralleling a railroad company, if there has been an increase in population has not the bus service increased its service so that the railroad company continued to lose?

A. I don't know, sir; I can't answer that question because I can't give you ——

Q. We have had the experience.

A. You may show you are losing business and it may be you are losing passengers to the private automobiles and it may be you are losing it to the buses.

Q. The Commission, the Utility Commission, can't

restrain the private automobiles but they can restrain the buses, can't they?

A. They can under the law, yes, this type of bus. Of course, if we wanted to go across the river with an interstate operation then we would be all right.

Q. You are a transportation man, is it your notion that if the buses and the railroad companies both cannot live that the buses can take the place of the railroad companies as to transporting passengers?

A. I don't think I can answer that question yes or no at this time. The bus industry has not developed enough.

Commissioner Gnichtel: What?

Witness: The bus industry has not developed enough to show whether it can or not, but if it continues to develop in the next ten years as it has in the last ten years I should say, yes.

Q. As a transportation man you know that no public service transportation company can live without a monopoly, don't you?

A. No; I don't know that; because we are living in New Jersey today and we have anything but a monopoly.

Q. In transportation?

A. In transportation.

Q. Why not? Why have you not a monopoly?

A. Why have we? We didn't have the law in time, that was necessary.

Q. Is it free, can anyone start in and run this transportation business?

A. Yes.

Q. Is that so?
A. Yes, sir.
Q. Can you start in and run it without regard to the Public Utility Commission?
A. If they lay out a route so they don't come under the law and the authority of this Board ——-

Commissioner Gnichtel: That is, interstate?

Witness: Yes.

Commissioner Gnichtel: That is because Congress has not passed a law.

Witness: Yes, that is true.

Q. I mean, intrastate.
A. Intrastate, now?
Q. Yes.
A. Thanks to the passage of the law bringing them under the Board or subject to the jurisdiction of the Board; but we have no monopoly in this state.
Q. Don't that create a monopoly?
A. No, sir.
Q. What is a monopoly?
A. A monopoly is one agency having control and one agency isn't having control.
Q. That constitutes a monopoly, just one agency?
A. That is what I always understood a monopoly was.
Q. There is no use in my following that; I thought it was a different thing.
A. All the Greek I ever heard "mono" meant one.
Q. That may be quite true. That isn't true with the application of it, the practical application.

A. That is why I said we didn't have a monopoly here. We haven't, you haven't, nobody has.

Q. Why don't you have a monopoly if other people can't compete without the consent of a state representative; what other thing constitutes a monopoly?

A. We are constituted a monopoly, but that isn't the situation; other people are competing with us.

Q. Who can compete with you in this state without the consent of the different municipalities through which you run and the approval of the Utility Commission?

A. Nobody can now, but there are people who have been before the law was passed.

Q. I didn't ask you about the law.

A. (Continuing) And are today and are continued by virtue of the stabilization by the passage of the Act.

Q. Who is operating now contrary to the law?

A. Who are operating now contrary to the law?

Q. Yes.

Commissioner Gnichtel: Is that relevant here?

Witness: I can give you the name of several gentlemen; if you desire them. I didn't know ——

Commissioner Gnichtel: Never mind that question.

Q. Are you going to operate local business to Atlantic City?

A. Yes, sir.

Q. In what time? In what time are you going to make this service?

A. Two and a half hours each way is the schedule we start on.

Q. Do you think you can operate within the law and make that distance in two and a half hours?

A. I think we can.

Q. Are you quite sure of it?

A. No, I am not. If we couldn't I would change it.

Q. Have you made an effort to see; have you made any experiment to find out?

A. We know the length of the run and we know conditions on the White Horse Pike.

Q. Do you know the number of miles you have to run through towns, at twelve miles an hour?

A. That has all been worked out in the schedule. I will give it to you in detail if you want.

Q. Do you know it can be done in two and a half hours?

A. I believe it can. If it can't we will change it.

Q. And live within the law?

A. Yes, sir.

Q. I understand you to say in this Hammonton service you propose to operate from the Market Street ferry. What is the object in starting from the Market Street ferry?

A. So that some of the service goes to the ferry and some starts from the Court House.

Commissioner Gnichtel: Market Street ferry?

Witness: Market and Federal Street ferry.

Q. In other words, you are going to operate from the terminal of the West Jersey Railroad?

A. Our service is starting there now.

Q. Your service is starting there now?

A. Our service is starting there now to Berlin.

Q. I am asking you if that is what you propose to do?

A. Yes. The Hammonton service will really be an extension of the present Berlin service.

Q. So you will have the benefit of the traffic crossing the river?

A. We will carry them down so they can use the Pennsylvania Railroad ferry.

Q. Do you think the traffic that comes from the Pennsylvania Railroad ferry which you propose to carry down to Berlin and return will be a benefit to the West Jersey?

A. I think it would be a benefit to the ferry company. I don't know the financial organization; I don't know whether that corporation owns the ferries.

Q. I am representing the railroad; I want to know why you think it will benefit the railroad?

A. The passengers we carry from Camden to Berlin?

Q. Yes.

A. No.

Q. The service.

A. The service might benefit them but the passengers we carry won't benefit them.

Q. How will the service benefit them?

A. That will get them down and living there; they won't always use the bus but will use the trains once in a while, and the freight will have to come by your line.

Q. You are going to carry the freight?

A. No, we are not going to carry freight.

Q. I am talking about the passengers there now.

A. Yes.

Q. I don't count so much on the future. What benefit will the railroad company get from your running a parallel line from Berlin down to the railroad ferry?

A. We are doing it now.

Q. Does it benefit the railroad company?

A. I don't know. That is your question, not mine.

Q. You don't care?

A. Personally I don't, no sir.

Q. Now, you say there would be some through traffic to Atlantic City in a local bus; what makes you think that?

A. Well, I think that there will be some through traffic to Atlantic City because—let us take a person living at, we will say, the outer end of Haddon Avenue near the White Horse Pike, near where Haddon Avenue hits the White Horse Pike.

Q. Yes.

A. Take that section; they can come out to Haddon Avenue and take a bus there. Their alternate way of getting to the city would be to come to Camden and go to Philadelphia and take the interstate bus from Philadelphia. By the time they complete that journey to make a scheduled train they would probably be far enough down the White Horse Pike to make the time element fairly equal. In other words, you will take on the direct route possibly a little longer, but I think to people like that there would be some through business built up.

I don't believe, with that running time and the railroads doing it in an hour, we can compete with the railroads for express service, on a time basis.

Q. I notice in this schedule you gave me, in the first place, you have taken the count by hours, at Berlin at 12 o'clock noon, and then at 3 o'clock in the afternoon. Why was the count limited to that short space of time? Is it not a fact that the business is later in the day than 3 o'clock?

A. That first check is an eighteen hour check; seventeen and a half hours, from 6:30 in the morn-

ing till 12 o'clock midnight. It is not two times; it is from and to. From 6:30 A. M., to 12 o'clock midnight.

Q. I beg pardon. Which one is that?

A. The first one, Friday, March 4th.

Q. Yes; that is right.

Commissioner Gnichtel: What is it marked?

Witness: Exhibit P. S. 4.

Q. There is not much traffic in March; you don't do much business in March?

A. Yes. The interstate passengers carried, there were practically a thousand passengers from your railroad then. I just wanted to show you. I wanted to show the through business from Atlantic City that your railroads are not getting. The loss is already a loss, the interstate buses have already got it. This shows even as late as March there were almost one thousand passengers carried from Philadelphia to Atlantic City on the interstate buses.

Q. The interstate business is gone; the next step is to put the intrastate business in the same position?

A. No. You say, yourself ——

Q. You say the interstate?

A. The interstate.

Q. I say this: isn't it the intrastate business you want?

A. Yes.

Q. The interstate buses have got their traffic; now you want the intra-state and let the railroads have what?

A. We must create the intrastate business which is not there now.

Q. You don't want that business there now?

A. There isn't much left, according to your own statement.

Q. If you don't want that business why do you ask to stop?

A. We want an opportunity to create a business.

Q. Then you want the business there now?

Commissioner Gnichtel: We will recess now until two o'clock.

(Recess from 1 to 2 o'clock.)

AFTER RECESS.

ARTHUR T. WARNER, resumes the stand on behalf of Public Service Transportation Company.

Further cross-examination.

By Mr. Bourgeois:

Q. Mr. Warner, you testified that the buses could be operated more cheaply than the railroad. Will you explain to the commission how that is possible?

A. Of course, I am not a steam railroad operator; I don't know the steam road figures and my reference to that, as far as the steam roads, is largely hearsay. I have talked to Mr. Hope and Mr. Goldsborough of the Pennsylvania Railroad, Mr. Hope of the Central Railroad and on the Seashore— the name slips me now.

Q. Tell me how it is brought about, how it is possible, how it happens?

A. How what is possible?

Q. To operate these buses more cheaply than you can operate a railroad train.

A. Well, one bus, operated by one man moving, we will say, six to seven tons maximum, could certainly be moved more cheaply than a railroad train, no matter how short, with at least three men on it, probably four.

Q. You mean you can operate one bus carrying twenty passengers cheaper than a railroad train carrying twenty passengers?

A. You can operate a bus carrying thirty passengers cheaper than you can operate a railroad train with one car, whatever that capacity is.

Q. Why limit it to one car?

A. That is your lightest train, the cheapest train I can think of.

Q. Is that the cheapest train you know?

A. The cheapest train I can think of to operate.

Q. You think you can operate a train, from an operating standpoint, better with one car and that income than a train with ten cars with its income?

A. No; I wouldn't say that or anything like it.

Q. I want a practical answer. How can you operate a bus line cheaper than you can operate a steam railroad line?

A. Now, you are asking from the point of view of lines or the point of view of so many trips per hour?

Q. The transportation of the passengers. You say one thousand passengers. Can you carry one thousand passengers cheaper by automobile bus between Atlantic City and Camden than a railroad company can carry one thousand passengers over the same distance?

A. One thousand passengers in what length of time?

Q. I don't care whether it is one trip or whether

you have your buses all strung out, one after another; I don't care how you do it.

A. It is going to make a lot of difference.

Q. Is it?

A. Yes; from the point of view of the bus.

Commissioner Gnichtel: Suppose it was one day; one thousand a day, which would be cheaper, the railroad or the bus?

Witness: If they are equally distributed throughout the day it would be cheaper to carry them on the bus. One thousand passengers would be, roughly, forty passengers an hour, wouldn't it?

Q. In how many hours?

A. Twenty-four hours.

Q. Take sixteen hours.

A. Well, sixteen hours, sixty passengers an hour.

Q. Sixteen hours?

A. Sixty passengers an hour. You could carry them in two buses and two buses could certainly operate cheaper than the smallest train that would be necessary to carry those sixty every hour.

Q. In other words, you say, two buses could carry those one thousand passengers, spread out along all the towns, cheaper than a train in one trip, because they could take them all in one trip?

A. No, sir; I didn't say in one trip. I said a train every hour.

Q. A train every hour?

A. A train every hour. I promised my ——

Q. You mean then — —

A. Let me tell you what I mean; if you don't like it put the question some other way. I mean you have on the basis of one thousand passengers per

day, sixty passengers every hour. You have got to furnish every once an hour transportation to carry sixty passengers.

Q. Why do you say "once an hour"?

A. Because that is the way you divided the one thousand passengers up. If you want them divided up some other way you divide them.

Q. I am going to put it hourly. Suppose one train, a single train carrying ten cars of fifty passengers per car, that is five hundred passengers, from Atlantic City to Camden, and we will suppose some other time during the day some other train does the same thing there, making two trips. Can you carry one thousand passengers in either two trips or five trips or any number of trips you want by bus, so that the expense of transportation will be less by bus than by train?

A. I would say the expense in that case, two trips a day, and only two trips a day by train, the train would do it cheaper than the bus would or any other vehicle you can mention.

Q. Would go?

A. Yes.

Q. Then you cannot carry passengers cheaper by bus than you can by train, practically speaking, can you?

A. Yes; we can; practically speaking.

Q. Why?

A. Because ——

Q. Where do you save the money?

A. Well, you save the money in just this way: One passenger along the White Horse Pike wants a train of ten cars to operate daily ——

Q. We don't say for him. We are talking of the expense.

A. You have cited this instance of one thousand passengers. If you are going to have an excursion

and carry five hundred passengers in a ten car train, there is no doubt about it that that sort of transportation is the function of a steam road. But this is what I tried to say in my direct examination this morning: if you have a comparatively limited population where you can't afford to run a ten car train and people want to travel from Egg Harbor to Hammonton, or Hammonton to Berlin or Atco to Berlin, all the numerous small places along the White Horse Pike, they can't wait for a ten car train to operate twice daily. They want frequency of service.

Q. Mr. Warner ——

A. (Continuing.) Let me finish the answer. You can't operate a one-car train on an hourly headway as cheaply as we can operate one bus on an hourly headway. That is what I am trying to say. I say the frequency element comes into the picture. If you are dealing with mass transportation the steam road is the cheapest means of handling mass transportation, but if you are dealing with comparatively isolated communities on a frequency basis, it is not, and you can't do it.

Q. Have not railroad companies endeavored to meet just the situation you cite, by operating single gasoline cars over their rails.

A. I believe they have.

Q. Hasn't that failed simply because of taxation and other expenses on the railroad company?

A. I don't know why it has failed. I don't believe it has failed simply because of taxation.

Q. Isn't the only reason you can operate those buses cheaper than the railroad operates its cars is because you don't pay taxes the way they do?

A. We do pay taxes.

Q. Yes; five per cent; you don't even pay as much as a trolley-car; a trolley-car has to maintain its tracks and pay the five per cent. Isn't the only

saving you have over a railroad train, by a bus line, what you save in taxes?

A. No. There is a whole lot more than that.

Mr. Straw: There is the right of way and the upkeep too.

(Question read.)

Witness: The difference in size of the cars, the difference in the weight of the equipment and there are a lot more things go in than taxes and right of way.

Q. Would the difference in the size of the cars—— in a ten car train you have two on the engine and two in the cars in the train, that is four?

A. Yes.

Q. They are going to carry five hundred people?

A. Yes.

Q. How many buses are you going to have, to carry five hundred in the buses?

A. I am not talking about that kind of transportation at all. I admit—I have no quarrel with you on that—I admit a steam train can carry five hundred passengers ——

Q. Isn't the only saving on the bus over the train whatever they save in the cost of their right of way and tracks and the maintenance of it and taxes?

A. No; there is more than that. I said so twice.

Mr. Bourgeois: That is all.

Cross-examination.

By Mr. Kinter:

Q. Mr. Warner, you said something in your direct examination to the effect that people in these outlying communities you proposed to serve wouldn't wait three to four hours for a railroad train? Did I understand you correctly?

A. I think that is one element, yes.

Q. What are the gaps, as you call them, between the interstate buses, as presently operated? I had the impression there were gaps of three or four hours between the interstate buses.

A. I have a check right here of the interstate buses passing through Berlin on the 8th of December, 1927.

Q. What is the widest gap between any two movements?

A. Southbound it would be, one direction, I suppose, would be typical?

Q. Yes.

A. Southbound. This check was taken at 8:30 and continued until 11 o'clock at night. I will just give the number of buses by hours, then if you want to go into it in any more detail you can. Between 8:30 and 9 three buses; between 9 and 10 three; between 10 and 11, five; between 11 and 12 there were two; between 12 and 1 there were four; between 1 and two there were two: between 2 and 3 there were four; between 3 and 4 there were five; between 4 and 5 there were four; between 5 and 6 there two; between 6 and 7 there were five, between 7 and 8 there were three; between 8 and 9 there were two; between 9 and 10 there were three; between 10 and 11 there were three. You see there is not many considerable

gaps. The longest gap I noticed there is between 11 and 11:50, fifty minutes.

Q. Those are all interstate?

A. Atlantic City interstate. I will put this in the record if you care to see it.

Mr. Bourgeois: How many did you give in all?

Commissioner Gnichtel: He has it in the form of an exhibit. Suppose you put it in the record and give it to counsel.

Mr. Bourgeois: I was wondering whether he had them; I didn't know.

Mr. Straw: Do you want that compilation?

Mr. Kinter: I would like to have a copy.

Mr. Straw: I will offer it.

(Check of Atlantic City interstate buses at Berlin, Dec. 8th, 1927, marked Exhibit P. S. 10.)

Q. The buses that are operated here, that is, the operation of which is shown on Exhibit P. S. 10, are those which you previously testified had already taken away a great deal of the towns' interstate passenger business from the railroads, is that correct?

A. Yes, I believe that is correct.

Q. You made the statement, did you not, that these buses shown on Exhibit 10—you made the statement in this way, that the through-passenger travel on the railroad had already gone to the buses shown on Exhibit 10, that is correct, isn't it?

A. To that amount of traffic, yes.

Q. If these interstate buses have already taken away practically all of the interstate passenger traffic of the road, why do you want to operate your buses to the railroad ferries? By your own count there is no traffic to be had there.

A. Largely, as a terminal point. In the first place, those buses do now, as they are operated today, without any further consideration, they do a great deal of local business out the White Horse Pike as far as Berlin. A lot of that business comes from Philadelphia and comes across the ferry; other comes from Philadelphia by other means, and we pick up at this court house coming from the bridge.

Q. What buses?

A. The Berlin buses.

Q. Your own operation?

A. Out the White Horse Pike.

Q. Out the White Horse Pike?

A. Yes. We now operate to Berlin. We had to buy them from a competing bus line. We put up a fight; we didn't get any help then from the railroad; we put up the fight then alone. I wrote requesting help, but we didn't get it; but that is out of the picture now. That is our bus line now. It is operating and the ferry is a natural terminus for it in Camden.

Q. Did you provide that terminus?

A. We provide it?

Q. Yes.

A. Do you mean, build it?

Q. Yes; spend any money for it?

A. Yes.

Q. How did you spend money for it?

A. We paved the street where the buses are running, if you want to know.

Q. Did you spend a cent of money for the terminus itself?

A. Yes.

Q. What part of the terminus did you pay for or contribute for?

A. The paving we put in there where the buses come in around our own trolley loop.

Q. Do you consider that a part of the terminal, in the proper sense of the word, that the railroad has built?

A. We don't go into the terminal that the railroad has built. We go along the side of the sidewalk.

Q. Have you built any terminal anywhere?

A. Yes, sir.

Q. Where?

A. We have built—well, I can cite three terminals in the City of Newark we have built. I can give you the locations of them if you want them.

Q. Do you propose to build a single terminal in Camden or Atlantic City or anywhere along the line of the operations that are covered in these two applications?

A. I don't know at the present time whether we do or not.

Q. You don't know you do intend to spend any money for terminals, do you?

A. There has been some talk of it.

Q. Nothing authorized, as far as you know?

A. Nothing definite decided at this time.

Q. As far as you know, you don't propose to spend a cent for facilities, except the buses, do you?

A. Yes. It will take more facilities than buying the buses. You have to have garages and shops and things like that to maintain them. There has been considerable talk through Camden here of a terminal in Camden.

Q. It is in the atmosphere of talk at present?

A. It is in the atmosphere of talk at present; I don't know whether it is any further than the proposed improvements in Atlantic City that the railroads are talking about, or not. I don't know whether it is any further than that; but it has been talked of.

Q. The record will show we have made quite a substantial investment in connection with our company.

A. And the record will show we have made quite a substantial investment in connection with our company, and are fairly regular taxpayers, too, Public Service in its entirety.

Q. What development has there been between Camden and Berlin you would attribute solely to the motor buses?

A. I think a large portion of the development in house building along and adjacent to the White Horse Pike.

Q. Be specific.

A. What do you want me to give? To say eighty-nine per cent or ninety per cent or ninety-one per cent? What do you mean by being "specific"?

Q. Do you, of your own knowledge, know of a single house that has been built because of the motor buses?

A. On the White Horse Pike?

Q. Yes.

A. No, sir.

Q. You stated in general terms that this motor bus line that you propose would serve as a feeder for the railroads and increase their traffic, is that correct?

A. That was my thought when I said so, yes, sir.

Q. Can you point to any increase in passenger or freight traffic or in gross receipts that these two railroads have derived between Camden and Berlin

during the time you have been operating motor buses?

A. I am not familiar; I have never seen your figures, but ——

Q. You haven't looked for them.

A. I would like to ask you a question.

Commissioner Gnichtel: Never mind asking questions. That is argument; that may be put in after the testimony is in. I just want to ask the witness about this Exhibit P. S. 10; you have a line there (indicating); that is supposed to be the line of the buses?

Witness: That is the name of the various operators.

Commissioner Gnichtel: How many different lines of buses are running?

Witness: I think you will find six or eight there. Captain Young runs one and Mertz runs one and Quaker City runs one ——

Commissioner Gnichtel: I see there is marked eight.

Witness: I think there are eight or so on that.

Commissioner Gnichtel: That brings them so close together?

Witness: Yes, sir; in the summertime there will be ten; today that many.

Commissioner Gnichtel: Here is another one,

that is nine different lines of buses running interstate between Atlantic City and Philadelphia?

Witness: Yes, sir.

Commissioner Gnichtel: That is all.

Witness: And the Pennsylvania, I understand, is going to put on a line of its own.

Q. You have qualified as an expert on motor bus transportation, have you not?
A. I suppose so. I don't use the word "expert."

Commissioner Gnichtel: He has been admitted in this case as an expert, and he didn't deny it.

Mr. Kinter: I wanted to make sure.

Q. Do you know of a single instance where motor bus operation paralleling a steam railroad has increased the passenger or freight traffic or the gross revenues of the steam railroad?
A. I do not, because I am not in a position and never have been of having such figures coming from the railroad.
Q. Then, when you testified that motor bus operation, even though parallel to the railroad, as in the case of this proposed operation, would serve as a feeder line and benefit the railroad, you had made no study whatever to find out there was a single instance where any benefit had been derived by the steam railroad from such parallel bus operation?
A. I never saw such figures, no, sir. I based it, as I said, on the increased transportation, and increased transportation certainly ought to mean every carrier.

Q. Merely an opinion without facts to verify it, by any concrete facts or figures?

Mr. Straw: Is that a question?

Mr. Kinter: I meant it as a question.

Commissioner Gnichtel: He stated how he based it; the increased population would naturally bring more traffic and more freight, wasn't that it?

Witness: Yes; that is it.

Mr. Kinter: I wanted to bring out he never had anything concrete in support of that.

Commissioner Gnichtel: He said that.

Q. In making your surveys for the motor bus operation did you make any effort to find out whether the rail facilities are adequate to meet the public requirements?

A. Is that a general question?

Q. Yes. I assume you are sent out as a scout to find out whether motor operations in a new territory will be profitable, is that correct?

A. Yes, if you want to put it that way.

Q. When you go into a new territory to inquire whether there is a field there for motor-bus operations do you first consider the existing rail service and consider whether or not that rail service is adequate to meet the public requirements?

A. Yes, sir. Some steam roads I wouldn't go into their territory at all because I know their service is such it is all right.

Q. Did you consider in the case of these present

applications whether or not the rail service was adequate?

A. I considered that to some extent, but not materially because—we considered it as an extension to an existing line really more than a new operation.

Q. As a matter of fact ——

A. (Continuing). And this line started to operate to Berlin and it has been increased and built up with never a word of complaint from you gentlemen, never a word of anything in relation to the fact it was harmful for you.

Q. You had a trolley from Berlin?

A. We had a trolley line ——

Q. And that ——

Mr. Straw: May he finish?

Commissioner Gnichtel: Do you want to add anything?

Witness: Yes.

A. (Continuing). I want to say as we first contemplated the extension of this line it wasn't with the idea we would compete with these people; we didn't think about it, whether or not we would compete in the first place.

Q. Did you come around and ask us?

A. No. I had gotten tired of asking the railroads for co-operation on this bus business. I had done it for the past ten years with very little assistance or help or anything else.

Q. Did you give any consideration to the rail situation and the effect of your putting on these proposed buses would have on the railroad?

A. In that particular instance?

Q. Yes.

A. I gave very little consideration to that because I didn't think it would have any effect.

Q. Wasn't it the fact you gave it no consideration?

A. All right, if you want to put it that way.

Q. Have you any concern in this case or any other case of the Public Service Transportation Company with the effect on the railroads? Does it make any difference to you whether your activities would ultimately put a railroad out of business?

A. Broadly speaking, I would say yes. I don't want to hurt anybody. Concretely speaking, in this case, no, because I don't think it will hurt you.

Q. You don't care whether it will hurt them or not? I don't mean that in an unpleasant way. It is not part of your business?

Mr. Straw: I would like to hear these answers.

A. From a broad ——

Commissioner Gnichtel: One minute.

Mr. Straw: I should like to hear the answer.

Commissioner Gnichtel: Speak loud enough so counsel can hear the answers.

A. From a broad aspect, I would say yes.

Q. In this particular case.

A. In this particular case I didn't think there was enough involved to care one way or the other.

Q. When you realized that the railroads, whom you did not consult in advance, are very much opposed to you ——

A. I will not allow that statement to go unchallenged. The railroads were consulted so many times, with absolute indifference on their part. I have called up your operating people and they have said, in case after case, we haven't heard anything from our legal department. I have called up the legal department and the legal department has said we haven't heard anything from the operating department and there the buck has been passed.

Q. Let us be specific; have you given the Atlantic City Railroad any notice of your intention to file these applications?

A. No, sir. I said, no.

Q. Did you send us a copy of this application?

A. We never do that. We file it with this Board and the Board sends copies out to whoever is interested.

Q. You went ahead here, because at sometime in the past you had asked whether the railroads were interested in a particular application and found they were not, is that correct?

A. We went ahead at this time with the buses because it was the proper thing to do, the railroads regardless.

Q. You went ahead because you conceived you could make money out of it regardless of whether the railroad was capable of giving the service. Isn't that the fact?

A. I said several times, I didn't consider the railroad at all in that particular case.

Q. You said you called up the legal department of the railroad?

A. Yes.

Q. Have you ever called up our legal department about any motor-bus application?

A. I think I have.

Q. Will you swear you have?

A. No, I won't swear. I have called up the Central. I have called up the Reading. I have called up the affiliated company, whether the Atlantic City proper or not, I won't swear.

Q. Did you personally prepare Exhibit 7?

A. No, sir.

Q. I refer you to Exhibit 7, the first sheet, the third line, reading to the right across the page, from the figure West Collingswood, in the last column there purports to be shown, does there not, the time of the trains from West Collingswood, is that correct?

A. Yes.

Q. I hand you an official time-table of the Atlantic City Railroad Company, effective today, (handing witness paper) and ask you to read across.

A. Effective when?

Q. It is effective at this time. Read the schedule from West Collingswood, and compare the trains shown on our present time-table with the figures shown in the first sheet of your exhibit, for the West Collingswood service. Do they match up?

Commissioner Gnichtel: Suppose you call them out and we will follow them.

Witness: I will call them off: 5:59; 6:36; 7:03; 7:13; which is not on the sheet.

Q. That is 7:13 on the schedule, which is not shown on your exhibit, is that right?

A. Yes, sir; that is what I said. 7:30; 7:52 ——

Q. Isn't there an 8 o'clock on the time-table?

A. I haven't got there. 7:52, 8 o'clock, 8:15.

Q. Go right ahead.

A. 8:19, marked "S," whatever that is; 8:30, 8:37; 9 o'clock; 9:07, marked "S;" 9:27, 10 o'clock; 10:05,

10:35, 10:59, 12:28, 1:25, 2:38, 3:09, 3:30; 3:36, 4:58; 5:03, 5:47, 6:16.

Commissioner Gnichtel: You are reading the ones not on your sheet?

Witness: No, I am reading everything. This is really a combination of Sundays and week days. 6:20, 6:58, 7:03, 7:28, 7:36, 7:58, 8:59, 9:20, 11:19, 12:01.

Q. It is clear, isn't it, without going into more detail there are a good many more trains than shown on your exhibit?

A. I don't know. If there is anything on your tables that is left off that sheet, I would be glad to have it put in.

Mr. Kinter: You may have it.

Mr. Straw: May I inquire, this is marked September 25th, but it is apparently a combination of the week days and Sunday trains.

Q. I want to call your attention to the same errors of omission in the schedule on the stations below West Collingswood. Check them over with that schedule and then presently make a correction in your exhibit, if you want to do it.

A. Is that the published schedule?

Q. Yes, that is the official schedule.

Mr. Straw: This is what was filed? (Indicating.)

Commissioner Gnichtel: Any further questions?

Mr. Kinter: That is all.

Witness: This schedule you filed earlier in the case is the exhibit we took these figures from. If that is not complete ——

Mr. Straw: If your Honor please, there seems to be such an apparent difference between the schedule filed, which is that green sheet and this white sheet, with this which is now called the official schedule, I think the Board should have, if it does not, the two copies which if not in evidence should be in evidence, together with this. This compilation was made up from the green sheet.

Commissioner Gnichtel: Suppose we let this matter go over and you can make an examination at another time and then introduce a corrected one.

Mr. Straw: I think we should know which is the correct one.

Mr. Kinter: The applicants in making up their schedule have overlooked the foot note at the bottom of the green schedule which says, "For complete service between Philadelphia and Williamstown Junction see separate time-table. Additional trains," and so forth. They haven't taken the trouble to look up the complete time-table. All the trains are in that official time-table.

Commissioner Gnichtel: What is the name of that?

Mr. Kinter: We will offer that in evidence.

Commissioner Gnichtel: What is the name of the green one?

Mr. Straw: Reading Railroad system. This is what we got a week ago when we asked for the time-table.

Commissioner Gnichtel: What branch is that on?

Mr. Straw: It doesn't say.

Mr. Kinter: But it refers to the other time-table which covers the trains that are shown in the official time-table, that I showed Mr. Warner.

Mr. Straw: Try to get it when you go to the railroad station.

Commissioner Gnichtel: You better examine the two time-tables and bring in a schedule to show all the trains.

Witness: We would be very glad to.

By Mr. Bourgeois:

Q. Have you paid anything for the right of way over this route that you are desiring to operate?
A. What?

Commissioner Gnichtel: Have you paid anything for the right of way?

Witness: Have we paid anything for right of way? No, sir.

Q. Have you petitioned for a right of way? Maybe you don't have to buy it.

A. No, sir. That I know of.

Mr. Bourgeois: That is all.

Mr. Straw: We rest, if your Honor please.

Mr. Kinter: I thought, Mr. Straw, you said you had some others.

Mr. Straw: I have sixteen witnesses in the court room who will testify as the last number of witnesses. I think there were forty-two testified. To save time, I thought I would not call them. If counsel desires to have them called they are here in the court room and I can call them. I was asked at noon whether I thought I would finish; I said I had sixteen witnesses and thought I would not finish. I am frank to say, in view of Mr. Warner's testimony, I don't think we need these sixteen witnesses.

Commissioner Gnichtel: Proceed.

Mr. Straw: I rest.

Mr. Kinter: I told our witnesses on the face of what Mr. Straw told me, as they were busy on the other side, they could go home, they would not have an opportunity to go on today.

Mr. Straw: I told counsel I should not finish today, or could not finish; I am perfectly willing to agree to an adjournment.

Commissioner Gnichtel: You haven't any further witnesses?

Mr. Straw: I don't see any use in calling the sixteen witnesses to clutter up the record.

Mr. Kinter: We have no objection to their not calling the witnesses.

Commissioner Gnichtel: You haven't any witnesses?

Mr. Kinter: We have some.

L. K. Marr, sworn on behalf of the West Jersey & Seashore Railroad Company.

Direct examination.

By Mr. Bourgeois:

Q. You live where?
A. Camden, Third and Cooper.
Q. What is your employment?
A. Superintendent of the West Jersey Railroad.
Q. How long have you been superintendent of that railroad?
A. June 1st, 1926.
Q. You are familiar with it and its conditions, are you?
A. I think so, yes, sir.
Q. What is the condition of that roadbed; the road first?
A. The roadbed between Camden and Atlantic City?
Q. Yes.
A. We regard that as one of the best roadbeds in the country, any place.

Q. What, if any, expenditures are you at present making on it and why?

A. We spent on new rail in 1925, 1926 and 1927 a total of $838,400.

Q. Why was that money spent on new rail; what kind of rail is it?

A. That is a hundred and thirty pound rail.

Q. Why was it spent?

A. It has to do with the safety, comfort, makes a better road to travel on.

Q. What about the speed?

A. It is a great factor in speed.

Q. In other words, you have the heavy rails for speed with safety?

A. Yes, sir.

Q. What other expenditures have you made recently for the purpose of conducing to safety?

A. We installed the latest automatic train control. This equipment cost us $536,600. We equipped our locomotives at a cost of $343,300, or a total of $879,900. That was all spent in 1927.

Q. All for the betterment of the passenger service?

A. All for the betterment of the passenger service.

Q. What facility do you give to the passengers along that road? Can you tell me how many trains that are offered to Hammonton; what facilities do they have?

A. I thought I had it in detail, on the schedule. I think we have eleven trains each way; that is, to Hammonton; yes, sir, eleven each way, a total of twenty-two trains in twenty-four hours.

Q. How many trains?

A. A total of twenty-two, eleven each way.

Q. Are they express trains, or accommodation trains?

A. Some are express, Atlantic City trains that stop there; some of them originate at Hammonton and terminate there.

Q. How many trains do you have from Berlin into Camden, daily?

A. I haven't got Berlin worked out, counselor.

Q. Have you the time-table showing the Commission precisely what train service there is between the different stations?

A. Yes, we have.

Q. What schedules have you in your hand?

A. That schedule is in effect April 24th, 1927, June 26th, 1927 and the latest schedule for September 25th, 1927, that is in effect now.

Q. Then all those schedules pertain to the one year, or do you have different years?

A. There is two—no; they are all in 1927.

Q. Will you hand them to the stenographer and let him mark them?

A. (Complies.)

Mr. Straw: I have no objection to the present schedule but I certainly do to the other schedules; they don't guarantee they are going to operate the number of trains they operated last April or last June. I think the Commission is interested in the present schedule.

Commissioner Gnichtel: What is the purpose of offering the schedules other than the present schedule?

Mr. Bourgeois: Simply for the purpose of showing what service these people have furnished in the past, right straight along.

Commissioner Gnichtel: I can see the reason for the present schedule in September and the schedule last April; that shows the winter and summer schedule, is that right?

Witness: Yes.

Commissioner Gnichtel: That shows the yearly schedule. The schedules before that, what is their relevancy?

Mr. Bourgeois: It don't show anything except the regularity they are running these schedules, winter and summer.

Commissioner Gnichtel: I will admit them over the objection.

(Schedules marked Exhibit W. J. 1.)

Witness: You can see the three periods, spring, fall and summer.

Commissioner Gnichtel: They are all admitted.

Mr. Bourgeois: 1927 is the only one that is here. We would be glad to furnish 1925 and 1926, furnish copies.

Q. Do you know whether or not there was any count made of the passengers that were carried by the buses during 1926?

A. We made a count at Absecon in July, 1927, of the buses and the passengers carried into Atlantic City and from Atlantic City.

Q. Will you tell us ——

A. (Continuing) We made another count in November of 1927.

Q. Will you state to the Commission the date of it and the hour?

A. Our count was made July 25th to 31st inclusive, 1927; it showed 13,301 passengers to Atlantic City and 12,579 from Atlantic City passing Absecon.

Q. Covering what period of time?

A. July 25th to 31st, inclusive.

Q. July 25th to 31st, that is one week, practically?

A. Yes. In November we made a count from the 5th to the 11th, inclusive.

Q. What month, October?

A. November, 1927. It showed 4,773 passengers headed for Atlantic City and 4,805 from Atlantic City.

Q. That is within what time?

A. The 5th to the 11th, inclusive.

Q. That is November?

A. November, 1927.

Q. Do you have a record with you of the passenger receipts from Berlin to Camden?

A. No, I have not.

Q. Who would furnish that?

A. I think our auditor can furnish that.

Q. Broad Street or here?

A. Yes.

Mr. Bourgeois: You will have another session on this?

Commissioner Gnichtel: Yes.

Q. Will you get such a record for me to show the income from passenger traffic from Berlin and the way stations to Camden prior to the advent of

this bus line and showing the passenger income from its advent to the present time?

A. From Berlin?

Q. Yes, Berlin, the local trains?

A. Yes.

Mr. Bourgeois: Cross-examine.

Mr. Straw: I ask for a freight record too, from that place, and if Mr. Marr can get that at the same time I advise him now I am going to ask him for such a record.

Commissioner Gnichtel: Can you get that record of the freight?

Witness: Yes.

Cross-examination.

By Mr. Straw:

Q. I suppose you will have the trains in schedule with you at that time, if you don't have them with you today?

A. You mean for 1926 and 1925?

Q. Yes.

A. This is 1927 I gave.

Q. Yes. You are superintendent of the West Jersey & Seashore Railroad here in Camden, are you not?

A. Yes.

Q. You are familiar with this application of the Public Service to approve local consents to operate a bus line intrastate between Camden and Atlantic City and Hammonton. Do you feel there is a need for such a service?

A. Why, I feel we could perform that service if we didn't have the restrictions on us that we do have, which you don't have.

Q. You feel there is a need for bus service intrastate between Camden and Atlantic City to do a local business?

A. I don't think so. We, ourselves, could perform that service and we can accommodate them.

Q. Have you at any time prior to this hearing said there was a need for such a service?

A. Not me, no, sir.

Q. I ask you whether or not you said this, "We can't compete with the buses. We have practically decided there is only one thing we can do to meet their competition and that is to go into the business ourselves"?

A. I didn't say that.

Mr. Bourgeois: I didn't ask anything about that.

Witness: That was quoted in the papers, Counsellor, but I didn't say that.

Commissioner Gnichtel: I suppose, if they want to contradict him they have to give the time and place and then ask these questions and contradict him.

Mr. Bourgeois: My thought was this, that the railroad company couldn't be bound by a private statement made by one of its agents.

Commissioner Gnichtel: He says he didn't say that.

Witness: I didn't say that.

Q. Did you say this: That you had agreed with Charles H. Ewing, Vice President of the Reading Railroad, who in a recent address charged that taxes paid by the railroad were being used to improve roads for the bus companies and that you and the Reading were going into the bus business?

Mr. Bourgeois: I object to that.

Mr. Straw: I will call him as my witness right now.

Commissioner Gnichtel: He wants to call him now as his own witness.

Mr. Bourgeois: Yes.

Q. Will you answer the question?

Mr. Bourgeois: I object.

Mr. Straw: I am assuming he is a hostile witness.

Commissioner Gnichtel: Will you repeat the question?

Witness: I hope you won't feel I am hostile. I have my friends in the Public Service.

Mr. Straw: I have quite a number in your company.

Q. What was your answer?

(Question read.)

A. I was asked by a newspaper reporter, by tele-

phone (I don't recall which one it was; it doesn't matter which one it was; they are all very nice to me) if I had read Vice-President's Ewing's speech? I told him I had, with considerable interest. He asked me if I concurred in it; I said I certainly do, so far as it pertains to taxes; that we could not hope to compete with the bus companies with the present harness we are expected to wear.

Q. Is the Pennsylvania Railroad or the West Jersey considering the question of the operation of buses?

A. Not to my knowledge, no, sir.

Q. Do you know whether or not the railroads are and have been considering the operation of such a line?

Mr. Bourgeois: I object. It is irrelevant. What do we care about the other railroads?

A. No. I can answer. I know nothing about it.

Q. Have I asked you whether or not you feel there is a need for such a service?

Commissioner Gnichtel: I think he answered that

A. I answered that.

Q. Getting down to the testimony on direct examination, (and now you are not my witness) the local trains from Hammonton to Camden, how many passengers would you have to carry from Camden to Hammonton to make such a line a paying line, any train?

A. That would depend on what kind of a ticket he was riding on. I think I can best answer your question this way: we have got to get one dollar a mile out of a train to break even.

Q. Does that hold good regardless of the haul, how long it is?

A. That is what we figure on.

Q. How long is the train under those circumstances?

A. Any train.

Q. It doesn't make any difference how many coaches it has on?

A. No, sir.

Q. You have said you have lost a great deal of passenger traffic I assume because of the interstate bus operation; that is correct, is it not; together with the private automobiles and everything else?

A. I didn't say anything about the private automobiles.

Q. I am asking you.

A. I quoted what we had lost by reason of these buses—rather, our count.

Q. What are you going to do to get those passengers back, if anything?

A. I don't know.

Q. Do you think you can get them back?

A. I don't know. We are flirting with them.

Q. You have started to flirt with them?

A. Yes.

Q. You started your flirtation this morning, didn't you?

A. I don't know just how they are going to respond.

Commissioner Gnichtel: Do I understand a train leaving Camden for Atlantic City if it has enough passengers to pay one dollar for each mile—that is about ninety miles, is it?

Witness: We figure fifty-eight miles—we figure sixty miles.

Commissioner Gnichtel: So if you have enough to bring in sixty dollars that train would pay?

Witness: We break even. We don't make much money.

Q. You say you have expended over $800,000 in 1927 for certain improvements; for the roadbed, I suppose; part of it for the roadbed?

A. For new rail between Camden and Atlantic City on the steam line.

Q. Is that for freight work too as well as passenger service?

A. We run most of our freight the other way. We do run some freight this way.

Q. Does your freight go over the same rail?

A. Yes.

Q. That the passeger line goes over?

A. Yes.

Commissioner Gnichtel: Does that sixty dollars cover taxes and all other expenses?

Witness: No. Just the operating costs.

Commissioner Gnichtel: How much would you have to pay for taxes, in gross?

Witness: I wouldn't care to answer that, Judge ——

Commissioner Gnichtel: You don't recall?

Witness: I don't recall.

Commissioner Gnichtel: This is only for the operating costs.

Witness: Only for the operating costs. That is my end of it. If we get one dollar a mile we break even.

Q. What is in the one dollar a mile, taxes and overhead?

A. No, sir.

Q. Just what is it?

A. Operating costs.

Q. Only operating costs?

A. Only operating costs, coal, oil, fuel, wages of the crew.

Q. What relation has the operating costs to your total costs?

A. Both freight and passenger?

Q. No, passenger. You say it costs one dollar a mile for operating costs only. What is the total costs, including overheads and taxes and maintenance and all that?

A. I couldn't answer that without looking it all up.

Q. I don't suppose you know about the bus operations either, the cost per mile of bus operation?

A. No; I never looked it up.

Mr. Straw: That is all.

C. F. LAMON, sworn on behalf of West Jersey & Seashore Railroad Company.

Direct examination.

By Mr. Bourgeois:

Q. You live where?
A. Philadelphia.
Q. What is your employment?
A. Chief statistician in the accounting department of the Pennsylvania Railroad system.
Q. Have you prepared a schedule showing the taxes of the West Jersey & Seashore Railroad during some of the years last past, from 1921 to 1927?
A. I have, yes, sir; covering the years 1921 ——
Q. Will you tell me what the total taxes, income taxes for 1921 were on this road.

Mr. Straw: It don't seem to me that would be relevant in connection with this case.

(Question read.)

Commissioner Gnichtel: The subject has been brought up in various ways. I think I will admit that question.

Mr. Straw: May I inquire whether the taxes applied to Atlantic City and Camden specifically or the total?

Mr. Bourgeois: He can testify what they apply to.

Commissioner Browne: He said on this road.

Mr. Straw: It applies to all the West Jersey road.

Witness: All the West Jersey road.

Mr. Straw: I don't object to that.

Commissioner Gnichtel: What do you mean by the "whole West Jersey," from Camden to Atlantic City?

Witness: The entire West Jersey Railroad up.

Commissioner Gnichtel: Including the other branches?

Witness: All the West Jersey line and the others.

Commissioner Gnichtel: Can you tell me what the proportion from Camden to Atlantic City is to that?

Witness: I cannot, no, sir.

Commissioner Gnichtel: What help would that be?

Mr. Bourgeois: It helps this much, it shows that this railroad company is continually up against increased taxes; the municipalities increase their taxes and increase their taxes and this is one of the items that should be taken into consideration.

Commissioner Gnichtel: That proposition should be admitted by the other side.

Mr. Straw: Yes, sir.

Commissioner Gnichtel: There is no contesting that, but as the witness stated now he can't give the taxes for Camden and Atlantic City, but only the taxes on the entire system that wouldn't help us very much. The other proposition you make I think it is admitted by the other side and everybody.

Mr. Bourgeois: We can put this in and then I think we can segregate the other.

Commissioner Gnichtel: It will save time to put it in.

Mr. Straw: It isn't relevant.

Commissioner Gnichtel: I think it will save time to allow it to go in. If you want to use it for any purpose you may use it, and that may be rebutted.

Mr. Straw: You will permit it being rebutted directly by putting in our taxes?

Commissioner Gnichtel: You will be permitted to rebut what is in here. I don't think it will have any weight, but I think we will save time to put it in, rather than argue.

Q. Tell me how much the State taxes were for 1921?

A. The State taxes for the State of New Jersey were $597,319.53.

Q. What was the total taxes that year, 1921?

A. Total taxes for that year was $711,611.06.

Q. And for the year, 1922?

A. State taxes?

Q. No; total taxes.

A. $900,323.61.
Q. And for 1923?
A. $860,035.53.
Q. 1924?
A. $903,063.42.
Q. 1925?
A. $1,015,114.01.
Q. 1926?
A. $944,480.80.
Q. 1927?
A. $880,848.38.
Q. I notice, Mr. Lamon, the taxes for the two years past, 1926 and 1927, were less than they were for the year 1925; why was that?
A. The decrease in 1926, as I understand it, was due to a small decrease in the rate.
Q. In the rate?
A. In the rate, in the rate of the taxes in New Jersey.
Q. In 1927 it was what?
A. In 1927, however, the New Jersey State taxes increased. However, because of the smaller amount of business and the lower net income, the Federal Income tax was reduced to the extent of $147,000, which accounted for more than the New Jersey increase in that year, compared with 1926.
Q. Then, the falling off in your revenue amounted to an income of $217,000 in 1927, is that right?
A. $147,000.
Q. $147,000?
A. That was the taxes.
Q. A difference between $217,000 and $70,000?
A. Yes.
Q. In 1926 your revenue was what?
A. Income tax?
Q. Yes.
A. 1927—$70,876.41.

Q. 1926?
A. $217,407.32.
Q. What about the passenger receipts in those years over the West Jersey, from operating receipts?

Mr. Straw: May we have a copy of that, if that is going in.

Mr. Bourgeois: You certainly may. I will offer it.

(Statement of accrued taxes on W. J. & Seashore R. R. Co. for year 1921 to 1927, incl., marked Ex. W. J. 2.)

Q. What were your passenger income receipts on the West Jersey for the year 1921?
A. The amount of passenger revenue for the year 1921 was $8,179,098.
Q. What for 1922?
A. $7,798,919.
Q. And 1923?
A. $8,059,190.
Q. And 1924?
A. $7,673,673.
Q. And what for 1925?
A. $7,788,129.
Q. And for 1926?
A. $7,140,764.
Q. That is a decrease of how much from the year before?
A. That is a decrease of $648,000.
Q. 1927 is what?
A. $6,000,936.
Q. That is a decrease over 1926 of how much?

A. A decrease compared with 1926 of $1,140,000.

Q. In other words, in the last two years there has been a falling off in the passenger revenue of how much?

A. Taking the two years as a whole there has been a falling off of $1,788,000 per annum, that is on the basis of one year's figures.

Q. Have you a schedule showing the different sources of income, prepared?

A. Yes, sir.

Q. And the gross income as well?

A. Yes.

Mr. Bourgeois: I offer that in evidence. I have examined only as respects the passenger income.

(Income statement, W. J. & Seashore R. R. Co., marked Ex. W. J. 3.)

By Mr. Straw:

Q. How much of this applies to Atlantic City and Camden?

A. Well, I couldn't say exactly, but a considerable portion of it. I don't have the figures here.

Mr. Straw: That is all.

Mr. Bourgeois: We will try to get that up for you.

Commissioner Gnichtel: All right; call your next.

Mr. Bourgeois: That is all we have at the present time, if your Honor please.

Commissioner Gnichtel: Are you ready with any testimony, Mr. Kinter?

Mr. Kinter: Well, our accounting witness has come, but with possibly twenty-five minutes to go ahead I would much prefer ——

Commissioner Gnichtel: Or if you would rather take it up another day.

Mr. Kinter: I would much prefer to take it up another day rather than run the risk of having it go over to another hearing.

Mr. Straw: I am willing to agree to that.

Mr. Kinter: Can it go over for two weeks?

Commissioner Gnichtel: How will the thirtieth do?

(Discussion as to date of adjournment.)

(Adjourned until Monday, January 30th, at the Court House, Camden, N. J., at 11 o'clock A. M.)

BOARD OF PUBLIC UTILITY
COMMISSIONERS.

Camden, N. J., Monday, January 30th, 1928.

Camden-Atlantic City Route between Camden and Hammonton, application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of local consents to operate twelve buses.
Camden-Berlin-Atco-Tansboro route to Atlantic City, PUBLIC SERVICE TRANSPORTATION COMPANY. Application for approval of extension of route.

Before the following Commissioners:
F. W. GNICHTEL, ESQ.
CHARLES BROWNE, ESQ.
FRANK J. DALY, ESQ., Sr. Inspector.

For Public Service Transportation Company appears:
C. S. STRAW, ESQ.

For West Jersey & Seashore Railroad Company appears:
GEORGE A. BOURGEOIS, ESQ.
and
H. Z. MAXWELL, ESQ.

For Atlantic City Railroad Company appears:
W. L. Kinter, Esq.
Floyd H. Bradley, Esq.
C. T. Wolfe, Esq.

For City of Atlantic City appears:
Joseph B. Perskie, Esq.

For Camden Chamber of Commerce appears:
J. J. Ruster, Esq.

For Atlantic Tours, Inc., appears:
H. S. Schertz, Esq.

Commissioner Gnichtel: I think the petitioner rested.

Mr. Bourgeois: We were to furnish some additional testimony.

C. F. Lamon, resumes the stand on behalf of West Jersey & Seashore Railroad Company.

Further direct examination.

By Mr. Maxwell:

Q. I believe you testified at the hearing before this and at that hearing introduced an income statement of the West Jersey & Seashore Railroad Company showing the years 1921 to 1927 inclusive?
A. Yes, sir.

Q. Referring to that statement showing the passenger revenues, what were the passenger revenues for 1921?

Mr. Straw: I object to that unless it applies to this particular branch and this particular line.

Mr. Maxwell: I am going to proceed to show the experience between Camden and Atlantic City. We placed this statement in evidence at the last hearing. I want to show that the percentage of decrease in passenger revenues as shown in the general statement is exceeded by the actual decrease on the line between Camden and Atlantic City.

Commissioner Gnitchtel: I will admit it. The objection is overruled.

Mr. Straw: You will note my objection.

Q. What were the passenger revenues for 1921?
A. $8,179,098.
Q. And for 1927?
A. $6,000,936.
Q. Or a decrease of how much?
A. A little over twenty-five per cent.

Mr. Maxwell: I believe since the last hearing we have prepared a series of statements — —

Commissioner Gnichtel: You offer this in evidence?

Mr. Maxwell: I offer it in evidence. This statement shows the number of passengers and the amount of revenue from sales of tickets between

Market Street Wharf, Philadelphia, Camden depot, Camden Broadway station on the one end and stations between Camden and Atlantic City. I will offer that in evidence. You have four copies here?

Witness: Yes, sir.

(Statement showing number of passengers and amount of revenues, etc., marked Exhibit W. J.4.)

Q. Will you please explain the last column in each one of these statements.

A. In the first place, this statement shows the number of passengers and the amount of revenue; the number of passengers being shown in the upper table and the amount of revenue in the lower table, in each statement. 1921 has been regarded as the base in each case and the percentage relation of each of the other years are shown as related to the year 1921, both for the number of passengers and the amount of revenue.

Commissioner Gnichtel: I notice that in the percentage column the percentage has gone up as to the number of passengers but as to the revenue it has gone down, to 1923. How do you account for that?

Witness: Do you want me to go into that now?

Commissioner Gnichtel: Yes.

Witness: During that period there has been created a change in the relationship of the one-way and round-trip ticket as compared with the commutation ticket. For instance, all the way through, it will be noted there has been a continuous down-

ward tendency in the sale of one-way and round-trip tickets which, of course, produced the greater amount of revenue per trip.

Commissioner Gnichtel: In other words, you got more commutation tickets and less single trips?

Witness: I wouldn't say that because the commutation ticket has also decreased, but the other class of tickets has decreased to a greater extent.

Q. I believe this first statement shows with regard to Collingswood only?

A. Yes.

Q. In that case it does actually show an increase in commutation traffic?

A. That is correct. Even there, I might say—well, the number of passenger tickets in the year 1927 compared with 1921, while the number of passenger tickets was greater than in 1921 the revenue is somewhat less. If we analyze these figures it will be noted there was a considerable decrease in the amount of the ten trip ticket revenue, a decrease in the revenue of approximately four thousand dollars from that class of ticket while, on the other hand, the fifty trip tickets, which have a lower average per passenger, increased considerably during this period. But not enough to offset the loss resulting from the decrease in the ten trip tickets.

Q. For the sake of gravity, rather than referring to the figures on all the statements, just take and read along the line; if you will turn to the statement in regard to Haddonfield; take the last column, 1921 as the index figure of one hundred per cent, what is the figure for 1927?

A. 56.3 per cent.

Q. Or a falling off in the number of passengers of what percentage?

A. Almost forty-four per cent.

Q. In the amount of revenue, taking one hundred per cent in 1921, what is the figure for 1927?

A. The figure for 1927 was 54.1 per cent, indicating a falling off of almost forty-six per cent.

Q. Now, turn to the statement, say, for Berlin; will you give the same information? Take West Berlin first.

A. Also using 1921 as 100 per cent the number of passengers had fallen off to in 1927, to a relationship of 71.7 per cent or a decrease in excess of 28 per cent. With reference to the amount of revenue, the 1927 figure had fallen down to 57 per cent representing a decrease of 43 per cent.

Q. Now turn to Berlin.

A. Berlin, 1927, the number of passengers had gone down to 78.5 per cent, a falling off of 21.5 per cent. The amount of revenue down to 61.5 per cent or a falling off of 38.5 per cent.

Q. Atco.

A. With reference to Atco, the number of passengers actually increased to 105 per cent in 1927 as compared with 1921. However, the amount of revenue fell from the 100 per cent base rate to 79.7 per cent.

Q. How do you explain that, the increase in passengers and the decrease in revenue?

A. The explanation of that is practically the same as that for Collingswood. The decrease in the one-way and round trip tickets and also in the ten trip commutation tickets.

Q. And the increase ——

A. (Continuing) I might just give an example of that. The revenue from one way and round trip tickets fell from $8,453 in 1921 to $2,804 in 1927;

while the revenue from ten trip tickets fell from $10,981 to $3,808.

Q. With regard to Hammonton?

A. The number of passengers from the base rate it fell to 70.8 per cent, and with reference to the amount of revenue down to 65.8 per cent or a loss of almost 35 per cent in revenue.

Q. And Egg Harbor?

A. Egg Harbor the number of passengers fell to 52.4 per cent of those carried in 1921 and the amount of revenue 47.6 per cent, a loss of over fifty per cent.

Q. Absecon?

A. Absecon, the number of passengers went down to 87 per cent; the amount of revenue down to 62.7 per cent, or loss of more than 37 per cent.

Commissioner Gnichtel: Is there a bus running from Camden to Egg Harbor?

Witness: I don't know whether there are any interstate buses.

Commissioner Gnichtel: I don't mean interstate buses. There is no local bus running there.

Witness: Not as far as I know.

Q. Now, with regard to Atlantic City.

A. Atlantic City the number of passengers fell from the 100 per cent base to 64 per cent or a loss of 36 per cent. The amount of revenue fell to 56.2 per cent, or a loss of almost 44 per cent.

Q. Now, does this statement include the passengers between the intermediate points or just those three stations at the Delaware River end and the other stations?

A. Between the terminals and the stations indicated, both directions.

Mr. Maxwell: That is all.

Cross-examination.

By Mr. Straw:

Q. Why do you use the year 1921 as a start?

A. Principally because that was the first year after Federal control. I suppose all the figures before were affected by the Federal control figure. I might say also that 1921 is the period probably before the buses came into such general use as they have been since that time.

Q. Also a pretty good year, wasn't it?

A. A pretty good year for this West Jersey passenger business as compared with subsequent years, yes, sir.

Q. And with preceding years?

A. Well, I should say it was pretty near the peak with reference to the passenger business, although some years are a good deal better than that, some stations.

Q. If you will look at this Exhibit, W. J.4, is it not a fact in practically every case down to the year 1926 you have carried more passengers than you did in the standard 1921 year, I see one exception, in 1925, and an exception in Ashland when you were less than four per cent off; in 1925 at Ashland you were a little more than five per cent off, but in 1926 you exceeded it by six per cent; I see an exception in 1922 at West Berlin of eight per cent off and in 1924 and 1925 from 16 to 15 per cent off. In Berlin in 1922 I see an exception of

less than 4 per cent, but after that an increase of from 9, 2 and 7 per cent. It Atco down to and including 1927 you carried 5 per cent more; 1926, 21 per cent more; 1925, 11 per cent more, amounting to a decrease each year. Egg Harbor shows a decrease. Absecon shows an increase of 62 per cent in 1925 and Atlantic City shows an increase of 25 per cent in 1922, 12 per cent in 1923, 22 per cent in 1924 and six-tenths per cent in 1925. How do you account for the falling off of passengers beginning 1926?

A. The beginning of 1926?

Q. Yes, sir.

A. I think there is no doubt it is caused by the competition of the buses.

Q. How is that competition made possible?

A. What particular event, you mean?

Q. Yes.

A. I suppose very largely by the opening of the Delaware River bridge.

Q. Isn't that the answer; the opening of the Delaware Bridge permitted the interstate buses to come into Camden County and right through Camden County down the line and took passengers from Philadelphia into this territory cutting down your revenues, absolutely without any jurisdiction of an agency of this state or otherwise?

A. That is probably ——

Mr. Maxwell: This man is a representative of the accounting department. I don't think he can very well be considered as an expert on this.

Commissioner Gnichtel: If he don't know he can say so. You do not include the revenue from Philadelphia?

Witness: The Market Street Wharf.

Commissioner Gnichtel: From the other side?

Witness: Yes, sir.

Commissioner Gnichtel: I thought it was the Market Street ferry.

Witness: No; the Market Street wharf, Philadelphia, including all the terminal points at Philadelphia and Camden.

Q. So that when you say that the number of passengers has decreased as a result of bus competition are you not referring to the interstate bus competition?

A. Well, I wasn't referring to any particular bus competition, but bus competition in general.

Q. Isn't it the interstate bus competition causing this?

A. I suppose it is very largely, yes.

Q. You understand, if I may ask, in the present petition, the Public Service does not desire to do an interstate business?

A. That is my understanding; that is not what they have made any application to do.

Q. As a matter of fact you know they are not going to do it?

A. I don't know they are not going to do any interstate business. They will probably not engage technically in the interstate business but I do not know they will not do an interstate business.

Q. Do you think they are going to do it or don't you?

A. I think they will get some interstate busi-

ness, yes sir; what would be interstate business from a railroad standpoint.

Q. You think they will run buses into Philadelphia?

A. No. I didn't say so.

Q. What do you think?

A. I think they will get some passengers from Philadelphia.

Q. Apparently your revenue has decreased, but not appreciably until what time? In Collingswood not until 1927, isn't that true?

A. That is correct.

Q. In Haddonfield not until 1925. Ashland has gone down; West Berlin has gone; Berlin has decreased; Atco has decreased some five per cent up until 1926; Hammonton; Egg Harbor; Absecon has lost as high as 22 per cent in 1925; Atlantic City has decreased. Have your reduction in rates had anything to do with the decrease in your revenues?

A. No, sir.

Q. Why not? You have reduced your rates since 1921, to 1926, haven't you?

A. Not passenger rates.

Q. Or haven't you?

A. Not passenger rates.

Q. Not passenger rates?

A. No. Not as far as my information goes.

Q. You would know?

A. It is my understanding we haven't reduced passenger rates.

Q. In 1928 was your service during those six years comparable with the service in 1921, about the same general service?

A. I am not familiar enough with the service to be able to say that.

Q. In 1928 it is your thought that your company

will carry a great many more passengers than it did in 1927?

A. I don't know whether we will or not. This is largely an experiment. The reduction in fares I suppose you are referring to?

Q. Yes. You are in charge of the statistics of your company ——

Mr. Maxwell: Is this proper cross-examination?

Commissioner Gnichtel: This man is a very intelligent witness. If he is able to answer he may; if he don't know he can say he cannot answer. I think he is giving us a great deal of information. We are not bound by the strict rules of evidence, so we are allowed rather wider latitude in our rule.

Q. You certainly have been in conference after conference, have you not, when the general question of the reduction of fares was discussed and the policy determined?

A. No, sir. That policy is generally determined by the traffic department.

Q. Well, doesn't the accounting department have anything to do with it at all? Aren't you consulted?

A. As to this matter, I presume of a reduction in fares?

Q. No; not the matter of reduction of fares. What will happen if your fare is reduced forty-five per cent, whether you are going to get the money to pay the fixed charges and these taxes and so forth fixed by law?

A. That is a matter of experiment; we don't know what will happen.

Q. Do you expect to carry more passengers?

What is your personal view? You have been with the company a great many years.

A. I think we will carry more passengers. Whether sufficient to overcome the reduction in fare is a matter only the future will tell.

Q. What will be sufficient to offset the reduction in fares?

A. If you reduce the fare fifty per cent you have to carry two passengers where you carried one before.

Q. So that the fact you carry a great many more passengers in one given year and your revenue falls off in a given year isn't really a criterion as to what happened; the rate is the thing to be considered?

A. The rate and the number of passengers together, yes, sir.

Q. Why do you think that these increased passengers—for instance, in Collingswood, up to 1926, forty per cent, 1925, forty-six per cent, why do you think that those passengers were carried; how do you account for the increased number of passengers during all the years from 1921 to 1926?

A. Well, there is a natural increase in business from year to year.

Q. Due to what?

A. Due to the increase in population and things of that kind.

Mr. Straw: Thank you; that is all.

By Mr. Bourgeois:

Q. What was the general business of the country in 1924, 1925 and 1926?

A. The country as a whole was generally very prosperous.

Q. That was the period of the boom?

A. Yes, sir.

Q. What effect did that have on people travelling?

A. Well, it would have a considerable effect on the passenger business. For instance, people working regularly and travelling back and forth from the city there would naturally be more of them.

Q. Then part of that increase is due to the rather abnormal condition of the country at that time, probably?

A. I would say that had a great deal to do with it, yes.

By Mr. Maxwell:

Q. How long are you required by the Interstate Commerce Commission regulations to keep your records on file, do you know?

A. It varies with the different classes of document. It is some considerable period.

Q. With regard to these records here on which your statement is based, how many years back do you keep the records of this detail?

A. This I should judge is taken from the detailed statements; I don't know whether there is any particular regulation as to that. The complete records would have to be kept indefinitely.

Q. The details not so?

A. Yes. It would depend entirely on the source of the information.

Mr. Maxwell: That is all.

SAMUEL P. LEEDS, sworn on behalf of City of Atlantic City.

Direct examination.

By Mr. Perskie:

Q. What is your name?
A. Samuel P. Leeds.
Q. Where do you live?
A. Atlantic City.
Q. New Jersey?
A. Yes, sir.
Q. How long have you lived in Atlantic City, New Jersey?
A. Continuously since about 1909.
Q. What is your occupation and vocation?
A. Trustee of Leeds-Lippincott Company and President of the Chamber of Commerce.
Q. What variety of projects or business, if any, is conducted by the company in which you are engaged?
A. Hotels.
Q. What are the hotels?
A. Chalfonte and Haddon Hall.
Q. Where, Atlantic City?
A. On the Boardwalk, North Carolina and the Boardwalk.
Q. Having a room capacity of about how many?
A. Approximately fourteen hundred people.
Q. Having an approximate value of how much?
A. Several million dollars.
Q. You say you are also the President of the Chamber of Commerce of Atlantic City?
A. Yes, sir.

Q. And have been such off and on, how long?

A. Continuously for the past two years and from 1916.

Q. What is the present enrollment of the Chamber of Commerce of Atlantic City?

A. Something under two thousand.

Q. What is the general characteristics of the membership with reference to the phases of the activities represented by that membership?

A. Activities of a civic nature for the best interest of Atlantic City.

Q. That is, you mean, of every walk of commercial life in Atlantic City composes the Chamber of Commerce of Atlantic City?

A. Yes.

Q. Are you in a position to speak for the Chamber of Commerce as a whole with reference to this proposed application?

A. I am.

Q. What is the attitude of that membership with reference to granting this application?

A. I have a resolution if you wish that.

Q. Just answer the question.

A. They are opposed to the granting of it.

Q. How did you reach that conclusion from that membership?

A. By a census of the board of directors.

Q. Are you reasonably acquainted with the operations of the railroad to and from Atlantic City?

A. By observation.

Q. You have had considerable activity in that line or interest in that line?

A. As far as the city is concerned, yes.

Q. Have you in any wise, representing the Chamber of Commerce or the interest of Atlantic City, endeavored from time to time to get various types of service added to and taken from Atlantic City?

A. Yes, sir.

Q. From the various railroads?

A. Yes, sir.

Q. And from the experience which you have had in that connection what is your attitude with reference to this application?

A. I think it would be against the public interest.

Q. Why do you say it will be against the public interest?

A. Because as conditions now exist it is natural they will have to curtail service, and we can't afford it.

Q. When you say they will have to curtail service, who do you refer to?

A. The railroad.

Q. Why do you think it is necessary to maintain the uncurtailed service of the railroad to Atlantic City?

A. First, Atlantic City has many families whose men are commuters and we have wonderful commuting service; we have trains, foreign connections from all over the country, and Atlantic City has been made by the people and the railroads and we consider them a very great part of Atlantic City's prosperity.

Q. What, in your opinion, would be the reaction of a curtailment of railroad service to and from Atlantic City on the general growth and development of Atlantic City?

A. Atlantic City is a resort and we think it would be very bad to have a curtailment of the service, and we hope they don't have to do it.

Q. You think it will react against the general growth and welfare of the community and the hotel system?

A. I do.

Q. How do you feel this type of bus service will affect the service you are getting now from the railroad; are you in a position to say?

A. Will you put that question again.

Q. Why do you feel that if the permit is to be granted to the petitioner in this interest it would react against the people's interest of Atlantic City?

A. I think that the bus service, with what we have now, is more than what we need, together with the railroads' present service. If we have any additional service it is necessarily with a deficit to the railroads, they have to cut down their service to meet their obligations.

Mr. Perskie: I would like, if the Commissioner is interested, to take a minute or two to show what Mr. Leeds has done to get added service from time to time from the railroad, to show his knowledge of the subject and interest in the subject matter.

Commissioner Gnichtel: Take your own course.

Q. Will you tell what you have done from time to time in behalf of the general welfare of Atlantic City to get added service to Atlantic City from the railroads?

A. Whenever investigations and records show that we, in our judgment believe certain trains should be put on the railroads have been quite willing ——

Q. I want you to tell what you have done.

A. They have added many trains at our suggestion, which have met the needs of the city.

Q. When was the last time you took up such a suggestion with either one of the railroads?

A. Within a week.
Q. Prior to that time.
A. The last change.
Q. How long ago was that?
A. Oh, the one ——

Mr. Straw: May we find out what the change was?

Commissioner Gnichtel: You may ask now or on cross-examination.

Mr. Straw: I would rather wait.

Q. What was the change you got just now?
A. We were asking for additional sleeping car service from New York and for additional trains from New York.
Q. You say you have made arrangements to get it?
A. I think we will.
Q. Just prior to this last request, what was the request you made before this one?
A. Through trains to the west, sleeping car service from Pittsburgh, Akron, Cleveland, Wheeling, Columbus and Cincinnatti and Chicago.
Q. How was your request treated by the railroad?
A. Granted.
Q. So you have from time to time before that also taken up the various problems of transportation with the respective railroads?
A. I have.
Q. And received favorable consideration?
A. I have.
Q. For a period of about how many years?
A. Since 1916, and before.

Q. In addition to the question of transportation of passengers to and from Atlantic City has the Chamber of Commerce from time to time considered the traffic question locally in Atlantic City?

A. Yes.

Q. And had various debates and discussions about it?

A. Yes.

Q. Why?

A. Because of the congestion on our streets.

Q. What in your opinion would be the effect if this application was granted with reference to further congestion of the streets of Atlantic City?

A. Under the present conditions I think the people of Atlantic City would be adverse to any further congestion.

Q. Why?

A. Because of the crowded condition of the streets and the size of the buses.

Q. Has it in any wise, in your opinion, seriously affected the safety of the inhabitants?

A. It does.

Q. By means of the congestion or otherwise?

A. On streets leading to the ocean it does.

Q. Is there any other statement you care to make with reference to this proposed application?

A. I have a resolution which I will offer as an exhibit from the Atlantic City Chamber of Commerce, which is in accord with the report of the committee invited to the City Hall by the Mayor of the City, representing civic clubs and representative business men generally, and this resolution is in accord with their unanimous judgment.

I have a resolution here from one of the civic clubs and also a resolution from the Ventnor Chamber of Commerce.

Q. What is the civic club you mentioned, other than the Ventnor Chamber of Commerce?

A. The one I think didn't attend the Mayor's meeting, the Exchange Club.

Q. How many various organizations would you say were represented at the conference in the Mayor's office?

A. The majority of the larger ones.

Q. Will you enumerate some of them.

A. The Kiwanis Club was there, the president; the Kiwanis Club, the Rotary Club, the Lions Club, the Hotel Men's Association, the Chamber of Commerce. I don't know which others; Mr. Dilg has the list.

Q. The Keystone Motor Club was represented?

A. Yes, the Keystone Motor Club was there.

Q. You say it was the unanimous judgment of that entire representation?

A. Yes.

Q. They should oppose the granting of this application, is that right?

A. Yes.

Mr. Perskie: If it is in order and proper I would like to offer a copy of the resolution referred to by Mr. Leeds.

Commissioner Gnichtel: Is there any objection?

Mr. Straw: I would like to see them.

(Resolutions handed counsel.)

Mr. Perskie: Suppose he reads them into the record.

Mr. Straw: I have no objection.

Mr. Perskie: May we, to save time, permit the stenographer to copy them in.

Commissioner Gnichtel: And you can introduce them as exhibits.

(Resolutions marked City of Atlantic City, Exhibit 1.)

"CHAMBER OF COMMERCE
OF ATLANTIC CITY

WHEREAS: The Public Service Transportation Company, a subsidiary of the Public Service Corporation, has applied to the Board of Public Utility Commissioners of the State of New Jersey for a permit to operate on the White Horse Pike twelve motor buses between Camden and Hammonton, and twelve motor buses between Camden and Atlantic City, and

WHEREAS: It is a foregone conclusion that further reduction of the revenues of the rail companies because of increased motor bus competition will compel a reduction of rail service to Atlantic City, and

WHEREAS: It is our opinion that motor buses now operating between Atlantic City and outside points cause serious congestion of our streets and our entering highways, particularly the White Horse Pike and any increase of such means of transportation will only add to this congestion; be it

RESOLVED: That the Board of Directors of the Atlantic City Chamber of Commerce is opposed to the application of the Public Service Transportation Company to put on these additional motor buses.

Resolution adopted by the Board of Directors, Atlantic City Chamber of Commerce, January 26, 1928.

Attest:

A. Lane Dilg,
Secretary

S. P. Leeds,
President."

"The Ventnor City Chamber of Commerce, believing that further reduction of the revenue of the rail companies, from increased motor bus competition, will compel the reduction of rail service to Atlantic City and similarly affect Ventnor City, is opposed to the granting of franchises for the Public Service Transportation Company to operate twelve (12) buses between Camden and Atlantic City, and twelve (12) buses between Camden and Hammonton.

And, we further are firmly convinced that railroad service is the only permanently satisfactory method of transportation for long hauls, and any curtailment of this service, brought about through the installation of additional parallel bus transportation service, will be a step backward in the growth of not only Atlantic City and Ventnor City, but all South Jersey coast resorts.

Granville H. Steelman, Jr."
President.
George H. Brotten,
Secretary.

Sworn and subscribed to before me, this 27th day of January A. D., 1928.

Joseph E. Aliantro,
Notary Public, N. J."

"THE ATLANTIC CITY EXCHANGE CLUB.
508 North Tennessee Avenue
January 28, 1928.

Mr. Samuel P. Leeds, President,
Atlantic City Chamber of Commerce,
Atlantic City, New Jersey.
My dear Mr. Leeds:

The Atlantic City Exchange Club, a civic luncheon club, composed of a number of the leading business men of Atlantic City, at their meeting Thursday, January 26th, went on record as opposed to the granting of franchises for the Public Service Transportation Company to operate twelve (12) buses beween Camden and Atlantic City, and twelve (12) buses between Camden and Hammonton. They are further firmly convinced that railroad service is the only permanently satisfactory method of transportation for long hauls, and any curtailment of this service, brought about through the installation of additional parallel bus transportation service, will be a step backward in the growth of not only Atlantic City, but all South Jersey coast resorts.

As Secretary of the Atlantic City Exchange Club, I have been instructed to write you this, expressing the sentiments of this organization.

Very truly yours,
GRANVILLE H. STEELMAN, JR."

Q. Mr. Leeds, do you recall any specific experience last summer at the peak of the season with reference to the inability of the then existing bus facilities to carry back passengers which they had brought into Atlantic City?

A. Yes, at night, on peak nights.

Q. Will you tell these Commissioners what you know about that.

A. There were insufficient buses to give accommodations to the people that came down for the day, and they had to go back by the railroad.

Q. When was that, Mr. Leeds?

A. The big peak days, on the Fourth of July and Labor Day.

A. These bus companies that had brought the passengers down?

A. Yes.

Q. They couldn't take them back, is that what you want to explain?

A. Yes.

Commissioner Gnichtel: That would really help the railroads.

Witness: It did that particular night.

Q. How many of those were transported by the railroads last season?

A. By report about two thousand.

Q. Had these passengers their ticket to go back, as far as you know, on the bus facilities they had come to Atlantic City on?

A. I can't answer that, but it is probable they had.

Mr. Perskie: That is all.

Cross-examination.

By Mr. Straw:

Q. Have the railroads objected to these two thousand persons carried? Is that one of their complaints this morning?

A. No. They didn't complain about that.

Q. You haven't heard any railroad complain on that?

A. Not on that score.

Q. These buses that brought the passengers down last year were interstate buses, were they not?

A. Yes.

Q. Running from Philadelphia to Atlantic City?

A. Yes.

Q. You haven't had any instances of interstate buses bringing persons into Atlantic City and not being able to take them back?

A. I don't know of any.

Q. As a matter of fact, there are no intra-state buses from Camden to Atlantic City at this time?

A. I think not.

Q. Nor were there any last summer?

A. The City records show there was one of the Public Service buses discontinued.

Q. That was a chartered bus of the Public Service, a Collingswood Italian Association.

A. The record in the City Hall shows that the Public Service Corporation of New Jersey operated one bus to and from Camden and discontinued it in the fall.

Q. Yes; I am asking you whether that wasn't a chartered service?

A. I don't know that.

Q. You say these resolutions were obtained from meetings of these various associations, were they not?

A. Yes.

Q. In which the petition now being heard was discussed by whom? Who brought the matter before the Chamber of Commerce first of all?

A. The matter came before the Chamber of Commerce by resolution in April first; I mean — yes,

by resolution April first, calling attention of the Chamber of Commerce in April to the conditions of the buses as they existed at that time.

Q. No; I misunderstand you or you misunderstand me. This present petition?

A. All right, this petition. This petition followed a meeting of the citizens in the Mayor's office last week.

Q. I don't think, still, we are talking about the same thing. These resolutions are directed to the petition of the Public Service to operate twelve (12) buses between Camden and Atlantic City?

A. Yes.

Q. Who first spoke to the Chamber of Commerce officially about the present hearing?

A. I was called to the Mayor's office, which I told you, and this matter was broached to the citizens by the Mayor of Atlantic City, and that question came up before that particular body. Following that, in order to get a concensus of the opinion of the Chamber of Commerce we then brought the matter to the attention of each member of the board of directors whom we could reach and we reached a majority of that Board, which gives us the right to present the resolution. We found enough home to get a majority, that we could reach.

Q. Who brought the matter before the attention of the Exchange Club?

A. I can't answer that, but in all probability it might have been somebody at that particular meeting.

Q. I notice that the letter of the Atlantic City Exchange Club is directed to you?

A. As President of the Chamber of Commerce, in order to present at this hearing.

Q. I am wondering why the Exchange Club didn't address it to the Utility Board, as most of

these organizations do which have anything to say, when it comes before the Utility Board?

A. I was asked to go up and present that. I suppose the Secretary of the meeting addressed it to me to give to the Board.

Q. What about Ventnor City's Chamber of Commerce. Do you know who presented that for their consideration?

A. I presented the subject myself at the meeting, of the last meeting, to get their opinion.

Q. These resolutions say, among other things, "Whereas: The Public Service Transportation Company, a subsidiary of Public Service Corporation, has applied to the Board of Public Utility Commissioners of the State of New Jersey, for a permit to operate on the White Horse Pike, twelve (12) motor buses from Camden and Hammonton and twelve (12) motor buses between Camden and Atlantic City, and, Whereas: it is a foregone conclusion that further reduction of the revenues of the rail companies because of the increased motor bus competition will compel a reduction of rail service to Atlantic City" and so forth, and then you have said this morning that you are familiar with this petition in this matter and that in your judgment it is a foregone conclusion that the rail revenues will be reduced. Just what is your understanding of this petition? What is Public Service trying to accomplish by this hearing?

A. What do I think they are trying to accomplish?

Q. Yes.

A. As to whether or not the Public Utility Commission will grant permission for twelve buses to operate from Camden to Atlantic City and twelve (12) from Hammonton to Atlantic City, in which we are interested.

Q. To do what?

A. Transportation business.

Q. Yes, but express business or a local business?

A. Express business.

Q. No, sir. That is what I feared, that you didn't understand. The petition in this matter is to operate these buses, just as you have said, but to do a local business from town to town down the White Horse Pike?

A. What difference does that makes?

Q. I am going to ask you; in your judgment, does that make any difference?

A. Makes a heap of difference, yes.

Q. Why?

A. Depreciates the amount of revenues on the railroads which necessarily reduces their income per year on their net business.

Q. You have local transportation on Atlantic Avenue and Pacific Avenue, don't you?

A. Yes.

Q. For instance, if I am at Haddon Hall and I want to go down to the end of Pacific Avenue I can come down to Pacific Avenue and take some vehicle and get down?

A. Yes.

Q. If I want to get off at any place on the way down I can do that. The same is true on Atlantic Avenue, both by trolley and jitney; isn't that true?

A. Yes.

Q. Is that decreasing or taking anything from the revenues of the railroad?

A. When they started it put them in bankruptcy.

Q. The local transportation?

A. The local transportation, the jitneys put the Atlantic City trolley service into bankruptcy.

Q. How long ago has that been?

A. I can't give you the year but it hasn't been very many years ago.

Q. I am wondering if you are referring to the Atlantic City Railway?

A. I am referring to the Atlantic City trolley service run from the Inlet to Longport.

Q. I am talking about the railroad.

A. No, sir.

Q. That hasn't affected them any, has it? The fact that your people in Atlantic City can do a local business, if you want to call it that, on Pacific Avenue or Atlantic Avenue doesn't in any way harm the railroads?

A. As far as I know, not at the present time.

Q. Is there any good reason, in your mind, that folks who live along the White Horse Pike and who want to go, for instance, from Atco to Hammonton or Berlin to West Berlin or some such intermediate town, shouldn't be given a perfect right to do it; just because Atlantic City says they don't want any more buses in there isn't any reason they should not be given an opportunity to do that.

A. All that decreases the railroad, decreases their revenues.

Q. Won't you answer the question.

A. State your question briefly.

Q. Is there any good reason why folks living in Berlin and wanting to go to West Berlin and living in Hammonton and wanting to go to Atco, or any place intermediate along the line, shouldn't be permitted to do it, along the White Horse Pike?

A. As far as the White Horse Pike is concerned, it is so crowded with buses now if you increase it any more you will have to spend the State's money to increase the size of the Pike.

Q. What kind of buses?

A. Buses.

Q. What kind?

A. Any kind of buses.

Q. Don't you know what the big increase is and what the road is filled with today?

A. They are filled with buses, we know that.

Q. Interstate buses?

A. Both kinds of buses.

Q. What is the proportion of local buses to interstate buses?

A. Well, as far as Atlantic City is concerned?

Q. All right.

A. I think it is hard work to tell because the Rapid Transit shows seven in their report to the City and we counted thirty-eight in one night. I did not go up, the Pike is filled both ways.

Q. They are interstate?

A. They are interstate; that is so with all of them.

Q. Finish your answer.

A. I only want to answer your question.

Q. To what do you ascribe the congestion by buses of your local streets last summer?

A. They were parked on the streets, in and out, and stopping on the streets, and going to the Boardwalk and using the buses twelve hours a day for a railroad terminal, in the fire restricted districts of Atlantic City.

Q. The interstate?

A. Yes; no, all.

Q. The larger percentage were interstate buses?

A. Largely.

Q. Isn't all your quarrel and your fear for the future of the railroads in Atlantic City due primarily to the fact there isn't any control and hasn't been and won't be until Congress passes some legislation as to the Interstate Bus Operations; isn't that the complete answer?

A. My answer is, I don't think both can live and

parallel each other, on long hauls, and I think the railroad is the backbone of transportation?

Q. Isn't the real trouble that the interstate bus operation has cut into the railroad revenues?

A. Yes.

Q. And entirely interstate bus operation, between Philadelphia and your Playground of the World, isn't that true?

A. Largely.

Q. Did you appear at the hearing on the Reed-Bacharach bill?

A. No.

Q. Were you familiar with the fact there was to be a hearing on the Reed-Bacharach bill?

A. No.

Q. Two years ago?

A. No.

Q. You have since learned of it, have you?

A. Not particularly, no.

Q. Did the Chamber of Commerce of Atlantic City receive a notice of that Federal hearing last winter in Washington, on the question of the Federal control of interstate buses?

A. I was not present. Not since I have been President of the Chamber of Commerce the last time.

Q. Do you know whether the railroads appeared at that hearing, in company with myself and others?

A. I suppose they did.

Q. On the Reed-Bacharach bill, I am talking about.

A. I would suppose they would, they naturally would, but I don't know.

Q. I am quite sure you and I will be in accord with this: I appreciate that the railroads are helping Atlantic City, but certainly you are not going to say to their Honors that an additional sleeping

car service between New York and Atlantic City and this train between New York and Atlantic City and the through train to the West to Pittsburgh, Cleveland, Cincinatti and Wheeling is going to be in competition with this humble little bus line of twelve buses?

A. I didn't intimate it was.

Q. I am wondering why it was brought in?

A. Ask our attorney.

Q. It was your voluntary reference.

A. No; only it involved the fact the railroads are giving Atlantic City the best service they can give and we are glad to get it and we don't want it curtailed, that is all.

Q. Have you made it your busines to consult with the officials of the Public Service Company to find out just what they proposed to do with this bus line?

A. I talked with one and gave him an article, which has been a good while ago, and I heard nothing back from him.

Q. Who was that officer?

A. I can't say at the present time. It was a good while ago.

Q. How long ago was it?

A. A year ago.

Q. I mean, since the filing of this petition?

A. Not since the filing.

Q. What conference have you had with the Reading or the Atlantic City Railroad or the West Jersey with reference to this hearing this morning?

A. Only my occasional contact.

Q. Have you really gone into the facts in the case, both sides, to find out just exactly what is going to happen?

A. We have gone into it sufficiently to be sure whether we do or do not approve an additional bus

line.

Q. Do you think a local bus line serving the people locally will bring any business from Elm, say, to Atlantic City?

A. I don't think it would from Elm.

Q. Bring any business from Hammonton to Atlantic City?

A. Yes.

Q. Will it bring any business from Egg Harbor to Atlantic City?

A. Yes.

Q. Will it bring any business from Absecon to Atlantic City?

A. Probably would.

Q. Don't you want that business?

A. We now get it.

Q. All of it?

A. The majority of it, I would say, largely.

Q. My experience with Chambers of Commerce, or their representatives, on the witness stand, has been that most Chambers of Commerce welcome any and all transportation and the outcry seems to be we want any kind of transportation we can get to bring people into our town; do you go along with that?

A. Not for Atlantic City.

Q. Atlantic City has now, in its judgment, all the people it needs from Hammonton, Egg Harbor, and Absecon coming into their town?

A. We have a bus line that operates from Atlantic City to those points.

Q. May I ask you who runs from Hammonton to Atlantic City?

A. I am wrong from Hammonton. Egg Harbor there is a bus line, from Egg Harbor.

Q. Is that a reasonable and proper line, in your judgment?

A. As far as I know. The Egg Harbor people are here. They can answer that.

Q. You think it is serving the needs of the people?

A. Why don't you ask the Egg Harbor people?

Q. I am asking you.

A. I can't answer that question

Q. Do I understand, in your judgment, a line operating locally that brings people into Atlantic City for such purposes as it does, from Hammonton, Egg Harbor and Absecon, won't help your people a bit and you don't want it?

A. I think as far as the business interests are concerned, merchandise business, yes, it would help them, locally in the community.

Mr. Straw: I think that is all.

Mr. Perskie: That is all.

Mr. Kinter: May I ask a question?

Mr. Straw: May I ask a question first?

By Mr. Straw:

Q. In conclusion, do you folks of the Chamber of Commerce know the facts about the local business?

A. Know what?

Q. Know we are doing a local business and had no thought of doing an express business?

A. I answered the question; I thought it had more relation to the express business than it did to the local business.

Commissioner Gnichtel: Wouldn't the fact that

you now learn this would be a local line and probably not attract any Camden people to go to Atlantic City but is meant to benefit people along the line, would that change your attitude at all?

Witness: If it would not depreciate the service we have out of Atlantic City, diminishing the number of trains we had operating through, it wouldn't make any difference as far as we are concerned; but we certainly don't want our service we now have, reduced if we can help it.

Mr. Kinter: From coming into contact with Mr. Leeds, from my recent past, I have found he has accumulated a great fund of information about transportation problems and I think I am right in the belief that he has made a special study of those motor bus problems for the State Chamber of Commerce. I would like to question him briefly along those lines.

Commissioner Gnichtel: Proceed.

By Mr. Kinter:

Q. Do you hold any position officially in the State Chamber of Commerce of New Jersey?

A. Vice-President.

Q. Have you had anything particular to do with transportation matters?

A. Only in the form of general discussion with the Trustees.

Q. Have you, in your capacity of Vice-President for the State Chamber of Commerce, given thought and study to the broad question of co-ordinating motor buses and railroads?

A. I think that is the opinion of the Board of Trustees what this has finally got to come to.

Q. Have you personally given thought and study to that question?

A. I wouldn't say materially. Some, yes.

Q. Have you given sufficient thought and study to the question to form an opinion as to whether or not it is in the public interest to have motor buses operated on a long haul route parallel to railroads?

A. I think it is against public interest.

Q. Why do you think so?

Mr. Straw: The question should have been answered yes or no.

Commissioner Gnichtel: Read the question.

(Question read.)

A. Yes.

Commissioner Gnichtel: Strike out the other answer and say, "Yes."

Q. What is your opinion?

Mr. Straw: I object to that. This gentleman very frankly says he hasn't given it any particular study; he says he knows what the attitude of some of the Chambers of Commerce is, none of whom would be familiar with transportation.

Commissioner Gnichtel: He says he has given it some study but not a thorough study.

Witness: I didn't want to appear a professional, a complete authority on the subject.

Commissioner Gnichtel: Have you given it some study?

Witness: Some little study, yes.

Commissioner Gnichtel: I think he can answer.

Mr. Straw: Will you note my objection.

Q. (Question read.)
A. My opinion is that the buses should be coordinated with the rail lines and not parallel on long hauls.
Q. What is your reason for that opinion?
A. Based on information which has been given, from information gotten from different sources, where it has been proven that parallel lines are not operating with profit.
Q. What is the necessary effect of the operation of motor buses on the line parallel with a railroad?
A. Necessarily it must depreciate one or the other and likely the railroad line, under the present conditions.
Q. What would be the ultimate effect if traffic continues to be diverted from the railroad to a highway paralleling the railroad?

Mr. Straw: I trust Your Honors understand I object to all of this?

A. Curtailment of service.
Q. What will the effect be on the highway?
A. Well, it will further congest them.
Q. Will the present highways suffice if they are to become avenues of commercial transportation?
A. Not in the opinion of our people.
Q. If the present highways will not be sufficient

to serve as avenues of commercial transportation then what?

A. Necessarily we will have to increase the size of our highways.

Commissioner Gnichtel: He has gone over that.

Mr. Kinter: That is all.

Commissioner Browne: Are you speaking theoretically or have you any assurance from the railroads in the event this petition is granted the service will be curtailed?

Witness: I have only seen the public statement.

Commissioner Browne: I am asking you.

Witness: I have seen the amount of the loss.

Commissioner Browne: You have no direct assurance from the railroad?

Witness: I have seen the statement of losses and the depreciation in revenues continues. If the other increases this goes down.

By Mr. Straw:

Q. I am wondering if you will define co-ordination for me. I am very much interested in that word.

A. By "co-ordination" I mean, feeders to.

Mr. Perskie: We have in Court this morning, in addition to Mr. Samuel P. Leeds, four or five other witnesses whose testimony would be accumu-

lative to that which Mr. Samuel P. Leeds has already adduced. I asked Mr. Straw if he would have any objection to admitting if they were put on the witness stand, except by designating their names and status, they would practically testify to the same extent as Mr. Leeds.

Mr. Straw: Both on direct and cross-examination.

Mr. Perskie: Yes.

Mr. Straw: I have no objection.

Mr. Perskie: Mr. Julian Heilman, one of the Proprietors of the Breakers Hotel of Atlantic City and President of the Hotel Men's Association of Atlantic City, N. J. Mr. Harrison Cook, a member of the State Board of Commerce and Navigation and one of the owners of the Seaside Hotel of Atlantic City, N. J. Mr. H. W. Leeds, one of the owners of the Chalfonte and Haddon Hall Hotels of Atlantic City, N. J. Mr. John Burk, the President of the Atlantic County Building Trade Association. Mr. Harry Cassman, a member of the Bar of the State of New Jersey, and one of the owners of the Knickerbocker Hotel and one of the representatives of several very large, substantial holders of property in Atlantic City.

Mr. Ezra Bell, of the Morton Hotel and President of the Kiwanis.

In addition to that, Mr. W. Lane Dilg, Secretary of the Chamber of Commerce of Atlantic City, N. J.

Commissioner Gnichtel: They would testify substantially as Mr. Leeds has testified; that is ad-

mitted by the petitioner, or accepted by the petitioner?

Mr. Straw: Yes.

Mr. Perskie: I might say, if it is proper, I don't know whether it has any prohibitive value, if it hasn't it can be expunged from the record, representing the municipality, I might say here I am directed to appear here as representing the Board of Commissioners of Atlantic City and I am instructed to say for them they are unanimous in their opinion that this application should not be granted, even in the face of the fact that some four or five months ago they had passed a resolution authorizing and giving a consent, but for which resolution, in whatever form they have assumed, they think at least legally, — —

Mr. Straw: I am not at all agreeing to that statement in the record, Your Honor.

Commissioner Gnichtel: I think as a statement it would have very little weight.

Mr. Perskie: I said for whatever probitive weight it has.

Commissioner Gnichtel: What connection have you with the City of Atlantic City, their solicitor?

Mr. Perskie: Yes, sir.

Commissioner Gnichtel: I think that is already in evidence.

Mr. Perskie: Yes.

Commissioner Gnichtel: They have revoked it and their resolution is here and the question of its legality will be taken up later.

Have you anything further?

Mr. Perskie: That is all, as far as the City is concerned.

Mr. Kinter: There are some witnesses here from Hammonton and Egg Harbor, who have no attorney. With your permission I would like to call them but before I call them I would like to call Mr. Mathews of the Keystone Auto Club.

Mr. Straw: May I inquire whether these witnesses offer themselves as voluntary witness or whether they appear on behalf of the railroad?

Mr. Kinter: You can ask them when they come on the stand.

Mr. Straw: No. I will ask you.

Mr. Kinter: I understand they come here, as the Atlantic City witnesses did, to tell the Board what they think the effect on their community will be of the approval of this petition.

T. B. Mathews, sworn on behalf of Atlantic City Railroad Company.

Direct examination.

By Mr. Kinter:

Q. What office do you hold in the Keystone Automobile Club of Atlantic City?

A. I am manager of the New Jersey division.

Q. How long have you held that office?

A. Since last February.

Q. How long have you been connected with the Keystone Auto Club?

A. About five years.

Q. Are you familiar personally with the conditions on the White Horse Pike?

A. I am, yes, sir.

Q. Please tell the Board what you know of the conditions on the White Horse Pike based on your own personal knowledge.

A. I might say this, just as we, as an organization see it, we are not interested in any fight between the railroads and the buses. We have no interest in their rate war. But we are interested in the over crowding of the White Horse Pike and during the months of August and September of last year there were so many buses on the highway that we received numerous complaints, both in our Philadelphia office and in our New Jersey office, that the buses were crowding off privately owned motor cars. And we feel as an organization that if the number of buses is increased, now that they have the right of way over private motor cars, they will jeopardize the people who are using the Pike for pleasure or for

business and we do not believe that any more buses should be operated on the White Horse Pike, other than those that operate at the present time.

Q. Mr. Mathews, do you know of any accidents that have occurred from bus operations on the Pike?

A. I can't answer that without looking it up.

Q. But your definite opinion is based on your knowledge of the White Horse Pike and the study you have given to transportation on the White Horse Pike, that there ought to be no more buses put on?

A. I think the present number is too much.

Mr. Kinter: Cross-examine.

Cross-examination by Mr. Straw:

Q. What kind of buses are they?

A. They are all kinds of buses that come from all over.

Q. Are the majority interstate buses?

A. I should say, yes.

Q. In your judgment should or should not intrastate buses, coming under the jurisdiction of this Board, paying revenue to the municipalities through which they operate, be given preference over buses that run wild-cat and pay nothing to anybody?

A. I would be in favor of Public Service operation rather than individuals.

Q. Has your Association taken any part in the Public Service in endeavoring to urge upon Congress Federal regulation of interstate buses?

A. No; I don't know that.

Mr. Straw: That is all.

By Mr. Bourgeois:

Q. Does an intrastate bus take up any less space on the White Horse Pike than an interstate bus?

A. They don't take up any more room but a greater number of them would cause a delay.

Q. Would there be less danger of accidents from interstate buses than from intrastate buses?

A. There wouldn't be any more danger of accidents, except the increase in the number of buses.

Q. Then you don't care whether they are interstate or intrastate?

A. We don't care where they come from.

Mr. Bourgeois: That is all.

Mr. Kinter: That is all. Thank you. I will call Mr. O'Donald.

JAMES L. O'DONALD, sworn as a witness.

Examination by Mr. Kinter:

Q. Where do you live?

A. Hammonton, New Jersey.

Q. What office do you hold in Hammonton?

A. Postmaster.

Q. How long have you lived there?

A. Continuously since the first day of December, 1888.

Q. That is about the time you were born?

A. No, hardly.

Q. During the time of your residence in Hammonton have you given any thought to the question of transportation, both rail and motor bus?

A. Yes.

Q. Are you familiar with the rail service that Hammonton now has by the two railroads?

A. Yes, sir.

Q. Is it good service?

A. Yes, sir.

Q. A good many motor buses also operate to Hammonton?

A. At the present time there is one line operating as interstate buses. I think you would term them, between Philadelphia and Hammonton. Also there are a number of lines, I should think by the number of buses, that travel to and from on the White Horse Pike, between Philadelphia and Atlantic City.

Q. Do you think it is in the public interest to have more motor buses put on the White Horse Pike?

A. I do not.

Q. If the result of increased motor bus competition should be to reduce rail revenues and ultimately to reduce railroads' service, would you think that in the best interest of Hammonton?

A. I think it would not benefit Hammonton.

Q. If your community had to choose between more bus service and less rail service which do you think benefit it more?

A. My opinion is that the rail service would benefit it decidedly more.

Mr. Kinter: Cross-examine.

Cross examination by Mr. Straw:

Q. Have you got bus service, Mr. Postmaster, now, between Hammonton and Atlantic City?

A. I think not.

Q. The buses go right through, don't they?

A. The majority of the buses, excepting one line going down the White Horse Pike; they don't come into the town without there is an emergency for it.

Q. You have found personally, in your official capacity, that the bus operations have been helpful to you, haven't you?

A. No, I have not.

Q. I thought you used the Marlton and Medford line for mail delivery?

A. Hammonton has no connection with the line whatever.

Q. You don't send your mail through that line?

A. No; I don't use any bus line for mail.

Q. You have said to counsel that if it were shown that more buses would reduce rail revenue and require therefore rail curtailment, that you would feel it would be harmful. Have you made any study of the situation to know whether or not that is true, or are you just answering categorically the questions that Mr. Kinter asked?

A. My observation since the bus lines have been coming to Hammonton, travelling, doing business between Philadelphia and Hammonton, that the bus lines took a business that did not belong to them; for this reason: They paid no taxes to the town; they paid no taxes to the State of New Jersey; they paid no taxes for the upkeep of our roads and why should they derive the same benefits from the road when the railroad had to maintain their taxes and so on?

Q. How do you feel about the Public Service, a local corporation who is going to pay five per cent of every dollar they take in to the various municipalities along the line if this petition is granted?

A. I don't know they are going to do it.

Q. You know the state law requires it?

A. No, I do not.

Q. Suppose I assure you unfortunately the state law does require it; I do that with tears in my eyes.

A. I am sorry that it requires tears.

Q. How do you feel about the local company doing business as against these interstate buses that come in and don't pay anything?

A. I don't know that they are going to do it.

Q. Do you feel that people doing business under this Board and paying taxes are entitled to consideration as against interstate operators who come from Philadelphia to Atlantic City and pay nothing?

A. I should think so, yes, sir.

Q. You say you have no service by bus between Hammonton and Atlantic City, other than one line, which you were not sure of?

A. I think not.

Q. Do you feel that a bus line running locally from Hammonton to Atlantic City, stopping at Egg Harbor and stopping at Absecon would be helpful to your people down the White Horse Pike, stopping all along the line?

A. I don't think it would be any gain over the train service.

Q. Well, do you think anybody would use it?

A. I will answer that question to you freely.

Q. Yes.

A. Not many.

Q. Then you don't think it would take much business from the railroad, do you?

A. No.

Q. You were never employed by the railroad, were you?

A. Some years ago.

Q. What road?

A. The Reading, The Pennsylvania, the Central Railroad of New Jersey.

Q. And in what capacity?

A. All kinds of capacities; I have been a telegraph operator, ticket agent and freight agent and so on; kind of handy man around.

Q. For how many years were you with the railroads?

A. Well, I have been with the railroads, more or less, from 1881 up until 1925 or 1926.

Mr. Straw: That is all.

Commissioner Gnichtel: You were never employed as their lawyer, were you?

Witness: No, sir; I am not a lawyer; no, sir; I am sorry I didn't get that far.

Commissioner Gnichtel: I notice that Hammonton, their Mayor and Council here have passed a resolution that granted permission to operate twenty-four buses as an extension of the Berlin line, operating between Berlin and Atlantic City; would that be of any convenience; is it of any convenience or a necessity to Hammonton to have service between Hammonton and the west?

Witness: And where?

Commissioner Gnichtel: Camden and Berlin and all those places?

Witness: Sure; not many.

Commissioner Gnichtel: You don't think there is any necessity for it?

Witness: It wouldn't amount to five people a day.

Commissioner Gnichtel: All right. That is all.

A. J. Rice, sworn as a witness.

Examination.

By Mr. Kinter:

Q. Where do you live?
A. Hammonton, New Jersey.
Q. How long have you lived there?
A. Since 1904.
Q. Are you in business there?
A. Yes, sir.
Q. What is it?
A. Hardware and furniture.
Q. Are you familiar with the rail service that Hammonton has by the two railroads?
A. Yes, sir.
Q. Do you consider that good, adequate service?
A. Yes, sir.
Q. Are you familiar with the conditions on the White Horse Pike?
A. Yes.
Q. As a result of motor buses?
A. Yes, sir.
Q. Do you consider it in the public interest to have more motor buses put on the White Horse Pike?
A. I don't.
Q. Why not?

A. Well, it is pretty well crowded now and I would hate to see the railroad service cut down on account of increased motor buses.

Q. Which do you consider the more important for your community, the maintenance of this rail service or increased motor bus service?

A. Rail service.

Mr. Kinter: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. Are you one of the witnesses who just came up to offer yourself this morning?

A. Yes, sir.

Q. You are not called by anybody, like the Postmaster?

A. Yes, sir.

Q. Where are you employed?

A. I work for my own firm.

Q. What is your firm?

A. The Rice store, I am President of it.

Q. When did you first hear about this application?

A. Last week.

Q. Who told you about it?

A. Mr. Elder.

Q. Who is he?

A. A man— I don't know the story— he is the farm demonstrator of Atlantic County.

Q. What is this application?

A. It is my understanding that the Public Service wants to put on some motor buses on the White Horse Pike.

Q. To do what?
A. To operate between Camden and Atlantic City.
Q. And do what kind of a business?
A. Well, I understood it was to stop at every station and pick up.
Q. What do you mean "every station?"
A. Well, every town.
Q. You think that anybody on the White Horse Pike needs such a service?
A. Well, we might, only I would hate to sacrifice the railroad service on account of it.
Q. Who told you that?

Mr. Kinter: We will tell him.

Q. Who told you?
A. From figures we have been shown.
Q. By whom?
A. And some accounts we read.
Q. Who showed you the figures?
A. Well, I heard some figures right here this morning.
Q. What did you hear before you got here this morning?

Mr. Bourgeois: Is this relevant?

Commissioner Gnichtel: I think it goes to the credibility of the witness, in a way. I will admit it. Proceed.

Witness: I have heard it discussed generally as part of the topics of the day, that the railroad was losing money, they were losing business and that if it continued they would cut down on the service, they would have to protect their interest.

Q. Who have you discussed this matter with as a topic of the day?

A. I have heard it from several sources.

Q. Who of the railroad have you talked to about this before this morning?

A. No one.

Q. Not a soul? How did the railroad attorney know when you got here that you were offering yourself as a free witness?

Mr. Kinter: I object to that.

Commissioner Gnichtel: How is that important?

Q. When you came here who did you report to?

A. No one.

Q. Just stop here. Your town of Hammonton has no local service between Hammonton and Atlantic City, has it?

A. You mean, motor service?

Q. Yes.

A. To go from Hammonton to Atlantic City?

Q. Yes.

A. I don't think so.

Q. Is there anybody on the White Horse Pike who would like to go from Hammonton to Absecon?

A. Probably there is.

Q. By bus?

A. Probably there is.

Q. Don't you know?

A. I don't know.

Q. Is there anybody in Absecon that would like to go to Egg Harbor along the White Horse Pike by bus?

A. Maybe there is.

Q. Do you know?

A. No, I don't.

Q. Is there anybody in Hammonton who would like to go up toward Camden and stop on the White Horse Pike, along where this bus will operate in the various towns?

A. There might be.

Q. Do you know? You don't know very much about this whole thing.

A. How do I know who is going to ride and who is not going to ride.

Q. Just what are you trying to tell the Commission? Just what is your story?

A. The story is we don't like to see the railroads come down.

Q. Who is "we?"

A. Myself; when I say "we" I mean the town in general.

Q. You have been talking to the town in general?

A. Not general; I have discussed it with various men.

Q. You are spokesman for Hammonton?

A. Not exactly.

Mr. Straw: I guess that is all.

RAYMOND L. BUCK, sworn as a witness.

Examination.

By Mr. Kinter:

Q. Where do you live?

A. Hammonton.

Q. How long have you lived there?

A. Since 1921.

Q. What business are you in?

A. Printing and publishing.

Q. Your business is in Hammonton?

A. In Hammonton.

Q. Are you familiar with the rail service that Hammonton has, both railroads?

A. Fairly familiar with it.

Q. Are you familiar with motor bus conditions on the White Horse Pike?

A. Very much.

Q. Do you think it is in the public interest that more motor buses should be permitted to operate on the White Horse Pike?

A. I do not.

Q. Why?

A. The traffic is too congested now and it is more or less of a menace to driving on the Pike with the buses as they are run, no regulation. The service that has been attempted hasn't been carried out and it destroys the Pike without an adequate return, is one of the biggest things there is against it.

Q. You understand, do you, Mr. Buck, from what has been said here this morning, that the service that the Public Service Transportation Company wants to put on is a local service, town to town, along the White Horse Pike?

A. I understand there are some towns that already have service.

Q. Do you consider there is any need of any such motor bus service on the White Horse Pike?

A. Not on the particular towns they intend to serve.

Q. Which do you consider the more important for your community, the maintenance of your rail service or increased motor bus service?

A. Rail service.

Mr. Kinter: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. You are a publisher, are you not?
A. Yes.
Q. Publish a newspaper?
A. Yes.
Q. You, then, are familiar with the Reed-Bacharach bill, are you not?
A. No, sir.
Q. What?
A. No, sir.
Q. Do you read the Camden Courier?
A. I see it in the office, yes.
Q. Do you read the Camden Post?
A. I see it in the office, yes.
Q. Seeing it and reading it are two different things; do you read it?
A. I read the headlines on it, yes.
Q. Did you read the headlines about a year ago?
A. I don't know whether I did or not.

Commissioner Gnichtel: Let us get on. Is there anything further?

Mr. Straw: Yes.

Q. Did you read the headlines that the Camden Chamber of Commerce in March was going down to Washington to appear at a hearing of the Interstate Commerce Commission to discuss Federal legislation for its interstate bus operations?
A. I heard rumors of that, yes.

Mr. Kinter: I am going to object to this as not cross-examination.

Q. Have you made any effort to see what was done to regulate interstate buses?

A. Nothing but the propoganda coming in the office.

Q. What kind of propoganda?

A. Statements from various ones of what they intended to do or what they were going to do or what they were trying to do.

Q. You are in favor of interstate bus operations?

A. In favor of it?

Q. Interstate bus operations?

A. Not necessarily.

Q. Are you against it?

A. No, I am not.

Q. Not against it. In your judgment it is all right for interstate buses to come into New Jersey from Philadelphia to Atlantic City and use the highways without paying anything, correct?

A. No, sir. I am not in favor of them. I just said so, just a minute ago.

Q. Not in favor?

A. I am not in favor of them using the Pike, or whatever road they do, without paying an adequate return to the State for it.

Q. Don't you know the interstate buses are not regulated?

Commissioner Gnichtel: He said he was not in favor of them. Will that help us?

Mr. Straw: No; I won't press him.

By Mr. Bourgeois:

Q. Did you ride in an automobile on the White Horse Pike?

A. I do, yes.

Q. What speed do these buses make going up and down the Pike?

A. If you want to follow behind them, forty-five and fifty miles; if you want to pass them you make fifty-five.

Q. That is not particularly conducive to safety, is it?

A. No; not if they intend to stop in front of you, if you don't know it.

Commissioner Gnichtel: Did you ever make any complaint about it, their lawlessness?

Witness: I have complained, yes, to the State Police.

Commissioner Gnichtel: Is it stopped?

Witness: I have complained to the State Police of the way they travel by the fire house in Hammonton on the main road.

Commissioner Browne: Did you come up on the bus or the train?

Witness: The train.

Commissioner Browne: The train service is good from Hammonton?

Witness: The train service is excellent from Hammonton.

Commissioner Gnichtel: I thought maybe you came up in a Public Service bus.

Witness: There is none running I know of.

ARTHUR G. VANTRINOT, sworn as a witness.

Examination.

By Mr. Kinter:

Q. Where do you live?
A. Outside of Egg Harbor City.
Q. How long have you lived there?
A. I was born and raised in Egg Harbor.
Q. What business are you in?
A. Banking business, Trust Officer of the Colonial Bank of Egg Harbor.
Q. Do you hold any office in the Chamber of Commerce?
A. Yes, President of the Chamber of Commerce of Egg Harbor.
Q. Are you familiar with the rail service your town has, by both railroads?
A. I am.
Q. Are you familiar with the motor bus service on the White Horse Pike?
A. I am.
Q. Do you think it is in the public interest to have more motor buses put on the White Horse Pike?
A. I do not.
Q. Why not?
A. I think the buses are a menace to the road at the present time.
Q. Which do you think is the more important for your community to have, your present rail service maintained or to have more motor buses?
A. I wouldn't want our rail service curtailed. We believe it is in our interest to have even better schedules than we have now.

Mr. Kinter: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. Is it your understanding that if this application is granted the Reading and the Pennsylvania will curtail their service, and if it is not granted they will keep on with the service they have now?

A. I have no definite assurance.

Q. That is your understanding?

A. That is the understanding.

Q. If this petition is granted they will curtail their service and if the petition is not granted the service will remain as it is?

A. That is the way I understand it.

Q. That has been explained to you that way?

A. Yes.

Q. You live in Egg Harbor?

A. Yes.

Q. Are you familiar with the bus line running from Egg Harbor to Atlantic City?

A. I am.

Q. In your judgment is it a necessity and does it serve public convenience?

A. It is; there is a necessity for that bus line.

Q. That operates locally between Egg Harbor and Atlantic City and serves the needs of the people between those points?

A. We need that very much.

Q. Why isn't there just as much need for service between Hammonton and Egg Harbor as there is between Egg Harbor and Atlantic City, giving the same kind of service?

A. I am not familiar with the transportation situation. I wouldn't want to discuss that.

Q. You are familiar with the transportation situation between Camden and Egg Harbor, are you?

A. I wouldn't be able to say as to that.

Q. I asked you whether such a bus would serve the public convenience and be a necessity?

A. It would to some extent, yes.

Mr. Straw: That is all.

By Mr. Kinter:

Q. Does the present bus line you have between Egg Harbor and Atlantic City fully meet the public's needs for such service?

A. I think it does.

Mr. Kinter: That is all.

HENRY M. CRESSMAN, sworn as a witness.

Examination.

By Mr. Kinter:

Q. Where do you live?

A. Egg Harbor.

Q. How long have you lived there?

A. Thirty-two years.

Q. What business are you in?

A. School superintendent.

Q. Are you familiar with the railroad service that you have to and from Egg Harbor, both railroads?

A. I am, yes.

Q. You are familiar with the motor bus service also?

A. Yes, sir.

Q. Does the present motor bus line you have from Egg Harbor fully meet the public requirements for motor bus service?

A. I don't know the details about that. I wouldn't say yes to that.

Q. Do you, or do you not, think it is to the public interest to have more motor buses on the White Horse Pike?

A. I would say no to that.

Q. Why not?

A. Because of the congestion.

Q. Which do you consider the more important for Egg Harbor, the maintenance of your present railroad service or more motor bus service?

A. Railroad service.

Mr. Kinter: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. Those motor buses are interstate buses, are they not, the great majority of them?

A. Yes.

Mr. Straw: I think that is all.

Commissioner Gnichtel: Not the buses from Egg Harbor to Atlantic City.

Witness: I understood him the interstate buses.

Commissioner Gnichtel: The buses now running from Egg Harbor to Atlantic City they are not interstate.

Witness: They are in the state.

By Mr. Straw:

Q. My question was (I hope I have made it clear) the great congestion there today and in the summer time is caused largely, the majority of it, by the interstate bus operations?
A. Yes.

Mr. Straw: That is all.

RECESS FROM 12:45 to 1:45.

AFTER RECESS.

(Before Commissioner Frederick W. Gnichtel, Esq.)

Mr. Kinter: Your Honor, before we start our case, I would like to recall Mr. Warner and ask him a couple of questions.

Mr. Straw: Before you do that, may I make an inquiry? I don't know whether we can finish today; I assume we cannot. I intend to put Mr. Warner back on the stand in rebuttal, but I was wondering about the adjournment hour. For reasons that are quite good and sufficient, I am sure your Honor will agree, I must excuse Mr. Warner at 3:30 today and I was wondering whether we could arrange for the adjournment hour now.

Mr. Kinter: That is agreeable to us, Mr. Straw.

(Informal discussion as to adjournment.)

Commissioner Gnichtel: Well, let's see how far we get with the case this afternoon.

Mr. Straw: All right, sir.

ARTHUR T. WARNER, recalled.

Further cross-examination by Mr. Kinter:

Q. Mr. Warner, your two applications that are now before the Board, and which I have not seen myself, are so drafted as to provide for local intrastate business; is that correct?

A. That is correct.

Q. Is there anything in your applications which would prevent you from carrying a bus load of passengers through from Camden to Hammonton or from Camden to Atlantic City if you were offered a bus load at Camden?

A. There is nothing in the application which would prevent that.

Q. Then if it so turned out that these applications were approved, and if you had the opportunity to get a full bus load of passengers in Camden, either for Hammonton or for Atlantic City, you would run them right through, would you not?

A. What do you mean, "run them right through"?

Q. Right through to their destination.

A. The bus would operate through to Atlantic City and if the passengers were on the bus and wanted to go to either Hammonton or Atlantic City, they would go through, surely.

Q. So that as a matter of fact you are prepared

to handle through as well as local transportation if you are called upon to render that service?

A. I would say that the application, as filed, that anybody can, under the application as filed, ride through from Camden to Atlantic City.

Q. No; I went a little farther than that. You are the manager of this company, aren't you?

A. Yes, sir.

Q. What would you do in the event that one of your Hammonton buses was filled up in Camden? Would you stop that bus at Wayside points or would you run it right through to Hammonton?

A. If it was full we couldn't stop for any more; we would have to go right through.

Q. Yes. And the same thing would be true of Atlantic City?

A. I would say, if I can enlarge further on that, that that trip, if it were habitual, that is, a certain trip at a certain time of the day were full, that that trip should be double headed.

Q. And you would do that?

A. And the second bus on the trip would handle the local business if the first one was full.

Q. If the twelve buses that you start with prove insufficient to meet the demand, both for through and for local service, you would probably apply for permission to put on more wouldn't you?

A. I think that in good faith we would have to.

Q. Yes. As I have sat in the case here, your applications both appear to me to be based upon providing local service as a defensive measure against the present unregulated interstate service; is that correct?

A. It largely started in that way. We have been affected, I suppose, to fully the same extent that the railroads have, particularly in this neighborhood, by interstate operation across the Camden

bridge and a lot of the moves that we have made down here have been defensive at first anyway.

Q. Yes.

A. Now, we have a bus line on the White Horse Pike operating to Berlin ——

Q. Yes.

A. —— and we are faced with the competition of interstate buses from Berlin north along the Pike and that is seriously affecting the operation of that line ——

Q. Yes.

A. —— and if Federal regulation comes we want to be protected as much as possible.

Q. Would you mind answering my questions and then you can make any statement you please.

A. I thought I had. What was your question?

Q. You now have a line to Berlin?

A. Yes.

Q. How far east of Camden did or does your street railway run?

A. To Clementon.

Q. Is Clementon between Camden and Berlin or east of Berlin?

A. Clementon is southeast of Berlin. Berlin is about, I should say ——

Q. Are you sure of that?

A. Yes.

Q. Look at the map, please.

A. Southwest of Berlin, rather.

Q. Yes. Berlin is farther east than the terminus of your trolley line, isn't it?

A. It is.

Q. Have you any investment whatsoever east of Clementon?

A. Along the White Horse Pike, no —— Wait a minute; we have a garage in Berlin at the present time.

Q. That is your easternmost facility, isn't it?

A. Along the White Horse Pike, yes.

Q. Yes. You prepared this application then as a defensive measure against interstate bus operations over the Delaware River Bridge?

A. I say, it started in that way, but after it was investigated we found that there was what we conceived to be a real need for local service below Berlin on the White Horse Pike and consequently it became more than a defensive measure, but in its inception it was purely a defensive measure.

Q. And you are prepared to do through business as well as local business if you can get it, are you not?

A. Well, I think it is more than a matter of preparation; I think we would have to do it if it came.

Q. Yes. What is the largest interstate bus operation over the Delaware River Bridge? Certainly you have given a good deal of thought to that interstate operation.

A. The largest is the P. R. T.

Q. What is it, the Penn-Jersey?

A. You mean the largest in number of buses?

Q. Yes.

A. The Penn-Jersey is the largest, I would say.

Q. And who owns the Penn-Jersey?

A. The Philadelphia Rapid Transit and the Public Service, fifty-fifty. That is another protective measure.

Q. Then your own company is a fifty-fifty partner in the largest interstate operation over the Delaware River Bridge?

A. That is interstate entirely within our own territory and for protective measures only.

Q. That is all.

A. I want to straighten you out on that, Mr. Kinter: The Penn-Jersey does not want Atlantic City

operation; that was offered to the Penn-Jersey and was turned down by the Public Service interests in Jersey.

Mr. Kinter: That is all.

Further direct examination by Mr. Straw:

Q. Where does the Penn-Jersey operate, Mr. Warner?

A. Across the bridge to Burlington, Merchantville, Moorestown, Haddonfield, Haddon Heights and Woodbury, all strictly territory of the Public Service Railway primarily, and the operation of that line was for protective measures pure and simple. The Penn-Jersey as an organization is not making expenses at the present time, but is charged up to protection.

Q. The farthest down the White Horse Pike that the Penn-Jersey line operates is Haddon Heights, isn't it?

A. Haddon Heights, yes, sir.

Q. You were going to say something in response to a question which Mr. Kinter asked you and then he said that you might make your statement after he was through, if you cared to. Was there something which you wanted to say to Mr. Kinter in response to the thought that he gave you which has not yet been explained?

A. I think what I was trying to say at that time was the statement that this particular application, while in its inception it was from the point of view of being a defensive measure, as the investigation of it developed it assumed different characteristics which indicated that in the end it would stand on its own feet, as not so much a defensive measure, but really a legitimate proposition on its own feet.

Q. Now, Mr. Warner, there has been some thought injected here that if one of these buses were filled with Atlantic City passengers that it would go right on through to Atlantic City. I have no doubt that that is the situation. Having studied this line, and I assume you have as general manager of this company, what do you expect with reference to buses being filled with Camden passengers on their way to Atlantic City? Is that going to happen regularly, in your judgment?

A. I don't think so. I have no idea that the line will function in that way. As I said on my first direct testimony, I cannot conceive of any number of people in Camden taking this bus line to Atlantic City, which would take them two and a half hours, when they can take a steam train and do it in an hour, and the fares —— I am not entirely familiar with the reduced rates on the railroads, but my understanding is that the fares are about even at the present time.

Q. And is the company of which you are general manager, and are you, as general manager of that company, making plans to do an express business such as has been injected into the case right now by Mr. Kinter?

A. No, sir, there are no plans for that kind of service laid out at the present time.

Q. In other words, this is a bona fide local business proposition and that is all you are figuring on?

A. That is all we are figuring on, yes.

Further cross-examination by Mr. Kinter:

Q. If you get this through bus load of passengers in Camden for Atlantic City, do you mean to tell the Commissioner that you would take two and a half hours to run down to Atlantic City?

A. I don't believe we could do it in much less; we might do it in fifteen or twenty minutes less but not materially. In any event, we couldn't go down there in an hour the way your trains can.

Q. That is all.

A. And there is just one more thought that I would like to bring out and that is, a load of Camden people wanting to take a bus and spend two hours or more on the White Horse Pike, instead of taking a steam train, there would be one question that I might ask and that is, why do they want to do it? There must be some inherent reason.

By Commissioner Gnichtel:

Q. Isn't there some provision under the act that if a party wants to make a trip of that kind, that they can hire a bus?

A. Yes, sir; that is being done now, was done all last summer; that can be done under the Act at any time.

Commissioner Gnichtel: So that whether they get this right or not, the people still have the right to charter a bus to Atlantic City.

Witness: Yes, we ran a dozen chartered buses last summer.

Further cross-examination by Mr. Bourgeois:

Q. Why do you designate the operating of buses in a new territory as a defensive measure?

A. In order to have the White Horse Pike covered so that in the event of possible future legislation, which might place the interstate buses in a

different position, we would have some local rights there.

Q. What are you defending yourself against? In what are you defending yourself?

A. From future competition by interstate buses.

Q. Well, how will your operating intrastate buses defend yourself against future competition by interstate buses?

A. Because it will give us local rights on the White Horse Pike which they might get by future legislation.

Q. They do not need them, do they?

Commissioner Gnichtel: He is speaking about some possible future Congressional legislation on the subject.

Isn't that your idea?

Witness: Yes, sir.

Commissioner Gnichtel: That Bill has been pending for some years now and they don't know what is going to happen.

Mr. Bourgeois: It wouldn't seem to me like a defensive measure; it would seem to me like an aggressive measure.

Witness: Well, you can call it what you please, but that is what we have in mind. It is defensive so far as the protection of our business is concerned.

Mr. Bourgeois: That is all.

Further re-direct examination by Mr. Straw:

Q. Is it not true that H. R.-19, so-called, that is,

House of Representatives Bill No. 19, known as the Dennison Act is now pending before Congress, which may or may not regulate interstate bus operation and nobody knowns what is going to happen, and is it not further true that on February 10th the Interstate Commerce Committee of Congress has already set down a hearing for such matters as may come before it relative to motor bus operation?

A. I am not sure of the date, but I know there is a hearing that has been called.

Further re-cross examination by Mr. Shertz:

Q. If that Federal Regulation as proposed now was put into force it would bring back to this Commission that same regulatory power, would it not?

A. In co-operation with, in this particular case, the Pennsylvania Commission, as I understand the Act.

Q. If the present interstate buses had the local rights between Camden and Atlantic City, and they did get permission such as you are asking for from this Commission, then they would be doing precisely the same service that you are asking to do between Camden and Atlantic City and intermediate points, would they not?

A. They would have even more, because they would have, in addition to local rights, interstate rights and we are not asking for interstate rights.

Q. I mean, the machinery could be worked out and give the very service which you are applying for by giving to the present facilities operating on the White Horse Pike the local consents and the consent of this Commission for the right to pick up and discharge passengers in Camden and the right to pick up and discharge passengers at intermediate

points between Camden and Atlantic City, without adding any additional facilities to the highway.

A. Under the proposed act, as I understand it, it would be legally possible, but actually, I do not think it would be physically possible because if those buses stopped to do a local business on the White Horse Pike there would be more of them needed, because at certain times of the year now they are filled to capacity, and possibly more than that.

Q. Well now, without any Federal Legislation and with the present machinery of this present Commission, this whole situation could be solved if the local Camden Commission would give permission for the present interstate buses to pick up and discharge passengers in Camden, which would give them the pre-requisite to come before this Commission and ask for the right of a certificate to operate between Camden and Atlantic City, could it not?

A. I think that would be just about the last word in wrecking the whole works.

Q. But that is possible, I mean, with the present machinery, isn't it?

A. Economically speaking, no, sir.

Q. I am asking you about the present status of the legal machinery that is here to give the City of Camden the relief in having the buses now operating interstate pick up and discharge in Camden and thereby bring that business to the merchants of Camden, that that permission to pick up and discharge within the City of Camden would give them the pre-requisite to come before this Commission and ask for a certificate to operate between Camden and Atlantic City?

A. You cannot expect me to admit that that would be a relief.

Q. I am not asking you that.

Commissioner Gnichtel: What he is asking you is whether the machinery is not here for the possibility of doing exactly what you are asking for?

Witness: He terms it a relief; I don't think it is a relief.

Commissioner Gnichtel: He don't mean that! he means the machinery is now here for that.

Witness: I suppose the law is such at the present time.

By Mr. Bourgeois:

Q. Would it wreck the whole works or would it wreck the practicability of your application?
A. I think it would wreck you just as well as it would wreck us.

Mr. Kinter: That is exactly our position and that is why we don't want these buses on the Pike.

Witness: You wouldn't have them if you had helped us put over the Reed-Bacharach Bill a couple of years ago.

Commissioner Gnichtel: Well, you need not go into that.
Anything further?

Mr. Kinter: That is all.

P. S. Lewis, sworn on behalf of Atlantic City Railroad Company.

Direct examination by Mr. Wolfe:

Q. You are superintendent of the Atlantic City Railroad?

A. I am.

Q. How long have you been superintendent?

A. About eight years.

Q. Do you have with you the time tables of the Atlantic City Railroad for the past year?

A. I have (producing time tables).

Mr. Wolfe: I would like to offer those time tables in evidence.

(Three time tables of Atlantic City Railroad for year 1927, received and marked Exhibit A. C.-3)

Q. Will you state from what class of traffic the Atlantic City Railroad derives the major portion of its revenue?

A. The Atlantic Railroad derives the major portion of its revenue from passenger traffic; in fact, last year the pasenger traffic represented nearly sixty per cent of the total gross traffic.

Q. The railroad then is primarily a passenger railroad?

A. Yes, sir.

Q. During what months of the year is the bulk of the traffic carried?

A. Well, the bulk of the traffic is carried in July and August, in fact, the Atlantic City Railroad gets practically forty per cent of its revenue for the entire year during those two months.

Q. Now, will you describe briefly the traffic to the seashore in the summer months as compared with the winter months and the seasonable nature of the traffic.

A. Well, of course, the summer traffic is very much heavier. We increase our number of scheduled trains nearly a hundred per cent, and our number of train miles, in July and August is increased about two hundred per cent; the actual passenger car miles is over three hundred per cent of what it is in the winter time.

Q. Now, coming to the item of maintenance, is the maintenance cost of the Atlantic City Railroad very high, and if it is, will you describe why that is so?

A. Yes, the maintenance costs are high because we have tried to develop it as one of the finest pieces of railroad in the country and in doing that we have had to construct a roadbed and track which would be safe for speeds of eighty or eighty-five miles an hour and that requires heavy rail, and in the past four or five years we have entirely relaid the double track main line from Camden to Atlantic City with 130 pound rail at a cost of about three and a half million dollars, and we have also installed a system of automatic train control which cost us about $750,000, to add to the safety of our operation. We have to maintain our bridges and our line and the surface of our track to the very highest degree in order to make these very high speeds safe.

Q. Have you put in a third track at Haddon Heights?

A. Yes, sir, we put in a third track between Haddon Heights and Magnolia, a distance of about three miles, at a cost of nearly $300,000.

Q. That was to take care of what, primarily?

A. That was in order that we could operate more

train service between Atlantic City and Camden. It was put in in order that we could run express trains around local trains in that vicinity without stopping either one of them.

Q. Now, coming to the Camden Terminal, will you state what the cost of that was and when it was built?

A. The Camden Terminal was finished in 1924, I think the spring of 1924, at a cost of about $3,000,000, exclusive of the land.

Q. Has it been necessary to purchase any particular class of equipment for the Atlantic City Railroad?

A. Yes, we have purchased a large number of high speed locomotives and a large number of steel coaches, for the reason that it requires quite a good deal of additional equipment to handle the summer service over and above the requirements of the winter service. It takes at least 120 coaches more in the summer than it does in the winter, and there are some fifteen or twenty more high speed engines, all of which are only used to their maximum capacity in two months of the summer.

Q. Are any of those locomotives placed in white lead in the winter and not used?

A. Yes, sir.

Q. Now, Mr. Lewis, will you state whether or not the operation of the Atlantic City Railroad has been profitable, taking the last three years, 1925, 1926 and 1927?

A. Well, the Atlantic City Railroad has always been a deficit road and the losses in the last three years have increased considerably. The loss in 1925 was about $135,000; the loss in 1926 was about $240,000; and the loss in 1927 was about $750,000.

Q. Now, not withstanding the losses on the Atlantic City Railroad, has the company endeavored in

every way possible to make this the very highest up-to-date improved railroad and as safe and convenient as it possibly can be made?

A. Yes, I think they have; I don't know of anything that has been left undone in the way expenditures either for roadway, equipment or service, to make the road as safe and comfortable and dependable as possible.

Q. As superintendent of the Atlantic City Railroad, I suppose you have observed the motor bus competition on the White Horse Pike, have you not?

A. Yes, sir, I have.

Q. Taking into consideration the deficits which have continued from year to year, and the very rapid increase in the year 1927, what will be necessary if these deficits continue?

A. We will have to make a drastic curtailment in our train service.

Q. Does the Atlantic City Railroad, in your opinion, provide all the local service that is necessary?

A. I think so.

Q. Have you had any general complaints about the service that you render?

A. No, sir.

By Mr. Kinter:

Q. If a reasonable need for more local service were shown, are you ready to provide it?

A. Yes, sir.

Mr. Wolfe: Cross-examine.

Cross-examination by Mr. Straw:

Q. Have you the facilities to provide it?

A. We have.

Q. Now, Mr. Lewis, this service from Camden to Atlantic City is the best, in your judgment, that is, the fastest and most highly improved rail service that it is possible to give; is that not true? Your trains are crack trains?

A. We consider them so.

Q. And you regard them as the very best service between Philadelphia, Camden and Atlantic City, do you not?

A. Yes, sir.

Q. As a matter of fact, several of them make it in fifty-five minutes, don't they?

A. Yes, sir.

Q. How many fifty-five minute trains have you?

A. We have four at this season of the year and we have about ten in the summer time.

Q. That is primarily high speed, high class express service; is that true?

A. Yes, sir.

Q. You understand, do you not, that —— taking up Mr. Kinter's thought first —— that if the Public Service should obtain a bus load of folks going from Camden to Atlantic City, that their time could not begin to compete with your rail time?

A. No, I don't imagine it could.

Q. And you understand that Mr. Warner's thought is, and the petition as filed —— and under Mr. Warner's explanation —— who appeared as a witness for the railroads today —— that under his explanation the petition proposes to operate local service between Camden and Atlantic City, do you not?

A. I understand it is to operate a local and a through service between Camden and Atlantic City.

Q. Well, the through service being the service as outlined by Mr. Kinter in his direct examination of his witness, Mr. Warner?

A. Yes.

Q. There is a function for local service and a function for high speed service, is there not?

A. Yes, sir.

Q. Where, in your judgment, does each of those functions respectively end? Where is the line of demarkation between those two services?

A. Well, I consider that express service is necessary where there is a sufficient volume of business to justify the operation of trains for more or less long haul routes and that the slower local service is necessary to take care of such business as presents itself to local points.

Q. Now, bearing that in mind, how much real local service does the Atlantic City Railroad give to these various communities?

A. Well, between Camden and Atlantic City we give what we consider is an adequate service to take care of these communities.

Q. Suppose a passenger at Elm, for instance, wants to go to the next succeeding station below —— I forget the name of it —— or suppose he wants to go to Hammonton —— perhaps that is a little more fair —— what train service do you give there?

A. We do not run to Elm at all.

Q. Well, let's say Hammonton to —— let's take the next station —— I forget the names of them.

A. Well, through Hammonton we have about thirteen trains in each direction a day.

Q. Are they local or through trains?

A. Some of them are local and some of them are through trains.

Q. Laurel Springs is on your line, isn't it?

A. Yes, sir.

Q. Suppose somebody in Laurel Springs wants to go to Atlantic City, what is your train service?

A. Well, there are a couple of trains a day —— I guess there are only two a day, but there aren't a sufficient number of people in Laurel Springs who want to go to Atlantic City to justify any train service.

Q. Of course, you mean by that that there aren't enough people in Laurel Springs who want to go to Atlantic City to make it worthwhile for the railroad company to stop trains there; isn't that true?

A. Yes.

Q. Do you suppose those people would like to go, for instance, from Laurel Springs to Stratford?

A. Possibly.

Q. How many trains do you operate between those two points?

A. About thirteen or fourteen weeksdays in each direction, I should say, a day. I can give it to you exactly, if you want me to, from the time table.

Q. I have just found out. What does it cost you to stop a train and start a train?

A. I don't know.

Q. All that is figured in the amount of service you are going to give, isn't it?

A. I do not believe that any railroad man has ever figured out what it costs to stop and start a train. There have been a great many theoretical studies of it, but I don't know that any railroad man has figured out exactly what it is.

Q. Well, do you subscribe to the theory of a dollar a mile as cost for operating only?

A. I don't understand that.

Mr. Kinter: If your Honor please, we haven't asked Mr. Lewis a single question about cost. We won't object to this if you want the examination

to go ahead. If Mr. Lewis can tell you anything about that he is there to do it.

Commissioner Gnichtel: I will allow it. Go ahead.

Q. Somebody has testified that it costs a dollar a mile to operate, only as operating cost; do you subscribe to that?

A. I don't believe that we are operating our trains quite as cheaply as that. I don't know for what reason, but it costs about $1.16 a mile to operate our trains for out of pocket cost. That means only the cost of the fuel, wages of the crew, depreciation on the equipment and repairs to the equipment, but it does not include any maintenance of way or any superintendence of traffic or general expense. It is what we call out-of-pocket cost.

Q. When you first took the stand, Mr. Lewis, you testified that your line, which had always been a losing line, had lost a number of passengers in recent years and that your revenue had been cut down; have the interstate buses had anything to do with that, in your opinion?

Mr. Bourgeois: Will you repeat that question, please.

(Question repeated by stenographer.)

Mr. Bourgeois: I didn't hear him say anything about loss of passengers.

Mr. Kinter: He said loss of revenue.

Q. Can you answer that question, Mr. Lewis?

A. Yes, I believe they have.

Q. How much in percentage do you think the interstate buses have been responsible for the losses in your revenue?

A. I don't know.

Q. Has it been a large percentage?

Mr. Wolfe: If you know, Mr. Lewis?

A. I don't know. I assume it has been fairly large, but the intrastate buses have also had a very serious effect on our revenue.

Q. Why do you think people have left your line?

A. I don't know.

Q. My attention is called to the fact that you have just reduced rates on your line and I assume you have done it for a good purpose?

Mr. Wolfe: What is that question?

(Question repeated by stenographer.)

Q. Do you propose to attract passengers who have left your line by that reduction in rates?

A. We hope to regain some of the patronage to our line that we have enjoyed for a good many years and which has recently been lost to our line by the operation of unregulated buses, both interstate and intrastate.

Q. Then apparently in your judgment the unregulated intrastate buses and the unregulated interstate buses have taken those passengers away from you; is that true?

A. A very considerable number, yes, but I did not mean to say unregulated intrastate buses.

Q. That is what you did say.

A. I made a mistake; I meant to say unregulated interstate buses.

Mr. Straw: That is all.

WILLIAM K. BEAM, sworn on behalf of Atlantic City Railroad Company.

Direct examination.

By Mr. Wolfe:

Q. You are the assistant comptroller of the Atlantic City Railroad?
A. Yes, sir.
Q. The Atlantic City Railroad is a separate corporation from the Reading Company, is it not?
A. It is.
Q. Now, you have prepared a number of exhibits, have you not, dealing with the Atlantic City Railroad?
A. I have (producing exhibits.)

Mr. Wolfe: Your Honor, for purposes of convenience we will introduce these exhibits altogether and refer to them and identify them later.

Commissioner Gnichtel: You better have them identified now so that when you refer to them in the record you will know what you are referring to.

Have you copies for the other side?

Mr. Wolfe: Yes, sir, I have (distributing copies.)

Mr. Wolfe: I offer this one first.

By Commissioner Gnichtel:

Q. Suppose you describe what that is.

A. This is the comparative income account of the Atlantic City Railroad Company for seven years ended December 31st, 1927.

(Atlantic City Railroad Company, comparative income account for seven years ended December 31st, 1927, received and marked Ex. A. C.4.)

A. (Continuing.) The next one is "Statement of investment in road and equipment and miscellaneous physical property as of December 31st, 1927."

(Atlantic City Railroad Company, statement of investment in road and equipment and miscellaneous physical property as of December 31st, 1927, received and marked Ex. A. C.5.)

A. (Continuing.) The next is "Statement of additions and betterments, tax assessments and deficits for ten years ended December 31st, 1927."

(Atlantic City Railroad Company, statement of additions and betterments, tax assessments and deficits for ten years ended December 31st, 1927, received and marked Ex. A. C.6.)

A. The next is "Statement of amounts due Reading Company for advances."

(Atlantic City Railroad Company, statement of amounts due Reading Company for advances, received and marked Ex. A. C.7.)

A. The next is "Value of excess equipment required during July and August over other periods of year."

(Atlantic City Railroad Company, value of excess equipment required during July and August, over other periods of year, received and marked Ex. A. C.8.)

A. The next is "The Delaware River Ferry Company of New Jersey, ferry boats in service as of December 31st, 1927."

(The Delaware River Ferry Company of New Jersey, ferry boats in service as of December 31st, 1927(received and marked Ex. A. C.9.)

A. The next is "The Delaware River Ferry Company of New Jersey, statement of net deficits for years ended December 31st, 1918 to 1927."

(The Delaware River Ferry Company of New Jersey, statement of net deficits for years ended December 31st, 1918 to 1927, received and marked Ex. A. C.10.)

A. The next is "The Delaware River Ferry Company of New Jersey, statement of amounts due Reading Company for advances."

(The Delaware River Ferry Company of New Jersey, statement of amounts due Reading Com-

pany for advances, received and marked Ex. A. C.11.)

By Mr. Wolfe:

Q. Now, Mr. Beam, taking up the comparative income account, identified as Exhibit A. C.4, will you state what the deficits were in the net income of the Atlantic City Railroad for the years 1921 to 1927, inclusive.

A. The net deficit for the calendar year ended December 31st, 1921, was $267,498.70. 1922, $452,-487.76; 1923, $371,486.56; 1924, $371,271.41; 1925, $135,232.46; 1926, $241,429.71; and 1927, $771,511.95.

Q. The deficit for the year 1927 was a little over three times that for the year 1926, was it not?

A. That is correct.

Q. Taking up the freight revenue for the same period, from 1921 to 1927, has that remained practically stationary, without much loss or gain?

A. It went up slightly until 1926, then there was a sharp decline in 1927, from $1,667,965.97 in 1926 to $1,545,324.73 in 1927.

By Commissioner Gnichtel:

Q. It went up until 1926 and then dropped in 1927?

A. It went up to 1926 and then dropped back.

Q. Do you claim that the loss in freight is due to the buses in any way?

A. No, sir, I don't know what that loss is due to.

Q. You do not claim that the loss in freight has any relation to the buses, do you?

A. No, sir, I do not.

Commissioner Gnichtel: That is the truck question, I guess.

Mr. Kinter: Your Honor, that freight figure was mentioned because of the theory that motor bus transportations always increased freight.

Those figures show otherwise.

Mr. Straw: I don't know who said that.

Mr. Kinter: Mr. Warner said it.

Mr. Warner: No, I didn't.

By Mr. Wolfe:

Q. Now, Mr. Beam, taking the passenger revenue for the same years, 1921 to 1927, what does that show?

A. The passenger figures fluctuated, but they reached their peak in 1925 when the passenger revenue amounted to $3,231,597.66. In 1926 they were reduced to $2,864,016.64 and in 1927 to $2,429,554.28.

Q. So there has been a very sharp drop in the last two years in the passenger revenue?

A. Yes, sir.

Q. Now, comparing the passenger revenue to the freight revenue, what is the ratio between each dollar earned from freight revenue and that from passenger revenue.

Mr. Straw: I object to any further discussion of freight revenue.

Commissioner Gnichtel: How is that relevant?

Mr. Wolfe: I want to show that on the Atlantic City Railroad approximately two dollars out of every three is derived from passenger revenue, whereas on the railroad of the Reading Company as a whole we derive ten dollars from freight to every one from passenger. The passenger revenue is twenty times greater than on the Atlantic City Railroad.

Commissioner Gnichtel: Proceed; I will admit it.

A. The per cent of total operating revenues for passenger revenue in 1927 was 57.8 per cent and for freight revenue it was 36.7 per cent.

By Mr. Wolfe:

Q. In other words, the freight revenue was approximately one-half of the passenger revenue, or a little less.

A. The revenue from passenger train service is about two-thirds and freight, about one-third.

Q. Now, taking up the operations of the Reading Company as a whole, what do you find that on that system the ratio is between freight and passenger revenue?

Mr. Straw: Objected to. We are certainly not interested in the Reading system.

Commissioner Gnichtel: Well, he has prepared his case this way and he is following the idea he has in mind and I will allow it. You may argue on it if you wish to.

A. On the Reading Company 9.6 per cent of the

total railway operating revenue is from passenger service and 84.9 per cent from freight traffic.

Q. Do you have anything further to say about this exhibit, Mr. Beam?

A. I might point out this, that the taxes paid by the Atlantic City Railroad have been gradually increasing from $228,722.80 in 1921 to $390,707.45 in 1926 and $448,394.05 in 1927.

Q. Now, Mr. Beam, take your next exhibit, identified as Exhibit A. C.-5; will you state what the total investment in the Atlantic City Railroad has been?

A. According to the Account 701, "Investment in road and equipment", according to the reports that will be filed with this Board, the amount as of December 31st, 1927, for Account 701 was $15,379,-521.01; and Account 705, "Miscellaneous physical property", $1,558,795.92; or total investment of $16,938,316.93.

Q. Take the next exhibit, A. C.-6, "Additions and betterments", and so forth; will you state what that exhibit shows?

A. That exhibit shows the additions and betterments which have been made on the Atlantic City Railroad Company during the ten year period ended December 31st, 1927, and the aggregate amount is $7,408,901.34. During the same period the Atlantic City Railroad Company paid for taxes to the United States Government $20,174.87; to the State of New Jersey for State purposes $2,579,323.97; and to local municipalities, $97,742.02; or aggregate taxes, based on assessments, of $2,697,240.86. During this ten year period the results of our operation were a deficit, the aggregate for the ten year period amounting to $3,053,808.45.

Q. This exhibit does not include in it, does it, the amounts expended for excess equipment that is used on the Atlantic City Railroad?

A. No, sir; there is very little included in here for equipment. It represents additions and betterments made to road property.

Q. Comparing the tax statement for the years 1918 and 1927, showing taxes paid the State of New Jersey, what does that show?

A. Well, there was paid to the State of New Jersey in 1918, $140,871.32, as against $444,419.89 in 1927.

Q. In other words, the taxes have somewhat less than tripled in that period?

A. Yes, sir.

Q. The general tendency has been right along for the taxes to increase, has it not?

A. Yes, sir. I might point out that the amount of tax paid to the United States Government, "Tax withheld at source on tax-free bonds", the results of operation being in deficits, no Federal Income Tax was assessed against this company.

Q. What was the total amount expended for additions and betterments during that ten year period?

A. $7,408,901.34.

Q. Now, take the next statement, identified as Exhibit A. C.-7 ——

Mr. Straw: If your Honor please, I shall object to Exhibits Nos. 7, 9, 10 and 11.

Commissioner Gnichtel: On the same ground?

Mr. Straw: On the theory that they are not relevant. One deals with the amount due the Reading Company and the others have something to do with the ferry company.

Commissioner Gnichtel: I will admit them on the

statement I made before, that that is the way he has built up his case, and you may argue on it later.

Mr. Straw: Will your Honor permit me to note my objection on the record?

Commissioner Gnichtel: Yes, your objection will appear on the record.

By Mr. Wolfe:

Q. Now, turning to Exhibit A. C.-7, which shows the amount of advances made to the Atlantic City Railroad Company by the Reading Company, will you state what the total amount of those advances have been for the years 1917 to 1927, inclusive?

A. As of December 31st, 1917, the Atlantic City Railroad owed the Reading Company $1,913,027.97, representing advances made for operating deficits and other requirements.

Commissioner Gnichtel: Why not just let this go in as an exhibit, without going into the detail of it, because all the witness can do is to repeat what is on here.

Mr. Wolfe: That is what I intended. What the total amount was is all I intended to have the witness state.

A. In 1927, the amount was $9,721,417.72.

Q. Now, take Exhibit A. C.-8; what does that exhibit show?

A. That was justified by Superintendent Lewis. The train schedules in the months of July and August require a very substantial increase in the amount of equipment over that required for the rest of the year, and the excess of July and August

over the rest of the year is represented by 19 locomotives, 54 steel coaches, 10 steel combinations, 12 steel underframes and 40 open platforms, with an alleged value of $2,656,225.00. This equipment is not owned by the Atlantic City Railroad and the Atlantic City Railroad only pays a rental to the Reading Company when the equipment is actually moving or steamed up ready for use, so that it represents a loss to the Reading Company of a return on this investment for about ten months of the year.

Mr. Straw: Now, I ask that that be stricken out. Certainly that has no part in this case.

Mr. Kinter: That is an item and a heavy item of investment that the Reading Company has made in order to provide service on the Atlantic City Railroad.

Commissioner Gnichtel: I am going to let it stand, subject to your objection, Mr. Straw, and you may in your brief repeat your objection.

Proceed.

By Mr. Wolfe:

Q. The additions and betterments statement and the statement just testified to show a total of something over $10,000,000 as having been expended for additions and betterments and excess equipment on the Atlantic City Railroad; do they not?

A. Yes, sir.

Q. Now, turn to Exhibit A. C.9; that deals with the Delaware River Ferry Company, does it not?

A. Yes, sir.

Q. Which is a separate corporation?

A. Yes, sir.

Q. Is it or is it not an adjunct of the Atlantic City Railroad Company?

A. It is part of the service rendered to complete the whole trip going into or coming out of Philadelphia.

Q. In other words, you have to get your passengers from Philadelphia to Camden and from Camden to Philadelphia?

A. That is correct.

Q. Will you state what that statement shows?

A. As will be reflected by a subsequent exhibit, the Delaware River Ferry Company which is a separate corporation and owned by the Reading Company, the results of operation of that company shows an annual deficit, with the exception of the years 1925 and 1926, I think, and the Delaware River Ferry Company is also indebted to the Reading Company for large sums of money. Since 1920, because of the financial situation of the Delaware River Ferry Company, the Reading Company has purchased the ferry boats which have been put into service since that date, which are six—the Haddon Heights, Ventnor, Chelsea, Ocean City, Philadelphia and Cape May— the aggregate cost to the Reading Company being $1,593,859.80. This is a further contribution on the part of the Reading Company to this service.

Q. Did the Delaware River Ferry Company purchase any equipment for itself during this period?

A. No, sir.

Q. Now, your next statement, Exhibit A. C.10, deals with what?

A. Exhibit A. C.10 is a statement of the net deficits of the Delaware River Ferry Company of New Jersey for the years ended December 31st, 1918, to December 31st, 1927. Each of the years shows a

deficit, with the exception of the year 1925, when the income was $87,967.52, and the year 1926, when there was an income of $3,960.71. Last year, 1927, resulted in a deficit of $161,959.96; or for the ten year period, a net deficit of $1,479,052.19.

By Commissioner Gnichtel:

Q. Can you account for that sudden change between the year 1925 and the year 1927?

A. Yes, sir, the opening of the Delaware River Bridge.

By Mr. Wolfe:

Q. Now, taking your last statement, Exhibit A. C. 11, will you state what the total amount of advances have been from the Reading Company to the Delaware River Ferry Company?

A. As of December 31st, 1917, $1,183,586.43; and that has increased to $2,416,460.01 as of December 31st, 1927.

Q. These advances have been necessary to keep this company going, have they not?

A. That is correct, and no interest is set up on these advances in the accounts of either the Atlantic City Railroad or the Delaware River Ferry Company.

By Commissioner Gnichtel:

Q. It is just a bookkeeping account, just an open account?

A. Just an open account, yes, sir.

Q. It isn't funded or anything?

A. No, sir, it is just an open account.

By Mr. Wolfe:

Q. I would like to ask you one more question. I think it is shown on Exhibit A. C.5, "miscellaneous physical property." Can you tell me how much of that statement represents the investment in property for the new Atlantic City Terminal?

A. The new Atlantic City Terminal station?

Q. Yes.

A. About $1,275,000.

Mr. Wolfe: Cross-examine.

Cross-examination.

By Mr. Straw:

Q. To what do you attribute the loss in revenue from 1925 on, from 1926 on?

A. Well, there are various reasons which I think our traffic manager, who will follow me, can better explain than I can.

Q. Do you have any idea?

A. No, not as a result of analysis.

Q. You do not know; is that it?

A. That is correct.

By Mr. Ruster:

Q. In all these statements in which you show a deficit, do you know whether or not your company maintains any separate record as to what traffic is directly chargeable to Camden, or is it all on business originating in Philadelphia?

A. We cannot tell from our records very readily the traffic originating in Philadelphia and that originating in Camden, because of certain conditions.

Q. You maintain no separate account of tickets sold directly from Camden to Atlantic City, for instance, as compared to Philadelphia?

A. Yes, we could tell the sales at Camden and at Philadelphia, because they would be in one direction.

Q. What about the return movement?

A. I am not sure of just how they are sold, from Atlantic City to Philadelphia or from Atlantic City to Camden; I don't know whether there are two separate tickets or not.

Mr. Kinter: Mr. Osterhout will tell you that.

Mr. Ruster: That is all.

E. D. Osterhout, sworn on behalf of Atlantic City Railroad Company.

Direct examination.

By Mr. Wolfe:

Q. You are the passenger traffic manager of the Atlantic City Railroad, are you not?

A. Yes, sir.

Q. And you have been how long?

A. Three years.

Q. Prior to that time you had been how long in the railroad's employ in the passenger department?

A. Twenty-five years. I was general passenger agent for about five or six years, assistant general passenger agent from the beginning of the war period on.

Q. Now, Mr. Osterhout, have you had occasion during the past three years to make a rather careful analysis of bus operations, both as to this railroad and as to the line of the Reading Company?

A. Yes, sir.

Q. You have heard the testimony that has been given and you have seen the exhibits which have been offered in this case. Will you explain what, in your opinion, is the cause or one of the causes for the rapid depletion of the passenger revenues on the Atlantic City Railroad?

Mr. Straw: Since when, please?

Mr. Wolfe: Now and over the last several years.

Mr. Straw: I think a time should be fixed, if your Honor please, especially in view of the fact that the opening of the Delaware River Bridge had something to do with the situation.

Commissioner Gnichtel: The witness will have to give the years in fixing the time or it won't have any meaning to it.

A. Our passenger business, starting with the year 1921, which we have used recently as a base —in the first place because there was a change in fares in August, 1920, so that that would, of course, distort the figures for comparative purposes, using the year 1920 or any previous year; and also, if we go beyond that we get into the period of Federal control and the war period, when conditions generally were upset so far as the passenger business is concerned. Our passenger business, starting with the year 1921, on the Atlantic City Railroad seemed

to have a very sure, but slow growth and we did everything we could to encourage it. As has been testified, we built up our rail service, that is, the foundation of it, the condition of the track and all that sort of thing, to the very highest degree, put in the best kind of equipment we had during the summer months, the very best equipment on the Reading was put over there and we were very much gratified by our results in 1925, when the deficit was $135,000, the best we had experienced in a number of years. In July, 1926, the Delaware River Bridge was opened and there were other improvements coming along about the same time, or rapidly since then, such as the Absecon Boulevard into Atlantic City, the widening of the White Horse Pike and other roads, and the Crescent Boulevard around Camden directly to the bridge, recently opened, which have taken great slices of business from us, to some extent by automobiles and to some extent by buses.

The communities that we run to, both suburban and seashore, in every way that we can ascertain have shown a very substantial growth, but our passenger business has declined. We are doing less business now than we did in 1925. On the passenger revenue alone the revenue for the full calendar year, 1927, following the opening of the bridge and as compared with 1925, before the opening of the bridge, shows a decrease of $802,000, that is, 24.8 per cent.

The Atlantic City Railroad is a very unusual road in several respects. As has been shown, it is largely a passenger railroad and it does most of its business in the summer time. It does not have the advantages of any passing-over business such as most railroads have. In other words, everybody coming into South Jersey is destined to or originates at a point actually in South Jersey. Most other

railroads have the advantage of through business. The Reading is an intermediate line on through traffic and most other railroads are. Also, the traffic of the Atlantic City Railroad goes almost wholly in one direction at a time.

In the first place, there are only two kinds of passenger traffic of any consequence, the suburban traffic which comes into the center of population, represented by Camden and Philadelphia, and the seashore traffic to and from the same center, and both of those kinds of traffic represent one way movements. The suburban traffic flows northward into Philadelphia and Camden in the morning and southward in the afternoon, and to a large extent the seashore traffic during the height of the season does the same thing. On Sundays it is the reverse; the large volume of traffic goes to the seashore in the morning and back in the afternoon and there is almost no traffic in the reverse direction, and there is very little suburban traffic on Sundays.

Business of all kinds has dropped off in the passenger end of it, both the suburban and the seashore.

By Mr. Wolfe:

Q. Right there, Mr. Osterhout, by "suburban" you mean local, do you not?

A. I mean local as far as Clementon and that territory, moving into Camden and Philadelphia and the reverse. By 'seashore business I mean travel between Philadelphia and Camden on the one end and the seashore resorts, from Atlantic City on the north to Cape May on the south, on the other. On our railroad we have very few intermediate points of consequence producing much passenger

traffic. We have such places as Hammonton and Egg Harbor. The West Jersey & Seashore is more fortunate in that respect. It has several communities in South Jersey which might be classified generally the same as Hammonton and Egg Harbor, neither suburban nor seashore, but industrial places which produce passenger traffic to some extent, but nearly all of it to and from Philadelphia and Camden.

I have prepared some statements showing the business done at Haddon Heights and other points along our line, which will give the history possibly better than anything I may say can give it.

Mr. Wolfe: I offer this statement in evidence. (Producing statement.)

(Atlantic City Railroad Company, statement of number of trips and total revenue on basis of tickets sold between Philadelphia and Camden (combined) and Haddon Heights during years 1921 to 1927, inclusive, received and marked Exhibit A. C. 12.)

Q. What is your next exhibit, Mr. Osterhout?
A. Hammonton.

Mr. Wolfe: I offer that.

(Statement of number of trips and total revenue on basis of tickets sold between Philadelphia and Camden (combined) and Hammonton during years 1921 to 1927, inclusive, received and marked Exhibit A. C. 13.)

Q. And the third one?
A. Egg Harbor.

Mr. Wolfe: I offer that.

(Statement of number of trips and total revenue on basis of tickets sold between Philadelphia and Camden (combined) and Egg Harbor during years 1921 to 1927, inclusive, received and marked Exhibit A. C. 14.)

Q. And the fourth one?
A. Atlantic City.

Mr. Wolfe: I offer that.

(Statement of number of trips and total revenue on basis of tickets sold between Philadelphia and Camden (combined) and Atlantic City during the years 1921 to 1927, inclusive, received and marked Exhibit A. C. 15.)

A. Exhibit A. C. 12 is a statement of the number of trips and the total revenue, based on the ticket sales between Philadelphia and Camden on the one end and Haddon Heights on the other, for the period 1921 to 1927, inclusive, with the year 1921 used as the basis in calculating the proceeds. This information has been graphically charted on the lower portion of the exhibit. Haddon Heights is five and a half miles from Camden and is representative of our nearby suburban territory where all kinds of revenue have suffered a very appreciable decrease. The year 1923, it will be noted, was the peak on all classes and that was due to some extent to a trolley strike which the line running beside our tracks had during that year. By taking the total figures, the number of trips represented by all classes of tickets, starting at one hundred per cent

in 1921, it dropped to fifty-nine per cent in 1927 and the revenue on those classes dropped to 56.9 per cent in 1927, but the difference between 1925, the year before the Delaware River Bridge opened, and 1927, the year after it opened, represents a 43 per cent decrease in trips and a 46 per cent decrease in revenue. There is very little difference between the trend of the work done and the amount received for it.

The one-way tickets, the high rate tickets, show, of course, a substantial decrease down to 28.7 per cent of what they were seven years ago.

At Haddon Heights there is a one-way fare of 26 cents; a ten trip fare of $1.78—that ticket is good for anybody and gives a per ride rate of 17.8 cents; a forty-six-trip school ticket, of which there are very few sold, at $5.15 for the month; a fifty trip ticket at $6.64—which gives a per ride rate of 13.3 cents and is the popular ticket for the commuter or daily rider. There are almost no sixty-trip tickets sold between Haddon Heights, Camden and Philadelphia; the patrons seem to prefer the fifty-trip ticket because of its longer limit, it being good for six months as against the sixty-trip ticket being good for only one month.

By Commissioner Gnichtel:

Q. Is that 13.3 cent rate under the old rates or under the reduced rates?

A. There were no reductions made in any form of commutation ticket nor, in fact, in any existing form of ticket. The reduction was brought about by the establishment of a new ticket. Haddon Heights we put on a one-day excursion ticket at thirty cents. Prior to that time the only excursion

ticket was double the one-way fare of fifty-two cents. That 30 cents represents the equivalent of a 45 per cent reduction on the occasional rider class, but no change was made in any other class. You will note that the rate of the 50 trip ticket was only 13.3 cents per trip.

The next station we have analyzed is Hammonton. That is shown on Exhibit A. C. 13. The Hammonton situation is just about what we find at most stations all over our whole system in Pennsylvania as well as over here, where the place is about twenty-five miles from a big city, namely, a very substantial decrease in the higher fare tickets with an increase in the lower rate tickets, resulting in a uniform amount of passengers handled, but with a decrease in the revenue. In the case of Hammonton, taking the year 1921 as 100 per cent, the one-way tickets are now 79 per cent; the ten-trip tickets are now 58 per cent, commutation forms have increased to 147 per cent; all trips of all kinds are 105 per cent of what they were in 1921; in other words, very little change, but the difference comes in the revenue, which is now but 86 per cent what it was in 1921. That is shown by the white space on the graphic chart portion, where there is a widening gap between the work done and the amount received for it.

At Hammonton we had during the period of these figures a one-way fare of $1.05, a ten-trip fare of $7.59, giving a 75.9 cent one-way ride; a 50-trip fare of $20.86, making a one-way fare of 41.7 cents; and a 60-trip fare of $13.59, making a rate of 30.8 cents on the basis that fifty trips are used. There are very few sixty trip tickets entirely used and we believe that the average ticket is used for twenty-five days in the month, or fifty trips in the month, and that establishes the rate of 30.8 cents. For

the period from 1925 to 1927, we had a four per cent gain in the number of passengers carried and an eight per cent loss in revenue at Hammonton.

At Egg Harbor, shown on Exhibit A. C. 14, the situation is generally the same as at Hammonton, except that both the revenue and the total trips show a decline. The one-trip tickets are now 61.5 per cent of 1921; the ten-trip tickets dropped to 50 per cent since 1921; the commutation tickets show an increase of 123.3 per cent; with the result that the total trips between Philadelphia and Camden and Egg Harbor are now 84. 5 per cent of 1921, and the revenue is 70.6 percent. Here again the revenue goes off faster than the work.

The same scale of fares applies to Egg Harbor as to the other points. The one-way fare is $1.44; the ten-trip fare is $10.52; the 50-trip is $28.91; and the 60-trip is $19.74, giving a rate per ride when 50 trips per month are used of 39.5 cents per trip.

The Atlantic City figures are shown on Exhibit A. C. 15. This statement shows only the traffic that is based on ticket sales in either direction between Philadelphia, Camden and Atlantic City and does not take in any off-line business. There is no traffic here originating at points on the Reading system or any other railroad. This is merely the Philadelphia-Camden-Atlantic City business and I have tried to classify the various kinds of tickets into different grades of travel.

The first column shows the one-way and 17-day excursion as being occasional riders rather than frequent trips. That shows a decrease to 61.9 per cent of 1921. The one-day excursion tickets are tickets sold at $1.50 from Philadelphia and Camden to Atlantic City on Sundays during the fall, winter and spring and daily during the summer. That business has dropped to 71.4 per cent.

The next column shows the two-day excursion tickets that were only sold during the summer period each year, that is, the year 1927, and naturally they are the cause of some of the decrease in the one-way and the seventeen-day excursion tickets and also the one-day excursion tickets. Passengers formerly riding on the $1.50 tickets are required to take a certain designated southbound train in the morning and correspondingly a certain designated train in the evening northbound, whereas the two-day excursion ticket gives them the privilege of riding on any train. Some of that traffic was diverted. Correspondingly, there was nothing on sale in Atlantic City up to this past summer except the one-way or double one-way tickets. During the summer period the two-day excursion ticket was on sale in either direction. Seventeen-day tickets were sold only from Philadelphia and Camden and not in the reverse direction from the seashore points.

The next column is the twenty-trip tickets ——

Commissioner Gnichtel: How long will it be before you finish this? Counsel calls attention to the time.

(Informal discussion as to adjournment.)

Mr. Kinter: Before we adjourn, I understand that the Camden Chamber of Commerce has passed a resolution which embodies its final thought on the problem we are considering here and I suggest now that Mr. Ruster be given an opportunity to file that now so that he won't have to come to Trenton tomorrow.

Commissioner Gnichtel: All right. Give the other side a copy of it.

Mr. Ruster: I have just one copy.

Commissioner Gnichtel: Suppose you offer it in evidence now and then have copies made and send each one of counsel a copy.

Mr. Ruster: All right, sir.

(Resolution of Camden Chamber of Commerce, received and marked Exhibit C. of C. 1.)

(Adjourned to Tuesday, January 31st, 1928, at the State House, Trenton, N. J., at 10:30 A. M.)

BOARD OF PUBLIC UTILITY COMMISSIONERS.

Trenton, N. J., Tuesday, January 31, 1928.

Camden-Atlantic City route between Camden and Hammonton, application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of local consents to operate 12 buses.
Camden-Berlin-Atco-Tansboro route to Atlantic City, PUBLIC SERVICE TRANSPORTATION COMPANY application for approval of extension of route.

Before Commissioner
FREDERICK W. GNICHTEL, ESQ.
F. J. DALY, ESQ., Senior Inspector.

For the Public Service Transportation Company appears:
C. S. STRAW, ESQ.

For the West Jersey & Seashore Railroad Company appears:
H. Z. MAXWELL, ESQ.

For Atlantic City Railroad Company appears:
C. T. WOLFE, ESQ.

For Camden Chamber of Commerce appears:
J. J. Ruster, Esq.

Mr. Straw: May I inquire whether your Honor has received copies of resolution of Chamber of Commerce of Camden?

Commissioner Gnichtel: He had one copy in court and was going to make more copies.

Mr. Straw: Yes, your Honor directed they be furnished. I wonder whether they have been furnished.

Commissioner Gnichtel: No.

Mr. Daly: It was offered yesterday.

E. D. Osterhout, recalled on behalf of Atlantic City Railroad Company.

Direct examination.

By Mr. Wolfe: (Continued.)

Witness: In connection with Exhibit No. 15, which is a statement of the ticket sales between Philadelphia-Camden and Atlantic City, I explained the first three columns. The fourth column is the twenty-trip tickets. Those tickets were put on in July, 1926; that was about the time that the first real bus competition between Philadelphia and At-

lantic City went on, and at that time the bus rate was $3.00 for a round trip and we established this twenty-trip ticket at a rate of $3.00 for a round trip in order to meet that condition. Quite a number of tickets were sold, but it was not successful in meeting the $3.00 rate of the buses, for the reason that a greater outlay was necessary, and further, it had restrictions; it was good only for the family, whereas the bus rate was good for anybody and only one round trip had to be purchased at a time.

The last column in the upper portion represents the commutation tickets which reached a peak in 1925 and drifted off to 94.9 per cent in 1927. The lower portion shows the total trips in 1925, which was 114 per cent of 1921, and in 1927, it was 91.1 per cent.

The revenue shows a great decline. In 1925 it got as high as 111.6 per cent and dropped off in 1927 to 86.5 per cent, due to the fact that the commutation business did not fall off to the same extent that other classes at higher rates did.

Comparing 1925 with 1927, there was a twenty per cent decrease in the number of trips and a twenty-two percent decrease in revenue. This is shown graphically in the lower portion. In order not to make this graphic portion too confusing, the two-day excursion and the twenty-trip family tickets are not shown separately, but the trips represented by these classes are included in the solid black line, which shows total trips, and the revenue from these classes is included in the broken black line which shows the total revenue.

The fares for these various classes of tickets are $2.06 one way, $3.60 for the seventeen-day excursion, $26.40 for the sixty-trip; that gives a rate of 52.8 cents per ride if 50 rides are used, the 150-trip ticket is $100, gives the rate of 66.7 cents, the

20-trip ticket was sold for $15.00, that is three dollars a round trip.

During the period represented by the two-day excursion ticket, July 9, 1927, to September 30, 1927, they were sold at $2.50.

The conditions at Atlantic City are borne out to some extent also at the other seashore resorts, but not to the same degree. There was a lower ratio of decline at Ocean City and other resorts to Cape May, inclusive.

By Commissioner Gnichtel:

Q. You say there was a decline to Cape May. Are there any buses running from Philadelphia to Cape May?

A. Buses running from Philadelphia to Cape May are—I don't know that there is a direct line regularly operated to Cape May. The service is somewhat like this: The Shore Service Company, which operates a bus line from Atlantic City to Cape May, also has the local franchises from Camden to Wildwood through Blackwood, and they operate through buses from our Camden terminal through to Wildwood; some of them make the local stops and some of them carry business through to Wildwood, and at Rio Grande or some point on the main road, connection is made for Cape May. I think now that they are operating through interstate buses also from Philadelphia to those points. I know of no through service to the smaller points, such as Sea Isle City and Stone Harbor, but there is service from Philadelphia to Ocean City.

Q. And there has been a decline shown in Stone Harbor and these other places that you mentioned?

A. There has been some decline at those points.

Q. Showing there is some other element at work outside of the buses that affects the railroad?

A. Absolutely. I think the automobile, of course, has been the main cause of the decline in all of our traffic in South Jersey.

I would like to point out that the main source of the trouble on the Atlantic City Railroad and on the West Jersey & Seashore (they are very similar in their character), comes from the territory in around Philadelphia and Camden and the local business, and when I say local, I mean the business from station to station and not traffic that has a seashore point or Philadelphia or Camden involved in it. For instance, we will say Laurel Springs to Hammonton or Hammonton to Egg Harbor. That traffic has declined at a very rapid rate and that is not unusual. Similar traffic all over our railroad in Pennsylvania has fallen off very rapidly due to private automobiles, so that the remainder is very largely traffic to and from Philadelphia.

In the suburban end of it, that is the territory close in around Camden, there has been a marked falling off, as represented by the figures I gave at Haddon Heights, which I think is fairly representative of the territory up to about Clementon and Laurel Springs. We have maintained our service with a few slight changes; we have only taken off some trains on the Williamstown branch where the business just disappeared. So far as the main line is concerned we have made very few changes, hopeful that this busines would come back to us. On the seashore end of it we have made very few changes during this seven year period. In the summer time we add about one hundred per cent to our train service and, of course, we watch the traffic. Some years the business starts to flow earlier in the summer than other years, on account of weather

conditions. It may not start until close to the 4th of July, and our service is not established until that time, although we usually have a full summer schedule on both railroads by the last Sunday in June. When this service is established we endeavor to gauge the demand and put on such trains as we think will be used.

In 1925, we had a few extra trains as against 1927, although they were largely sections of trains; in other words, the popular train from Atlantic City to Philadelphia in the morning leaves there at 8:10 and that train became quite heavy, got up to ten or twelve cars, which was about all it could carry and maintain its speed, and we put on another train at 8:20. In 1927, the 8:10 was able to carry all of the business which offered, so that the 8:20, which was practically a section of it was not operated.

Similarity in the other direction, express trains are normally operated in the summer time leaving Philadelphia at 4:50 and 5:00 o'clock, for example. During 1925 the business on those two trains became so heavy that we put another one in at 4:55. That train was not necessary in 1927. But with the exception of a few cases of that kind, which were equivalent to sections of trains, there has been no general change in the service either suburban or seashore.

1925 was the year of the greatest service and 1927 was normal with other years aside from 1925.

As to complaints. We have had very few, surprisingly few in recent years on our surbuban traffic. I cannot recall a single case of a complaint which we were not able to satisfy. Of course, there are always a few people who may prefer to have the 8:15 train in the morning go at 8:10 or at 8:20 or something of that sort, but there has been no request upon us for a general increase in service or

different character of distribution in the local service in and around Camden.

On the seashore end of it, those people are organized, they have their chambers of commerce, the different civic clubs and they have always been very watchful of their train service. There is a certain element of competition between the various resorts. If a train is put on to one resort, the neighboring place will immediately ask for the same service, whether they had the same volume of traffic or not, in order to keep them on a parity with the surrounding resorts. But at these places we have had no criticism of our service. We have explained to them from time to time the conditions of our business. They, of course, are very much interested in it and want to see the service we have well patronized so it will be continued, and they keep themselves informed as to what business we are doing, and it may be for this reason that they have not made the same general request upon us in the last few years as they had for many years prior to that time. Each spring we would be asked to put on our summer service earlier and during the summer we would be asked to keep on our summer service later into the fall in order that people could stay at these resorts longer, but there has been no request of that kind in the last few years that we have not been able to meet.

With the opening of the Delaware River Bridge and the other road improvements, the through bus competition got under way. We have made every effort to ascertain just about how much of this traffic there was, but it is a very difficult thing to gauge. A great many estimates have been made. The Delaware River Bridge Commission report over 100,000 bus trips in a month and we know that most of those trips are made to a place formerly served by railroad service alone or trolley or bus service

out of Camden. I saw a recently published statement to the effect that there were 25,000 passengers per week carried between Philadelphia and Atlantic City. I think that figure is very excessive and possibly is reached only on a few peak periods during the height of the summer.

From our observation and counts that we have made from time to time, we believe that there are about 10,000 passengers a week carried by bus, on a year-round average, between Philadelphia and seashore points, principally to Atlantic City. We made a careful examination of the advertised schedules of various bus lines operating between Philadelphia and Atlantic City last spring, and there was 56 daily round trips advertised between Philadelphia and Atlantic City alone, and on week-ends, beginning Friday afternoon, through Saturday and on Sunday, and on Monday morning, there were a great many extra trips added. We watched some of the lines and with a schedule trip at a certain time of the day, three and four and sometimes as many as six and seven extra trips would be made in between two scheduled trips.

We have made some observations on certain days, and taking Easter Sunday last year, which is, of course, a big day in Atlantic City, but it is ahead of the season and is not by any means as big in patronage as most any week-end during the summer would be; we had men placed in Atlantic City, and to indicate the volume of traffic by bus between the hours of seven and nine P. M., there were 53 fully loaded buses left Atlantic City for Philadelphia or at the rate of a bus load of twenty-nine to thirty passengers every two and one quarter minutes. We discontinued the check at nine o'clock because it was too dark to make a careful count of the number of passengers in each bus, but our

men estimated that there were between 400 and 500 passengers waiting to travel by bus at nine o'clock.

This estimate of 10,000 passengers a week is about 1,400 a day, and I think that is conservative and represents a little over a half million passengers a year.

We believe if this bus operation had not been going at its height as it was during the last summer, that these passengers would have used our railroad and if they had, that our revenue would have shown a marked increase. On the basis of an average rate of $3.00, the railroad fare would have been one and a half million dollars just for the seashore passengers alone, to say nothing of the commutation territory, the suburban territory. It is almost impossible to estimate just how many passengers travel on the buses there, but we believe that a very substantial proportion of our deficit of $750,000 would have been wiped out if it had not been for the bus operation. We would have certainly secured half of this one and a half million dollars we estimated and the Pennsylvania would have secured half and we would have both been in an entirely different position than we are now.

This condition, of course, became very alarming to us when we gathered our figures together for the year 1927 and saw what our deficit was going to run to. The Pennsylvania, the West Jersey & Seashore were similarly alarmed. We conferred with each other. They were in a better condition than we were; they were not a deficit railroad but they were rapidly coming to that point with their declining revenues. But we felt we could do nothing more than we had done to improve our service. We had done everything that we thought we should do in the maintenance and improvement of the road and in the continuance of our service both for sub-

urban and seashore traffic, and that to make the cut in service, which the figures seemed to demand, would only aggravate the situation, would make a condition more favorable to the buses, would in our opinion be almost disastrous to some of the communities along the route, particularly the seashore resorts, and also the suburban places where the people depend upon our service mainly for their commutation service. We also felt that we should make some effort to meet the general public criticism that our fares were too high. I don't know that anyone who made that statement ever looked into our figures and found that we were making money even on the rates we were charging but there seemed to be a general public opinion that our rates were too high and that if we decreased the service, as we should with the deficit we were working into, that we would still have the criticism that it would not have been necessary had we had a lower fare. It was for that reason, to test out the theory that our business would greatly increase and our troubles would all be solved by a lower fare that we did establish these fares about a week ago.

We had a two-day excursion fare in effect last year between Philadelphia and Atlantic City, with corresponding fares to other seashore resorts, but frankly that did not do the thing that we had hoped it would. We believe that it did increase our traffic to some extent, but there were several weaknesses in it from the public viewpoint. So we went twenty-five cents better on the two-day excursion ticket between Philadelphia and the seashore this year and put on a similar ticket at $2.25. To meet the criticism that we were not providing for the week-ender, the short vacationist, we put on a ticket at seventy-five cents higher or for $3.00 good for ten days. We left in effect the seventeen-day ticket at

$3.60, which covers the full two weeks vacation. Similar fares at slightly higher amounts were established between Philadelphia and other South Jersey resorts. The West Jersey & Seashore added twenty-five cents to the scale for fares from Broad Street Station and took off twenty-five cents for similar fares via the electric line.

It is our view, so far as the seashore business is concerned, that we have absolutely cut the fares to the bone. We have taken upon ourselves the chance that with a reduction in fares equivalent to somewhere between thirty and forty-five per cent, according to the way the business redistributes itself—and we realize this: that first of all our business is declining due to the automobile; that has had a very great effect upon it and there is very little we can do about that; secondly, with this reduction we have got to increase our business from thirty to forty-five per cent; we have got to get new business from some place before we have the same revenue that we had during the period we ran up a deficit of $750,000. And, in order to improve our condition we have got to get a substantial increase over and above the thirty to forty-five per cent increase. That applies to seashore traffic and it also applies to the suburban traffic. We went into our figures very carefully in the suburban territory and we found that our conditions were just about the same as those on the West Jersey & Seashore, which, I think is demonstrated by the exhibits of the suburban places as to the trend of suburban traffic on both roads.

We feel that our scale of commutation fares are just about as low as we could possibly make it. We have practically every class of traveler provided for who rode frequently; we have a sixty-trip ticket good for a month, which is sold at the same rate

as out of Philadelphia into Pennsylvania, and to our way of thinking is a very low rate; we have the fifty-trip ticket good for the individual for six months, which is only slightly higher than the rates for the sixty-trip ticket; in fact in some cases it is a little lower. For the family, the wife and other members of the household of the suburbanite, we have a ten-trip ticket that is good for anybody and it is good for three months.

Our one weakness and the character of traffic which we seemed to be losing was the occasional rider who wanted to take a trip to Philadelphia and make an outlay for one journey. That rate on the railroad is 3.6 cents per mile, and for the round trip was double that. The bus rate invariably was substantially under that. And it was this class of traffic in which we were showing the greatest decline and we felt that we could best regain some of our traffic by making a reduction for this class, and it was for that reason that we established a one-day excursion ticket between Philadelphia, Camden and all stations in a forty mile zone from Camden at a rate of a single fare plus ten per cent, which is equivalent to a forty-five per cent reduction. Here again we have got to increase our business forty-five per cent before we get the same revenue that we obtained through the period when the deficit was run up.

That zone on the Atlantic City Railroad covers all of the territory that is built up as well as quite a distance beyond; it runs as far as Egg Harbor on the main line, to Richland on the Cape May Division, takes in all stations on the Williamstown and Gloucester branches. The same territory is covered by the Pennsylvania Railroad; they have some other branches that we do not reach. They reach Richland by their electric line and they have continued

the fares to that point, and they have also taken in as far as Millville, Bridgeton, Quinton and Salem, so the whole suburban territory around Philadelphia is now covered by the new scale and both roads have covered all of the seashore points.

We are going to make every effort to continue our service and give this matter a fair test, and it is for that reason that we are so fearful of any further competition being established. We are simply in the position that we cannot stand any more nibbles. Our traffic has been taken away in big slices by the competing bus lines and we have reached the point where we have simply got to be protected in order to continue anything like the grade of service and the volume of service that we are operating.

Commissioner Gnichtel: Any thing further?

Witness: I do not think there is anything further I can say.

By Mr. Wolfe:

Q. Mr. Osterhout, a minute or two ago in your testimony you were speaking of a passenger who rode one way for a short trip and you said that the rate was 3.6 cents per mile. I think you said it was double that for the round trip. You don't mean that, do you? The rate still continues 3.6 cents.

A. It would be double that on the basis of the one way mileage, but the per mile traveled would be 3.6 cents.

Q. Mr. Osterhout, is it or is not true that the loss of the occasional rider between stations has so reduced the income of the railroad that the continu-

ance and the addition of trains is a very serious question, as to whether or not we can continue the service we have and certainly we cannot increase it any further; is that correct?

A. I do not think that it is possible to demonstrate that any better than the deficit that we have. We had great faith in the business to the suburban points and to the seashore and it was for this reason that over the past several years we have made the expenditures that we have, and we have established this service and we want to continue it, but we have got to get more revenue if we are to continue it, and we have got to try by some means to eliminate the competition that we now have, if this service is to be continued.

Q. One further question. The applicant in this case has continually spoken of these applications being for a local service. Does or does not, in your opinion, considerable of this traffic come from interstate points?

A. This applicant is proposing a line from the ferry entrance in Camden to Atlantic City, and I cannot see but what it is exactly the same as our railroad, exactly the same as the Pennsylvania Railroad and exactly the same as the electric line. Our trains are entirely intrastate, our railroad is entirely intrastate and the only opportunity we have for interstate business, with the single exception of the Broad Street trains of the Pennsylvania Railroad, is the same opportunity that this bus line will have; the interstate passengers must come across the river on the ferry boats and the opportunity for interstate business is exactly the same as our opportunity.

By Commissioner Gnichtel:

Q. Taking the case of an interstate passenger

who is in Philadelphia, wanting to go to Atlantic City, do you think there would be any likelihood that he would come across to Camden and take a slow bus?

A. Judge, I don't see that there is any way to prevent it. We have the example before us right now with the Shore Service line to Wildwood. Those people went over. This line has the local privilege from Camden to Wildwood exactly the same as is proposed here, and they carry bus loads of passengers all the way from Camden to Wildwood. I cannot see how this proposed line if established can overcome that.

Q. You think they will get some of them?

A. They will, some of it; they will get a very large volume of it if there is any decrease in the interstate operation, and I cannot conceive that ——

Q. That is what I had in mind; do you think anybody would go to Camden and take this intrastate operation with its local stops in preference to an interstate bus in Philadelphia?

A. From the practical standpoint I think there is every opportunity. I have watched the operation of the interstate lines, I have had men watching them, I have had reports, hundreds of reports.

Q. I do not think you get my idea. Suppose a man came in from the west and got off the train in Philadelphia and thought he would go to Atlantic City; the likelihood of that man going to Camden and taking the local bus, as against an express bus from Philadelphia, is very faint, isn't it?

A. I was starting to explain my viewpoint on that. The bus lines that operate from Philadelphia to Atlantic City, of course, also bid for business from Philadelphia to other intermediate points, Hammonton, for example. These bus lines, principally those who park along Market Street in

Philadelphia, naturally want to get a full load of Atlantic City business and usually it is about all the man that wants to go to Hammonton can do to get in until the operator finds out whether he is going to get full load to Atlantic City or not. Now, then, with this line standing ready, with hourly service, or whatever it may be, from Camden to Hammonton, and to Egg Harbor, the people at those points are going to adopt that means at once rather than taking the chance of standing in Philadelphia while two or three of the interstate buses load up with through passengers, so that so far as the through interstate business to intermediate points along the White Horse Pike is concerned, I think this line has better opportunity of cleaning up on the interstate end of that, and they will certainly be in a condition, be in a position, rather, to get a large share of the interstate business to Atlantic City if and when there is some curtailment in the interstate service.

Q. That is in the future?

A. That is in the future. I hope it is not in the far future.

Q. There is another point. You are making an experiment now on the lower rates. Have you ever studied the question of whether the people prefer the bus even at a higher rate than the railroad or the trolley?

A. We have, of course, endeavored to develop that question. The bus fraternity, the manufacturer and operator and everybody of that sort told us that people want to ride buses because they are buses. We don't believe that. But we endeavored to find out just what the situation was. Last summer our line and the Pennsylvania Railroad jointly assigned a large number of men to go into the question from every angle. These men rode the buses,

Philadelphia to Atlantic City, trip after trip, they mingled with the people at the terminals in Philadelphia and in Atlantic City, talked to them to find out why they used the bus, why they did not use the train, and the outstanding point that our men were able to gather was the lower fare, people went by bus because of the lower fare. The second point was the frequency. Well, as a matter of fact there were buses nearly every fifteen minutes; many of the lines had an hourly schedule; they had them staggered, and you could get a bus most any time you wanted it from Philadelphia to Atlantic City, so there was no question about the time-table; just go down Market Street and walk up and down the street and there would be a bus loading up ready to go; that had its point. There were a few passengers, a very few, who were riding it out of the novelty feature, to see what it was like, and who were riding just because it was a bus. That according to our investigation was a very small item of it.

Q. Don't you think it started that way; people took it as an experiment and then got used to it? We have several illustrations in this State where at first they did not pay but afterwards cut into all the other utilities very heavily.

A. I think there is something to that, but I think the fact that we have cut into, we might say, the heart's blood of our revenue by reducing our rates forty-five per cent, demonstrates our conviction that it is the rate that is doing it.

Commissioner Gnichtel: That is a very interesting experiment and after it is in force some time, then you will be in a position to say whether or not it is right or not.

By Mr. Daly:

Q. May I ask the witness this question: On your direct testimony you said the interstate buses are taking approximately ten thousand passengers away on your check. If the applicant's buses were operated, what effect would that have on the interstate operation of the 10,000 passengers a week, in your opinion?

A. If the operation of the interstate buses continues as it did in the year 1927, I do not think that the line as the applicant desires would have a very great effect upon the Philadelphia-Atlantic City traffic. I do not think it would affect it one way or another to any great extent. I do think that this proposed line would take over the bulk of the interstate traffic to the intermediate points to Atlantic City and I also think that if the interstate bus lines diminish their service that this line would take over the bulk of the interstate bus traffic, but I do not think that with everything as it stands today, the addition of that line would take much of the interstate bus traffic from existing lines.

Q. The thought I was trying to bring out would be, if the applicant buses were to take over a sufficient number of these 10,000 interstate passengers that are now carried between Market and 11th Street in Philadelphia to Atlantic City, to make it unprofitable for them to operate any longer, the railroads would get a certain amount of those passengers that would not prefer to go over to Camden.

A. They would, theoretically only. If the interstate lines are not operating, with the exception of the Broad Street Delaware River Bridge trains of the Pennsylvania Railroad, then everybody will have to go over in the ferry in order to go to the

seashore, and there is just as much opportunity for the passenger at the Pennsylvania Railroad Ferry in Camden to decide he will go down on the train which is on his right hand or he will go on the bus which is on his left hand, particularly if the bus maintained a lower fare than the railroad.

Cross-examination.

By Mr. Straw:

Q. Mr. Osterhout, isn't the very best answer to your experimentation as to what folks like, the very exhibits that you and the West Jersey have introduced today, showing in your case $700,000 worth of loss and in the Pennsylvania thousands and thousands of dollars; isn't that the complete answer? As to why they like the bus or why they like the train, the fact remains they are using the bus; isn't that so?

A. I think that those particular people are, yes.

Q. The bus is here to stay whether we like or whether we do not?

A. Absolutely; there is no question about that. I do not think it is here to stay in long parallel competitive routes with existing transportation; I do not think that at all. But I do think the bus is here to stay as feeder lines and the development of new territory, in substitution for train service or trolley service or any other kind of transportation service which has dwindled off to the point that the existing service is not profitable whereas the bus substitution could be run at least on a break-even basis. We are very enthusiastic about it; we have been trying to get into the bus business in Pennsylvania for the last three years.

Q. I was just reading a decision here, that apparently was copied for me by the office and I notice you are in the bus business; in the case of the Reading Company before the Pennsylvania Public Service Commission, the Reading Transportation Company, application docket No. 16085, July 26th. So you folks are in the bus business, aren't you?

A. No, sir, not yet. We are trying to get into it.

Q. One of the articles in last night's papers indicates that there is something stirring in the bus business so far as you folks are concerned. I am just wondering what that is, or whether it has any bearing on this matter. If it does not, I do not want to go into it at all.

A. Well, it has a bearing on this matter to this extent—I suppose I will have to tell the whole story to make the picture complete.

Q. Not unless it is important.

Commissioner Gnichtel: The fact is you are going in as a matter of self defense.

Witness: We are going in as a matter of self-defense, and in order to continue in business in territory where the train service is no longer warranted. We did make a study of this particular situation. In fact there are some railroad men who still think we ought to go into the bus business between Philadelphia and Atlantic City. But here the condition is entirely different from what it is in some branch line territory in upper Pennsylvania. Here we have these two railroads, three railroads practically, our main line, the Pennsylvania and the electric line, which we have developed to the high state that we are quite proud to talk about, and they have run into a deficit, in one case

and a big loss of revenue in the other, and the only way we could get into the bus business, in our opinion would be to take more business away from those railroads.

This talk of this local station to station business, from a place that does not have a grocery store to a place that does, and all that sort of thing, we do not believe that will support a bus line of any kind; that there is only one way that a bus line along the White Horse Pike can live, and that is to take the major portion of the occasional rider business from the important points, Camden to Hammonton, Hammonton to Egg Harbor and so on, Pleasantville to Absecon, wherever it will develop in the future, and from these points to Atlantic City. It has got to get that business; it has got to get a very great lot of that business, but from one little station to another little station or from some little town into Hammonton, it cannot live. That is our view.

By Commissioner Gnichtel:

Q. Can you hold that sort of business? Say a man lives two or three miles from your station, he will either get a flivver or he will use a bus if it comes along, rather than your railroad, won't he?

A. That sort of business has died out, Judge, to such an extent that there is practically none of it. We have investigated that all over our railroads. The business from one small town to another is just nothing; there is nothing left of it. And when we speak of local business, we speak of the business on and off at the larger points along any line of the railroad; in this case it would be places like Hammonton and Egg Harbor, Camden, Atlantic

City. That is the local business that is left. Our own employees ride to work in automobiles, and they have free transportation. The local business is gone.

Q. Your own employees with free transportation take the bus?

A. I passed one this morning, Judge, I rode an automobile myself to Trenton, because it was more convenient from where I live; I passed a tower where the man controls the switches in the territory, and his Ford was down at the bottom of the steps, and he has free transportation.

By Mr. Daly:

Q. Have your employees that you have had investigating this bus operation in South Jersey ever investigated the distribution on the buses operating out of the Camden ferry in order to determine just what the volume of traffic was that rides from point to point?

A. We have not done that, Mr. Daly. We have not concerned ourselves a great deal about the local buses operating in and out of Camden. We looked upon that as a natural development in and around metropolitan Camden, as an outgrowth of the service formerly rendered by the trolley lines and to some extent at present by the trolley lines, and that these buses were put on first by individuals and now by the Public Service Company in the same general nature as local trolley service, and we have not concerned ourselves very much about it.

By Mr. Straw:

Q. Isn't the answer, Mr. Osterhout, to the fact that your own employees use private automobiles

typical of the fact that that is being done entirely or very largely by the public today, because it is so much more convenient to use an automobile than it is to wait until your trains in the small communities come, from three or four hours apart, whatever it may happen to be; isn't the private automobile responsible to a large extent for the situation?

A. The private automobile is almost wholly responsible for the loss in small station traffic.

Q. Now referring again to the entrance of the railroad into the bus proposition; you said on your direct examination or in your statement that the railroads had realized that they were losing thousands of dollars and that something must be done in a protective way, a defense measure taken to save their revenue, else they could not continue. On December 18th, 1927, in this Board, an application was heard for the very line running from Camden to Wildwood, to which you have referred—I am quite sure you are familiar with it—the name is Garrigues, and not a single representative of the railroad companies, yourself or the West Jersey was present to oppose that application. Why was that?

A. If I recall, that was a renewal.

Q. I am in error. I understand the West Jersey was here. The Reading was not.

A. If I recall, that was a renewal. Then we were misinformed. We understood it was a renewal of a privilege. It must have been a renewal; they have been operating from Camden to Wildwood at least all during 1927.

Mr. Daly: Possibly I could clear the matter up. The line was in existence prior to the 1926 Act; it was operating legally. The statute of 1926, in

March, changed the law to such an extent that it was operating illegally, and the applicant then obtained municipal consents, which it presented to this Board for its approval. The Reading Railroad was notified of the application and they were notified of the facts as I have just stated them.

Mr. Wolfe: Wasn't that hearing held at Atlantic City?

Mr. Daly: Yes.

Mr. Straw: All the more reason why somebody should have been there.

Witness: Well, as I say, we had the wrong slant on the question. We felt this was a line that was in operation and that it was a case of a renewal of a privilege in the regular order of things. That was our interpretation of it and we felt it was a waste of time to do anything at this time.

Q. Is the Reading or the Atlantic City Railroad negotiating for the purchase of the Garrigues Line?

A. We are not.

Q. Have you been?

A. We have talked—so far as the line to Wildwood, we have not talked about it at all. We have talked to him, we have talked to nearly every bus line. If they want to sell they come to us first, but we are not interested in any cross state lines.

Q. What about the Garrigues line from Cape May to Atlantic City; are you negotiating for the purchase of that?

A. I suppose Mr. Garrigues started in to try to sell that line to us two years ago. That is about as far as the negotiations go.

Q. Well, that does not answer the question. Are you folks negotiating?

A. We are not doing anything. I am telling you that everybody that has a bus line is trying to sell it to us, I believe. We are not going to shut the door in anybody's face. We don't know what the future is going to develop. We are not going to say to a man; no, we don't want your line, get out of here.

Q. I was just wondering whether they came to you after they left us or before they left us.

A. They come to you, they come to our line, they come to Mitten; I guess there is those three at least and whoever bids the highest, they go to him the oftenest.

Q. Mr. Osterhout, what effect has the Berlin line—by the way, this application is merely an extension of that Berlin line, isn't it?

A. It is an extension beyond the general sphere of activity that you folks have had for a great many years; It is beyond the real suburban section of Camden.

Q. What effect has the Berlin line had upon your revenue, if any?

A. It is one of the contributing factors to the decreases in revenue that I recited and that the Pennsylvania witness recited at these suburban stations. How many people would ride our train that now ride on your bus or on the Penn-Jersey bus route to Philadelphia, I am unable to say, but I am satisfied from my own knowledge that a vast number of them do.

Q. What in your judgment is the proportion of business that has been taken from you by the unregulated interstate operations coming from Philadelphia to Atlantic City? I don't expect you to give me exact figures. Is it large or small?

A. I endeavored to show that. We figure that so far as the railroads were concerned, they had lost to the buses in the year 1927, 500,000 passengers between Philadelphia and the seashore points. If those passengers had traveled by railroad, as we think they would have without the bus service, the railroads would have had approximately one and a half million dollars additional revenue.

Q. Far be it from me to argue from the standpoint of the interstate buses, but this thought occurs as you talk; Don't you think they have created any business of their own in the last two years, or do you mean to say to his Honor that every nickel or ten cents or one dollar, whatever it might happen to be, that those interstate bus people have carried is business that would have gone to you?

A. So far as this particular situation, Philadelphia to Atlantic City is concerned, I think that there is very, very little of it, I would be tempted to say none of it encouraged to go because of bus operation, with the exception that it was cheaper. If these bus lines ran through some scenic territory or to some historical point or something of that sort, that answer might be different. But I think that people first make up their minds they want to go to Atlantic City, that is the controlling thing, they want to go to the seashore; after that is decided, then they decide, how will we go, and I think they decided to go by bus because it was cheaper. I don't think they first said, I hear there is a bus going to Atlantic City, I think I will go down because there is a bus going down. I don't think that ever happened.

Q. I am wondering whether to the ladies the proposition of a concrete road in summer time with an absolute lack of smoke and dirt and cinders on a deluxe bus has any appeal? A great deal of

this traffic, I think we will both agree, is ladies and children.

A. Well, as against the concrete boulevard we have a steel boulevard. We have no dust or very little. I don't think we have any more dust on our railroad in summer time. We have the crossings tarred, covered with oil, and everything lined up. I don't think we have any more dust than is on the highway. So far as the comfort is concerned, the character of equipment that we have down there is just as comfortable, more comfortable than a bus and we have the added advantage of the speed. Our disadvantage has been the rates.

Q. Then as a matter of fact the cinders sent out haven't anything to do with it, in your judgment?

A. I don't think so. I have had bus rides and I get just as dirty in a bus as I get in the train; you get dirty in anything you ride in.

Q. My personal view is I would not ride in a bus for all the money in the world, unless I had to.

A. That is my view, too. I only ride when I have to.

Q. We agree on that. Now, returning to the rates. This company has been referred to—I am now speaking of the Atlantic City—yesterday by one of the witnesses as a company which has always lost money. You cut the rate forty-five per cent, cut it right down to the heart blood as you have said, or to the bone; what is going to happen to your railroad?

A. I wish I knew. I would answer you. We are taking a long chance. It is the only thing we can do, and that is why we are here asking for help. We have our backs up against the wall.

Q. Now, when you came to the point where you found you were going to have to cut your rates to the bone and especially within a radius of twenty-

five miles of the City of Camden and Philadelphia, a great majority of which was in Public Service territory already served, if you needed help, what did you do to get in touch with the existing trolley and bus facilities and see whether something could be arranged, by which help could be given?

A. We have tried that too often. We did not do that. We never get anywhere.

Q. Did you tell us anything about it at all?

A. No, sir.

Q. The first knowledge that the existing facilities had was the scare head in the newspapers "war to the death"?

A. We did not say war or anything like that. Maybe they did.

Q. Somebody did?

A. I have never used the word war or fight or anything of the sort.

Q. Mr. Osterhout, the Atlantic City Railroad operates, as was testified yesterday, the very highest type of locomotives and a fine character of steel car running from Camden to Atlantic City; I know that to be true. That is true, is it not?

A. Yes, sir.

Q. What kind of equipage do you give the local way trains for service?

A. I don't know the exact figures, but we have made very rapid strides in the replacement of steel equipment for even steel underframe equipment. I don't know that I can answer that question exactly, but we have made every effort to have the trains out of Philadelphia and Camden to points in New Jersey and out of Philadelphia to points in Pennsylvania converted to all steel as rapidly as possible. I cannot tell you what kind of equipment we use; I know it is the best we have got.

Q. Have you not, however, stressed particularly

your Camden to Atlantic City express business rather than your attempting to cater to the local stations and the way trains?

A. No, sir, I would not answer that that way.

Q. The addition of one hundred per cent of equipment, to which you referred in your direct testimony in the summer months was it the summer months that you referred to, one hundred per cent?

A. Yes, sir.

Q. Was that to take care of the through traffic or to take care of the local traffic?

A. It was to take care of the through traffic which moves only during those two months. The Atlantic City could not exist without that—well, it does not exist now, I guess, but it could not get along as good as it does without the business it gets in the summer months. We take in forty some per cent of our revenue in seventeen per cent of the year, I think it is seventeen per cent, the days in July and August.

Q. Mr. Osterhout, you referred in your direct examination to the bus rate being under the railroad rate. Is it not true the bus cost is under the rail cost?

A. Well, that is an academic question, I guess.

Q. What is that?

A. I don't know how to answer that. Per passenger the operating cost of a bus possibly is higher than the operating cost of a fully loaded train. So far as Units are concerned, a train against the bus, of course, the train is very much more expensive.

Q. You have complained of the loss of the occasional rider between way train stations, local stations; where do you think he has gone?

A. Automobile.

Q. Private?
A. Private automobile.

By Mr. Ruster:

Q. Since the opening of the Delaware River Bridge, the testimony that was given yesterday and at the previous hearings would indicate that the railroads have suffered losses more than the previous years, isn't that true?

A. That is true.

Q. Are you familiar, Mr. Osterhout, with the improved conditions around Camden? I mean now the ferries in years gone by were really the breaking up points for passengers wishing to go to and from Philadelphia, and that situation has been changed with the opening of the bridge, has it not?

A. Oh, that has very materially changed. The opening of the bridge and the Crescent Boulevard and the other improvements and the highways in and around Camden have very materially changed that.

Q. A resident living in North, East or South Camden wishing to go to the shore, they are subject to considerable inconvenience, are they not, in getting to your terminal?

A. No, sir. I think the figures are, we have a bus from the Camden station to some place in Camden every sixty-seven seconds. We have service from our Camden station to entire Camden, thanks to the Public Service and some others.

Q. In your position as passenger head of the Reading Company, have you ever considered the proposition of feeders to your main line?

A. Yes, sir.

Q. Do you have anything like that in mind for Camden?

A. I don't know whether I understand your question. You mean the establishment of new avenues of transportation into Camden? No, sir.

Q. I mean now to offset the loss in revenue that the buses are making, and the inroad in your business. Have you any plan for the extension of your service so that you will reach the heart of Camden?

A. We reach the heart of Camden.

Q. How do you reach the heart of Camden?

A. As I endeavored to explain, sir, our Camden station we think is a model station; it is certainly convenient from the railroad standpoint. I do not think that the people of Camden would relish our tracks coming any closer to the heart of Camden. We are about as close as we can get to it and not be in the way. So far as reaching Camden, reaching all parts of Camden from our station, I do not see that there is much to be desired. I think the Public Service would put on as many more lines as necessary as the traffic would offer, locally in Camden to our station. As I say, during the rush hours we have a bus every sixty-seven seconds. I don't see what more could be desired by the people of Camden.

Q. The particular point I had in mind is this: You are making an endeavor now to secure more business from Philadelphia. I thought probably you might take some steps in trying to secure more business from Camden.

A. I don't think I said anything ——

Commissioner Gnichtel: What is your idea; putting on more buses?

Mr. Ruster: Yes, sir. My thought—I would like Mr. Osterhout to say that in the event the Board

failed to pass on the applicant's application for bus service, would their company offer Camden, or residents of Camden a similar service in order to get them to the Reading trains.

Commissioner Gnichtel: Well, a similar service—this service goes down the White Horse Pike, it don't go to the Reading trains.

Witness: I did not mean to infer in anything that I said that we were planning in Pennsylvania to operate buses into Philadelphia.

Q. Would your Reading Transportation Company, as a bus subsidiary of the Reading Company, would you have any plan for operating buses in New Jersey?

A. I could only say this: That we recognize an evolution in passenger transportation and I cannot say what we are expecting to do or what we hope to do. We have been three years trying to get buses substituted for our little patronized trains in Pennsylvania, where we felt that would be a good thing to do. We have not succeeded yet. In New Jersey at the present moment we do not think that it would be a good thing to operate buses on the White Horse Pike. We have discarded that. We don't think it would be a good thing to do.

By Mr. Maxwell:

Q. May I ask one question? The charter you received in Pennsylvania gives you the power and authority to operate only in Pennsylvania, as I understand it?

A. As I understand it, that is correct.

Mr. Wolfe: That is correct.

I would like to offer in evidence a certified copy of the Interstate Commerce Commission report of Attorney Examiner Flynn in the recent Interstate investigation, with particular reference to page 43.

Commissioner Gnichtel: That is with relation to buses?

Mr. Wolfe: Yes, sir.

(Certified copy of report of Examiner Flynn of Interstate Commerce Commission, received and marked Exhibit A. C. 16.)

Arthur T. Warner, resumes the stand on behalf of petitioner.

Direct examination.

By Mr. Straw:

Witness: While waiting for Mr. Straw, I would like to introduce corrected copy of two exhibits. Mr. Kinter called our attention to the fact that in two of our exhibits we did not have all the trains in and I have tried to correct those so that they have all the trains. It was P. S. 6 which I have marked P. 6 amended and also P. 7 amended. I just want to put those in. Those were the two exhibits that Mr. Kinter called our attention to as not being complete. I believe at this time they are complete.

(Corrected Exhibit P. 6, received and marked Exhibit P. 6, amended.)

(Corrected Exhibit P. 7, received and marked Exhibit P. 7, amended.)

Q. These are not our exhibits?

A. Those are our exhibits corrected, completed.

Q. Mr. Warner, there has been some discussion here relative to the Penn-Jersey operation. I wish first of all you would explain to his Honor just what the Penn-Jersey operation is, paying particular reference to the application at hand and to the operation of the Penn-Jersey, if any, into Atlantic City.

A. The Penn-Jersey was started at the time the Delaware River Bridge opened. Prior to the opening of the bridge, we had a great many conferences with authorities of Camden, with the Pennsylvania Rapid Transit people, as to what service should be operated over the bridge and how it should terminate on the Jersey side. The Camden people were very anxious to use the expression, that the package should be broken in Camden, that is, that through traffic should be avoided insofar as possible and that people coming from outlying points going toward Philadelphia should be given the opportunity to trade in Camden by breaking the trip at a point in Camden. To accomplish this the Penn-Jersey was formed. Its first operations were from Philadelphia across the bridge to Camden. It was from our point of view protective, and from the point of view of the Philadelphia Rapid Transit Company, protective, and it met the then express wish of the Camden authorities. The lines were operated across the bridge and connected with the Pennsylvania, West Jersey facilities at the Broadway station, and then went on down to Kaighn Avenue, connected with the Reading at Kaighn Avenue, and that local

service has been operated ever since. The bridge opened. With its opening came the tremendous influx of interstate operation. The Penn-Jersey operation did not stop that at all. We were having literally buses by the hundreds. It got to be that at one time there were 168 operating interstate from strictly within our own railway territory, from Pensauken, from Moorestown, from Haddonfield, from Haddon Heights, from Gloucester and Woodbury, coming up and operating interstate business through to Philadelphia.

Q. From Barrington and Audubon also?

A. Barrington and Audubon were included in Haddon Heights, I believe. Every day or two there would be more buses put on. That assumed alarming proportions. It was affecting our revenue very seriously and we had to take further protective means, consequently the Penn-Jersey operation was extended to Burlington, to Pensauken, to Merchantville, to Moorestown, to Haddonfield, to Barrington and Haddon Heights and to Woodbury. As soon as that operation started further increase in the interstate buses stopped. That served its purpose in that it brought a stop to that continual increase in interstate service.

Q. May I interrupt you at this point? In your judgment did that hurt or help the railroads, that the interstate buses stopped?

A. That service there, I don't believe affects the railroads much, if anything.

Q. The stopping of the increase in the interstate buses, did that hurt or help the railroads?

A. It must have helped them. Since then there has been some decrease in the independent interstate operation. One company operating to Gloucester has passed out of the picture.

Q. Is that not true of the company operating into Haddonfield also?

A. Haddonfield also. And judging from the looks of some of the others, their equipment, as I have seen them recently, the indications are that some of the others are feeling the competition. We did that as an aggressive protective measure. It was done after the passage of the Reed-Bacharach bill failed. The Reed-Bacharach bill was to protect interstate commerce across the Delaware River Bridge and through the Holland Tunnel; those two places only.

Q. Did it attempt to regulate the interstate motor-bus proposition?

A. At those two places only. That bill had the hearty support of Camden and other South Jersey places, our support, and the Philadelphia Rapid Transit. There was no railroad that appeared to be interested in the passage of that bill. That was made very plain to us at that time. If that bill had been passed, the Reading would not be here objecting today, I don't suppose.

The Penn-Jersey has never, to my knowledge, operated any buses to Atlantic City or any further south on the White Horse Pike than Haddon Heights.

At the time that the Penn-Jersey was formed, the Philadelphia Rapid Transit were operating two or three interstate lines; one was their line from Philadelphia to New York and the other was their line from Philadelphia to Atlantic City. There was some talk at that time about the Penn-Jersey taking over all interstate bus operation out of Philadelphia, that is, to include these other two interstate lines. Our portion of the directorate of the Penn-Jersey did not approve of that and it was not done. I just want to make it plain that we have absolutely nothing

to do with the P. R. T. bus operation to Atlantic City, interstate.

Q. When you say "we," you mean Public Service Railway and Public Service Transportation?

A. I mean Public Service.

Q. Or any company having anything to do with them?

A. I mean Public Service interests have absolutely nothing to do with interstate bus operation between Philadelphia and Atlantic City, and also between Philadelphia and New York, as far as that operation goes.

Q. You confine yourself entirely to operation within railway territory existent of the Public Service Company?

A. As far as the Penn-Jersey goes at this time, it was started with a view of giving local service between Camden and Philadelphia. As the opening of the bridge brought about the interstate situation it immediately developed it had to enlarge its scope of protection, which was the primary reason for the company.

Q. Mr. Warner, so much for that. Does Public Service Railway Company or Public Service Transportation Company pay any taxes in the State of New Jersey?

A. I have heard that word used occasionally.

Q. Have you prepared a memorandum showing whether or not Public Service pays taxes, and if so, what they pay to the various municipalities?

A. In the year 1927, Public Service Railway, on a gross revenue of $18,180,000 paid $2,043,000 in taxes. Public Service Transportation Company on a gross revenue of $14,371,000, paid $820,943 in taxes to the State of New Jersey. The taxes of the two companies were $2,864,000, compared with the combined

taxes of the West Jersey & Seashore and the Atlantic City of $1,300,000, practically twice the taxes.

Q. Have you prepared that in the form of a memorandum?

A. Yes. The Atlantic City figures are shown in ink because they were only available yesterday.

Mr. Straw: May I offer this, if your Honor please.

(Statement of taxes paid by P. S. Rly. and Trans. Co. received and marked Exhibit P. 11.)

Q. Mr. Warner, Mr. Osterhout has expressed a thought with reference to buses acting as feeders of the railroads, and feels that the function of the bus is to act as a feeder to the railroad. Does your company do that?

A. Undoubtedly in many, many cases.

Q. Have you any specific instances?

A. Yes. I can point to any number of cases.

Q. Will you point to some of them?

A. For instance, starting with the South Jersey localities; Woodbury; I don't believe there is a bus passes through Woodbury but what passengers get off those buses and get onto the train at Woodbury. The same is true at other locations, Pitman, for instance. At one of the last hearings, one of my men who was sitting next to me, who operates the line to Pitman, said that he had regular passengers who daily came up on his bus from points below Pitman and changed to the train there and he furnished the names of several. I don't know the names are material, but they are here if counsel wish them. Hackensack is another point where there is a large amount of business brought in by the buses to the

train. Paterson. Probably the largest point in the state is the tube station in Newark where 18,000 to 20,000 people a day are delivered by buses to the Hudson & Manhattan Tubes at that point.

It simply shows the first point I tried to make in my original direct testimony, that each kind of facility must work with the other and must depend to a certain amount on the other. The steam road has a certain definite function. With the bus developing as it is, how long it can continue that function remains to be seen. But it has a certain definite function at the present time in passenger service; high speed, long haul. No vehicle on any highway can compete with the steam road in point of speed for long haul business. But when it comes to distribution, when it comes to the handling of local traffic and semi local traffic, there must be other facilities there to distribute that traffic if the community is going to grow, and if there is no such facility to distribute the local traffic the community will not grow. You can trace it right straight out at your suburban areas, your development of any community of major size, where the local transportation stops there community growth stops. The railroads run on and on to Chicago, but where the local transportation stops there the built up section of your community stops, and there is no place around here that will show that more than to drive down the White Horse Pike. We had a trolley line there paralleling the Reading, right alongside the Reading, going down to Clementon, the two operating side by side. The White Horse Pike is to the north of the two, the distance varying from a couple blocks to a mile, possibly. Ten years ago, before buses operated on the White Horse Pike, there was very little development on the pike south of Haddon Heights, south of Station Avenue practically. There

the White Horse Pike began to diverge from the trolley line and the Reading, and the people did not build that far away. Buses were placed on the White Horse Pike, I think in 1918 or 1919; I know they were there when the Act of 1921 was passed; I know they had been there some time, a year or two at that time, and the White Horse Pike developed rapidly, due to the fact it had direct service. There were practically few cross roads coming in there, it was not blocked off, and the development of that line, largely coming from points below Haddon Heights has been very rapid since that time. It started with two or three buses and there are twelve or fourteen on there now and there ought to be more. When you get to Berlin that development stops.

Q. Why?

A. Because there is no local service below Berlin. When you get to Berlin and go on through Atco Tansboro, Hammonton and so forth, the occasional houses here and there, as the testimony was from that mass of witnesses that came up on our first case, and we could have brought two or three times as many if it had been necessary, was, that they could not go anywhere unless they took their own automobile. This checks up with what Mr. Osterhout said. You can buy transportation today for $400 or $500 and people will buy, rather than take a long walk to a railroad station or take a short walk to a railroad station and find their trains three or four or five hours apart. They will not stand for that kind of service today. It simply don't appeal to them. They will go out and get their private car, buy it for $300 or $400 or $500 and more, if they want to, and have their own transportation, with unlimited frequency. And the only thing that can compete with that kind of service is bus service. Bus service

today is the nearest thing to the private automobile that you can get.

It took my own organization a long time to be converted to that idea. We went through growing pains just the same way this railroad organization is going through now. There are certain things that the bus has that no other vehicle on the street except the private automobile has. In the first place, it has a curb pick up and delivery, and that is one of the most important items there is with traffic congestion on our streets at the present day. It has the ability to run around any obstruction, which nothing else on the highway has. The steam roads won't do that; you get in a wreck and you are behind the wreck and have to wait until it clears up.

Q. A trolley the same thing?

A. A trolley the same thing. The bus can go anywhere. I mean it is dirigible and can be taken off its route and taken anywhere else to get around any obstruction. The third thing is the comparative cheapness of operation and consequently the ability to give a much greater frequency to the same amount of revenue, the same number of passengers. Comparing this service on the White Horse Pike, Mr. Marr, I believe said it cost them $1.00 a mile, $60 to run a train from Atlantic City to Camden.

Mr. Straw: That is exclusive of any operating cost.

Mr. Marr: That was out of pocket cost.

Witness: I believe the Reading figures were inclined to be higher than that.

Mr. Straw: $1.16.

Witness: We could operate a bus on a line like that and take in $15.00 a trip and be perfectly satisfied with that from the revenue point of view. Certainly $5.00 an hour for that kind of service would be ample to make it a good, attractive proposition. So that we could give for the same cost basis, we could give service every hour where they could not do any better than one train every four hours.

There has been considerable comment on congestion on the White Horse Pike. The White Horse Pike is congested week ends in summer time; no question about it. Every main highway in the United States is in the same position today, particularly week ends; it is congested with private automobiles. That brings up the question again that this generation today is moving on its own rubber largely and the only way to get them is to give them the nearest thing you possibly can give them to that rubber of their own. If you can put bus service on that pike that will have any attraction to the residents down there, so that they will use the bus and leave their automobile at home, one bus will mean twelve automobiles or more left in the garage and one bus on the pike is certainly not going to create the congestion that twelve automobiles are.

I can cite an example of just that development in one of our own operations in Newark, the Newark-Maplewood line, where I know of many cases where people are using that service now regularly. It is a line that started the 28th of September and many people are using that operation regularly who formerly regularly drove their private cars down to Newark and parked them somewhere, and they would rather take the bus, avoid the trouble of parking, avoid the worry of

driving a car, avoid the danger of having damage done to the car while it was parked in Newark and avoid also the chance of getting a ticket for over-parking.

By Mr. Straw:

Q. How does the fare on that line compare with the trolley line?

A. The fare on that line is double the trolley line fare, on that line; from Maplewood to Newark is higher than the ten-trip ticket on the Lackawanna, and that is what most of those ladies up there used, that did use the Lackawanna. But I know from a number of my neighbors, men and the ladies in the family also, who formerly drove regularly to Newark are now leaving the car at home and taking that bus line. This is no theory; it is something I have actually seen work out in practice.

The need for local service from Hammonton, from Berlin down on through Hammonton to Egg Harbor has been somewhat minimized. I am inclined to believe there is considerable need there. It astonished us, as we started to procure the permits for this line, how much demand there appeared to be for it. The detailed testimony is in the record. But there were many, many people down in there that if they did not have a small Ford of their own, or one of their neighbors, they were practically isolated there. There are cases in the record there where they are three or four, up to seven miles—I remember one case, where they were from the railroad station. I believe very firmly that if this line is started down the White Horse Pike it will develop a local business which we will turn over and can turn over to the rail-

roads at such points as Hammonton, Egg Harbor and so forth. That will certainly build up their business. If there is train service at Hammonton and we can make Hammanton a local center, similar, we will say to Hackensack, and similar to Woodbury and to Pitman and other places like that, where we can take people from points between Hammonton and Egg Harbor and bring them up to Hammonton with the feeling that they are going to get some kind of regular fairly frequent train service to Philadelphia or Camden, they certainly would get off there and get the train and make the time rather than go on up the pike in the slower bus.

I do not agree with Mr. Osterhout that the fare question is the important item, because I have put in higher fare lines of my own. I don't think people today going out and buying the way the modern generation is buying automobiles, radios and other things, I do not think the question of ten cents or fifteen cents or a half dollar fare differential is the important thing. I believe the bus has a distinct direct appeal of its own.

Last summer—last winter we chartered a bus that went to Florida with a party, with a charter party; the party brought it back, got up another crowd and went again; took the first crowd in February and was gone five or six weeks, came back again and went again the middle of March. That party came into the office last week and asked to be quoted rates on trips for this spring and summer involving 60,000 miles, trips that went to Montreal, one trip goes up to Portland, trips to the White Mountains, through the Green Mountains, through the Adirondacks to Montreal, to Niagara; places down through the Shenandoah Valley and coming back to Washington; all over this part of

the country, who would not take the railroad; they did not want the railroad, they wanted a bus. I asked him particularly why they did not use the railroad; they did not want the railroads, they wanted the privacy of their own crowd in a vehicle of their own. His statement was this: That if they could not get a bus they would take three or four of their own cars and go along together in a crowd, three or four of their own cars.

It seems to me, looking at Mr. Leed's testimony, who says they don't want anything that is going to destroy their present train service—how are they going to prevent it? Mr. Leeds or any other Atlantic City man is not going to say to his men: you cannot come down here in your private automobiles with five or six people; he cannot say, similarly, that a crowd cannot come down in three or four automobiles but all that business is taking some revenue away from the roads, some revenue away from the roads. I think a lot of it is created by the bus.

Q. Do you think that these interstate bus operations have created any new business of their own, Mr. Warner?

A. Undoubtedly, undoubtedly. All bus operations of those kinds have created business of their own. Ten, twelve years ago very few people, comparatively went to the resorts; I say very few; I do not mean that they were not heavily patronized vacation resorts, but you did not get the week end crowd going to the north shore or going to Atlantic City that you do now. People stayed around, we will say Newark or Camden, and they went to the local amusement parks or they went to Coney Island or went to similar places. Now they get out of the city and you do not see them, and that is caused by two or three things; in the first place it

is caused largely by the Saturday morning closing which is even more prevalent year after year, and it gives a holiday from Friday night on through Saturday and Sunday.

Q. We agree that is all right.

A. Yes, only I never got it. But all those things are changes in conditions, which are changes in the habits of the people, but it gives more play to the ability to use the private automobile or the bus line, and this thing I want to bring home again; that the nearest thing from the point of view of the passenger to his own private automobile is a bus, from the point of view of the service he gets from the vehicle.

Q. Something has been said about a bus every sixty seconds from the Reading Ferry in Camden; what do you know about that, if anything; does that feed the Reading line?

A. My thought is that it does feed the Reading line. I remember some years ago we tried to take the trolley line out of the Reading and they objected most strenuously. We took it out and sent it up to the Pennsylvania Railroad, and I don't know as they ever forgave us.

Q. You mean the Pennsylvania never forgave us for sending it up?

A. No, the Reading. There is one thing I want to bring out. The local traffic around Camden, back before the bridge opened, about forty-five per cent of all the traffic in Camden originated at the ferries, the other fifty-five per cent did not go to Philadelphia or come from Philadelphia, it originated locally in Camden. That forty-five per cent is today all split up; a small part of its stays at the ferry; some of it gets off and goes across the ferry, some of it takes the interstate bus service directly to Philadelphia, and in view of that I cannot con-

ceive that this line will do what Mr. Osterhout designates as an interstate business from Camden to Atlantic City; it may do its business from Camden to Hammonton; I hope it will, Camden to intermediate points, the same as it is doing business from Camden to Berlin at the present time, and there may be some local business from Camden to Atlantic City, but I do not see how there will be much of it. If there is anything the railroad has got to offer at all, it is time.

Q. Is there anything further you desire to say to his Honor or any check you have that you desire to produce before closing in rebuttal?

A. I have a number of cases here showing the local train service between stations down the White Horse Pike. Well, for instance, here from Berlin to Egg Harbor on the West Jersey & Seashore there are only two trains a day for anybody who wants to go from Berlin to Egg Harbor, one at eight o'clock in the morning and one at 5:17 in the afternoon.

Q. I wish you would introduce those.

A. Atco and Elwood is another one, two trains. I have these two, just to show the absence of local service, and of course from the standpoint of cost these railroads cannot give such local service.

Q. That is not a criticism of the railroads?

A. No.

(Statement showing certain local train service on West Jersey & Seashore Railroad, received and marked Exhibit P. S. 12.)

Mr. Osterhout: Are these the most horrible examples you could find?

Witness: I don't know, I think we left out the

worst ones. Here are some stations with no service at all between them.

(Statement of certain local train service on Atlantic City R. R. received and marked Exhibit P. S. 13.)

Cross-examination.

By Mr. Maxwell:

Q. With regard to this statement of taxes, Mr. Warner, this statement shows only the taxes paid by the West Jersey and the Atlantic City Railroad, does it not?

A. The two statements that were put in as exhibits.

Q. It does not include the taxes paid by all the lines operated in North Jersey?

A. I don't know anything about them.

Q. In other words, it does not represent the total taxes paid by the Reading and the Pennsylvania Railroad and their subsidiaries in the State of New Jersey?

A. No. Our taxes do not include the rest of the Public Service Corporation either.

Q. I just wanted to bring out that point so there would be no misrepresentation.

A. No, sir. It was off your figures, I took your own figures; whatever your figures included, those are your figures.

Q. You spoke here about the Penn-Jersey Bus Company and the breaking of the trips from Philadelphia to South Jersey points in Camden. I assume you intend to interchange the passengers for this proposed route to the Penn-Jersey bus in Camden; there will be an interchange?

A. The ability to do so will be there.

Q. That is what I mean?

A. Yes.

Q. So a passenger who wants to go from Philadelphia to Hammonton can take the Penn-Jersey from Philadelphia to the Court House or some point in Camden and change over to your proposed line and go down to Hammonton or other points?

A. He can, yes, sir.

Q. In your study of this situation, as far as you know, there is no bus line now operating either intrastate or interstate between Camden and Atlantic City that has a certificate from the Public Utility Commission of New Jersey.

A. With Camden one terminal and Atlantic the other terminal?

Q. Yes, a through route.

A. There is no such bus route.

Q. Intrastate or interstate.

A. No. Of course such a line would have to be intrastate.

Q. Yes. I mean, none of the interstate lines, so far as you know have applied to the Public Utility Commissioners of New Jersey for authority to operate in New Jersey between Camden and Atlantic City on those interstate lines?

A. Not to my knowledge.

Q. If this application is granted for your line from Camden to Atlantic City, you will be the first line that has a certificate of the State of New Jersey to operate intrastate between those two points?

A. We will be the only line.

By Mr. Wolfe:

Q. How many buses do you expect to run from Hammonton to Atlantic City?

A. From Hammonton to Atlantic City, we are asking for twelve permits.

Q. Twelve permits. Will you tell me where you expect to get the traffic to operate twelve buses between those points?

A. I think I said in my original testimony that we would start that service on an hour headway. That will call for about six buses. There are fourteen permits now on the Berlin Service. This will not be a super imposing of twenty-four additional buses all the way through. It will really only amount to ten additional buses. Some of those ten are really required at the present time as far as Berlin. By the time you extend some of that to Hammonton and more of it to Atlantic City, in the course of their operation, I believe there will be enough business there for twenty-four buses, taking that line as a whole in consideration with the part of it as at present established.

Q. Going back to the question, leaving Berlin out

A. It cannot be left out because it is part of the picture.

Q. Why do you need a bus certificate?

Mr. Straw: May he finish the answer?

Mr. Wolfe: Certainly.

Commissioner Autenrieth: What were you going to say, Mr. Warner? Have you finished?

Witness: Yes.

Q. Going back to the question, why do you need a bus certificate for twelve buses between Hammon-

ton and Atlantic City; where is the traffic to come from?

A. We are not going to run the line from Hammonton to Atlantic City.

Q. You certainly asked for twelve buses from Hammonton down.

A. No. We are asking for twelve buses from Camden to Atlantic City.

Q. Where is the traffic for that portion of the route to come from, between Hammonton and Atlantic City?

A. In that section of the territory that lies between those places.

Q. From what particular section can you hope to fill the twelve buses, what towns?

A. All the way along.

Q. Name specifically one or two of those towns.

Commissioner Gnichtel: Will they be empty buses?

Witness: When they get to Hammonton, that is just it, no.

By Commissioner Gnichtel:

Q. I understand these buses are going to run from Camden to Atlantic City, all of them?

A. Yes, sir.

Q. Are the Berlin buses just to be extended, is that it?

A. Yes, sir, that is part of the application.

Commissioner Gnichtel: Your question would imply there is an empty bus that started from Hammonton.

Mr. Wolfe: I have not been quite clear from the beginning as to just why these two routes are separated.

Commissioner Gnichtel: It is rather confusing. I read the petitions and then there is an amended petition, and it is rather confusing. But from the testimony, as I gather it, they now apply to run a bus from Atlantic City—or Camden to Atlantic City. In that will be incorporated the Berlin Bus Company. Then it will be extended to Hammonton and from Hammonton to Egg Harbor. You control the bus from Egg Harbor to Atlantic City.

Witness: The bus from Egg Harbor to Atlantic City has just been purchased, yes, sir, as part of our program to make this a local line.

Commissioner Gnichtel: That will be combined with it, so the only part of this route that will be covered that is not now covered is from Berlin to Hammonton and from Hammonton to Egg Harbor, is that it?

Witness: From Hammonton to Egg Harbor, really.

Commissioner Gnichtel: The confusing part of it is you get in some places that are south there that really have nothing to do with this route.

Witness: Well, the service at Berlin now splits; part of it now goes straight down the White Horse Pike and part of it goes down through Tansboro.

By Commissioner Gnichtel:

Q. Tansboro has nothing to do with this route at all?

A. No, sir.

Q. The mention of Tansboro in one of the headings there is misleading.

A. It was put in, I suppose, because the line was originally called the Berlin-Atco-Tansboro route. The reason we need twelve buses is that if we were operating a line, if we were starting a new line today from Camden to Atlantic City to run this kind of service, we would apply for six permits, which would give that service, but under the law as I understand it, the permit goes with the bus and we really ought to have, instead of twelve, to make the operation properly flexible and to hitch to what we do have, we ought to have fourteen permits, if not twenty-four, because the permit goes with the bus on the route. With only twelve permits through to Atlantic City there will be only half the buses on that line that can operate through, and we will have to, when we get down to Hammonton, we will have to look around and say, can this bus go through to Atlantic City or have we got to wait for the next one, or originally lay out our schedules that way. The asking for twelve permits is to make it so that we will have for flexibility sake a larger number of buses that we can operate as part of the through route, not to provide a greater headway. If I can anticipate your thought, it is this: you are fearful that we are going to put a lot of trippers on there for Saturdays and Sundays, week ends. I think I can clear it up by saying under the law at the present time we can operate special or occasional buses in tripper service, so the action on these per-

mits don't affect that situation at all. This is to give a regular hourly service down the pike.

By Mr. Wolfe:

Q. And there will be twelve buses operated daily between Hammonton and Atlantic City as part of the Camden route?

A. I don't know whether there will be twelve or whether there will be six. It depends on how the schedule works out. You mean individual vehicles. I will tell you, there will be an hour headway. I cannot make it any plainer than that, as to the amount of service.

Q. I suppose the amount of service you will give will depend primarily upon how much patronage you can draw from the larger communities such as Hammonton, Atlantic City and Egg Harbor?

A. It depends on how much patronage we can draw from wherever it comes. We will pick up the owner of an isolated gas station on the White Horse Pike and carry him where he wants to go just as quick as somebody from Philadelphia or Camden or anywhere.

Q. In your testimony you said you felt there was an essential reason for the public riding in buses and you gave as an instance thereof, they like to ride up to the White Mountains and down the Shenandoah Valley, and I think you said Montreal and several other places; I have forgotten which.

A. No. I cited that as an instance.

Q. Do you think that that instance or those instances are in any way comparable to a drive down the White Horse Pike?

A. No, except that they merely show the tendency, except that they show the tendency to even go fur-

ther than ride sixty miles from Camden to Atlantic City; they will ride 3,000 miles, from New York to Florida, and that is what they actually did, two bus loads last year.

Q. And you cannot see any distinction in riding over some scenic territory or to some unusual spot such as Gettysburg or elsewhere, and going down the White Horse Pike?

A. I would say that the scenery along the White Horse Pike would compare fairly favorably to most of the trips between New York and Florida.

Q. You think people go for that reason?

A. For what reason?

Q. Go down the White Horse Pike for scenery?

A. No. I don't think they went to Florida for the scenery on the trip.

Q. How many buses went down to Florida last winter, do you know?

A. Two buses. They went to Florida, not for the scenery on the trip, but to go to Florida, the same way they go down the White Horse Pike, not for the scenery along the pike, but to go to Atlantic City.

Q. I would like to ask another question to have the record clear. Is it your intention at any time to run express service to Atlantic City?

A. Under the present application, no.

Q. Is there anything in the present application to prevent you running such service if you desire?

A. Will you explain to me just a little bit more what you mean by express service?

Q. I mean non-stop, Camden to Atlantic City.

A. Fill up in Camden and no stop to Atlantic City?

Q. That is what I mean, or possibly if you want to stop at Hammonton, or possibly Egg Harbor, I would call that express service.

A. Can I see the application? There is nothing

in the application that would prevent that, to answer your question.

Q. So possibly you had in mind at the time the applications were filed, running express service as well as local service?

A. No, sir, I did not have it in mind.

Q. You did not?

A. No, sir. I cannot make that too plain, that our object in this is to continue the present local service further down the pike toward Atlantic City, that is our object and that is our sole object.

Q. You are willing to stipulate for the record that you never desire at any time to run an express service to Atlantic City?

A. Will you repeat that question?

(Question read.)

Mr. Straw: No, I would not make any such stipulation as that, Mr. Warner. That is ridiculous. Public Service Transportation Company is not now stipulating that it will never handle express service from here to Atlantic City; I will promise you that. We are not making any such stipulation at this time.

Mr. Wolfe: Then since the application is open to either form of service, I take it at any time you so desire you can start an express service.

Commissioner Gnichtel: I would not say so.

Mr. Straw: I would not either.

Commissioner Gnichtel: I think they must run the buses under their franchise which is according to the time-table here, showing the stops they make.

But under the law our Act provides this: the holder of any such consent for the operation of any autobus may use such autobus for special or occasional trips off its regular route whenever such autobus is not required for the operation of the schedule on its regular route, provided that any such special or occasional trip shall be not competitive with any bus route or street railway line. That is the provision in our law. I should say that if they wanted to put in an express service they would have to come in and get permission.

Witness: That is my feeling, your Honor. We have gotten the municipal consents from all these municipaities down through that route, to do a local business within those municipalities, and it seems to me our application is perfectly plain on the face of it. I won't say we will never run express service. We may want to change it. The thing may develop.

Q. Did you answer that question as to whether you would put a stipulation on the record?

A. I say, I won't say that we will never want to run express service.

Mr. Straw: We won't make any such stipulation as that.

Commissioner Gnichtel: It would not be binding, I think, if they should make it. He has no power to make it.

Mr. Wolfe: I don't know the practice here. In Pennsylvania we stipulate frequently.

Commissioner Gnichtel: Sometimes counsel stipu-

late as to restrictions. This is a stipulation as to an entirely different matter.

Witness: I do not think under our present permit we could abandon this line as a local line and run it all express service; I did not think we could do that.

Mr. Wolfe: I do not care whether you abandon it or do not. What I want to know is whether you can run express. I understand from his Honor you can.

Commissioner Gnichtel: If they want to run an express service there, my opinion, without having conferred with the rest of the Board, is, they would have to come here and apply for it.

Q. You stated that the operation of the Penn Jersey line heretofore extended to Burlington, Haddon Heights and gradually down to Berlin.

A. No, Haddon Heights, I think.

Q. And heretofore there has been no bus service beyond Berlin by your company, has there?

A. Except the service that we ran to Hammonton. We had one permit down to Hammonton.

Q. How often did you run that?

A. I don't know. It was not enough to give any kind of service down there at all. We ran infrequently; I will put it that way.

Commissioner Gnichtel: Is that still running?

Witness: Infrequently.

Q. What do you mean by that, once a week or what?

A. Yes, possibly once a week.

Q. Your original rail line ran to Clementon, did it not?

A. It did; still running to Clementon.

Q. So your present application is to run the bus line entirely out of the original territory of the street railway company, is it not?

A. Why, yes; beyond the original territory of the street railway company.

Q. How far is Clementon from Camden?

A. About twelve miles.

Q. So that you expect to add to that original territory a new territory of some forty-eight miles, is that correct, paralleling the railroad, the three railroads?

A. Well, I guess it is about forty-eight miles from Clementon to Atlantic City.

Q. I understood from your testimony that you filed, that when you took in this service down to Berlin, Haddon Heights and so forth, that that was an advantage to the railroads; did I understand you to so testify?

A. I don't get you on that. I wish you would be a little more specific.

Q. I thought you said that by putting it in your line you drove out of business some of the independent operators and that was an advantage to the railroad?

A. You mean now the Penn-Jersey operation that we put in?

Q. The Penn-Jersey.

A. Yes. It gave you certainly just that much less competition.

Q. In other words, you think a large established corporation of the size of the two companies that are back of the Penn-Jersey, that that made the competition less to the railroad.

A. Yes.

Q. Why?

A. You get less trips there and less service from the interstate now than you had. There were some thirty odd buses that were operating from Gloucester and Haddonfield, that were the first to succumb. When those passed out of the picture the Penn-Jersey service to those places was not increased. Now, with thirty buses completely out of the picture there it was certainly the competition of thirty less buses, as far as you were concerned; I mean you, speaking of both railroads.

Q. Do you know that you carry any less passengers than the thirty independent lines that succumbed?

A. We must have.

Q. How do you know?

A. Because when those two companies passed out the revenue on the Penn-Jersey lines did not increase enough to anywhere near—it was practically a negligible increase at that time.

Q. Mr. Warner, do you believe in competition between utilities?

A. No, I do not. I am absolutely against competition between utilities.

Q. But you do think that it is desirable to add a bus line directly competitive to two railroads between Camden and Atlantic City?

A. It is paralleling, and I will say what I said before, I do not think this is going to be competitive to your railroads.

Q. Do you think you will take any traffic that we might get from Hammonton or Egg Harbor or Camden to Atlantic City?

A. Very, very little. I feel this way: If I can enlarge on that answer a moment: that as far as competition with the railroads goes between Camden

and Philadelphia and Atlantic City that it is, to be perfectly plain and frank, it is your own fault. We have done protective measures, we have done everything in our power physically from the operating point of view to protect, from the legislative and legal point of view, to protect, and as far as my observation has gone your organizations have sat back and said continually that it don't interest you. That was particularly true on the Reed Bacharach Bill. That bill was passed by the Senate and was up before the House for final hearing and it would not have taken much more help to put that through, and you would have had your Camden bridge and your Holland tunnel protected, but with the exception of Camden, the Camden Chamber of Commerce and a few other South Jersey organizations such as that, and the P. R. T., we were left high and dry. I believe in the protection of the existing facility just as far as it can function, but I do not believe that the steam railroads, yours or anybody else, can function to furnish a local service along the White Horse Pike.

Q. Do you believe it should function between Atlantic City and Camden?

A. I have said so ——

Q. Wait a minute. Do you believe it should function between Atlantic City and Camden as express service?

A. Yes.

Q. Do you think, in your opinion, would it be desirable to have it cease to function as an express service if it cannot derive the revenue that is necessary in the local traffic?

A. If it cannot stand on its own feet, I guess it will have to cease to function.

Q. Do you think you should be entitled to parallel that line or those two lines and take away sufficient

traffic to drive it out of business as an express service?

A. I don't think we will; I don't think we will. I have said time and time again I do not think it is going to be competitive. I think the functions of those two facilities down the White Horse Pike are just as far apart as dawn is from sunset.

Mr. Straw: We rest, if your Honor please.

Commissioner Gnichtel: The case is closed?

Mr. Maxwell: Yes.

(Discussion as to briefs.)

Commissioner Gnichtel: The petitioner might get up the first brief and hand it to you and you could reply to it.

(Briefs to be filed within one month.)

(Matter taken into conference.)

DECISION.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

10

In the matter of the application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of municipal consents for the extension of the Camden - Berlin - Atco - Tansboro route to Atlantic City, New Jersey,
and
In the matter of the application of PUBLIC SERVICE TRANSPORTATION COMPANY for approval of municipal consents to operate twelve additional autobuses between and including Camden and Hammonton, New Jersey.

20

Decision.

30

CHARLES S. STRAW, for Public Service Transportation Company.

GEORGE H. BOURGEOIS, H. C. MAXWELL and GEORGE M. SHIPMAN, for the West Jersey and Seashore Railroad Company.

WM. L. KINTER, EDWARD L. KATZENBACH, FLOYD H. BRADLEY and C. T. WOLF, for the Atlantic City Railroad Company.

JOSEPH B. PERSKIE and A. J. SIRACUSA, for the City of Atlantic City.

C. R. FLACK, for the Absecon Bus Company.

H. S. SCHERTZ, for Atlantic Tours, Inc.

J. I. RUSTER, for the City of Camden Chamber of Commerce.

These are applications by Public Service Transportation Company for approval of municipal consents to extend the Camden-Berlin-Atco-Tansboro route to Atlantic City and for the approval of municipal consents to operate twelve additional autobuses between Camden and Hammonton, N. J.

The Board in its decision of February 18, 1927, approved of the transfer of municipal consents from the Berlin Bus Company, *et als.*, to the Public Service Transportation Company to operate twelve autobuses on the following routes: (a) starting at the Pennsylvania Railroad Ferries, Camden, thence on Federal Street, thence on Haddon Avenue, thence on White Horse Pike, through Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs and Watsontown, thence on Franklin Avenue, West Berlin, to Haddonfield Road, thence to White Horse Pike through Berlin to the junction of White Horse Pike and Blue Anchor Road. (b) Tansboro route—from Berlin thence via Blue Anchor Road to Tansboro

school house. (c) Atco route—from Berlin via White Horse Pike to Atco Lake, Atco.

The instant application desires to extend these routes via the White Horse Pike, Absecon Boulevard, into Atlantic City, N. J., thence on Indiana Avenue, Baltic Avenue, Arkansas Avenue, to the Union Bus Terminal.

Municipal consents have been submitted from all the municipalities through which the buses are to be operated. The municipal consent of Atlantic City was granted on August 25, 1927, with the following condition:

> "Passengers are to be accepted and discharged only at the terminal of said Public Service Transportation Company, located at Arkansas Avenue and the Boardwalk, Atlantic City, New Jersey. No stops are to be permitted to be made for the acceptance or discharge of passengers over the route above set forth."

It further appears, however, that on January 12, 1928, the Board of Commissioners of the City of Atlantic City, by resolution, revoked and declared null and void the municipal consent given on August 25, 1927. Whether this action of the municipality is lawful need not be determined.

In the application for approval of municipal consents to operate twelve additional autobuses between Camden and Hammonton, the route is as follows: Beginning at the Pennsylvania Railroad Ferries, Camden, thence on Federal Street, thence on Haddon Avenue, thence on White Horse Pike through Oaklyn, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Somerdale, Stratford, Laurel Springs and Watsontown, thence on Franklin Avenue, West Berlin, to Haddonfield Road,

thence again to White Horse Pike and Bellevue Avenue, thence on Bellevue Avenue, Egg Harbor Road and White Horse Pike to the Hammonton line; returning via same route to Haddon Avenue and Federal Street, Camden, thence via Seventh Street, Market Street, to the Pennsylvania Railroad Ferries, Camden; also providing that any of the autobuses may terminate its route at the Camden County Court House.

The rates of fare are filed with the application, the maximum fare being—Atlantic City to Camden, $1.25; the minimum fare being 10¢.

Testimony in support of the application was submitted by various witnesses for the applicant, members of the Chamber of Commerce of the City of Camden and various municipal officials located along the route, also other parties interested in the establishment of this service.

The petitioner agreed to accept the following restriction:

> "That its buses will not accept passengers who begin and end their trips between and including Atlantic City and the City of Absecon, N. J."

The West Jersey & Seashore Railroad Company and Atlantic City Railroad Company opposed the applications and submitted testimony indicating the character of service furnished by their respective facilities between and including Camden and Atlantic City and intermediate points, also various financial statements indicating both companies' operations for the past several years.

Witnesses from Camden, Atlantic City and Ventnor City, also several civic business organizations, opposed the applications, being of the opinion that

by the establishing of autobus service over these routes, it would further reduce the revenues of the railroad company and possibly cause a reduction of railroad service to and from Atlantic City, and also tend to increase the traffic congestion on the streets of Atlantic City and White Horse Pike.

The present transportation facilities operating between Philadelphia, Camden and Atlantic City are the Atlantic City Railroad Company and West Jersey & Seashore Railroad Company, which operates both a steam and electric railroad.

There is a section of the White Horse Pike located between Hammonton and Egg Harbor which is not served by an intrastate bus operation. From the proofs offered by the Atlantic City Railroad Company, it appears that with the opening of the Delaware River Bridge, there was an abrupt decline of the passenger revenues in the year 1925 to $3,231,597; in the year 1926 the passenger revenue fell off to $2,864,016; in the year 1927 there was a further reduction to $2,429,554. The deficits of this company had been gradually reduced until in the year 1925 the deficit was $135,232.46; in 1926 the deficit was $241,429.71, and in the year 1927 it amounted to $771,511.95. It further appears that the Atlantic City Railroad Company has spent during the past ten years for additions and betterments, including the cost of equipment especially allocated for the Atlantic City Railroad Company, a total of approximately $10,000,000, all of the foregoing expenditures being directed toward the maintenance and improvement in service between Camden and Atlantic City.

The West Jersey & Seashore Railroad Company operates the facilities between and including Camden and Atlantic City by steam railroad routes paralleling the White Horse Pike, and an electric

line via Newfield which furnishes both express and local service between these two points. It appears that this company has also expended, during the past few years, for additions and betterments, a total of approximately $879,900.

The operating schedules of both of these railroads, offered in evidence, indicate that reasonable and adequate service is furnished between Atlantic City, Hammonton and Camden, also the intermediate points between Hammonton and Camden. The railroad service furnished between Atlantic City and Hammonton appears to be infrequent. The proofs, however, demonstrate to the Board that this section of the State is sparsely settled, that there were very few persons who offered themselves for transportation by railroads at the various stations.

All the exhibits offered clearly indicate that the railroads are losing vast sums of money operating their facilities between these points, a considerable loss being caused by the continued increase in the number of privately owned automobiles, the continued increase in interstate bus transportation, which is without regulation and increases at will. Because of this situation the railroads are maintaining service at a great loss, which will be increased by the addition of other transportation facilities. The testimony indicates that most of the intermediate business is now being amply served by buses as well as the railroads as far east as Hammonton and from Egg Harbor to Atlantic City. It is evident, therefore, that direct competition in through business will result from the proposed application. The Supreme Court of this State has set forth the rule for the Board to follow in the case of Hunter, Pros., v. Board of Public Utility Commissioners, 1 N. J. Misc. 409, as follows:

"The State assumes to regulate the rates

for transportation, and the character of the service rendered. Morally and legally, it should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service."

The Board is of the opinion that a bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger incomes of the railroads, which would probably result in a further curtailment of service.

Upon consideration of the evidence the Board finds and determines that the municipal consents given to the petitioner for the operation of autobuses in the above-mentioned applications are not necessary and proper for the public convenience and will not properly conserve the public interest, therefore the application is denied.

Dated, July 17th, 1928.

BOARD OF PUBLIC UTILITY COMMISSIONERS,

By (Signed) Jos. F. Autenrieth,
President.

(Seal)

Attest:

(Signed) Emmett T. Drew,
Acting Secretary.

I hereby certify the foregoing to be a true copy of a decision adopted by the Board of Public Utility Commissioners and ordered filed by said Board.

Secretary.

NOTICE OF ARGUMENT.
(Filed Sept. 16, 1929.)

NEW JERSEY SUPREME COURT.

WEST JERSEY AND SEASHORE RAILROAD COMPANY and PENNSYLVANIA GENERAL TRANSIT COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et al.,* *Defendants.*	On Certiorari. Notice of Argument.

Please take notice of the argument of the issue joined in this cause before the New Jersey Supreme Court at a term thereof to be holden at Trenton on the first Tuesday of October next at eleven o'clock in the forenoon, or as soon thereafter as the Court can attend to the same.

Dated: September 11th, 1929.

Yours respectfully,

OSBORNE, CORNISH & SCHECK,
Attorneys for Prosecutors.

To JOHN O. BIGELOW, ESQ.,
Attorney for Board of Public Utility Commissioners.

FRANK BERGEN, ESQ.,
Attorney for Public Service Coordinated Transport.
FRENCH, BRADLEY AND RICHARDS, ESQS.,
Attorneys for Atlantic City Railroad Company, and Reading Trans. Co.
PATRICK H. HARDING, ESQ.,
Attorney for White Way Tours, Parlor Car De Luxe Company and Union Bus Company.

[ENDORSED]

Service of the within notice is hereby acknowledged this 10th day of September, 1929.

J. O. Bigelow,
Attorney for Board of Public Utility Commissioners.

Service of the within notice is hereby acknowledged this 11th day of September, 1929.

Frank Bergen,
Attorney for Public Service Coordinated Transport.

Service of the within notice is hereby

acknowledged this 12 day of September, 1929.

French, Richards & Bradley,
Attorneys for Atlantic City Railroad Company, and Reading Transportation Co.

Service of the within notice is hereby acknowledged this 13th day of September, 1929.

Patrick H. Harding,
Attorney for White Way Tours, Parlor Car De Luxe Company and Union Bus Company.

NOTICE OF ARGUMENT.

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et als.*,
Defendants.

On Certiorari.
Notice of Argument.

Please take notice of the argument of the issue joined in this cause before the New Jersey Supreme Court, at a term thereof to be holden at Trenton, on the first Tuesday of October next, at eleven o'clock in the forenoon, or as soon thereafter as the Court can attend to the same.

Dated September 13, 1929.

Yours respectfully,

CLIFFORD A. BALDWIN,
Attorney for Prosecutors.

To JOHN O. BIGELOW, ESQUIRE,
Attorney for Board of Public Utility Commissioners.

FRANK BERGEN, ESQUIRE,
Attorney for Public Service Coordinated Transport.
OSBORNE, CORNISH & SCHECK, ESQUIRES,
Attorneys for West Jersey & Seashore Railroad Company, and Pennsylvania General Transit Company.
PATRICK H. HARDING, ESQUIRE,
Attorney for White Way Tours, Parlor De Luxe Coach Company and Union Bus Company.

[ENDORSED]

Acknowledged service Sept. 16, 1929.

O., C. & S.

REASONS.

(Filed Sept. 13, 1929.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et al.,* *Defendants.*	On Certiorari. Reasons.

Atlantic City Railroad Company and Reading Transportation Company, prosecutors of the above-entitled writ of certiorari, by French, Richards & Bradley and Clifford A. Baldwin, their attorneys, come and pray that the order of the Board of Public Utility Commissioners of New Jersey, made on the 27th day of June, 1929, wherein, among other things, the said Board approved certain municipal consents of Public Service Coordinated Transport, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company for bus operations over

the Camden-Atlantic City route, and denied approval of certain municipal consents of the Reading Transportation Company for bus operations over the same route, as by reference to the said order will more fully appear, may be declared null and void, set aside and for nothing holden for the following reasons, namely:

1. There was no evidence before the Board of Public Utility Commissioners reasonably to support the said decision.

2. There was no evidence before the said Board reasonably to support its determination that the municipal consents given to the Public Service Coordinated Transport, Union Bus Co., White Way Tours and Parlor De Luxe Coach Company for bus operations over the Camden-Atlantic City route are necessary and proper for the public convenience and properly conserve the public interest.

3. There was no evidence before the said Board reasonably to support its determination that the municipal consents of the Pennsylvania General Transit Co. (a subsidiary of the Pennsylvania Railroad Company, and West Jersey & Seashore Railroad Co.), and of the Reading Transportation Co. (a subsidiary of the Atlantic City Railroad Co.), for the operation of twenty-five buses each over the Camden-Atlantic City route are not necessary and proper for the public convenience and do not properly conserve the public interest.

4. There was no evidence before the said Board reasonably to support its determination that the prosecutors do not have a valid and subsisting legal

right to render transportation service over the Camden-Atlantic City route to the exclusion of all others except as to the local service between Camden and Hammonton, and between Atlantic City and Egg Harbor to the extent heretofore rendered by the Public Service Coordinated Transport.

5. There was no evidence before the said Board reasonably to support the reversal of the decision of the said Board in the matter of the application of Public Service Coordinated Transportation Company for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro route to Atlantic City, N. J., dated July 17, 1928, in which the said Board found that:

> "All the exhibits clearly indicate that the railroads are losing vast sums of money operating their facilities between these points, a considerable loss being caused by the continued increase in the number of privately owned automobiles, the continued increase in interstate bus transportation, which is without regulation and increases at will. Because of this situation the railroads are maintaining service at a great loss, which will be increased by the addition of other transportation facilities. The testimony indicates that most of the intermediate business is now being amply served by buses as well as the railroads as far east as Hammonton and from Egg Harbor to Atlantic City. It is evident, therefore, that direct competition in through business will result from the proposed application. The Supreme Court of this State has set forth the rule for the Board to follow in the case of Hunter, Pros., v. Board of Public Utility Commissioners, 1 N. J. Misc. 409, as follows:

'The State assumes to regulate the rates for transportation, and the character of the service rendered. Morally and legally it should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service.'

The Board is of the opinion that a bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger incomes of the railroads, which would probably result in a further curtailment of service."

6. There was no evidence before the said Board reasonably to support its finding of fact that:

"The railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation."

7. There was no evidence before the said Board reasonably to support its finding of fact that:

"The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City."

But there was evidence before the Board that Public Service Coordinated Transport has not been supplying the local transportation over the entire route located between Camden and Atlantic City.

8. There was no evidence before the Board to support the determination of the Board that:

"The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service."

9. There was no evidence before the Board to support its determination that the railroads' willingness to supply bus service should pre-empt the territory against other lines,

"which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation."

When there was no evidence before the Board that any other applicant had been carrying on both interstate and intrastate service in this territory at any time, or that any of the applicants referred to in the above-quoted paragraph had been carrying on intrastate business.

10. There was no evidence before the Board reasonably to support its necessary finding that Public Service Coordinated Transport has valid and subsisting local consents from the City of Atlantic City to operate four additional buses upon the Egg Harbor-Atlantic City route extended to Berlin.

11. The order of the said Board is invalid in that it purports to approve five municipal consents of Public Service Coordinated Transport from the City of Atlantic City for the operation of autobuses upon the Egg Harbor-Atlantic City route extended to Berlin for that only one of the said five municipal consents is valid and subsisting.

12. The decision of the said Board is unlawful in that it approves the municipal consents of Public Service Coordinated Transport for the operation of

five buses in a local service between and including Atlantic City and Berlin, N. J., without restricting the said operator from carrying through passengers from Camden to Atlantic City.

13. The said order of the said Board directly contravenes the established policy of the State favoring existing transportation systems and does not properly protect the public interest in that it permits and encourages destructive competition and does not adequately protect existing transportation facilities.

14. The said decision of the Board of Public Utility Commissioners is erroneous, contrary to the law and exceeds the power of the said Board under the pertinent statutes of the State of New Jersey.

15. The said order of the said Board is unlawful in deciding that:

> "The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Penna.; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with

bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation."

16. The said order of the said Board is unlawful in approving the municipal consents of the exclusively interstate operators (Union Bus Company, White Way Tours and Parlor De Luxe Coach Company) to operate intrastate buses in competition with the Atlantic City Railroad Company and the West Jersey & Seashore Railroad Company.

17. The order of the said Board is unlawful in that it denies to the said railroads or their subsidiaries a preferential right to render exclusive service in the territory served by them for many years before any other existing common carrier entered the field, although the said railroads are prepared and are willing to render all the service necessary for the public convenience.

18. The order of the said Board is unlawful in that it denies to the railroads a preferential right to supply local autobus service between points now exclusively served by the said railroads.

19. The said order of the Board of Public Utility Commissioners deprives the prosecutors of rights guaranteed by the Constitution of the State of New Jersey and the Constitution of the United States.

20. The said order of the said Board deprives the prosecutors of property without the due process of law and deprives them of the equal protection of

the laws contrary to the provisions of the Fourteenth Amendment of the Constitution of the United States.

21. The said order of the said Board takes private property without just compensation, contrary to Section 16 of the Constitution of New Jersey.

22. If the provisions of any statute of the State of New Jersey may be so construed as to authorize the said Board to make the said order, then such provisions are unconstitutional and especially violate the Fourteenth Amendment of the Constitution of the United States, in that they deprive the prosecutors of property without due process of law and deprive them of the equal protection of the law, and also violate Section 16 of the Constitution of the State of New Jersey in that they take private property without compensation.

23. The said order of the said Board is arbitrary and unreasonable in limiting the operation of autobuses by the prosecutor, Reading Transportation Company, and in allowing the operation of autobuses by the Public Service Coordinated Transport, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company in the said area, as in said order provided.

FRENCH, RICHARDS & BRADLEY,
CLIFFORD A. BALDWIN,
Attorneys for Prosecutors.

OPINION.

(Filed March 7, 1930.)

NEW JERSEY SUPREME COURT.

Nos. 209 and 210, January Term, 1930.

WEST JERSEY AND SEASHORE RAILROAD COMPANY, *et al.*, *Prosecutors*,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS, *et al.*, *Defendants*.

No. 209.

ATLANTIC CITY RAILROAD COMPANY, *et al.*, *Prosecutors*,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS, *et al.*, *Defendants*.

No. 210.

Argued January 22 and 23, 1930; decided March , 1930.

Before Justices Parker, Black and Bodine.

For the prosecutors, Harry V. Osborn and Floyd H. Bradley. (Clifford A. Baldwin on the brief.)

For the Board of Public Utility Commissioners, John O. Bigelow.

For the Public Service Coordinated Transport, William H. Speer.

For Union Bus Company, *et al.*, Emerson L. Richards.

Per Curiam:

These cases were ably argued and fully briefed. They have also received the consideration that is their due.

The attack is on an order made by the Board of Public Utility Commissioners on June 27, 1929, relating to the operation of public buses on the White *House* Pike running from Camden to Atlantic City. The effect of the order is to permit the operation of five local buses by Public Service Coordinated Transport between Egg Harbor City and Berlin in addition to its pre-existing service between Camden and Berlin and Hammonton, and Atlantic City and Egg Harbor; such buses to be restricted to local business; of ten through buses by the Pennsylvania General Transit Company, affiliated with the West Jersey and Seashore Railroad Company, between Camden and Atlantic City; of ten through buses by

the Reading Transportation Company, affiliated with the Atlantic City Railroad Company, between the same points; and of three through buses by the White Way Tours, three by the Parlor DeLuxe Coach Company, and four by the Union Bus Company between the same points. The last three concerns operate under one management, called the O. G. Schultz Management, and the Union Company buses are routed by way of Pleasantville, a slight detour to the south. The total number applied for was 135 which the Board reduced to 35 deeming that number adequate.

The principal part of the attack is by the two railroad companies and their affiliated bus lines, on the exclusive privileges for local traffic thus granted to the Public Service buses. Prior to this decision by the Board, which was made after public hearings lasting over some three months, in which all parties concerned were fully heard, there had been no local bus service at all between Egg Harbor and Hammonton, a distance of eleven miles. The Public Service had operated between Camden and Berlin with one bus going as far as Hammonton. In 1928 the Public Service Coordinated Transport applied for leave to extend its service to Atlantic City, and the Board refused a permit. Then it acquired the franchise of a local line operating between Atlantic City and Egg Harbor, which still left the gap of eleven miles between Egg Harbor and Hammonton, and on January 20, 1929, applied for leave to close that gap and increase the Hammonton-Berlin service. The present prosecutors resisted this, and in March and April countered with applications to supplement the existing railroad service with 25 buses each. The

three other companies, viz., the O. G. Schultz Management, at the same time asked for 20 or more buses each. The Board heard all the applications together and decided on a total of 35 buses distributed as above stated.

Reams of paper have been filled with the testimony and exhibits submitted to the Board and briefs of counsel, but the ultimate points for decision are as usual quite simple. Did the Board have jurisdiction? Undeniably it did. Was there evidence to support its determination? Unquestionably there was. Was that determination unreasonable, and particularly, were property rights infringed thereby? This seems to be the crux of the dispute. Unless the prosecutors have shown that this question should be answered in the affirmative, their attack fails.

Taking up the exclusive local service: As a result of the order, the Public Service may operate buses to Berlin from the Camden end, and operate other buses from Atlantic City to Berlin; so that anyone who cares to ride between Camden and Atlantic City on a local bus making an indefinite number of stops, with a change to another similar bus at Berlin, will have the privilege of so doing. It may fairly be surmised that the resulting encroachment on the through business of the railroads and the business of through bus lines is negligible. But the railroads claim that the local bus trade will cut into the local business by railroad; to which the reply is made, and satisfactorily to us, that as the railroads relied for almost all their passenger business on fast through trains, of which as a matter of common knowledge large numbers are operated every

day, and local service was limited to one or two trains each way, it is difficult to see how they have been or will be injured to any appreciable extent by local bus facilities. If, as they claim, they are entitled, as public utilities, to protection against destructive competition, it should be a competition with a service which they have been giving. Then as to the bus lines affiliated with the railroads; they made no move toward a permit for over two months after the application of the Public Service was on file. We deem that the Board was fully justified in deciding that the public would be best served by assigning this new field to a corporation which had thus demonstrated its interest in supplying the public need and its ability to satisfy it, instead of turning that field over to a, perhaps, destructive competition by lines which theretofore had shown no interest in the matter.

It seems unnecessary to say more on this phase of the case. As to the permits to the Schultz lines, these latter are primarily interstate and to that extent nor under control of the Board. It is not at all clear that they work any substantial harm to the railroads; for as intimated in the testimony and as is fairly plain to even the casual observer, the enormous growth of the private automobile as a means of transport, coupled with the existence of a great State road from Camden to Atlantic City and the facilities of the new bridge over the Delaware at Camden, are quite enough to account for the falling off in the business of trains operating from fixed termini and on a fixed schedule.

We find, therefore, no infirmity in the decision

reached by the Board and the writs of certiorari are accordingly dismissed.

A true copy,
FRED L. BLOODGOOD,
Clerk.

RULE FOR JUDGMENT.

NEW JERSEY SUPREME COURT.

No. 210, January Term, 1930.

ATLANTIC CITY RAILROAD COMPANY, *et al.*, *Prosecutors*, v. BOARD OF PUBLIC UTILITY COMMISSIONERS, *et al.*, *Defendants.* — On Certiorari. Rule for Judgment.

This cause coming on to be heard before the Court upon a writ of certiorari allowed herein, and the Court having examined said writ, the return thereto, the testimony presented therewith, and the reasons for reversal filed by the prosecutors, and having heard the argument of counsel thereon and having

read the briefs filed by counsel, and being satisfied that the order of the Board of Public Utility Commissioners made on June 27, 1929, relating to the operation of public buses on the White Horse Pike running from Camden to Atlantic City, should not be disturbed or set aside,

It is adjudged and decreed that the said order of the Board of Public Utility Commissioners be and the same is, therefore, affirmed and the writ of certiorari is dismissed, with costs to the defendants.

Entered: March 12, 1930.

On motion of

WILLIAM H. SPEER,
Attorney for Deft., Public Service Coordinated Transport.

A true copy,
FRED L. BLOODGOOD,
Clerk.

NOTICE OF APPEAL FROM JUDGMENT OF SUPREME COURT.

(Filed Mar. 11, 1931.)

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Prosecutors,* v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, UNION BUS COMPANY, PARLOR DELUXE COACH COMPANY and WHITE WAY TOURS, *Defendants.*	On Certiorari. Notice of Appeal from Judgment of Supreme Court.

To L. Edward Herrmann, Esq., Attorney for Board of Public Utility Commissioners of the State of New Jersey.

William H. Speer, Esq., Attorney for Public Service Coordinated Transport.

Patrick H. Harding, Esq., and Emerson L. Richards, Esq., Attorneys for Union Bus Company, Parlor DeLuxe Coach Company and White Way Tours.

Sirs:

Please take notice that the prosecutors in the above entitled cause appeal to the Court of Errors and Appeals in the last resort in all causes in New Jersey from the whole of the judgment entered in this cause.

Yours respectfully,
FRENCH, RICHARDS & BRADLEY,
Attorneys for Prosecutors.

Dated: March 7th, 1931.

A true copy,
FRED L. BLOODGOOD,
Clerk.

[ENDORSED]

Service of the within Notice is hereby acknowledged this day of March, 1931.

.....
Attorney for Board of Public Utility Commissioners of the State of New Jersey.

Service of the within Notice is hereby acknowledged this 9th day of March, 1931.

William H. Speer,
Attorney for Public Service Coordinated Transport.

Service of the within Notice is hereby acknowledged this 9 day of March, 1931.

Emerson L. Richards,
Patrick H. Harding,
Attorneys for Union Bus Company, Parlor DeLuxe Coach Company and White Way Tours.

AFFIDAVIT OF SERVICE.

NEW JERSEY SUPREME COURT.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,
Prosecutors,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, UNION BUS COMPANY, PARLOR DeLUXE COACH COMPANY and WHITE WAY TOURS,
Defendants.

Affidavit of Service.

STATE OF NEW JERSEY, } *ss.*
COUNTY OF CAMDEN, }

RALPH S. WARRINGTON, of full age, being duly sworn according to law, on his oath deposes and says:

I am a registered law student in the State of New Jersey and on March 10, 1931, at the hour of twelve-

thirty o'clock in the afternoon of said day, I made service of a certain notice of appeal, similar to that attached hereto, upon Emmett T. Drew, Secretary of the Board of Public Utility Commissioners of the State of New Jersey, at his office in the State House, in the City of Trenton, New Jersey.

RALPH S. WARRINGTON.

Sworn to and subscribed before me this tenth day of March, A. D. 1931.

CARL J. GEIGES,
Attorney-at-Law of N. J.

GROUND OF APPEAL.

(Filed Apr. 10, 1931.)

COURT OF ERRORS AND APPEALS OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,
Prosecutors-Appellants,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, UNION BUS COMPANY, PARLOR DELUXE COACH COMPANY and WHITE WAY TOURS,
Defendants-Respondents.

Ground of Appeal.

The appellants in the above entitled cause specify and set forth the following as the ground of their appeal in said cause, to wit:

That the New Jersey Supreme Court erred in giving judgment for the defendants, Board of Pub-

lic Utility Commissioners of the State of New Jersey, Public Service Coordinated Transport, Union Bus Company, Parlor DeLuxe Coach Company and White Way Tours, instead of for the prosecutors in said court, Atlantic City Railroad Company and Reading Transportation Company.

FRENCH, RICHARDS & BRADLEY,
Attorneys for Prosecutors-Appellants.

Dated: April 8, 1931.

A true copy,
JOSEPH F. S. FITZPATRICK,
Clerk.

Service of the within ground of appeal is hereby acknowledged this 9th day of April, 1931.

William H. Speer,
Attorney for Public Service Coordinated Transport.

Service of the within ground of appeal is hereby acknowledged this 9th day of April, 1931.

Patrick H. Harding,
Emerson Richards,
Attorneys for Union Bus Company, Parlor DeLuxe Coach Company and White Way Tours.

AFFIDAVIT OF SERVICE.

COURT OF ERRORS AND APPEALS OF NEW JERSEY.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,
Prosecutors-Appellants,
v.
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, UNION BUS COMPANY, PARLOR DELUXE COACH COMPANY and WHITE WAY TOURS,
Defendants-Respondents.

Affidavit of Service.

STATE OF NEW JPRSEY, } *ss.*
COUNTY OF CAMDEN, }

RALPH S. WARRINGTON, of full age, being duly sworn according to law, on his oath deposes and says:

I am a registered law student in the State of New

New Jersey State Library

Jersey and on April 9, 1931, at the hour of three o'clock in the afternoon of said day, I made service of a certain ground of appeal, similar to that attached hereto, upon Emmett T. Drew, Secretary of the Board of Public Utility Commissioners of the State of New Jersey, at his office in the State House, in the City of Trenton, New Jersey, by leaving the same with one Mrs. Burns, a clerk in the said office of the said Emmett T. Drew, he, the said Emmett T. Drew, not being present at the time.

RALPH S. WARRINGTON.

Sworn to and subscribed before me this 9th day of April, A. D. 1931.

CARL J. GEIGES,
Attorney-at-Law of N. J.

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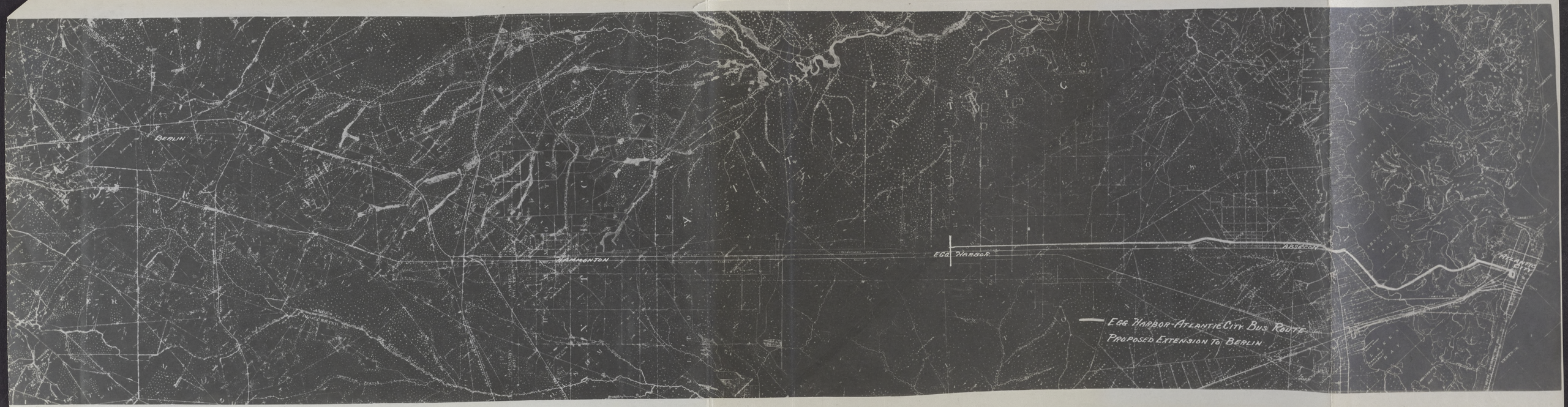
THIS PHOTOSTAT BOOK
MADE BY
J. HARMAR
51 W. HANOVER STREET
TRENTON, N. J.

PUBLIC SERVICE EXHIBITS
(PRESENT CASE)

WEST JERSEY & SEA SHORE RAILROAD
(PRESENT CASE)


BERLIN
HAMMONTON
EGG HARBOR
ABSECON
ATLANTIC CITY
EGG HARBOR-ATLANTIC CITY BUS ROUTE
PROPOSED EXTENSION TO BERLIN

Eastbound
Berlin-Atlantic City train Service
West Jersey and Seashore Railroad Co.
Weekday Schedule

Mileage	Station	A.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	Sunday Schedule	
									A.M.	A.M.
0	Berlin	8.17	4.03		6.22	6.32	6.22	7.01		
1.0	Bishops Bridge	f8.19	f4.05		6.25	f6.34		7.03		
2.5	Atco	8.23	4.09		6.30	6.38	6.27	7.07		
4.1	Dunbarton	f8.25	f4.12		6.34	f6.42		f7.10		
4.7	Fisher	f8.27	f4.14		6.36	f6.44		f7.12		
5.5	Chesilhurst	f8.29			6.38	f6.46		f7.14		
6.2	Waterford	8.32	4.17		6.41	6.49		7.17		
8.2	Ancora	f8.36				f6.52		b7.21		
13.7	Hammonton	8.47	4.29	5.38	6.55	7.05	6.41	7.30	10.14	
24.8	Egg Harbor	9.02	4.42	5.49			6.53		10.26	
35.5	Absecon	9.17	4.57				7.05		10.38	d11.02
42.1	Atlantic City	9.30	5.08	6.10			7.18		10.50	11.15

f -- denotes stops only on signal or notice to agent or conductor to receive or discharge passengers.
b -- stops only on notice to Conductor to discharge passengers.
d -- stops only to discharge passengers.

Effective November 5th, 1928.

Westbound

Atlantic City-Berlin Train Service
West Jersey and Seashore Railroad Co.
Weekday Schedule

Mileage	Station	A.M.	A.M.	A.M.	A.M.	A.M.	P.M.	P.M.	Sunday Schedule P.M.	Sunday Schedule P.M.
0	Atlantic City				6.00	7.10	4.00	4.45	4.15	4.45
6.6	Absecon				6.11	7.20	4.11	a4.56	4.26	a4.56
17.3	Egg Harbor				6.27	7.30	4.25		4.38	
28.4	Hammonton	4.50	5.35	6.25	6.44	7.42	4.40		4.51	
33.9	Ancora	f5.01	f5.43		f6.54		f4.48			
35.9	Waterford	5.06	5.47	6.35	6.58		4.53			
36.6	Chesilhurst	5.08	5.49	f6.37	f7.00		f4.55			
37.4	Fisher	5.10	5.51	f6.39	f7.02		f4.57			
38.0	Dumbarton	5.12	5.53	f6.41	f7.04		f4.59			
39.6	Atco	5.17	5.58	6.46	7.09		5.04			
41.1	Bishop Bridge	5.20	6.01	6.49	f7.12					
42.1	Berlin	5.23	6.04	6.52	7.15		5.09			

a -- stops only on signal or notice to Agent to receive passengers.
f -- stops only on signal or notice to Agent or Conductor to receive or discharge passengers.

Effective November 5th, 1928

FRED HOENES
TOWNSHIP CLERK
GALLOWAY TWP.
COLOGNE, NEW JERSEY

At a Meeting of the Township Committee of Galloway Township, Atlantic County, State of New Jersey, held on the 2nd day of March 1929 the following resolution was duly passed,

Whereas the Public Service Coordinated Transport has made application for Approval of Local permission to extend operation of one bus on the Atlantic City - Egg Harbor route to Berlin and for Approval of Operation of 11 additional busses,

Now Therefore be it resolved by the Township Committee of Galloway Township, Atlantic County, State of New Jersey, to recomend the Approval of the Public Service Coordinated Transport for the Local permission to extend operation of one buss on the Atlantic City - Egg Harbor route to Berlin and for the Approval of Operation of 11 additional Busses,

Be It further resolved to sent a copy of this resolution to the Public Utility Commissioners and the Public Service Coordinated Transport

This is to certify that the foregoing is a true copy of a resolution passed by the Township Committee of Galloway Township, Atlantic County, State of New Jersey, held on the 2nd day of March 1929 as will be found on the minutes of said Committee.

Attest
Fred Hoenes
Township Clerk

BJF

EASTBOUND
BERLIN-ATLANTIC CITY TRAIN SERVICE.
WEST JERSEY and SEASHORE RAILROAD CO.

DAYLIGHT SAVING TIME
WEEKDAY SCHEDULE

SUNDAY SCHEDULE

Mileage	Station	A.M.	A.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	P.M.	A.M.
0	BERLIN		8.04	4.00		h6.24	h6.32		6.24	7.01	
1.0	BISHOPS BRIDGE		f8.06	f4.02		h6.27	fh6.34			7.03	
2.5	ATCO		8.10	4.06		h6.31	h6.38		6.29	7.07	
4.1	DUNBARTON		f8.12	f4.09		h6.35	fh6.42			f7.10	
4.7	FISHER		f8.14	f4.11		h6.37	fh6.44			f7.12	
5.5	CHESILHURST		f8.16			h6.39	fh6.46			f7.14	
6.2	WATERFORD		8.19	4.14		h6.42	h6.49			7.17	
8.2	ANCORA		f8.23				fh6.52			b7.21	
8.7	HAMMONTON		8.39	4.26	h5.38	h6.55	h7.05		6.42	7.30	
9.9	ELWOOD		8.49	4.34							
4.8	EGG HARBOR		8.56	4.40	h5.49				6.54		
0.0	POMONA		9.05	4.47							
5.5	ABSECON		9.14	4.55					7.07		b10.57
2.1	ATLANTIC CITY		9.25	5.06	6.10				7.20		11.10

F-- Stops only on signal or notice to Agent or Conductor to discharge passengers.

H-- Will not run Memorial Day.

Effective April 28, 1929.

PS/6

WESTBOUND
BERLIN-ATLANTIC CITY TRAIN SERVICE
WEST JERSEY and SEASHORE RAILROAD CO.

DAYLIGHT SAVING TIME
WEEKDAY SCHEDULE

SUNDAY SCHEDULE

Mileage	Station	A. M.	A. M.	A. M.	A. M.	A. M.	P. M.	P. M.	P. M.
0	ATLANTIC CITY				5.45	h7.10	3.50	4.45	4.45
6.6	ABSECON				5.56	h7.20	4.00	a4.56	a4.56
12.1	POMONA				6.04		4.08		
17.3	EGG HARBOR				6.12	h7.30	4.15		
22.2	ELWOOD				6.19		4.22		
28.4	HAMMONTON	4.50	h5.35	h6.12	6.30	h7.42	4.30		
33.9	ANCORA	f5.01	fh5.43		f6.40		f4.38		
35.9	WATERFORD	5.06	h5.47	h6.22	6.44		4.43		
36.6	CHESILHURST	5.08	h5.49	fh6.24	f6.46		f4.45		
37.4	FISHER	5.10	h5.51	fh6.26	f6.48		f4.47		
38.0	DUNBARTON	5.12	h5.53	fh6.28	f6.50		f4.49		
39.6	ATCO	5.17	h5.58	h6.34	6.56		4.54		
41.1	BISHOPS BRIDGE	5.20	h6.01	h6.38	6.59				
	BERLIN	5.23	h6.04	h6.41	7.02		4,59		

A-- Stops only on signal or notice to Agent to receive passengers.

F-- Stops only on signal or notice to Agent or Conductor to discharge passengers.

H-- Will not run Memorial Day.

Effective April 28, 1929.

REVENUE, MILES, AND R.P.B.M.

P.S.S.

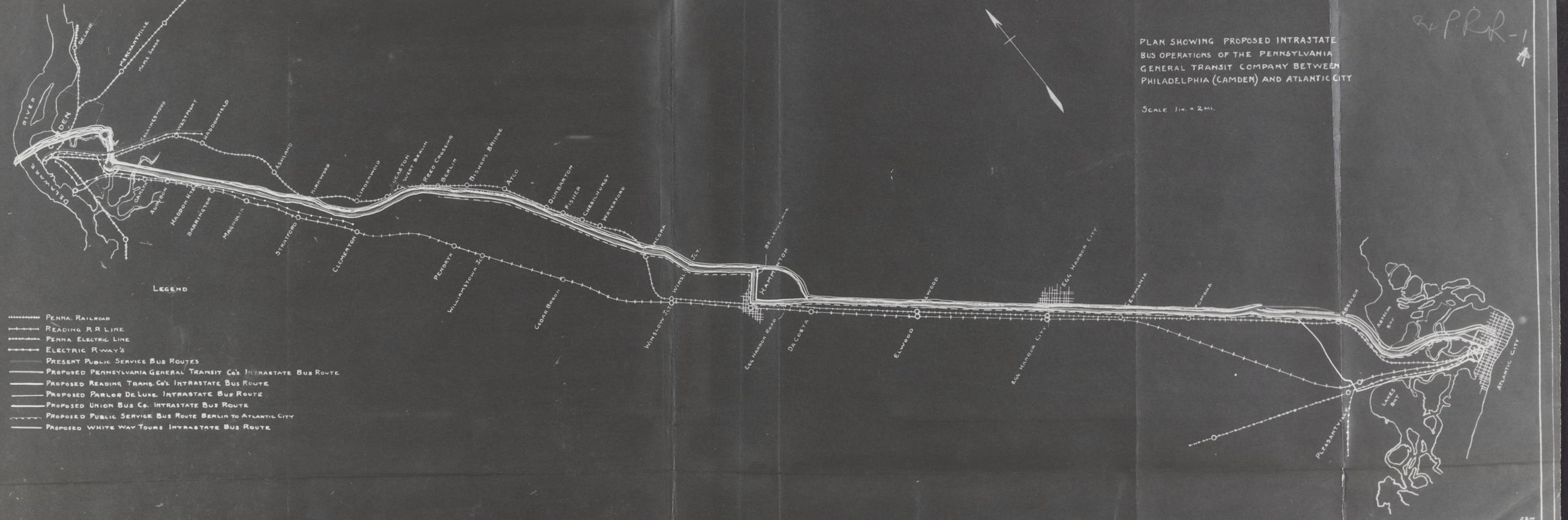
	REVENUE	MILES	R.P.B.M.
FRIDAY, MAY 31	$ 45.30	270	$ .17
SATURDAY, JUNE 1	100.03	270	.371
SUNDAY, JUNE 2	60.73	240	.253
MONDAY, JUNE 3	54.05	270	.200
TUESDAY, JUNE 4	73.03	270	.271
WEDNESDAY, JUNE 5	58.63	270	.217
THURSDAY, JUNE 6	56.41	270	.209
	448.18	1860	.241

PENNA. EXHIBIT NO. 1-A

84 PRR-1

PLAN SHOWING PROPOSED INTRASTATE BUS OPERATIONS OF THE PENNSYLVANIA GENERAL TRANSIT COMPANY BETWEEN PHILADELPHIA (CAMDEN) AND ATLANTIC CITY

SCALE 1 in. = 2 MI.



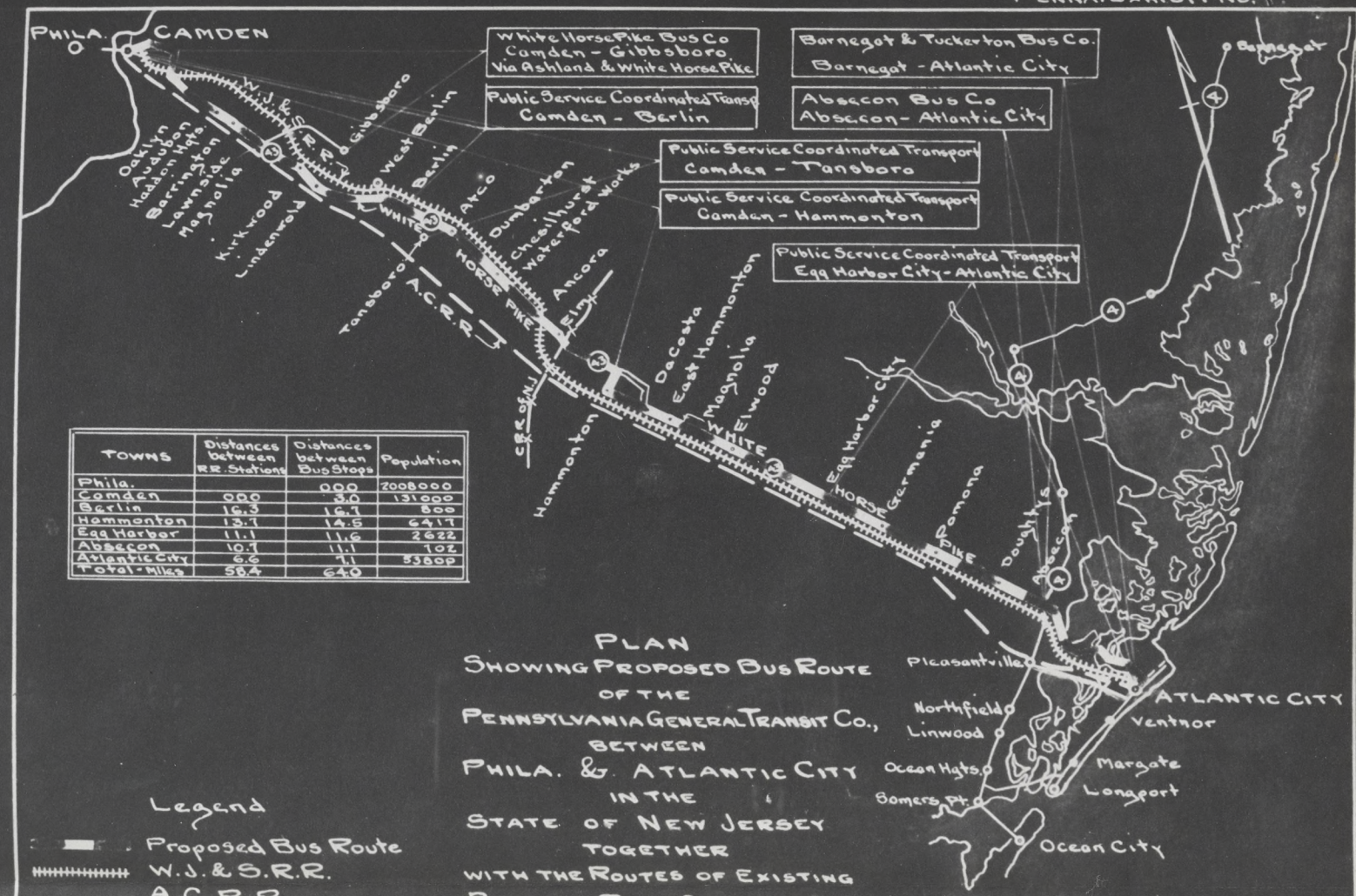
LEGEND

- PENNA. RAILROAD
- READING R.R LINE
- PENNA. ELECTRIC LINE
- ELECTRIC R'WAY'S
- PRESENT PUBLIC SERVICE BUS ROUTES
- PROPOSED PENNSYLVANIA GENERAL TRANSIT CO'S INTRASTATE BUS ROUTE
- PROPOSED READING TRANS. CO'S INTRASTATE BUS ROUTE
- PROPOSED PARLOR DE LUXE INTRASTATE BUS ROUTE
- PROPOSED UNION BUS CO. INTRASTATE BUS ROUTE
- PROPOSED PUBLIC SERVICE BUS ROUTE BERLIN TO ATLANTIC CITY
- PROPOSED WHITE WAY TOURS INTRASTATE BUS ROUTE

PENNA. EXHIBIT No.

PHILA. & CAMDEN

PENNA. EXHIBIT No. 1



Towns	Distances between RR. Stations	Distances between Bus Stops	Population
Phila.		000	2008000
Camden	000	3.0	131000
Berlin	16.3	16.1	800
Hammonton	13.1	14.5	6417
Egg Harbor	11.1	11.6	2622
Absecon	10.1	11.1	702
Atlantic City	6.6	7.1	53809
Total - Miles	58.4	64.0	

Legend

- Proposed Bus Route
- W.J. & S.R.R.
- A.C.R.R
- C.R.R. of N.J.

PLAN

SHOWING PROPOSED BUS ROUTE
OF THE
PENNSYLVANIA GENERAL TRANSIT CO.,
BETWEEN
PHILA. & ATLANTIC CITY
IN THE
STATE OF NEW JERSEY
TOGETHER
WITH THE ROUTES OF EXISTING
BUS AND RAIL OPERATIONS
PARALLELING OR CONTIGUOUS THERETO

APPLICANTS EXHIBIT NO. [redacted]

SCALE 1" = 6 MILES PHILA. PA., 4-30-29.

Penna. Exhibit No. 2

Pennsylvania General Transit Company
Proposed Motor Bus Operation between Philadelphia, Camden and Atlantic City via White Horse Pike
Tentative Schedule

EASTBOUND READ DOWN																WESTBOUND READ UP													
#29	#27	#25	#23	#21	#19	#17	#15	#13	#11	#9	#7	#5	#3	#1		#2	#4	#6	#8	#10	#12	#14	#16	#18	#20	#22	#24	#26	#28	#30
PM	PM	PM	PM	PM	PM	PM	PM	Noon	AM	AM	AM	AM	AM	AM		AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM
1100	700	600	500	400	300	200	100	1200	1100	1000	900	800	700	530	Lv. Philadelphia, Pa. (Broad St. Station) Ar.	1120	1225	125	250	325	425	525	625	750	825	925	950	1025	1125	125
1115	715	615	515	415	315	215	115	1215	1115	1015	915	815	715	545	Camden, N.J. (Note I)	1102	1207	107	232	307	407	507	607	732	807	907	932	1007	1107	107
			a525					a1225				a825		a555	Collingswood (Collings Ave.)	b1052			b222					b722			b922			
			a527					a1227				a827		a557	Oaklyn (W. Collingswood Ave.)	b1050			b220					b720			b920			
			a531					a1231				a831		a601	Audubon (Merchant St.)	b1046			b216					b716			b916			
			a534					a1234				a834		a604	Haddon Heights (Station Ave.)	b1043			b213					b713			b913			
			a536					a1236				a836		a606	Barrington (Clements Bridge Rd.)	b1041			b211					b711			b911			
			a538					a1238				a838		a608	Lawnside	b1039			b209					b709			b909			
			a541					a1241				a841		a611	Magnolia (Warwick Road)	b1036			b206					b706			b906			
			a547					a1247				a847		a617	Kirkwood - Stratford	b1030			b200					b700			b900			
			a551					a1251				a851		a621	Lindenwold (Linden Ave.)	b1026			b156					b656			b856			
			a554					a1254				a854		a624	Lindenwold - Clementon	b1023			b153					b653			b853			
			a559					a1259				a859		a629	West Berlin	b1018			b148					b648			b848			
1148	748	648	603	448	348	248	148	103	1148	1048	948	903	748	633	Berlin (Washington Ave.)	1014	1137	1237	144	237	337	437	537	644	737	837	844	937	1037	1237
			609					109				909		639	Atco	1008			138					638			838			
			614					114				914		644	Chesilhurst	1003			133					633			833			
			618					118				918		648	Waterford Works	959			129					629			829			
			622					122				922		652	Ancora (P.R.R. Station)	955			125					625			825			
			625					125				925		655	Elm	952			122					622			822			
1220	820	720	635	520	420	320	220	135	1220	1120	1020	935	820	705	Hammonton (P.R.R. Station)	942	1105	1205	112	205	305	405	505	612	705	805	812	905	1005	1205
c1225	c825	c725	c642	c525	c425	c325	c225	c142	c1225	c1125	c1025	c942	c825	c712	Ar. Amatol Lv.	935	1058	1158	105	158	258	358	458	605	658	758	805	858	958	1158
1235	835	735	652	535	435	335	235	152	1235	1135	1035	952	835	722	Lv. Amatol Ar.	c925	c1048	c1148	c1255	c148	c248	c348	c448	c555	c648	c748	c755	c848	c948	c1148
1241	841	741	658	541	441	341	241	158	1241	1141	1041	958	841	728	Elwood (Weymouth St.)	919	1042	1142	1249	142	242	342	442	549	642	742	749	842	942	1142
1251	851	751	708	551	451	351	251	208	1251	1151	1051	1008	851	738	Egg Harbor (Note II)	909	1032	1132	1239	132	232	332	432	539	632	732	739	832	932	1132
			715					215				1015		745	Germania	902			1232					532			732			
			720					220				1020		750	Pomona	857			1227					527			727			
c107	c907	c807	c731	c607	c507	c407	c307	c231	c107	c1207	c1107	c1031	c907	c801	Absecon (P.R.R. Station)	d846	d1016	d1116	d1216	d116	d216	d316	d416	d716	d616	d716	d716	d816	d916	d1116
125	925	825	750	625	525	425	325	250	125	1225	1125	1050	925	820	Ar. Atlantic City (P.R.R. Tennessee Av. Lv.	830	1000	1100	1200	100	200	300	400	500	600	700	700	800	900	1100
AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	AM	AM		AM	AM	AM	Noon	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM

Note I :- Camden Stops
Eastbound 7th & Penn St.
Westbound 7th & Linden St.

Note II:- Egg Harbor Stops
Local buses P.R.R. Station
Express buses corner Philadelphia Ave., & White Horse Pike

Philadelphia, Pa., June 6, 1929

C Comfort stop
a Stops only on signal to take on passengers for points beyond Berlin
b Stops only to discharge passengers from points beyond Berlin
c Stops only to discharge passengers
d Stops only to take on passengers

AMOUNT EXPENDED BY W.J.& S.R.R. BETWEEN CAMDEN AND ATLANTIC CITY, TO IMPROVE AND MAKE A SAFER OPERATION - YEARS 1925 TO 1928 INCLUSIVE.

- - - - - - -

Actual cost of TRAIN CONTROL - account of I.C.C. Order - - - - - (Wayside signals - May 1926 to March 1927)	$562,303.
Actual cost of equipping locomotives with control features - 132 Locomotives - (this being essential to coordinate with the installation of Train Control - - - - - - - - - - - - - - - - -	324,220.
Total cost account of TRAIN CONTROL - - - - - - - - - - - - - -	$886,523.
Cost of laying NEW RAIL - Steam Line (58 miles @ $14,569.per mile)	845,000.
Cost of installing Flashing Light Crossing Signals - - - - -	17,383.
Cost of bridge renewals - - - - - - - - - - - - - - - - - - -	47,407.
Cost of replacing 60-pound rail with 158-pound Girder Rail, Mediterranean Avenue Branch - - - - - - - - - - - - - -	63,413.
Station improvements -	6,206.
Water Station improvements - - - - - - - - - - - - - - - - -	14,000.
Assessments for street paving and sewers - - - - - - - - - - -	17,302.
Enginehouse improvements - - - - - - - - - - - - - - - - - -	3,377.
Revision of Interlocking Signals - - - - - - - - - - - - - - -	2,531.
Total - -	$ 1,903,142.

EPRR

C17

WEST JERSEY & SEASHORE RAILROAD.

Estimated expenditures for additions and betterments in the year 1929.

ITEMS	CAMDEN TO ATLANTIC CITY STEAM LINE.	OTHER PORTIONS OF W.J.& S. RR.
Brooklawn to Woodbury Crossings Eliminations		$394,300.00
Malaga Crossings Elimations		48,900.00
Maysleanding Crossings Elimations		85,700.00
Flashing Light Signals	$4,800.00	23,000.00
Stations and Wharfs Improvement	7,400.00	5,300.00
Strengthening Bridges	9,000.00	10,400.00
Additional tracks Georgia Avenue, Atlantic City, N.J.	13,400.00	

Week day Passenger train ser ice between Camden and Atlantic City via Haddonfield
as of April 28th, 1929.

Southward			Ex. Sat.			Sat. Only	Sat. Only		Train No.	Northward						
1987	1187	1983	1979	1185	1181	1975	1171	1173		1980	1982	1984	1166	1172	1870	1182
PM	PM	PM	PM	PM	PM	PM	Noon	AM		AM	AM	AM	AM	AM	AM	PM
5.05	4.50	4.30	4.15	4.00	2.10	1205	1200	6.10	Phila. Mkt. St.	5.20	6.00	6.40	7.00	7.20	7.30	4.50
5.13	4.58	4.40	4.23	4.07	2.18	1213	1208	6.18	Camden	5.10	5.52	6.30	6.52	7.13	7.21	4.43
5.20									Liberty Park		5.44					
5.25		4.49	4.32		2.27	1223		6.27	Collingswood	4.59	5.39	6.19	6.41		7.11	4.32
5.27		4.52	4.35		2.29	1226			Cuthbert	4.55	5.36	6.15	6.37		7.08	
5.29		4.55	4.38		2.31	1229			Westmont	4.53	5.34	6.12	6.34		7.06	
5.31		4.58	4.40		2.34	1231			West Haddonfield	4.51	5.32	6.10	6.32		7.04	
5.33	5.09	5.00	4.42		2.37	1234		6.34	Haddonfield	4.49	5.30	6.08	6.30		7.01	4.25
5.37		5.03	4.45		2.40	1237		6.37	Woodcrest	4.43	5.24	6.02	6.24			4.19
5.40		5.06	4.48		2.43	1241		6.40	Ashland	4.41	5.22	6.00	6.22			4.17
5.42		5.08	4.50		2.44	1242			Osage	4.38	5.19	5.57	6.19			
5.45		5.18	4.58		2.47	1248		6.50	Kirkwood	4.36	5.17	5.55	6.17			4.12
5.48		5.19	5.02		2.50	1251		6.53	Lindenwold	4.33	5.14	5.52	6.14			4.09
5.52		5.23	5.06		2.53	1255		6.57	Lucaston	4.30	5.11	5.48	6.10			4.06
5.56	5.20	5.27	5.10		2.56	1259		7.00	West Berlin	4.26	5.07	5.44	6.06			4.02
5.58		5.29	5.12		2.58	1.01			Reed Crossing	4.24	5.05	5.42	6.04			
6.01	5.24	5.32	5.24		3.00	1.04		7.04	Berlin	4.23	5.04	5.41	6.02			3.59
6.03		5.34	5.27		3.02	1.07		7.06	Bishops Bridge	4.20	5.01	5.38	5.59			
6.07	5.29	5.38	5.31		3.06	1.13		7.10	Atco	4.17	4.58	5.34	5.56			3.54
6.10		5.42	5.35		3.09	1.17		7.12	Dunbarton	4.12	4.53	5.28	5.50			3.49
6.12		5.44	5.37		3.11	1.19		7.14	Fisher	4.10	4.51	5.26	5.48			3.47
6.14		5.46	5.39			1.21		7.16	Chesilhurst	4.08	4.49	5.24	5.46			3.45
6.17		5.49	5.42		3.14	1.25		7.19	Waterford	4.06	4.47	5.22	5.44			3.43
6.21		5.52				1.29		7.23	Ancora	4.01	4.43		5.40			3.38
		5.56			3.20			7.27	Winslow Junc.	3.58			5.36			3.35
		5.58							Murphy	3.54						
		6.00							Bellhurst	3.52						
6.30	5.42	6.05	5.55	4.38	3.26	1.40	1239	7.39	Hammonton	3.50	4.35	5.12	5.30	6.42		3.30
					3.34			7.49	Elwood				5.19			3.22
	5.54			4.49	3.40		1250	7.56	Egg Harbor				5.12	6.30		3.15
					3.47			8.05	Pomona				5.04			3.08
	6.07				3.55		1.02	8.14	Absecon				4.56	6.20		3.00
	6.20			5.10	4.06		1.15	8.25	Atlantic City				4.45	6.10		2.50
PM	PM	PM	PM	PM	PM	PM	PM	AM		AM	AM	AM	AM	AM	AM	PM

Weekday Passenger Train Service between Camden and Atlantic City via Haddonfield
Effective June 29, 1929

Weekday Passenger Train Service between Camden and Atlantic City via Haddonfield

Effective June 29, 1929

Southward			Ex. Sat.	Ex. Sat.			Sat. Only	Sat. Only	Sat. Only	Sat. Only	Sat. Only	Sat. Only			Train No.	Northward									
1987	1193	1985	1981	1191	1183	1181	1143	1179	1975	1177	1189	1175	1127	1173		1980	1982	1984	1166	1168	1872	1174	1182	1142
PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	Noon	AM	AM	AM	AM		AM	AM	AM	AM	AM	AM	AM	PM	PM
5.05	5.00	4.30	4.15	4.00	3.15	2.10	1.45	1245	1205	1200	1140	1000	7.00	6.10	Phila.Mkt. St.	5.20	6.00	6.40	7.00	7.05	7.30	8.10	4.50	6.20
5.13	5.07	4.40	4.23	4.07	3.22	2.18	1.53	1253	1213	1208	1148	1008	7.08	6.18	Camden	5.10	5.52	6.30	6.52	6.57	7.21	8.03	4.43	6.13
5.20															Liberty Park		5.44							
5.25		4.49	4.32			2.27			1223					6.27	Collingswood	4.59	5.39	6.19	6.41		7.11		4.32	
5.27		4.52	4.35			2.29			1226						Cuthbert	4.55	5.36	6.15	6.37		7.08			
5.29		4.55	4.38			2.31			1229						Westmont	4.53	5.34	6.12	6.34		7.06			
5.31		4.58	4.40			2.34			1231						West Haddonfield	4.51	5.32	6.10	6.32		7.04			
5.33	5.19	5.00	4.42			2.37			1234					6.34	Haddonfield	4.49	5.30	6.08	6.30		7.01		4.25	
5.37		5.03	4.45			2.40			1237					6.37	Woodcrest	4.43	5.24	6.02	6.24				4.19	
5.40		5.06	4.48			2.43			1241					6.40	Ashland	4.41	5.22	6.00	6.22				4.17	
5.42		5.08	4.50			2.44			1242						Osage	4.38	5.19	5.57	6.19					
5.45		5.26	5.02			2.47			1248					6.50	Kirkwood	4.36	5.17	5.55	6.17				4.12	
5.48		5.29	5.05			2.50			1251					6.53	Lindenwold	4.33	5.14	5.52	6.14				4.09	
5.52		5.33	5.09			2.53			1255					6.57	Lucaston	4.30	5.11	5.48	6.10				4.06	
5.56	5.30	5.37	5.12			2.56			1259					7.00	West Berlin	4.26	5.07	5.44	6.06				4.02	
5.58		5.39	5.14			2.58			1.01						Reed Crossing	4.24	5.05	5.42	6.04					
6.01	5.34	5.42	5.22			3.00			1.04					7.04	Berlin	4.23	5.04	5.41	6.02				3.59	
6.03		5.44	5.25			3.02			1.07					7.06	Bishops Bridge	4.20	5.01	5.38	5.59					
6.07	5.39	5.48	5.39			3.06			1.13					7.10	Atco	4.17	4.58	5.34	5.56				3.54	
6.10		5.52	5.44			3.09			1.17					7.12	Dunbarton	4.12	4.53	5.28	5.50				3.49	
6.12		5.54	5.46			3.11			1.19					7.14	Fisher	4.10	4.51	5.26	5.48				3.47	
6.14		5.56	5.48						1.21					7.16	Chesilhurst	4.08	4.49	5.24	5.46				3.45	
6.17		5.59	5.51			3.14			1.25					7.19	Waterford	4.06	4.47	5.22	5.44				3.43	
6.21		6.02							1.29					7.23	Ancora	4.01	4.43		5.40				3.38	
		6.06				3.20								7.27	Winslow Jct.	3.58			5.36				3.35	
		6.08													Murphy	3.54								
		6.10													Bellhurst	3.52								
6.30	5.52	6.15	6.05			3.26		1.23	1.40		1219			7.39	Hammonton	3.50	4.35	5.12	5.30	6.23			3.30	
						3.34								7.49	Elwood				5.19				3.22	
	6.04					3.40		1.35						7.56	Egg Harbor				5.12	6.11			3.15	
						3.47								8.05	Pomona				5.04					
	6.17					3.55					1239			8.14	Absecon				4.56	6.00			3.00	
	6.30			5.05	4.20	4.06	250	1.55		1.05	1250	1110	8.10	8.25	Atlantic City				4.45	5.50		7.05	2.50	5.10
PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	AM		AM	AM	AM	AM	AM	AM	AM	PM	PM

WEEKDAY PASSENGER TRAIN SERVICE BETWEEN CAMDEN AND ATLANTIC CITY VIA ELECTRIC LINE
EFFECTIVE APRIL 26th, 1929.

SOUTHBOUND

Exc. Sats 1747 PM	Sats Only 1745 PM	1697 PM	1663 PM	1681 AM	1685 AM	1813 AM	1215 AM	1609 AM	TRAIN NO.	1614 AM	1652 AM	Exc. Sats 1652 AM	Exc. Sats. 1262 NOON	Sats Only 1663 PM	Sats. Only 1259 PM	1680 PM	1694 PM	1709 PM	Sats. Only 1742 PM	Exc. Sats. 1744 PM
10.40	10.00	4.00	2.30	11.20	8.00		5.20	4.00	Phila. Mkt. St.	7.25	9.46		12.00		2.00	3.40	5.45	7.30	11.45	11.46
10.50	10.10	4.10	2.40	11.30	8.10		5.40	4.10	Camden	7.15	9.35		11.50		1.50	3.30	5.35	7.10	11.35	11.37
11.11	10.26	4.26		11.46	8.26		6.05	4.26	Woodbury	6.54	9.17		11.25		1.25		5.13	6.55		11.20
11.28		4.43	2.09	11.59	8.39		6.21	4.44	Glassboro	6.39	9.02		11.08		1.08	3.00	5.04	6.38		11.06
11.30	10.39	5.00	2.24	12.14	8.55	8.48	6.45	5.26	Newfield	6.17	8.44	10.45	10.46	12.48	12.48	2.48	4.48	6.22	10.49	10.49
12.25	11.35	6.50	4.00	1.00	9.40	7.47		6.00	Pleasantville	5.29	8.09	9.54		11.54		2.09	3.59	5.44	10.09	10.09
12.35	11.45	6.00	4.10	1.10	9.40	7.47		6.10	Atlantic City	5.20	8.00	9.45		11.45		2.00	3.50	5.35	10.00	10.00
AM	AM	PM	PM	PM	AM	AM	AM	AM		AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM

NORTHBOUND

EFFECTIVE JUNE 29, 1929.

SOUTHBOUND

Ex. Sat. 1747 PM	Sat. Only 1745 PM	1722 PM	1709 PM	1697 PM	1685 PM	Sat. Only 1681 PM	1673 PM	Sat. Only 1667 NOON	1661 AM	1647 AM	1641 AM	1633 AM	1617 AM	1605 AM	TRAIN NO.	1614 AM	1652 AM	1646 AM	1662 PM	1680 PM	1694 PM	1703 PM	1720 PM	1729 PM	1738 PM	Sat. Only 1742 PM	Ex. Sat. 1744 PM
10.40	10.00	7.00	5.30	4.00	2.30	2.00	1.00	12.00	11.20	10.00	9.00	8.00	6.00	5.00	Phila. Mkt. St.	7.25	9.46	11.40	1.40	3.40	5.45	7.30	8.45	9.35	10.45	11.45	11.46
10.50	10.10	7.10	5.40	4.10	2.40	2.10	1.10	12.10	11.30	10.10	9.10	8.10	6.10	5.10	Camden	7.15	9.35	11.30	1.30	3.30	5.35	7.10	8.35	9.27	10.35	11.35	11.37
11.11	10.26	7.26	-	4.26	-	-	1.26	-	11.46	10.26	9.26	8.26	6.26	5.26	Woodbury	6.54	9.17	11.15	1.13	-	5.13	6.55	8.17	-	10.17	-	11.20
11.28	-	-	6.05	4.43	3.09	-	-	-	11.59	10.39	-	8.39	6.39	5.44	Glassboro	6.39	9.02	11.00	12.59	3.00	5.04	6.38	8.02	-	10.02	-	11.06
11.30	10.39	7.55	6.24	5.00	3.24	2.55	1.55	12.55	12.14	10.54	9.55	8.55	6.55	5.06	Newfield	6.17	8.44	10.45	12.45	2.45	4.48	6.22	7.45	8.43	9.47	10.49	10.49
12.25	11.35	8.50	7.00	6.00	4.00	3.20	2.20	1.20	1.00	11.30	10.30	9.30	7.45	6.00	Pleasantville	5.29	8.09	9.54	11.54	2.09	3.59	5.44	7.09	8.09	9.09	10.09	10.09
12.35	11.45	8.40	7.10	6.00	4.10	3.40	2.40	1.40	1.10	11.40	10.40	9.40	7.55	6.10	Atlantic City	5.20	8.00	9.45	11.45	2.00	3.50	5.35	7.00	8.00	9.00	10.00	10.00
AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	AM	AM	AM		AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM

July 9th to September 30th, 1927.

Two-day excursion tickets on sale between Philadelphia, Camden and outh Jersey Coast Resorts. See Statement No. 1.

	ATLANTIC CITY		
	Market St. Wharf and steam	Market St. Wharf and electric	Broad St. Station and Delaware River Bridge
ne-way	$2.06	$1.88	$2.42
venteen-day	3.60	3.24	4.32
o-day	2.50	2.25	3.22

wo-day tickets sold at both ends of the line, seventeen-day tickets sold only to seashore destinations.

January 22nd to December 6th, 1929.

Two-day and Ten-day excursion tickets on sale between Philadelphia, den and South Jersey Coast Resorts. See Statement No. 2.

ATLANTIC CITY

	Market St. Wharf and steam	Market St. Wharf and electric	Broad St. Station and Delaware River Bridge
-way	$2.06	$1.86	$2.42
enteen-day	3.60	3.24	4.32
-day	3.00	2.75	3.25
-day	2.25	2.00	2.50

Tickets sold at both ends of the line.

January 22nd to October 31st, 1926

One-day excursion tickets on sale between Philadelphia, Camden and stations within 40 miles on the W.J.& S. R.R., at 55% of double the one way fares. See Statement No. 3.

	Miles	Philadelphia, Market St. Wharf	
		One-way	One-day excursion
Egg Harbor	39.8	$1.44	$1.60
Bridgeton	39.7	1.44	1.60
Richland	40	1.46	1.65

Tickets sold at both ends of the line.

STATEMENT NO. 1

TICKET SALES BETWEEN PHILADELPHIA, CAMDEN AND SOUTH JERSEY COAST RESORTS
JULY, AUGUST AND SEPTEMBER 1927 - 1926

Between Philada. Camden and Atlantic City	1927 Tickets	1927 Passengers	1927 Revenue	1926 Tickets	1926 Passengers	1926 Revenue	I Increase D Decrease Tickets	Pct'g.	Passengers	Pct'g.	Revenue	Pct'g.
One-way	96,009	96,009	$ 199,957	165,587	165,587	$ 352,431	D 69,578	42.0	D 69,578	42.0	D $ 152,474	43.3
17 Day Exc. and 30 Day R.T.	53,137	106,274	197,162	137,137	274,274	498,478	D 84,000	61.3	D 168,000	61.3	D 301,316	60.4
2 Day Excursion	87,443	174,886	225,984	- - - -	- - - -	- - -	I 87,443	- -	I 174,886	- -	I 225,984	- -
20 Trip	296	5,920	8,880	627	12,540	18,810	D 331	52.8	D 6,620	52.8	D 9,930	52.8
GRAND TOTAL.	236,885	383,089	$ 631,983	303,351	452,401	$ 869,719	D 66,466	21.9	D 69,312	15.4	D $ 237,736	27.4

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Between Philada. Camden and All South Jersey Coast Resorts including Atlantic City												
One-way	126,863	126,863	$ 284,367	209,303	209,303	$ 471,247	D 82,440	39.4	D 82,440	39.4	D $ 186,880	39.7
17 Day Exc. and 30 Day R.T.	99,555	199,110	386,988	213,181	426,362	777,126	D 113,626	53.3	D 227,252	53.3	D 390,138	50.2
2 Day Excursion	130,829	261,658	354,459	- - - -	- - - -	- - - -	I 130,829	- -	I 261,658	- -	I 354,459	- -
20 Trip	349	6,980	10,915	747	14,940	23,426	D 398	53.3	D 7,960	53.3	D 12,511	53.4
GRAND TOTAL.	357,596	594,611	$1,036,729	423,231	650,605	$1,271,799	D 65,635	15.5	D 55,994	8.6	D $ 235,070	18.5

465(12)
4/16/29.

TICKET SALES BETWEEN PHILADELPHIA, CAMDEN AND SOUTH JERSEY COAST RESORTS

TICKET SALES BETWEEN PHILADELPHIA, CAMDEN AND SOUTH JERSEY COAST RESORTS

One-way, 2 Day Exc., 4 Day Exc., 10 Day Exc., 17 Day Exc. and 20 Trip Tickets.

ATLANTIC CITY

1928	TICKETS	PASSENGERS	REVENUE	INCREASE OR DECREASE TICKETS	PCTG.	PASSENGERS	PCTG.	REVENUE	PCTG.
February	30,655	54,465	$ 77,121	I 1,967	6.9	I 12,268	29.1	D $ 9,500	11.0
March	32,762	58,121	82,002	I 3,899	13.3	I 16,070	38.0	D 5,793	6.6
April	42,467	72,267	106,524	I 1,225	3.0	I 13,761	22.4	D 17,313	14.0
May	37,442	66,358	93,496	D 2,859	7.1	I 6,743	11.3	D 26,568	22.1
June	50,701	88,399	130,180	I 3,857	8.2	I 18,661	26.8	D 7,143	5.0
July	78,584	140,070	196,024	D 7,037	8.2	I 276	0.2	D 40,610	17.1
* August	95,425	168,188	242,986	I 13,563	16.5	I 34,709	26.7	I 32,591	15.5
September	67,072	114,544	167,614	D 2,329	3.4	I 4,728	4.5	D 17,329	9.4
October	31,668	54,812	79,244	I 5,369	20.4	I 16,452	42.9	I 518	0.7
November	26,828	47,642	67,886	I 5,098	23.5	I 15,632	48.8	I 1,976	3.0
December	26,188	45,388	78,715	I 2,640	11.2	I 10,035	28.4	I 6,040	8.4
TOTAL.	519,792	910,254	$ 1,321,792	I 25,393	5.1	I 149,335	19.6	D $ 83,131	5.9

ALL RESORTS INCLUDING ATLANTIC CITY

February	34,754	62,398	$ 87,637	I 2,789	8.7	I 14,545	30.4	D $ 10,722	10.9
March	36,491	65,211	92,565	I 3,598	10.9	I 16,285	33.3	D 9,497	9.3
April	48,295	86,285	122,413	I 1,180	2.5	I 14,696	20.5	D 22,165	15.3
May	44,542	85,534	113,457	D 4,645	9.4	I 10,502	13.9	D 38,571	25.2
June	65,484	115,655	170,635	I 6,307	10.7	I 25,088	27.7	D 10,339	5.7
July	117,473	211,380	319,224	D 10,694	8.3	D 4,128	1.9	D 64,079	16.7
* August	152,936	276,052	428,179	I 20,555	15.5	I 53,596	24.1	I 49,894	13.2
September	96,701	167,169	259,496	D 346	0.4	I 10,525	6.7	D 15,644	5.7
October	35,406	61,548	90,152	I 5,308	17.7	I 16,953	38.0	I 1,754	1.9
November	29,499	52,565	75,865	I 4,943	20.1	I 15,761	42.9	D 122	0.2
December	28,839	50,049	87,247	I 2,114	7.9	I 9,400	25.1	I 3,271	3.9
TOTAL	690,420	1,233,846	1,846,870	I 31,109	4.8	I 183,223	17.4	D 116,220	5.9

2 Day & 10 Day Exc. tickets placed on sale January 22, 1928 and discontinued December 6, 1928.
4 Day Excursion tickets placed on sale December 7, 1928.

* Increases shown for the month of August are attributed to shifting of Labor Day from September 5 in 1927 to September 3 in 1928. Revenue for travel on Thursday and Friday preceding the holiday in 1928 accrued in August.

465(12)
2/26/29.

TICKET SALES BETWEEN PHILADELPHIA, CAMDEN AND 40 MILE ZONE ON W.J.& S.R.R. FEBRUARY TO OCTOBER, INCLUSIVE, 1928.

1928	Tickets	I D	Increase Decrease	Pctg.	Passengers	I D	Increase Decrease	Pctg.	Revenue	I D	Increase Decrease	Pctg.
February	39,654	I	1,975	5.2	279,873	D	44,780	13.8	$ 75,195	D	$ 15,456	17.0
March	39,942	D	99	0.2	287,740	D	65,864	18.6	76,731	D	20,867	21.4
April	34,619	D	8,511	19.7	242,494	D	96,933	28.5	66,967	D	32,942	32.9
May	35,648	D	10,226	22.2	269,473	D	76,598	22.1	71,193	D	34,030	32.3
June	35,559	D	4,076	10.3	248,953	D	73,802	22.9	66,939	D	24,476	26.7
July	36,037	D	10,644	22.8	259,792	D	64,939	20.0	69,897	D	30,029	30.1
August	34,963	D	6,208	15.1	232,630	D	79,661	25.5	64,403	D	27,719	30.1
September	34,566	D	6,412	15.7	257,950	D	70,647	21.5	68,021	D	26,902	28.3
October	30,960	D	5,418	14.9	258,111	D	61,211	19.1	64,716	D	22,150	25.5
Total	321,948	D	49,611	13.4	2,337,016	D	634,435	21.3	$ 624,062	D	$ 234,571	27.3

One-day Excursion tickets at 55% of double one-way fares placed on sale January 22, 1928.

465(12)
11/23/28.

EXHIBIT NO. 0

INCOME STATEMENT

WEST JERSEY & SEASHORE RAILROAD COMPANY

	1921	1922	1923	1924	1925	1926	1927	1928
REVENUES:								
Freight	$3,813,298	$5,125,703	$5,015,380	$4,425,662	$4,899,369	$5,221,313	$5,078,385	$4,882,121
Passenger	8,179,098	7,798,919	8,059,190	7,673,673	7,788,129	7,140,764	6,001,070	5,074,523
Mail	105,075	85,402	84,043	81,216	77,038	77,643	78,108	80,285
Express	86,715	192,114	157,477	103,038	136,841	126,989	139,572	114,230
All Other Transportation	403,741	435,642	458,303	413,866	387,139	197,964	179,200	177,134
Incidental	328,906	357,959	343,984	212,043	145,098	148,502	156,238	148,579
Joint Facility - Credit	12,873	22,352	24,143	22,870	17,919	15,746	11,244	7,226
Railway Operating Revenues	12,929,706	14,018,091	14,142,520	12,932,368	13,451,533	12,928,921	11,643,817	10,484,098
EXPENSES:								
Maintenance of Way and Structures	1,997,624	2,039,717	2,369,870	2,017,282	2,261,366	2,254,377	1,921,567	1,537,628
Maintenance of Equipment	2,486,110	2,487,917	2,632,669	2,364,430	2,223,481	1,987,449	1,915,712	1,479,199
Traffic	168,346	195,339	203,483	197,259	232,254	239,198	236,309	142,903
Transportation	6,601,461	6,367,693	6,306,870	5,921,276	5,844,348	5,819,980	5,442,517	4,656,014
Miscellaneous Operations	116,761	150,362	148,125	32,768	9,736	9,306	8,709	8,055
General	313,346	335,384	331,549	329,417	344,789	335,913	325,807	260,552
Transportation for Investment - Credit	-	-	-	-	2,654	2,118	2,747	195
Railway Operating Expenses	11,683,648	11,576,412	11,992,566	10,862,432	10,913,320	10,644,105	9,847,874	8,084,156
NET REVENUE FROM RAILWAY OPERATIONS	1,246,058	2,441,679	2,149,954	2,069,936	2,538,213	2,284,816	1,795,943	2,399,942
Railway Tax Accruals	711,611	900,324	860,036	903,064	1,015,114	944,481	880,848	1,070,863
Uncollectible Railway Revenues	668	781	971	5,100	1,631	2,595	2,681	938
RAILWAY OPERATING INCOME	533,779	1,540,574	1,288,947	1,161,772	1,521,468	1,337,740	912,414	1,328,141
Equipment Rents - Debit Balance	89,426	96,206	123,918	170,426	173,184	178,912	185,967	190,111
Joint Facility Rents - Debit Balance	157,717	164,666	174,203	169,496	169,979	177,954	179,747	167,415
Income from Lease of Road	191,753	180,435	192,302	170,351	183,485	182,004	131,533	108,730
NET RAILWAY OPERATING INCOME	478,389	1,460,137	1,183,128	992,201	1,361,790	1,162,878	678,233	1,079,345
Miscellaneous Rent Income	24,504	41,445	59,007	66,673	70,964	75,963	88,986	69,695
Miscellaneous Non-Operating Physical Property	9,927	4,710	9,354	11,982	12,572	14,523	9,736	14,561
Dividend Income	3,661	-	-	-	-	-	-	17,453
Income from Funded Securities	2,019	135	-	-	-	-	4,175	13,808
Income from Unfunded Securities and Accounts	48,552	31,403	296,734	28,272	29,774	24,554	37,146	22,357
Miscellaneous Income	36,023	Dr. 3,845	Dr. 729	-	25,494	-	-	-
Total Non-Operating Income	126,686	73,848	364,366	106,927	138,804	115,040	140.043	137,874
GROSS INCOME	605,075	1,533,985	1,547,494	1,099,128	1,500,594	1,277,918	818,276	1,217,219
Rent for Leased Ferries	8,086	Cr. 30,761	Cr. 44,560	Cr. 36,251	28,470	-	-	-
Miscellaneous Rents	5,762	15,980	6,678	3,895	6,731	1,863	1,845	1,790
Miscellaneous Tax Accruals	10,964	8,814	8,640	12,355	12,973	13,600	17,207	14,997
Interest on Funded Debt	231,501	228,389	224,822	220,385	215,909	211,257	206,462	201,296
Interest on Unfunded Debt	143,897	128,376	190,842	10,253	2,568	3,903	15,761	3,304
Miscellaneous Income Charges	14,337	15,399	35,764	21,118	752	564	755	624
Total Deductions from Gross Income	414,547	366,197	422,186	231,755	267,403	231,187	241,970	222,011
NET INCOME	190,528	1,167,788	1,125,308	867,373	1,233,191	1,046,731	576,306	995,208
APPROPRIATIONS TO SINKING FUND	103,045	67,980	108,060	111,200	114,420	117,940	121,350	124,860
DIVIDEND APPROPRIATIONS OF INCOME	-	(2%) 231,725	(4%) 463,450	(4½%) 521,381	(5½%) 637,244	(5½%) 637,255	(5%) #579,323	(5%) 579,323
BALANCE TRANSFERRED TO CREDIT OF PROFIT AND LOSS	87,483	868,083	553,798	234,792	481,527	291,536	#Def. 124,367	291,025
Investment in Road and Equipment	$29,024,343	$29,260,458	$29,804,893	$29,310,482	$29,941,801	$30,551,939	$30,698,129	$30,729,073
Net Railway Operating Income percent of Investment in Road and Equipment	1.65%	4.99%	3.97%	3.39%	4.55%	3.81%	2.21%	3.51%

- Dividend for this year was charged to Profit and Loss, but is shown on this statement as a charge against Income for the purpose of affording a proper comparison with other years.

22

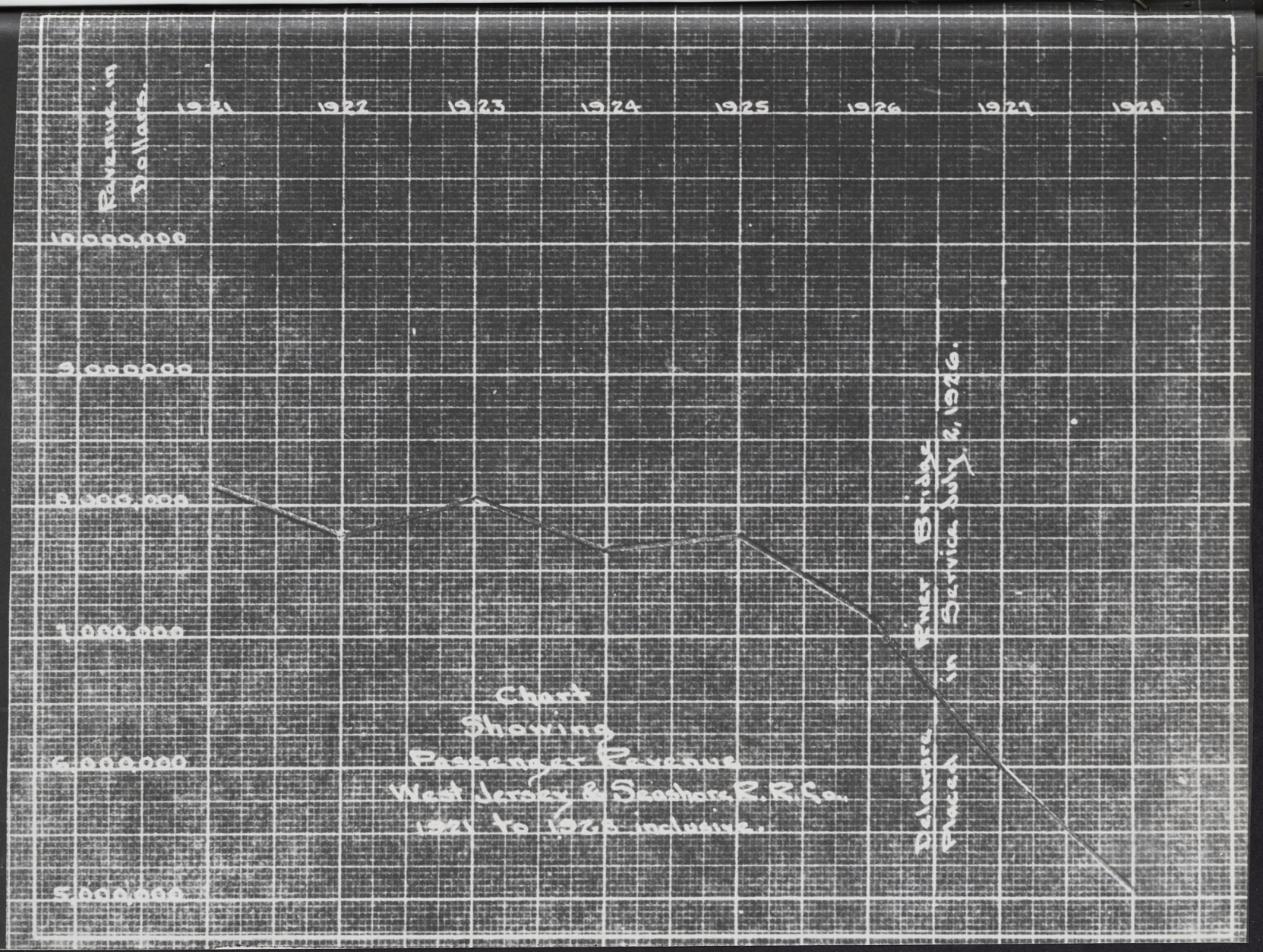


Chart
Showing
Passenger Revenue
West Jersey & Seashore R.R. Co.
1921 to 1928 inclusive.

EXHIBIT NO. 9

ACCRUED TAXES OF THE WEST JERSEY & SEASHORE RAILROAD COMPANY FOR THE YEARS 1921 TO 1928, INCLUSIVE.

	1921	1922	1923	1924	1925	1926	1927	1928
Real Estate & Property - New Jersey								
State	$597,319.53	$657,719.57	$654,498.87	$695,836.93	$708,783.39	$665,758.20	$737,645.58	$749,315.52
Local	59,484.28	24,397.91	29,926.39	32,177.80	38,108.06	56,928.44	72,310.48	70,937.18
Federal Income Tax	5,169.00	172,382.52	129,330.00	129,818.76	220,440.26	217,407.32	70,876.44	* 250,000.00
Miscellaneous	49,638.25	45,823.61	46,280.27	45,229.93	47,782.30	4,386.92	15.88	610.70
Total	711,611.06	900,323.61	860,035.53	903,063.42	1,015,114.01	944,480.88	880,848.38	1,070,863.40

* Federal Income Tax for 1928 estimated as follows:

Estimated tax on 1928 income	$165,000.00
Estimated additional payments due on account 1919, 1921, 1922, 1923	53,000.00
Underaccrual of 1927 tax	32,000.00
	$250,000.00

INFORMATION

1. **COMFORT STOPS:** All regular comfort stops are indicated in the timetable by "C". Passengers desiring to make stops at other points may do so by signaling the operator.

2. **LUNCHEON STOPS:** All luncheon and dinner stops are indicated in timetable by "L".

3. **RESERVATION SERVICE:** Seat reservations may be made at stations indicated in timetable by "R". To insure choice seats, passengers transferring from one division to another should immediately make reservations for the remainder of trip. Passengers holding round trip tickets should make reservation for the return movement on arrival at destination. Telephone reservations will be accepted but no seats assigned until tickets are purchased. Such reservations will be held until fifteen minutes before departure of coach from terminal. Advance reservations may be made and seats assigned if tickets are purchased, and seats will be held until coach is due to leave terminal.

4. **INTERSTATE TRAVEL:** On all routes only interstate passengers are carried (picking up passengers in one state and discharging in another).

5. **CHILDREN'S FARE:** There are no half fare rates for children. Children in arms will be carried free.

6. **BAGGAGE:** Baggage checking service is rendered for the convenience of patrons. This company does not assume responsibility for loss of or damage to baggage due to any cause. Handbaggage limited to sixty pounds per passenger will be carried free. Trunks will not be accepted. Handbaggage, boxes or parcels which can be damaged by ordinary handling will not be checked.

7. **RESPONSIBILITY:** This company is not responsible for errors in timetables, inconvenience caused by delayed coaches or failure to make connections. In selling transportation and checking baggage via other lines, this company acts only as agent and assumes no responsibility for loss or damage to property or injury to passengers beyond its own lines.

8. **REFUNDS:** Refunds for the value of *wholly unused* tickets sold at Penna. R. R. stations will be made at the ticket offices where purchased, if presented within 30 days. All other claims for refunds may be made through Passenger Traffic Manager's office, Mitten Building, Broad and Locust streets, Philadelphia.

9. **ANIMALS:** Dogs, cats, birds or other animals will not be carried in coaches or checked as baggage.

10. **STOP-OVER:** Stop-over privileges are granted on lines of this company only at established transfer points within limit of ticket. Stop-over regulations of other lines apply for the portion of trips over such lines.

11. **TICKET LIMIT:** One way tickets must be used within thirty days; round trip tickets within sixty days from date of sale. The ticket limit rules of other companies will apply to the portion of trips over such lines.

12. **LOST AND FOUND ARTICLES:** Articles left on coaches will be turned in to the Lost and Found Department of the Pennsylvania Railroad, Broad Street station, Philadelphia. Inquiries should be addressed to that department.

MOTOR COACH TRAVEL

Mitten Tours is the trade name of the People's Rapid Transit Co., Inc., operator of daily interstate motor coach service between Philadelphia and Atlantic City, New York, Wilmington, Baltimore and Washington. The company is owned by the Pennsylvania Railroad and the Philadelphia Rapid Transit Company, and is operated by Mitten Management, Inc., of Philadelphia.

Mitten Tours at New York, Newark, Trenton, Washington, Baltimore, Wilmington and Philadelphia make connection with other coach lines to various points. Complete list of the terminals is shown in this timetable. Seats are reserved at stations indicated in timetable, and at Pennsylvania Railroad ticket offices.

For additional motor coach information, write to
Passenger Traffic Manager,
Broad and Locust streets,
Philadelphia, Pa.—Telephone, Pennypacker 6100.

Through Service

Convenient connecting service is possible between Boston, Jacksonville and Miami via New England Transportation Company, Mitten Tours, Greyhound Lines, and Florida Motor Lines. Through tickets may be purchased at any Mitten Tours agency. The R., F. & P. Transportation Company (subsidiary of the R., F. & P. R. R.), now operates motor coach service between Richmond, Va., and Washington, D. C. (See tables Nos. 3 & 4.)

New Half Hourly Service—New York-Philadelphia

Mitten Tours now operates coaches every half hour between New York and Philadelphia. (See table No. 2.)

Hourly Service—Baltimore-Washington

Mitten Tours operates express motor coach service between Baltimore and Washington. Coaches leave hourly from Union Bus Terminal, Baltimore, and Washington Motor Coach Depot, Washington, stopping at Laurel, Md., for interstate passengers.

Summer Tours

Beginning about June 1, Mitten Tours will operate all-expense personally conducted tours to Buffalo-Niagara Falls, Montreal-Quebec, and the White Mountains of New Hampshire. Write to the Passenger Traffic Manager for itinerary, and descriptive literature.

Rate of fare to and from Philadelphia

Table	TOWN	FARE One Way	FARE Round Trip
3	Aberdeen, Md.	$2.00	$3.60
3	●Abingdon, Md.	2.50	4.75
1	Absecon, N. J.	1.35	2.40
1	Amatol, N. J.	1.00	1.80
1	Ateo, N. J.	.75	1.35
1	Atlantic City, N.J.	1.50	2.50
4	Augusta, Ga.	17.75	31.95
3	Baltimore, Md.	2.50	4.75
3	●Beltsville, Md.	3.75	7.25
1	Berlin, N. J.	.50	.90
4	Boston, Mass.	6.00	—
3	Chester, Pa.	*	*
5	Chicago, Ill.	18.50	32.90
3	●Claymont, Del.	.75	1.35
5	Cleveland, Ohio	10.50	18.90
3	Darby, Pa.	*	*
1	Egg Harbor, N. J.	1.10	2.00
2	Elizabeth, N. J.	1.90	3.40
3	●Elkridge, Md.	3.00	5.75
3	Elkton, Md.	1.50	2.70
1	Elwood, N. J.	.95	1.75
2	●Franklin Park, N.J.	1.50	2.70
3	Fredericksburg, Va	5.50	10.25
3	●Glasgow, Del.	1.50	2.70
1	Hammonton, N. J.	.75	1.35
4	Hartford, Conn.	5.60	—
3	Havre de Grace, Md.	1.75	3.15
3	●Hyattsville Md.	3.75	7.25
4	Jacksonville, Fla.	$24.00	$43.20
2	Kingston, N. J.	1.20	2.15
3	Laurel, Md.	3.00	5.75
1	●Lawnside, N. J.	.50	.90
2	●Lawrenceville, N.J.	1.10	2.00
5	Lima, Ohio	14.25	25.65
2	●Linden, N. J.	1.90	3.40
1	Lindenwold, N.J.	.50	.90
1	●Lucaston, N. J.	.50	.90
2	●Merchantville, N. J.	1.75	3.15
2	Metuchen, N. J.	1.60	2.90
4	Miami, Fla.	34.00	61.20
2	Newark, N. J.	1.95	3.50
2	New Brunswick, N.J.	1.50	2.70
4	New Haven, Conn.	4.25	—
2	New York, N. Y.	2.00	3.75
3	Northeast, Md.	1.65	3.00
3	Perryville, Md. (Ferry Point)	1.75	3.15
2	Princeton, N. J.	1.10	2.00
4	Providence, R. I.	6.00	—
2	●Rahway, N. J.	1.75	3.15
3	Richmond, Va.	6.45	11.65
3	Richmond, Va.	7.25	13.25
2	Trenton, N. J.	.75	1.35
3	Washington, D. C.	3.75	7.25
3	Wilmington, Del.	.75	1.35
4	Winston-Salem, N. C.	11.35	20.45

● Coaches pass through outskirts of these towns.
* Interstate service only.

MITTEN TOURS TICKET AGENCIES AND WAITING ROOMS

CITY		TELEPHONE
#Aberdeen, Md.	P. R. R. Station, Bellair Ave.	Aberdeen 137-J.
#Absecon, N. J.	P. R. R. Station, Station Ave. & White Horse Pike.	Pleasantville 66-J.
Atlantic City, N. J.	Mitten Tours, Virginia & Boardwalk.	Atlantic City 4-4841.
Atlantic City, N. J.	P. R. R. Station, Tennessee & Atlantic Aves.	Atlantic City 4-0111.
xAtlantic City, N. J.	P. R. R. Station, South Carolina & Atlantic Aves.	Atlantic City 4-0111.
xAtlantic City, N. J.	P. R. R. City Ticket Office, 1301 Pacific Ave.	Atlantic City 5-0245.
Baltimore, Md.	Union Bus Terminal Co., Liberty & Redwood.	Plaza 3610.
xBaltimore, Md.	Pennsylvania Station, 1500 N. Charles St.	Vernon 4800.
xBaltimore, Md.	P. R. R. City Ticket Office, 20-22 Fayette Street.	Vernon 4800.
xChester, Pa.	P. R. R. Station, 6th and Welsh Sts.	Chester 1549.
Elizabeth, N. J.	289 N. Broad St.	Trinity 3170.
xElizabeth, N. J.	P. R. R. Station, West Grand St. near Broad St.	Elizabeth 3144.
Elkton, Md.	106 E. Main St.	Elkton 120.
Havre de Grace, Md.	Hotel Bayou Co., 901-915 Market St.	Havre de Grace 175.
Kingston, N. J.	Kingston Sandwich Shop.	Princeton 1813J.
Laurel, Md.	Laurel Pharmacy.	Laurel 55
Metuchen, N. J.	Lincoln Farms.	Metuchen 708.
xMetuchen, N. J.	P. R. R. Station, Main St. & Woodbridge Ave.	Metuchen 52.
Newark, N. J.	Public Service Corp., 80 Park Place.	Market 7000.
xNewark, N. J.	Park Place Station, H. & M. R. R., Centre St. & Saybrook Place at Park Place.	Market 4000.
xNewark, N. J.	P. R. R. Market St. Station, Market St. & New Jersey R. R. Ave.	Market 4000.
xNewark, N. J.	P. R. R. City Ticket Office, Essex Building, Clinton & Beaver Sts.	Mulberry 4070.
New Brunswick, N. J.	P. R. R. Station, Albany St. & Easton Ave.	New Brunswick 4900.
New York, N. Y.	Gray Line Motor Tours, Waldorf-Astoria 34th & 5th Ave.	Penna. 9180.
New York, N. Y.	Capitol Theatre Bus Terminal, 240 W. 51st st.	Columbus 1313.
New York, N. Y.	Pennsylvania Station, 32d St. & 7th Ave.	Penna. 6000.
xNew York, N. Y.	Hudson Terminal, Cortland & Church Sts.	Whitehall 3360.
xNew York, N. Y.	P. R. R. City Ticket Office, 4 W. 33rd St.	Penna. 5628.
xNew York, N. Y.	P. R. R. City Ticket Office, 17 John St.	Cortlandt 8700.
xNew York, N. Y.	P. R. R. City Ticket Office, 57 Chambers St.	Worth 5281.
xNew York, N. Y.	P. R. R. City Ticket Office, 114 W. 42nd St.	Wisconsin 1900.
Northeast, Md.	Cecil Garage.	Northeast 81.
#Perryville, Md.	P. R. R. Station, Broad St. & Post Road.	Perryville 66.
Philadelphia, Pa.	P. R. R., Broad Street Station.	Spruce 7066-67.
Philadelphia, Pa.	P. R. R., North Philadelphia Station, Broad St. & Glenwood Ave.	Spruce 7066-67.
Philadelphia, Pa.	P. R. R., West Philadelphia Station, 32d & Market Sts.	Spruce 7066-67.
xPhiladelphia, Pa.	P. R. R. City Ticket Office, 836 Chestnut Street.	Walnut 8831.
xPhiladelphia, Pa.	P. R. R. City Ticket Office, 1613 Chestnut Street.	Rittenhouse 5800.
Princeton, N. J.	168 Nassau St.	Princeton 1276.
Trenton, N. J.	Lambertville Bus Terminal, 301 W. 11th St.	Trenton 4501.
xTrenton, N. J.	P. R. R. Warren St. Station, Warren & Chauncey Sts.	Trenton 7-9238.
Washington, D. C.	Washington Motor Coach Depot, 1421 Pennsylvania Ave.	Metropolitan 5314-5315.
xWashington, D. C.	P. R. R. City Ticket Office, 613 14th St., N. W.	Main 9140.
Wilmington, Del.	Chester Valley Lines, 303 W. 11th St.	Wilmington 7526.
Wilmington, Del.	P. R. R. Station, Front & French Sts.	Wilmington 2652.
xWilmington, Del.	P. R. R. City Ticket Office, 905 Market St.	Wilmington 6870.

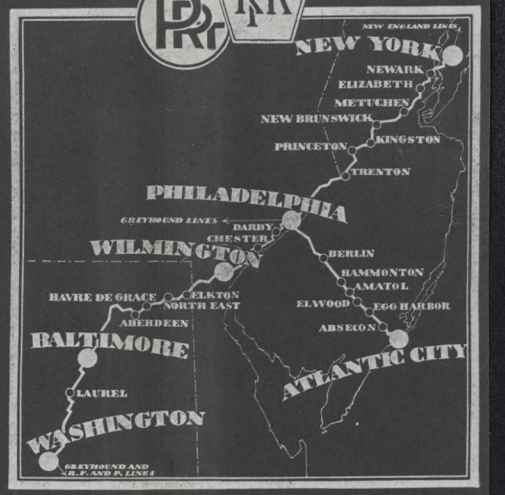
x Pennsylvania R. R. ticket offices. Tickets sold, but coaches do not stop.
#Flag stop. Coaches stop on signal.

Chartered Coach—Sightseeing Tours

Comfortable gas-electric coaches may be hired for outings, athletic contests, or historical and industrial tours. Mitten Tours is the authorized agent for the Gray Line sightseeing tours in Philadelphia and New York. Arrangements may also be made for sightseeing in Washington and Baltimore. Apply at Mitten Tours agencies.

Motor Coach Timetable

MITTEN TOURS



PEOPLE'S RAPID TRANSIT CO., Inc.
Owned by Pennsylvania Railroad and Philadelphia Rapid Transit Co.
Operated by Mitten Management, Inc.

Responsible Intercity Motor Coach Service

For information on Mitten Tours motor coach service write to Passenger Traffic Manager, People's Rapid Transit Co., Broad and Locust streets, Philadelphia, Pa.

EASTERN STANDARD TIME
(FOR DAYLIGHT TIME, ADD ONE HOUR)

Subject to change without notice

Effective April 28, 1929

4-28-29 75M

All motor coaches are operated on Eastern Standard Time. Daylight Saving Time is one hour in advance. Example—Passengers desiring to board 7.30 a. m. motor coach leaving Philadelphia will depart at 8.30 a. m. Daylight Saving Time.

MITTEN TOURS

Philadelphia Ticket Office—Broad Street Station, Pennsylvania Railroad—Telephone Spruce 7066-67

PHILADELPHIA — ATLANTIC CITY

TABLE No. 1

SOUTHBOUND							DAILY							Read Down	Read Up	DAILY								NORTHBOUND
11.00	7.00	6.00	5.00	4.00	3.00	2.00	1.00	12.00	11.00	10.00	9.00	8.00	7.00	*Daylight Saving Time* Lv. Broad St. Sta. Ar.	10.55	12.25	1.25	2.25	3.25	4.25	5.25	6.25	7.25	8.25	9.25	10.25	11.25	1.25
PM	PM	PM	PM	PM	PM	PM	AM	AM	AM	AM	AM	AM	AM	Mi. EASTERN STANDARD TIME	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM
			3.50	2.50	1.50	12.50	11.50	10.50	9.50	8.50	7.50			0 Lv. Philadelphia, Pa. Ar.													
														13th and Market streets													
10.00	6.00	5.00	4.00	3.00	2.00	1.00	12.00	11.00	10.00	9.00	8.00	7.00	6.00	Broad St. Sta., P. R. R.	R	8	8	8	8	8	8	8	8	8	8	8	8	8
10.48	6.48	5.48	4.48	3.48	2.48	1.48	12.48	11.48	10.48	9.48	8.48	7.48	6.48	19 Berlin, N. J.	R	9.55	11.25	12.25	1.25	2.25	3.25	4.25	5.25	6.25	7.25	8.25	9.25	10.25	11.25	12.25
11.20	7.20	6.20	5.20	4.20	3.20	2.20	1.20	12.20	11.20	10.20	9.20	8.20	7.20	31 Hammonton, N. J.	C	8.35	10.05	11.05	12.05	1.05	2.05	3.05	4.05	5.05	6.05	7.05	8.05	9.05	10.05	11.05
11.35	7.35	6.35	5.35	4.35	3.35	2.35	1.35	12.35	11.35	10.35	9.35	8.35	7.35	39 Atsion, N. J.		9.30	10.00	11.00	12.00	1.00	2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	11.00	11.00
11.43	7.43	6.43	5.43	4.43	3.43	2.43	1.43	12.43	11.43	10.43	9.43	8.43	7.43	39 Elwood, N. J.		8.12	9.42	10.42	11.42	12.42	1.42	2.42	3.42	4.42	5.42	6.42	7.42	8.42	10.42	10.42
11.53	7.53	6.53	5.53	4.53	3.53	2.53	1.53	12.53	11.53	10.53	9.53	8.53	7.53	47 Egg Harbor, N. J.		8.02	9.32	10.32	11.32	12.32	1.32	2.32	3.32	4.32	5.32	6.32	7.32	8.32	10.32	10.32
12.00	8.00	7.00	6.00	5.00	4.00	3.00	2.00	1.00	12.00	11.00	10.00	9.00	8.00	55 Absecon, N. J.		7.46	9.16	10.16	11.16	12.16	1.16	2.16	3.16	4.16	5.16	6.16	7.16	8.16	10.16	10.16
12.25	8.25	7.25	6.25	5.25	4.25	3.25	2.25	1.25	12.25	11.25	10.25	9.25	8.25	61 Ar. Atlantic City, N. J. Lv.															
														Penna. R. R. Station (Tennessee and Atlantic avenues)	R	7.30	9.00	10.00	11.00	12.00	1.00	2.00	3.00	4.00	5.00	6.00	7.00	8.00	10.00
AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM		AM	AM	AM	AM	AM	N	PM	PM	PM	PM	PM	PM	PM	PM
1.25	9.25	8.25	7.25	6.25	5.25	4.25	3.25	2.25	1.25	12.25	11.25	10.25	9.25	*Ar. Atlantic City Lv. Daylight Saving Time*	8.30	10.00	11.00	12.00	1.00	2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	11.00

*—Connection at Philadelphia with Greyhound Coaches, Eastbound or Westbound. s—Stop Made.

PHILADELPHIA — NEW YORK—Northbound

TABLE No. 2

DAILY														Read Down
Daylight Saving Time—Broad St. Station Lv.	5.00	7.30	8.00	8.30	9.00	9.30	10.00	10.30	11.00	11.30	12.00	12.30	1.00	1.30	2.00	2.30	3.00	3.30	4.00	4.30	5.30	6.30	7.30	1.00
Mi. EASTERN STANDARD TIME	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	M
	@*														△					@*			@	@*
0 Lv. Philadelphia, Pa.															1.00									
13th and Market streets						8.20	8.50	9.20	9.50	10.20	10.50	11.20	11.50	12.20	12.50	1.20	1.50	2.20	2.50	3.20				
R Broad St. Sta., P. R. R.	4.00	6.30	7.00	7.30	8.00	8.30	9.00	9.30	10.00	10.30	11.00	11.30	12.00	12.30	1.00	1.30	2.00	2.30	3.00	3.30	4.30	5.30	6.30	12.00
R North Phila. Sta., P. R. R.	4.13	6.43	7.13	7.43	8.13	8.43	9.13	9.43	10.13	10.43	11.13	11.43	12.13	12.43	1.13	1.43	2.13	2.43	3.13	3.43	4.43	5.43	6.43	12.13
84 Trenton, N. J.	5.07	7.49	8.19	8.49	9.19	9.49	10.19	10.49	11.19	11.49	12.19	12.49	1.19	1.49	2.19	2.49	3.19	3.49	4.19	4.49	5.19	6.19	7.19	1.32
92 Princeton, N. J.	5.27	8.14	8.44	9.14	9.44	10.14	10.44	11.14	11.44	12.14	12.44	1.14	1.44	2.14	2.44	3.14	3.44	4.14	4.44	5.14	5.44	6.14	7.14	8.14	8.49	1.57
49 Kingston, N. J.	5.32	8.19	8.49	9.19	9.49	10.19	10.49	11.19	11.49	12.19	12.49	1.19	1.49	2.19	2.49	3.19	3.49	4.19	4.49	5.19	5.49	6.19	7.19	8.19	8.54	2.02
61 New Brunswick, N. J.	5.57	8.49	9.19	9.49	10.19	10.49	11.19	11.49	12.19	12.49	1.19	1.49	2.19	2.49	3.19	3.49	4.19	4.49	5.19	5.49	6.19	6.49	7.19	8.19	8.49	2.32
67 Metuchen, N. J. C	6.22	9.14	9.44	10.14	10.44	11.14	11.44	12.14	12.44	1.14	1.44	2.14	2.44	3.14	3.44	4.14	4.44	5.14	5.44	6.14	6.44	7.14	8.14	8.44	9.19	3.07
80 Elizabeth, N. J.	6.47	9.39	10.09	10.39	11.09	11.39	12.09	12.39	1.09	1.39	2.09	2.39	3.09	3.39	4.09	4.39	5.09	5.39	6.09	6.39	7.39	8.39	9.39	3.22
88 Newark, N. J.	7.07	9.59	10.29	10.59	11.29	11.59	12.29	12.59	1.29	1.59	2.29	2.59	3.29	3.59	4.29	4.59	5.29	5.59	6.29	6.59	7.59	8.59	9.59	3.47
Ar. New York, N. Y.																								
97 Penna. Sta., 31st street Entrance	7.50	10.47	11.17	11.47	12.17	12.47	1.17	1.47	2.17	2.47	3.17	3.47	4.17	4.47	5.17	5.47	6.17	6.47	7.17	7.47	8.47	9.47	10.47	3.50
98 Waldorf Astoria, 34th and 5th avenue	8.00	10.57	11.27	11.57	12.27	12.57	1.27	#	2.27	2.57	3.27	3.57	4.27	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.27	9.57	10.57	4.15
100 Capitol Theatre, 51st and Broadway	8.30							2.07												8.27				
	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM
Ar. Daylight Saving Time—Waldorf Astoria	9.00	11.37	12.27	12.57	1.27	1.57	2.27	3.07	3.27	3.57	4.27	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.27	8.57	9.57	11.27	12.27	5.15

NEW YORK — PHILADELPHIA—Southbound

DAILY																								Read Down
Daylight Saving Time—Waldorf Astoria Lv	2.00	# 5.00	7.30	8.30	9.00	9.30	10.00	10.30	11.00	11.30	12.00	12.30	1.00	1.30	2.00	2.30	3.00	3.30	4.00	4.30	5.30	6.30	8.00	12.00
Mi. EASTERN STANDARD TIME	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	A M	AM	N	N	PM	PM	PM	PM	PM	PM	PM	PM	PM	M
	△*			△						10.00				△ 1.00										
Lv. New York, N. Y.																								
Capitol Theatre, 51st and Broadway	12.45	4.00																						
Waldorf Astoria, 34th and 5th avenue	1.00		6.30	7.30	8.00	8.30	9.00	9.30	10.00	10.30	11.00	11.30	12.00	12.30	1.00	1.30	2.00	2.30	3.00	3.30	4.30	5.30	7.00	10.30
R Penna. Sta., 31st street Entrance	1.13	4.10	6.43	7.43	8.13	8.43	9.13	9.43	10.13	10.43	11.13	11.43	12.13	12.43	1.13	1.43	2.13	2.43	3.13	3.43	4.43	5.43	7.13	11.00
14 Newark, N. J. R	1.53	4.53	7.28	8.28	8.58	9.28	9.58	10.28	10.58	11.28	11.58	12.28	12.58	1.28	1.58	2.28	2.58	3.28	3.58	4.28	5.28	6.28	7.58	11.10
20 Elizabeth, N. J.	2.08	5.08	7.43	8.43	9.13	9.43	10.13	10.43	11.13	11.43	12.13	12.43	1.13	1.43	2.13	2.43	3.13	3.43	4.13	4.43	5.43	6.43	8.13	11.53
33 Metuchen, N. J. C	2.48	5.48	8.23	9.23	9.53	10.23	10.53	11.23	11.53	12.23	12.53	1.23	1.53	2.23	2.53	3.23	3.53	4.23	4.53	5.23	6.23	7.23	8.53	12.13
39 New Brunswick, N. J.	3.03	6.03	8.38	9.38	10.08	10.38	11.08	11.38	12.08	12.38	1.08	1.38	2.08	2.38	3.08	3.38	4.08	4.38	5.08	5.38	6.38	7.38	9.08	12.48
49 Kingston, N. J.	3.28	6.28	9.03	10.03	10.33	11.03	11.33	12.03	12.33	1.03	1.33	2.03	2.33	3.03	3.33	4.03	4.33	5.03	5.33	6.03	7.03	8.03	9.33	1.03
66 Princeton, N. J.	3.33	6.33	9.13	10.13	10.43	11.13	11.43	12.13	12.43	1.13	1.43	2.13	2.43	3.13	3.43	4.08	4.38	5.08	5.38	6.08	7.08	8.08	9.38	1.28
68 Trenton, N. J.	3.53	6.53	9.38	10.38	11.08	11.38	12.08	12.38	1.08	1.38	2.08	2.38	3.08	3.38	4.08	4.38	5.08	5.38	6.08	6.38	7.38	8.38	9.48	1.33
Ar. Philadelphia, Pa.																								
96 North Phila. Sta., P. R. R.	4.45	7.45	10.42	11.42	12.12	12.42	1.12	1.42	2.12	2.42	3.12	3.42	4.12	4.42	5.12	5.42	6.12	6.42	7.12	7.42	8.42	9.42	11.12	2.45
Broad St. Sta., P. R. R.	5.00	8.00	10.57	11.57	12.27	12.57	1.27	1.57	2.27	2.57	3.27	3.57	4.27	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.57	9.57	11.27	3.00
100 13th and Market streets																								
	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM
Daylight Saving Time—Broad St. Station Ar.	6.00	9.00	11.57	12.57	1.27	1.57	2.27	2.57	3.27	3.57	4.27	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.27	8.57	9.57	10.57	12.27	4.00

⊕ Through Coach from Washington. * Through Coach to Washington. △ Connects with Washington Coach at Broad Street Station.
Does not stop at Waldorf Astoria Hotel. * Connections at Philadelphia with Greyhound Coaches Eastbound or Westbound.

NEW YORK—PHILADELPHIA—WILMINGTON—BALTIMORE—WASHINGTON—RICHMOND

TABLE No. 3

SOUTHBOUND			DAILY											Read Down	Read Up	DAILY								NORTHBOUND
1.30	11.30		8.30										12.00	*Lv. Waldorf Astoria Ar. Daylight Saving Time*	6.57	8.57								9.00
N	AM		AM										PM	Mi. Eastern Standard Time	PM	PM								AM
	△		△											Lv. New York, N. Y. Ar.	#									
12.00	10.00												4.00	Capitol Theatre										
12.30	10.30		7.30										10.30	0 Waldorf Astoria		8.27								8.30
12.40	10.40		7.40										11.00	Pennsylvania Sta.	R 5.57	7.57								8.00
													11.10	Pennsylvania Sta.	R 5.47	7.47								7.50
4.57	2.57		11.57										3.00	100 Ar. Philadelphia, Pa. Lv.										
														Broad St. Sta., P. R. R.	1.30	3.30								4.00
T			T																					
5.30	3.30		12.00										8.00	Lv. Philadelphia, Pa. Ar.	T									
5.36	3.36		12.06										8.06	3.30 0 Broad St. Sta., P. R. R.	R 12.57	3.17								3.32
6.00	4.00		12.30											3.36 7 W. Phila. Sta., P. R. R.	R 12.49	3.09								3.24
														4.00 Darby, Pa.	12.25	2.45								3.00
6.20	4.20		12.50										8.50	4.20 14 Chester, Pa. (9th & Edgemont)	F 12.05	2.25								2.40
													8.30	Wilmington, Del.										
6.55	4.55		1.25										9.25	4.55 30 Chester Valley Lines	11.30	1.50								2.05
6.59	4.59		1.29										9.29	4.59 37 Penna. R. R. Sta.	11.26	1.46								2.01
7.35	5.35		2.05										10.05	5.35 52 Elkton, Md.	10.50	1.10								1.25
7.50	5.50		2.20										10.20	5.50 58 Northeast, Md.	10.35	12.55								1.10
8.07	6.07		2.37										10.37	6.07 67 Perryville, Md. (Perry Point)	F 10.15	12.38								12.53
8.10	6.10		2.40										10.40	6.10 68 Ar. Havre de Grace, Md. Lv.	L 10.15	12.35								
8.25	6.25		3.10										11.10	6.25 Lv. Havre de Grace, Md. Ar.	C 10.00	12.05								12.30
8.40	6.40		3.25										11.25	6.40 74 Aberdeen, Md.	9.45	11.50								12.15
														Baltimore, Md.										12.00
9.50	7.50		4.50										12.50	7.50 101 Ar. Union Bus Term'l. Lv.	R 8.35	10.40								1.55
														Union Bus Term'l. Lv.										11.10
N	T		PM	PM	PM	PM	N	AM	AM	AM	AM			Baltimore, Md.	AM	AM	PM	PM	PM	PM	PM	PM	PM	AM
12.00	10.00		8.00	7.00	6.00		5.00	4.00	3.00	2.00	1.00	12.00	11.00	10.00	9.00	8.00	Lv. Union Bus Term'l. Ar.	C	9.35	10.35	11.35	12.35	1.50	2.35	3.35	4.35	5.35	6.35	7.35	11.05	1.35
12.21	10.21		8.21	7.21	6.21		5.21	4.21	3.21	2.21	1.21	12.21	11.21	10.21	9.21	8.21	Elkridge, Md.		9.14	10.14	11.14	12.14	1.29	2.14	3.14	4.14	5.14	6.14	7.14	8.14	9.14	10.44	1.14
12.39	10.39		8.39	7.39	6.39		5.39	4.39	3.39	2.39	1.39	12.39	11.39	10.39	9.39	8.39	Savage, Md.		8.56	9.56	10.56	11.56	1.46	1.56	2.56	3.56	4.56	5.56	6.56	7.56	8.56	10.26	12.56
12.45	10.45		8.45	7.45	6.45		5.45	4.45	3.45	2.45	1.45	12.45	11.45	10.45	9.45	8.45	Laurel, Md.		8.50	9.50	10.50	11.50	1.05	1.50	2.50	3.50	4.50	5.50	6.50	7.50	8.50	10.20	12.50
1.35	11.35		9.35	8.35	7.35		6.35	5.35	4.35	3.35	2.35	1.35	12.35	11.35	10.35	9.35	Ar. Washington, D. C. Lv.	R	8.00	9.00	10.00	11.00	12.15	1.00	2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.30	12.00
AM	PM		PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	R., F. & P. Trans. Co.	AM	AM	AM	AM	X AM	PM	X PM	PM	PM	PM	X PM	M
						4.35	2.35				11.35		9.35	0 Lv. Washington, D. C. Ar.										
						6.17	4.17				1.17	11.17	11.17	55 Fredericksburg, Va.										
						8.10	6.10				3.10	1.10	1.10	110 Ar. Richmond, Va. Lv.	R										
						PM	PM				PM	PM	AM								12.35		3.05		6.05		8.05	
																					11.00		1.30		4.30		6.30	
																					9.00		11.30		2.30		4.30	
																					AM		AM		PM		PM	

*—Through Coach to Washington. #—Connection from Baltimore at Philadelphia for New York. X—Through Coach to New York. F—Flag Stop. △—Connection at Philadelphia for Washington.
§—Connection at Philadelphia and Baltimore for Washington.
Yellow Cab Free Transfer Service is Provided at Baltimore from Pennsylvania Station to Union Bus Terminal. T—Passengers transfer to connecting coach.
Direct Connections with R., F. & P. Transportation Co. Coaches at Washington Motor Coach Depot, 1421 Pennsylvania Ave., Washington, D. C. (Next Door to Childs Restaurant).

BOSTON, MASS., TO JACKSONVILLE AND MIAMI, FLA., VIA NEW ENGLAND TRANSPORTATION CO., MITTEN TOURS, GREYHOUND, AND FLORIDA MOTOR LINES

TABLE No. 4

SOUTHBOUND DAILY												Read Down	[Example]	ROUTE	Read Up	DAILY NORTHBOUND										
														Eastern Standard Time												
														New England Trans. Co.												
11.00a		8.00a						9.00p	8.00p	Mon.	Lv. Boston, Mass.	Ar.	7.00p												
1.00p		10.00a						11.00p	10.00p	Mon.	Providence, R. I.		4.55p		7.40p									6.15a	7.00a	
									1.05a	Mon.	Hartford, Conn.													4.10a	5.00a	
6.05p	4.30p	2.55p	2.30p	12.00n	9.15a	7.15a	3.20a	2.25a	Tues.	New Haven, Conn.		12.25p	1.45p	2.45p	4.00p	6.00p	8.30p	11.15p	11.35p							
9.40p	8.35p	7.00p	6.35p	4.05p	1.20p	11.20a	7.00a	6.15a	Tues.	Ar. New York, N. Y.	Lv.	8.00a	9.30a	11.00a	11.45a	1.45p	4.15p	7.00p	8.00p	9.00p						
														Mitten Tours												
11.00p		7.00p	4.30p	1.30p	11.30a		10.30a			Tues.	Lv. New York, N. Y.	Ar.	8.00a		10.57a	11.27a	1.27p	3.57p	6.27p	7.27p	7.57p						
2.30p		11.27p	8.57p	5.57p	3.57p		2.57p			Tues.	Lv. Philadelphia, Pa.	Lv.	6.00a		6.30a	7.00a	9.00a	11.30a	2.00p	3.00p	3.30p						
3.30a							3.30p			Tues.	Lv. Philadelphia, Pa.	Ar.	3.32a								3.17p						
8.00a							8.00p			Tues.	Lv. Baltimore, Md.		11.10p											10.40a			
9.35a							9.35p			Tues.	Lv. Washington, D.C.	Lv.	9.30p											9.00a			
														Greyhound Lines												
10.05a							10.15p			Tues.	Lv. Washington, D.C.	Ar.	9.00p													
2.30p							2.45a			Wed.	Richmond, Va.	Lv.	5.00p													
11.30p							11.50a			Wed.	Winston-Salem, N.C.		7.45a													
10.30a							10.30p			Wed.	Augusta, Ga.		9.15p													
8.15p							8.10a			Thur.	Ar. Jacksonville, Fla.	Lv.	11.00a													
														Florida Motor Lines												
9.00p							8.30a			Thur.	Lv. Jacksonville, Fla.	Ar.	7.30a													
9.30a							10.00p			Thur.	Ar. Miami, Fla.	Lv.	7.00p													

W—Arrivals and departures, Waldorf Astoria, New York.

MITTEN TOURS — GREYHOUND CONSOLIDATED TIMETABLE

TABLE No. 5 EASTERN STANDARD TIME

DAILY—WESTBOUND						Read Down
Lv. New York, N. Y. W			7.00p	1.00a	4.00a	10.30a	3.00p
Ar. Philadelphia, Pa.			11.27p	5.00a	8.00a	2.57p	7.27p
Lv. Washington, D.C.			12.15p	9.30p		9.00a	12.15p
Lv. Baltimore, Md.			1.55p	11.10p		10.40a	1.55p
Ar. Philadelphia, Pa.			6.17p	3.32a		3.17p	6.17p
	WP	LH	LH	WP	LH	WP	LH
Lv. Philadelphia, Pa.	12.45A		7.00a	10.45a		3.30p	8.00p
Ar. Pittsburgh, Pa.	4.15p		9.00p	11.45p		6.40a	10.00a
Lv. Pittsburgh, Pa.	6.15p		12.30a			7.15a	11.00a
Ar. Chicago, Ill.	3.45p		10.15p			6.40a	5.00a

DAILY—EASTBOUND			Read Down		
	WP	LH	LH	WP	LH
Lv. Chicago, Ill.		1.00p	7.00p		8.15a
Ar. Pittsburgh, Pa.		12.45p	8.00p		7.45a
Lv. Pittsburgh, Pa.	9.00a	1.30p	9.00p	12.15a	8.30a
Ar. Philadelphia, Pa.	12.10A	2.50a	11.10a	3.05p	10.30p
Lv. Philadelphia, Pa.	3.30a		3.30p		3.30a
Lv. Baltimore, Md.	8.00a		8.00p		8.00a
Ar. Washington, D.C.	9.35a		9.35p		9.35a
Lv. Philadelphia, Pa.	8.00a		11.30a	3.30p	12.00m
Ar. New York, N.Y. W	8.00a		1.27p	7.57p	4.00a

LH—Via Lincoln Hwy. WP—Via William Penn Hwy.
W—Arrivals and departures, Waldorf Astoria, New York.

NEW YORK, PHILADELPHIA, ATLANTIC CITY CONSOLIDATED TIME TABLE

TABLE No. 6

SOUTHBOUND			DAILY			Read down								Read up	DAILY		NORTHBOUND							
6.30	2.30	2.00	1.30	1.00	12.30	12.00	11.30	11.00	10.30	10.00	9.30	9.00	8.30	*Lv. Daylight Saving Time Waldorf Astoria Ar.*	3.27	3.57	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.27	8.57	9.27	9.57	10.57	12.27	5.00
PM	PM	PM	PM	N	AM	AM	AM	AM	AM	AM	AM	AM	AM	EASTERN STANDARD TIME	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM
														New York, N. Y.																
5.30	1.30	1.00	12.30	12.00	11.30	11.00	10.30	10.00	9.30	9.00	8.30	8.00	7.30	Waldorf Astoria																
														34th & 5th avenue Ar.	2.27	2.57	3.57	4.27	4.57	5.27	5.57	6.27	6.57	7.27	7.57	8.27	8.57	9.57	11.27	4.00
9.57	5.57	5.27	4.57	4.27	3.57	3.27	2.57	2.27	1.57	1.27	12.57	12.27	11.57	Ar. Philadelphia, Pa. Broad St. Sta., P. R. R. Lv.	10.00	10.30	11.30	12.00	12.30	1.00	1.30	2.00	2.30	3.00	3.30	4.00	4.30	5.30	6.30	12.00
10.00	6.00		5.00		4.00		3.00		2.00		1.00		12.00	Lv. Philadelphia, Pa. Broad St. Sta., P. R. R. Ar.	9.55		11.25		12.25		1.25		2.25		3.25		4.25	5.25	6.25	10.25
														Atlantic City, N. J.																
12.25	8.25		7.25		6.25		5.25		4.25		3.25		2.25	Ar. P. R. R. Sta., Tennessee & Atlantic avenues Lv.	7.30		9.00		10.00		11.00		12.00		1.00		2.00	3

EXHIBIT NO.
Sheet 1 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND COLLINGSWOOD, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

COLLINGSWOOD	One Way and Round Trip	10 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	8,497	55,380	103,850	1,620	100,600	261,450	269,947	100.0
1922	6,782	48,640	111,400	2,700	78,000	240,740	247,522	91.7
1923	7,719	52,890	169,700	3,720	80,500	306,810	314,529	116.5
1924	6,631	45,170	254,800	4,020	72,300	376,290	382,921	141.9
1925	6,238	40,240	293,250	1,440	53,000	387,930	394,168	146.0
1926	6,181	40,600	292,850	1,260	37,100	371,810	377,991	140.0
1927	3,499	26,790	235,150	1,260	24,900	288,100	291,599	108.0
1928	2,257	16,720	161,300	660	15,100	193,780	196,037	72.6
				AMOUNT OF REVENUE				
1921	$ 1,792.14	$ 7,926.76	$ 9,055.72	$155.25	$10,764.20	$27,901.93	$29,694.07	100.0
1922	1,397.45	6,982.47	9,701.00	262.32	8,346.00	25,291.79	26,689.24	89.9
1923	1,579.15	7,561.84	14,776.04	355.71	8,623.82	31,317.41	32,896.56	110.8
1924	1,340.76	6,459.31	22,218.56	384.46	7,736.10	36,798.43	38,139.19	128.4
1925	1,290.23	5,755.75	25,397.88	138.00	5,664.90	36,956.53	38,246.76	128.8
1926	1,272.25	5,805.80	25,536.52	120.75	3,969.70	35,432.77	36,705.02	123.6
1927	734.29	3,831.28	20,505.08	150.45	2,658.60	27,145.41	27,879.70	93.9
1928	458.78	2,390.96	14,065.36	63.25	1,615.70	18,135.27	18,594.05	62.6

27

Revenue
Dollars
500,000,000
1928
1927
1926
1925
1924
1923
1922
1921
No. 4

No. of Passengers
3,000,000
2,500,000
2,000,000
1,500,000
1,000,000
500,000
1921
1922
1923
1924
1925
1926
1927
1928
Revenue in Dollars
3000000
2500000
2000000
1500000
1000000
500000
No. of Passengers
Amount of Revenue
Delaware River Bridge Placed in Service July 2, 1926
No. of Passengers
Amount of Revenue
Chart
Showing
No. of Passengers
and
Amount of Revenue
from Sale of Tickets
by Years 1921 to 1928, Inc.,
between Market St. Wharf,
Phila. Camden Depot, Camden Broadway,
Atlantic City and Intermediate Stations.

28

EXHIBIT NO.

EXHIBIT NO.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS BETWEEN PHILADELPHIA, MARKET STREET WHARF AND CAMDEN, AND OCEAN CITY, N.J., BASED ON TICKET SALES AT MARKET STREET WHARF, CAMDEN TERMINAL, BROADWAY CAMDEN, AND OCEAN CITY STATIONS, AND REVENUE THEREFROM, FOR YEARS 1923 TO 1928 INCLUSIVE.

O C E A N C I T Y

Year	One Way and Round Trip	20-Trip	60-Trip	150-Trip	Total Commutation	Grand Total	Percentage Relation
			NUMBER OF PASSENGERS				
1923	115,114	-	4,260	4,650	8,910	124,024	100.00
1924	104,247	-	3,300	2,550	5,850	110,097	88.8
1925	109,009	-	4,440	2,550	6,990	115,999	93.5
1926	95,770	160	2,820	3,450	6,430	102,200	82.4
1927	72,138	300	2,400	2,700	5,400	77,538	62.5
1928	58,470	120	1,860	1,950	3,930	62,400	50.3
			AMOUNT OF REVENUE				
1923	$174,496.50	$ -	$2,343.00	$3,100.00	$5,443.00	$179,939.50	100.0
1924	157,946.70	-	1,815.00	1,700.00	3,515.00	161,461.70	89.7
1925	166,007.35	-	2,442.00	1,700.00	4,142.00	170,149.35	94.6
1926	142,211.80	280.00	1,551.00	2,300.00	4,131.00	146,342.80	81.3
1927	105,955.85	525.00	1,275.00	1,800.00	3,600.00	109,555.85	60.9
1928	74,470.57	210.00	1,023.00	1,300.00	2,533.00	77,003.57	42.8

EXHIBIT NO.
Sheet 2 of
10 sheets

WEST JERSEY & SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND HADDONFIELD, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

HADDONFIELD	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	13,995	97,230	-	5,300	24,540	195,500	322,570	336,565	100.0
1922	12,753	89,320	-	3,950	20,160	193,600	307,030	319,783	95.0
1923	16,066	119,940	322	6,500	31,920	206,800	365,482	381,548	113.4
1924	15,964	122,470	966	9,200	43,080	213,400	389,116	405,080	120.4
1925	13,113	105,740	644	9,900	35,580	183,300	335,164	348,277	103.5
1926	9,268	84,630	506	8,700	23,700	162,800	280,336	289,604	86.0
1927	3,682	44,080	1,058	5,550	13,200	121,900	185,788	189,470	56.3
1928	4,027	28,130	92	3,850	4,140	93,300	129,512	133,539	39.7
				AMOUNT OF REVENUE					
1921	$3,913.85	$17,414.44	-	$798.18	$2,677.46	$25,962.40	$46,852.48	$50,766.33	100.0
1922	3,572.24	15,910.46	-	594.87	2,199.04	25,710.08	44,414.45	47,986.69	94.5
1923	4,479.32	21,356.34	$31.92	978.90	3,481.16	27,463.04	53,311.36	57,790.68	113.8
1924	4,328.87	21,790.62	95.86	1,385.52	4,698.30	28,339.52	56,309.82	60,638.69	119.4
1925	3,680.57	18,821.62	63.84	1,490.94	3,766.65	24,342.24	48,487.29	52,167.86	102.8
1926	2,588.29	15,064.14	50.16	1,310.22	2,649.16	21,619.84	40,693.52	43,281.81	85.3
1927	1,044.26	7,848.02	104.88	835.83	1,430.80	16,188.32	26,407.85	27,452.11	54.1
1928	970.44	5,007.14	9.12	579.81	441.86	12,390.24	18,428.17	19,398.61	38.2

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EXHIBIT NO.
Sheet 3 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ASHLAND, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

ASHLAND	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
					NUMBER OF PASSENGERS				
1921	7,108	18,760	506	350	60,840	1,400	81,856	88,964	100.0
1922	6,698	18,350	-	400	58,920	1,200	78,870	85,568	96.2
1923	7,030	21,180	-	100	83,760	900	105,940	112,970	127.0
1924	2,987	12,300	-	100	75,720	1,100	89,220	92,207	103.6
1925	2,021	10,190	-	50	70,380	1,400	82,020	84,041	94.5
1926	2,975	13,310	46	200	77,040	1,100	91,696	94,671	106.4
1927	1,429	11,750	184	-	71,760	1,400	85,094	86,523	97.3
1928	4,504	8,110	828	50	52,440	1,900	63,328	67,832	76.2
					AMOUNT OF REVENUE				
1921	$2,677.66	$4,827.51	$60.28	$80.43	$7,827.03	$269.08	$13,064.33	$15,741.99	100.0
1922	2,509.25	4,715.95	-	91.92	7,498.30	230.64	12,536.81	15,046.06	95.6
1923	2,637.32	5,420.41	-	22.98	10,806.46	172.98	16,422.83	19,060.15	121.1
1924	1,140.55	3,186.53	-	22.98	9,775.12	211.42	13,196.05	14,336.60	91.1
1925	783.39	2,601.97	-	11.49	9,097.40	269.08	11,979.94	12,763.33	81.1
1926	1,116.77	3,420.67	5.48	45.96	9,955.55	211.42	13,639.08	14,755.85	93.7
1927	546.19	3,019.67	21.92	-	9,252.37	269.08	12,563.04	13,109.23	83.3
1928	1,134.42	2,084.27	98.64	11.49	6,744.50	365.18	9,304.08	10,438.50	66.3

EXHIBIT NO.
Sheet 4 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND WEST BERLIN, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

WEST BERLIN	One Way & Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	7,688	19,900	782	100	109,320	100	130,202	137,890	100.0
1922	5,865	14,520	1,242	50	106,140	100	122,052	127,917	92.8
1923	3,308	10,250	782	-	129,060	200	140,292	143,600	104.1
1924	2,743	9,400	552	-	134,760	200	144,912	147,655	107.1
1925	1,803	6,750	414	100	106,920	300	114,484	116,287	84.3
1926	1,504	4,620	-	50	113,580	100	118,350	119,854	86.9
1927	1,027	2,900	368	-	94,500	100	97,868	98,895	71.7
1928	2,227	1,480	1,150	-	80,640	300	83,570	85,797	62.2
				AMOUNT OF REVENUE					
1921	$4,264.50	$7,746.50	$118.83	$35.91	$17,849.53	$28.91	$25,779.68	$30,044.18	100.0
1922	3,258.30	5,619.24	187.82	17.96	17,269.99	28.91	23,122.92	26,381.22	87.8
1923	1,852.54	3,966.75	118.83	..	20,801.49	57.82	24,944.89	26,797.43	89.2
1924	1,528.44	3,637.80	83.88	-	21,940.04	57.82	25,719.54	27,247.98	90.7
1925	1,022.11	2,526.81	62.91	35.90	17,896.46	86.73	20,108.81	21,130.92	70.3
1926	817.98	1,787.85	-	17.96	18,548.83	28.91	20,383.55	21,201.53	70.6
1927	558.23	1,121.40	55.92	-	15,364.10	28.91	16,570.33	17,128.56	57.0
1928	842.33	572.76	174.75	..	13,165.25	86.73	13,999.49	14,841.82	49.4

EXHIBIT NO.
Sheet 5 of

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND BERLIN, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

BERLIN	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	7,023	12,620	-	-	74,880	1,000	88,500	95,523	100.0
1922	5,883	9,790	-	50	74,280	1,600	85,720	91,603	95.9
1923	3,289	6,840	322	-	92,880	1,300	101,342	104,631	109.5
1924	3,121	7,320	414	-	86,340	700	94,774	97,895	102.5
1925	2,460	5,460	276	-	93,300	700	99,736	102,196	107.0
1926	1,837	3,820	368	-	79,320	500	84,008	85,845	89.9
1927	872	2,360	598	-	70,680	500	74,138	75,010	78.5
1928	1,535	700	1,472	-	43,620	500	46,292	47,827	50.1
				AMOUNT OF REVENUE					
1921	$4,294.27	$5,005.71	-	-	$12,753.15	$314.90	$18,073.76	$22,368.03	100.0
1922	3,675.89	4,412.93	-	$9.51	12,401.89	503.84	17,328.17	21,004.06	93.9
1923	2,028.71	2,883.71	$52.30	-	15,699.62	409.37	19,045.00	21,073.71	94.2
1924	1,882.02	3,069.07	68.40	-	14,536.90	220.43	17,894.80	19,776.82	88.4
1925	1,443.69	2,292.35	43.80	-	15,697.50	220.43	18,254.08	19,697.77	88.1
1926	1,094.38	1,617.61	59.30	-	13,501.34	157.45	15,335.70	16,430.08	73.5
1927	512.89	999.89	96.10	-	11,995.22	157.45	13,248.66	13,761.55	61.5
1928	638.56	294.00	233.60	-	7,406.85	157.45	8,091.90	8,730.46	39.0

EXHIBIT NO.
Sheet 6 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ATCO, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

ATCO	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	11,872	23,040	828	-	93,540	700	118,108	129,980	100.0
1922	11,615	21,180	1,518	50	98,160	800	121,708	133,323	102.6
1923	9,843	19,290	1,656	-	112,680	700	134,326	144,169	110.9
1924	9,077	16,920	230	-	113,520	200	130,870	139,947	107.7
1925	7,679	14,790	-	-	122,040	600	137,430	145,109	111.6
1926	5,972	13,290	-	-	137,760	400	151,450	157,422	121.1
1927	4,014	8,010	276	-	123,660	500	132,446	136,460	105.0
1928	5,954	3,650	1,012	-	108,540	200	113,402	119,356	91.8
				AMOUNT OF REVENUE					
1921	$8,453.83	$10,981.19	$142.20	-	$17,027.93	$249.48	$28,400.80	$36,854.63	100.0
1922	8,144.76	10,081.12	260.70	10.30	17,915.87	285.12	28,553.11	36,697.87	99.6
1923	7,029.92	9,182.04	284.40	-	20,503.97	249.48	30,219.89	37,249.81	101.1
1924	6,329.20	7,982.52	39.50	-	20,693.39	71.28	28,786.69	35,115.89	95.3
1925	5,381.13	7,040.62	-	-	22,224.70	213.84	29,479.16	34,860.29	94.6
1926	4,113.38	6,330.60	-	-	25,032.15	142.56	31,505.31	35,618.69	96.6
1927	2,804.60	3,808.00	47.40	-	22,539.91	178.20	26,573.51	29,378.11	79.7
1928	3,070.30	1,737.40	173.80	-	19,744.39	71.28	21,726.87	24,797.17	67.3

EXHIBIT NO.
Sheet 7 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND HAMMONTON, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

HAMMONTON	One Way & Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	13,236	5,140	368	-	33,300	38,808	52,044	100.0
1922	13,793	4,080	184	1,750	22,200	28,214	42,007	80.7
1923	12,732	2,850	230	2,900	20,280	26,260	38,992	74.9
1924	12,882	2,370	1,104	2,950	24,960	31,384	44,266	85.1
1925	11,983	2,410	1,840	3,300	31,500	39,050	51,033	98.1
1926	11,715	2,000	4,140	3,050	29,640	38,830	50,545	97.1
1927	8,808	1,350	3,174	2,300	21,240	28,064	36,872	70.8
1928	5,390	180	1,242	1,400	13,980	16,802	22,192	42.6
				AMOUNT OF REVENUE				
1921	$13,539.07	$3,901.26	$90.00	-	$8,534.88	$12,526.14	$26,065.21	100.0
1922	14,247.18	3,096.72	45.00	730.10	5,680.43	9,552.25	23,799.43	91.3
1923	13,155.04	2,163.15	56.25	1,209.88	5,183.08	8,612.36	21,767.40	83.5
1924	13,315.86	1,791.24	269.97	1,230.74	6,377.25	9,669.20	22,985.06	88.2
1925	12,329.02	1,829.19	450.00	1,376.76	8,050.63	11,706.58	24,035.60	92.2
1926	12,090.06	1,518.00	1,012.50	1,272.46	7,563.24	11,366.20	23,456.26	90.0
1927	9,104.89	1,024.65	776.25	959.56	5,284.63	8,045.09	17,149.98	65.8
1928	4,544.23	136.62	303.75	584.08	3,951.80	4,976.25	9,520.48	36.5

EXHIBIT NO.
Sheet 8 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND EGG HARBOR, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

EGG HARBOR	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	5,808	520	46	-	720	1,286	7,094	100.0
1922	5,535	350	-	150	180	680	6,215	87.6
1923	5,869	570	-	150	60	780	6,649	93.7
1924	4,932	560	-	900	120	1,580	6,512	91.8
1925	4,967	360	92	550	180	1,182	6,149	86.7
1926	4,221	280	138	650	600	1,668	5,889	83.0
1927	2,564	190	92	450	420	1,152	3,716	52.4
1928	1,300	60	-	200	480	740	2,040	28.8
				AMOUNT OF REVENUE				
1921	$8,028.59	$547.04	$14.58	-	$236.88	$798.50	$8,827.09	100.0
1922	7,563.03	368.20	-	86.73	57.76	512.69	8,075.72	91.5
1923	8,046.84	599.64	-	86.73	19.74	706.11	8,752.95	99.2
1924	6,726.98	589.12	-	520.38	39.48	1,148.98	7,875.96	89.2
1925	6,830.19	378.72	29.16	318.01	59.22	785.11	7,615.30	86.3
1926	5,807.19	294.56	43.74	375.83	192.29	906.42	6,713.61	76.1
1927	3,579.29	199.88	29.16	260.19	135.26	624.49	4,203.78	47.6
1928	1,539.96	63.12	-	115.64	157.92	336.68	1,876.64	21.3

EXHIBIT NO.
Sheet 9 of
10 sheets.

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ABSECON, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

ABSECON	One Way & Round Trip	10 Trip	50 Trip	60 Trip	*150 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	3,242	50	50	180	300	580	3,822	100.0
1922	2,775	-	-	720	150	870	3,645	95.4
1923	3,229	-	-	360	750	1,110	4,339	113.5
1924	3,170	-	-	1,200	900	2,100	5,270	137.9
1925	3,255	-	-	1,620	1,350	2,970	6,225	162.9
1926	2,222	-	-	480	750	1,230	3,452	90.3
1927	1,406	-	-	720	1,200	1,920	3,326	87.0
1928	1,257	-	-	120	-	120	1,377	36.0
				AMOUNT OF REVENUE				
1921	$5,193.17	$12.85	$99.00	$71.70	$200.00	$383.55	$5,576.72	100.0
1922	4,744.57	-	-	286.80	100.00	386.80	5,131.37	92.0
1923	5,206.67	-	-	143.40	500.00	643.40	5,850.07	104.9
1924	5,015.85	-	-	495.50	600.00	1,095.50	6,111.35	109.6
1925	5,260.04	-	-	660.30	900.00	1,560.30	6,820.34	122.3
1926	3,583.75	-	-	198.70	500.00	698.70	4,282.45	76.8
1927	2,387.22	-	-	306.80	800.00	1,106.80	3,494.02	62.7
1928	1,810.40	-	-	47.80	-	47.80	1,858.20	33.3

* 150 trip tickets read from Atlantic City.

EXHIBIT NO.
Sheet 10 of
10 sheets.

WEST JERSEY & SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ATLANTIC CITY, BY YEARS AND CLASSES, 1921 TO 1928, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

ATLANTIC CITY	One Way and Round Trip	20 Trip	46 Trip	50 Trip	60 Trip	100 Trip	150 Trip	Total Commutation	Grand Total	Percentage Relation
					NUMBER OF PASSENGERS					
1921	1,213,675	-	138	50	213,540	1,600	18,300	233,628	1,447,303	100.0
1922	1,218,868	-	-	50	260,400	2,400	39,150	302,000	1,520,868	105.1
1923	1,336,268	-	-	-	262,980	-	31,650	294,630	1,630,898	112.7
1924	1,159,422	-	-	-	289,320	-	30,900	320,220	1,479,642	102.2
1925	1,152,707	-	184	100	268,980	-	33,450	302,714	1,455,421	100.6
1926	913,725	16,860	184	-	243,740	-	35,850	296,634	1,210,359	83.6
1927	708,789	17,250	-	-	174,420	-	25,650	217,320	926,109	64.0
1928	489,936	4,640	46	-	137,100	-	19,650	161,436	651,372	45.0
					AMOUNT OF REVENUE					
1921	$1,674,332.46	$ -	$58.83	$77.49	$93,884.20	$422.40	$12,095.00	$106,537.92	$1,780,870.38	100.0
1922	1,602,713.82	-	-	77.49	114,335.40	633.60	26,100.00	141,146.49	1,743,860.31	97.9
1923	1,662,817.03	-	-	-	115,711.24	-	21,100.00	136,811.24	1,799,628.27	101.1
1924	1,488,851.18	-	-	-	126,968.12	-	20,600.00	147,568.12	1,636,419.30	91.9
1925	1,508,624.89	-	78.44	154.98	118,351.60	-	22,300.00	140,885.02	1,649,509.91	92.6
1926	1,213,471.99	25,290.00	78.44	-	107,386.20	-	24,200.00	156,954.64	1,370,426.63	77.0
1927	881,014.76	25,830.00	-	-	76,732.96	-	17,100.00	119,662.96	1,000,677.72	56.2
1928	532,362.53	6,906.00	19.61	-	60,950.52	-	13,100.00	80,976.13	613,338.66	34.4

Includes sales of tickets reading from Market St. Wharf, sold at Broad Street Station and City Offices, Philadelphia.

Penna. Exhibit P-14

PENNSYLVANIA GENERAL UTILITIES COMPANY
Tentative Schedule of Motor Bus Fares
Camden, Atlantic City and Intermediate Points

From \ To	Camden	Collingswood	Oaklyn	Audubon	Haddon Heights	Barrington	Lawnside	Magnolia	Kirkwood-Stratford	Lindenwold	Clementon	Berlin	Atco	Chesilhurst	Waterford Works	Ancora	Elm	Hammonton	Amatol	Elwood	Egg Harbor	Germania	Pomona	Absecon	Atlantic City
Berlin	.50																								
Atco	.60	.50	.45	.45	.40	.40	.35	.35	.35	.25	.20	.10													
Chesilhurst	.65	.55	.55	.50	.50	.45	.45	.40	.35	.30	.25	.15	.10												
Waterford Works	.75	.60	.60	.55	.55	.50	.50	.45	.40	.35	.30	.25	.15	.10											
Ancora	.75	.65	.65	.60	.60	.55	.55	.50	.45	.40	.40	.30	.30	.15	.10										
Elm	.75	.70	.70	.70	.65	.60	.60	.55	.50	.45	.45	.35	.35	.20	.15	.10									
Hammonton	.75	.75	.70	.70	.70	.70	.70	.70	.60	.60	.55	.45	.40	.30	.20	.20	.15								
Amatol	.90	.90	.85	.85	.85	.85	.85	.80	.75	.70	.65	.55	.50	.40	.35	.30	.25	.15							
Elwood	.95	.95	.95	.95	.95	.95	.90	.90	.80	.80	.75	.65	.55	.50	.45	.40	.35	.20	.10						
Egg Harbor	1.10	1.10	1.10	1.10	1.10	1.10	1.05	1.05	1.00	.95	.90	.80	.75	.65	.60	.55	.50	.35	.25	.20					
Germania	1.20	1.20	1.20	1.20	1.20	1.20	1.15	1.15	1.05	1.05	1.00	.90	.85	.75	.70	.65	.60	.45	.35	.30	.10				
Pomona	1.30	1.30	1.30	1.30	1.30	1.25	1.25	1.20	1.15	1.10	1.05	.95	.90	.80	.75	.70	.65	.55	.40	.35	.20	.10			
Absecon	1.35	1.35	1.35	1.35	1.35	1.35	1.35	1.35	1.30	1.30	1.25	1.15	1.05	1.00	.95	.90	.85	.70	.60	.50	.35	.25	.20		
Atlantic City	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.45	1.35	1.30	1.20	1.15	1.10	1.00	.90	.80	.75	.55	.50	.40	.25	

Ex PRR
15

PEOPLES RAPID TRANSIT COMPANY

PASSENGERS CARRIED ON ATLANTIC DIVISION - FEB. TO MAY, INCL. 1929.

FROM SALES OF PRINTED STOCKS

	February	March	April	May
Phila. to Absecon O. W.	7	57	66	58
" " Berlin O. W.	34	104	110	70
" " Egg Harbor O. W.	19	98	104	75
" " Elwood O. W.	3	19	14	14
" " Hammonton O. W.	89	259	197	212
" " Atlantic City O. W.	438	1922	2120	2060
" " " " R. T.	1414	8387	6133	5165
Atlantic City to Phila. O. W.	1280	2101	2310	2463
" " " " R. T.	1063	635	1729	1028
	4347	13582	12783	11145
Add return for round trip)	1414	8387	6133	5165
(	1063	635	1729	1028
	6824	22604	20645	17338

FROM PASSENGER STATISTICS

RATE	BETWEEN					
45-50	Phila. & Berlin	O.W.	253	345	233	AUDIT NOT COMPLETED AS TO DETAIL.
67½¢	Phila. & Hammonton	R.T.	21	18	20	
75¢	" " "	O.W.	311	349	264	
90-95-97½¢	" " Absecon	R.T.	50	38	32	
1.00 (	" " Atl. City	R.T.	11799	21998	10087	
(	" " Elwood	O.W.				
1.10	" " Egg Harbor	O.W.	119	167	205	
1.12½) 1.15)	" " Absecon	O.W.	83	236	50	
1.25	" " Atl. City	O.W.	3071	4693	9519	
1.35	" " Absecon	O. W.	----	----	47	
1.50	" " Atl. City	O.W.	----	----	2460	
Various & Not Known			5	1	16	
			15712	27845	22933	23429

EXPLANATION: SALES OF PRINTED STOCKS - Taken from Stock Record Cards - Blank Stock not recorded as to destinations.

PASSENGER STATISTICS - Taken from rates of fare shown and approximated as to passengers carried between points at rates for one-way or one-half round trip rate.

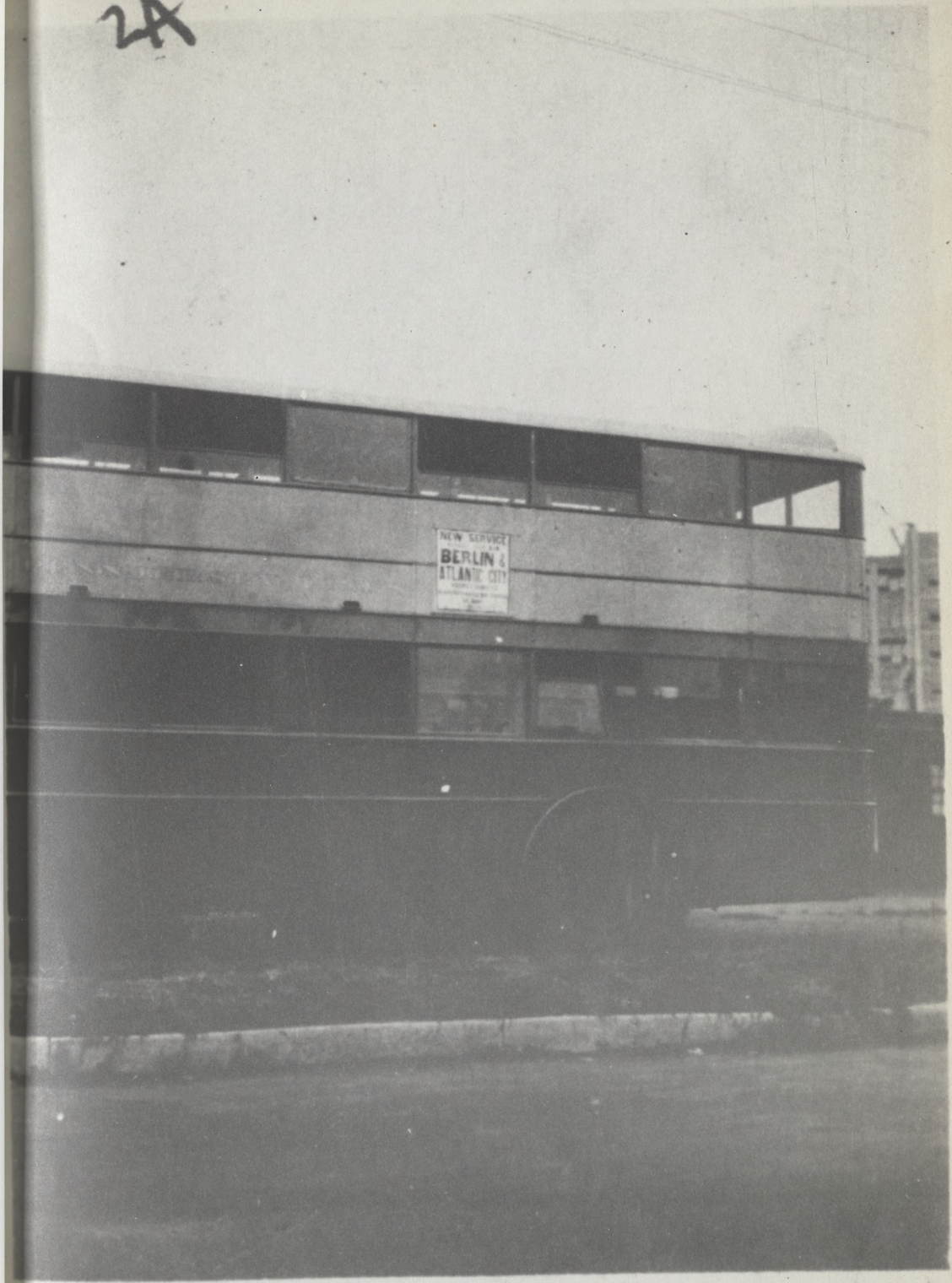
Difference between two statements represents Blank Stock and Cash Fares.

PHOTOSTAT EXHIBITS ON CERTIORARI


NEW SERVICE
SUNDAY JULY 14
BERLIN &
ATLANTIC CITY
HOURLY SERVICE
Route 60 from Camden connects
at Berlin


NEW SERVICE
SUNDAY JULY 14
BERLIN &
ATLANTIC CITY
HOURLY SERVICE
Route 60 from Camden connects
at Berlin

2A



STATE OF NEW JERSEY

BOARD OF

PUBLIC UTILITY COMMISSIONERS

TRENTON

Nov. 4, 1922.

Notice of hearings on applications for Board's approval of local licenses to operate auto busses.

W. L. Kinter, Esq., Gen'l. Sol'r.,
Philadelphia & Reading Railway Co.,
Reading Terminal, Phila., Pa.

Dear Sir:-

Referring to your letter of the 30th ult., this has been given consideration by the Board of Public Utility Commissioners, and I am instructed to direct your attention to Section 15 of the public Utility act(Chap. 195, P.L.1911). You will note from this that the Board has authority to regulate auto busses, only when the route in whole or part parallels upon the same street the line of a street railway or traction railway, and that there are excluded from the jurisdiction of the Board those who operate under municipal consents granted prior to March 15, 1921 unless there is a change of ownership or change in the route.

Apparently it was the intention of the Legislature to prevent the operation of additional auto busses in competition with street railways unless the Board of Public Utility Commissioners, after hearing, should find that the additional operation proposed would be necessary and proper for the public convenience and would properly conserve the public interest. The Board does not find any intention on the part of the Legislature to give it authority to restrict or limit the operation of auto busses because of competition with steam railrads. Probably no auto bus is put in operation(except within the limits of a single municipality) which does not carry some passengerswho, but for the operation of the bus, might travel upon a railroad, yet many such busses may be lawfully operated without the operation being in any way subject to the authority of approvalof the Board.

It may be that in cases where it is proposed to operate busses between distant points, and part of the route is upon the same street as the line of a street railway, therefore requiring the Board's approval of the local licensee granted, the Board might properly consider the railroad facilities provided in determining whether the operation of the busses is neccessary and proper for the public convenience and properly conserves the public interest. The Board, however is not willing to commit itself to an assurance that it will give

notice of hearings on all applications for its approval of the operation of auto busses which operations, in the opinion of your management, might incidentally affect travel on your road. If such assurance should be given it might be that in some cases where it did not seem to the Board the railroad company would be affected in any way, and notice was not given of the hearing, your company might take the contrary view and feel aggrieved because it did not receive such notice.

The Board, as you are aware, does not itself grant licenses to operate busses. It acts after the licenses are granted, and then only when part of the route is on the line of a street railway.

It seems to the Board that instead of relying upon it to give you information of all applications made to it for its approval of such licenses, in order that you may determine whether or not you desire to appear at the hearings upon the question of their approval, your company should keep in touch with the local licensing authorities. When it is ascertained that licenses have been granted, or applications have been made for licenses where the nature of the operation is such that the Board's approval would be required, and where your company feels its interests might be affected by the operation, the Board, if advised of the desire of the railroad company, to be heard will give the company notice of the time and place of the hearing, and at such hearing would afford the railroad company opportunity to submit pertinent evidence.

Hearings are not held by the Board upon the applications made to it for its approval of local licenses immediately after the municipalities grant liceses, or state that they are ready to grant such licenses subject to the Board's approval. If the railroad companies keep in touch with the local situation they should experience no difficulty in learning of the applications to the local authorities for licenses which, if granted, would require the Board's approval, and in advising the Board of the cases upon which they desire to be heard.

Very truly yours,

A. N. BARBER

Secretary.

B:V

Atlantic City, N.J.

Sept. 11th, 1929.

I have on the above date received from one passenger two receipts for transportation pay by said passenger, on Public Service Bus #8005 amount $1.35, from Camden N.J. to Atlantic City, N.J.

E. J. Harrington,

Supervisor

P - 3

Sep 10 6 8 0 7

Surrender when leaving car

11 - 26 1. 00 * 529

From to Fare Oper.

13 Public Service

P 4

Sep 10 1 1 4 6

Surrender when leaving car

26 - 11 1.00 * 606

From To Fare Oper.

4 Public Service

P - 5

Sep 10 1 1 5 7

Surrender when leaving car

10 - 1 - .35 * 606

From To Fare Oper.

4 Public Service

P - 6

Sep 10 6 7 7 5

Surrender when leaving car

1 - 10 .35 * 518

From To Fare Oper.

13 Public Service

P - 7

Sep 11 1 3 7 5

Surrender when leaving car

10 - 1 .35 * 19

From To Fare Oper.

4 Public Service

P - 8

Sep 11 6 8 8 9

Surrender when leaving car

1 - 10 .35 511

From To Fare Oper.

13 Public Service

P - 9

Edward Harrington,
Supervisor
O.G. Schultz Mgt.

Union Bus Terminal
Atlantic City, N.J.

ATLANTIC CITY RAILROAD CO. AND
READING TRANSPORTATION CO.
(PRESENT CASE)

4R-1

Regular Meeting of Board of Commissioners held January 12, 1928.

President Ruffu presiding.

Present: Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Absent, (0).

PERMIT GRANTED PUBLIC SERVICE TRANSPORTATION CO. TO OPERATE BUSES WITHIN THE CORPORATE LIMITS OF CITY, REVOKED

WHEREAS, the Board of Commissioners of the City of Atlantic City, did at one of its regular meetings, held on August 25, 1927, grant the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, permission to operate its twelve (12) automobiles within the corporate limits of the City of Atlantic City; and

WHEREAS, the said Board of Commissioners are now of the opinion that for the public good of the entire City, the said permit should be revoked;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Atlantic City, that the permit by resolution, granted at a regular meeting of the Board of Commissioners of the City of Atlantic City, N. J., on August 25, 1927, to the PUBLIC SERVICE TRANSPORTATION COMPANY, a corporation of the State of New Jersey, to operate its twelve (12) automobile busses within the corporate limits of the City of Atlantic City, be and the same is hereby revoked, declared null and void, and for nothing holden.

Upon motion of Mayor Ruffu this resolution was adopted by the following vote: Ayes, Messrs. Cuthbert, Headley, Kuehnle, Paxson and Ruffu (5). Nays, (0).

CITY OF ATLANTIC CITY

DEPARTMENT OF PUBLIC AFFAIRS

ANTHONY M. RUFFU, JR., MAYOR

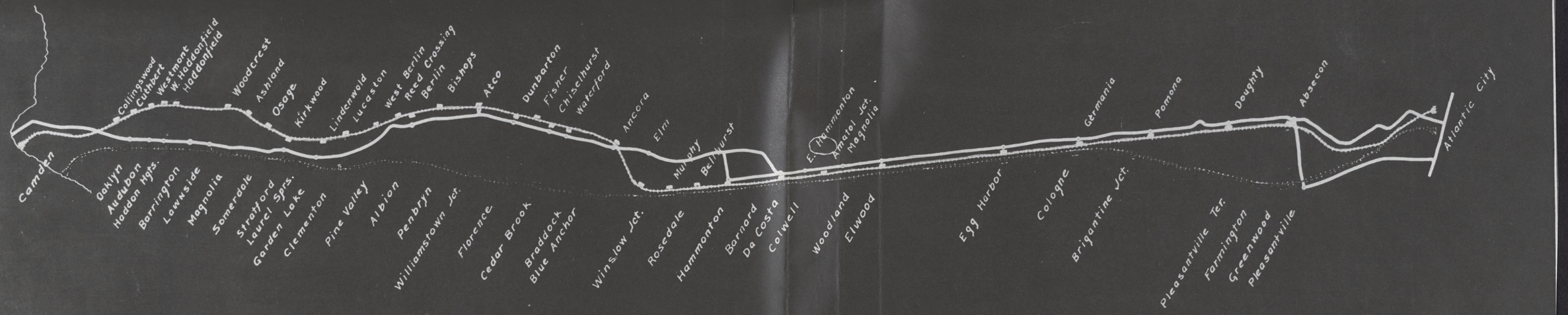
I, BERTRAM E. WHITMAN, City Clerk of the City of Atlantic City, in the County of Atlantic, State of New Jersey, **Do Hereby Certify,** that the foregoing is a true copy of a resolution which was passed by the Board of Commissioners of the City of Atlantic City at a regular meeting held January 12, 1928, as taken from the original on file in the office of the City Clerk. . . . . .

In Testimony Whereof, I have hereunto set my hand and affixed the official seal of the City of Atlantic City, this ------3rd----- day of - - - - - - - - - -May- - - - - - - - - - 1929 .

Bertram E. Whitman
City Clerk.

15

48



Legend

White Horse Pike

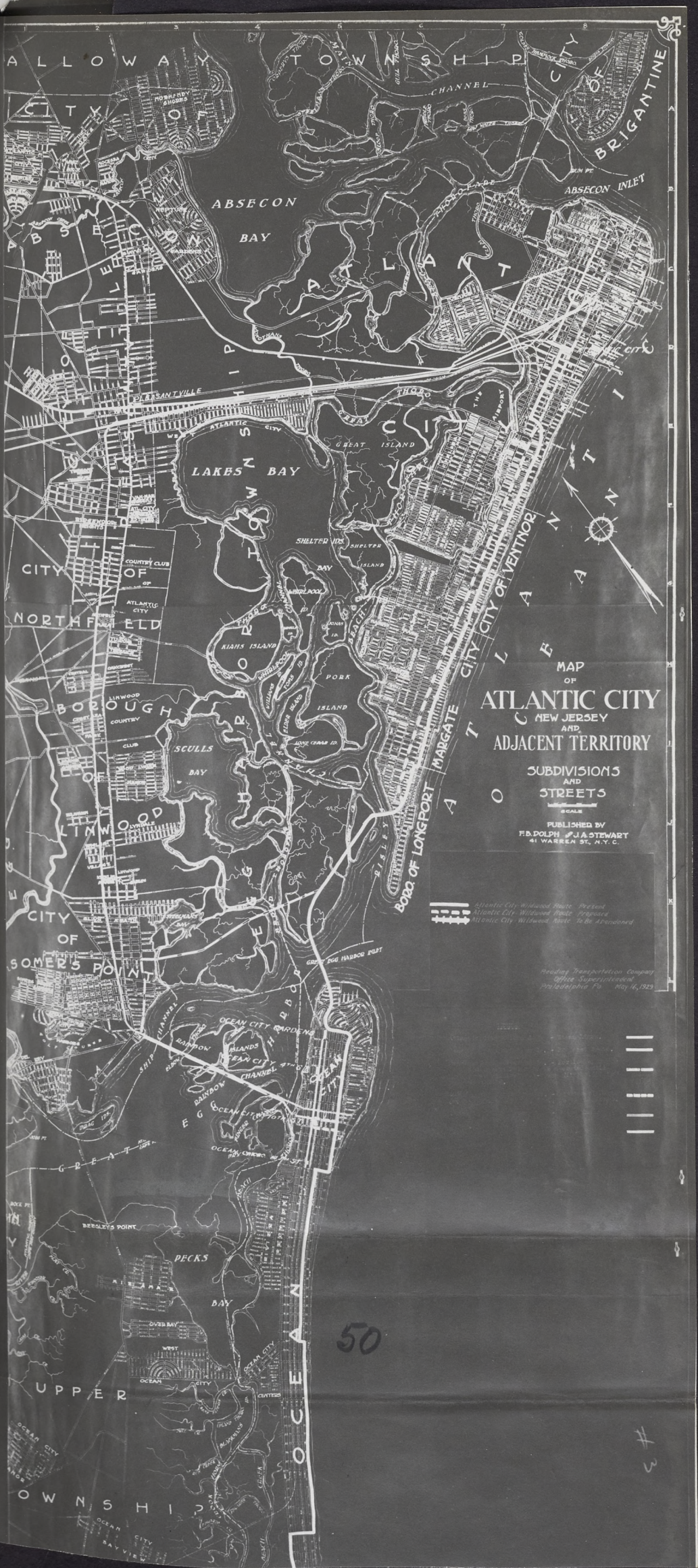
Rail Line - West Jersey & Seashore R.R. (P.R.R.)

Rail Line - Atlantic City R.R. (Reading Lines)

Scale - 1 inch = 3 miles.

Reading Co. December 12, 1927.

CITY
CITY
OF


MAP
OF
ATLANTIC CITY
NEW JERSEY
AND
ADJACENT TERRITORY
SUBDIVISIONS
AND
STREETS
SCALE
PUBLISHED BY
F.B. DOLPH & J.A. STEWART
41 WARREN ST., N.Y.C.
Atlantic City-Wildwood Route Present
Atlantic City-Wildwood Route Proposed
Atlantic City-Wildwood Route To Be Abandoned
Reading Transportation Company
Office Superintendent
Philadelphia Pa. May 16, 1929
ALLOWAY TOWNSHIP
CITY OF BRIGANTINE
ABSECON BAY
ABSECON INLET
ATLANTIC CITY
LAKES BAY
GREAT ISLAND
SHELTER IDS.
SHELTER ISLAND
KIAHS ISLAND
PORK ISLAND
SCULLS BAY
CITY OF NORTHFIELD
BOROUGH OF LINWOOD
CITY OF SOMERS POINT
BORO. OF LONGPORT
MARGATE CITY
CITY OF VENTNOR
OCEAN CITY
OCEAN CITY GARDENS
RAINBOW ISLANDS
PECKS BAY
UPPER TOWNSHIP
OCEAN CITY
50
#3

All
Town

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Township
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Borough
City of

Exhibit No. _____

Witness _____

PHILADELPHIA-CAMDEN-ATLANTIC CITY-OCEAN CITY ROUTE.

List of Municipal Consents.

All consents are unlimited as to number of auto buses except Township of Pensauken which is limited to 25 auto buses.

MUNICIPALITY	Date of Consent	Disposition of consent, indicated by "X" Filed with application.	Filed at hearing.	REMARKS
City of Camden	Mar.14,1929	X	-	
Township of Pensauken	Apr.22,1929	-	X	
Borough of Collingswood	Mar.18,1929	X	-	
Borough of Oaklyn	-	-	X	~~No consent.~~
Borough of Audubon	Mar.12,1929			
Borough of Haddon Heights	Apr. 2,1929	X	-	
Borough of Barrington	Mar.15,1929	X	-	
Borough of Lawnside	Mar.20,1929	X	-	
Borough of Magnolia	Mar.16,1929	X	-	
Borough of Stratford	Mar.18,1929	X	-	
Borough of Laurel Springs	Mar.18,1929	X	-	
Borough of Clementon	Apr. 2,1929	-	X	
Township of Clementon	Apr. 1,1929	X	-	
Borough of Berlin	Mar.16,1929	X	-	
Township of Waterford	Apr.11,1929	-	X	
Township of Winslow	Apr. 9,1929	-	X	
Borough of Chesilhurst	Apr. 8,1929	-	X	
Town of Hammonton	Mar.12,1929	X	-	
Township of Egg Harbor	-	-	-	No consent.
City of Egg Harbor	Apr.16,1929	-	X	
City of Absecon	-	-	-	No consent.
Township of Galloway	-	-	-	No consent.
Township of Mullica	Apr. 6,1929	-	X	
City of Atlantic City	Mar.21,1929	X	-	
City of Ventnor	Apr. 1,1929	X	-	
City of Margate	Mar.28,1929	X	-	
Borough of Longport	-	-	-	No consent.
City of Ocean City	Apr. 1,1929	X	-	

Exhibit No. R-5

Witness

ATLANTIC CITY RAILROAD COMPANY

COMPARATIVE INCOME ACCOUNT

FOR EIGHT YEARS ENDED DECEMBER 31, 1928

Item	Year ended December 31							
	1921	1922	1923	1924	1925	1926	1927	1928
RAILWAY OPERATING REVENUES:								
Freight revenue	$1,375,079.81	$1,460,508.09	$1,511,029.65	$1,501,223.09	$1,603,520.52	$1,667,965.97	$1,545,324.73	$1,391,371.82
Passenger revenue	3,132,212.23	3,007,223.57	3,144,951.79	3,017,305.48	3,231,597.66	2,864,016.64	2,429,554.28	2,110,123.50
All other revenue	108,555.89	159,020.85	194,638.05	228,749.18	208,329.53	264,802.05	230,964.66	231,289.79
Total Railway Operating Revenues	$4,615,847.93	$4,626,752.31	$4,850,619.49	$4,747,277.75	$5,043,447.71	$4,796,784.64	$4,205,843.67	$3,732,785.11
RAILWAY OPERATING EXPENSES:								
Maintenance of way and structures	$ 767,252.35	$ 802,526.11	$1,048,362.57	$1,317,817.35	$1,034,038.70	$ 988,831.26	$ 939,518.84	$ 842,889.76
Maintenance of equipment	613,327.24	450,173.32	495,654.65	378,704.87	447,198.89	389,679.73	346,523.80	354,064.07
Traffic	45,505.01	77,585.65	71,726.88	95,135.19	86,311.40	83,566.51	87,197.33	90,755.06
Transportation rail line	2,473,930.23	2,705,533.85	2,614,568.18	2,440,301.87	2,506,008.71	2,369,181.92	2,388,771.64	2,279,619.48
Miscellaneous operations	1,307.63	2,199.59	1,954.93	2,351.23	2,868.06	3,880.60	2,501.45	4,030.68
General	44,894.38	59,652.77	61,468.93	66,082.90	65,312.44	77,454.61	77,153.45	78,697.16
Transportation for investment-Cr.	367.91	4,317.80	1,928.73	1,297.25	1,375.27	1,227.76	1,077.52	1,248.71
Total Railway Operating Expenses	$3,945,848.93	$4,093,353.49	$4,289,807.41	$4,299,096.16	$4,140,562.93	$3,911,366.87	$3,840,588.99	$3,651,304.92
Net Revenue from Railway Operations	$ 669,999.00	$ 533,398.82	$ 560,812.08	$ 448,181.59	$ 902,884.78	$ 885,417.77	$ 365,254.68	$ 81,480.19
Railway tax accruals	$ 228,722.80	$ 237,534.73	$ 237,545.36	$ 270,828.47	$ 302,305.36	$ 390,707.45	$ 448,394.05	$ 466,518.61
Uncollectible railway revenues	99.71	3,577.36	565.99	347.67	20.53	104.52	138.69	6.45
Railway Operating Income	$ 441,176.49	$ 292,286.73	$ 322,700.73	$ 177,005.45	$ 600,558.89	$ 494,605.80	$ 83,278.06	$ 385,044.87
Equipment rents-Net	$ 407,430.70	$ 515,544.20	$ 515,262.44	$ 369,464.23	$ 414,755.94	$ 420,927.59	$ 399,157.66	$ 384,229.48
Joint facility rents-Net	30,650.90	40,580.92	41,660.49	35,358.79	36,601.78	40,928.50	41,005.78	47,887.60
NET RAILWAY OPERATING INCOME	$ 64,396.69	$ 182,676.55	$ 150,901.22	$ 157,099.99	$ 222,464.73	$ 114,606.71	$ 441,429.94	$ 721,386.75
NONOPERATING INCOME:								
Income from lease of road	$ 24,328.82	$ 568.73	-	-	-	-	-	-
Miscellaneous rent income	1,391.81	1,630.57	$ 6,371.19	$ 8,199.86	$ 13,070.31	$ 17,507.03	$ 21,087.49	$ 21,142.27
Miscellaneous nonoperating physical property	6,555.78	5,344.81	2,101.49	6,927.05	10,667.48	23,420.97	35,318.59	23,988.19
Income from unfunded securities and accounts	9,069.88	6,167.11	16,216.42	17,174.97	10,232.98	14,573.03	38,175.64	16,882.04
Miscellaneous income	771.09	280.16	408.43	504.73	304.10	409.20	169.30	1,776.15
Total Nonoperating Income	$ 6,540.26	$ 12,853.92	$ 25,097.53	$ 32,806.61	$ 34,274.87	$ 55,910.23	$ 94,752.02	$ 63,788.65
Gross Income	$ 57,856.43	$ 169,822.63	$ 125,803.69	$ 124,293.38	$ 256,739.60	$ 170,516.94	$ 346,677.92	$ 657,598.10
DEDUCTIONS FROM GROSS INCOME:								
Miscellaneous rents	-	-	-	-	$ 1,216.00	$ 1,812.00	$ 1,692.00	$ 1,905.93
Miscellaneous tax accruals	$ 3,763.09	$ 3,199.77	$ 5,431.80	$ 7,012.20	5,057.83	10,300.87	21,742.59	23,224.79
Interest on funded debt	303,470.98	255,219.85	217,055.00	217,055.00	362,832.77	377,055.00	377,055.00	377,054.93
Interest on unfunded debt	1,325.32	12,515.07	11,591.33	11,342.64	11,339.32	11,278.13	13,002.50	9,831.45
Amortization of discount on funded debt	9,760.44	9,760.44	9,760.44	9,760.44	9,760.44	9,760.44	9,760.44	9,760.88
Miscellaneous income charges	7,035.30	1,970.00	1,844.30	1,807.75	1,765.70	1,740.21	1,581.50	1,457.55
Total Deductions from Gross Income	$ 325,355.13	$ 282,665.13	$ 245,682.87	$ 246,978.03	$ 391,972.06	$ 411,946.65	$ 424,834.03	$ 423,235.53
NET INCOME (Deficit in red)	$ 267,498.70	$ 452,487.76	$ 371,486.56	$ 371,271.41	$ 135,232.46	$ 241,429.71	$ 771,511.95	$1,080,833.63

Exhibit No. R-6

Witness Mapstone

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF INVESTMENT IN ROAD AND EQUIPMENT
AND MISCELLANEOUS PHYSICAL PROPERTY AS
OF DECEMBER 31, 1928

Account	Amount
701 - Investment in road and equipment	$15,458,727.13
705 - Miscellaneous physical property	1,585,059.99
Total	$17,043,787.12

Witness _____

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF ADDITIONS AND BETTERMENTS, TAX ASSESSMENTS, AND DEFICITS
FOR YEARS ENDED DECEMBER 31, 1918 TO 1928 INCLUSIVE

Year ended December 31st	Additions and Betterments	TAX ASSESSMENTS				Deficit
		U. S. Government	State of New Jersey		Total	
			State	Municipalities		
1918	$ 40,219.72	$ 1,972.75	$ 140,871.32	$ 5,056.91	$ 147,900.98	$ 145,601.89
1919	88,964.18	3,167.80	171,945.26	5,314.62	180,427.68	112,049.38
1920	153,332.10	1,912.44	176,582.56	4,849.13	183,344.13	185,238.63
1921	177,819.00	2,378.92	226,330.42	6,155.47	234,864.81	267,498.70
1922	435,170.01	1,970.00	232,270.59	8,463.91	242,704.50	452,487.76
1923	464,441.09	1,844.30	234,398.18	8,588.80	244,831.28	371,486.56
1924	4,108,452.81	1,807.75	268,432.65	9,408.02	279,648.42	371,271.41
1925	409,098.37	1,785.70	297,126.46	10,116.73	309,028.89	135,232.46
1926	929,313.91	1,740.21	386,946.64	14,061.68	402,748.53	241,429.71
1927	597,090.15	1,581.50	444,419.89	25,726.75	471,728.14	771,511.95
1928	105,470.19	1,457.55	463,056.74	26,706.66	491,200.95	1,080,833.63
Total	$7,514,371.53	$21,618.92	$3,042,360.71	$124,448.68	$3,188,428.31	$4,134,642.08

R9

Exhibit No. 9

Witness _____

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF AMOUNTS DUE READING COMPANY FOR ADVANCES

FOR YEARS ENDED DECEMBER 31, 1917 TO 1928 INCLUSIVE

Year	Amount
1917	$ 1,913,027.97
1918	2,054,398.55
1919	2,459,147.70
1920	1,982,231.69
1921	1,980,723.26
1922	3,944,660.78
1923	5,015,867.14
1924	* 8,345,025.88
1925	6,890,265.30
1926	8,008,875.70
1927	9,721,417.72
1928	10,551,658.93

due principally to advances account of New Camden Terminal. In 1925 Atlantic City Company issued $3,200,000.00 of bonds, interest rate 5%, to Reading Company, which credited this account. Atlantic City Railroad has paid only $80,000.00 of the due, of $640,000.00, leaving $560,000.00 unpaid.

Exhibit No. 9

Witness

ATLANTIC CITY RAILROAD COMPANY

VALUE OF EXCESS EQUIPMENT REQUIRED DURING JULY AND AUGUST OVER OTHER PERIODS OF YEAR.

Item	Amount
19 Locomotives	$ 979,225.00
64 Steel coaches	1,312,000.00
10 Steel combination	198,000.00
17 Steel underframe	187,000.00
25 Open platform	150,000.00
Total	$2,826,225.00

Exhibit No. R-10

Witness

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

FERRY BOATS IN SERVICE AS OF DECEMBER 31, 1928

Name	Date Built	Cost of Ferry Boats	
		Owned by Delaware River Ferry Company of New Jersey	Leased from Reading Company
of Reading	1896	$ 73,233.67	-
tic City	1914	156,422.41	-
on Heights	1920	-	$ 316,430.66
ner	1920	-	316,497.38
ega	1923	-	246,715.88
City	1923	-	246,715.88
delphia	1925	-	233,760.00
Bay	1925	-	233,750.00
Total	xxxx	$229,656.08	$1,593,859.80

Exhibit No. R-11

Witness

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

STATEMENT OF NET INCOME (DEFICIT IN RED)

FOR YEARS ENDED DECEMBER 31, 1918 TO 1928 INCLUSIVE

Year	Amount
1918	$ 133,805.06
1919	57,804.61
1920	434,081.89
1921	401,556.02
1922	190,781.25
1923	108,116.44
1924	82,871.19
1925	87,967.52
1926	3,960.71
1927	161,959.96
1928	152,523.33
Total	$1,631,575.52

Exhibit No. R-12

Witness _____

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

STATEMENT OF AMOUNTS DUE READING COMPANY FOR ADVANCES

FOR YEARS ENDED DECEMBER 31, 1917 TO 1928 INCLUSIVE

Year	Amount
1917	$1,183,586.43
1918	1,210,929.89
1919	1,258,184.40
1920	1,603,726.67
1921	1,877,202.33
1922	2,444,468.15
1923	2,403,255.56
1924	2,408,955.17
1925	2,408,955.17
1926	2,416,460.01
1927	2,416,460.01
1928	2,315,516.27

Exhibit No. 13

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND HADDON HEIGHTS DURING YEARS 1921 TO 1928 INCLUSIVE.

Year	Round Trip and One Way Tickets: Trips	% (Note)	10 Trip Tickets: Trips	% (Note)	50 & 60 Trip Tickets: Trips	% (Note)	Total: Total Trips	% (Note)	Total: Total Revenue	% (Note)
1921	11,923	100.0	32,990	100.0	181,720	100.0	226,633	100.0	$32,986.12	100.0
1922	14,313	120.1	40,900	124.0	185,490	102.1	240,703	106.2	35,500.70	107.6
1923	16,070	134.8	48,960	148.4	225,250	124.0	290,280	128.1	42,671.04	129.4
1924	12,547	105.2	40,090	121.5	210,910	116.1	263,547	116.3	38,347.84	116.3
1925	10,870	91.2	39,320	119.2	182,240	100.3	232,430	102.6	33,982.84	103.0
1926	7,487	62.8	29,600	89.7	170,400	93.8	207,487	91.6	29,799.46	90.3
1927	3,419	28.7	13,450	40.8	116,860	64.3	133,729	59.0	18,768.56	56.9
1928	7,439	62.4	10,020	30.4	91,490	50.3	108,949	48.1	15,350.85	46.5

Note: Year 1921 is used as the basic year in computing percentages.

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921

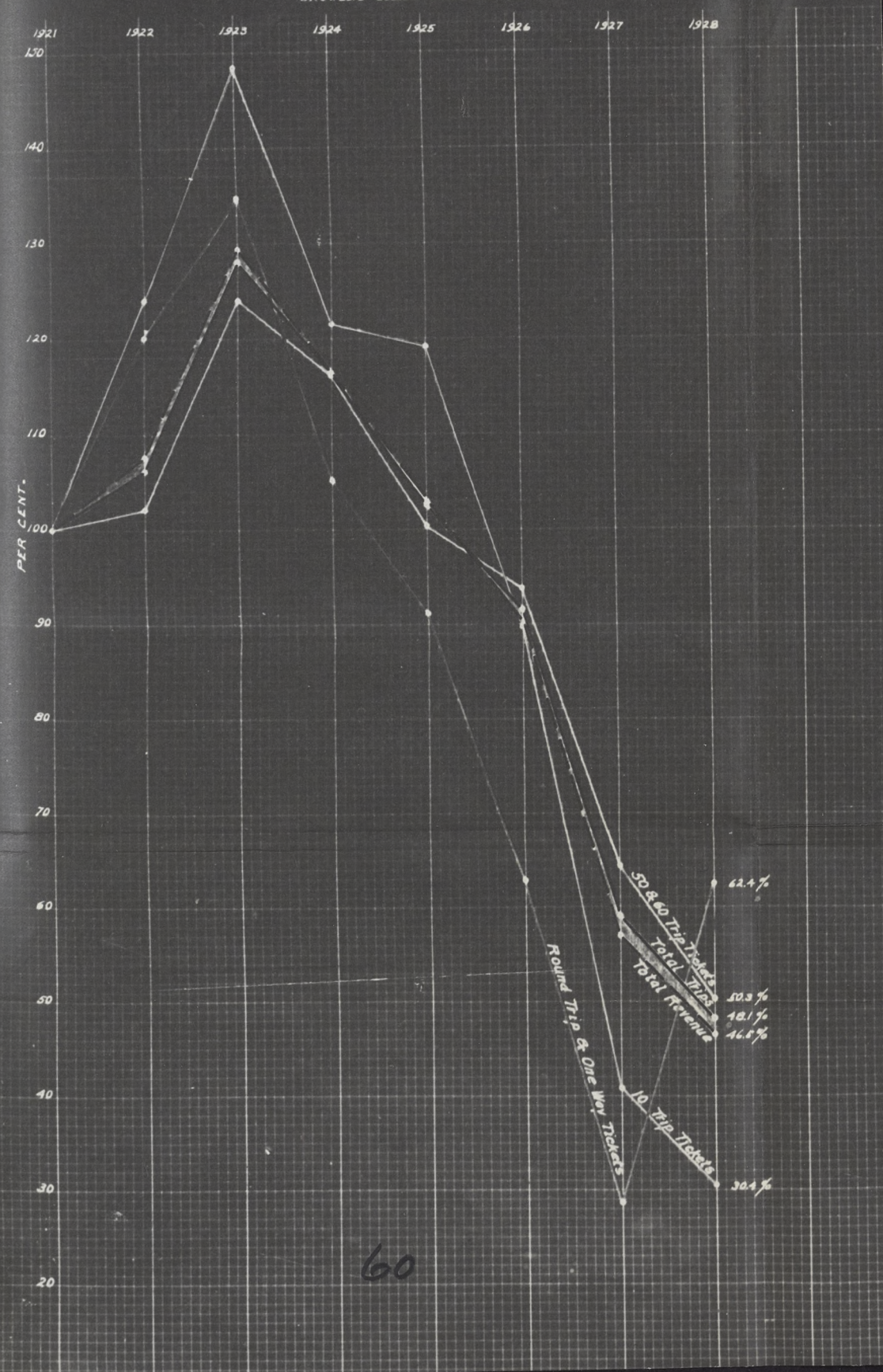


Exhibit No. 12

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND HAMMONTON DURING YEARS 1921 TO 1928 INCLUSIVE

Year	Round Trip and One Way Tickets: Trips	% (Note)	10 Trip Tickets: Trips	% (Note)	50 & 60 Trip Tickets: Trips	% (Note)	Total: Total Trips	% (Note)	Total Revenue	% (Note)
1921	39,159	100.0	32,480	100.0	62,300	100.0	133,939	100.0	$85,011.43	100.0
1922	39,342	100.5	30,320	93.4	57,690	92.6	127,352	95.1	81,891.54	96.3
1923	39,166	100.0	31,240	96.2	77,130	123.8	147,536	110.2	87,873.48	103.4
1924	39,724	101.4	27,910	85.9	78,230	125.6	145,864	108.9	82,990.19	97.6
1925	37,293	95.2	24,730	76.1	73,940	118.7	135,963	101.5	79,721.65	93.8
1926	35,573	90.8	21,110	65.0	80,430	129.1	137,113	102.4	76,776.51	90.3
1927	31,039	79.3	18,890	58.2	91,760	147.3	141,689	105.8	73,245.01	86.2
1928	57,282	146.3	5,380	16.6	97,010	155.7	159,672	119.2	75,147.83	88.4

Note: Year 1921 is used as the basic year in computing percentages

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921

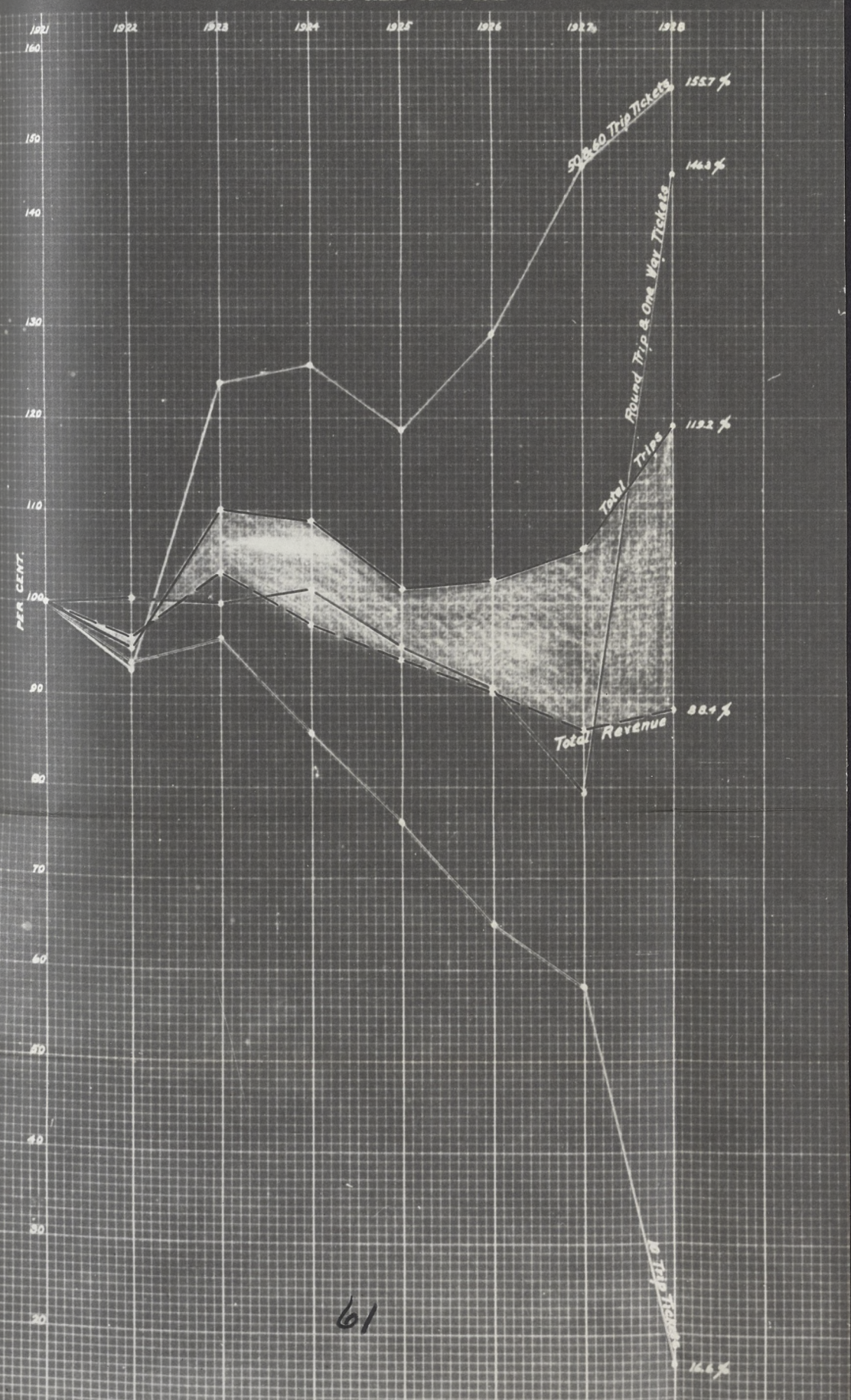


Exhibit No. 15

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND EGG HARBOR DURING YEARS 1921 to 1928 INCLUSIVE.

Year	Round Trip and One Way Tickets		10 Trip Tickets		50 & 60 Trip Tickets		Total			
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Total Trips	% (Note)	Total Revenue	% (Note)
1921	19,984	100.0	9,140	100.0	19,880	100.0	49,004	100.0	$46,851.60	100.0
1922	20,282	101.5	8,750	95.7	17,110	86.1	46,142	94.2	45,822.05	97.8
1923	20,214	101.2	9,370	102.5	20,240	101.8	49,824	101.7	47,767.48	102.0
1924	18,863	94.4	8,830	96.6	19,830	99.8	47,523	97.0	45,704.69	97.6
1925	19,910	99.6	9,030	98.8	25,380	127.7	54,320	110.9	49,884.18	106.5
1926	17,443	87.3	7,390	80.9	26,440	133.0	51,273	104.6	44,905.32	95.9
1927	12,295	61.5	4,570	50.0	24,520	123.3	41,385	84.5	33,071.52	70.6
1928	15,232	76.2	1,700	18.6	19,720	99.2	36,652	74.8	25,938.68	55.4

Note: Year 1921 is used as the basic year in computing percentages.

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921.

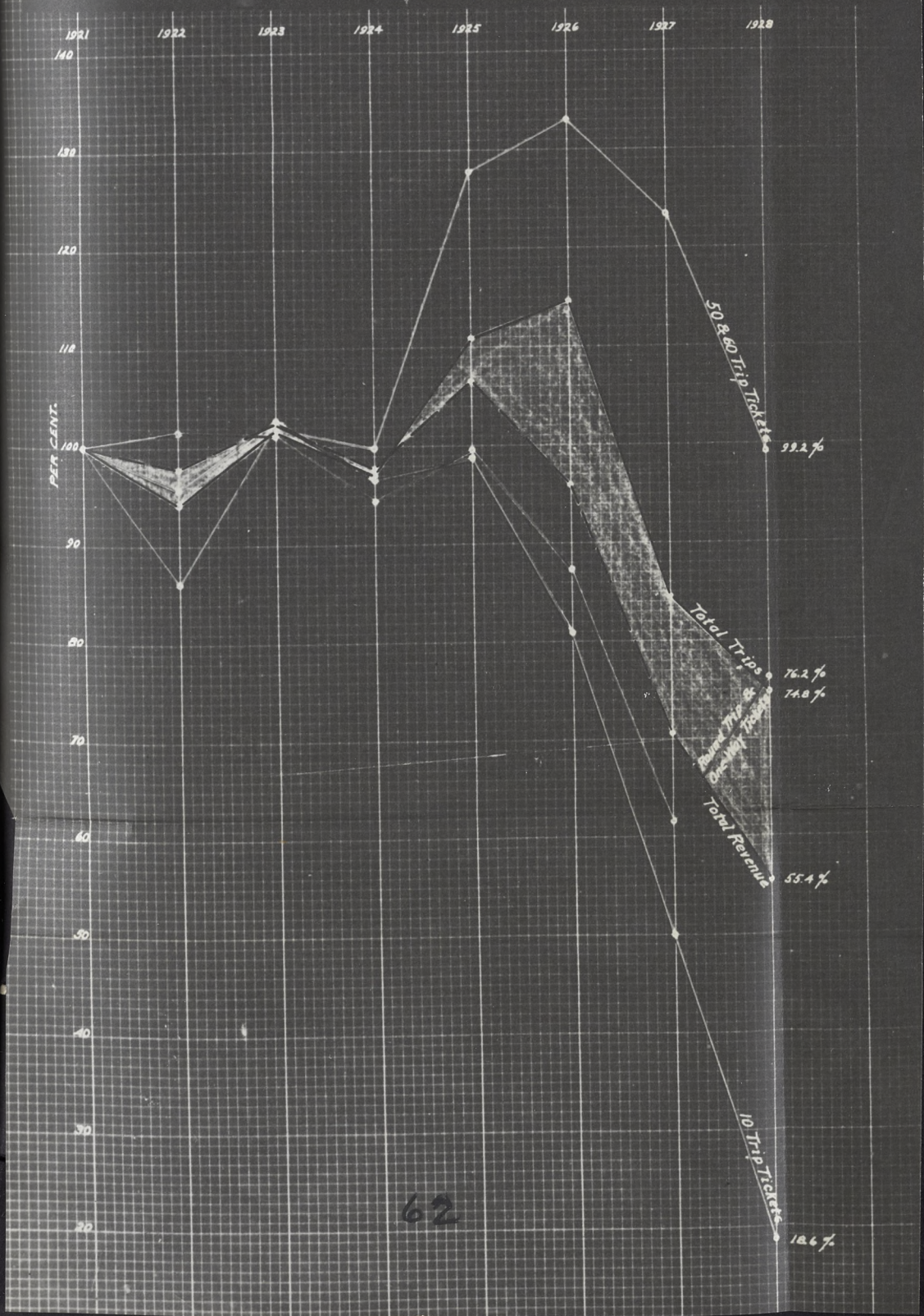


Exhibit No. 16

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND ATLANTIC CITY DURING YEARS 1921 TO 1928 INCLUSIVE.

Year	Regular one-way and round-trip tickets: Trips	% (Note)	One-day Excursion Tickets: Trips	% (Note)	20-trip Tickets: Trips	% (Note)	60 & 150 trip Tickets: Trips	% (Note)
1921	546,835	100.0	324,410	100.0	--	--	723,930	100.0
1922	530,831	97.1	307,224	94.7	--	--	703,980	97.2
1923	547,213	100.1	335,710	103.5	--	--	813,210	112.3
1924	541,641	99.1	342,100	105.5	--	--	772,770	106.9
1925	590,311	108.0	366,004	112.8	--	--	870,150	120.2
1926	512,667	93.8	291,658	89.9	31,900A	--	744,150	102.8
1927	500,828	91.6	231,554	71.4	34,020	--	687,240	94.9
1928	564,002	103.1	165,180	50.9	3,960	--	592,590	81.9

Total

Year	Total Trips	% (Note)	Total Revenue	% (Note)
1921	1,595,175	100.0	$1,613,213.24	100.0
1922	1,542,035	96.7	1,566,548.70	97.1
1923	1,696,133	106.3	1,667,047.60	103.3
1924	1,656,511	103.9	1,644,177.62	101.9
1925	1,826,465	114.5	1,799,700.18	111.6
1926	1,580,375	99.1	1,591,705.32	98.7
1927	1,453,642	91.1	1,395,017.24	86.5
1928	1,325,732	83.1	1,153,321.18	71.5

Note: Year 1921 is used as the basic year in computing percentages.
A - 20 trip ticket sales inaugurated July 27, 1926.

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921

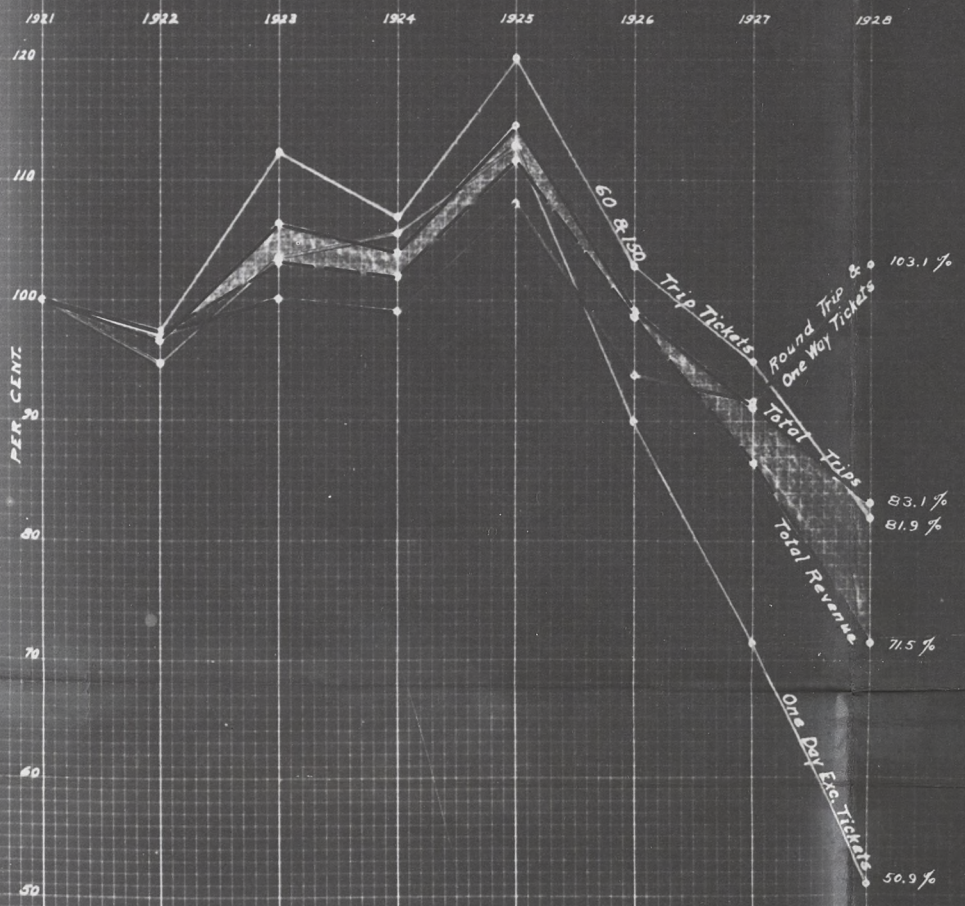


Exhibit No. [redacted]

Witness [redacted]

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND OCEAN CITY DURING YEARS 1922 TO 1928 INCLUSIVE.

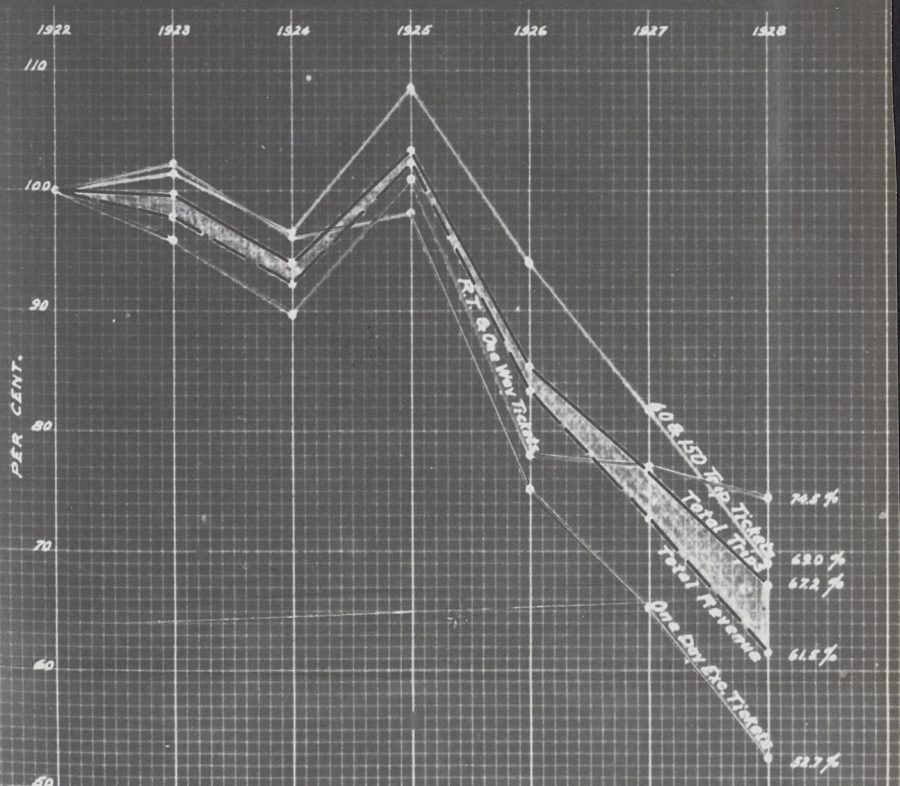
Year	Regular one-way and round-trip tickets: Trips	% (Note)	One-day Excursion Tickets: Trips	% (Note)	20-trip Tickets: Trips	% (Note)	60 & 150 trip Tickets: Trips	% (Note)
1922	124,380	100.0	87,396	100.0	--	--	146,730	100.0
1923	119,318	95.9	89,396	102.3	--	--	148,860	101.5
1924	111,522	89.7	84,094	96.2	--	--	141,390	96.4
1925	125,641	101.0	85,848	98.2	--	--	159,270	108.6
1926	97,023	78.0	65,740	75.2	A 4,960	--	137,940	94.0
1927	95,925	77.1	56,164	64.3	3,300	--	119,970	81.8
1928	92,725	74.5	46,096	52.7	880	--	101,190	69.0

Total

Year	Total Trips	% (Note)	Total Revenue	% (Note)
1922	358,506	100.0	$388,222.67	100.0
1923	357,574	99.7	379,802.07	97.8
1924	337,006	94.0	358,146.99	92.3
1925	370,759	103.4	397,202.00	102.3
1926	305,663	85.3	323,926.40	83.4
1927	275,359	76.8	282,465.00	72.8
1928	240,891	67.2	238,686.55	61.5

Note: Year 1922 is used as the basic year in computing percentages.
A - 20-trip ticket sales inaugurated July 27th, 1926

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1922



Reading 18

READING TRANSPORTATION COMPANY

Tentative Motorcoach Schedule
between
Philadelphia-Camden and Atlantic City-Ocean City
via White Horse Pike

SOUTHWARD

	AM	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM
Philadelphia	7.30	8.30	9.30	10.30	10.30	11.30	12.30	1.30	2.30	2.30	3.30	4.30	5.30	6.30	7.30	7.30	9.30	11.30	11.30
Camden	7.40	8.40	9.40	10.40	10.40	11.40	12.40	1.40	2.40	2.40	3.40	4.40	5.40	6.40	7.40	7.40	9.40	11.40	11.40
W.Collingswood					a10.50					a2.50						a7.50			a11.50
Audubon					a10.56					a2.56						a7.56			a11.56
Haddon Heights	a7.58	a8.58	a9.58	a10.58	a11.00	a11.58	a12.58	a1.58	a2.58	a3.00	a3.58	a4.58	a5.58	a6.58	a7.58	a8.00	a9.58	a11.58	a12.00
Barrington					a11.03					a3.03						a8.03			a12.03
Lawnside					a11.05					a3.05						a8.05			a12.05
Magnolia					a11.07					a3.07						a8.07			a12.07
Stratford					a11.11					a3.11						a8.11			a12.11
Laurel Springs					a11.15					a3.15						a8.15			a12.15
Clementon					a11.20					a3.20						a8.20			a12.20
Berlin	8.15	9.15	10.15	11.15	11.30	12.15	1.15	2.15	3.15	3.30	4.15	5.15	6.15	7.15	8.15	8.30	10.15	12.15	12.30
Atco					11.36					3.36						8.36			12.36
Chesilhurst					11.41					3.41						8.41			12.41
Hammonton	8.40	9.40	10.40	11.40	12.00	12.40	1.40	2.40	3.40	4.00	4.40	5.40	6.40	7.40	8.40	9.00	10.40	12.40	1.00
Raleigh Inn Ar.	C8.45	C9.45	C10.45	C11.45	C12.05	C12.45	C1.45	C2.45	C3.45	C4.05	C4.45	C5.45	C6.45	C7.45	C8.45	C9.05	C10.45	C12.45	C 1.05
Raleigh Inn Lv.	8.50	9.50	10.50	11.50	12.10	12.50	1.50	2.50	3.50	4.10	4.50	5.50	6.50	7.50	8.50	9.10	10.50	12.50	1.10
Elwood	8.58	9.58	10.58	11.58	12.18	12.58	1.58	2.58	3.58	4.18	4.58	5.58	6.58	7.58	8.58	9.18	10.58	12.58	1.18
Egg Harbor	9.08	10.08	11.08	12.08	12.28	1.08	2.08	3.08	4.08	4.28	5.08	6.08	7.08	8.08	9.08	9.28	11.08	1.08	1.28
Absecon	e9.25	e10.25	e11.25	e12.25	e12.45	e1.25	e2.25	e3.25	e4.25	e4.45	e5.25	e6.25	e7.25	e8.25	e9.25	e9.45	e11.25	e 1.25	e 1.45
Atlantic City Ar.	9.45	10.45	11.45	12.45	1 .05	1.45	2.45	3.45	4.45	5.05	5.45	6.45	7.45	8.45	9.45	10.05	11.45	1.45	2.05
Atlantic City Lv.	9.50	10.50	11.50	12.50	1.20	1.50	2.50	3.50	4.50	5.20	5.50	6.50	7.50	8.50	9.50		11.50		
Venthor	e10.00	e11.00	e12.00	e1.00	e1.30	e2.00	e3.00	e4.00	e5.00	e5.30	e6.00	e7.00	e8.00	e9.00	e10.00		e12.00		
Margate	e10.10	e11.10	e12.10	e1.10	e1.40	e2.10	e3.10	e4.10	e5.10	e5.40	e6.10	e7.10	e8.10	e9.10	e10.10		e12.10		
Longport	e10.15	e11.15	e12.15	e1.15	e1.45	e2.15	e3.15	e4.15	e5.15	e5.45	e6.15	e7.15	e8.15	e9.15	e10.15		e12.15		
Ocean City	10.27	11.27	12.27	1.27	1.57	2.27	3.27	4.27	5.27	5.57	6.27	7.27	8.27	9.27	10.27		12.27		

C - Comfort Stop
a - Stops only on signal to pick up passengers for points beyond Berlin, N.J.
e - Stops only to discharge passengers from points north of Absecon and to pick up passengers for points south of Atlantic City.
e - Stops will be made to discharge passengers from points north of Atlantic City.

8/7/29.

READING TRANSPORTATION COMPANY

Tentative Motorcoach Schedule
between
Philadelphia-Camden and Atlantic City-Ocean City
via White Horse Pike

NORTHWARD

	AM	AM	AM	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM
Ocean City	6.43	6.43	7.43	8.43	8.43	9.43	10.43	11.43	12.43	1.43	1.43	2.43	3.43	4.43	5.43	6.43	8.43	8.43	10.43
Longport	e6.55	e6.55	e7.55	e8.55	e8.55	e9.55	e10.55	e11.55	e12.55	e1.55	e1.55	e2.55	e3.55	e4.55	e5.55	e6.55	e8.55	e8.55	e10.55
Margate	e7.00	e7.00	e8.00	e9.00	e9.00	e10.00	e11.00	e12.00	e 1.00	e2.00	e2.00	e3.00	e4.00	e5.00	e6.00	e7.00	e9.00	e9.00	e11.00
Venthor	e7.10	e7.10	e8.10	e9.10	e9.10	e10.10	e11.10	e12.10	e 1.10	e2.10	e2.10	e3.10	e4.10	e5.10	e6.10	e7.10	e9.10	e9.10	e11.10
Atlantic City Ar.	7.20	7.20	8.20	9.20	9.20	10.20	11.20	12.20	1.20	2.20	2.20	3.20	4.20	5.20	6.20	7.20	9.20	9.20	11.20
Atlantic City Lv.	7.30	7.30	8.30	9.30	9.30	10.30	11.30	12.30	1.30	2.30	2.30	3.30	4.30	5.30	6.30	7.30	9.30	9.30	11.30
Absecon	d7.50	d7.50	d8.50	d9.50	d9.50	d10.50	d11.50	d12.50	d 1.50	d2.50	d2.50	d3.50	d4.50	d5.50	d6.50	d7.50	d9.50	d9.50	d11.50
Egg Harbor	8.07	8.07	9.07	10.07	10.07	11.07	12.07	1.07	2.07	3.07	3.07	4.07	5.07	6.07	7.07	8.07	10.07	10.07	12.07
Elwood	8.17	8.17	9.17	10.17	10.17	11.17	12.17	1.17	2.17	3.17	3.17	4.17	5.17	6.17	7.17	8.17	10.17	10.17	12.17
Hammonton	8.25	8.25	9.25	10.25	10.25	11.25	12.25	1.25	2.25	3.25	3.25	4.25	5.25	6.25	7.25	8.25	10.25	10.25	12.25
Motorest Ar.	C8.30	C8.30	C9.30	C10.30	C10.30	C11.30	C12.30	C1.30	C2.30	C3.30	C3.30	C4.30	C5.30	C6.30	C7.30	C8.30	C10.30	C10.30	C12.30
Motorest Lv.	8.35	8.35	9.35	10.35	10.35	11.35	12.35	1.35	2.35	3.35	3.35	4.35	5.35	6.35	7.35	8.35	10.35	10.35	12.35
Chesilhurst		8.54			10.54						3.54							10.54	
Atco		8.59			10.59						3.59							10.59	
Berlin	9.00	9.05	10.00	11.00	11.05	12.00	1.00	2.00	3.00	4.00	4.05	5.00	6.00	7.00	8.00	9.00	11.00	11.05	1.00
Clementon		b9.15			b11.15						b4.15							b11.15	
Laurel Springs		b9.20			b11.20						b4.20							b11.20	
Stratford		b9.24			b11.24						b4.24							b11.24	
Magnolia		b9.26			b11.26						b4.26							b11.26	
Lawnside		b9.30			b11.30						b4.30							b11.30	
Barrington		b9.32			b11.32						b4.32							b11.32	
Haddon Heights	b9.17	b9.35	b10.17	b11.17	b11.35	b12.17	b1.17	b2.17	b3.17	b4.17	b4.35	b5.17	b6.17	b7.17	b8.17	b9.17	b11.17	b11.35	b1.17
Audubon		b9.39			b11.39						b4.39							b11.39	
W.Collingswood		b9.45			b11.45						b4.45							b 11.45	
Camden	9.35	9.55	10.35	11.35	11.55	12.35	1.35	2.35	3.35	4.35	4.55	5.35	6.35	7.35	8.35	9.35	11.35	11.55	1.35
Philadelphia	9.45	10.05	10.45	11.45	12.05	12.45	1.45	2.45	3.45	4.45	5.05	5.45	6.45	7.45	8.45	9.45	11.45	12.05	1.45

6/7/29

C - Comfort Stop
b - Stops only to discharge passengers from points beyond Berlin.
d - Stops only to pick up passengers for points north of Absecon and to discharge passengers from points south of Atlantic City.
e - Stops will be made to pick up passengers for points north of Atlantic City.

R30

Exhibit.No. R-19

Witness _____

READING TRANSPORTATION COMPANY

STATEMENT OF MOTOR COACH PASSENGERS CARRIED IN NEW JERSEY.

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Month	Atl.City Wildwood Line	Cape May Wildwood Line	Avalon Wildwood Line	Atl.City Ocean Cy. Line	Philada. Atl.City Ocean Cy. Line	Total
1928						
July	13,637	13,419	3,230	--	--	30,286
August	18,706	18,704	4,999	--	--	42,409
September	9,156	7,260	1,275	--	--	17,691
October	3,634	2,317	--	1,331	--	7,282
November	2,358	1,704	--	2,259	--	6,321
December	2,084	1,596	--	1,625	--	5,305
1929						
January	1,767	1,465	--	1,179	--	4,411
February	1,700	1,282	--	1,083	53	4,118
March	2,107	1,665	--	1,170	5,834	10,776
April	2,421	1,934	--	1,348	5,469	11,172
May	3,123	2,444	--	2,986	10,692	19,245
Total	60,693	53,790	9,504	12,981	22,048	159,016

Passengers between Atlantic City and Ocean City are all shown under "Atlantic City-Ocean City Line" and are not included in figures of "Atlantic City-Wildwood Line", or "Philadelphia-Atlantic City-Ocean City Line."

ORDINANCE

NO. 9

City of Atlantic City, New Jersey.

INTRODUCED BY
MAYOR RUFFU,
FEBRUARY 2, 1928

AN ORDINANCE regulating the operation of auto busses within the city of Atlantic City; providing for operating terminals and the parking of said auto busses; regulating and prohibiting the use of certain streets in said City by said auto busses; and providing penalties for the violation thereof.

The Board of Commissioners of the City of Atlantic City do ordain:

Section 1. That the term or designation "Auto Busses," as used in this ordinance, is declared to mean and include one or more automobiles or one or more other vehicles, propelled by motor power, with a seating capacity of more than seven (7) passengers, and engaged in carrying passengers for hire and pay, to, from, and within the City of Atlantic City.

Section 2. That nothing herein contained shall be construed to include taxicabs, hotel busses or busses employed solely in transporting school children and school teachers to and from public schools in said City, or such omnibuses, stage coaches or other vehicles commonly called "jitneys" as operate solely within the limits of said City, or auto busses operated wholly within the City limits of said City by virtue of a franchise from said City.

Section 3. That it shall be unlawful for any person operating auto busses, as herein defined, to receive or discharge passengers on any street or highway in the City of Atlantic City.

Section 4. That it shall be unlawful for any person to park or operate any auto bus, as herein defined, in the City of Atlantic City, unless such person shall first procure, provide and maintain a terminal—on private lands—on which terminal only, such person shall park, accept and discharge any person or persons who may offer themselves for transportation in such auto busses.

Section 5. That it shall be unlawful for any auto bus as herein defined, to operate on or across Atlantic Avenue, in Atlantic City, New Jersey, or to operate on any of such streets, avenues, boulevards, public places or portions thereof, lying between Atlantic Avenue and the Boardwalk, and between Vermont and Jackson Avenues, in said City.

Section 6. That it shall be unlawful to operate at any time within the said City, any auto bus, as herein defined, carrying passengers in excess of the rated seating capacity of said auto bus.

Section 7. That the word "person" is hereby declared to mean and include persons, firms, associations, copartnerships and corporations, and the employees, agents and servants of such persons, firms, associations, copartnerships and the officers, employees, agents and servants of such corporations.

Section 8. That this ordinance is hereby declared to be necessary in the interest of the public safety and health of the community, to relieve congestion of traffic on Atlantic Avenue, in the City of Atlantic City, and on streets lying between Atlantic Avenue and the Boardwalk, and between Vermont and Jackson Avenue, in said City, to lessen fire hazard occasioned by the obstruction due to auto busses on said Avenue and said Streets, and to provide for certain

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necessary police regulation of said auto busses.

Section 9. That any person, firm, association, co-partnership or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, pay a fine not exceeding Fifty Dollars ($50.00) for the first offense, and a fine not exceeding One Hundred Dollars ($100.00) for each and every offense thereafter; and upon default in payment of any first or subsequent fine herein provided, shall be imprisoned in the City or County Jail for a period not exceeding thirty (30) days.

Section 10. That if, for any reason, any section or part of any section, or any provision of this ordinance shall be questioned in any Court, and shall be held by any Court to be unconstitutional or invalid, the same shall not be held to affect any other section or any part of any other section or provision of this ordinance.

Section 11. That all ordinances or parts of ordinances inconsistent herewith, are hereby repealed to the extent of such inconsistency.

Section 12. This ordinance shall take effect immediately after passage and final publication.

Passed at a Regular Meeting of City Commission, February 9, 1928.

Approved February 9, 1928.

ANTHONY M. RUFFU, JR.,
Mayor.

WILLIAM S. CUTHBERT,
LOUIS KUEHNLE,
HARRY T. HEADLEY,
Commissioners of Atlantic City.

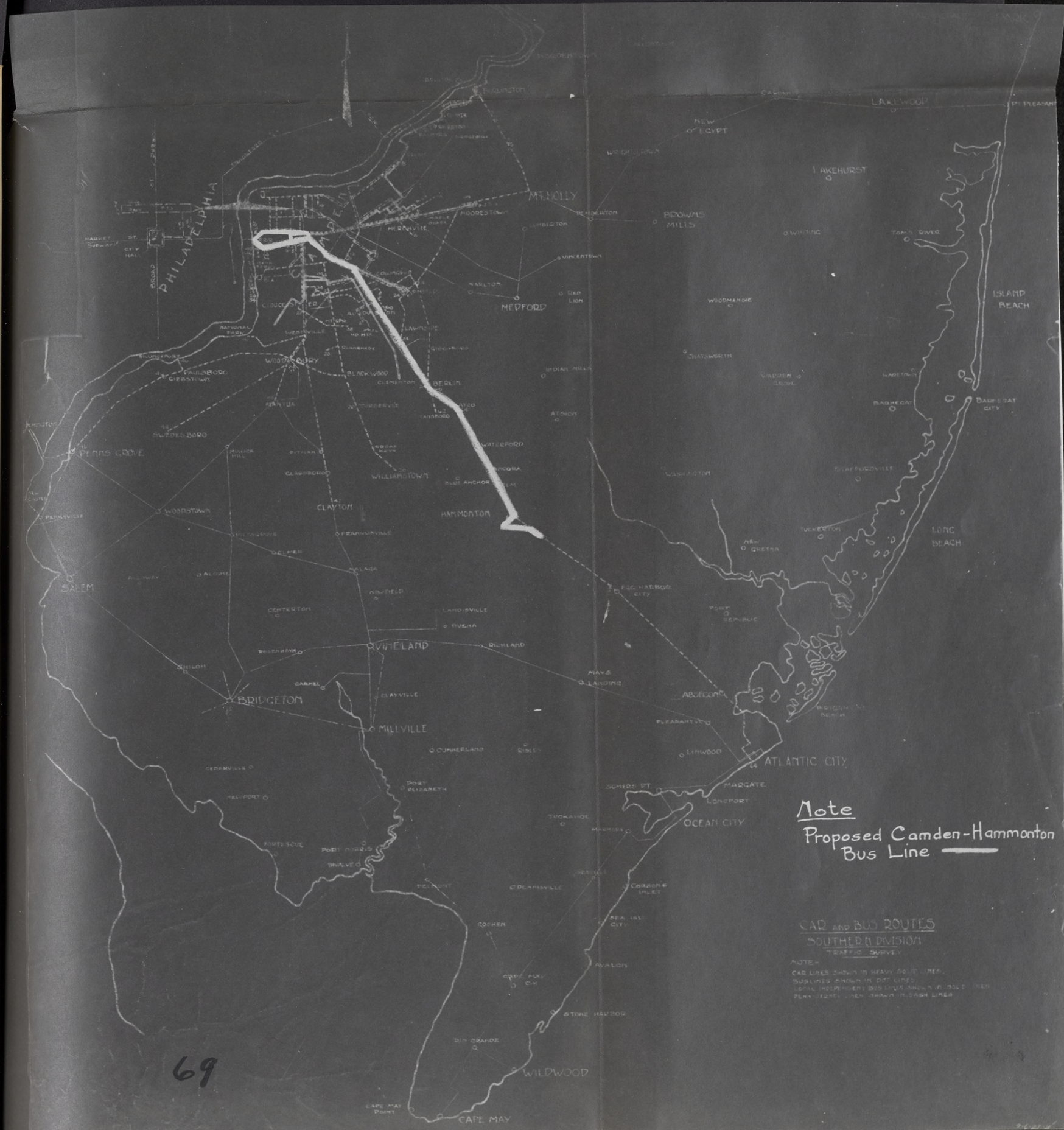
Attest:

BERTRAM E. WHITMAN,
City Clerk.

Published February 11, 1928—Press.

Published prior to passage February 3, February 4, February 6, 1928—Press.

PUBLIC SERVICE EXHIBITS
(OLD CASE)



Note

Proposed Camden-Hammonton Bus Line

CAR AND BUS ROUTES
SOUTHERN DIVISION
TRAFFIC SURVEY

NOTE:-
CAR LINES SHOWN IN HEAVY SOLID LINES.
BUS LINES SHOWN IN DOT LINES.
LOCAL INDEPENDENT BUS LINES SHOWN IN SOLID LINES.
INTERSTATE LINES SHOWN IN DASH LINES.

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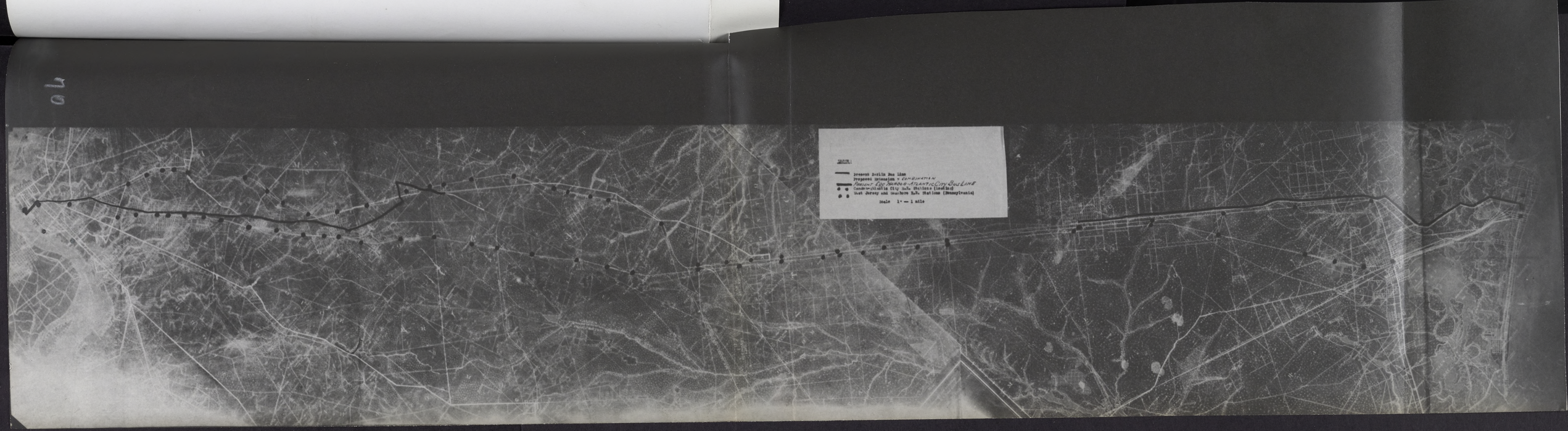
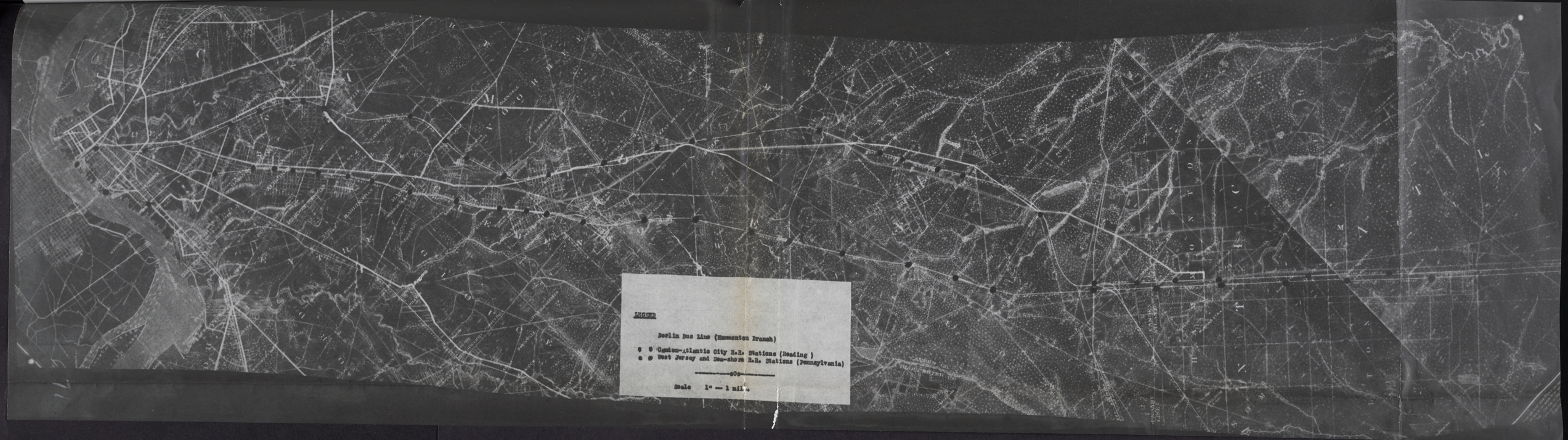

70
Present Berlin Bus Line
Proposed Extension + COMBINATION
PRESENT EGG HARBOR-ATLANTIC CITY BUS LINE
Condemnation Lia City R.R. Stations (Lessing)
West Jersey and Seashore R.R. Stations (Pennsylvania)
Scale 1" — 1 mile




LEGEND
Berlin Bus Line (Hammonton Branch)
Camden-Atlantic City R.R. Stations (Reading)
West Jersey and Sea-shore R.R. Stations (Pennsylvania)
Scale 1" — 1 mile

TRAFFIC CHECKS OF ATLANTIC CITY
AND BERLIN INTERSTATE BUS SERVICE

TRAFFIC CHECKS OF ATLANTIC CITY
AND BERLIN INTERSTATE BUS SERVICE

ATLANTIC CITY

Date	EAST BOUND Trips	Pass	Pass per trip	WEST BOUND Trips	Pass	Pass per trip	Check Taken From	To	At
1927									
Fri., Mar 4	30	504	17	26	427	16	6.30 A.M.	12.00 P.M.	Bridge Plaza
Fri., Apr 8	25	530	21	15	305	20	7.45	11.30	Bridge Plaza
Tues., Sept 13	72	754	10	55	752	14	7.15	6.30	Berlin Garage
Sun., Sept 18	80	2061	26	35	267	8	7.30	3.00	Berlin Garage

BERLIN

Date	Trips	Pass	Pass per trip	Trips	Pass	Pass per trip	From	To	At
1927									
Fri., Mar 4	28	432	15	29	504	17	6.00 A.M.	12.00 P.M.	Bridge Plaza
Fri., Apr 8	28	438	16	23	428	19	6.30	12.00	Bridge Plaza
Fri., Sept 23	34	499	15	31	554	18	6.00	12.00	Bridge Plaza

P S no 6

1/11/28

CAMDEN AND ATLANTIC CITY RAILROAD COMPANY (READING)
CAMDEN TO ATLANTIC CITY
WEEK DAY SCHEDULE.

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various Stations
Camden	.0	1.1	5.23-8.14-9.10-11.30 A.M. 2.10-4.10-4.31-5.10 5.12-5.30-6.10-8.40-11.50 P.M.	6.08-6.43-7.13-7.40-7.58-8.20-8.35 9.05-10.05-10.14 A.M. 12.33-.3.35 3.45-5.03-6.25-7.09-9.05 P.M. 12.08 A.M.
Ship Yard	1.3	1.4	8.18 A.M. 5.16 P.M.	6.03-6.39-7.08-7.35-10.10 A.M. 3.41-6.21-P.M.
West Collingswood	1.8	.5	8.22 A.M. 5.19 P.M.	5.59-6.36-7.03-7.30-10.05 A.M. 3.36-6.16 P.M.
Oaklyn	.8	.2	8.24 A.M.	5.57-6.34-7.01-7.28-10.03 A.M. 3.34-6.14 P.M.
Audubon	.5	.1	8.26 A.M. 5.23 P.M.	5.54-6.31-6.59-7.26-10.01 A.M. 3.32-6.12 P.M.
Orston	.5	.1	8.29 A.M. 5.25 P.M.	5.52-6.29-6.57-7.24-9.59 A.M. 3.30-6.10 P.M.
Haddon Heights	.6	.1	8.31 A.M. 5.27 P.M.	5.50-6.27-6.55-7.22-9.57 A.M. 3.28-6.08 P.M.
Barrington	.8	.2	8.33 A.M. 5.29 P.M.	5.47-6.24-6.53-7.20-9.55 A.M. 3.25-6.05 P.M.
Lawnside	.6	.2	*8.35 A.M.	*5.45-*6.22-*7.18-*9.53 A.M. *3.22-*6.03 P.M.

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various Stations
Magnolia	.9	.4	8.38 A.M. 4.44-5.33 P.M.	5.42-6.19-6.49-7.16-9.51 A.M. 3.18-6.00 P.M.
Somerdale	1.1	.3	8.41 A.M.	*5.38-*6.15-*6.47-*7.13-*9.49 A.M. *3.15-5.57 P.M.
Stratford	1.0	.5	8.44 A.M. 4.47-5.37 P.M.	5.36-6.12-6.45-7.11-9.47 A.M. 3.11-5.55 P.M.
Laurel Springs	.7	.5	8.47 A.M. 4.49-5.39 P.M.	5.34-6.10-6.43-7.09-9.44 A.M. 3.09-5.53 P.M.
Garden Lake	.5	.4	*8.49 A.M. *5.41 P.M.	*5.32-*6.07-*6.41-*7.07-*9.42 A.M. *3.07-*5.51 P.M.
Clementon	.9	.6	8.53 A.M. 4.52-5.49 P.M.	5.30-6.05-6.39-7.05-9.40 A.M. 3.05-5.49 P.M.
Pine Valley	1.4	1.1	*8.55 A.M. *5.51 P.M.	*5.27-*6.02-*6.36-*7.02-*9.37 A.M. *3.03-5.47 P.M.
Albion	1.3	1.7	*8.58 A.M. *5.54 P.M.	*5.25-*6.00-*6.34-*7.00-*9.35 A.M. *3.01-*5.45 P.M.
Pembryn	1.3	1.9	*9.01 A.M. *5.57 P.M.	*5.22-*5.57-*6.32-*6.58-*9.33 A.M. *2.59-*5.43 P.M.
Williamstown Jct.	.8	2.2	9.05 A.M. 6.01 P.M.	5.20-5.55-6.30-6.56-9.31 A.M. 2.57-5.41 P.M.

Stations	Distance between Stations in Miles	Straight Line distance bet. R.R. and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various Stations
Florence	1.5	2.3	*9.08 A.M. *6.03 P.M.	*5.17-*5.52-*6.27-*6.53-*9.27-A.M. *2.54-*5.37 P.M.
Cedar Brook	1.6	2.1	*9.11 A.M. 5.01-6.05 P.M.	5.14-5.49-6.23-6.51-9.24 A.M. 2.50-5.34 P.M.
Braddock	1.2	2.1	*9.15 A.M. *6.07 P.M.	*5.11-*5.46-*6.22-*6.48-*9.21-A.M. *2.48-*5.32 P.M.
Blue Anchor	.8	2.0	*9.18 A.M. *6.10 P.M.	*5.09-*5.44-*6.20-*6.46-*9.19-A.M. *2.45-*5.30 P.M.
Winslow Jct.	2.6	1.4	9.39 A.M. 2.37-5.10-6.14 P.M.	5.06-5.41-6.17-6.42-9.15 A.M. 2.40-5.25-6.40 P.M.
Rosedale	1.5	1.3	*9.42-A.M. *6.17 P.M.	*5.03-5.38*-6.14* A.M. *4.58 P.M.
Hammonton	1.5	1.3	5.57-9.45-9.42 A.M. 12.03-2.42-5.15-6.20-6.03-6.45-9.15 P.M. 12.25 A.M.	5.00-5.35-6.11-7.27-7.49-9.36 A.M. 12.02-3.06 4.31-4.55-6.35-8.31-11.32 P.M.
Barnard	1.5	.6		
De Costa	.7	.2	*9.49 A.M. *6.24 P.M.	*6.08A.M. *4.50 P.M.
Colwell	.9	.2		
Woodland	2.0	.2		
Elwood	1.1	.3	9.57A.M. *5.24-6.32 P.M.	*6.01 A.M. 4.44 P.M.

Stations	Distance bet. Stations in Miles	Straight line dis. between A.R. and Bus route in miles	Trains for Atlantic City from the various Stations	Trains fro Camden from the Various Stations
Egg Harbor	4.9	.3	6.10-10.05-9.55-A.M. 12.17-2.56-5.30-6.40-6.17-6.58-9.28 P.M. 12.38 A.M.	5.53-7.36-9.22-11.50 A.M. 2.52-4.19-4.36-6.22-8.19 11.20 P.M.
Cologne	2.8	.3	10.09 A.M. *6.44 P.M.	*5.48 A.M. 4.25 P.M.
Brigantine Jct.	2.1	.9	*10.11 A.M. *6.48 P.M.	*5.45 A.M. *4.23 P.M.
Pleasantville Ter.	4.2	1.9	*10.15 A.M. *6.53 P.M.	*4.17 P.M.
Farrington	.9	2.3		
Greenwood	1.2	2.5		
Pleasantville	.7	2.3	6.24-10.20 A.M. 12.31-5.45 6.58-7.12-9.40 P.M. 12.50 A.M.	5.34-7.23-9.08 A.M. 2.38-4.12-6.08 P.M.
Atlantic City	5.0	.3	6.35-10.30-10.15 A.M. 12.40-3.20-5.07-5.55-6.07-7.06-6.40-7.20-9.50-P.M. 1.00 A.M.	5.25-7.00-7.15-7.40-8.10-9.00-11.30 A.M. 2.30-4.00-4.02-6.00-8.00-11.00 P.M.

P.U.C. Amended

CAMDEN AND ATLANTIC CITY RAILROAD (READING)
CAMDEN TO ATLANTIC CITY
WEEKDAY SCHEDULE

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles.		Trains for Atlantic City from the various Stations	Trains for Camden from the various stations.
Camden	.0	1.1		5.22-8.14-9.10-11.30-A.M. 2.10-4.10 4.31-5.10-5.12-5.30-6.10-8.40 and 11.50 P.M.	6.08-6.43-7.13-7.22-7.40-7.58-8.08-8.20-8.26-8.35-8.42-9.05-10.05-10.14-A.M. -- 12.33-1.34-3.35-3.45-5.03-5.13-5.53-6.25-7.09-7.27-8.04-9.05-9.28-11.25 P.M. 12.08 A.M.
Ship Yard	1.3	1.4	X	8.18 A.M. 5.16 P.M.	6.03-6.39-7.08-7.18-7.35-8.05-10.10A.M. 1.29-3.41-5.08-6.21-7.24-8.01-9.24-11.23 P.M.
West Collingswood	1.8	.5	X	8.22 A.M. 5.19 P.M.	5.59-6.36-7.03-7.13-7.30-8.00-8.19-10.05 A.M. 1.25-3.36-5.03-6.16-7.21 7.58-9.20-11.19 P.M.
Oaklyn	.8	.2	X	8.24 A.M.	5.57-6.34-7.01-7.11-7.28-7.58-10.03 A.M. 1.23-3.34-5.01-6.14-7.19-7.56-9.18-11.17 P.M.
Audubon	.5	.1	X	8.26 A.M. 5.23 P.M.	5.54.6.31-6.59-7.09-7.26-7.56-8.16-10.01 A.M. 1.21-3.32-4.59-6.12-7.17-7.54-9.15-11.15 P.M.
Orston	.5	.1	X	8.29 A.M. 5.25 P.M.	5.52-6.29-6.57-7.07-7.24-7.54-8.14-9.59 A.M. 1.19-3.30-4.57-6.10-7.15-7.52-9.13-11.13 P.M.
Haddon Heights	.6	.1	X	8.31 A.M. 5.27 P.M.	5.50-6.27-6.55-7.05-7.22-7.51-8.12-9.57-A.M. 1.17-3.28-4.55-6.08-7.13-7.50-9.11-11.11 P.M.

WEEKDAY SCHEDULE

Distance bet.	Straight line	Trains for Atlantic	Trains for Camden from

WEEKDAY SCHEDULE

Stations	Distance bet. Stations in Miles.	Straight line distance bet. R.R. and bus in Miles		Trains for Atlantic City from the Various Stations	Trains for Camden from the various Stations
Barrington	.8	.2	X	8.33 A.M. 5.29 P.M.	5.47-6.24-6.53-7.03-7.20-7.48-8.10-9.55 A.M. -- 1.14-3.25-4.52-6.05-7.10-7.47-9.08-11.09 P.M.
Lawnside	.6	.2	X	*8.35 A.M.	*5.45-*6.22-*7.01-*7.18-*7.44-8.07-*9.53 A.M. *1.12-*3.22-*4.50-*6.03-*9.06-*11.07 P.M.
Magnolia	.9	.4	X	8.38 A.M. 4.44-5.33 P.M.	5.42-6.19-6.49-6.59-7.16-7.41-8.04-9.51-A.M. 1.10-3.18-4.48-6.00-7.08-7.44-9.04 11.05 P.M.
Somerdale	1.1	.3	X	8.41 A.M.	*5.38-*6.15-*6.47-*6.56-*7.13-*9.49 A.M. *1.07-*3.15-*4.45-*7.42-5.57-*9.01-*11.02P/M
Stratford	1.0	.5	X	8.44 A.M. 4.47-5.37 P.M.	5.36-6.12-6.45-6.54-7.11-7.37-8.01-9.47- A.M. 1.05-3.11-4.42-5.55-7.04-7.40-8.59-10.59 P.M.
Laurel Springs	.7	.5	X	8.47 A.M. 4.49-5.39 P.M.	5.34-6.10-6.43-6.52-7.09-7.35-7.59-9.44 A.M. 1.03-3.09-4.40-5.53-7.02-7.38-8.57-10.57 P.M.
Garden Lake	.5	.4	X	*8.49 A.M. *5.41 P.M.	*5.32-*6.07-*6.41-*6.50-*7.07-*7.32-*7.57 *9.42 A.M. *1.01-*3.07-*4.38-*5.51-*7.36-*8.55 P.M.
Clementon	.9	.6	X	8.53 A.M. 4.52-5.49 P.M.	5.30-6.05-6.39-6.48-7.05-7.30-7.55-9.40 A.M. 12.59-3.05-4.36-5.49-6.59-7.34-8.53-10.54 P.M.
Pine Valley	1.4	1.1	X	*8.55 A.M. *5.51 P.M.	*5.27-*6.02-*6.36-*6.45-*7.02-*7.26-*9.37-A.M. *12.56-*3.03-5.47-6.56-*7.31-*8.50-*10.52 P.M. also *4.34 P.M.

* Denotes Flag stops.

WEEKDAY SCHEDULE

Stations;	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles.		Trains for Atlantic City from the various Stations.	Trains for Camden from the various Stations.
Albion	1.3	1.7	X	*8.58 A.M. *5.54 P.M.	*5.25-*6.00-*6.34-*6.42-*7.00-*7.23-*7.48-*9.35-A.M. *12.54-*3.01-*4.32-*5.45-*6.53-*7.30-*8.48-*10.49 P.M.
Penbryn	1.3	1.9	X	*9.01 A.M. *5.57 P.M.	*5.22-*5.57-*6.32-*6.40-*6.58-*7.20-*7.46 *9.33-A.M. *12.52-*2.59-*4.30-*5.43-*7.28-*8.46-*10.47 P.M.
Williamstown Jct.	.8	2.2	X	9.05 A.M. 6.01 P.M.	5.20-5.55-6.30-6.38-6.56-7.18-7.43-9.31 A.M. 12.50-2.57-4.28-5.41-6.50-7.25-8.44-10.45 P.
Florence	1.5	2.3	X	*9.08-A.M. *6.03 P.M.	*5.17-*552-*6.27-*6.53-*9.27-A.M. *2.54 *5.37- P.M.
Cedar Brook	1.6	2.1	X	*9.11 A.M. 5.01-6.05 P.M.	5.14-5.49-6.23-6.51-9.24 A.M. 2.50-5.34 P.M.
Braddock	1.2	2.1	X	*9.15 A.M. *6.07 P.M.	*5.11-*5.46-*6.22-*6.48-*9.21 A.M. *2.48-*5.32 P.M.
Blue Anchor	.8	2.0	X	*9.18 A.M. *6.10 P.M.	*5.09-*5.44-*6.20-*6.46-*9.19 A.M. *2.45-*5.30 P.M.
Winslow Jct.	2.6	1.4		9.39-A.M. 2.37-5.10-6.14P.M.	5.06-5.41-6.17-6.42-9.15 A.M. 2.40-5.23-5.25-6.40-8.40 P.M.
Rosedale	1.5	1.3		*9.42 A.M. *6.17 P.M.	*5.03-*5.38*6.14-A.M. *4.58 P.M.

* Denotes flag stops.

WEEKDAY SCHEDULE

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles	Trains for Atlantic City from the Various Stations.	Trains for Camden from the various Stations.
Hammonton	1.5	1.3	5.57-9.45-9.42-A.M. 12.03-2.42-5.15-6.20-6.03-6.45-9.15 P.M. 12.25 A.M.	5.00-5.35-6.11-7.27-7.49-9.36-A.M. 12.02-3.06-4.31-4.55-6.35-8.31-11.32 P.M.
Barnard	1.5	.6	None	None
Da Costa	.7	.2	*9.49 A.M. *6.24 P.M.	*6.08-A.M. *4.50 P.M.
Colwell	.9	.2	None	None
Woodland	2.0	.2	None	None
Elwood	1.1	.3	9.57 A.M. *5.24-6.32 P.M.	*6.01 A.M. 4.44 P.M.
Egg Harbor	4.9	.3	6.10-10.05-9.55 A.M. 12.17-2.56-5.30-6.40-6.17-6.58-9.28-P.M. 12.38 A.M.	5.53-7.36-9.22-11.50 A.M. 2.52-4.19-4.36-6.22-8.19-11.20 P.M.
Cologne	2.8	.3	10.09 A.M. *6.44 P.M.	*5.48 A.M. 4.25 P.M.
Brigantine Jct.	2.1	.9	*10.11 A.M. *6.48 P.M.	*5.45 A.M. *4.23 P.M.
Pleasantville Ter	4.2	1.9	*10.15 A.M. *6.53 P.M.	*4.17 P.M.
Farrington	.9	2.3	None	None
Greenwood	1.2	2.5	None	None
Pleasantville	.7	2.3	6.24-10.20 A.M. 12.31-5.45-6.58-7.12-9.40P.M. 12.50 A.M.	5.34-7.23-9.08 A.M. 2.38-4.12-6.08 P.M.
Atlantic City	5.0	.3	6.35-10.30-10.15 A.M. 12.40-3.20-5.07-5.55-6.07-7.06-6.40-7.20-9.50-P.M. 1.00 A.M.	5.25-7.00-7.15-7.40-8.10-9.00-11.30 A.M. 2.30-4.00-4.02-6.00-8.00-11.00 P.M.

X One additional train between Stations; involving a change of trains and a 23 minute wait at Winslow Jct.

* Denotes flag stops.

P. S. No 7

CAMDEN AND ATLANTIC CITY RAILROAD (READING)

P. S. No 7

1/14/28

CAMDEN AND ATLANTIC CITY RAILROAD (READING)
CAMDEN TO HAMMONTON

WEEK DAY SCHEDULE

Stations	Distance between stations in miles	Straight line distance between R.R. and bus in miles	Trains for Hammonton from the various stations	Trains for Camden from the various stations
Camden	0	1.1	5.22-8.14-9.10-11.30A.M.2.10 4.31-5.12-5.30-6.10-8.40-9.57 11.50&11.52 P.M.	6.08-6.43-7.13-7.40-7.58-8.20 10.05-10.14-A.M.12.33-3.35-3.45 5.03-6.25-7.09-9.05 P.M.12.08 A.M.
Shipyard	1.3	1.4	8.18 A.M.5.16-10.01-11.56 P.M.	6.03-6.39-7.08-7.35-10.10 A.M. 3.41-6.21 P.M.
West Collingswood	1.8	.5	8.22 A.M.5.19-10.05-12.00 P.M.	5.59-6.36-7.03-7.30-10.05 A.M.3.36 6.16 P.M.
Oaklyn	.8	.2	8.24 A.M.10.07 P.M.12.02 A.M.	5.57-6.34-7.01-7.28-10.03 A.M.3.34 6.14 P.M.
Aududon	.5	.1	8.26 A.M.5.23-10.09 P.M.12.04 A.M.	5.54-6.31-6.59-7.26-10.01 A.M.3.32 6.12 P.M.
Orston	.5	.1	8.29 A.M.5.25-10.11 P.M.12.06 A.M	5.52-6.29-6.57-7.24-9.59 A.M.3.30 6.10- P.M.
Haddon Heights	.6	.1	8.31 A.M.5.27-10.13 P.M.12.08A.M.	5.50-6.27-6.55-7.22-9.57 A.M.3.28 6.08-P.M.
Barrington	.8	.2	8.33-A.M.5.29-10.15 P.M.12.10A.M.	5.47-6.24-6.53-7.20-9.55 A.M.3.25 6.05 P.M.
Lawnside	.6	.2	*8.35 A.M.*10.17 P.M.*12.12 A.M.	*5.45-*6.22*7.18*9.53A.M.*3.22 *6.03 P.M.
Magnolia	.9	.4	8.38 A.M.4.44 P.M.5.33 P.M.10.20 P.M.&12.15 A.M.	5.42-6.19-6.49-7.16-9.51 A.M.3.18 6.00 P.M.
Somerdale	1.1	.3	8.41 A.M.*10.23 P.M.*12.18 A.M.	*5.38-*6.15*6.47*7.13-*9.49 A.M. *3.15-5.57 P.M.
Stratford	1.0	.5	8.44A.M.4.47-5.37-10.25 P.M.12.21 A.M.	5.36-6.12-6.45-7.11-9.47 A.M.3.11 5.55 P.M.

CAMDEN AND ATLANTIC (2) CITY RAILROAD (READING)

CAMDEN AND ATLANTIC CITY RAILROAD (READING)
CAMDEN TO HAMMONTON

28

Stations	Distance between stations in miles	Straight line distance between R.R. and bus in miles	Week Day Schedule Trains for Hammonton from the various stations	Trains for Camden from the various stations
Laurel Springs	.7	.5	8.47 A.M. 4;49-5.39-10.27 P.M. 12.23 A.M.	5.34-6.10-6.43-7.09-9.44 A.M. 3.09-5.53 P.M.
Garden Lake	.5	.4	*8.49 A.M. *5.41 *10.29 P.M. *12.25 A.M.	*5.32 *6.07 *6.41 *7.07 *9.42 A.M. *3.07 *5.51 P.M.
Clementon	.9	.6	8.53 A.M. 4.52-5.49-10.31 P.M. 12.27 A.M.	5.30-6.05-6.39-7.05-9.40 A.M. 3.05-5.49 P.M.
Pine Valley	1.4	1.1	*8.55 A.M. *5.51 *10.33 P.M. *12.30 A.M.	*5.27 *6.02 *6.36 *7.02 *9.37 A.M. *3.03-5.47 P.M.
Albion	1.3	1.7	*8.58 A.M. *5.54 *10.37 P.M. *12.33 A.M.	*5.25 *6.00 *6.34 *7.00 *.935 A.M. *3.01 *5.45 P.M.
Penbryn	1.3	1.9	*9.01 A.M. *5.57 *10.39 P.M. *12.36 A.M.	*5.22 *5.57 *6.32 *6.58 *9.33 A.M. *2.59 *5.43 P.M.
Williamstown Jc.	.8	2.2	9.05 A.M. 6.01-10.42 P.M. 12.40 A.M.	5.20-5.55-6.30-6.56-9.31 A.M. 2.57-5.41 P.M.
Florence	1.5	2.3	A.M. P.M. *9.08 *6.03 *10.45 *12.43 A.M.	*5.17 *5.52 *6.27 *6.53 *9.27 A.M. *2.54 *5.37 P.M.
Cedar Brook	1.6	2.1	*9.11 A.M. 5.01-6.05 *10.48 P.M. *12.46 A.M.	5.14-5.49-6.23-6.51-9.24 A.M. 2.50-5.34 P.M.
Braddock	1.2	2.1	*9.15 A.M. *6.07 *10.51 P.M. *12.49 A.M.	*5.11 *5.46 *6.22 *6.48 *9.21 A.M. *2.48 *5.32 P.M.
Blue Anchor	.8	2.0	*9.18 A.M. *6.10 *10.54 P.M. *12.52 A.M.	*5.09 *5.44 *6.20 *6.46 *9.19 A.M. *2.45 & *5.30 P.M.
Winslow Jc.	2.6	1.4	9.39 A.M. 2.37-5.10-6.14-11.15 P.M. 1.15 AM	5.06-5.41-6.17-6.42-9.15 A.M. 2.40-5.25-6.40 P.M.

CAMDEN AND ATLANTIC CITY RAILROAD (READING)
CAMDEN TO HAMMONTON

Stations	Distance between stations in miles	Straight line distance between R.R. and bus route in miles	Trains for Hammonton from the various stations	Trains for Camden from the various stations
Rosedale	1.5	1.3	*9.42 A.M. *6.17 *11.18 *1.20 P.M.	*5.03 *5.38 *6.14 A.M. *4.58 P.M.
Hammonton	1.5	.0	5.57-9.45-9.42 A.M. 12.03-2.42 5.15-6.20-6.03-6.45-9.15-11.22 P.M. 12.25 &1.25 A.M.	5.00-5.35-6.11-7.27-7.49-9.36 A.M. 12.02-3.06-4.31 4.55-6.35-8.31-11.32 P.M.

* denotes flag stop.

P.U. Amended

CAMDEN AND ATLANTIC CITY RAILROAD (READING)
CAMDEN TO HAMMONTON
WEEKDAY SCHEDULE

Stations	Distance between Stations in miles	Straight line distance bet. R.R. and bus route in miles		Trains for Hammonton from the various Stations	Trains for Camden from the various Stations.
Camden	0	1.1		5.22-8.14-9.10-11.30A.M. 2.10-4.31-5.12-5.30-6.10 8.40-9.57-11.50-11.52 P.M.	6.08-6.43-7.13-7.22-7.40-7.58-8.08-8.20-8.26-8.35-8.42-9.05-10.05-10.14-A.M. 12.33-1.34-3.35-3.45-5.03-5.13-5.53-6.25 7.09-7.27-8.04-9.05-9.28-11.25 P.M. 12.08 A.M.
Ship Yard	1.3	1.4	X	8.18 A.M. 5.16-10.01-11.56 P.M.	6.03-6.39-7.08-7.18-7.35-8.05-10.10 A.M. 1.29-3.41-5.08-6.21-7.24-8.01-9.24-11.23 P.M.
West Collingswood	1.8	.5	X	8.22 A.M. 5.19-10.05-12.00 P.M.	5.59-6.36-7.03-7.13-7.30-8.00-8.19-10.05 A.M. 1.25-3.36-5.03-6.16-7.21-7.58-9.20-11.19 P.M.
Oaklyn	.8	.2	X	8.24 A.M. 10.07 P.M. 12.02 A.M.	5.57-6.34-7.01-7.11-7.28-7.58-10.03 A.M. 1.23-3.34-5.01-6.14-7.19-7.56-9.18-11.17 P.M.
Audubon	.5	.1	X	8.26 A.M. 5.23-10.09 P.M. 12.04 A.M.	5.54-6.31-6.59-7.09-7.26-7.56-8.16-10.01 A.M. 1.21-3.32-4.59-6.12-7.17-7.54-9.15-11.15 P.M.
Orston	.5	.1	X	8.29-A.M. 5.25-10.11 P.M. 12.06 A.M.	5.52-6.29-6.57-7.07-7.24-7.54-8.14-9.59-A.M. 1.19-3.30-4.57-6.10-7.15-7.52-9.13-11.13 P.M.
Haddon Heights	.6	.1	X	8.31-A.M. 5.27-10.13 P.M. 12.08 A.M.	5.50-6.27-6.55-7.05-7.22- 7.51-8.12-9.57-A.M. 1.17-3.28-4.55-6.08-7.13-7.50-9.11-11.11 P.M.

WEEKDAY SCHEDULE

Stations	Distance between Stations in Miles	Straight line distance bet. R.R. and bus route in Miles		Trains for Hammonton from the various Sta.	Trains for Camden from the various Stations.
Barrington	.8	.2	X	8.33-A.M. 5.29-10.15-P.M. 12.10 A.M.	5.47-6.24-6.53-7.03-7.20-7.48-8.10-9.55A.M. 1.14-3.25-4.52-6.05-7.10-7.47-9.08-11.09 P.M.
Lawnside	.6	.2	X	*8.35-A.M. *10.17P.M. *12.12 A.M.	*5.45-*6.22-*7.01-*7.18-*7.44-8.07-*9.53A.M. *1.12-*3.22-*4.50-*6.03-*9.06-*11.07 P.M.
Magnolia	.9	.4	X	8.38-A.M. 4.44-P.M. 5.33-P.M. 10.20-P.M. 12.15 A.M.	5.42-6.19-6.49-6.59-7.16-7.41-8.04-9.51-A.M. 1.10-3.18-4.48-6.00-7.08-7.44-9.04-11.05P.M.
Somerdale	1.1	.3	X	8.41-A.M. *10.23-P.M. *12.18 A.M.	*5.38-*6.15-*6.47-*6.56-*7.13-*9.49 A.M. *1.07-*3.15-*4.45-5.57-*7.42-*9.01-*11.02 P.M.
Stratford	1.0	.5	X	8.44-A.M. 4.47-5.37-10.25-P.M. 12.21 A.M.	5.36-6.12-6.45-6.54-7.11-7.37-8.01-9.47-A.M. 1.05-3.11-4.42-5.55-7.04-7.40-8.59-10.59-P.M.
Laurel Springs	.7	.5	X	8.47-A.M. 4.49-5.39-10.27 P.M. 12.23 A.M.	5.34-6.10-6.43-6.52-7.09-7.35-7.59-9.44 A.M. 1.03-3.09-5.53-7.02-7.38-8.57-10.57 P.M. also 4.40 P.M.
Garden Lake	.5	.4	X	*8.49A.M. *5.41-*10.29P.M. *12.25 A.M.	*5.32-*6.07-*6.41-*6.50-*7.07-*7.32-*7.57-*9.42-A.M. *1.01-*3.07-*4.38-*5.51-*7.36-*8.55 P.M.
Clementon	.9	.6	X	8.53 A.M. 4.52-5.49-10.31-P.M. 12.27 A.M.	5.30-6.05-6.39-6.48-7.05-7.30-7.55-9.40-A.M. 12.59-3.05-4.36-5.49-6.59-7.34-8.53-10.54 P.M.

* Denotes flag stops.

WEEKDAY SCHEDULE

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles.		Trains for Hammonton from the Various Stations	Trains for Camden from the Various Stations
Pine Valley	1.4	1.1	X	*8.55-A.M. *5.51-*10.33-P.M.-*12.30 A.M.	*5.27-*6.02-*6.36-*6.45-*7.02-*7.26-*9.37-A.M. *12.56-*3.03-*4.34-5.47-6.56-*7.31-*8.50-*10.52 P.M.
Albion	1.3	1.7	X	*8.58-A.M. *5.54-*10.37P.M. *12.33A.M.	*5.25-*6.00-*6.34-*6.42-*7.00-*7.23-*7.48-*9.35A.M. *12.54-*3.01 *5.45-*6.53-*4.32-*7.30-*8.48-*10.49 P.M.
Penbryn	1.3	1.9	X	*9.01A.M. *5.57-*10.39-P.M.-*12.36 A.M.	*5.22-*5.57-*6.32-*6.40-*6.58-*7.20-*7.46-*9.33A.M. *12.52-*2.59-*5.43-*7.2 *8.46-*10.47-P.M. *4.30.P.M.
Williamstown Jc.	.8	2.2	X	9.05A.M. 6.01-10.42P.M. 12.40A.M.	5.20-5.55-6.30-6.38-6.56-7.18-7.43-9.31 A.M. 12.50-2.57-5.41-6.50-7.25-8.44-10.45-P.M. also 4.28 P.M.
Florence	1.5	2.3	X	A.M. P.M. P.M. *9.08-*6.03-*10.45 *12.43A.M.	*5.17-*5.52-*6.27-*6.53-*9.27A.M. *2.54-*5.37 P.M.
Cedar Brook	1.6	2.1	X	*9.11A.M. 5.01-6.05-*10.48P.M. *12.46 A.M.	5.14-5.49-6.23-6.51-9.24A.M. 2.50-5.34 P.M.
Braddock	1.2	2.1	X	*9.15A.M. *6.07-*10.51-P.M. *12.49 A.M.	*5.11-*5.46-*6.22-*6.48-*9.21A.M. *2.48-*5.32 P.M.
Blue Anchor	.8	2.0	X	*9.18A.M. *6.10-*10.54P.M. *12.52 A.M.	*5.09-*5.44-*6.20-*6.46-*9.19A.M. *2.45 and *5.30 P.M.

* Denotes flag stops.

Stations	Distance bet. Stations in Miles	Straight line distance bet. R.R. and bus route in miles	WEEKDAY SCHEDULE Trains for Hammonton from the various Sta.	Train for Camden from the various Stations
Winslow Jc.	2.6	1.4	9.39-A.M. 2.37-5.10-6.14-11.15 P.M. 1.15 A.M.	5.06-5.41-6.17-6.42-9.15 A.M. 2.40-5.23-5.25-6.40-P.M. 8.40 P.M.
Rosedale	1.5	1.3	*9.42A.M. *6.17-*11.18P.M. *1.20 A.M.	*5.03-*5.38-*6.14-A.M. *4.58 P.M.
Hammonton	1.5	.0	5.57-9.42-9.45A.M. 12.03-2.42-5.15-6.20-6.03-6.45-9.15-11.22P.M. 12.25 & 1.25 A.M.	5.00-5.35-6.11-7.27-7.49-9.36-A.M. 12.02-3.06-4.31-4.55-6.35-8.31-11.32 P.M.

* Denotes flag stops.

X Denotes one additional train between Stations; involving a change of trains and a 23 minute wait at Winslow Junction.

P S No 8

1/16/38

WEST JERSEY AND SEASHORE RAILROAD (W.J.&S.R.)
CAMDEN TO ATLANTIC CITY TRAIN SERVICE

WEEKDAY SCHEDULE

Stations	Distance bet. Stations in Miles	Straight line dis. bet. railroad and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various Stations
Camden	0	0	7.38-9.38 A.M. 4.07-4.38 5.07-5.57 P.M.	6.15-7.11-7.42-7.58-8.16 8.23-8.03-8.38-8.58 A.M. 1.43-5.23-7.02-9.56 P.M.
Broadway	.6	.1	7,41 A.M. 4.41 P.M.	6.12-7.08-7.39-755-8.13 8.20 A.M. 140-5.20-9.53P.M.
Liberty Park	2.6	.2	± 7.44 A.M.	6.07-7.04-7.35 A.M. *1.36-*5.16-*948 P.M.
Collingswood	2.2	.8	7.48 A.M. 4.47 P.M.	6.02-6.59-7.30-7.47-806 8.13 A.M. 1.32-5.12-9.43 P.M.
Cuthbert	.7	1.2		*5.59-*6.55-*7.27-*8.10 A.M. *5.09*9.40-P.M.
Westmont	.6	1.4	*7.51 A.M.	5.57-*6.53-*7.25-*8.08 A.M. *1.28-*5.08-*9.38 P.M.
West Haddonfield	.6	1.5	*7.53 A.M. 4.51 P.M.	*5.55-*6.51-*7.23-7.42 8.01-8.06 A.M. *1.26 *5.06-*9.36 P.M.
Haddonfield	.5	1.4	7.55 A.M. 4.53 P.M.	5.53-6.49-7.22-7.40-7.59-8.04 A.M. 1.25 5.04-9.35 P.M.

WEEKDAY SCHEDULES

Stations	Distance bet. Stations in Miles	Straight line dis. bet. railroad and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various stations
Woodcrest	2.1	1.4	*7.58 A.M.	*5.46-*6.42-*7.15-*7.35 7.54-7.59 A.M. *1.19-*4.59 *9.29-P.M.
Ashland	.9	1.0	8.01 A.M. 4.58 P.M.	5.45-6.41-7.14-7.52-7.57 A.M. 1.18-4.58-9.27 P.M.
Osage	.7	.7	*8.03 A.M.	*5.42-*6.37-*7.11-7.54 A.M. *1.15-4.56 *9.24 P.M.
Kirkwood	1.0	.3	8.06 A.M. 5.03 P.M.	5.40-6.35-7.09-7.52 A.M. 1.14-4.54-9.22 P.M.
Linderwold	1.1	.5	8.09 A.M. 5.06 P.M.	*5.36-6.32-7.06-*7.49 A.M. 1.11-4.51-9.18 P.M.
Lucaston	1.2	.6	8.13 A.M. 5.10 P.M.	5.33-6.29-7.03-7.29-7.45 A.M. 1.08-4.48-9.15 P.M.
West Berlin	1.4	.2	8.16 A.M. 5.13 P.M.	5.29-6.26-6.58-7.26-7.30 A.M. 1.04- -4.44-9.11 P.M.
Reed Crossing	.8	.1	*8.18 A.M.	*5.27-*6.22-*6.56-*7.28 A.M. *1.02-*4.41-*9.08 P.M.
Berlin	.6	.3	8.21 A.M. 5.17 P.M.	5.26-6.21-6.55-7.23-7.26 A.M. 1.01-4.40-9.07 P.M.
Bishop Bridge	1.0	.4	*8.23 A.M. *5.19 P.M.	*5.22-*6.16-*6.51-*7.22 A.M. *12.57-*4.36-*9.03-P.M.

WEEKDAY SCHEDULES

Stations	Distance Bet. Stations in Miles	Straight line dis. bet. railroad and bus route in miles	Trains for Atlantic City from the various Stations	Trains for Camden from the various stations
Atco	1.5	.4	8.27 A.M. 5.28 P.M.	5.19-6.13-6.48-7.18-A.M. 12.55-4.34-9.01 P.M.
Dunbarton	1.6	.3	*8.30 A.M. *5.32 P.M.	*5.14-*6.07-*6.42-*7.08 A.M. *12.51-*4.29-*8.57 P.M.
Fisher	.6	.2	*8.32 A.M. *5.34 P.M.	*5.12-*6.05-*6.40-*7.06 A.M. *12.49-*4.27-*8.55 P.M.
Chesilhurst	.8	.2	*8.34 A.M. *5.36 P.M.	*5.10-*6.03-*6.38-*7.04 A.M. *12.47-*4.25-*8.53 P.M.
Waterford	.7	.2	8.37 A.M. 5.44 P.M.	5.09-6.01-6.36-7.12-7.02 A.M. 12.46-4.23-8.52 P.M.
Ancora	2.0	.0	8.41 A.M. 5.49 P.M.	*5.03-*5.55-*6.30-6.57 A.M. *12.42-4.19-*8.47 P.M.
Winslow Jct.	2.4	1.3	8.46 A.M. 5.53 P.M.	4.59-5.51-6.26-7.06-6.53 A.M. 12.37-4.15-8.43 P.M.
Murphy	1.1	1.1		*4.54-*5.45-*6.21-A.M. *12.33-*4.12-*8.39 P.M.
Bellhurst	.9	1.2		*4.52- A.M.

Stations	Distance between Stations in Miles	Straight Line distance bet. R.R. and bus route in miles	Trains for A.C. from the various stations	Trains for Camden from the various Stations
Hammonton	1.1	1.2	8.55-10.14-A.M. 6.01-5.38-6.33 P.M.	4.50-5.40-6.15-7.00-6.45-7.30-8.05-A.M. 12.28-4.09-6.28-8.35 P.M.
Da Costa	2.1	.1	*8.58 A.M. * 6.04 P.M.	*6.39 A.M. *4.03 P.M.
Amatol Junction	1.7	.1	*9.00 A.M. *6.06 P.M.	*6.37A.M. *4.01 P.M.
Elwood	2.4	.1	9.05 A.M. 6.11 P.M.	6.33 A.M. 3.57 P.M.
Egg Harbor	4.9	.1	9.14-10.26 A.M. 6.26-5.49-6.46 P.M.	6.24-7.52 A.M. 3.48-6.14 P.
Germainia	2.7	.1	*9.18 A.M. *6.31 P.M.	*6.19 A.M. *3.43 P.M.
Pomona	2.5	.1	9.23 A.M. 6.37 P.M.	6.15 A.M. 3.39 P.M.
Doughty	2.6	.2		
Absecon	2.9	.0	9.33-10.38 A.M. 6.47-6.58 P.M.	6.06-7.41- A.M. 3.31-6.01 P.M.
Atlantic City	6.6	.6	9.45-10.50 A.M. 5.05-7.00-6.10-7.10 P.M.	5.55-7.02-7.30-8.00 A.M. 3.20-5.50 P.M.

* Denotes Flag Stops

Note:
Eight electric trains daily to Atlantic City via Newfield.

P S No 9

1/16/28

WEST JERSEY AND SEASHORE RAILROAD (P.R.R.)
CAMDEN TO HAMMONTON

W E E K D A Y S C H E D U L E

Stations	Distance between Stations in Miles	Straight line dis. between R.R. and bus route in Miles	Trains for Hammonton from the Various Stations	Trains for Camden from the various Stations.
Camden	0	0	7.38-9.38-10.38 A.M. 3.13-4.07-4.38-5.07-5.20-5.57-6.00-6.53-10.48 P.M.	6.15-7.11-7.42-7.58-8.16-8.23-8.03-8.38-A.M. 1.43-5.23-7.02-9.56 P.M.
Broadway	.6	.1	7.41-10.41 A.M. 3.16-4.41-6.56-10.51 P.M.	6.12-7.08-7.39-7.55-8.13-8.20-A.M. 1.40-5.20 9.53 P.M.
Liberty Park	2.6	.2	*7.44-*10.45-A.M. *3.19-*6.59-*10.55 P.M.	6.07-7.04-7.35-A.M. *1.36-*5.16-*9.48 P.M.
Collingswood	2.2	.8	7.48-10.49 A.M. 3.24-6.10-7.04 and 11.00 P.M.	6.02-6.59-7.30-7.47-8.06-8.13 A.M. 1.32-5.12-9.43 P.M.
Cuthbert	.7	1.2	*10.50 A.M. *3.26-*6.12-*7.06-*11.02 P.M.	*5.59-*6.55-*7.27-*8.10-A.M. *5.09-*9.40 P.M.
Westmont	.6	1.4	*7.51-*10.52-A.M. 3.28*-6.15-7.08-*11.04 P.M.	5.57-*6.53-*7.25-*8.08-A.M. *1.28-*5.08-*9.38 P.M.
West Haddonfield	.6	1.5	*7.53-10.54 A.M. 3.30-4.51-6.18-*7.10- 11.07 P.M.	*5.55-*6.51-*7.23-7.42-8.01-8.06-A.M. 1.26*-*5.06-*9.36 P.M.
Haddonfield	.5	1.4	7.55-10.57 A.M. 3.33-4.53-6.21-7.12-11.10 P.M.	5.53-6.49-7.22-7.40-7.59-8.04-A.M. 1.25-5.04-9.35 P.M.
Woodcrest	2.1	1.4	*7.58-*11.00 A.M. 3.36*- 5.34-6.25-*7.15-*11.13 P.M.	*5.46-*6.42-*7.15-*7.35-7.54-7.59 A.M. *1.19-*4.59-*9.29 P.M.
Ashland	.9	1.0	8.01-11.04-A.M. 3.40-4.58-5.38-6.29-7.18-11.06 P.M.	5.45-6.41-7.14-7.52-7.57-A.M. 1.18-4.58-9.27 P.M.

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Stations	Distance between Stations in Miles	Straight line distance bet. R.R. and bus route in Miles	WEEKDAY SCHEDULE Trains for Hammonton from the various Stations	Trains for Camden from the various Stations
Osage	.7	.7	*8.03-*11.05-A.M. *3.41-5.40-6.31 *7.19-*11.18 P.M.	*5.42-*6.37-*7.11-*7.54-A.M. 1.15*-*4.56-*9.24 P.M.
Kirkwood	1.0	.3	8.06-11.08 A.M. 3.45-5.03-5.43-6.35-7.22-*11.21 P.M.	5.40-6.35-7.09-7.52 A.M. 1.14-4.54-9.22 P.M.
Linden-wold	1.1	.5	8.09-11.11 A.M. *3.48-5.06-5.46-6.38-*7.24-11.24 P.M.	*5.36-6.32-7.06-*7.49 A.M. 1.11-4.51-9.18 P.M.
Lucaston	1.2	.6	8.13-11.14 A.M. 3.52-5.10-5.50-6.42 7.28-*11.28 P.M.	5.33-6.29-7.03-7.29-7.45-A.M. 1.08-4.48-9.15 P.M.
West Berlin	1.4	.2	8.16-11.18 A.M. 3.56-5.13-5.53-6.45-7.32-11.32 P.M.	5.29-6.26-6.58-7.26-7.30 A.M. 1.04-4.44-9.11 P.M.
Reed Crossing	.8	.1	*8.18-*11.20-A.M. *3.58-5.55-6.47-*7.34-11.33* P.M.	*5.27-*6.22-*6.56-*7.28-A.M. *1.02-*4.41-*9.08 P.M.
Berlin	.6	.3	8.21-11.22 A.M. 4.01-5.17-6.02-6.51 7.36-11.36 P.M.	5.26-6.21-6.55-7.23-7.25 A.M. 1.01 4.40-9.07 P.M.
Bishops Br.	1.0	.4	*8.23-*11.24-A.M. *4.03-*5.19-6.05 6.53-*7.38-*11.39 P.M.	*5.22-*6.16-*6.51-*7.22-A.M. *12.57-*4.36-*9.03 P.M.
Atco	1.5	.4	8.27-11.28 A.M. 4.07-5.28-6.10-6.58 7.43-11.44 P.M.	5.19-6.13-6.48-7.18-A.M. 12.55-4.34-9.01 P.M.
Dunbarton	1.6	.3	*8.30-*11.30-A.M. *4.09-*5.32-6.13-7.01-*7.46-*11.47 P.M.	*5.14-*6.07-*6.42-*7.08-A.M. *12.51-*4.29-*8.57 P.M.

Stations	Distance between Stations In Miles	Straight Line distance bet. Bus route in miles	Trains for Hammonton from the various Stations	Trains for Camden from the Various Stations.
Fisher	.6	.2	*8.32-*11.31A.M. *4.10-*5.34-6.15-7.03-*7.48-*11.49 P.M.	*5.12-*6.05-*6.40-*7.06-A.M. 12.49*-*4.27-*8.55 P.M.
Chesilhurst	.8	.2	*8.34-.11.33-A.M. *4.12-*5.36-6.17-7.06 *7.50-*11.51 P.M.	*5.10-*6.03-*6.38-*7.04-A.M. *12.47-*4.25-*8/53 P.M.
Waterford	.7	.2	8.37-11.37 A.M. 4.16-5.44-6.25-7.11-7.53-11.54- P.M.	5.09-6.01-6.36-7.12-7.02 A.M. 12.46-4.23-8.52 P.M.
Ancora	2.0	0	8.41-11.41-A.M. *4.20-5.49-6.30-*7.15-*7.57-*11.58 P.M.	*5.03-*5.55-*6.30-6.57-A.M. *12.42-4.19-*8.47 P.M.
Winslow Jc.	2.4	1.3	8.46-11.46 A.M. 4.25-5.53-6.35-*7.20 *8.01 P.M. *12.03 A.M.	4.59-5.51-6.26-7.06-6.53 A.M. 12.37-4.15 8.43 P.M.
Murphy	1.1	1.1	*11.49-A.M. *4.27-*6.37-*7.22-*8.03P.M.	*4.54-*5.45-*6.21 A.M. 12.33-4.12*-*8.39 P.M.
Bellhurst	.9	1.2	*6.39 P.M.	*4.52 A.M.
Hammonton	1.1	.2	8.55-10.14-11.55 A.M. 4.33-6.01-5.38-6.44 6.33-7.30-8.10 P.M. 12.10 A.M.	4.50-5.40-6.15-7.00-6.45-7.30-8.05-A.M. 12.28-4.09-6.28-8.35 P.M.

* Denotes Flag Stop.

South Bou

Bus No.

15972
38
15748
16783
P 23
P 742

24
16379
5079
16389
15578
15646
15923
16296

33

14783

11

8
52
15926

10
10
33
40
15

10

3

S 2010

ATLANTIC CITY INTERSTATE BUS CHECK TAKEN AT BERLIN DEC. 8, 1927

South Bound Bus No.	Time	Pass	Line.
15972	8.53 A.M.	8	Capt Young
38	.53	4	Mertz
16748	.56	4	Quaker City
16783	9.25	5	P.R.T.
P 23	.31	3	East Coach
P 742	.53	15	Capt Young
	10.00	20	Stamper
24	.47	25	Mertz
16379	.52	6	P.R.T.
5079	.55	6	Quaker City
16389	.58	18	Atlantic Tours
15578	11.00	12	Atlantic Tours
15646	.50	20	Capt Young
15923	12.00	8	Stamper
16296	.18 P.M.	10	P.R.T.
	.30	15	A.T. Co.
35	.50	16	Mertz
	1.56	20	P.R.T.
14783	.57	10	A.T. Co.
	2.00	6	Stamper
	.05	8	Atlantic Tours
11	.37	5	Quaker City
	.53	9	Mertz
	3.00	5	American Trans.
8	.23	15	A.T.
52	.28	14	P.R.T.
15926	.49	9	Capt Young
	.56	12	Stamper
10	4.25	18	A.T.
10	.28	25	Quaker City
33	.47	6	Mertz
40	.54	7	P.R.T.
15	5.02	2	Capt Young
	.55	8	Quaker City
	6.03	5	Capt Young
	.03	2	
	.25	10	P.R.T.
	.27	14	Highway Motor
	.46	3	Mertz
	7.27	6	Quaker City
	.48	5	P.R.T.
	.57	2	A.T.
	8.14	2	American Trans
	.45	3	Mertz
	9.00	6	A.T.
	.16	8	Highway
	.55	14	Capt Young
10	10.17	2	Quaker City
	.38	0	Mertz
	.43	0	A.T.
3	11.07	0	Capt Young
		458	

North Bound Bus No.	Time	Pass	Line
15646	8.36 A.M.	9	Capt Young
16428	.45	10	A.T. Co.
15748	9.05	22	Quaker City
16389	.05	25	A.T. Co.
16268	.36	12	P.R.T.
15923	.48	20	Stamper
15579	.51	22	Atlantic T.
	10.06	20	A.T. Co.
	.06	20	Quaker City
15881	.34	13	Union Bus
38	.40	16	Mertz
14783	11.26	25	A.T. Co.
P5483	.45	8	P.R.T.
15972	.54	12	Capt Young
	12.05 P.M.	16	Quaker City
387	.06	25	American T.
9227	.15	16	Stamper
	.45	12	Atlantic T.
16378	1.04	6	P.R.T.
	.21	15	A.T. Co.
	.30	10	Stamper
33	2.32	7	Mertz
5079	.35	6	Quaker City
17	.35	10	Capt Young
16379	.40	9	P.R.T.
15923	3.43	22	
12	4.00	4	Quaker City
21	.05	8	Capt Young
16390	.12	6	Highway
79	.17	6	P.R.T.
4934	.30	7	
	5.19	2	Quaker City
	.25	2	A.T.
	.38	0	P.R.T.
	.43	6	A.T.
	6.16	3	Stamper
	.32	12	Capt Young
	.41	5	Mertz
	7.13	0	P.R.T.
	.37	6	Capt Young
10	8.03	3	Quaker City
33	.32	3	Mertz
	.38	2	P.R.T.
	.41	0	Capt Young
	.43	0	American T.
	9.38	0	Capt Young
	.51	0	Quaker City
	10.08	1	Highway
	.27	0	A.T.
	.34	3	P.R.T.
	.38	4	Capt Young
	11.37	0	Capt Young
		471	

8-11

COMPARISON OF TAXES

Public Service Railway and Transportation Companies.
West Jersey and Seashore Railroad Company.
Atlantic City Railroad Company.

1927	P.S. R'wy Co.	P.S. Trans. Co.	W.J.&S.R.R.	A.C.R.R.
Operating Revenues	$18,180,508	$14,371,332	$11,657,911	$4,205,844
Taxes	$2,043,603	$820,943	$880,848	$471,742
Percent of Taxes to Gross Revenues	11.24%	5.71%	7.56%	11.22%.

June 2/28

INTERMEDIATE TRAIN SERVICE BETWEEN POINTS TO BE SERVED BY PROPOSED EXTENSION OF BERLIN BUS LINE

CAMDEN TO ATLANTIC CITY (W.J.&S.R.R.)

	FROM	TO	TRAINS - WEEKDAY SCHEDULE
1	Kirkwood	Pomona	8.06 A.M. 5.03 P.M.
2	Berlin	Hammonton	8.21-11.22 A.M. 4.01-5.17-6.02-6.51-7.36-11.36 P.M.
3	Berlin	Egg Harbor	8.21 A.M. 5.17 P.M.
4	Atco	Waterford	8.27-11.28 A.M. 4.07-5.28-6.10-6.58-7.43-11.44 P.M.
5	Atco	Elwood	8.27 A.M. 5.28 P.M.
6	Chesilhurst	Germania	*8.34 A.M. *5.36 P.M.
7	Chesilhurst	Absecon	*8.34A.M. *5.36 P.M.
8	Waterford	Absecon	8.37 A.M. 5.44 P.M.
9	Ancora	Da Costa	8.41 A.M. 5.49 P.M.
10	Ancora	Elwood	8.41 A.M. 5.49 P.M.
11	Hammonton	Da Costa	8.55 A.M. 6.01 P.M.
12	Hammonton	Elwood	8.55 A.M. 6.01 P.M.
13	Hammonton	Egg Harbor	8.55-10.14 A.M. 6.01-5.38-6.33 P.M.
14	Hammonton	Absecon	8.55-10.14 A.M. 6.01-6.33 P.M.
15	Da Costa	Egg Harbor	*8.58 A.M. *6.04 P.M.
16	Elwood	Egg Harbor	9.05 A.M. 6.11 P.M.
17	Egg Harbor	Doughty's	No service
18	Pomona	Absecon	9.22 A.M. 6.37 P.M.
19	Doughty's	Absecon	No service
20	West Berlin	Da Costa	8.16 A.M. 5.13 P.M.

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Note:-

* Denotes flag stops.

INTERMEDIATE TRAIN SERVICE BETWEEN POINTS TO BE SERVED BY PROPOSED EXTENSION OF BERLIN BUS LINE

CAMDEN TO ATLANTIC CITY (READING)

	FROM	TO		TRAINS: — WEEKDAY SCHEDULE
1	W. Collingswood	Elwood		8.22 A.M. 5.19 P.M.
2	Oaklyn	Hammonton	X	8.24 A.M. 10.07 P.M. 12.02 A.M.
3	Audubon	Elwood		8.26 A.M. 5.23 P.M.
4	Haddon Heights	Hammonton	X	8.31 A.M. 5.27 P.M.
5	Haddon Heights	Egg Harbor	X	8.31 A.M. 5.27 P.M.
6	Lawnside	Cologne		*8.35 A.M.
7	Stratford	Da Costa		8.44 A.M. 5.37 P.M.
8	Laurel Springs	Egg Harbor	X	8.47 A.M. 4.49-5.39 P.M.
9	Hammonton	Da Costa		9.45 A.M. 6.20 P.M.
10	Hammonton	Woodland		No service.
11	Hammonton	Egg Harbor		5.57-9.42-9.45 A.M. 12.03-2.42-5.15-6.03-6.20-6.45-9.15 P.M. 12.25 A.M.
12	Barnard	Egg Harbor		No Service.
13	Colwell	Elwood		No Service.
14	Woodlam	Egg Harbor		No Service.
15	Elwood	Egg Harbor		9.57 A.M. *5.24-6.32 P.M.

Note:-

* Denotes flag stops.
X Denotes one additional train between Stations; involving a change of trains and a 23 minute wait at Winslow Junction.

WEST JERSEY & SEA SHORE RAILROAD
(OLD CASE)

EXHIBIT NO.

ACCRUED TAXES OF THE WEST JERSEY & SEASHORE RAILROAD COMPANY FOR THE YEARS 1921 to 1927, INCLUSIVE

Real Estate and Property - New Jersey	1921	1922	1923	1924	1925	1926	1927
State, ...	$597,319.53	$657,719.57	$654,496.87	$695,836.93	$708,783.39	$665,758.20	$737,645.56
Local, ...	59,484.28	24,397.91	29,926.39	32,177.80	38,108.06	56,928.44	72,310.48
Federal Income Tax, ...	5,169.00	172,382.52	129,330.00	129,818.76	220,440.26	217,407.32	70,876.44
Miscellaneous, ...	49,638.25	45,823.61	46,280.27	45,229.93	47,782.30	4,386.92	15.88
Total, ...	711,611.06	900,323.61	860,035.53	903,063.42	1,015,114.01	944,480.88	880,848.38

Office of Comptroller,
January 12, 1928.

INCOME STATEMENT

EXHIBIT NO.

WEST JERSEY & SEASHORE RAILROAD COMPANY

	1921	1922	1923	1924	1925	1926	1927 (December Estimated)
REVENUES:							
Freight,	$3,813,298	$5,125,703	$5,015,380	$4,425,662	$4,899,369	$5,221,313	$5,093,864
Passenger,	8,179,098	7,798,919	8,059,190	7,673,673	7,788,129	7,140,764	6,000,936
Mail,	105,075	85,402	84,043	81,216	77,038	77,643	76,953
Express,	86,715	192,114	157,477	103,038	136,841	126,989	139,105
All Other Transportation,	403,741	435,642	458,303	413,866	387,139	197,964	180,517
Incidental,	328,906	357,959	343,984	212,043	145,098	148,502	155,546
Joint Facility - Credit,	12,873	22,352	24,143	22,870	17,919	15,746	10,990
Railway Operating Revenues,	12,929,706	14,018,091	14,142,520	12,932,368	13,451,533	12,928,921	11,657,911
EXPENSES:							
Maintenance of Way and Structures,	1,997,624	2,039,717	2,369,870	2,017,282	2,261,366	2,254,377	1,938,687
Maintenance of Equipment,	2,486,110	2,487,917	2,632,669	2,364,430	2,223,481	1,987,449	1,937,084
Traffic,	168,346	195,339	203,483	197,259	232,254	239,198	237,868
Transportation,	6,601,461	6,367,693	6,306,870	5,921,276	5,844,348	5,819,980	5,463,568
Miscellaneous Operations,	116,761	150,362	148,125	32,768	9,736	9,306	8,875
General,	313,346	335,384	331,549	329,417	344,789	335,913	327,219
Transportation for Investment - Credit,	-	-	-	-	2,654	2,118	-
Railway Operating Expenses,	11,683,648	11,576,412	11,992,566	10,862,432	10,913,320	10,644,105	9,913,321
NET REVENUE FROM RAILWAY OPERATIONS,	1,246,058	2,441,679	2,149,954	2,069,936	2,538,213	2,284,816	1,744,590
Railway Tax Accruals,	711,611	900,324	860,036	903,064	1,015,114	944,481	880,948
Uncollectible Railway Revenues,	668	781	971	5,100	1,631	2,595	1,594
RAILWAY OPERATING INCOME,	533,779	1,540,574	1,288,947	1,161,772	1,521,468	1,337,740	862,148
Equipment Rents - Debit Balance,	89,426	96,206	123,918	170,426	173,184	178,912	165,113
Joint Facility Rents - Credit Balance,	34,036	15,769	17,168	35	12,621	3,264 Dr	11,960
NET RAILWAY OPERATING INCOME,	478,389	1,460,137	1,182,197	991,381	1,360,905	1,162,092	665,075
Income from Lease of Road,	-	-	931	820	885	786	
Miscellaneous Rent Income,	24,504	41,445	59,007	66,673	70,964	75,963	
Miscellaneous Non-Operating Physical Property,	9,927	4,710	9,354	11,982	12,572	14,523	
Dividend Income,	5,661	-	-	-	-	-	
Income from Funded Securities,	2,019	135	-	-	-	-	
Income from Unfunded Securities and Accounts,	48,552	31,403	296,734	28,272	29,774	24,554	
Miscellaneous Income,	36,023	Dr 3,845	Dr 729	-	25,494	-	
Total Non-Operating Income,	126,686	73,848	365,297	107,747	139,689	115,826	
GROSS INCOME,	605,075	1,533,985	1,547,494	1,099,128	1,500,594	1,277,918	
Rent for Leased Ferries,	8,086	Cr 30,761	Cr 44,560	Cr 36,251	28,470	-	
Miscellaneous Rents,	5,762	15,980	6,678	3,895	6,731	1,863	
Miscellaneous Tax Accruals,	10,964	8,814	8,640	12,358	12,973	13,600	
Interest on Funded Debt,	231,501	228,389	224,822	220,385	215,909	211,257	
Interest on Unfunded Debt,	143,897	128,376	190,842	10,253	2,568	3,903	
Miscellaneous Income Charges,	14,337	15,399	35,764	21,118	752	564	
Total Deductions from Gross Income,	414,547	366,197	422,186	231,755	267,403	231,187	
NET INCOME,	190,528	1,167,788	1,125,308	867,373	1,233,191	1,046,731	
APPROPRIATIONS TO SINKING FUND,	103,045	67,980	108,060	111,200	114,420	117,940	
DIVIDEND APPROPRIATIONS OF INCOME,	-	(2%) 231,725	(4%) 463,450	(4½%) 521,381	(5½%) 637,244	(5½%) 637,255	
BALANCE TRANSFERRED TO CREDIT OF PROFIT & LOSS,	87,483	868,083	553,798	234,792	481,527	291,536	
Investment in Road and Equipment,	$29,024,343	$29,260,458	$29,804,893	$29,310,482	$29,941,801	$30,551,939	$30,575,000
Net Railway Operating Income percent of Investment in Road and Equipment,	1.65%	4.99%	3.97%	3.38%	4.55%	3.80%	2.18%

Figures not yet available.

Office of Comptroller,
January 12, 1928.

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WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND COLLINGSWOOD, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

COLLINGSWOOD	One Way and Round Trip	10 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	8,497	55,380	103,850	1,620	100,600	261,450	269,947	100.0
1922	6,782	48,640	111,400	2,700	78,000	240,740	247,522	91.7
1923	7,719	52,890	169,700	3,720	80,500	306,810	314,529	116.5
1924	6,631	45,170	254,800	4,020	72,300	376,290	382,921	141.9
1925	6,238	40,240	293,250	1,440	53,000	387,930	394,168	146.0
1926	6,181	40,600	292,850	1,260	37,100	371,810	377,991	140.0
1927	3,499	26,790	235,150	1,260	24,900	288,100	291,599	108.0
				AMOUNT OF REVENUE				
1921	$ 1,792.14	$ 7,926.76	$ 9,055.72	$155.25	$10,764.20	$27,901.93	$29,694.07	100.0
1922	1,397.45	6,982.47	9,701.00	262.32	8,346.00	25,291.79	26,689.24	89.9
1923	1,579.15	7,561.84	14,776.04	355.71	8,623.82	31,317.41	32,896.56	110.8
1924	1,340.76	6,459.31	22,218.56	384.46	7,736.10	36,798.43	38,139.19	128.4
1925	1,290.23	5,755.75	25,397.88	138.00	5,664.90	36,956.53	38,246.76	128.8
1926	1,272.25	5,805.80	25,536.52	120.75	3,969.70	35,432.77	36,705.02	123.6
1927	734.29	3,831.28	20,505.08	150.45	2,658.60	27,145.41	27,879.70	93.9

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WEST JERSEY & SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND HADDONFIELD, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

HADDONFIELD

	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	13,995	97,230	-	5,300	24,540	195,500	322,570	336,565	100.0
1922	12,753	89,320	-	3,950	20,160	193,600	307,030	319,783	95.0
1923	16,066	119,940	322	6,500	31,920	206,800	365,482	381,548	113.4
1924	15,964	122,470	966	9,200	43,080	213,400	389,116	405,080	120.4
1925	13,113	105,740	644	9,900	35,580	183,300	335,164	348,277	103.5
1926	9,268	84,630	506	8,700	23,700	162,800	280,336	289,604	86.0
1927	3,682	44,080	1,058	5,550	13,200	121,900	185,788	189,470	56.3
				AMOUNT OF REVENUE					
1921	$3,913.85	$17,414.44	-	$798.18	$2,677.46	$25,962.40	$46,852.48	$50,766.33	100.0
1922	3,572.24	15,910.46	-	594.87	2,199.04	25,710.08	44,414.45	47,986.69	94.5
1923	4,479.32	21,356.34	$31.92	978.90	3,481.16	27,463.04	53,311.36	57,790.68	113.8
1924	4,328.87	21,790.62	95.86	1,385.52	4,698.30	28,339.52	56,309.82	60,638.69	119.4
1925	3,680.57	18,821.62	63.84	1,490.94	3,768.65	24,342.24	48,487.29	52,167.86	102.8
1926	2,588.29	15,064.14	50.16	1,310.22	2,649.16	21,619.84	40,693.52	43,281.81	85.3
1927	1,044.26	7,848.02	104.88	835.83	1,430.80	16,188.32	26,407.85	27,452.11	54.1

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ASHLAND, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

ASHLAND

	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
					NUMBER OF PASSENGERS				
1921	7,108	18,760	506	350	60,840	1,400	81,856	88,964	100.0
1922	6,698	18,350	-	400	58,920	1,200	78,870	85,568	96.2
1923	7,030	21,180	-	100	83,760	900	105,940	112,970	127.0
1924	2,987	12,300	-	100	75,720	1,100	89,220	92,207	103.6
1925	2,021	10,190	-	50	70,380	1,400	82,020	84,041	94.5
1926	2,975	13,310	46	200	77,040	1,100	91,696	94,671	106.4
1927	1,429	11,750	184	-	71,760	1,400	85,094	86,523	97.3
					AMOUNT OF REVENUE				
1921	$2,677.66	$4,827.51	$60.28	$80.43	$7,827.03	$269.08	$13,064.33	$15,741.99	100.0
1922	2,509.25	4,715.95	-	91.92	7,498.30	230.64	12,536.81	15,046.06	95.6
1923	2,637.32	5,420.41	-	22.98	10,806.46	172.98	16,422.83	19,060.15	121.1
1924	1,140.55	3,186.53	-	22.98	9,775.12	211.42	13,196.05	14,336.60	91.1
1925	783.39	2,601.97	-	11.49	9,097.40	269.08	11,979.94	12,763.33	81.1
1926	1,116.77	3,420.67	5.48	45.96	9,955.55	211.42	13,639.08	14,755.85	93.7
1927	546.19	3,019.67	21.92	-	9,252.37	269.08	12,563.04	13,109.23	83.3

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND BERLIN, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

BERLIN	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	7,023	12,620	-	-	74,880	1,000	88,500	95,523	100.0
1922	5,883	9,790	-	50	74,280	1,600	85,720	91,603	95.9
1923	3,289	6,840	322	-	92,880	1,300	101,342	104,631	109.5
1924	3,121	7,320	414	-	86,340	700	94,774	97,895	102.5
1925	2,460	5,460	276	-	93,300	700	99,736	102,196	107.0
1926	1,837	3,820	368	-	79,320	500	84,008	85,845	89.9
1927	872	2,360	598	-	70,680	500	74,138	75,010	78.5
				AMOUNT OF REVENUE					
1921	$4,294.27	$5,005.71	-	-	$12,753.15	$314.90	$18,073.76	$22,368.03	100.0
1922	3,675.89	4,412.93	-	$9.51	12,401.89	503.84	17,328.17	21,004.06	93.9
1923	2,028.71	2,883.71	$52.30	-	15,699.62	409.37	19,045.00	21,073.71	94.2
1924	1,882.02	3,069.07	68.40	-	14,536.90	220.43	17,894.80	19,776.82	88.4
1925	1,443.69	2,292.35	43.80	-	15,697.50	220.43	18,254.08	19,697.77	88.1
1926	1,094.38	1,617.61	59.30	-	13,501.34	157.45	15,335.70	16,430.08	73.5
1927	512.89	999.89	96.10	-	11,995.22	157.45	13,248.66	13,761.55	61.5

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND WEST BERLIN, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

WEST BERLIN	One Way & Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS					
1921	7,688	19,900	782	100	109,320	100	130,202	137,890	100.0
1922	5,865	14,520	1,242	50	106,140	100	122,052	127,917	92.8
1923	3,308	10,250	782	-	129,060	200	140,292	143,600	104.1
1924	2,743	9,400	552	-	134,760	200	144,912	147,655	107.1
1925	1,803	6,750	414	100	106,920	300	114,484	116,287	84.3
1926	1,504	4,620	-	50	113,580	100	118,350	119,854	86.9
1927	1,027	2,900	368	-	94,500	100	97,868	98,895	71.7
				AMOUNT OF REVENUE					
1921	$4,264.50	$7,746.50	$118.83	$35.91	$17,849.53	$28.91	$25,779.68	$30,044.18	100.0
1922	3,258.30	5,619.24	187.82	17.96	17,268.99	28.91	23,122.92	26,381.22	87.8
1923	1,852.54	3,966.75	118.83	-	20,801.49	57.82	24,944.89	26,797.43	89.2
1924	1,528.44	3,637.80	83.88	-	21,940.04	57.82	25,719.54	27,247.98	90.7
1925	1,022.11	2,526.81	62.91	35.90	17,396.46	86.73	20,108.81	21,130.92	70.3
1926	817.98	1,787.85	-	17.96	18,548.83	28.91	20,383.55	21,201.53	70.6
1927	558.23	1,121.40	55.92	-	15,364.10	28.91	16,570.33	17,128.56	57.0

WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ATCO, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

ATCO

	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	100 Trip	Total Commutation	Grand Total	Percentage Relation
					NUMBER OF PASSENGERS				
1921	11,872	23,040	828	-	93,540	700	118,108	129,980	100.0
1922	11,615	21,180	1,518	50	98,160	800	121,708	133,323	102.6
1923	9,843	19,290	1,656	-	112,680	700	134,326	144,169	110.9
1924	9,077	16,920	230	-	113,520	200	130,870	139,947	107.7
1925	7,679	14,790	-	-	122,040	600	137,430	145,109	111.6
1926	5,972	13,290	-	-	137,760	400	151,450	157,422	121.1
1927	4,014	8,010	276	-	123,660	500	132,446	136,460	105.0
					AMOUNT OF REVENUE				
1921	$8,453.83	$10,981.19	$142.20	-	$17,027.93	$249.48	$28,400.80	$36,854.63	100.0
1922	8,144.76	10,081.12	260.70	10.30	17,915.87	285.12	28,553.11	36,697.87	99.6
1923	7,029.92	9,182.04	284.40	-	20,503.97	249.48	30,219.89	37,249.81	101.1
1924	6,329.20	7,982.52	39.50	-	20,693.39	71.28	28,786.69	35,115.89	95.3
1925	5,381.13	7,040.62	-	-	22,224.70	213.84	29,479.16	34,860.29	94.6
1926	4,113.38	6,330.60	-	-	25,032.15	142.56	31,505.31	35,618.69	96.6
1927	2,804.60	3,808.00	47.40	-	22,539.91	178.20	26,573.51	29,378.11	79.7

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WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND HAMMONTON, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

HAMMONTON

	One Way & Round Trip	10 trip	46 trip	50 trip	60 trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	13,236	5,140	368	-	33,300	38,808	52,044	100.0
1922	13,793	4,080	184	1,750	22,200	28,214	42,007	80.7
1923	12,732	2,850	230	2,900	20,280	26,260	38,992	74.9
1924	12,882	2,370	1,104	2,950	24,960	31,384	44,266	85.1
1925	11,983	2,410	1,840	3,300	31,500	39,050	51,033	98.1
1926	11,715	2,000	4,140	3,050	29,640	38,830	50,545	97.1
1927	8,808	1,350	3,174	2,300	21,240	28,064	36,872	70.8
				AMOUNT OF REVENUE				
1921	$13,539.07	$3,901.26	$90.00	-	$8,534.88	$12,526.14	$26,065.21	100.0
1922	14,247.18	3,096.72	45.00	730.10	5,680.43	9,552.25	23,799.43	91.3
1923	13,155.04	2,163.15	56.25	1,209.88	5,183.08	8,612.36	21,767.40	83.5
1924	13,315.86	1,791.24	269.97	1,230.74	6,377.25	9,669.20	22,985.06	88.2
1925	12,329.02	1,829.19	450.00	1,376.76	8,050.63	11,706.58	24,035.60	92.2
1926	12,090.06	1,518.00	1,012.50	1,272.46	7,563.24	11,366.20	23,456.26	90.0
1927	9,104.89	1,024.65	776.25	959.56	5,284.63	8,045.09	17,149.98	65.8

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WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND EGG HARBOR, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

EGG HARBOR	One Way and Round Trip	10 Trip	46 Trip	50 Trip	60 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	5,808	520	46	-	720	1,286	7,094	100.0
1922	5,535	350	-	150	180	680	6,215	87.6
1923	5,869	570	-	150	60	780	6,649	93.7
1924	4,932	560	-	900	120	1,580	6,512	91.8
1925	4,967	360	92	550	180	1,182	6,149	86.7
1926	4,221	280	138	650	600	1,668	5,889	83.0
1927	2,564	190	92	450	420	1,152	3,716	52.4
				AMOUNT OF REVENUE				
1921	$8,028.59	$547.04	$14.58	-	$236.88	$798.50	$8,827.09	100.0
1922	7,563.03	368.20	-	$86.73	57.76	512.69	8,075.72	91.5
1923	8,046.84	599.64	-	86.73	19.74	706.11	8,752.95	99.2
1924	6,726.98	589.12	-	520.38	39.48	1,148.98	7,875.96	89.2
1925	6,830.19	378.72	29.16	318.01	59.22	785.11	7,615.30	86.3
1926	5,807.19	294.56	43.74	375.83	192.29	906.42	6,713.61	76.1
1927	3,579.29	199.88	29.16	260.19	135.26	624.49	4,203.78	47.6

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WEST JERSEY AND SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ABSECON, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%

ABSECON	One Way & Round Trip	10 Trip	50 Trip	60 Trip	*150 Trip	Total Commutation	Grand Total	Percentage Relation
				NUMBER OF PASSENGERS				
1921	3,242	50	50	180	300	580	3,822	100.0
1922	2,775	-	-	720	150	870	3,645	95.4
1923	3,229	-	-	360	750	1,110	4,339	113.5
1924	3,170	-	-	1,200	900	2,100	5,270	137.9
1925	3,255	-	-	1,620	1,350	2,970	6,225	162.9
1926	2,222	-	-	480	750	1,230	3,452	90.3
1927	1,406	-	-	720	1,200	1,920	3,326	87.0
				AMOUNT OF REVENUE				
1921	$5,193.17	$12.85	$99.00	$71.70	$200.00	$383.55	$5,576.72	100.0
1922	4,744.57	-	-	286.80	100.00	386.80	5,131.37	92.0
1923	5,206.67	-	-	143.40	500.00	643.40	5,850.07	104.9
1924	5,015.85	-	-	495.50	600.00	1,095.50	6,111.35	109.6
1925	5,260.04	-	-	660.30	900.00	1,560.30	6,820.34	122.3
1926	3,583.75	-	-	198.70	500.00	698.70	4,282.45	76.8
1927	2,387.22	-	-	306.80	800.00	1,106.80	3,494.02	62.7

* 150 trip tickets read from Atlantic City.

WEST JERSEY & SEASHORE RAILROAD COMPANY

NUMBER OF PASSENGERS AND AMOUNT OF REVENUE FROM SALES OF TICKETS BETWEEN MARKET STREET WHARF, PHILADELPHIA, CAMDEN DEPOT, CAMDEN BROADWAY AND ATLANTIC CITY, BY YEARS AND CLASSES, 1921 TO 1927, INCLUSIVE, AND PERCENTAGE RELATION OF VARIOUS YEARS, USING 1921 AS 100%.

ATLANTIC CITY

	One Way and Round Trip	20 Trip	46 Trip	50 Trip	60 Trip	100 Trip	150 Trip	Total Commutation	Grand Total	Percentage Relation
					NUMBER OF PASSENGERS					
1921	1,213,675		138	50	213,540	1,600	18,300	233,628	1,447,303	100.0
1922	1,218,868			50	260,400	2,400	39,150	302,000	1,520,868	105.1
1923	1,336,268				262,980		31,650	294,630	1,630,898	112.7
1924	1,159,422				289,320		30,900	320,220	1,479,642	102.2
1925	1,152,707		184	100	268,980		33,450	302,714	1,455,421	100.6
1926	913,725	16,860	184		243,740		35,850	296,634	1,210,359	83.6
1927	708,789	17,250			174,420		25,650	217,320	926,109	64.0
					AMOUNT OF REVENUE					
1921	$1,674,332.46	$	$58.83	$77.49	$93,884.20	$422.40	$12,095.00	$106,537.92	$1,780,870.38	100.0
1922	1,602,713.82			77.49	114,335.40	633.60	26,100.00	141,146.49	1,743,860.31	97.9
1923	1,662,817.03				115,711.24		21,100.00	136,811.24	1,799,628.27	101.1
1924	1,488,851.18				126,968.12		20,600.00	147,568.12	1,636,419.30	91.9
1925	1,508,624.89		78.44	154.98	118,351.60		22,300.00	140,885.02	1,649,509.91	92.6
1926	1,213,471.99	25,290.00	78.44		107,386.20		24,200.00	156,954.64	1,370,426.63	77.0
1927	881,014.76	25,830.00			76,732.96		17,100.00	119,662.96	1,000,677.72	56.2

Includes sales of tickets reading from Market St. Wharf, sold at Broad Street Station and City Offices, Philadelphia.

ATLANTIC CITY RAILROAD CO. AND
READING TRANSPORTATION CO.

(OLD CASE)

SERVICE VIA WINSLOW J

CAPE MAY DIVISION

SOUTHBOUND

Miles	STATIONS	WEEKDAYS 561	405	421 Sat. only	413	461	SUNDAYS 473 Exc'n	425	453
		A M	A M	PM	P M	PM	A M	A M	P M
	Philadelphia Lv.		9.00	12•10	4.40	5.40	7.30	9.00	5.00
	Chestnut St.		9.00	12•10	4.30	5.30	7.30	9.00	5.00
0.0	South Street		9.12	12•50	4.50	5.53	7.40	9.12	5.12
0.0	Camden					6.03	a7.50		5.27
5.5	Haddon Heights					6.11			
24.5	Winslow Jct. Ar.		9.42		5.17	6.53		9.42	6.06
24.5	Winslow Jct. Lv.		9.42		5.17	6.53		9.42	6.06
27.9	Folsom		f9.48			f6.59		f9.48	f6.11
32.0	Newtonville		f9.54			f7.03		f9.54	f6.16
34.5	Pancoast		f9.59			f7.08			f6.21
36.6	Richland		10.04			7.12		10.02	6.25
40.4	Milmay		10.10			f7.18		10.06	f6.31
43.0	Dorothy		f10.14			f7.22		f10.09	f6.35
45.3	Risley		10.19			f7.27		10.14	f6.40
49.7	Buck Hill		f10.25			f7.33			f6.46
51.8	Corbin		f10.28			f7.37		f10.22	f6.50
56.2	Tuckahoe Ar.		10.30	1•53	5.40	7.39	8.4•	10.25	6.53
51.9	Tuckahoe Lv.	5.30	10.40	1•57	5.40		8.50	10.30	
58.6	Middletown	f5.33	f10.48		f6.55			f10.33	
55.1	Petersburg	f5.37	10.45		f6.55		f8.56	10.35	
56.5	Cedar Springs	f5.40	f10.48		f7.02			f10.38	
58.2	Palermo	5.45	10.51	2•09	6.07		d9.03	10.41	
60.6	51st Street	5.50	f10.54	f2•15	f6.05		d9.08	f10.44	
62.4	34th Street	f5.54	f10.58	f2•19	f6.09		d9.12	f10.48	
64.5	14th Street	f5.58	f11.02	f2•23	f6.13		d9.16	f10.52	
65.0	10th Street	6.02	11.05	2•24	6.16		9.20	10.55	
65.6	4th Street		11.10	2•28	f6.20		9.28	11.00	
66.1	Ocean City Gardens		11.14	2•32	6.25		9.28	11.05	
51.9	Tuckahoe Lv.		10.35	1•53	5.42		8.48	10.25	6.50
56.2	Woodbine		f10.41		f6.54			f10.31	f6.56
59.4	Dennisville		f10.48		f7.00			f10.36	7.05
60.7	South Dennis		f10.50		f6.02			f10.39	7.09
68.9	Goshen		f10.55		f6.07			f10.45	f7.14
66.9	Cape May C. H.		11.00	2•10	6.12		9.08	10.48	7.15
71.4	Stone Harbor Ar.		11.14	2•24	6.26		9.22	11.02	7.33
68.1	Mayville		f11.02		f6.14				f7.21
70.1	Whitesboro		11.06		f6.18		f10.58		f7.25
71.1	Wildwood Junc.		11.09	2•17	6.22		9.16	10.56	7.28
74.8	West Wildwood		f11.23	f2•27	f6.30		f9.25	11.07	f7.37
75.5	Wildwood & Holly Beach Ar.		11.26	2•30	6.33		9.28	11.10	7.40
72.4	Rio Grande		f11.16		f6.25			10.59	7.30
74.7	Bennett		f11.20		f6.29			11.02	f7.34
76.4	Cold Spring								f7.36
78.7	Cape May Ar.		11.25	2•39	6.37		9.28	11.08	7.40
		AM	AM	PM	PM	PM	AM	AM	P M

NORTHBOUND

Miles	STATIONS	WEEKDAYS 406	462	462 Sat. only	414	564	SUNDAYS 450	434	476 Exc'n
		A M	AM	AM	P M	P M	A M	P M	P M
0.0	Cape May Lv.	6.55		1•00	3.45		8.10	3.00	5.05
2.3	Cold Spring								
4.0	Bennett	f7.02			f3.50		f8.19	f3.58	
6.3	Rio Grande	f7.06			f3.55		f8.22	f4.01	
0.0	Wildwood & Holly Beach Lv.	7.00		12•50	3.45		8.13	3.53	5.05
1.2	West Wildwood	f7.02		f1•00	f3.47		f8.15	f3.55	f5.07
7.6	Wildwood Junc.	7.10		1•00	3.57		8.24	4.05	5.30
8.6	Whitesboro	f7.13			f4.00		f8.27	f4.08	
10.6	Mayville	f7.16			f4.04		f8.31		
0.0	Stone Harbor Lv.	7.03		1•02	3.50		8.17	3.57	5.30
11.8	Cape May C. H.	7.19		1•18	4.06		8.33	4.13	5.46
14.8	Goshen	f7.24			f4.12		f8.37	f4.17	
18.0	South Dennis	7.28			f4.17		f8.41	f4.22	
19.3	Dennisville	7.30		1•29	f4.20		f8.45	f4.25	
22.5	Woodbine	f7.35			f4.25		f8.52	f4.30	
28.8	Tuckahoe Ar.	7.43		1•40	4.32		8.59	4.37	6.00
0.0	Ocean City Gardens Lv.	7.00		1•00	3.50	6.40		3.50	5.30
0.6	4th Street	7.05		1•05	3.55	6.45		3.55	5.35
1.1	10th Street	7.13		1•09	4.00	6.49		4.00	5.39
1.6	14th Street	f7.16		f1•11	f4.03	f6.51		f4.03	f5.42
3.7	34th Street	f7.20		f1•15	f4.08	f6.55		f4.08	f5.46
5.6	51st Street	f7.24		f1•19	f4.12	f6.59		f4.12	f5.50
7.9	Palermo	7.29		f1•24	4.17	f7.04		4.17	5.55
9.6	Cedar Springs					f7.09			f6.00
11.0	Petersburg	f7.34		f1•31	f4.24	f7.09		f4.24	f6.00
10.6	Middletown	f7.37				f7.12			f6.03
14.2	Tuckahoe Ar.	7.40		1•36	4.30	7.15		4.30	6.06
0.0	Tuckahoe Lv.	7.43	8.30	1•40	4.32		8.59	4.37	6.08
0.6	Corbin		f8.33		f4.36		f9.02	f4.40	
2.2	Buck Hill		f8.36		f4.40		f9.05		
6.6	Risley		8.41		f4.46		9.10	4.48	
8.9	Dorothy		8.46		f4.50		9.15	f4.52	
11.5	Milmay		8.50		f4.54		9.19	4.56	
15.3	Richland		8.55	1•59	f4.58		9.24	5.01	
17.8	Pancoast		f8.59		f5.03		f9.28		
19.9	Newtonville		f9.03		f5.07		f9.32	f5.07	
24.0	Folsom		f9.09		f5.12		f9.38	f5.12	
27.4	Winslow Jct. Ar.		9.15	2•13	5.23		9.44	5.23	
27.4	Winslow Jct. Lv.		9.15	2•13	5.23		9.44	5.23	
46.4	Haddon Heights		9.57		f6.05		10.27		a7.03
51.9	Camden	8.42	10.14	2•40	6.03		10.44	6.03	7.15
	Philadelphia Ar.								
	South Street	8.55	10.25	2•50	6.09		10.55	6.09	7.26
	Chestnut St.	8.55	10.25	2•50	6.00		10.55	6.00	7.26
		AM	AM	PM	PM	PM	AM	PM	PM

FOR EXPLANATION OF REFERENCE MARKS SEE OTHER SIDE

SERVICE VIA WINSLOW JCT. ... AND C. R. R. OF N. J.

STATIONS	WEEKDAYS 4206 Through Express Train, Atlantic City to New York. Parlor Cars and Coaches.	4218 Through Express Train, Atlantic City to New York. Parlor Cars, and Coaches.	46 4224	SUNDAYS 4260 Through Express Train, Atlantic City to New York. Parlor Cars and Coaches.	4264 Through Express Train, Atlantic City to New York. Parlor Cars, Dining-Club Car and Coaches.
	A M	PM	PM	A M	PM
Atlantic City Station Lv.	9.10	3.10	e4.02	9.35	5.30
Pleasantville Lv.			e4.12		
Egg Harbor Lv.	r9.30	r3.30	e4.30	r9.54	
Hammonton Lv.	r9.42	r3.42	e4.55	r10.08	
Winslow Junction Ar.	9.47	3.47	5.03	10.12	6.10
Cape May Lv.	7.55	1•00	3.45	8.10	3.00
Wildwood Lv.	j7.00	12•50	3.40	8.13	2.53
Ocean City Lv.	j7.13	1•00	4.01		4.01
Winslow Junction Ar.	9.15	2•13	5.23	9.44	5.23
Phila., Chestnut St. Lv.	9.00	2.00	4.40	9.00	5.00
Phila., South St. Lv.	9.00	2.00	4.30	9.00	5.00
Camden Lv.	9.12	2.10	4.50	9.12	5.10
Winslow Junction Ar.	9.42	2.37	5.17	9.42	5.40
Winslow Junction Lv.	11.44		6.19		6.11
Vineland Ar.	12.14		6.49		6.41
Bridgeton Ar.	12.45		7.21		7.12
Bacon's Neck Ar.					
Bayside Ar.					
Winslow Junction Lv.	9.47	2.49	5.25	10.18	6.10
Whitings Ar.	10.23		6.07	10.49	6.45
Lakehurst Ar.	10.33	3.37	6.35	11.01	6.57
Lakewood Ar.	10.45	3.47	7.05	11.14	67.50
Red Bank Ar.	11.12	4.13	8.08	11.51	7.34
Red Bank Lv.	12.26	4.54	8.56	12.26	
Long Branch Ar.	12.35	5.07	9.07	12.36	
Asbury Park Ar.	12.53	5.25	9.25	12.54	
Point Pleasant Ar.	1.20	5.53	9.53	1.21	
Newark Ar.	12.16	5.16	10.25	12.59	8.34
N. Y., Liberty St. Ar.	12.20	5.20	9.50	1.05	8.40
N. Y., W. 23d St. Ar.	12.33	5.37		1.17	8.57
	PM	PM	PM	PM	PM

STATIONS	WEEKDAYS 4201 102 New York to Atlantic City. Parlor Cars and Coaches.	4203 New York to Atlantic City. Parlor Cars and Coaches.	4718 04	4211 45	4215 New York to Atlantic City. Parlor Cars and Coaches.	SUNDAYS 4263 Through Express Train, New York to Atlantic City. Parlor Cars, Dining-Club Cars and Coaches.	4265 Through Express Train, New York to Atlantic City. Parlor Cars and Coaches.	4764 465
	AM	AM	PM	PM	PM	AM	PM	PM
N. Y., W. 23d St. Lv.		8.45		1.00	3.05	9.47	2.17	
N. Y., Liberty St. Lv.	8.30	9.00		1.18	3.40	10.00	2.30	
Newark Lv.		9.11		1.32	3.45	10.07	2.33	
Point Pleasant Lv.	5.47	8.40		12.45	3.05	8.30	1.50	
Asbury Park Lv.	6.18	9.09		1.13	3.50	9.00	1.57	
Long Branch Lv.	6.30	9.28		1.33	4.11	9.22	2.15	
Red Bank Ar.	6.41	9.42		1.46	4.25	9.37	2.27	
Red Bank Lv.	6.46	10.18		2.29	4.49	11.18	3.30	
Lakewood Lv.	7.48	10.45		3.31	5.15	11.42	4.00	
Lakehurst Lv.	8.04	10.59		3.57	5.33	11.57	4.22	
Whitings Lv.	8.19			4.09	5.37			
Winslow Junction Ar.	9.12	11.42		4.56	6.12	12.42	5.07	
Bayside Lv.								
Bacon's Neck Lv.								
Bridgeton Lv.	s8.18		1.30					5.00
Vineland Lv.	s8.50		1.59					5.29
Winslow Junction Ar.	s9.27		2.38					6.00
Winslow Junction Lv.	9.15		2.40	5.23	6.40		5.23	
Camden Ar.	10.14	h12.33	3.45	5.53	7.09		6.53	
Phila., South St. Ar.	10.25	h12.45	3.55	6.03	7.23		6.05	
Phila., Chestnut St. Ar.	10.25	h12.45	3.55	6.03	7.20		6.05	
Winslow Junction Lv.	9.42			5.17			6.06	6.06
Ocean City Ar.	11.05			6.19				
Wildwood Ar.	11.26			6.33			7.40	7.40
Cape May Ar.	11.25			6.37			7.40	7.40
Winslow Junction Lv.	9.39	11.43		5.10	6.13	12.43	5.08	
Hammonton Ar.	9.45	r11.48		5.16	v6.17	r12.48	r5.13	
Egg Harbor Ar.	10.05	r12.01		5.30	v6.20	v1.00	r5.20	
Pleasantville Ar.	10.20	r12.13		5.45	r6.40	v1.12	r5.37	
Atlantic City Ar.	10.30	12.20		5.55	6.47	1.20	5.45	
	AM	PM	PM	PM	PM	PM	PM	PM

FOR EXPLANATION OF REFERENCE MARKS SEE OTHER SIDE

Reading lines

PHILADELPHIA

NEW YORK



"EVERY HOUR ON THE HOUR"

NEW EQUIPMENT
NEW DINING CAR SERVICE

Reading lines

ATLANTIC CITY OCEAN CITY WILDWOOD CAPE MAY

DEC 5 1927

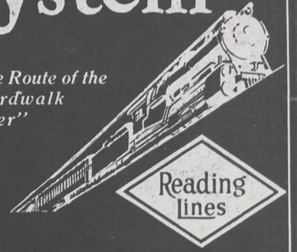
Effective September 25, 1927

Subject to Change

C.R.R.-1

Reading Railway System

"The Route of the Boardwalk Flyer"



Reading lines

Seashore Time Tables

TT 7 (63-A) 9-19-27 25M

Printed in U. S. A.

ATLANTIC CITY TO PHILADELPHIA - NORTHBOUND

WEEKDAYS	SUNDAYS	INFORMATION

PHILADELPHIA TO ATLANTIC CITY - SOUTHBOUND

WEEKDAYS	SUNDAYS

PHILADELPHIA TO ATLANTIC CITY - SOUTHBOUND

STATIONS	WEEKDAYS																											SUNDAYS																									
	51	1	41	5	9	11	55	15	37	45	21	47	25	461	27	65	29	69	33	77		1	179	141	5	9	55	13	145	121	455	29	69	33	77																	
	★					Sat. only							★									Exc'n																																		
Miles	Philadelphia [LEAVE	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	AM	AM	AM	PM	PM	PM	PM	PM	PM	PM	PM	PM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM	AM
	Chestnut Street	5.00	5.10	8.00	9.00	11.20	1*00	1.00	2.00	4.00	4.25	5.00	5.00	5.20	5.40	6.00	6.30	8.30	9.45	11.40	11.40	5.10	8.00	8.00	9.00	11.20	1.00	2.00	3.00	5.00	5.00	8.00	8.30	9.45	11.40	11.40																	
	South Street	. .	. .	8.00	9.00	11.20	1*00	1.00	2.00	4.00	4.15	5.00	5.00	5.15	5.30	6.00	6.30	8.30	9.45	. .	. .	. .	8.00	8.00	9.00	11.20	1.00	2.00	3.00	5.00	5.00	8.00	8.30	9.45	. .	. .																	
0.0	Camden	5.10	5.22	8.14	9.10	11.30	1*10	1.12	2.10	4.10	4.31	5.10	5.12	5.30	5.53	6.10	6.42	8.40	9.57	11.50	11.52	5.22	8.11	8.12	9.10	11.30	1.12	2.10	3.12	5.10	5.12	8.40	9.57	11.50	11.52																	
1.8	Ship Yard	5.12	. .	8.18	. .	. .	. .	1.16	. .	. .	. .	. .	5.16	. .	. .	. .	6.46	. .	10.01	. .	11.56	. .	. .	8.16	. .	. .	1.16	. .	3.15	. .	5.16	. .	10.01	. .	11.56																	
3.1	West Collingswood	5.17	. .	8.22	. .	. .	. .	1.20	. .	. .	. .	. .	5.19	. .	6.02	. .	6.50	. .	10.05	. .	12.00	. .	. .	8.20	. .	. .	1.20	. .	3.20	. .	5.19	. .	10.05	. .	12.00																	
3.9	Oaklyn	. .	. .	8.24	. .	. .	. .	1.22	. .	. .	. .	. .	. .	. .	6.04	. .	6.52	. .	10.07	. .	12.02	. .	. .	8.22	. .	. .	1.22	. .	3.22	. .	5.21	. .	10.07	. .	12.02																	
4.4	Audubon	5.21	. .	8.26	. .	. .	. .	1.25	. .	. .	. .	. .	5.23	. .	6.06	. .	6.54	. .	10.09	. .	12.04	. .	. .	8.24	. .	. .	1.25	. .	3.24	. .	5.23	. .	10.09	. .	12.04																	
4.9	Orston	. .	. .	8.29	. .	. .	. .	1.27	. .	. .	. .	. .	5.26	. .	6.08	. .	6.56	. .	10.11	. .	12.06	. .	. .	8.26	. .	. .	1.27	. .	3.26	. .	5.26	. .	10.11	. .	12.06																	
5.5	Haddon Heights	5.23	. .	8.31	. .	. .	. .	1.29	. .	. .	. .	. .	5.27	. .	6.11	. .	6.58	. .	10.13	. .	12.08	8.20	. .	8.28	. .	. .	1.29	. .	3.28	. .	5.27	. .	10.13	. .	12.08																	
5.8	Barrington	. .	. .	8.33	. .	. .	. .	1.31	. .	. .	. .	. .	5.29	. .	6.13	. .	7.00	. .	10.15	. .	12.10	. .	. .	8.30	. .	. .	1.31	. .	3.30	. .	5.29	. .	10.15	. .	12.10																	
6.9	Lawnside	. .	. .	8.35	. .	. .	. .	f1.33	. .	. .	. .	. .	. .	. .	. .	. .	7.02	. .	10.17	. .	12.12	. .	. .	8.32	. .	. .	f1.33	. .	3.32	. .	. .	. .	10.17	. .	12.12																	
7.8	Magnolia	5.26	. .	8.38	. .	. .	. .	1.36	. .	. .	4.44	. .	5.33	. .	c4.20	. .	7.05	. .	10.20	. .	12.15	. .	. .	8.34	. .	. .	1.36	. .	3.35	. .	5.33	. .	10.20	. .	12.15																	
8.9	Somerdale	. .	. .	8.41	. .	. .	. .	f1.39	. .	. .	. .	. .	. .	. .	. .	. .	7.08	. .	10.23	. .	12.18	. .	. .	8.36	. .	. .	f1.39	. .	3.38	. .	. .	. .	10.23	. .	12.18																	
9.9	Stratford	5.36	. .	8.44	. .	. .	. .	1.41	. .	. .	4.47	. .	5.37	. .	. .	. .	7.11	. .	10.25	. .	12.21	. .	. .	8.38	. .	. .	1.41	. .	3.40	. .	5.36	. .	10.25	. .	12.21																	
10.6	Laurel Springs	5.38	. .	8.47	. .	. .	. .	1.43	. .	. .	4.49	. .	5.39	. .	. .	. .	7.13	. .	10.27	. .	12.23	. .	. .	8.40	. .	. .	1.43	. .	3.42	. .	5.38	. .	10.27	. .	12.23																	
11.1	Garden Lake	. .	. .	f8.49	. .	. .	. .	f1.45	. .	. .	f4.51	. .	f5.41	. .	. .	. .	7.15	. .	10.29	. .	12.25	. .	. .	8.42	. .	. .	f1.45	. .	f3.44	. .	. .	. .	10.29	. .	12.25																	
12.0	Clementon	5.42	. .	8.53	. .	. .	. .	1.47	. .	. .	4.55	. .	5.43	. .	c4.30	. .	7.17	. .	10.31	. .	12.27	. .	. .	8.44	. .	. .	1.47	. .	3.46	. .	5.40	. .	10.31	. .	12.27																	
13.4	Pine Valley	5.45	. .	8.55	. .	. .	. .	f1.49	. .	. .	d4.57	. .	f5.46	. .	. .	. .	7.20	. .	10.33	. .	12.30	. .	. .	8.46	. .	. .	f1.49	. .	f3.48	. .	f5.42	. .	10.33	. .	12.30																	
14.7	Albion	. .	. .	8.58	. .	. .	. .	f1.52	. .	. .	f5.00	. .	f5.49	. .	. .	. .	7.23	. .	10.37	. .	12.33	. .	. .	8.49	. .	. .	f1.52	. .	f3.52	. .	f5.45	. .	10.37	. .	12.33																	
15.0	Penbryn	. .	. .	9.01	. .	. .	. .	f1.55	. .	. .	f5.03	. .	f5.52	. .	. .	. .	7.25	. .	10.39	. .	12.36	. .	. .	8.51	. .	. .	f1.55	. .	f3.54	. .	. .	. .	10.39	. .	12.36																	
15.8	Williamstown Junction	5.53	. .	9.05	. .	. .	. .	1.59	. .	. .	5.07	. .	6.01	. .	6.40	. .	7.29	. .	10.42	. .	12.40	. .	. .	8.54	. .	. .	1.59	. .	3.56	. .	5.49	. .	10.42	. .	12.40																	
16.3	Florence	. .	. .	f9.08	. .	. .	. .	f2.01	. .	. .	f5.10	. .	f6.03	. .	f6.42	. .	f7.31	. .	10.45	. .	f12.43	. .	. .	8.57	. .	. .	f2.01	. .	f3.59	. .	. .	. .	10.45	. .	f12.43																	
16.9	Cedar Brook	5.57	. .	9.11	. .	. .	. .	2.03	. .	. .	5.14	. .	6.07	. .	6.44	. .	7.34	. .	10.48	. .	12.46	. .	. .	9.00	. .	. .	2.03	. .	4.02	. .	5.53	. .	10.48	. .	12.46																	
17.1	Braddock	6.00	. .	9.15	. .	. .	. .	f2.06	. .	. .	f5.17	. .	f6.10	. .	f6.46	. .	f7.37	. .	10.51	. .	f12.49	. .	. .	9.03	. .	. .	f2.06	. .	f4.05	. .	f5.56	. .	10.51	. .	f12.49																	
17.9	Blue Anchor	. .	. .	9.18	. .	. .	. .	f2.07	. .	. .	. .	. .	f6.10	. .	f6.48	. .	f7.40	. .	10.54	. .	f12.52	. .	. .	9.06	. .	. .	f2.07	. .	f4.08	. .	f5.59	. .	10.54	. .	f12.52																	
18.5	Winslow Junction {Ar.	6.08	. .	9.23	. .	. .	. .	2.14	2.37	. .	5.19	. .	6.14	. .	6.53	. .	7.46	. .	11.00	. .	12.58	. .	. .	9.11	. .	. .	2.14	2.37	4.16	5.40	6.06	. .	11.00	. .	12.58																	
	{Lv.	AM		9.39			PM	2.37		5.10		6.14		PM			PM		11.15		1.15			9.11			PM	2.37	4.16	5.40	PM		11.15		1.15																	
19.0	Rosedale	. .	. .	f9.42	. .	. .	. .	. .	. .	. .	. .	. .	f6.17	. .	. .	. .	. .	. .	f11.18	. .	f1.20	. .	. .	9.14	. .	. .	. .	. .	f4.19	. .	. .	. .	f11.18	. .	f1.20																	
19.5	Hammonton	. .	5.57	9.45	9.42	12.03	1*42	. .	2.42	. .	5.15	. .	6.20	6.03	. .	6.45	. .	9.15	11.22	12.25	1.25	5.57	. .	9.16	9.42	12.03	. .	2.42	4.22	5.45	. .	9.15	11.22	12.25	1.25																	
19.9	Barnard	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	P M	. .	A M	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	P M	. .	A M																	
20.7	Da Costa	. .	. .	f9.49	. .	. .	. .	. .	. .	. .	. .	. .	f6.24	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	f9.20	. .	. .	. .	. .	f4.26	. .	. .	. .	. .	. .	. .																	
20.6	Colwell	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
22.6	Woodland	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
23.7	Elwood	. .	6.10	10.05	9.55	12.17	1*56	. .	2.56	. .	5.30	. .	6.40	6.17	. .	6.58	. .	9.38	. .	12.38	. .	6.10	. .	9.33	9.55	12.17	. .	2.56	4.41	5.58	. .	9.38	. .	12.38	. .																	
24.4	Cologne	. .	. .	10.09	. .	. .	. .	. .	. .	. .	. .	. .	f6.44	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	9.37	. .	. .	. .	. .	f4.45	. .	. .	. .	. .	. .	. .																	
25.5	Brigantine Junction	. .	. .	f10.11	. .	. .	. .	. .	. .	. .	. .	. .	f6.48	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	9.40	. .	. .	. .	. .	f4.49	. .	. .	. .	. .	. .	. .																	
25.7	Pleasantville Terrace	. .	. .	f10.15	. .	. .	. .	. .	. .	. .	. .	. .	f6.53	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	9.44	. .	. .	. .	. .	f4.53	. .	. .	. .	. .	. .	. .																	
25.6	Farmington	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
25.8	Greenwood	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
25.5	Pleasantville	. .	6.24	10.20	. .	12.31	2*08	. .	d3.10	. .	5.45	. .	6.59	d6.31	. .	7.12	. .	9.40	. .	12.50	. .	6.24	. .	9.48	. .	12.31	. .	d3.10	4.59	d6.12	. .	9.40	. .	12.50	. .																	
25.5	Atlantic City Station	. .	6.35	10.30	10.15	12.40	2*18	. .	3.20	5.07	5.55	6.07	7.00	6.40	. .	7.30	. .	9.50	. .	1.00	. .	6.35	9.20	9.56	10.15	12.40	. .	3.20	5.06	6.30	. .	9.50	. .	1.00	. .																	
25.9	South Carolina Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
26.1	Virginia Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
26.3	Delaware Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
26.5	Massachusetts Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																	
	[ARRIVE		AM	AM	AM	PM	PM		PM	PM	PM	PM	PM	PM	PM		PM		PM		A M	A M	A M	A M	A M	P M	P M	P M	P M	P M		A M		A M																	

For Complete Service between Philadelphia and Williamstown Junction, See Separate Time Table
Additional Trains between Philadelphia and Winslow Junction shown on Cape May Division

ATLANTIC CITY TO PHILADELPHIA - NORTHBOUND

STATIONS	WEEKDAYS																				SUNDAYS																													
	50	52	40	54	6	8	10	14	18	462	20	22	64	24	46	28	34	38			52	140	116	450	118	22	64	24	146	176	128	34	38																		
		★		★		★																								Exc'n																		
Miles	Atlantic City [LEAVE	A M	AM	A M	A M	A M	A M	A M	A M	A M	A M	A M	A M	A M	P M	P M	P M	P M	P M	P M	P M	A M	A M	A M	A M	A M	P M	P M	P M	P M	P M	P M	P M																		
.0	Massachusetts Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
.2	Delaware Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
.4	Virginia Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
.6	South Carolina Ave.	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
1.0	Atlantic City Station	. .	. .	5.25	. .	7.00	7.15	7.40	8.10	9.00	. .	11.30	2.30	. .	4.00	4.02	6.00	8.00	11.00	. .	. .	7.15	8.30	. .	10.00	2.30	. .	4.00	3.20	5.20	6.00	8.00	11.00																		
6.0	Pleasantville	. .	. .	5.34	. .	m	7.23	. .	. .	9.08	. .	. .	2.38	. .	. .	4.12	d6.08	. .	. .	. .	. .	7.25	. .	. .	. .	2.38	. .	. .	3.31	. .	d6.07	. .	. .																		
6.7	Greenwood	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
7.9	Farmington	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
8.8	Pleasantville Terrace	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	4.17	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	f3.36	. .	. .	. .	. .	. .																		
13.0	Brigantine Junction	. .	. .	5.45	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	4.23	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	f3.41	. .	. .	. .	. .	. .																		
15.1	Cologne	. .	. .	5.48	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	4.25	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	3.44	. .	. .	. .	. .	. .																		
17.9	Egg Harbor	. .	. .	5.53	. .	m	7.36	. .	. .	9.22	. .	11.50	2.52	. .	4.19	4.36	6.22	8.19	11.20	. .	. .	7.43	8.49	. .	10.19	2.52	. .	4.19	3.49	. .	. .	8.19	11.20																		
22.8	Elwood	. .	. .	f6.01	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	4.44	. .	. .	. .	. .	. .	. .	7.51	. .	. .	. .	. .	. .	3.57	. .	. .	. .	. .	. .																		
23.9	Woodland	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
25.9	Colwell	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
26.8	Da Costa	. .	. .	f6.08	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	f4.50	. .	. .	. .	. .	. .	f7.59	. .	. .	. .	. .	. .	f4.02	. .	. .	. .	. .	. .																		
27.5	Barnard	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .																		
29.0	Hammonton	5.00	5.35	6.11	. .	7.27	7.49	m	. .	9.36	. .	12.02	3.06	. .	4.31	4.55	6.35	8.31	11.35	. .	. .	5.35	7.59	9.00	. .	10.31	3.00	. .	4.31	4.00	. .	6.31	8.31	11.32																		
30.5	Rosedale	f5.03	f5.38	f6.14	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	f4.58	. .	. .	. .	. .	. .	. .	f5.38	f8.01	. .	. .	. .	. .	. .	f4.08	. .	. .	. .	. .																		
32.0	Winslow Junction {Ar.	5.06	5.41	6.17	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	. .	5.03	6.40	. .	. .	. .	. .	5.41	8.06	. .	. .	. .	. .	. .	4.12	. .	. .	. .	. .																		
	{Lv.	5.06	5.41	6.17	6.42	. .	. .	. .	. .	9.15	. .	2.40	. .	5.20	6.40	. .	. .	. .	. .	. .	. .	5.41	8.06	. .	9.44	. .	. .	2.40	4.12	. .	. .	. .	. .																		
34.6	Blue Anchor	f5.09	f5.44	f6.20	f6.46	. .	. .	. .	. .	f9.19	. .	f2.45	. .	f5.30	. .	. .	. .	. .	. .	. .	. .	f5.44	f8.11	. .	f9.47	. .	. .	f2.45	f4.16	. .	. .	. .	. .																		
35.4	Braddock	f5.11	f5.46	f6.22	f6.48	. .	. .	. .	. .	f9.21	. .	f2.48	. .	f5.32	. .	. .	. .	. .	. .	. .	. .	f5.46	f8.13	. .	f9.49	. .	. .	f2.48	f4.18	. .	. .	. .	. .																		
36.6	Cedar Brook	5.14	5.49	6.25	6.51	. .	. .	. .	. .	9.24	. .	2.50	. .	5.34	. .	. .	. .	. .	. .	. .	. .	5.49	8.16	. .	9.52	. .	. .	2.50	4.21	. .	. .	. .	. .																		
38.2	Florence	f5.17	f5.52	f6.27	f6.53	. .	. .	. .	. .	f9.27	. .	f2.54	. .	f5.37	. .	. .	. .	. .	. .	. .	. .	f5.52	f8.19	. .	f9.55	. .	. .	f2.54	f4.24	. .	. .	. .	. .																		
39.7	Williamstown Junction	5.20	5.55	6.30	6.56	. .	. .	. .	. .	9.31	. .	2.57	. .	5.41	. .	. .	. .	. .	. .	. .	. .	5.55	8.27	. .	9.58	. .	. .	2.57	4.28	. .	. .	. .	. .																		
40.5	Penbryn	f5.22	f5.57	f6.32	f6.58	. .	. .	"WILLIAM PENN EXPRESS"	. .	f9.33	. .	f2.59	. .	f5.43	. .	. .	. .	. .	. .	. .	. .	f5.57	f8.30	. .	f10.00	. .	. .	f2.59	f4.30	. .	. .	. .	. .																		
41.8	Ablon	f5.25	f6.00	f6.34	f7.00	. .	. .	. .	. .	f9.35	. .	f3.01	. .	f5.45	. .	. .	. .	. .	. .	. .	. .	f6.00	f8.33	. .	f10.02	. .	. .	f3.01	f4.32	. .	. .	. .	. .																		
43.1	Pine Valley	f5.27	f6.02	f6.36	f7.02	. .	. .	. .	. .	f9.37	. .	f3.03	. .	f5.47	. .	. .	. .	. .	. .	. .	. .	f6.02	f8.35	. .	f10.04	. .	. .	f3.03	f4.34	. .	. .	. .	. .																		
44.5	Clementon	5.30	6.05	6.39	7.05	. .	. .	. .	. .	9.40	. .	3.06	. .	5.49	. .	. .	. .	. .	. .	. .	. .	6.05	8.39	. .	10.07	. .	. .	3.05	4.36	. .	. .	. .	. .																		
45.4	Garden Lake	f5.32	f6.07	f6.41	f7.07	. .	. .	. .	. .	f9.42	. .	f3.07	. .	f5.51	. .	. .	. .	. .	. .	. .	. .	f6.07	f8.41	. .	f10.10	. .	. .	f3.07	f4.38	. .	. .	. .	. .																		
45.9	Laurel Springs	5.34	6.10	6.43	7.09	. .	. .	. .	. .	9.44	. .	3.09	. .	5.53	. .	. .	. .	. .	. .	. .	. .	6.10	8.43	. .	10.12	. .	. .	3.09	4.40	. .	. .	. .	. .																		
46.6	Stratford	5.36	6.12	6.45	7.11	. .	. .	. .	. .	9.47	. .	3.11	. .	5.55	. .	. .	. .	. .	. .	. .	. .	6.12	8.45	. .	10.14	. .	. .	3.11	4.42	. .	. .	. .	. .																		
47.6	Somerdale	f5.38	f6.15	f6.47	f7.13	. .	. .	. .	. .	f9.49	. .	f3.13	. .	f5.57	. .	. .	. .	. .	. .	. .	. .	f6.15	f8.48	. .	f10.17	. .	. .	f3.13	f4.45	. .	. .	. .	. .																		
48.7	Magnolia	5.42	6.19	6.49	7.16	. .	. .	. .	. .	9.51	. .	3.16	. .	6.00	. .	. .	. .	. .	. .	. .	. .	6.19	8.51	. .	10.20	. .	. .	3.16	4.48	. .	. .	. .	. .																		
49.6	Lawnside	f5.45	f6.22	. .	f7.18	. .	. .	. .	. .	f9.58	. .	f3.22	. .	f6.03	. .	. .	. .	. .	. .	. .	. .	f6.22	f8.54	. .	f10.22	. .	. .	f3.22	f4.50	. .	. .	. .	. .																		
50.2	Barrington	5.47	6.24	6.53	7.20	. .	. .	. .	. .	9.55	. .	3.26	. .	6.05	. .	. .	. .	. .	. .	. .	. .	6.24	8.56	. .	10.25	. .	. .	3.26	4.52	. .	. .	. .	. .																		
51.0	Haddon Heights	5.50	6.27	6.55	7.22	. .	. .	. .	. .	9.57	. .	3.28	. .	6.06	. .	. .	. .	. .	. .	o11.58	. .	6.27	8.58	. .	10.27	. .	. .	3.28	4.55	o6.17	. .	. .	o11.58																		
51.6	Orston	5.52	6.29	6.57	7.24	. .	. .	. .	. .	9.59	. .	3.30	. .	6.10	. .	Parlor Car	. .	. .	. .	. .	. .	6.29	9.00	. .	10.29	. .	. .	3.30	4.57	. .	. .	. .	. .																		
52.1	Audubon	5.54	6.31	6.59	7.26	. .	. .	. .	. .	10.01	. .	3.32	. .	6.12	. .	Parlor Car	. .	. .	. .	. .	. .	6.31	9.02	. .	10.31	. .	. .	3.32	4.59	. .	. .	. .	. .																		
52.6	Oaklyn	5.57	6.34	7.01	7.28	. .	. .	. .	. .	10.03	. .	3.34	. .	6.14	. .	Parlor Car	. .	. .	. .	. .	. .	6.34	9.04	. .	10.33	. .	. .	3.34	5.01	. .	. .	. .	. .																		
53.4	West Collingswood	5.59	6.36	7.03	7.30	. .	. .	. .	. .	10.05	. .	3.36	. .	6.16	. .	Parlor Car	. .	. .	. .	. .	. .	6.36	9.07	. .	10.35	. .	. .	3.36	5.03	. .	. .	. .	. .																		
55.2	Ship Yard	6.02	6.39	7.06	7.33	. .	. .	. .	. .	10.10	. .	3.41	. .	6.21	. .	Parlor Car	. .	. .	. .	. .	. .	6.39	9.11	. .	. .	. .	. .	3.41	5.08	. .	. .	. .	. .																		
56.5	Camden	6.08	6.43	7.13	7.40	7.58	8.20	8.35	9.05	10.05	10.14	12.33	3.35	6.25	7.09	9.05	12.08	. .	. .	. .	. .	6.43	9.14	9.34	10.43	11.08	3.35	5.03	5.13	6.25	7.06	9.05	12.08																		
. .	South Street	6.20	6.55	7.25	7.53	8.08	8.33	8.49	9.19	10.19	10.27	12.45	3.45	6.35	7.19	9.15	. .	. .	. .	. .	. .	6.55	9.25	9.43

Q.C. 2

READING COMPANY

ATLANTIC CITY RAILROAD CO.
CATASAUQUA & FOGELSVILLE R.R.CO.
THE GETTYSBURG & HARRISBURG RY.CO.
THE NORTH EAST PENNSYLVANIA R.R.CO.

PERKIOMEN RAILROAD COMPANY
THE PHILA & CHESTER VALLEY R.R.CO.
THE PHILA.NEWTOWN & NEW YORK R.R.CO.
PICKERING VALLEY RAILROAD CO.

THE PORT READING RAILROAD CO.
READING & COLUMBIA R.R.CO.
STONY CREEK RAILROAD CO.
THE WILLIAMS VALLEY RAILROAD CO.

PASSENGER TRAFFIC DEPARTMENT
OFFICE OF THE DISTRICT PASSENGER AGENT
1341 CHESTNUT STREET
PHILADELPHIA

STATEMENT OF FARES BETWEEN CAMDEN, N.J. AND FOLLOWING POINTS.

	One-way	10-trip	20-trip	46-trip	50-trip	60-trip	150-trip
ammonton,N.J.	$1.05	$7.59	---	$11.82	$20.86	$15.39	----
gg Harbor,N.J.	1.44	10.52	---	15.18	28.91	19.74	----
leasantville,N.J.	1.88	---	---	18.82	----	24.50	----
tlantic City,N.J.	2.06#	---	$30.00	20.26	----	26.40	$100.00

Between Camden, N.J. and Atlantic City, N.J. 17-day excursion ticket is issued at $3.60.

During the summer months one-day special excursion tickets are issued daily between Camden, N.J. and Atlantic City, N.J. at $1.50. During balance of year these special one-day excursion tickets are issued on Sundays only - fare $1.50.

Exhibit No._____

Witness_____

ATLANTIC CITY RAILROAD COMPANY

COMPARATIVE INCOME ACCOUNT

FOR SEVEN YEARS ENDED DECEMBER 31, 1927

ITEM	Year ended December 31.						
	1921	1922	1923	1924	1925	1926	1927
RAY OPERATING REVENUES:							
Freight revenue	$1,375,079.81	$1,460,508.09	$1,511,029.65	$1,501,223.09	$1,603,520.52	$1,667,965.97	$1,545,324.73
Passenger revenue	3,132,212.23	3,007,223.37	3,144,961.79	3,017,305.48	3,231,597.66	2,864,045.64	2,429,554.28
All other revenue	108,555.89	159,020.85	134,628.05	228,749.18	208,329.53	264,802.03	230,964.66
Total Railway Operating Revenues	$4,615,847.93	$4,626,752.31	$4,860,619.49	$4,747,277.75	$5,043,447.71	$4,796,784.64	$4,205,843.67
RAY OPERATING EXPENSES:							
Maintenance of way and structures	$ 757,252.35	$ 802,526.11	$1,048,362.57	$1,317,817.35	$1,034,038.70	$ 988,831.26	$ 939,518.84
Maintenance of equipment	613,327.24	450,173.32	493,554.65	378,704.87	447,198.89	389,679.73	348,823.80
Traffic	45,506.01	77,585.65	71,726.88	95,135.19	86,811.40	83,566.51	87,197.33
Transportation rail line	2,473,930.25	2,705,533.85	2,614,568.18	2,440,301.87	2,506,008.71	2,369,181.92	2,388,771.64
Miscellaneous operations	1,307.63	2,199.59	1,954.93	2,361.23	2,868.04	3,840.60	2,501.45
General	44,894.38	59,652.77	61,468.93	66,082.90	65,312.44	77,454.61	77,163.45
Transportation for investment-Cr.	367.91	4,317.80	1,928.73	1,297.25	1,375.27	1,227.76	1,077.52
Total Railway Operating Expenses	$ 3,945,848.93	$4,093,353.49	$4,289,807.41	$4,299,096.16	$4,140,562.93	$3,911,366.87	$3,840,588.99
Net Revenue from Railway Operations	$ 669,999.00	$ 533,398.82	$ 560,812.08	$ 448,181.59	$ 902,884.78	$ 885,417.77	$ 365,254.68
Railway tax accruals	$ 228,722.80	$ 237,534.73	$ 237,545.36	$ 270,828.47	$ 302,305.36	$ 390,707.45	$ 448,394.06
Uncollectible railway revenues	99.71	3,577.36	565.99	347.67	20.53	104.52	138.69
Railway Operating Income	$ 441,176.49	$ 292,286.73	$ 322,700.73	$ 177,005.45	$ 600,558.89	$ 494,605.80	$ 83,278.06
Equipment rent-Net	$ 407,430.70	$ 515,544.20	$ 515,262.44	$ 369,464.23	$ 414,755.94	$ 420,927.59	$ 399,157.66
Joint facility rents-Net	30,650.90	40,580.92	41,660.49	35,358.79	35,661.78	40,928.50	41,006.78
NET RAILWAY OPERATING INCOME	$ 54,396.69	$ 182,576.55	$ 150,901.22	$ 157,099.99	$ 222,464.73	$ 114,606.71	$ 441,429.94
PERATING INCOME:							
Income from lease of road	$ 24,328.82	$ 568.73	-	-	-	-	-
Miscellaneous rent income	1,391.81	1,630.57	$ 6,371.19	$ 8,199.86	$ 13,070.31	$ 17,507.03	$ 21,087.49
Miscellaneous nonoperating physical property	6,555.78	5,344.81	2,101.49	6,927.05	10,667.48	23,420.97	35,318.59
Income from unfunded securities and accounts	9,069.88	6,167.11	16,216.42	17,174.97	10,232.98	14,573.03	38,176.64
Miscellaneous income	771.09	280.16	408.43	504.73	304.10	409.20	169.30
Total Nonoperating Income	$ 6,540.26	$ 12,853.92	$ 25,097.53	$ 32,806.61	$ 34,274.87	$ 55,910.23	$ 94,752.02
Gross Income	$ 57,856.43	$ 169,822.63	$ 125,803.69	$ 124,293.38	$ 255,759.60	$ 170,516.94	$ 346,677.92
EDUCTIONS FROM GROSS INCOME:							
Miscellaneous rents	-	-	-	-	$ 1,216.00	$ 1,812.00	$ 1,692.00
Miscellaneous tax accruals	$ 3,753.09	$ 3,199.77	$ 5,431.80	$ 7,012.20	5,037.83	10,300.87	21,742.59
Interest on funded debt	303,470.98	255,219.85	217,055.00	217,055.00	362,832.77	377,055.00	377,055.00
Interest on unfunded debt	1,325.32	12,515.07	11,591.33	11,342.64	11,339.32	11,278.13	13,002.50
Amortization of discount on funded debt	9,760.44	9,760.44	9,750.44	9,760.44	9,760.44	9,760.44	9,760.44
Miscellaneous income charges	7,035.30	1,970.00	1,844.30	1,807.75	1,785.70	1,740.21	1,581.50
Total Deductions from Gross Income	$ 325,355.13	$ 282,665.13	$ 245,682.87	$ 246,978.03	$ 391,972.06	$ 411,946.65	$ 424,834.03
NET INCOME	$ 267,498.70	$ 452,487.76	$ 371,486.56	$ 371,271.41	$ 135,232.46	$ 241,429.71	$ 771,511.95

ffice of Comptroller,
ebruary 28th, 1928.

Exhibit No. AC 5

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF INVESTMENT IN ROAD AND EQUIPMENT
AND MISCELLANEOUS PHYSICAL PROPERTY AS
OF DECEMBER 31, 1927

Account		
701	Investment in road and equipment.....	$15,379,521.01
705	Miscellaneous physical property.....	1,558,795.92
		$16,938,316.93

Office of Comptroller,
January 28th, 1928.

Exhibit No. AC 6

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF ADDITIONS AND BETTERMENTS, TAX ASSESSMENTS, AND DEFICITS FOR 10 YEARS ENDED DECEMBER 31, 1927

Year ended December 31st	Additions and Betterments	TAX ASSESSMENTS				Deficit
		U. S. Government	State of New Jersey		Total	
			State	Municipalities		
1918	$ 45,219.72	$ 1,972.75	$ 140,871.32	$ 5,056.91	$ 147,900.98	$ 145,601.89
1919	88,964.18	3,167.80	171,945.26	5,314.62	180,427.68	112,049.38
1920	153,332.10	1,912.44	176,582.56	4,849.13	183,344.13	185,238.63
1921	177,819.00	2,378.92	226,330.42	6,155.47	234,864.81	267,498.70
1922	435,170.01	1,970.00	232,270.59	8,463.91	242,704.50	452,487.76
1923	464,441.09	1,844.30	234,398.18	8,588.80	244,831.28	371,486.56
1924	4,108,452.81	1,807.75	268,432.65	9,408.02	279,648.42	371,271.41
1925	409,098.37	1,785.70	297,126.46	10,116.73	309,028.89	135,232.46
1926	929,313.91	1,740.21	386,946.64	14,061.68	402,748.53	241,429.71
1927	597,090.15	1,596.00	444,419.89	25,726.75	471,741.64	771,511.95
TOTAL	$7,408,901.34	$20,174.87	$2,579,323.97	$97,742.02	$2,697,240.86	$3,053,808.45

Office of Comptroller,
January 28, 1928.

116

Exhibit No. AC 7

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF AMOUNTS DUE READING COMPANY FOR ADVANCES

Balance as of December 31,

1917	$1,913,027.97
1918	2,054,398.55
1919	2,459,147.70
1920	1,982,231.69
1921	1,980,723.26
1922	3,944,660.78
1923	5,015,867.14
1924	*8,345,025.88
1925	6,890,265.30
1926	8,008,875.70
1927	9,721,417.72

* Increase due principally to advances account of New Camden Terminal. In 1925 Atlantic City Railroad Company issued $3,200,000.00 of bonds, interest rate 5%, to Reading Company, which amount was credited this account. Atlantic City Railroad has paid only $80,000.00 of the interest due, of $480,000.00, leaving $400,000.00 unpaid.

Office of Comptroller,
January 28th, 1928

Exhibit No. AC 8

Witness

ATLANTIC CITY RAILROAD COMPANY

VALUE OF EXCESS EQUIPMENT REQUIRED DURING JULY AND AUGUST OVER OTHER PERIODS OF YEAR.

19 Locomotives	$ 979,225.00
54 Steel coaches	1,107,000.00
10 Steel combination	198,000.00
12 Steel underframe	132,000.00
40 Open platform	240,000.00
	$ 2,656,225.00

Office of Comptroller,
January 28th, 1928.

Ac 9

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

FERRY BOATS IN SERVICE AS OF DECEMBER 31, 1927

Name	Date Built	Owned by Delaware River Ferry Company of New Jersey Cost	Leased from Reading Company Cost
Atlantic City	1914	$156,422.41	$ -
City of Reading	1896	73,233.67	-
Haddon Heights	1920	-	316,430.66
Ventnor	1920	-	316,497.38
Chelsea	1923	-	246,715.88
Ocean City	1923	-	246,715.88
Philadelphia	1925	-	233,750.00
Cape May	1925	-	233,750.00
TOTAL	-	$ 229,656.08	$1,593,859.80

Office of Comptroller,
January 14, 1928.

Exhibit No. A C 10

Witness

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

STATEMENT OF NET DEFICITS
FOR YEARS ENDED DECEMBER 31, 1918 TO 1927

	Amount	
1918	$ 133,805.06	
1919	57,804.61	
1920	434,081.89	
1921	401,558.02	
1922	190,781.25	
1923	108,118.44	
1924	82,871.19	
1925	87,967.52	(Income)
1926	3,960.71	(Income)
1927	161,959.96	
	$1,479,052.19	

Office of Comptroller,
January 28th, 1928.

Exhibit No. AC 11
Witness

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

STATEMENT OF AMOUNTS DUE READING COMPANY FOR ADVANCES

Balance as of December 31, 1917	$1,183,586.43
1918	1,210,929.89
1919	1,258,184.40
1920	1,603,726.67
1921	1,877,202.33
1922	2,444,468.15
1923	2,403,255.68
1924	2,408,966.17
1925	2,408,966.17
1926	2,416,460.01
1927	2,416,460.01

Office of Comptroller,
January 28th, 1928.

Exhibit ac18
Witness

THE DELAWARE RIVER FERRY COMPANY OF NEW JERSEY

STATEMENT OF AMOUNTS DUE READING COMPANY FOR ADVANCES

Balance as of December 31, 1917	$1,183,586.43
1918	1,210,929.89
1919	1,258,184.40
1920	1,603,726.67
1921	1,877,202.33
1922	2,444,468.15
1923	2,403,255.68
1924	2,408,966.17
1925	2,408,966.17
1926	2,416,460.01
1927	2,416,460.01

Office of Comptroller,
January 28th, 1928.

Exhibit No. 17

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND HADDON HEIGHTS DURING YEARS 1921 TO 1927 INCLUSIVE.

Year	One Way Tickets		10 Trip Tickets		50 & 60 Trip Tickets		Total			
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Total Trips	% (Note)	Total Revenue	% (Note)
1921	11,923	100.0	32,990	100.0	181,720	100.0	226,633	100.0	$32,986.12	100.0
1922	14,313	120.1	40,900	124.0	185,490	102.1	240,703	106.2	35,500.70	107.6
1923	16,070	134.8	48,960	148.4	225,250	124.0	290,280	128.1	42,671.04	129.4
1924	12,547	105.2	40,090	121.5	210,910	116.1	263,547	116.3	38,347.84	116.3
1925	10,870	91.2	39,320	119.2	182,240	100.3	232,430	102.6	33,982.84	103.0
1926	7,487	62.8	29,600	89.7	170,400	93.8	207,487	91.6	29,799.46	90.3
1927	3,419	28.7	13,450	40.8	116,860	64.3	133,729	59.0	18,768.56	56.9

Note: Year 1921 is used as the basic year in computing percentages.

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921

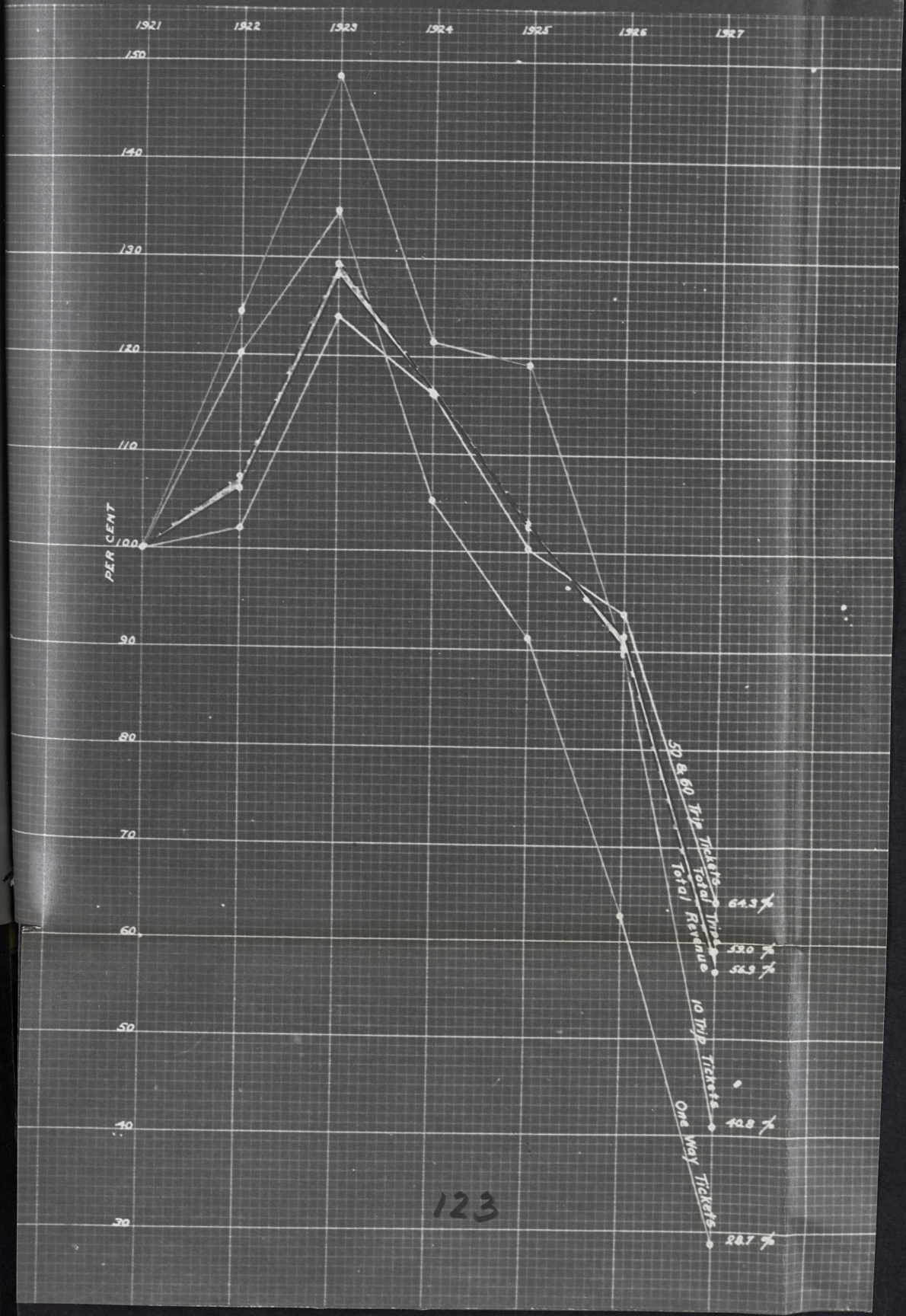


Exhibit No. 12

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND HAMMONTON DURING YEARS 1921 TO 1927 INCLUSIVE

Year	One Way Tickets		10 Trip Tickets		50 & 60 Trip Tickets		Total			
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Total Trips	% (Note)	Total Revenue	% (Note)
1921	39,159	100.0	32,480	100.0	62,300	100.0	133,939	100.0	$85,011.43	100.0
1922	39,342	100.5	30,320	93.4	57,690	92.6	127,352	95.1	81,891.54	96.3
1923	39,166	100.0	31,240	96.2	77,130	123.8	147,536	110.2	87,873.48	103.4
1924	39,724	101.4	27,910	85.9	78,230	125.6	145,864	108.9	82,990.19	97.6
1925	37,293	95.2	24,730	76.1	73,940	118.7	135,963	101.5	79,721.65	93.8
1926	35,573	90.8	21,110	65.0	80,430	129.1	137,113	102.4	76,776.51	90.3
1927	31,039	79.3	18,890	58.2	91,760	147.3	141,689	105.8	73,245.01	86.2

Note: Year 1921 is used as the basic year in computing percentages

GRAPHIC CHART OF ABOVE PERCENTAGES SHOWING TREND SINCE 1921

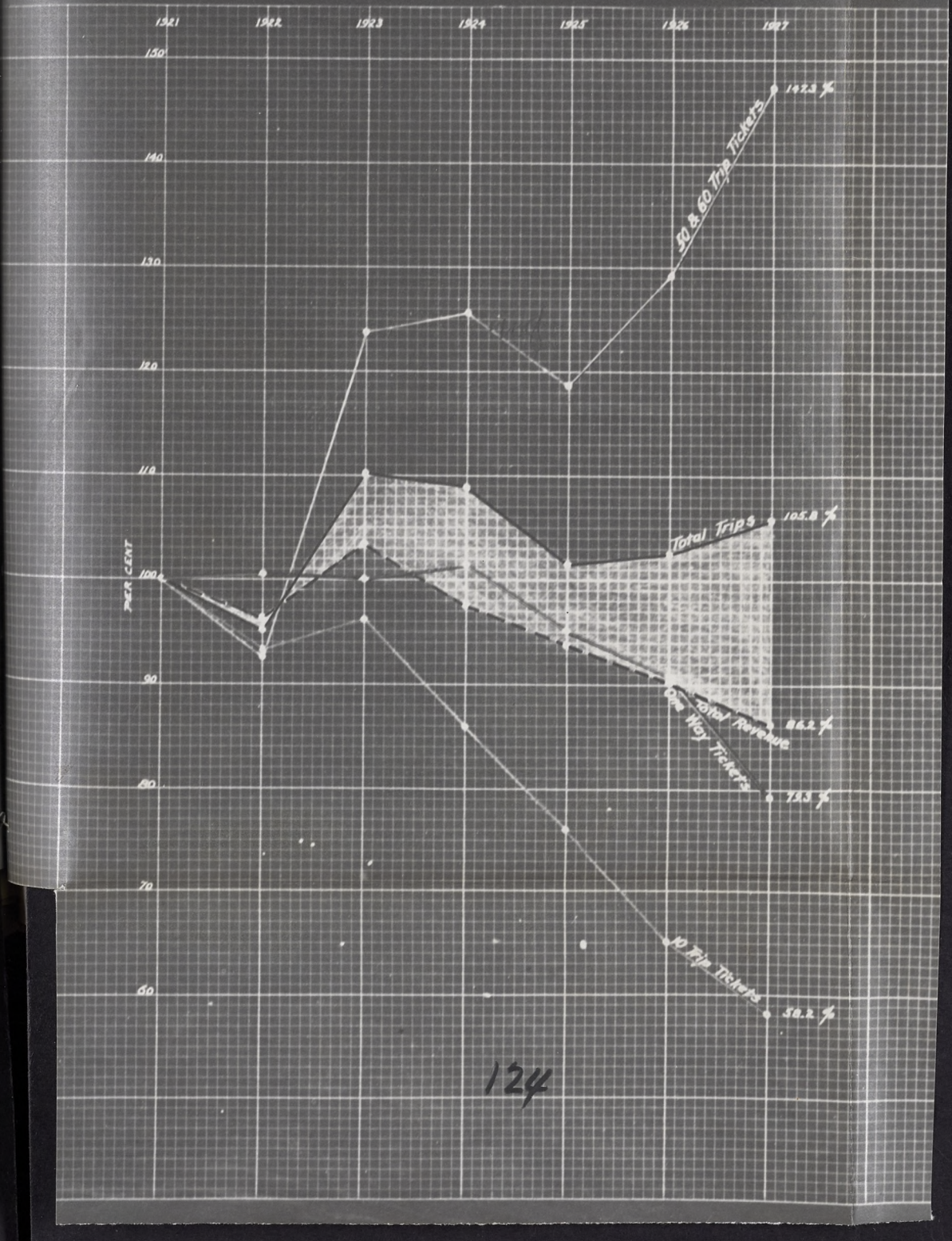


Exhibit No. [ ]

Witness A C 13

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND HAMMONTON DURING YEARS 1921 TO 1927 INCLUSIVE

Year	One Way Tickets		10 Trip Tickets		50 & 60 Trip Tickets		Total			
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Total Trips	% (Note)	Total Revenue	% (Note)
1921	39,159	100.0	32,480	100.0	62,300	100.0	133,939	100.0	$85,011.43	100.0
1922	39,342	100.5	30,320	93.4	57,690	92.6	127,352	95.1	81,891.54	96.3
1923	39,166	100.0	31,240	96.2	77,130	123.8	147,536	110.2	87,873.48	103.4
1924	39,724	101.4	27,910	85.9	78,230	125.6	145,864	108.9	82,990.19	97.6
1925	37,293	95.2	24,730	76.1	73,940	118.7	135,963	101.5	79,721.68	93.8
1926	35,573	90.8	21,110	65.0	80,430	129.1	137,113	102.4	76,776.51	90.3
1927	31,039	79.3	18,890	58.2	91,760	147.3	141,689	105.8	73,245.01	86.2

Note; Year 1921 is used as the basic year in computing percentages

GRAPHIC CHART OF ABOVE PERCENTAGES SHOWING TREND SINCE 1921

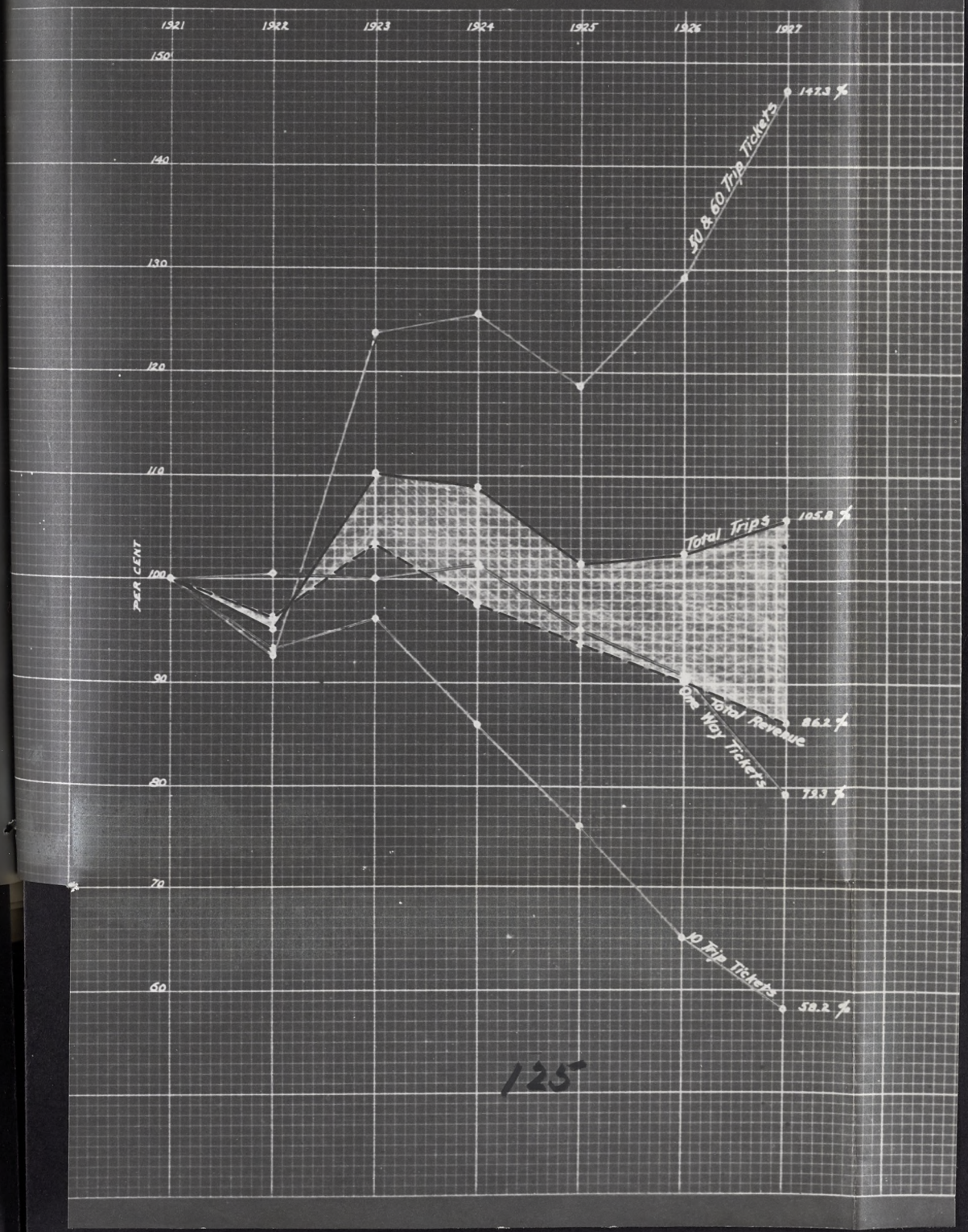


Exhibit No. 12

Witness

ATLANTIC CITY RAILROAD COMPANY

STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND EGG HARBOR DURING YEARS 1921 TO 1927 INCLUSIVE

Year	One Way Tickets		10 Trip Tickets		50 & 60 Trip Tickets		Total			
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Total Trips	% (Note)	Total Revenue	% (Note)
1921	19,984	100.0	9,140	100.0	19,880	100.0	49,004	100.0	$46,851.60	100.0
1922	20,282	101.5	8,750	95.7	17,110	86.1	46,142	94.2	45,822.05	97.8
1923	20,214	101.2	9,370	102.5	20,240	101.8	49,824	101.7	47,767.48	102.0
1924	18,863	94.4	8,830	96.6	19,830	99.8	47,523	97.0	45,704.69	97.6
1925	19,910	99.6	9,030	98.8	25,380	127.7	54,320	110.9	49,884.18	106.5
1926	17,443	87.3	7,390	80.9	26,440	133.0	51,273	104.6	44,905.32	95.9
1927	12,295	61.5	4,570	50.0	24,520	123.3	41,385	84.5	33,071.52	70.6

Note: Year 1921 is used as the basic year in computing percentages.

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921.

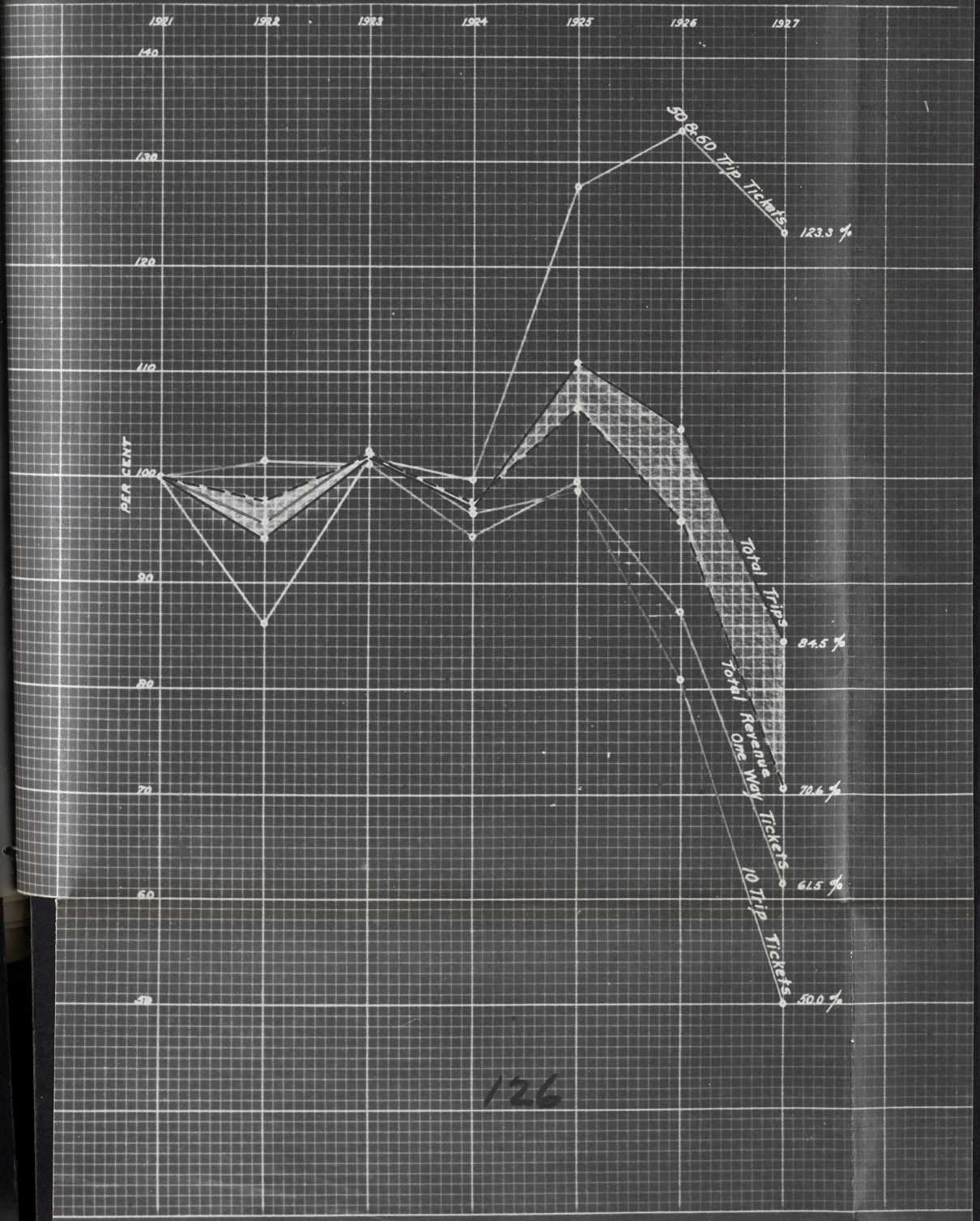


Exhibit No. NT

Witness

ATLANTIC CITY RAILROAD COMPANY

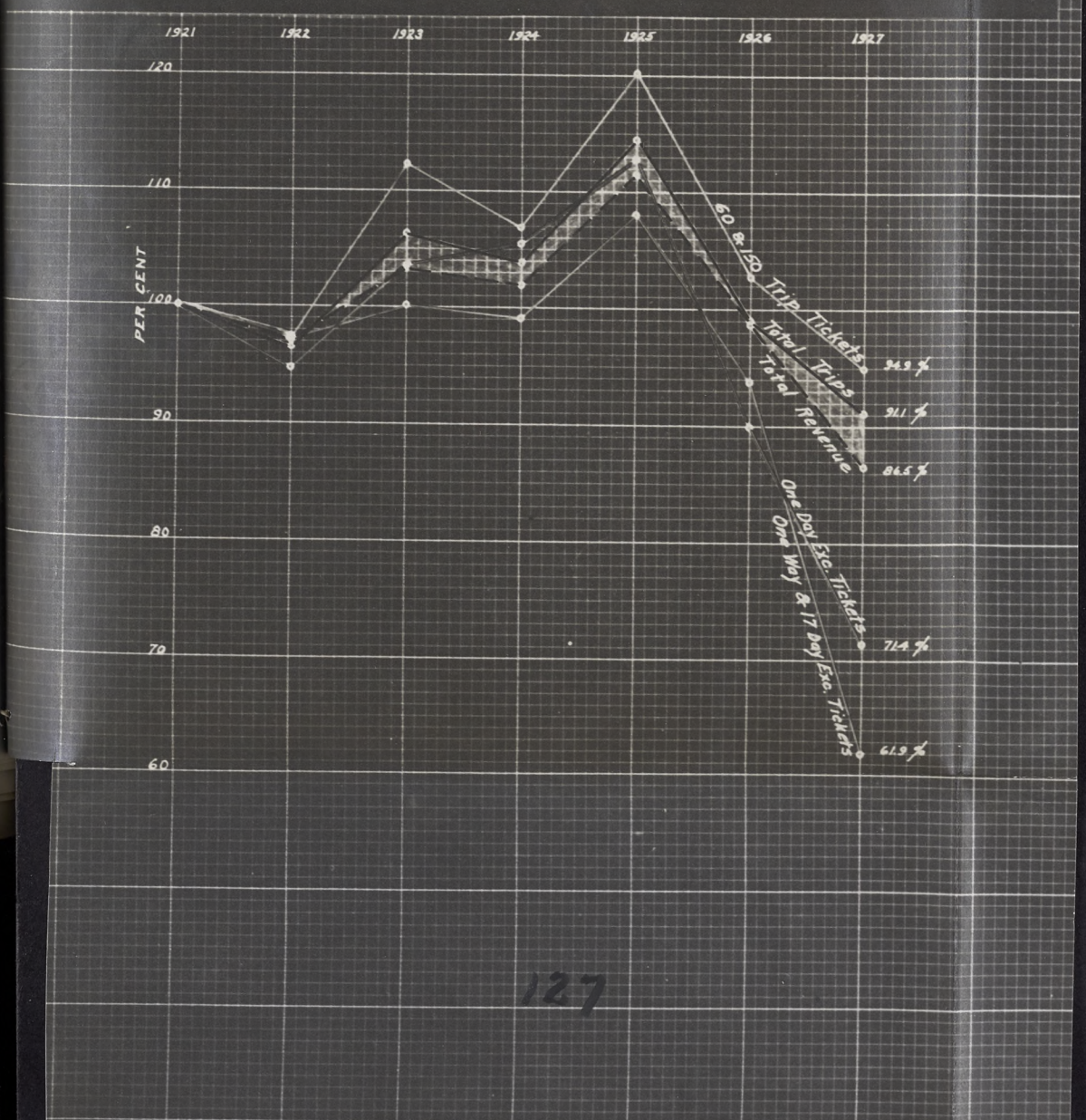
STATEMENT OF NUMBER OF TRIPS AND TOTAL REVENUE ON BASIS OF TICKETS SOLD BETWEEN PHILADELPHIA AND CAMDEN (COMBINED) AND ATLANTIC CITY DURING YEARS 1921 TO 1927 INCLUSIVE.

Year	One Way & 17 day excursion tickets		One day excursion tickets		2 day excursion tickets		20 trip tickets		60 & 150 trip tickets	
	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)	Trips	% (Note)
1921	546,835	100.0	324,410	100.0	-	-	-	-	723,930	100.0
1922	530,831	97.1	307,224	94.7	-	-	-	-	703,980	97.2
1923	547,213	100.1	335,710	103.5	-	-	-	-	813,210	112.3
1924	541,641	99.1	342,100	105.5	-	-	-	-	772,770	106.9
1925	590,311	108.0	366,004	112.8	-	-	-	-	870,150	120.2
1926	512,667	93.8	291,658	89.9	-	-	31,900A	-	744,150	102.8
1927	338,388	61.9	231,554	71.4	162,440B	-	34,020	-	687,240	94.9

Year	Total			
	Total Trips	% (Note)	Total Revenue	% (Note)
1921	1,595,175	100.0	$1,613,213.24	100.0
1922	1,542,035	96.7	1,566,548.70	97.1
1923	1,696,133	106.3	1,667,047.60	103.3
1924	1,656,511	103.9	1,644,177.62	101.9
1925	1,826,465	114.5	1,799,700.18	111.6
1926	1,580,375	99.1	1,591,705.32	98.7
1927	1,453,642	91.1	1,395,017.24	86.5

Note: Year 1921 is used as the basic year in computing percentages.
A - 20 trip ticket sales inaugurated July 27, 1926.
B - 2-day excursion tickets sold July 9, 1927 to Sept. 30, 1927

GRAPHIC CHART OF ABOVE PERCENTAGES
SHOWING TREND SINCE 1921.



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Arthur W. Cross, Law Printer, 55-57 Lafayette Street, Newark, N. J.

New Jersey Court of Errors and Appeals

ATLANTIC CITY RAILROAD COMPANY, and READING TRANSPORTATION COMPANY, *Prosecutors-Appellants,* *vs.* BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, UNION BUS COMPANY, PARLOR DE LUXE COACH COMPANY and WHITE WAY TOURS, *Defendants-Respondents.*	*Appeal from Supreme Court.*

BRIEF FOR BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY.

On June 27, 1929, respondent, Board of Public Utility Commissioners, filed its decision in the matter of certain applications for approval of municipal consents between Camden and Atlantic City, as follows:

a. Public Service Coordinated Transport, to extend the present Atlantic City-Egg Harbor route to Berlin, New Jersey, to operate eleven additional auto buses on said route.

b. Reading Transportation Company, to operate twenty-five auto buses between and including Ocean City, Atlantic City, Camden, New Jersey to Philadelphia, Pennsylvania.

c. Pennsylvania General Transit Company, to operate twenty-five auto buses be-

New Jersey State Library

tween and including Atlantic City, Camden, New Jersey to Philadelphia, Pa.

d. Union Bus Company, for approval of municipal consents to operate twenty auto buses between and including Atlantic City-Camden, New Jersey, to Philadelphia, Pa.

e. Parlor De Luxe Coach Company, to operate twenty auto buses between and including Atlantic City-Camden, New Jersey, to Philadelphia, Pa.

f. White Way Tours, to operate twenty auto buses between and including Atlantic City-Camden, New Jersey, to Philadelphia, Pa.

g. Parlor De Luxe Coach Company, to operate twenty-five auto buses between and including Ocean City-Camden, New Jersey, to Philadelphia, Pa.

The decision of the Board was as follows:

The applications of Pennsylvania General Transit Company, Union Bus Company, White Way Tours and Parlor De Luxe Coach Company for approval of municipal consents to operate autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna.; the Parlor De Luxe Coach Company and Reading Transportation Company for approval of municipal consents to operate autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., and the application of Public Service Coordinated Transport for approval of municipal consents to extend its Atlantic City-Egg Harbor route to Berlin and for permission to operate eleven additional autobuses thereon, were heard by the Board at the same time.

In the application of Public Service Coordinated Transport municipal consents were obtained from all the municipalities located

along the route between and including Berlin and Atlantic City.

The route over which the Public Service Cordinated Transport proposes to operate, which includes the present Atlantic City-Egg Harbor route is as follows: Beginning at the bus terminal located on Indiana Avenue near Atlantic Avenue, thence on Indiana Avenue, Absecon Boulevard, White Horse Pike, thence into the center of Hammonton, thence via Bellevue Avenue and White Horse Pike to the intersection of Blue Anchor Road to Berlin; returning via same route. The alternate route to be operated in Hammonton is via White Horse Pike to the intersection of Blue Anchor Road in Berlin; returning via the same route.

On May 24, 1928, the Board in its decision approved of the application of Public Service Coordinated Transport for transfer of municipal consents from Edward Lawrence to operate one autobus between and including Egg Harbor and Atlantic City and imposed in said decision the following condition:

> "That the operators of the bus shall not accept passengers who begin and end their trips between the City of Absecon and Atlantic City, N. J."

The instant application is to extend this route from Egg Harbor to Berlin and to operate eleven additional autobuses thereon. The petitioner agreed to accept the same restriction.

The Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Atlantic City Railroad Company appeared in opposition to this application.

Testimony in support of all the applications was offered by municipal officials and

witnesses residing in the various municipalities through which the petitioners propose to operate autobuses. Witnesses representing the petitioners testified as to the necessity for autobus service over the various proposed routes. Evidence was also offered indicating the character of service being furnished at the present time by the existing transportation facilities as well as financial figures showing the cost of rendering such service. All of this testimony was considered by the Board in its determination of all the applications herein referred to.

The application of Pennsylvania General Transit Company for approval of municipal consents to operate twenty-five autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., was over the following route: Beginning at the Delaware River Bridge Plaza in the City of Camden to the intersection of 7th and Penn Streets, thence via Penn Street to Bridge Entrance Road, thence via Bridge Entrance Road to its intersection with Crescent Boulevard in Pensauken Township, thence via Crescent Boulevard to its intersection with the White Horse Pike, thence via the White Horse Pike through the municipalities of Collingswood, Oaklyn, Haddon Township, Audubon, Haddon Heights, Barrington, Lawnside, Magnolia, Clementon Township, Stratford, Laurel Springs, Clementon Borough, Berlin Borough, Waterford Township, Chesilhurst and Winslow Township to the intersection of Bellevue Avenue, thence via Bellevue Avenue in the Town of Hammonton to the intersection of Egg Harbor Road, thence via Egg Harbor Road to the West Jersey & Seashore Railroad Station, and continuing on Egg Harbor Road to its intersection with the White Horse Pike at Da Costa, thence

via the White Horse Pike through the municipalities of Mullica Township, Egg Harbor City and Galloway Township to the corporate limits of the City of Absecon with an alternate route in Egg Harbor City via Liverpool Avenue and Atlantic Avenue to the West Jersey & Seashore Railroad Station, thence via Philadelphia Avenue to the White Horse Pike and continuing on the White Horse Pike to the corporate limits of the City of Absecon, thence through the City of Absecon via the Absecon Boulevard to Atlantic City, thence in Atlantic City via Absecon Boulevard, Indiana Avenue, Adriatic Avenue, Kentucky Avenue, Arctic Avenue, and a private driveway to the West Jersey & Seashore Railroad Station at Atlantic and Tennessee Avenues.

Municipal consents have been granted the Pennsylvania General Transit Company by all the municipalities situated along the route, except Mullica and Galloway Townships, which under the statute preclude the petitioner from conducting any business in these municipalities.

The Pennsylvania General Transit Company, as well as the Reading Transportation Company, agreed to accept the restriction that the operators of the buses would not accept passengers who begin and end their trips between and including Camden and Berlin, N. J.

The application of Reading Transportation Company is for approval of municipal consents to operate twenty-five autobuses between and including Ocean City and Camden, N. J., via Atlantic City to Philadelphia, Penna., over the following route: Beginning at the Reading Terminal, Philadelphia, Penna., thence via the Delaware River

Bridge, Penn Street and Bridge Boulevard, Crescent Bridge Boulevard, White Horse Pike to the city limits of Atlantic City, thence on Absecon Boulevard, Ohio Avenue, Baltic Avenue, Missouri or Arkansas Avenue as traffic conditions may require, Arctic Avenue to station grounds of the Atlantic City Railroad in the City of Atlantic City, thence via Arctic Avenue, Boston Avenue, Ventnor Avenue through Ventnor, Margate and Longport, to Longport-Ocean City Bridge, thence entering Ocean City via Bridge Boulevard, Atlantic Road, Battersea Road, Ocean Avenue, Ninth Street to grounds of the Tenth Street Station of the Atlantic City Railroad in Ocean City; returning over the same route, except as follows: In Ocean City, between grounds of the Tenth Street Station of the Atlantic City Railroad and Ninth Street and Ocean Avenue via Tenth Street and Ocean Avenue. In Camden, between Bridge Boulevard and Delaware River Bridge, via Linden Street.

Municipal consents have been given to the petitioner to operate autobuses in all the municipalities located along the route with the exception of the Township of Egg Harbor, City of Absecon, Township of Galloway and Borough of Longport which, under the statute, would preclude the petitioner from conducting any business within the limits of these municipalities.

As to the applications of Union Bus Company to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., the White Way Tours to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia-Penna., the Parlor De Luxe Coach Company to operate twenty autobuses between Atlantic City-Camden, N. J., to Philadelphia,

Penna., and to operate twenty-five autobuses between and including Ocean City-Camden, N. J., to Philadelphia, Penna., this operation under these applications is under the management of the O. G. Schultz Management.

The route over which the Union Bus Company proposes to operate its autobuses is as follows: From the terminal in Atlantic City, via Albany Boulevard, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route or alternately in Camden via Crescent Highway, Bridge Approach Road, Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road, Crescent Highway.

The petitioner has been granted municipal consents in all the municipalities through which it proposes to operate its autobuses except the City of Pleasantville which, under the statute, would preclude it from conducting any business within the limits of said municipality. The municipality consent given by the City of Absecon restricts the petitioner from conducting any business between the City of Absecon and Atlantic City.

The applications of the White Way Tours to operate twenty autobuses and the Parlor De Luxe Coach Company to operate twenty autobuses between and including Atlantic City-Camden, N. J., to Philadelphia, Penna., are over the following route: From terminal in Atlantic City, via Absecon Boulevard, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to the Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. Alternate route in the City of Camden is via Crescent Highway to Bridge Approach Road and Linden Street

between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

Municipal consents have been granted to both of these companies to operate autobuses in all the municipalities situated along the route. The consent of the City of Absecon, however, restricts the operation in that no passengers can be accepted who begin and end their trips between and including the City of Absecon and Atlantic City, N. J.

The application of Parlor De Luxe Coach Company for approval of municipal consents to operate twenty-five autobuses between and including Ocean City-Camden, N. J. to Philadelphia, Penna., is over the following route: From a terminal located in Ocean City, thence via Ninth Street, Ocean City Bridge, Main Shore Road, White Horse Pike, Haddon Avenue, Federal Street, Broadway, to Delaware River Bridge, thence to Philadelphia, Penna.; returning via same route. The alternate route in the City of Camden is via Crescent Highway, Bridge Approach Road and Linden Street, between White Horse Pike and Delaware River Bridge; returning via Penn Street, Bridge Approach Road and Crescent Highway.

The petitioner has been granted municipal consents by all the municipalities except the City of Pleasantville which, under the statute, would preclude the petitioner from conducting any business within the limits of said municipality. The consent of the City of Northfield is as follows:

> "Be it resolved, that municipal consent be and is hereby granted to Parlor De Luxe Coach Company to operate autobuses within the municipal limits of the City of

Northfield, as part of a line to be operated by said company between Ocean City, New Jersey, and Philadelphia, Penna., said operation to accept and discharge local passengers for and from the territory between Egg Harbor City, N. J., and Philadelphia, Pa., subject to existing laws regulating the operation of autobuses."

The City of Absecon grants permission to the petitioner on the condition that it will not accept passengers in any of the municipalities between Ocean City and Absecon, N. J., for discharge in Absecon City and will not accept passengers in Absecon City for discharge in any of the municipalities located between Absecon City and Ocean City.

The Public Service Coordinated Transport previously submitted to the Board an application for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro route to Atlantic City, N. J. The Board, in its decision of July 17th, 1928, denied the application. In this decision it is stated that a through bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger income of the railroads. Testimony in that proceeding indicated that the Atlantic City Railroad Company and the West Jersey & Seashore Railroad Company were opposed to the application and testified that the transportation by the use of autobuses was not necessary between and including Camden and Atlantic City. In the instant matters, however, it appears that testimony was offered to the contrary, therefore there appears to be no doubt that public convenience and necessity require transportation by the use of autobuses over these various routes.

As to the application of Public Service Coordinated Transport, the evidence shows that the petitioner is operating autobuses between Camden and Hammonton, N. J., over the White Horse Pike, conducting a local business; also a route between Egg Harbor and Atlantic City, which route furnishes service only from Egg Harbor to Atlantic City and vice versa. Both of these bus routes were established several years ago by parties other than the Public Service Coordinated Transport. The company acquired by purchase these bus routes within the last few years. It also appears that these bus routes were established without any objection being interposed by the Atlantic City Railroad Company or the West Jersey & Seashore Railroad Company. It is now proposed to extend the route from Egg Harbor to Berlin, thus providing a service between Hammonton and Egg Harbor, a distance of approximately twelve miles.

The Board is satisfied that the Public Service Coordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City.

Upon consideration of the evidence the Board therefore finds and determines that the municipal consents given to the Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to Berlin, New Jersey, and for the operation of additional autobuses thereon are necessary and proper for the public convenience and properly conserve the public interest and approves of the same with the following conditions:

1. That the operators of the buses shall not accept passengers who begin and end

their trips between and including Absecon City and Atlantic City, N. J.

2. That five buses are sufficient to render this service and the Board hereby approves the municipal consents for five buses on this service.

As to all the other applications the Board is also satisfied from the proofs that there is necessity for additional autobuses operating between and including Camden-Atlantic City and Ocean City. The character of service to be furnished should only make express stops. Such a method of transportation would greatly add to the convenience of persons desiring to travel to and from Atlantic City by requiring less running time. The number of buses applied for under these applications amount to one hundred thirty-five. Such a number is clearly unnecessary to meet the demands of service.

The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Pennsylvania; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should preempt the territory against other lines which have been carrying on interstate and intra-

state service previous to the railroads' proposed bus operation.

The Board will approve of the applications of the Pennsylvania General Transit Company, Camden to Atlantic City, N. J., for the operation of ten autobuses, White Way Tours, Camden to Atlantic City, three autobuses, Parlor De Luxe Coach Company, Camden to Atlantic City, three autobuses, Union Bus Company, Camden to Atlantic City via Pleasantville, four autobuses. Reading Transportation Company, Camden to Atlantic City, ten autobuses and an additional two autobuses to be operated between and including Camden-Atlantic City and Ocean City, and Parlor De Luxe Coach Company, Camden to Ocean City via Pleasantville, two autobuses, with the provision that said number of buses shall be permitted to furnish the following means of transportation:

To accept passengers in Camden for discharge in Atlantic City and vice versa.

To accept passengers in Berlin for discharge in Atlantic City and vice versa.

To accept passengers in Hammonton for discharge in Atlantic City and vice versa.

Several of the municipal consents given to the petitioners restrict the operation of the petitioners' autobuses. The Board in considering these matters approves of the conditions mentioned in said consents.

Therefore, upon consideration of the evidence the Board finds and determines that the municipal consents given to the Pennsylvania General Transit Company, Union Bus Company, Reading Transportation Company, White Way Tours, and Parlor De Luxe Coach Company are necessary and proper for the public convenience and properly con-

serve the public interest and approves of the same in accordance with the findings stated herein.

Dated, June 27th, 1929.

From that decision the three railroads and their bus subsidiaries appealed to the Supreme Court. The only appellants in the present proceedings, however, are the Atlantic City Railroad and its bus utility, Reading Transportation Company.

A complete outline of the facts appears in the Board's conclusions all of which are supported by evidence with the exception, perhaps, of the finding that, "The Board is satisfied that the Public Service Co-Ordinated Transport should continue to provide local transportation service over the entire route located between Camden and Atlantic City." The fair inference from this statement is that respondent, Public Service Co-Ordinated Transport, prior to the filing of their application, had provided local transportation facilities over the entire route between Camden and Atlantic City. After an examination of the voluminous record, it is conceded that the Public Service Transport had not operated local buses between Egg Harbor and Hammonton, a distance of 11 miles, and to that extent had not provided "local transportation over the entire route between Camden and Atlantic City," but that *lapsus linquae* is of no importance because appellants do not contest that part of the order which permitted Public Service Transport to connect its Camden-Hammonton line with its Egg Harbor-Atlantic City service (Pros. brief, p. 3). An application to close that gap was filed by Public Service Trans. Co. on January 30th, 1929. It was not until then that the prosecutors

for the first time concerned themselves with the situation so far as supplementing their train service by bus systems was concerned. They then appeared not only to resist the operation but to counter by filing a petition to operate twenty-five buses. Simultaneously with the filing of this petition, the Schultz Management, Parlor De Luxe Coach Company, Union Bus Company and White Way Tours, respondents, applied for permission to operate sixty buses.

All of the petitions applied to routes over the White Horse Pike, except that of the Reading Transportation Company, which desired to deviate from the Pike to connect with certain of its railroad stations along the line. Exhibit 49 shows the respective lines of the "Pike" and of the Atlantic City Railroad. From Camden to Clementon the distance is inconsiderable. From Clementon to Winslow Junction the railroad and the "Pike" are about two miles apart. From Winslow Junction to Cologne there is not much difference between the lines. From Cologne to Pleasantville there is again a wide divergence. Between Pleasantville and Atlantic City the difference is slight. Prior to the date of filing of the petitions, the territory between Berlin and Hammonton, two miles from Winslow Junction, was without local service. On these facts the Board approved municipal consents for the operation of 35 buses with the restrictions stated in its order.

The prosecutors now complain that the Board's approval was arbitrary and in violation of its Constitutional right. The effect of the order was to permit:

(a) Union Bus Company to operate 4 buses from Atlantic City to Camden, via Pleasantville (p. 32).

(b) White Way Tours, 3 buses directly between Camden and Atlantic City.

(c) Parlor De Luxe, 3 buses from Atlantic City to Camden, and two buses to Ocean City, via Pleasantville (p. 32).

(d) Public Service Co-Ordinated, to increase and supplement its Camden-Atlantic City service by 5 buses.

(e) Reading Transportation Company, 10 buses, Camden to Atlantic City and "an additional 2 buses to be operated between and including Camden-Atlantic City and Ocean City."

All of these consents contain certain restrictions (pp. 32-3).

Although applications were filed for the operation of one hundred thirty-five buses, the Board concluded that public necessity and convenience would be satisfied by approving municipal consents to operate thirty-five buses which were apportioned to the various applicants. Numerous reasons for reversal have been assigned by applicants but they may all be reduced to three classifications which will be argued *ad seriatem.*

I.

Did the Board have jurisdiction?

That jurisdiction resided in the Board is beyond question:

> "The legislature has delegated the power inherent in itself to the Board of Public Utility Commissioners. What it might have done itself, it has delegated to a branch of the government created by itself. The powers of the former are coincident and coequal

with that of the granting power." *West Jersey & S. R. Co.* v. *P. U. C.*, 152 Atl. 378.

Moreover, when the appellant filed its petition the Board's jurisdiction was admitted for the purposes sought to be attained. In addition, the case does not disclose any challenge to the authority of the Board to hear the matter. The statute requires, as must be conceded, proof of necessity and convenience as a prerequisite to approval. All of the petitions allege these two conditions and the evidence supported those allegations.

II.

Has the Railroad a preferential right to render exclusive service in the territory?

Succinctly stated, the appellants urge that the order of the Board permits competition and denies to them

> "the preferential right to render exclusive service in the territory served by them for many years before any other existing common carrier entered the field, although the said railroads are prepared and are willing to render all the service necessary for the public convenience." (Reason 17, p. 1425.)

That assertion is not in accord with the law or the facts. As to this claim, the Board held

> "the character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore, the Board will permit the railroads to supplement their railroad service with bus service, but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate

service previous to the railroad's proposed bus service."

The evidence is conclusive that "other lines" had entered the field with both interstate and intrastate service prior to the offer of the railroad to engage in bus operation in the same territory. While it is true that Atlantic City R. Co. had operated a steam railroad between Camden and Atlantic City for fifty years, it did not in fact, agree to offer a bus service between those two cities to meet the demand necessary for public convenience and necessity until other utilities had moved to enlarge their service. Moreover, when the appellant filed its application it had not obtained municipal consents from certain municipalities along the route, via: *Egg Harbor, Absecon, Gallaway and Long Port.*

Witnesses from these latter municipalities testified to the need of a bus service. In order to provide that service the Board approved municipal consents to another utility which was willing and capable of affording the desired service, to the residents of these municipalities. For this purpose, the Board qualified the form and type of service which could not be supplied by the appellant. Consequently, the entry into the field of another common carrier was not a pre-emption of the alleged preferential right of the appellant to render service in a field to which it claimed exclusive right to serve. For this reason alone, the determination of the Board was not unreasonable. But there is another reason equally applicable and unanswerable.

The White Horse Pike is a well known boulevard between Camden and Atlantic City. All of the applicants sought the right to operate on this highway directly or indirectly between these

two termini, with such restrictions as the Board might deem proper to impose. Appellant intended, by its operation "to feed" its railroad business, and as the order indicates, consent for such purpose is granted. In that instance, as well as in every other case, the approval of all applications was based upon specific and qualified conditions. Whatever preferential right, if any, the railroad had, was adequately protected. It is significant, also, that while the Atlantic City Railroad Company insists that it has the preferential right to provide facilities for the territory involved, because of prior occupation, the fact is, application in its behalf was filed by its subsidiary, *Reading Transportation Company,* which had never been engaged in the bus business along that route. If the principle asserted is sound, it applies equally to carriage by motor truck, taxicab, air, water, street railroad or any other means of transportation which might hereinafter be invented. Certainly, the legislature had no such intention when it enacted the utility statute. Moreover, if such a right exists, there is a corresponding duty. By that I mean that the railroads would owe a duty to the public if necessity and convenience required bus service in the "territory," to furnish such service, if upon a hearing, the Board of Public Utility Commissioners determined that railroads should furnish that necessary service. That the Board nor any other public agency cannot require a railroad in this State to operate bus systems to supplement rail service is settled in *Charles River Bridge* v. *Warren Bridge,* 11 Pet. 420, 549, 9 Law Ed. 773, 825.

With reference to this phase of the matter, it should be noted that the prosecutor, Atlantic City R. Co. is not attempting to exercise any of its

rights under the 1928 statute (p. 110) which amends the revision of the 1903. This latter act authorizes and empowers a railroad company to own and operate autobuses and auto trucks for the transportation of passengers, freight, mail and other property. The railroad company has not, in this proceeding, exercised its right under that statute. Nor can it legally lend to its subsidiary, the Reading Trans. Co. the right to pre-empt privileges to which it might be entitled. Such a transfer would be unlawful and void. *Morris Canal Co.* v. *Central R. Co.*, 14 Eq. 419, 24 Eq. 455; *Stockton* v. *Central R. Co.*, 50 Eq. 52. The Board of Public Utility Commissioners has no authority to grant any utility any right until such authority has been delegated by the legislature. The purpose of the act was to secure to the public safe, adequate and proper service for just and reasonable rates. Section 24, Act 1911, provides:

> "No privilege or franchise hereafter granted to any public utility as herein defined, by any political subdivision of this State, shall be valid until approved by said Board, such approval to be given when, after hearing, said Board determines that such privileges or franchise is necessary and proper for the public convenience and properly conserves the public interest and the Board shall have power in so approving to impose such conditions as to construction, equipment, maintenance, service or operation as the public convenience and interest may reasonably require."

In the further consideration of this question, the point at issue may be clarified, viz: It is not whether the priority in the field is the controlling factor, as the prosecutor contends, but rather whether the mandate of the legislature

to the commission was to protect the public against existing agencies whose service did not provide proper transportation facilities. That question has been determined by numerous decisions contrary to the contention of the prosecutor.

That prosecutor's view is utterly unsound legally is apparent from *McLain, et al.* v. *Public Utilities Comm., et al.,* 143 N. E. Rep. 381 (Ohio Supreme Court):

> "The Court in that case seemed to lose sight of the fact that the purpose of regulation of public utilities is the benefit to the general public, and not the benefit to the utility, and that the benefits which inure to the utility result only because they are concomitant with the benefits which are secured to the public; that government, except as it is essential to the continuance of the public service, is no more concerned with the earnings of a public utility than it is with the earnings of a corner grocery."

In *Rapid Rlwy. Co.* v. *Michigan Pub. Util. Comm.,* 196 N. W. 518, it is said:

> "An examination of the entire act fails to disclose a single word or provision which in any way indicates that the legislature had in mind the establishment of a policy of protecting existing railroad transportation interests as against motor transport interest."

Even in Illinois, which is chiefly relied upon by prosecutors as establishing the rule they contend for, Heard, *C. J.,* in *Bartonville Bus Line* v. *Eagle Motor Coach Line,* 326 Ill. 200, 157 N. E. 175, said:

> "The object and purpose of granting certificates of convenience and necessity for the operation of motor bus lines is to subserve

> the convenience and necessities of the traveling public. While priority in the field is an element to be considered, it will not of itself govern the granting of the certificate. Chicago Motorbus Co. *v.* Chicago Stage Co., 287 Ill. 320, 122 N. E. 477. The proper consideration in a matter of this kind is, Which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?''

From these cases it is perfectly clear that the existing utility has no *right* to be preferred even though in the performance of its duty to the public an existing utility sometimes receives preference. Such preference, however, in all of the cases cited by appellant rests upon the facts in the particular case, as was held in *Bartonville Bus Line* v. *Eagle Motor Coach, supra:*

> ''The object and purpose of granting certificates of convenience and necessity for the operation of motor bus lines is to subserve the convenience and necessities of the traveling public. While priority in the field is an element to be considered, it will not of itself govern the granting of the certificates. * * * The proper consideration in a matter of this kind is which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?''

See *Motor Transport Co.* v. *Public Utility Commission,* 140 Atl. 793, affirmed 143 Atl. 918, where the Court held:

> ''It is to be borne in mind that it is the duty of the Board to protect from unreasonable and destructive competition existing facilities which are actually serving the public so that the public may continue to have the benefit of such service.''

The principle announced in this case is dispositive of the appellant's contention that it has a preferential right. The decision is to the contrary, but what the Court there held was that the Board should protect existing facilities from unreasonable competition. The preservation of existing facilities is only a factor. The duty which the Board owes is to the public and not to the utility. Protection from competition is only a method for securing reasonable service for the public, and when that service fails, the Board in the discharge of its duty must provide other adequate facilities.

It is, therefore, apparent that it was not the intention of the legislature to protect the interest of existing utilities, at least when the field was as broad as the territory sought to be served by the Board in this case. If the decisions cited by the appellant seem to indicate that the legislatures of some states intended that their agents should protect the existing public utilities, such a policy ceased when the utility, in the opinion of the agent, did not properly protect the public. Such, also, is the established policy of this respondent.

III.

The order of the Board does not (a) "Deprive appellants of property without due process of law" nor (b) "of the equal protection of the laws in violation of the 14th Amendment."

These contentions rest on the theory that the Board's order was arbitrary and unreasonable. Stress is laid by the prosecutor on the substantial amount of taxes paid by the Atlantic City Railroad Company and on the loss the utility has sustained in the past, and will sustain in the

future. It is argued that the entry into the field by competitive utility will result in greater loss. That, however, is not the test. Chapter 50, Laws 1928, as has been said, authorized steam railroad companies

> "to carry, own and operate for hire auto-buses and auto trucks."

The statute created a free field without favor to a classified entrant. It is well settled that police power may not be exercised for private purposes nor for the benefit exclusively of particular individuals or classes. 12 C. J., 930.

It is only when one who is deprived of his property by the arbitrary and unreasonable action of the State, is deprived of his property without due process of law and one who is discriminated against in an unreasonable and arbitrary manner is deprived of the equal protection of the law. And the Court will not substitute its judgment for that of the Board, if the Board's action was reasonable. *Fornarotto* v. *Public Utility Commission,* 143 Atl. 450.

Therefore, if the Court finds as we contend it will be justified in finding, that the action of the Board was in the interest of public welfare, the losses claimed to have been sustained by appellant, while regretable, are no reason for reversal.

Before concluding, we desire briefly to advert to the illogical and unfair inferences drawn by appellant from previous decisions filed by the Board in the numerous cases referred to, on pages 69-84 of appellant's brief, and particularly to the statement in the head-note that

> "The Board in many instances, and in a series of consistent decisions has sustained

> the right of existing transportation companies to supply the facilities in a given territory to be protected from constructive competition so long as they are ready, able and willing to meet the requirements of the public convenience and necessity."

The answer is obvious:

A.

These quotations are only excerpts extracted from the decisions. The facts upon which the findings were based are not set out. The Board was guided in its conclusions by the facts submitted in every case. Therefore, unless the evidence in the particular cases discloses a situation comparable and similar to the facts in the instant matter the excerpts are not pertinent. In the absence of such evidence, it is to be assumed that the ruling of the Board in the cited instances is in complete accord with its conclusions in this case.

B.

One illustration of the difference is in re: *Erie Railroad* v. *Mayr,* p. 75, cited in appellant's brief:

> "The principle that *a public utility affording reasonable and adequate* service should not be subject to competition which would result in economic loss and be detrimental eventually, has been frequently upheld by the Board."

The words in italic clearly define the principle involved.

C.

There is no hard and fast rule which will apply to every case. For instances in re: *Application of Public Service Trans. Co.*, p. 79, the testimony indicated that most of the intermediate business was being amply served by buses as well as the railroads as far east as Hammonton and from Egg Harbor to Atlantic City. This application which covers a part of the route involved in the present litigation was denied in July 1928. Since that time, not only had the situation changed in the opinion of the Board, but the new petitions vary in essential requests from those of the original application. It is not necessary, it seems to us, to further show the distinction between the cases cited and those under consideration.

It is, therefore, respectfully submitted that the order of the Board should be affirmed.

October Term 1931.

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Utility Commissioners.

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NEW JERSEY
Court of Errors and Appeals

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY,
Prosecutor-Appellants,

vs.

BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE CO-ORDINATED TRANSPORT, UNION BUS CO., PARLOR DELUXE COACH CO., and WHITE WAY TOURS,
Defendants-Respondents.

BRIEF FOR UNION BUS COMPANY, PARLOR DeLUXE COACH CO., AND WHITE WAY TOURS

FACTS

The record shows that Union Bus Co., Parlor DeLuxe Coach Co., and White Way Tours have been united under what is termed "Schultze Management" and will be so referred to in the brief.

The record shows that the Union Bus Company was the pioneer bus company doing an inter-state business

between Philadelphia and Atlantic City. It was later followed by Parlor DeLuxe Coach Co. and White Way Tours. Their route was from a point in Philadelphia, down the White Horse Pike to Atlantic City, with the exception of the Parlor DeLuxe Coach Co., which branched off at Absecon passing through Pleasantville and Somers Point to Ocean City. They were in exclusive possession of inter-state bus business for several years prior to 1928, when both the Reading and the Pennsylvania Railroad Companies instituted competing lines of buses.

The record shows that the railroad companies took no interest in bus service and declined up until the time of this application to render or offer to render any local bus service whatever. Application by the Public Service Company to extend its local business between Camden and Atlantic City, was followed by an application on the part of the Schultze Management to permit it to take on and leave off passengers along the White Horse Pike either in its inter-state or intra-state journeys. The Reading and the Pennsylvania Companies then made an application to place a large number of buses in service to do an intra-state business, at the same time objecting to the granting by the Public Utility Commission of permission to the Schultze Management and also to the Public Service to do an intra-state business.

So far as the Schultze Management's intra-state business is concerned, it is conceded that the Utility Commission has no regulatory authority and it is also conceded that the larger part of the Schultze Management business consists in carrying passengers from Philadelphia to its terminals in Atlantic City and Ocean City. It was shown, however, by overwhelming evidence, that the public necessity and convenience of the persons living along the White Horse Pike and the Shore Road to Ocean City required that they be permitted to board the buses and ride to Camden or Philadelphia.

The evidence showed that the population was rapidly increasing along the White Horse Pike and the Shore Road, and this population had no transportation system that permitted it to get to either Philadelphia or Atlantic City or other intermediate points. It had to content itself with seeing buses passing its doors, hourly or less, but forbidden to stop and carry them to either point.

The railroads, on the other hand, furnished no local service whatever. As this Court well knows, and as the testimony shows, both the Pennsylvania and the Reading Railroad Companies were engaged in a highly developed express service between Philadelphia, Atlantic City and Ocean City, running a large number of non-stop express trains between these points. Very few of the trains stopped at Hammonton, Egg Harbor, Absecon and Pleasantville, *while each railroad ran but one local passenger train per day that stopped at all stations parallel to the White Horse Pike.* This one train a day service was all the public facilities that the smaller communities possessed in the way of transportation, and the evidence was overwhelming that they had to depend upon private conveyances to get from the smaller communities to the larger ones.

Although pressed to do so and their witnesses examined upon the point, the railroads either could not or would not produce evidence as to whether or not the one local train was a paying proposition and whether, in fact, they did derive revenue from it. Nor was there any evidence produced to show that they obtained any substantial revenue from the trains that stopped at Hammonton, Egg Harbor, Absecon and Pleasantville.

The case is therefore devoid of any evidence to show that the order of the Utility Commission permitting the Schultze Management to take on or discharge local passengers did in fact compete with the railroad business.

ARGUMENT

It is not the duty of the Utility Commission to preserve an existing public utility or to make it financially successful except as such action by the Commission serves to promote the convenience and serve the necessity of the public. The Utility Commission is not the guardian of the utility corporations, but the representative of the public. Consequently, it must act upon the theory that what it does will ultimately best serve the public. When the Utility Commission acts to restrain competition, it does so upon the theory that the existing utility is either already rendering an adequate service to the public, or that the competition would merely serve to financially weaken the existing utility to a point where it could not go on and serve the public, and thereby deprive the public of an existing service. In such case, the Utility Commission merely balances the conveniences of the public in obtaining a greater service against the probability of its losing a present service.

It is submitted that there was no testimony in the present case to show that the railroads would be materially injured, or even injured at all, by granting to the public this additional convenience.

There was a large amount of statistics submitted to show that since the advent of the bus, the automobile, and the Delaware River Bridge, that there had been a very material falling off in the passenger revenues of the railroads. The railroads were, however, unable to determine how much of this was due to the private motor car and the accessibility of South Jersey from Philadelphia since the opening of the Delaware River Bridge and the intrastate bus competition.

It was admitted, however, that at least ninety-seven per cent of the bus competition was inter-state competition, and therefore completely out of the discussion in this case. Obviously, a one train a day local passenger

service was not serving the public. The problem of the Utility Commission was—Would the public be better served by making available to them the transportation service that was already passing their door, or by forbidding this service in order to help the railroad revenue. Since there was no testimony in the case of the actual loss of revenue by the railroads, there was no option upon the part of the Utility Commission except to accord to the Schultze Management the right to serve the municipalities and the public along its existing route.

APPELLANT'S MAIN CONTENTION

The main contention of the appellant, however, goes much deeper than the question just discussed. They do not concede that the Utility Commission's function is to *balance* public necessity and convenience, but to take the stand that they have an *inherent* and *exclusive* right to furnish transportation service along the White Horse Pike. They speak of it in their brief as a "natural" right (page 61 of the brief). In short, the whole contention of the railroads may be summed up in the proposition that they have a kind of Divine right to the exclusive transportation facilities in the area in which they operate.

This statement of the contention of the railroads may somewhat shock and certainly will interest the Court, but it is apparently made in all sincerity by the appellants.

It needs no citation of authority to explode this doctrine. Natural rights as defined in Blackstone and as briefly reiterated in the Jefferson Declaration, relate exclusively to man and not to such artificial creations as corporations. Nor does the state undertake to protect a corporation in the successful prosecution of its business or franchise.

This is a rapidly changing world. Within a few decades we have seen the whole system of transportation revolutionized beyond all recognition. The steamship supplanted the sailing ship and is already in some localities

being succeeded by the airplane. The stage coach gave way to the canal, and the canal to the railroad. Now the railroad is losing traffic to the automobile and the airplane. Similar changes are occurring in other industries and even in the arts. Such changes necessarily cause the older systems of utilities to disappear in favor of the more modern ones, and when such systems disappear, both their investments and their franchises likewise cease to exist.

Against such changes the state does not pretend to protect the obsolete, the outworn, and the incompetent. The railroad company was granted the privilege of furnishing steam transportation. It now seeks to enlarge this legislative grant to include transportation by *any* means, and its assumption in this case is that when it decides, in its own good judgment, that it cares to embark in motor transportation as well as steam transportation, that then, and in that event, it becomes entitled as a matter of right to the exclusive privilege of furnishing such transportation, no matter what other rights or investments may have intervened.

As the record shows, the Reading Company in particular had refused up until the time of this application to embark in bus transportation, but once having come into the field, it applies for an order giving it the exclusive right to furnish this transportation. They dismiss the years of effort and investment which the Schultze Management had put into building up its business with the statement, "They had no claim, either legal or moral to the Board's consideration. Their operation was certain to injure the railroads." (page 17 of the brief.)

That the writer has not overdrawn the contention of the appellants is apparent from the statement in the subhead beginning on page 62, "The order of the Board of Public Utility Commissioners deprived the appellants of property without due process of law in violation of the fourteenth amendment to the Constitution of the United States."

The only "property" right that they contend was invaded was in not giving them this exclusive right to transportation, and their sub-head on page 69 states their case as follows: "The Board in many instances and in a series of consistent decisions has sustained the right of *existing* transportation companies to supply the facilities in a given territory and to be protected from destructive competition, so long as they are ready, able and willing to meet the requirements of the public convenience and necessity." This, then, fairly states their assertion of the right to *exclusive transportation* of any kind.

The error in this assumption arises out of the fact that nowhere have the people of New Jersey by any contract given to this railroad appellant any such right or franchise, and the appellant cannot point to any such contract. In the absence of contract, they say that the Utility Commission, by its *decisions,* has accorded to utilities protection from destructive competition as long as the utility is able to meet the test of public convenience and necessity. With this last statement we have no quarrel, but this *policy* of the Utility Board is in no sense proof of an *obligation* by the people of the State, either through its agency, the Utility Commission, or otherwise, to protect the utility. As before stated, the policy arises out of balancing the public convenience.

Destructive competition spells ruin for the existing utility and nothing is gained by permitting it, but it is submitted that this policy only extends to the same kind of competition. The Utility Commission would not only be justified, but certainly obligated to protect the railroad against a new railroad that proposed to parallel its line. But to go beyond this point and protect it against anything that tends to injure its business is not only beyond the power and functions of the Utility Commission, but could not be in the public interest.

Carried to its conclusion, if the railroad company was correct in its assumption that it is deprived of its prop-

erty and rights unless it is given the power to exclusively conduct bus transportation, then it is equally entitled to the exclusive right to intra-state airplane service. At the present moment numerous passengers are being carried on frequent regular schedules between Newark and Camden by airplane, and between Newark and Atlantic City and likewise between Camden and Atlantic City. During the past summer thousands of persons were transported from Camden to Atlantic City by large passenger airplanes flying almost directly over the appellant's right of way. After the airplane companies have developed this service, as the Schultze Management developed the bus service, can the railroad come into this Court and prohibit the airplane companies from carrying on this business by merely indicating its desire to take over aerial transportation? To state the proposition is to repudiate it and to expose its absurdity. Yet this is the proposition that the appellants seek to establish.

If they could affirmatively establish this doctrine in this Court, then it must apply equally to other public services. Electric light companies are furnishing power as a part of their present business as a utility. Would this give them an exclusive right to furnish power under all conditions, to the exclusion of any other means that may hereafter be developed? Telegraph and telephone companies are engaged in transporting information and speech. May they preempt the radio field on the same theory of exclusion? Such a doctrine, if once found lodgment in the law, could have but one effect—to paralyze initiative, prevent progress and enthrone monopoly.

THE LAW

The numerous citations of authority will not be discussed at length. Presumably the Court will have to read them for itself, and no useful purpose is served by practically re-printing these decisions in toto. It suffices here to say that many of the citations as printed in appellant's

brief have been torn from their context and given the appearance of law without the modifying statements that accompany them, or in many cases indicate that they are dicta and not the actual decision of the Court.

It will suffice to say that in reading these decisions it will be discovered that in no case do they sustain the proposition that the railroad company is entitled to the exclusive right to enlarge its existing facilities to the exclusion of more modern means of transportation.

The cases cited on pages 52 to 69 of appellant's brief when examined do not justify any such proposition. Some of them because of the wording of the utility act of the state in which the matter is under discussion, makes the case no authority whatever in the premises; nor do any of the other cases go beyond the proposition that the Utility Commission should *consider* the older utilities' ability to furnish the new service before granting a certificate of public necessity and convenience to another utility.

This is particularly true of the Egyptian Transportation System case, 321 Illinois, 580. The whole of this decision when read turned upon the point that the Utility Commission in granting a certificate to a bus line, had refused to consider evidence of the parallel railroad's ability to furnish the same service. The case does not hold and is not authority for the proposition that if the railroad company had presented evidence, that it would then have been entitled as a matter of right to the extended franchise. Neither this case nor any of the other cases cited hold anything remotely resembling such a proposition. They do say, however, that the Utility Commission should, in weighing the public necessity and convenience, *consider* the *facilities* of the railroad company and take evidence upon the subject.

In the case at bar the Utility Commission did so and it did not decline to permit the railroad companies to indulge in this class of business. It did, by its order, give both the Pennsylvania and the Reading Company an *equal*

right to operate local intra-state buses with the Schultze Management, a right, by the way, which the Reading Railroad Company has declined to exercise.

It therefore comes into this Court in the equivocal position of having been accorded a right and refusing to exercise it unless it can make that right exclusive.

The whole history of the procedings has been that the railroad companies first refused to consider bus transportation at all. Then apparently changing its mind and considering the business profitable, it then demanded an exclusive right to conduct it and being refused that exclusive right but accorded a right to supplement its railroad business with bus transportation, it has refused to exercise that right.

If the Supreme Court and the Utility Commission were reversed, there is nothing to assure this Court that the Reading Company would accord local bus transportation on the White Horse Pike to the various communities. Up to date it has steadily declined to do so. With this record, no wonder the Utility Commission had no confidence in its death-bed repentance.

The Schultze management was in the field first and left undisturbed therein for six or seven years before the Reading came into the picture and proceeded to compete in inter-state business with the Schultze line. If the railroad company's contention was right, it had no moral or legal right to enter upon the field of the Schultze Management and is the interloper rather than the respondents.

Respectfully submitted,

EMERSON RICHARDS,

For Union Bus Co., Parlor DeLuxe Coach Co., and White Way Tours,

Defendants-Respondents.

New Jersey Court of Errors and Appeals

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Appellants,* *vs.* BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, PUBLIC SERVICE COORDINATED TRANSPORT, *et al.*, *Respondents.*	*On Certiorari.* *Appeal from Supreme Court.*

INTRODUCTORY BRIEF FOR PUBLIC SERVICE COORDINATED TRANSPORT.

The brief of appellants in this case presents no new features and no new argument differing in any way from the argument addressed to the Supreme Court; indeed, the brief in all substantial respects is a mere reprint of their brief in the Supreme Court.

In one very striking and material respect, however, the case here differs from the case there. In the Supreme Court the leading protagonists were the Pennsylvania and the West Jersey and Seashore Railroads; in this Court the Pennsylvania and West Jersey and Seashore Railroads do not appear as appellants. The time within which to appeal has elapsed, and the only appeal taken to this Court from the judgment of the Supreme Court is that of the Atlantic City Railroad Company and the Reading Transportation Company, both subsidiaries of Reading Railroad Company. It is certainly of the utmost significance that Pennsylvania Railroad and West Jersey and Seashore Railroad have acquiesced in the decision and order of the Board of

New Jersey State Library

Public Utility Commissioners and the judgment of the Supreme Court affirming the same.

I shall, therefore, with the necessary changes to adapt it to the requirements for briefs to be filed in this Court, and with a few preliminary observations pertinent to the hollowness of the bases upon which appellants' brief is rested, content myself with reprinting my brief in the Supreme Court, since it answered every point raised by appellants there, and answers every point raised by them here. That brief will be found printed hereinafter, and is referred to as my "main brief."

* * * * * * * * * *

Appellants in their brief, at pages 100 and 101, under title "The Principle of Law," say: "In *Hunter* v. *Board of Public Utility Commissioners* (*supra*), this Court said that *a moral and a legal duty* is imposed upon the Board to 'protect the business of an established utility from impairment and encroachment.' This statement was not made at random but is founded in the policy of the Public Utilities Act. * * * Restated, the rule of law is, that an existing railroad has the natural and preferential *right* to supply all of the service in the territory in which it is operating to the exclusion of all who seek to enter the territory, so long as it is ready, able and willing to supply the service required by the public necessity and convenience as determined by the Board of Public Utility Commissioners."

And on page 103 of their brief, under title "Legal Basis," appellants' counsel say: "Legally, the railroads are entitled to such protection because the statute which gives the Board jurisdiction was enacted for the very purpose of supplying it and was in itself an announcement of the policy of the State."

The fallacies which infest the above quotations, which are the bases upon which appellants' entire

brief is constructed, are extremely numerous. The first fallacy is that of confusing the vindication of a public duty of the Board with the supposed right of the company. Reference to *Hunter* v. *Board of Public Utility Commissioners,* 141 Atl. 90, discloses that the Court said: "Morally and legally it (the Board) should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service." Counsel comments thereon by saying, "Restated, the rule of law is, that an existing railroad has the natural and preferential *right* to supply all of the service in the territory in which it is operating," etc. Of course, the obvious answer is that the *duty* of the Board is *to the public* and *for* the *public,* to preserve it from the danger of being without transportation, and not *to* the *utility* or *for* the *utility.* While *right* and *duty* may be correlative and reciprocal, the inquiry always must be "Between whom?" Here it is obviously between the Board and the public.

A great number of cases in my main brief support this distinction, and they will be found collected and thoroly discussed therein beginning at page 39.

The general result of the cases will be found well stated by Judge Robinson, in *McLain et al.* v. *Public Utilities Comm., et al.,* 143 N. E. Rep. 381, where, speaking for the Supreme Court of Ohio, he said:

> "The Court in that case seemed to lose sight of the fact that the purpose of regulation of public utilities is the benefit to the general public, and not the benefit to the utility, and that the benefits which inure to the utility result only because they are concomitant with the benefits which are secured to the public; that government, except as it is essential to the continuance of the public service, is no more concerned with the earnings of a public

utility than it is with the earnings of a corner grocery."

In *Rapid Rlwy. Co.* vs. *Michigan Pub. Util. Comm.,* 196 N. W. 518, it is said:

> "An examination of the entire act fails to disclose a single word or provision which in any way indicates that the legislature had in mind the establishment of a policy of protecting existing railroad transportation interests as against motor transport interest."

Even in Illinois, which is chiefly relied upon by prosecutors as establishing the rule they contend for, (which rule, it must never be lost sight of, is expressly the result of statutory enactment) Heard, *C. J.,* in *Bartonville Bus Line* vs. *Eagle Motor Coach Line,* 326 Ill. 200, 157 N. E. 175, said:

> "The object and purpose of granting certificates of convenience and necessity for the operation of motor bus lines is to subserve the convenience and necessities of the traveling public. *While priority in the field is an element to be considered, it will not of itself govern the granting of the certificate. Chicago Motorbus Co.* vs. *Chicago Stage Co.,* 287 Ill. 320, 122 N. E. 477. *The proper consideration in a matter of this kind is, Which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?*"

And in *Chicago Railways Co. et al.* vs. *Commerce Comm.,* 167 N. E. 840, at 850, upon which appellants chiefly rely, the Court is found saying: "In determining that question the primary consideration is the convenience and necessity of the public."

It will be found upon a collation of all the cases, in both the brief of appellants and our brief, that wherever the existing utility is preferred, the preference results as a *by-product* for the convenience and advantage of the public and in the public interest, and not from any interest for the utility. It is,

therefore, perfectly clear that no such thing as a *right* on the part of the *utility* to be preferred exists, but frequently in the performance of *its* duty to the *public,* a utility receives preference. The duty of the Board is to protect the *public* interest, and in doing so advantage *may* often result and frequently should result in giving incidental and collateral protection to utilities.

At this point I stop to direct the attention of the Court to a glaring misstatement in the brief of appellants in this connection, at page 103 thereof, where it is said: "Further, because all other utilities similarly situated are thus protected." This is so glaringly untrue as to startle one. The history and experience of our trolley system, of the canals and turnpikes of the State and the country, of the stage-coaches, and now of the ferries being constantly supplanted by bridges, is irrefragable testimony to the contrary.

The Court will search in vain for any definite statement in appellants' brief of any language in any statute or in any decided case which appellants claim is the origin of the so-called natural and preferential right to supply all of the service in the territory in which they are operating to the exclusion of all who seek to enter the territory, so long as they are able, ready and willing to supply the service required by the public necessity and convenience as determined by the Board of Public Utility Commissioners.

The regulation of public utilities by the granting of certificates of public necessity and convenience is admittedly the exercise of the police power of the State. The police power is "the power to make all laws which in contemplation of the constitution promote the *general* welfare." Marshall, *J.,* in *State* vs. *Redman,* 134 Wis. 89, 105; 114 N. W. 137; 14 L. R. A.

N. S. 229, quoted in *State* vs. *State R. R. Comm.,* 121 N. W. 919, 925. It is "the name given to that inherent sovereignty which it is the right and duty of the government or its agents to exercise whenever *public* policy, in a *broad* sense, demands for the benefit of *society at large,* regulations to guard its morals, safety, health, order, or to insure in any respect such economic conditions as an advancing civilization of a highly complex character requires." *Stettler* vs. *O'Hare,* 69 Or. 519, 531; 139 Pac. 743.

But the argument here is rested upon the notion that the benefit may be conferred primarily on an existing utility, without regard to the public and general welfare, on the theory that by statute such right may be conferred upon it. Under the law of Eminent Domain it is perfectly settled that you cannot take the property of A and give it to B, even with compensation, for private property cannot be taken for private use, but only for public use upon compensation made. The police power is distinguishable from the right of Eminent Domain that in the exercise of the latter right private property is taken for public use, and the owner is invariably entitled to compensation therefor, while the police power is usually exerted merely to regulate the use and enjoyment of property by the owner, or if he is deprived of his property outright, it is not taken for public use, but rather destroyed in order to promote the *general* welfare of the *public,* and in neither case is the owner entitled to any compensation for an injury which he may sustain in consequence thereof, for the law considers that either the injury is *damnum absque injuria* or that the owner is sufficiently compensated by sharing in the *general* benefit resulting from the exercise of the police power. *Amer. Print. Works* vs. *Lawrence,* 23 N. J. L. 590; *Hale* vs. *Lawrence,* 21 *id.* 714.

If the Public Utility Act, the Kates Act, or any other act of the legislature could be deemed to have intended that under the guise of exercising the police power an existing utility was given a preferential right to operate, without regard to the public interest, such statute would be unconstitutional, and *a fortiori* is this so here because the statutes relied on were all passed before Chapter 50 of the Pamphlet Laws of 1928, page 110, "An Act to authorize steam railroad companies to acquire, own and operate for hire auto busses and auto trucks," was enacted.

The logical conclusion, if appellants' argument is accepted, would therefore be that this legislation sought to protect an existing railroad company against bus competition, notwithstanding that the railroad company had no authority or right to run buses, and notwithstanding the fact that the public interest, necessity and convenience alike demanded the running of buses in the public interest; in other words, altho the police power must be exercised in the public interest and for the general welfare, in the instant case the legislation in protecting the railroad company prior to 1928 did so in antagonism to both the public interest and the general welfare, and to protect a private corporation whose interest and claims were opposed to the public welfare. This situation thus developed would be this: That by legislation passed prior to 1928 the railroad company was given a preferential and preemptive right because of its location within a certain geographical area to furnish transportation of any and every kind within that territory required by the public interest and general welfare, and yet there was withheld from the railroad company the legislation which was essential to enable it to furnish the transportation by bus which the public within that territory demanded, and which public convenience and necessity required.

A mere statement of this proposition is sufficient to show its utter unsoundness.

As pertinent to the above inquiry, it must be pointed out that Chapter 50 of the Laws of 1928 by its very terms in authorizing the steam railroad company to "acquire, own and operate for hire auto busses and auto trucks" places every such company on exactly the same plane that every other private operator occupies.

Of course, it would be absurd to say that it was the intention of the legislature to protect *all* existing utilities, without regard to whether their continued existence would serve the public interest or be detrimental thereto in any given case. It is perfectly settled that the police power may not be exercised for private purposes nor for the exclusive benefit of particular individuals or classes. *Deems* vs. *Baltimore,* 26 L. R. A. 541; *State* vs. *Chicago,* 38 L. R. A. 672; *Dobbins* vs. *Los Angeles,* 195 U. S. 223. And see the whole subject exhaustively treated in 12 C. J. 930, where it is said, "The legislature may not, under the guise of any police power, impose on property burdens so excessive as to work a confiscation thereof. Nor may such power be used in any other way as a cloak *for the invasion of personal rights or private property, neither may it be exercised for private purposes, nor for the exclusive benefit of particular individuals or classes.*"

The utmost that any legislature could do in matters of this kind would be to declare that the Board should give reasonable consideration to the transportation being furnished or that could be furnished by any railroad, and the effect which such proposed transportation service may have upon other forms of transportation service which are essential and indispensable to the communities to be affected by such proposed transportation service.

That this is so is demonstrated by appellants' own brief, on pages 37 and 38 thereof, where appellants point out that the statutes of North Dakota, Kansas, Ohio, South Dakota, Wyoming, Kentucky, Colorado, and West Virginia contain specific provisions to the effect that, in passing upon an application for a certificate of convenience and necessity, the Commission shall give reasonable consideration to the transportation being furnished or that could be furnished by any railroad.

It will be well to observe, in reading the cases from the courts and utility commissions of the various States which are cited in appellants' brief, that most of them are derived from decisions in States where legislation of that kind exists. Appellants seek to bring New Jersey within that category by saying on page 38 of their brief that the words of the New Jersey statute are "necessary and proper for the public convenience and properly conserves the public interest." It will therefore be apparent that New Jersey makes the inquiry to be answered by the Public Utility Board, in granting such certificates, the question as to whether the service sought to be rendered is necessary and proper for the *public* convenience and properly conserves the *public* interest. In other words, the proper consideration in every case is, "which applicant, under the facts and circumstances shown by the evidence, will best serve the public interest?" This question has been thoroughly considered by the Board of Public Utility Commissioners, and upon ample evidence to support its findings it made the decision and order under review.

And it may be profitably pointed out, as stated in 12 C. J. 1218, "Where a franchise is not exclusive, a subsequent grant to others of a similar franchise does not unconstitutionally impair the first franchise. So a city may compete with a public service company

to which it has granted a franchise, unless precluded by plain contract provision."

There is no claim in the case now under appeal that the franchise to appellants was exclusive, and there cannot be any even specious argument made to the effect that such franchises are exclusive as against the State of New Jersey. The cases supporting this view will be found in my main brief, and there is no divergent note in their entire line.

It cannot be even plausibly urged that the franchise of appellants or any legislation cited by them secures to them freedom from competition. There is no statute cited by appellants which indicate that because they occupied the field with a railroad prior to development of bus transportation that they thereby acquired any right to be accorded exclusive permits to run buses.

The classic decision upon this subject, which completely disposes of appellants' contention as to a pre-emptive or exclusive right to occupy the field with any kind of transportation, is the famous case of *Charles River Bridge* vs. *Warren Bridge,* 11 Peters 420, 547. This case states the existing doctrine in the United States, as is evidenced by the very recent case of *Larson* vs. *South Dakota,* 278 U. S. 437, which is completely decisive against the point raised by appellants that they have the pre-emptive or exclusive right to furnish transportation in that geographical neighborhood. This doctrine will be found quite fully stated, together with an excerpt from the Charles River Bridge case, the opinion in which was delivered by Chief Justice Taney, on pages 64, 65, 66 and 67 of my main brief.

Appellants seem to contend in their brief for the proposition that because there may have been some decisions of the Board of Public Utility Commis-

sioners of the State of New Jersey which they believe stated a tendency on the part of that Board to protect existing instrumentalities as against competition, that therefore they were deprived of their rights under the Constitution of the United States when the Board of Public Utility Commissioners in the instant case denied to appellants the pre-emptive right claimed by them. Such contention on their part, even if it were true in fact, which it is not, would not permit of the conclusion sought to be drawn from it by appellants.

It is a perfectly settled rule of law that the Board might legally and constitutionally adopt a different classification and exclude them therefrom, if it were deemed by the Board, upon sufficient grounds, to be in the public interest so to do. The law is perfectly settled in the Supreme Court of the United States against the contention of appellants in this respect. It has been uniformly held that "no person has a vested right in any general rule of law or policy of legislation entitling him to insist upon its remaining unchanged for his benefit, nor is immunity from change of general rules of law to be implied as an unexpressed term of an express contract." *Chicago & Alton R. R.* vs. *Tranbarger,* 238 U. S. 67, 76; *Pennsylvania R. R.* vs. *Miller,* 132 U. S. 75, 83; *N. Y. Central R. R. Co.* vs. *White,* 243 U. S. 188, 189; *Northern Pacific R. R.* vs. *Puget Sound Co.,* 250 U. S. 332.

It is equally well settled that the enforcement of uncompensated obedience to legitimate regulation established under the police power is not a taking of property without compensation, or without due process of law, in the sense of the Fourteenth Amendment. *Chicago, B. & Q. R. R.* vs. *Chicago,* 166 U. S. 226, 255; *Chicago & Alton R. R.* vs. *Tranbarger,* 238 U. S. 78.

It is also clearly settled that "A State may consider the relation of rights and accommodate their coexistence, and, in the interest of the community, limit one that others may be enjoyed." *Walls* vs. *Midland Carbon Co.*, 254 U. S. 316.

* * * * * * * * * *

It is respectfully submitted that the decision and order of the Board of Public Utility Commissioners should be approved, and the judgment of the Supreme Court affirmed.

ATLANTIC CITY RAILROAD COMPANY and READING TRANSPORTATION COMPANY, *Appellants,*	*On Certiorari.*
vs.	*Appeal from Supreme Court.*
BOARD OF PUBLIC UTILITY COMMISSIONERS OF THE STATE OF NEW JERSEY, *et al.*, *Respondents.*	

MAIN BRIEF FOR DEFENDANT PUBLIC SERVICE COORDINATED TRANSPORT.

The Facts.

By the challeged decision and order of the Board of Public Utility Commissioners, it was decided that "The Board is satisfied that the Public Service Coordinated Transport should contiuue to provide the local transportation service over the entire

route located between Camden and Atlantic City'' (State of Case, p. 31).

The Board in its decision said, among other things, ''The Pennsylvania Railroad Company, West Jersey & Seashore Railroad Company and Atlantic City Railroad Company appeared in opposition to this application. Testimony in support of all the applications was offered by municipal officials and witnesses residing in the various municipalities through which the petitioners propose to operate autobuses. Witnesses representing the petitioners testified as to the necessity for autobus service over the various proposed routes. Evidence was also offered indicating the character of service being furnished at the present time by the existing transportation facilities as well as financial figures showing the cost of rendering such service. All of this testimony was considered by the Board in its determination of all the applications herein referred to'' (State of Case, p. 24).

The Board further said (p. 32), ''The character of the service proposed to be furnished by the railroads will be *express service* in the nature of railroad service, therefore the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their willingness to do so should pre-empt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroads' proposed bus operation.''

These and the other conclusions of the Board are amply supported by the overwhelming weight of the evidence.

That the Board's conclusion, found on page 31 of the State of Case, to the effect that ''Upon consideration of the evidence the Board therefore finds and determines that the municipal consents given to the Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to

Berlin, New Jersey, and for the operation of additional autobuses thereon are necessary and proper for the public convenience and properly conserve the public interest and approves of the same'' upon certain conditions, was not only supported by the evidence in the case, but was indeed the only finding which the overwhelming weight thereof would support, is manifested from a reading of the testimony contained in the State of Case. It is also conclusively established by the applications for permits made by the railroads themselves; and overwhelmingly proven by the testimony of Floyd H. Bradley, of counsel for the Reading Transportation Company and Atlantic City R. R. Co., on page 893, *et fol.*, of the State of Case:

> ''The Witness: When I gave the matter very serious consideration and found that the revenues of the railroad were decreasing very materially, that they were losing hundreds of thousands of dollars a year, that traffic was being diverted from railroad to buses, when I finally realized that people desired to ride on buses instead of trolley cars, when I found, in my own experience, people going to the outside districts, such as Merchantville, preferring the buses, and when I saw the throat-cutting competition of the—''

At this point in the testimony Mr. Baldwin, also of counsel for said two companies, seeing that such testimony was establishing that a great public convenience would be advanced by the operation of buses on this line, interposed an objection, whereupon Mr. Bradley sparred in his answers to questions put after the objection had been interposed, and finally went the length by denying that public convenience would be advanced by the operation of buses on this line. Then the following illuminating testimony was educed:

> ''Q. Nevetheless, you think people are going to the buses, riding on them in increasing

numbers, cutting into the business of the railroad company, and they are doing it because it is an inconvenience?

"A. No, I think they are doing it foolishly.

"Q. Foolishly?

"A. Yes, I think it is a far greater convenience for them to ride on the railroad and have safe means of transportation.

"Q. You think it is a far greater convenience for them to go to the railroad station and wait hours for a train?

"A. Not to wait hours, you don't wait hours.

"Q. Not if you go just in time to catch it.

"A. There is just as much convenience in riding on the railroad as the service we get to Merchantville by the Public Service, and more.

"Q. Oh, I see, you allow your bias to tincture your judgment?

"A. No, sir, I do not.

"Q. You think all the other people who are using these lines are using them as a great inconvenience and because they don't like them?

"A. No, they evidently like them, or they wouldn't use them, but I think they show very poor judgment. They will stand here, going to Merchantville, maybe 15 will wait for buses, and 5 get on the trolley car, when they have a perfectly safe way of going on the trolley car, they have an opportunity to carry packages, proper ventilation and heat, and not the smell which accompanies the buses which the Public Service is running to Merchantville, which is very detrimental to health, that carbon monoxide smell.

"Q. Did you ever smell carbon monoxide?

"A. No, I did not.

"Q. Do you know anybody else who ever did?

A. Well, that is the smell we speak of, it is the smell we speak of that comes from the carbon in the exhaust; of course, it isn't carbon monoxide, you don't smell that, and if you happen to take a whiff of it you pass out. I am sorry you didn't give me credit for knowing better.

"Q. I have always been led to believe you were very accurate in your language.

"A. I try to be as much as any lawyer appearing before the Courts.

"Q. You then think that the whole people who are using these lines are not using them because they are a greater convenience but because of their utter foolishness, is that right?

"A. I didn't say the whole people at all.

"Q. The whole people that are using them?

"A. No, I didn't say that.

"Q. Why do they use these buses?

"A. I don't know why a person would go to Sixth and Market and pay $1.50 to go down on a slow-moving bus to Atlantic City, one way, when they can get the same convenience, and better, by going to the railroad, going down on a fast train at 8 or 9 o'clock in the morning, and coming back at 6 o'clock at night, or 9 o'clock, and on a railroad which offers some of the finest facilities in the world —I can't understand it, and I don't know anyone else who can. We operate trains down there every few minutes, and there are no safer trains or roadbeds in the world, and why people ride in a bus, where they have no toilet facilities, or anything of that kind, and where they can't smoke—why they want those inconveniences, I don't know.

"Q. Why do you think they ride on Reading buses to Atlantic City instead of the Reading trains?

"A. I don't know.

"Q. They must be foolish, too.

"A. I don't know why they do, I have tried both."

The rest of the testimony of this witness upon that phase of the case is also very illuminating.

The factual situation in the case alone is sufficient to dispose of the contentions made by the appellants.

Section 38 of the pamphlet laws of 1911, page 388, as amended P. L. 1918, page 304, provides that "Any order hereafter made by the board may be reviewed upon certiorari by the Supreme Court. * * * The Supreme Court is hereby given jurisdiction to review said order of the board and to set aside such order in whole or in part when it clearly appears that there was no evidence before the board to support reasonably the same or that the same was without the jurisdiction of the board. * * *"

In construing this statute it was held by the court in *Interstate Tel. Co.* vs. *Public Utility Board,* 84 N. J. Law 185, that "The fact that the Supreme Court may upon a review of the testimony differ from the judgment of the board as to the propriety or correctness of its order, affords no basis for the intervention of the court by way of review by certiorari to set aside the finding of the board or by way of writ of mandamus to compel a substitution of its judgment for that of the board."

If the order of the board is reasonably supported by the proofs the court will sustain it.

I, therefore, set down a resume of the factual side of the case, which is in every particular established by the evidence.

On January 11th, 1929, Public Service Co-Ordinated Transport filed with the Board of Public Utility Commissioners its application for approval of local permission to extend the operation of one bus on the Atlantic City-Egg Harbor route to Berlin and for approval of the operation of eleven addition buses between Atlantic City and Berlin, New Jersey (see Case, Vol. I, p. 106, ll. 10-33).

On March 18th, 1929 (March 21st, 1929), White Way Tours, Parlor DeLuxe Coach Company and Union Bus Company filed with the Board of Public Utility Commissioners their applications for ap-

proval of local permission to operate twenty buses between Atlantic City and Philadelphia (see Case, Vol. I, pp. 681, 764 and 735, respectively).

On March 20th, 1929 (March 21, 1929), Pennsylvania General Transit Company filed with the Board of Public Utility Commissioners, its application for the approval of the resolutions by the municipalities through which it proposed to operate motor buses between Atlantic City and Philadelphia (see Case, Vol. I, p. 301, ll. 8-20).

On April 9th, 1929, Reading Transportation Company filed with the Board of Public Utility Commissioners its application for approval of local permission to operate twenty-five auto buses between Philadelphia, Pa., Camden, N. J., and Ocean City, N. J., via Atlantic City, N. J. (see Case, Vol. I, p. 580, ll. 17-29).

By general agreement the Board heard all of these matters together. The taking of testimony began on March 11th, 1929 and concluded, after many hearings, on June 11th, 1929.

Public Service Co-Ordinated Transport (successor to Public Service Transportation Company and Public Service Railway Company—long the operators of *intra-state* buses in New Jersey), proposed to extend its Atlantic City-Egg Harbor bus route to Berlin, New Jersey, and to place thereon eleven additional buses (see Case, Vol. I, p. 125, ll. 5-9).

White Way Tours, Parlor De Luxe Coach Company and Union Bus Company, owned and managed by one O. G. Schultz as a unified system (see Case, Vol. I, p. 723, ll. 25-31; p. 724, ll. 20-31), Pennsylvania General Transit Company and Reading Transportation Company, proposed to operate buses from Philadelphia, via Camden, New Jersey, to Atlantic City, New Jersey (see Case, Vol. I, pp. 681, 764, 735, 301 and 580, respectively).

All of the applicants sought to operate their buses on the White Horse Pike, that great highway connecting Camden with Atlantic City.

There is not the slightest similarity, however, between the application of Public Service Co-Ordinated Transport and those of the other transportation agencies. Public Service Co-Ordinanted Transport has been operating a line of buses between Camden and Berlin, Atco and Hammonton (see Case, Vol. I, p. 271, ll. 21-23; Vol. II, p. 974, ll. 9-24). It purchased the Egg Harbor-Atlantic City bus line, which had been operating for some time between Egg Harbor and Atlantic City. This purchase was approved by the Board, together with the transfer to it of the rights of the former owner (see Case, Vol. I, p. 272, ll. 9-14). Both of these lines, viz, Camden to Berlin, Atco and Hammonton and Egg Harbor to Atlantic City, were doing a purely *local, intra-state* business and were catering to the transportation needs of the citizens of the small communities along the White Horse Pike through which they ran. At no place in the testimony does it appear that Public Service Co-Ordinated Transport was doing either an *express* or an *inter-state* business along this great highway.

The other applicants had never paid any attention to the transportation needs of the New Jersey communities between Philadelphia and Atlantic City, but, on the contrary, had been operating an interstate, express business between Philadelphia and Atlantic City (see Case, Vol. I, p. 715, ll. 17-19; p. 722, ll. 16-22; pp. 503-504; p. 623, ll. 33-36), wholly without the jurisdiction of the Board of Public Utility Commissioners of this State and utterly without regard for the public convenience and/or necessity of those living in the thriving New Jersey towns through which their *interstate* routes passed.

After all of the testimony had been received, the Board of Public Utility Commissioners, on June 27th, 1929, announced its decision, in which, among other things, it approved the local permission given Public Service Co-Ordinated Transport to operate five buses, White Way Tours to operate three buses, Parlor DeLuxe Coach Company to operate three buses, Union Bus Company to operate four buses, Pennsylvania General Transit Company to operate ten buses and Reading Transportation Company to operate ten buses (see Case, Vol. I, pp. 824-836).

It is of this decision that the railroads and their so-called "subsidiaries" complain.

The Territory Sought to be Served by Public Service Co-Ordinated Transport.

In applying to extend its Egg Harbor-Atlantic City route from Egg Harbor to Berlin and to supplement that service with additional buses, Public Service Co-Ordinated Transport is proposing to provide local transportation, via the White Horse Pike, to a territory approximately twenty-five miles in length (see Case, Vol. I, p. 159, ll. 20-26) and having absolutely no *local* bus service to care for its transportation needs (see Case, Vol. I, p. 44, ll. 33-34; p. 45, ll. 1-4).

It offers bus service to some twenty-five thousand to thirty thousand people (see Case, Vol. I, p. 144, ll. 35-36). A check of the White Horse Pike section, between Berlin and Absecon demonstrated that there were thirty-seven hundred and eighty-five buildings (including houses, churches, banks, halls, theatres, garages, &c.) within a distance varying from one-quarter of a mile to three-quarters of a mile on both sides of the Pike (see Case, Vol. I, p. 143, ll. 33-37, p. 144, ll. 2-20).

The names of the municipalities between Berlin and Absecon, inclusive, together with their population, follow:

Berlin Borough	2,600
Berlin Township	1,850
Waterford Township	3,000
Winslow Township	5,200
Chesilhurst Borough	500
Town of Hammonton	9,000
Mullica Township	
Egg Harbor City	3,400
Galloway Township	
Absecon City	2,100

(See Case, Vol. I, p. 144, ll. 29-36.)

Berlin is the banking center for its surrounding territory (see, Case, Vol. I, p. 131, ll. 33-36) and has numerous automobile agencies, for which industries it is a regular shipping center (see Case, Vol. I, p. 131, ll. 31-32).

At Elm, in Waterford Township, is located the **Bogarts Lumber Company (see Case, Vol. I, p. 131,** ll. 31-32).

Hammonton is the home of numerous industries, its clothing factories, alone, employ between one hundred and fifty and two hundred persons (see Case, Vol. I, p. 131, ll. 11-14).

Between Berlin and Hammonton are found many houses, inns, garages and other places of business to which salesmen and other people working at these places desire to go (see Case, Vol. I, p. 131, ll. 14-19).

The City of Egg Harbor with its bank (see Case, Vol. I, p. 132, ll. 1-4) and its population of approximately thirty-four hundred (see Case, Vol. I, p. 144, ll. 31-32) numbers among its industries the Egg Harbor Coal and Lumber Company, George Serge and Sons Company, clothing, Rynhardt Sorge, clothing, Liberty Cut Glass Works, Renault

& Sons Wine Tonic, Dewey's Wine Cellars, Bauling Clothing Company, Winterbotton & Sons, bone handles, Louis Altman, clothing, Albert Berrer, vests, and the Block Go-Cart Company (see Case, Vol. I, p. 131, ll. 19-29).

The very fact that the communities, with their total poulation as hereinabove shown and their thriving industries and manufacturies, have no means of local transportation, via the White Horse Pike (see Case, Vol. I, p. 288; p. 147, ll. 6-29; p. 205, ll. 19-21) demonstrates beyond power of contradiction the public necessity for such a local service as is proposed by Public Service Co-Ordinated Transport.

In the brief of prosecutors appear statements similar to that immediately following:

> "Present Railroad Service in Locus in Quo.
>
> "The West Jersey and Seashore Railroad Company has been in operation between Philadelphia (via Camden) and Atlantic City for upwards of seventy years. It is an integral part of the Pennsylvania Railroad System, through stock control and management. This line between Camden and Atlantic City has been developed and its service improved until it is now one of the best equipped and one of the most efficient railroads operating in this country. This has meant expeditures running into millions of dollars for improvements in equipment and right of way (Exhibit P. R. R. 3, also Case, Vol. I, pp. 512, 527, p. 467, ll. 25-30)".
>
> * * * * *
>
> "The Atlantic City Railroad Company also operates an up-to-date and highly efficient line between the same terminal points."

An interesting observation, indeed, and, possibly true, but certainly not highly illuminating as ap-

plied to the instant inquiry! The high class, express service, via the railroads, from Philadelphia (via Camden) to Atlantic City has long been thoroughly appreciated and paid for by the travelling public of this country. That the maintaining of such splendid seashore service "has meant expenditures running into millions of dollars for improvements in equipment and right of way" is but the normal everyday experience of an alert business man, firm or corporation, be his or its product collars, rolling pins or transportation. With this sort of testimony Public Service Co-Ordinanted Transport has no quarrel. For example, it is readily admitted that the railroads operate many modern, up-to-date express trains between Philadelphia (via Camden) and Atlantic City daily and that the maintenance of such a service is extremely costly.

But, such a River-to-Ocean service, however fine in all of its characteristics, *does not and has not through the years been of the slightest benefit to those small New Jersey towns along the route of the White Horse Pike* now being sought to be served with local transportation by Public Service Co-Ordinated Transport.

The record shows that persons residing in Berlin and desiring to travel eastwardly thereof have one train leaving Berlin (on the West Jersey and Seashore Railroad) at 8.17 A. M., making a flag stop at Bishop's Bridge, another at Atco (two and a half miles below Berlin), a flag stop at Dunbarton (three and a quarter miles below Atco), a flag stop at Fisher's, and so on down the line, stopping at the stations, either upon notice to the agent or to the conductor, or on scheduled stops, finally reaching Hammonton at 8.45 A. M. and Egg Harbor at 9.02 A. M. There are absolutely no stops made between Hammonton and Egg Harbor (see Case, Vol. I, p. 134, ll. 11-24), although the distance between these points is eleven and one-tenth miles (see Case, Vol.

I, p. 143, ll. 19-20), while the distance between Berlin and Hammonton is eleven and nine-tenths miles (see Case, Vol. I, p. 143, ll. 4-18).

The next West Jersey and Seashore Railroad train available to Berlin residents desiring to go eastwardly thereof (with the exception of Fisher's, Chesilhurst and Ancora) is a train leaving Berlin at 4:03 P. M., arriving at Hammonton at 4.29 P. M. This is followed by a train leaving Hammonton for Egg Harbor and Atlantic City at 5.38 P. M. (which train does not stop at Berlin), thus necessitating a layover at Hammonton for Berlin passengers of fifty-three minutes (see Case, Vol. I, p. 136, ll. 4-15).

These trains are followed by trains leaving Berlin at 6.22 P. M., 6.32 P. M. and 7.01 P. M., bound for Hammonton, after which there is no service between Berlin and points to the east (see Case, Vol. I, p. 136, ll. 15-19).

On Sundays, the West Jersey and Seashore Railroad Company furnishes absolutely no train service to Berlin, Bishop's Bridge, Dunbarton, Fisher's, Chesilhurst, Spring Garden, Waterford or Ancora, the only service on that day being between Hammonton, Egg Harbor, Absecon and Atlantic City, on a train leaving Hammonton at 10.14 A. M. and a second train serving only the section between Absecon and Atlantic City which leaves Hammonton at 11.02 A. M. (see Case, Vol. I, p. 136, ll. 15-29).

In the reverse direction, or west bound, the same situation pertains (see Case, Vol. I, p. 136, ll. 30-31).

The Atlantic City Railroad Company first comes into the picture at Hammonton (see Case, Vol. I, p. 140, ll. 24-25). Between Hammonton and Cologne, a distance of thirteen and nine-tenths miles, the trains of this Company makes stops at Da Costa, Elwood and Egg Harbor (see Case, Vol.

I, p. 141, ll. 35-36, p. 142, ll. 1-2). The Atlantic City Railroad Company operates three trains during the middle section of the day that would serve the people of this territory, the interval between these trains averaging about two and one half hours (see Case, Vol. I, p. 141, ll. 21-25).

The railroad time tables produced at the hearings and received in evidence are silent but most effective witnesses to the total lack of local transportation afforded those living along the White Horse Pike between Berlin and Egg Harbor. Briefly summarized, they show gaps between trains of as much as eight hours, with no train service at all on Sundays (see Case, Vol. I, p. 273, ll. 10-12).

That the railroads provide a high class, high speed, through service from Philadelphia, via Camden, to Atlantic City may be true. That they have utterly failed to serve the local rider living along the White Horse Pike is conclusively proven by the very time tables which they, the railroads, have offered as evidence in their own cases.

The Service Proposed by Public Service Co-Ordinated Transport.

As noted *supra,* the territory sought to be served by Public Service Co-Ordinated Transport, viz., from Egg Harbor to Berlin, following the route of the White Horse Pike for a distance of approximately twenty-five miles, is populated by some twenty-five thousand to thirty thousand people, who are now wholly without any means of local transportation.

That there is a tremendous demand for service, local in character, was clearly evidenced by the appearance of one hundred and twenty-two persons who voluntarily went to Atlantic City to present their appeal for this service to the Board of Public Utility Commissioners at the hearing of June 11th.

1929, held in that City (see Case, Vol. I, p. 272, l. 34; p. 273, ll. 1-6).

The local service, as proposed by all of the other applicants, is merely incidental to their existing, interstate, through service and is not designed primarily to benefit the local rider along the White Horse Pike. Running as they do to Philadelphia, the buses of other applicants in the busy seasons, Saturday, Sundays and holidays, will be filled to capacity in Philadelphia with through passengers for Atlantic City and, consequently, will be unable to render any service to local riders along the White Horse Pike (see Case, Vol. I, p. 272, ll. 19-27).

Through service will not be given by Public Service Co-Ordinated Transport under this application (see Case, Vol. I, p. 272, ll. 33-34).

The Board of Public Utility Commissioners recognized this fact in its decision of June 27, 1929, when it said:

> "The Board is satisfied that the Public Service Co-Ordinated Transport should continue to provide the local transportation service over the entire route located between Camden and Atlantic City" (see Case, Vol. I, p. 834, ll. 9-12).

Local riders along the White Horse Pike will not find Public Service Co-Ordinated Transport buses crowded with interstate passengers bound for Atlantic City when they board those buses between Berlin and Egg Harbor, for the proposal of that Company is to furnish a service "purely local in character and for the benefit of the community between Berlin and Atlantic City (see Case, Vol. I, p. 273, ll. 14-16).

Prosecutors say

> "This finding of the Board is contrary to the facts as shown by the evidence."

It cannot be denied that Public Service Co-Ordinated Transport was furnishing a purely "local transportation service" between Camden and Berlin, Atco and Hammonton and between Egg Harbor and Atlantic City, and that none of the other applicants were furnishing a like service (see Case, Vol. I, p. 271, ll. 21-23; Vol. II, p. 974; p. 937, 9-24; p. 715, ll. 17-19; p. 722, ll. 16-22; pp. 503-504; p. 623, ll. 33-36).

It is submitted that the language of the Board in this particular clearly defines the function of the service being provided by Public Service Co-Ordinated Transport as *"local"* in character and is explanatory of its reason for approving local consents to operate five additional buses, rather than a "finding of the Board contrary to the facts as shown by the evidence".

The Instant Case and the Decision of July 17, 1928.

Sometime in the year 1927, Public Service Transportation Company (Public Service Co-Ordinated Transport, successor) filed its application with the Board of Public Utility Commissioners for permission to extend its line of buses operating between Camden, Berlin, Atco and Hammonton, eastwardly along the White Horse Pike to Atlantic City (see Case, Vol. II, pp. 937 *et seq.*).

That application was filed in order that permission might be obtained to furnish a local service for the entire distance along the White Horse Pike and give to the people beyond Berlin, Atco and Hammonton a frequent local service similar to that enjoyed in the section west of Berlin. This application was objected to and opposed by the railroads (see Case, Vol. I, p. 271, ll. 23-31).

The Board denied that application and in the decision stated that the line would in all proba-

bility deplete some of the through business between Camden and Atlantic City and therefore compete with the railroads to that extent (see Case, Vol. II, p. 1407).

Prior to the Board's decision of July 17th, 1928, Public Service Co-Ordinated Transport (successor to Public Service Transportation Company) purchased, with the approval of the Board of Public Utility Commissioners, the then existing Egg Harbor-Atlantic City bus line (see Case, Vol. I, p. 272, ll. 7-14).

The present application was made to meet the many requests that have come from this section and with the thought that it would eliminate the objections of the railroads to a through service from Camden to Atlantic City. As before stated, it is not the plan of Public Service Co-Ordinated Transport to operate through buses between Camden and Atlantic City. Buses from Camden will operate as heretofore to Berlin, Atco, Tansboro or Hammonton. Buses from Atlantic City will operate westwardly to Berlin. Should Camden people desire to go to Atlantic City by Public Service Co-Ordinated facilities, it will be necessary for those persons to change buses at Berlin or Hammonton (see Case, Vol. 1, p. 272, ll. 14-29).

The two applications are wholly dissimilar as to the character of the service offered, as is apparent by the most casual inspection of the petitions filed with the Board (see Case, Vol. I, pp. 106-122, and Vol. II, pp. 937-967).

Referring to the testimony of Mr. Arthur T. Warner, General Manager in Charge of Traffic of the applicant, at the hearing before the Board in 1928, the Prosecutors in their Brief (on pages 94 and 95) say,

> "At the hearing before the Board on the extension of Camden-Atco line (1928), a representative of the Public Service stated

> that their chief purpose in asking for the extension, which was subsequently denied, was to obtain a foot hold in the territory on which to base rights to operate on the White Horse Pike'' (see Case, Vol. II, pp. 1307, 1308, ll. 32-11).

This, Public Service Co-Ordinated Transport categorically denies and brands as a deliberate misquotation of testimony by the Prosecutors. The facts speak for themselves.

''Destructivness of the Competition''.

The appellants, on pages 96-99 of their Brief, devote much space to a consideration of the ''Destructiveness of Competition'' offered by Public Service Co-Ordinated Transport in order to demonstrate that ''the Board * * * disregarded its established duty * * * to protect existing utilities and the investments therein from destruction by competition'' (see Brief of appellants, p. 99). They quote at length from the testimony of Mr. J. F. Deasy, ''Assistant Vice-President of the Pennsylvania Railroad in charge of operations'', in support of that argument.

An examination of Mr. Deasy's ''Testimony'' may prove interesting.

Mr. Deasy, ''Assistant Vice-President in charge of operations'' (see Case, Vol. I, p. 464, ll. 26-27) of the Pennsylvania Railroad Company (see Case, Vol. I, p. 464, l. 21) assumed to ''state to the Commission the *policy* of the railroad in connection with its bus operations'' (see Case, Vol. I, p. 464, ll. 28-29). His direct ''testimony'' consisted of a ''prepared * * * statement'' (see Case, Vol. I, p. 470, ll. 31-32; p. 481, ll. 7-8) after he had ''conferred with the officials of the Reading Railroad'' (see Case, Vol. I, p. 470, ll. 31-32). That Mr. Deasy's ''prepared statement'' should be regarded as ''testi-

mony'' is preposterous. Admittedly a declaration of the ''*policy* of the railroad'' (see Case, Vol. I, p. 464, ll. 28-29), the Prosecutors are asking this Court to give to it the weight and dignity of believable evidence falling from the lips of an ''Assistant Vice-President in charge of operations'', when, as a matter of fact, that ''Assistant Vice-President *in charge of operations*'' was not so much as cognizant of the existing bus service on the White Horse Pike (see Case, Vol. I, p. 473, ll. 13-16; p. 483, ll. 3-13), nor did he know whether or not there was a function for a local bus line such as that proposed by Public Service Co-Ordinated Transport (see Case, Vol. I, p. 485, ll. 12-23).

Furthermore, Mr. Deasy,—he of ''Tom, Dick and Harry'' fame (see Case, Vol. I, p. 472, ll. 34-37; p. 473, ll. 1-4; p. 483, ll. 1-2) complained of loss of railroad passenger revenue because of ''first, the private automobile, then the bus, combined with the opening of the Delaware River Bridge, in July, 1926'' (see Case, Vol. I, p. 467, ll. 4-6).

Mr. A. E. Buchanan, General Passenger Agent of the Prosecutors, testified that ''the motor coaches started in New Jersey some five or six years ago, first using the ferries, and the operation was more or less spasmodic and unreliable. In the past three years, however, that situation has been entirely changed. The Philadelphia-Camden bridge was completed and put in operation in July, 1926, *and has been revolutionary in its effect on the passenger business of the West Jersey and Seashore Railroad.* The number of passenger buses has increased enormously and the revenues of the West Jersey and Seashore Railroad has also enormously decreased'' (see Case, Vol. I, p. 532, ll. 1-13). Referring to the losses of passenger revenue sustained by the West Jersey and Seashore Railroad Company, as shown by Exhibit P. R. R. 8 (see Case, Vol. III, p.), Mr. Buchanan said, ''Briefly, with the

normal fluctuation, the years 1921, 1922, 1923, 1924 and 1925 were holding up very well, but in 1926, after the Bridge was opened in July, the situation has grown progressively worse. The three years, 1926, 1927 and 1928, show a decrease over 1925, the year before the Bridge was completed, of $2,714,106 or 34.8 per cent'' (see Case, Vol. I, p. 538, ll. 1-7).

Public Service Co-Ordinated Transport does not deny that railroad passenger revenues have decreased since 1921, but, it asserts that the very testimony given by Mr. Buchanan and the statistics produced by him completely absolve *intra-state, local* transportation facilities, such as are being operated by Public Service Co-Ordinated Transport, from all blame for the diminution of railroad passenger revenue.

Again Public Service Co-Ordinated Transport definitely stresses the fact that its application before the Board of Public Utility Commissioners asks for permission to do a purely *local, intra-state* business along the White Horse Pike, rather than to do a *through, inter-state* business, such as the Prosecutors assert has adversely affected their passenger revenue since July, 1926.

How, then, can the ''Destructiveness of the Competition'' be charged to the proposed operation of Public Service Co-Ordinated Transport?

The railroads, although sustaining a serious loss of passengers since 1921 (see Case, Vol. I, p. 538, ll. 1-7) and cognizant of the entry of motor coaches into New Jersey ''some five or six years ago'' (see Case, Vol. I, p. 532, ll. 1-13), ''discarded the idea of bus service on the White Horse Pike'' (see Case, Vol. I, p. 278, ll. 1-2) or ''took the position that they were not interested'' (see Case, Vol. I, p. 279, l. 3). Proper action three years ago would have prevented all bus traffic from coming over the Camden Bridge. Responsibility for the condition

of the investments of the railroads must be assumed by them (see Case, Vol. I, p. 278, ll. 35-37; p. 279, l. 1).

Public Service Co-Ordinated Transport knows something about the "Destructiveness of the Competition".

Prior to 1923, Public Service Transportation Company (Public Service Co-Ordinated Transport, successor) many times appeared before the Board of Public Utility Commissioners in an endeavor to protect its territory (and thus protect its investment in the street railway lines of this State) from the bus competition that was sapping the very life-blood of that huge investment, as well as destroying the ability of those street railways to function. The Board in many decisions, where new bus lines were coming into the transportation picture, impressed certain restrictions, but not once was an existing bus taken off, nor its ability to compete rendered impotent. From the year 1920, through the year 1923, the Board, by its decisions, stabilized bus operation in New Jersey. In 1923, after the street railway strike and the subsequent re-arrangement of fares, Public Service went out and bought back its own business by the purchase of competing bus lines which had been approved by the Board of Public Utility Commissioners (see Case, Vol. I, p. 274, ll. 16-36).

In 1923, Public Service was operating half a million miles with buses and carrying some two million passengers. Five years later, or in 1928, Public Service Co-Ordinated Transport operated sixty four million miles and carried three hundred and twelve million passengers (see Case, Vol. I, p. 275, ll. 1-5).

The railroads, through their spokesman, Mr. J. F. Deasy (see Case, Vol. I, p. 470, l. 35; p. 471, ll. 1-3), declare that they have entered the bus business to *protect* their "existing service and existing

revenues and existing facilities'' (see Case, Vol. I, p. 473, ll. 27-29). With this in mind, it is but fair to assume that they plan to do all in their power to make their existing rail service attractive to the travelling public in an endeavor to divert traffic from that which they apparently regard as a ''necessary evil''—the bus—to their rail facilities. The entry of the railroads into bus operation was merely for the purpose of the protection of their rail interests, rather than for the purpose of assisting in the development of the transportation art by the operation of buses.

Public Service Has Taken Bus Operation Seriously.

After six years of experience, Public Service Co-Ordinated Transport has learned that bus operation is more than mere protection. It is showing gratifying yearly progress and Public Service Co-Ordinated Transport believes that its bus business constitutes its main hope for the future. (see Case, Vol. I, p. 279, ll. 14-19). It has been keenly alive to the ''Destructiveness of the Competition,'' during the time that the railroads were either ''discarding the idea'' or frankly ''not interested.'' And yet, these same railroads, ''waking up from this long sleep'' (see Case, Vol. I, p. 279, ll. 6-7) seek to dilute the earnings and usurp the functions of Public Service Co-Ordinated Transport by pleading with this Court to reverse the decision of the Board of Public Utility Commissioners of June 27th, 1929, and to give judicial sanction to that which they glibly call the ''Destructiveness of the Competition'' of Public Service Co-Ordinated Transport.

I wish to direct attention to two points in appellant's brief which are very weak. On page 51

of the brief, counsel refers to an excerpt, as follows:

> "West Milford Electric Co. XII Reports of P. U. Com. (N. J.) 193, p. 196 (1925):
>
> "It has been the policy of this board to protect a utility from competition from another when such utility furnishes adequate service."

In this particular case the railroads, while possibly being in the position of existing utilities, were certainly not furnishing *adequate* service for local transportation business along the White Horse Pike, which they admit in their own testimony when they ask for permission to render this service with buses. Therefore, in furnishing train service of this nature they are not entitled to protection.

The second point which I note in said brief is found on page 87, when it goes to considerable length to justify the railroads' attitude toward the bus business and says, "The railroads have done the only thing which they could do to defend themselves."

I wish to cite Mr. Warner's testimony in the first case at the hearing on January 31, 1928, page 481 of the record, wherein is recited the attitude of the Pennsylvania Railroads toward the Reed-Bacharach bill, which would have stopped all interstate bus operation over the bridge between Philadelphia and Camden. The railroads, particularly the Pennsylvania, instead of assisting in the passage of this bill, took the position (and they have never denied that they took this position, although they have had the opportunity to deny it since January, 1928) that they were not interested in the passage of the Reed-Bacharach bill. This statement is the crux of the case—or one of them. That was the point where railroad help would have

made it unnecessary for them to protect losses, or for Public Service to go into the operation of buses beyond its then territorial limits to protect its own operation.

I wish also to call attention to the statement that Mr. Warner made in the record of this case before the Board at the hearing of June 11, 1929, and which appears in the State of Case, beginning at page 271 and concluding on page 280. This statement gives our position in the matter. It reviews briefly the case up to that date and at the end of it he shows the functional difference between the application of the railroads and the application of Transport. Our application in this case is to extend a purely local, purely intrastate bus line, now operating from Atlantic City to Egg Harbor, westerly to Berlin, and to furnish in the section covered by this extension, that is, between Egg Harbor and Berlin, purely local, corner to corner, house to house, service along the White Horse Pike. This local business is, therefore, the entire and sole function of this line. Contrasting to this is the railroad's application, wherein they ask to take a line operating all the way from Philadelphia to Atlantic City and stop en route for the local people along the White Horse Pike. It makes their application, therefore, bi-functional, in that the ability to care for this local business along the White Horse Pike between Berlin and Atlantic City will be secondary to the main function of the line, which is to perform a through service from Philadelphia to the Ocean. Following is a copy of the statement, exactly as it was read into the record:

> "First I shall discuss the Public Service application to extend its Egg Harbor line to Hammonton and Berlin. Slightly over a year and a half ago Public Service secured permits between Camden and Atlantic City and applied

to this Board to extend the line of buses that was then operating, between Camden, Berlin, Atco and Hammonton, easterly along the White Horse Pike to Atlantic City. The reason for this application was to allow us to furnish a local service for the entire distance along the White Horse Pike and give to the people beyond Berlin, Atco and Hammonton a frequent local service similar to that enjoyed in the section west of Berlin. This application was objected to and opposed by the railroads. We interpreted this opposition as a fear that it would enable Public Service to do a through business between Camden and Atlantic City and thus affect the business done on their rail lines. The Board denied that application and in the decision stated that the line would in all probability deflect some of the through business between Camden and Atlantic City and compete with the railroads to that extent. Since that decision was handed down, slightly over a year ago, we have received many requests from the small settlements along the White Horse Pike east of Berlin, asking that we make further attempts to furnish them a local service in that section. Prior to the time that the Board's decision was released in the first case, we purchased the Egg Harbor-Atlantic City Bus line, which had been operating for some time between Egg Harbor and Atlantic City. This purchase was approved by the Board with our application to transfer from the old owners to Public Service. The present application, namely, to extend the Egg Harbor line to Berlin and to increase the number of buses on the extended line was made to meet the many requests for service that have come from this section and with the idea that it would eliminate the objections of the railroads to a through service from Camden all the way to Atlantic City. We do not plan to operate through buses between Camden and Atlantic City if this application is granted. The buses from Camden will go as they do now to either Berlin, Atco, Tansboro or Hammonton. The buses from Atlantic City will go

westerly to Berlin. If any Camden people desire to go to Atlantic City, such traffic will have to change buses at Berlin. Through service will not be given under this application. We feel that there is a tremendous demand for a local service along the White Horse Pike between Berlin and Atlantic City. One hundred and twenty-two citizens from this section came down here to this Board voluntarily at the last hearing. We could have brought three or four times that number. There is a demand for the service there that is as real as any that I have witnessed in all my experience. The train service, as far as local stops are concerned, is practically no service at all. The timetables which are in evidence speak for themselves and show gaps between trains of eight hours with no local trains on Sundays.

"We plan that this Egg Harbor extension, which we are asking the Board to approve, is a service purely local in character and for the benefit of the community between Berlin and Atlantic City. We say that regardless what action the Board takes on the other applications that are before it, this application should be approved, because on all the other applications the local service will be incidental to the through service, and during busy seasons, Saturdays, Sundays and Holidays the buses of the other applicants will be filled to capacity in Philadelphia with through passengers for Atlantic City and will consequently be unable to render any service to the local riders along the White Horse Pike.

"Public Service has been subjected to some criticism in attempting to secure these permits and have them acted upon by the Board. We have been accused of being a carpet-bagger in Atlantic City, of having no right there, and of transgressing in areas where the Pennsylvania Railroad and Reading Railroad have apparently some God-given right to handle all the business. We hold that Public Service *has a right* in Atlantic City. We pay over $3,000,000 in taxes yearly. We have purchased, with real money, the Egg Harbor-Atlantic City line. It

holds consent at present to operate within Atlantic City. We have purchased the Wilmington-Atlantic City line. This line holds eight permits to operate into Atlantic City. These purchases, and the transfers of their rights to Public Service, have been approved by this Board and the securities on which the money has been raised to pay for these lines, have been issues approved by this Board. We are operating buses into Atlantic City on our own rights which have approved in a manner prescribed by the laws of this State.

"This brings up the question (and it enters into these series of cases very largely) of what are territorial rights and what are they worth. We must in considering this question go back to the early days of bus operation. Prior to 1923 Public Service appeared before this Board many times to attempt to have this Board take some action to protect what we called our territory, to protect the investment that we had put in the street railway lines of this state, from the bus competition that was eating the very life blood of that huge investment and was destroying whatever ability the railway had to function. The Board, in many decisions, where new bus lines were coming into the picture, established certain restrictions, but never once was an existing bus taken off or its ability to render competition in any way reduced. This Board by their decisions in such cases stabilized bus operation in New Jersey from 1920 through 1923. In 1923 after the street railway strike and the subsequent change in fares, with which the members of the Board are familiar, Public Service went out and brought back its own business by purchasing competing buses which had been approved by this Board. This the Board will well remember. We took bus operation seriously. We started out in 1923 but operating half a million miles with buses and carrying some 2,000,000 passengers. This has increased by leaps and bounds, until five years later, our 1928 record shows that 64,000,000 miles were operated and 312,000,000 passengers carried. All this has come from a

systematic attempt to develop the bus as a means of local transportation, to perfect the vehicle, and to extend our services into areas which it would have been manifestly impossible to have served by extending rail lines. I want the Board to visualize for a moment the areas through which these extensions have taken place. The Black area on this map shows the area which we were serving in 1923 with street cars before bus operation started. Since 1923 extensions made with buses have gone out to include, as added territory, the areas bound in Red. Now we hold that this expansion of territory is proper, is necessary and is a development inherent to the motor age, with its improvements in roads and the consequent expansion of metropolitan suburban areas. (Describe White Horse Pike.) It is obviously something that we could do with the bus that we could not do with the trolley and yet the railroads tell us that we should confine our activities to areas adjacent to Camden and Newark formerly covered by our rail lines and they say that beyond this area we are interlopers and carpet-baggers and are exceeding our functions. Every one of these lines that are serving these red areas are lines that have been approved by this Board and as I said before, the money which financed them and purchased the plant needed to operate them was raised by securities approved by this Board in a manner prescribed by law. I respectfully suggest to the Board that as far as we are concerned, we consider ourselves a New Jersey Corporation and as such we say that we are willing to render service to any and every section of the State. If I were to define what we consider our territorial limits, I would say the Atlantic Ocean and the Hudson River on the east, and the Delaware River on the West, and would accept nothing else.

"A year ago a Pennsylvania Railroad official (L. K. Marr, p. 275) said that no local service was needed along the White Horse Pike between Berlin and Atlantic City. The Reading Railroad, through Mr. Osterhaut, made the

definite statement that they had *discarded* the idea of bus service on the White Horse Pike. Now, after a year has passed, during which they have, if anything, lessened the amount of local train service that they have to these people, they come in and tell the Board that *if service is needed* they should be allowed to give it. *We* say definitely that service is needed and we say definitely that we are prepared to give it. Any organization that approaches a problem of rendering service with the half-hearted idea that if the service is needed they will give it, should not be allowed the privilege. Their idea of service, if it is needed, is four buses a day, and their plan for bus service does not contemplate a local bus for these people of Pomona, Germania, Elwood, Elm and the like. But they plan to let these people get on their through buses which will be filled with passengers from Philadelphia to Atlantic City. Obviously, this will not give a dependable local service in the section wherein Public Service is applying for permits to run a local bus line.

"The Pennsylvania Railroad by its own admission is entering the bus operating field to protest its rail interests and to conserve its investment in rail facilities. Responsibility for the condition of their rail investment must be assumed by them. Proper action three years ago would have protected all bus traffic from coming over the Camden bridge as well as the Holland Tunnel. But the Pennsylvania took the position that they were not interested, when their interest was essential. Now, after we have gone ahead, and taken steps necessary to protect ourselves, they come in, waking from this long sleep, and seek to dilute our earnings and usurp our functions. Their methods of operating already described coincide with this admitted reason. We want to make the definite statement that it is our belief that the Pennsylvania Railroad and the Reading Railroad do not plan to provide bus service as such, but merely to protect their rail interests. With this in mind, their plan will always be to make the rail service the most desirable and to do

everything in their power to push the traffic toward the steam trains. We have learned from experience of six years that bus operation is more than mere protection. It is showing gratifying improvement yearly, and we believe that our bus business constitutes today our main hope for the future. To curtail this, to hamper its growth, or to restrain its functions, would in our opinion be suicidal.

"The Board's attention should be again called to the fact, that, in this district in particular, the railroads, after repudiating bus operation within the last few months (the Reading official used the word 'discarded'), and after having refused, before the Camden Bridge was opened, to give any assistance toward the passage of the Federal Reed-Bacharach Bill, are now in asking for permission to give service *if it is needed.*

"The New Jersey State laws, paragraph 52 of the laws of 1928, show conclusively that the legislative fiat of this state is that local transportation should be furnished jointly by street railway cars and buses. This Act declares that the two are to be considered altogether, operated as one system and shall be termed a single public utility. This further emphasizes the fact that Public Service territory is wherever its buses run, and any reference to the locations of old rail heads is out of the picture. If our operation into Atlantic City, where we have routes already approved by this Board, is to be construed by the Pennsylvania Railroad as an invasion of their territory, it would be as fair for us to say that they invaded Public Service territory when they operated Hudson and Manhattan service between Jersey City and Newark and ruined thereby two perfectly good trolley lines that were rendering service between the two largest cities of this state. *We maintain that our function is to give local service on the highways of this state, whether by rail or by bus, and when the steam railroads endeavor to do this they are usurping a function, a duty and a privilege that is ours and not theirs.*"

This point concerning the difference in functions, which we claim is the sole right of Public Service, is shown on page 187 of the testimony at the hearing on June 11, 1929, during Mr. Warner's cross-examination by Judge Osborne. The questions and answers are as follows (State of Case, p. 287):

> "Q. On what theory do you claim that the Public Service has a right to use the highway to the exclusion of a company which is a branch of the railroad company, or any other company.
>
> "A. On the theory that our function and our privilege throughout the state is the development of the local transportation service, making frequent stops, block to block and so forth, which has never been the function of the railroad or the railroad's province.
>
> * * * * *
>
> "Q. You think that you have the God-given right, which you denied the railroad companies, to operate buses throughout the State?
>
> "A. Well, I think we have a prior claim, a prior right, yes.
>
> "Q. Notwithstanding the railroads were in the transportation business before you were?
>
> "A. In their kind of transportation business."

All the railroads have to protect is comparatively long-haul business, station to station, with the infrequent train service of this local nature. As we read the decision of the Board, the Board took the position that they recognized the functional difference in the two services, and specifically delegated to Public Service Coordinated Transport the right to the purely local business.

There has been a complete reversal of attitude of the railroads themselves toward this bus business between the first case in January, 1928 and the second case in the spring of 1929. The statement of Arthur T. Warner (State of Case, Vol. I, Part 3,

p. 49, *et fol*), put in the record on June 11, quotes the testimony of the Pennsylvania and Reading officials in the first case and shows how they have completely changed their attitude within a year. They admit at the present time necessity and convenience for bus operation of a local nature along the White Horse Pike and where they denied it in January, 1928. They made a very meager attempt to satisfy this need for a local service, as shown by exhibits PS 12 and 13 in the first case, which are tabulations showing the trains doing a purely local business on the two roads along the White Horse Pike. It will be noted from these exhibits that almost all the stations had only two trains a day, one in the morning and one in the late afternoon. There are some stations with no stops at all for purely local service.

The Law.

We start out under rules settled beyond controversy to the effect that all presumptions are in favor of the validity of the Order challenged; that the burden of proof to disestablish it is upon the prosecutors; that the court will not substitute its judgment for that of the Board if the Board acted within its powers; and that if there is any evidence reasonably to support the Order, it will not be set aside.

These certioraris raise three principal legal questions, which are:

1. That railroad companies have a pre-emptive legal right to operate auto buses and local auto bus service in extension of and supplementary to their established railroad transportation system within the territory served by such transportation system, and that the Board of Public Utility Commissioners cannot legally approve consents of others for auto bus operation in such territory if the railroads are willing to furnish such service as may

be necessary for the public necessity and convenience.

2. Assuming that the railroads have such a right, can they exercise it through another corporation which is controlled not by the railroad corporation but by a third corporation which controls the railroad corporation, and do such corporations succeed to and become vested with the same rights claimed for the railroad company?

3. That certain consents granted by the City of Atlantic City are void and that consequently the Board of Public Utility Commissioners was without jurisdiction to approve the consents for the extension of the Atlantic City-Egg Harbor bus line of Public Service Coordinated Transport.

1.

No law can be found which imposes a legal obligation upon the Board of Public Utility Commissioners to issue local bus permits to a railroad company for operation of auto buses in the territory adjacent to its railroad system. The Board of Public Utility Commissioners is vested by law with full jurisdiction to approve such consents as from the evidence before it in any given case appears to best serve public necessity and convenience.

Until 1928 railroad companies were never authorized to engage in local transportation by auto bus or in any manner other than by trains operated upon rails. Local transportation has for many years been the business of street railways, traction companies and omnibus companies, and in later years auto bus companies. The business of a railroad corporation was to carry passengers from a fixed point to a fixed point, *i. e.*, from a station to a station over a fixed private right of way, by means of engines and cars running upon tracks. By other

legislation the right to carry passengers locally, accepting and discharging them at such points as the passengers desire, has been vested in other classes of corporations, as above suggested.

By Chapter 50 of the Laws of 1928, page 110, railroad corporations are authorized to own and operate auto buses for the carriage of passengers, but only upon condition of the railroad company obtaining, as required by law (Auto Bus Act, P. L. 1926, p. 219, *et seq.*), the consent of the authorities of the municipalities in and through which it intends to operate an auto bus, in compliance with all lawful requirements which apply to other owners and operators of auto buses. The provisions of this act of 1928 are wholly inconsistent with the claim that the railroad companies as a matter of law have a pre-emptive right to operate auto buses.

It is not disputed that the Board of Public Utility Commissioners, in considering as to whether or not auto bus consents should be approved, should take into consideration existing facilities, be they railroads, street railways or existing auto bus lines, and it probably would be error if they failed or refused so to do, but having given consideration to such existing public utilities and facilities, their determination and judgment as to the public necessity and convenience of any particular application is final and conclusive and could only be set aside by the courts in case there was no evidence before the Board to support its finding. See Sec. 38, Public Utility Commission Act, as amended by Chapter 130, P. L. 1918, p. 305, Cum. Supp. 2896.

In the present case the Board did consider all of the claims of the railroad companies, their existing facilities, the service rendered by them, as well as of the other auto bus companies engaged in business in and through the territory in question, and after a lengthy consideration of all the facts, did

determine that so-called "local transportation" along the White Horse Pike between Egg Harbor and Berlin, being the extension of the Atlantic City-Egg Harbor Bus Line, should in the interests of public necessity and convenience be conducted by Public Service Coordinated Transport. The so-called "express bus transportation" through the same territory the Board gave in part to the companies affiliated with the railroads and to certain other auto bus companies which had been engaged as carriers over the same route, but only in interstate transportation, for many years.

It appeared from the evidence before the Board that the railroads grossly neglected the local service between Berlin and Atlantic City, and that the public which would be served by the local auto bus service would in all probability differ materially from those who wished to be served by the railroad. It further appeared in connection with the applications of the companies affiliated with the railroads that they were chiefly interested in the through business from Philadelphia and Camden at Atlantic City, and that as a result thereof the intervening territory would be unable to rely upon adequate and proper service by means of these through buses, which in most cases would be filled at either end and have no room for intermediate passengers.

The entire situation was before the Board of Public Utility Commissioners by the evidence taken on the several hearings, and it cannot be said, after an examination of the evidence, there was no evidence to support the finding of the Board as to what would best serve the public convenience and necessity of all the territory between Camden and Atlantic City, both as to through business and local business. An examination of the decision of the Board demonstrates that the Board did carefully consider all of the various factors and the evidence indicated what would best serve the public convenience and necessity of this territory.

Of course, the people of Camden and Philadelphia desiring to go to Atlantic City will be best served by express service, making few or no stops to pick up or discharge local passengers. On the other hand, the people of Berlin and intervening territory desiring to go to Egg Harbor or Atlantic City, can only be properly served by local service devoted to the local territory and not engaged in through express service business.

The cases in other States which will probably be quoted are not applicable to the laws of New Jersey. The laws of New Jersey differ materially from those of Illinois, or Indiana, or West Virginia, or any of the States in which there have been decisions which may be considered as a precedent for the position taken by the railroad companies. In New Jersey, by the Laws of 1928, Chapter 50, p. 110, the railroad companies are put on a par with others engaged in the auto bus business and they must comply with the same requirements that other individuals must comply with to secure their consents and the approval thereof. The Auto Bus Act, as amended P. L. 1926, p. 219, *et seq.*, requires in the first place, a consent by the municipality through which an auto bus is to run. By reason of the provisions of Sec. 24 of the Public Utility Act, P. L. 1911, p. 384, Cum. Supp., 2892, these consents must be approved by the Board of Public Utility Commissioners after a hearing, after determination by the Board that its approval is necessary and proper for the public convenience and properly serves the public interests, and in giving any such approval the Board may impose conditions as the public convenience and interests may require.

In this connection the case of *Public Service Ry. Co.* vs. *Reinhardt,* 92 N. J. Eq. 261, is of interest. In this case Reinhardt was operating an auto bus without a consent as required by law, in direct com-

petition with the railway company. The Railway Company applied for an injunction, but upon the hearing the bill was dismissed upon the ground that the Railway Company had no sufficient interest to give it a standing in the Court of Equity. It was said in that case:

> "The franchise of complainant is as to its tracks and ways and gives it the exclusive use thereof as against competing carriers, but it had no grant outside of tracks and ways."

This statement of law is applicable to the present case. The railroads have a franchise as to their tracks and ways, but they have no franchise or grant outside thereof for the use of public highways, and it was not until 1928 that they even had the right to engage in the auto bus business.

2.

It appears that the so-called subsidiaries of the railroad companies are not in effect subsidiaries of the railroad companies, but are subsidiaries of another corporation which controls the railroad companies. These subsidiaries and the railroad companies may be affiliated today and may be entirely distinct and hostile tomorrow. They are separate and distinct corporations, and certainly, as a matter of law, it cannot be said that the corporations, to wit, the Reading Transportation Company and the Pennsylvania General Transit Company are entitled to any rights which by statute might be vested in one of the railroad companies with which they are affiliated. The fact that the legislature has, by the Act of 1928, p. 110, authorized railroad companies to enter into the auto bus business, would negative any such proposition if it could be otherwise inferred. The ownership of all or a part of the capital stock of such companies by a railroad, or as here, by another corporation which

controls a railroad, cannot invest them with any greater rights than if the stock was owned by others.

With regard to the claim that the Board of Public Utility Commissioners was without jurisdiction to grant the application of Public Service Coordinated Transport for the extension of the Atlantic City-Egg Harbor Line, the facts are that Atlantic City some time in 1928 granted consents for the operation of twelve buses within Atlantic City in connection with the transportation of passengers to Camden. These consents were subsequently submitted to the Board of Public Utility Commissioners, and by an order made in July, 1928, the Board declined to approve them, for reasons which do not appear in the record, except to the extent that the Board did not consider it advisable to approve consents for a through line running from Camden to Atlantic City.

Subsequently the City Commissioners of the City of Atlantic City, by resolution, without notice to Public Service Coordinated Transport, attempted to revoke these consents. No action towards revocation was taken before the Board of Public Utility Commissioners, and under the rulings of the Board of Public Utility Commissioners the consents are still in force. The Board of Public Utility Commissioners has repeatedly ruled that its failure to approve a consent at any particular time did not invalidate the consent in connection with subsequent applications.

The Auto Bus Act, P. L. 1926, p. 219, at p. 220, *et seq.*, provides for the granting of consents by municipalities as a condition precedent to the operation of auto buses. The Public Utility Act requires that before they become operative they must be approved by the Board of Public Utility Commissioners. It further provides how and for what causes any consent given may be revoked, and

expressly provides that any consent when given *shall continue in effect until revoked* in the manner in the Act provided (see p. 221 about the middle of the page).

It must be borne in mind that the consents required by the Auto Bus Act are consents only of the municipality and relate solely to the operation over routes within that municipality. It is, therefore, of no consequence or interest, as a matter of law, to the municipality, whether the route for which such consent are given within the municipality is extended, altered or changed in other places. Atlantic City is not a party to these proceedings, and prosecutors are not endowed with legal capacity to raise this question.

In their attempted "Statement of the Law," counsel for appellants have set forth precisely the same considerations. The first argument urged by prosecutors, which I shall set down in the words of their briefs, is that the Board of Public Utility Commissioners derives its power over municipal consents from Chapter 195, Laws of 1911, as amended. That under this section the Board must give its approval to any privilege or franchise, when such privilege or franchise is necessary and proper for the public convenience and properly conserves the public interest, and may not withhold the same when the conditions warranting its conference are shown to exist; that section 24 does not give the Board the power to grant or withhold its approval arbitrarily, but sets up a standard to which the Board must conform; that the standard set up by the legislature is the standard of public convenience and necessity; that it is for the Court to determine by construction the legislative intent in the terms used; that the intent of the legislature must govern the Court, and is to

be ascertained from the context of the whole statute, from the evil which was to be remedied, and with reference to sound public policy; that the legislation placing bus transportation under the regulatory supervision of the Board of Public Utility Commissioners has its origin in the desire of the legislature to control competition in this field for the protection of existing agencies; that the phrase "public convenience and necessity" and like phrases, interpreted with reference to their origin in legislative usage, give to existing transportation systems a right to protection from competition.

This argument is full of misstatements, non-sequiturs, errors, half-truths, and omissions. It is not true "that the legislation placing bus transportation under the regulatory supervision of the Board of Public Utility Commissioners has its origin in the desire of the legislature to control competition in this field for the protection of existing agencies." *Historically* considered legislation of this character rather had its origin in the desire of the legislature *to protect the public against* existing agencies. One has to be woefully ignorant of the conditions which resulted from the extraordinary railroad development immediately following the conclusion of the Civil War, the opening of our western domain, the Granger movement, the enactment of the Interstate Commerce Act in 1887, and the government ownership and operation of utilities campaign, to make the statement made in prosecutors' brief.

That prosecutors' view is utterly unsound *legally* will be apparent from a reading of the cases. Judge Robinson, in *McLain et al.* vs. *Public Utilities Comm., et al.*, 143 N. E. Rep. 381, speaking for the Supreme Court of Ohio, said:

> "The Court in that case seemed to lose sight of the fact that the purpose of regulation of

> public utilities is the benefit to the general public, and not the benefit to the utility, and that the benefits which inure to the utility result only because they are concomitant with the benefits which are secured to the public; that government, except as it is essential to the continuance of the public service, is no more concerned with the earnings of a public utility than it is with the earnings of a corner grocery."

In *Rapid Rlwy. Co.* vs. *Michigan Pub. Util. Comm.,* 196 N. W. 518, it is said:

> "An examination of the entire act fails to disclose a single word or provision which in any way indicates that the legislature had in mind the establishment of a policy of protecting existing railroad transportation interests as against motor transport interest."

Even in Illinois, which is chiefly relied upon by prosecutors as establishing the rule they contend for, Heard, *C. J.,* in *Bartonville Bus Line* vs. *Eagle Motor Coach Line,* 326 Ill. 200, 157 N. E. 175, said:

> "The object and purpose of granting certificates of convenience and necessity for the operation of motor bus lines is to subserve the convenience and necessities of the traveling public. *While priority in the field is an element to be considered, it will not of itself govern the granting of the certificate. Chicago Motorbus Co.* vs. *Chicago Stage Co.,* 287 Ill. 320, 122 N. E. 477. *The proper consideration in a matter of this kind is, Which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?*"

A very strong statement of the rule will be found in *Norfolk So. R. R. Co.* vs. *Comm.,* 141 Va. 179, 126 S. E. 82, and in the fine dissenting opinion of Woods, *J.* in *Monongahela etc. Co.* vs. *State Road Comm.,* 139 S. E. 749. Whenever the existing utility is preferred, the preference results as a *by-*

product from the economic policy of preserving existing instrumentalities for the convenience and advantage of the *public* and in the *public* interest; and not from any tenderness for the utility. It is, therefore, perfectly clear that no such thing as a *right* on the part of the *utility* to be preferred exists, but frequently in the performance of *its* duty to the *public,* a utility receives preference.

This fallacy of confusing the vindication of a public duty of the Board with a supposed right of the company is glaringly exhibited in the appellants' brief. (Atlantic City R. R. brief, p. 100.) There in citing *Hunter* vs. *Bd. of Public Utility Com.,* 141 Atl. 90, "Morally and legally it (the Board) should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service," counsel comments thereon by saying, "Restated, the rule of the law is, that an existing railroad has the natural and preferential *right* to supply all the service in the territory," etc. Of course, the obvious answer is that the *duty* of the Board is *to the public* and *for* the *public,* to preserve it from the danger of being without transportation and not *to* the *utility* or *for* the utility. While *right* and *duty* may be correlative and reciprocal, the inquiry always must be "Between whom?" Here it is obviously between the Board and the public.

Nearly all the cases and decisions of boards and text writers treat the problem not as one of the *right* of a company, but the duty of the Board *to the public.* As was said in *Chicago Rlwys. Co.* vs. *Commerce Commission,* 167 N. E. 850, "In determining that question the primary consideration is the convenience and necessity of the public."

In the brief at page 103 under letter "E," title "Legal Basis," _____

occurs the following epitomization of what prosecutors conceive to be their legal rights: "Legally, the railroads are entitled to such protection because the statute which gives the Board jurisdiction was enacted for the very purpose of supplying it, and was in itself an announcement of the policy of the State." There is not a word of truth in this entire sentence; neither legally nor factually are the railroads entitled to such protection. The statute which gives the Board jurisdiction was not and could not have been enacted for the very purpose of supplying such protection, since when it was enacted the railroads were not authorized or empowered by law to run buses and did not receive such permission until March 15, 1928. There is not a single word in the statute which announces such a policy on the part of the State, nor is there a single decision of our courts which so construes it. The duty of the Board is to protect the *public* interest, and in doing so advantage *may* often result and frequently should result in giving incidental and collateral protection to utilities.

The paragraph then continues: "Further because all other utilties similarly situated are thus protected." This is so blaringly untrue as to startle one. The history and experience of our own trolley system, of the canals and turnpikes of the State and the country, of the stage-coaches, and now of the ferries being constantly supplanted by bridges, is irrefragable testimony to the contrary.

The published findings and decisions of the Utility Board are made, by the seventh section of the Public Utility Act, "competent evidence of the reports and decisions of the commission therein contained without any further proof or authentication thereof."

In the very last bound volume of its report is found the decision of the Board (Vol. XIII, p. 54), "In the matter of the application of the Nevins Bus

Lines for approval of municipal consents to operate ten auto buses between and including Jersey City and Camden." The syllabus is as follows:

> "1. Application is made for approval of local consents to operate ten auto buses between and including Jersey City and Camden. Objections are made by the Pennsylvania R. R. Co., the Central Railroad Company of New Jersey, the Public Service Railway Co. and Public Service Transportation Company.
>
> "2. The Board holds that permission to operate buses should not be denied, solely because they may compete to some extent with other utilities. The question must be *weighed* in the light of public convenience and necessity."

The same rule was announced in the same volume XIII, page 417, in the *Somerset Bus Company* case, and is in line with innumerable other decisions of the Board. It is also in line with the rule, both of law and of reason, where unimpaired by statute, as the same is announced in New York, Michigan, Kansas, Missouri, Ohio, Virginia, Illinois, and other States. The classic statement of it is found in *Bartonville Bus Line* vs. *Eagle Motor Coach, supra,* where Heard, *C. J.,* said:

> "The object and purpose of granting certificates of convenience and necessity for the operation of motor bus lines is to subserve the convenience and necessities of the traveling public. While priority in the field is an element to be considered, it will not of itself govern the granting of the certificates. * * * The proper consideration in a matter of this kind is, which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?"

Our Public Utility reports are full of cases showing the constant application of this rule. In Public

Util. Reports, Ann. 1929, A, p. 547, the Missouri Public Service Commission said:

> "The prevailing policy in the State regulation of public utilties favoring regulated monoply rather than the encouragement of competition is not an absolute and unvarying rule and should be followed only where public interest is protected by its application."

A railway bus subsidiary is not a favored child in Kansas; it is simply another bus corporation desiring to operate in Kansas. This was the decision of Kansas Commission in the application of "The Interstate Transit Lines, owned by the Union Pacific R. R. Co., from Kansas City, Mo. to the west line of the State." The decision was announced on December 7, 1929.

In the brief for appellants, attorneys and counsel have included citations from a number of decisions by utility boards and courts in the various states of the United States, and by excerpts from such decisions and opinions have sought to support the propositions for which said brief contends.

On page 52 of the brief will be found a most illuminating illustration of the unscientific and misleading use of authorities which is conspicuous thruout the entire brief. The case of *Lake Shore Elec. Ry. Co.* vs. *Public Utilties Commission of Ohio,* 154 N. E. 239, 115 Ohio St. 311 (1926), is cited, and counsel for appellant uses the following language:

> "2. The court said incidentally in 154 N. E. 242, 'The commission has uniformly ruled in hundreds of cases that *an existing motor transportation service pre-empts the route covered by the certificate, and this court has affirmed this interpretation by the commission.*'"

A reference to the case will show that Marshall, *C. J.*, in his opinion, did use the quoted language, but by putting the quotation into its context, it will be observed that the learned Chief Justice was merely stating what the *statutes* of Ohio require under the circumstances. I therefore include that portion of his opinion, as follows:

> "Another difficulty presented by this record is that section 614-87, General Code, requires the commission to take into consideration other existing transportation facilities in the territory for which a certificate is sought. Counsel for the applicant seeks to avoid this requirement by stating that this particular service is of an entirely different kind and character from the service rendered by other transportation companies and that therefore this statutory requirement has no application. The requirement cannot be so easily overlooked. The new service, while essentially different in its conveniences, is nevertheless transportation of persons, coming in direct competition with regular service, thereby reducing the profits of the regular service, and, for anything which may now be known, rendering the same so unprofitable as to drive it from the field. The requirement of taking other existing transportation facilities in the territory into consideration cannot therefore be overlooked, unless the existing facilities are not reasonably adequate. Slight additional conveniences to certain persons or classes of persons, which are admitted to be of a casual nature and as yet wholly undeveloped, should not be permitted to disarrange and possibly destroy other valuable existing transportation facilties.
>
> "Another provision found in section 614-87, General Code, renders the situation still more difficult.
>
> " 'On finding of the Public Utilities Commission that any motor transportation company does not give convenient and necessary service in accordance with the order of such

commission such motor transportation company shall be given a reasonable time, not less than sixty days, to provide such service before any existing certificate is canceled or a new one granted over the route mentioned in the finding and order of or hearing before the Public Utilties Commission.'

"The commission has uniformly ruled in hundreds of cases that an existing motor transportation service pre-empts the route covered by the certificate, and this court has affirmed this interpretation by the commission."

When it is remembered that there is no such statutory provision or requirement in the State of New Jersey, it will at once be apparent that the case cited is no authority at all on the issues involved in the present controversy, and that the mention of it in the brief is admirably calculated to deceive and mislead the Court, and in no degree to assist in the performance of its function in the instant case.

How grossly misleading this citation is as evidential of the condition of the law in the State of Ohio will be further manifested by a reading of the case of *McLain et al.* vs. *Public Utilities Commission et al.*, 143 N. E. 381. This case is a clear authority for the precise reverse of the doctrine contended for by appellants, and I therefore set down some of the admirable opinion of Judge Robinson therein, prefacing these excerpts by the statement that the case involved the applications of a great many bus operators, who sought to operate over a route already adequately served by a third-rail interurban railway, and that the Public Utilties Commission found that no public convenience and necessity required such operation; and further found that the applicants "do not, however, make, or offer to make, any such permanent investment as carries assurance of a reasonable perpetuity of service should the owners of the Scioto Valley Traction Line terminate its operations."

In construing the section of the statute referred to in the previous case, to the effect that "when the applicant requests a certificate to operate in a territory already served by a motor transportation company holding a certificate of public convenience and necessity from the Commission, to grant a certificate only when the existing motor transportation company or companies * * * do not provide the service required," the court said, "The quoted sentence does not require the construction that the legislation was intended to ripen into a vested right the permissive use by a bus line of the streets, roads, and highways of this state, or to confer upon such bus line a monopoly; but the construction that its sole purpose was to secure to the public the best service with the least inconvenience to those using the streets, roads, and highways in the ordinary way."

Judge Robinson then used the following language with respect to cases decided elsewhere upon this subject:

> "The courts of other jurisdictions have had under consideration the subject of certificates of public convenience and necessity, and in many instances have gone further than this court has found it necessary to go in this case.
>
> "In the case of *West Suburban Transportation Co.* v. *Chicago & W. T. Ry. Co.*, 309 Ill. 87, 140 N. E. 56, the Supreme Court of Illinois held:
>
> > " 'To authorize the Commerce Commission to grant a bus company authority to operate its lines and to serve the same public already served by an existing street railroad system, it must appear that the street railroad company was not rendering adequate and convenient service, and that the operation of the bus lines would eliminate such inadequacy and inconvenience; the convenience and necessity of the public being a primary consideration.'

"In *Choate, Recs.* vs. *Commerce Commission,* 309 Ill. 248, 141 N. E. 12, the Supreme Court of Illinois held:

> " 'That a proposed bus line serving the same territory as an established interurban line may accommodate a few individuals does not justify a certificate permitting it to operate; the convenience and the necessity which the law requires being the convenience and necessity of the public, as distinguished from that of an individual, or any number of individuals.'

"In the case of *People ex rel. N. Y. C. & H. R. R. Co.* v. *Public Service Comm.,* 195 N. Y. 157, 88 N. E. 261, the court held:

> " 'A certificate of public convenience and necessity is to be granted a railroad company upon considerations, not alone, bearing upon the convenience of the public, but affecting other transportation companies which are already serving the territory; hence, a transportation company, so interested, is a party aggrieved by the granting of such a certificate, and as such has an interest in the controversy.'

"The case of *Rapid Ry. Co.* vs. *Michigan, Pub. Util. Comm.* (Mich.) 196 N. W. 518, is an authority for the contention of the plaintiffs in error here. The reasoning of that decision, however, is not persuasive. It is there stated by a quotation from the brief of one of the Michigan Public Utility Commissioners that—

> " 'An examination of the entire act fails to disclose a single word or provision which in any way indicates that the legislature had in mind the establishment of a policy of protecting existing railroad transportation interests as against motor transport interest.'

"Neither does the act here under consideration; nor do we concur in the view of those courts who have expressed the view that any public utility requirement has for its purpose 'the establishment of a policy of protecting existing railroad transportation as against

motor transport interest.' Nor, indeed, do we concur in any policy of protecting any existing public utility against competing public utilities, but consider rather, that it is the policy of the federal government and the government of the various states by legislation to secure to the general public, through Public Utility Commissions, or similar administrative bodies, adequate service from public utilities, which of course includes price, character of service, and continuity; that regulation through commissions is for the purpose of accomplishing the ultimate object, adequate service; and that the benefits if any, by way of restricted competition, etc., which inure to established public utilities, are incidental to such regulation, but not its object or purpose.

"The court in the Michigan case looks to the history of the legislation, and discovers that as originally introduced the bill was entitled 'A bill to regulate carriers of persons and property on the public highways of this state;' that the words 'shall be issued in accordance with public convenience and necessity' were inserted by the Senate Committee and stricken out by the Senate; and that the bill so passed by the Senate was then sent to the House, where the words were again inserted and the bill thereafter enacted by both branches with the words 'shall be issued in accordance with public convenience and necessity' as a part thereof—which proves nothing as to legislative intent beyond the fact that the Legislature of the State of Michigan refused to enact the bill as introduced and did enact it as amended, and that the words inserted were deemed significant by the Legislature. The court then says in effect that it is unwilling to extend the scope of the act beyond the regulation of motor busses, particularly with reference to 'the number of persons, firms or corporations who should be permitted to so operate;' that is to say, that wherever there are persons to be transported the public convenience and necessity require that a sufficient

number of motor busses be certified to transport them.

"The court in that case seemed to lose sight of the fact that the purpose of regulation of public utilities is the benefit to the general public, and not the benefit to the utility, and that the benefits which inure to the utility result only because they are concomitant with the benefits which are secured to the public; that government, except as it is essential to the continuance of the public service, is no more concerned with the earnings of a public utility than it is with the earnings of a corner grocery.

"The argument in the above case not being persuasive, and the interpretation, in our opinion, not sound, we decline to adopt or follow them."

Counsel for prosecutor next draws attention in its brief to the cases in the Illinois Supreme Court of *Egyptian Transportation Company* vs. *L. & N. R. R. Co.,* 321 Ill. 580, 152 N. E. 510; *West Suburban Transp. Co.* vs. *Chicago & Western,* 309 Ill. 87, 140 N. E. 56, 58, and *Choate* vs. *Commerce Commission,* 309 Ill. 248, 141 N. E. 12, 16.

A recent unanimous pronouncement of the Illinois Supreme Court, speaking thru Heard, *C. J.,* in *Bartonville Bus Line* vs. *Eagle Motor Coach Line,* 326 Ill. 200, 157 N. E. 175, clearly shows that the Illinois doctrine is "a policy *established by legislation* for the regulation of public utilities," and that there is no pre-emptive or other right of the company, but the primary consideration is subserving the convenience and necessities of the traveling public, and that priority in the field, while an element to be considered, is not of itself controlling, but that "the proper consideration in a matter of this kind is, Which applicant, under the facts and circumstances shown by the evidence, will best

serve the public interests?" I excerpt a portion of his opinion:

> "While in this state it is the policy, established by legislation for the regulation of public utilities, to provide the public with efficient service at a reasonable rate, by compelling an established public utility occupying a given field to provide adequate service and at the same time protect it from ruinous competition (*Illinois Power & Light Corp.* vs. *Commerce Com.*, 320 Ill. 427, 151 N. E. 236), and, where additional or extended service is required in the interest of the public and a utility in the field makes known its willingness and ability to furnish the required service, the Commerce Commission is not justified in granting a certificate of convenience and necessity to a competing utility until the utility in the field has had an opportunity to demonstrate its ability to give the required service (*Egypian Transp. System* vs. *Louisville & Nashville R. R. Co.*, 321 Ill. 580, 152 N. E. 510), and, where the evidence shows that an existing motorbus line has been rendering satisfactory service and is financially able to extend its line so as to reach a more distant point on the same route, it has been held that it was unreasonable and arbitrary for the Commerce Commission to deny an application for such extension and grant a certificate of convenience and necessity to another line just organized to operate over the entire route, where it was conceded by all parties that there was not sufficient traffic over the route to justify the operation of two motorbus lines (*Superior Motorbus Co.* vs. *Community Motorbus Co.*, 320 Ill. 175, 150 N. E. 668). The object and purpose of granting certificates of convenience and necessity for the operation of motorbus lines is to subserve the convenience and necessities of the traveling public. While priority in the field is an element to be considered, it will not of itself govern the granting of the certificate. *Chicago Motorbus Co.* vs. *Chicago Stage Co.*, 287 Ill. 320, 122 N. E. 477. The proper consideration in a mat-

> ter of this kind is, Which applicant, under the facts and circumstances shown by the evidence, will best serve the public interests?''

Counsel next cites the case of *Yelton & McLaughlin* vs. *Dept. of Public Works,* 240 Pac. 679, at 681. He follows the citation by saying, "In this case the *statute* specifically gave the existing utility a right of pre-emption." This is obviously so, since at page 681 Judge Heard quotes Section 4, c. 111, Laws of 1921 (section 6390, Rem. Comp. Stats.), as follows:

> "The commission shall have power, after hearing, when the applicant requests a certificate to operate in a territory already served by a certificate holder under this act, only when the existing auto transportation company or companies serving such territory will not provide the same to the satisfaction of the commission."

In *Petersburg, Hopewell & City Point Rlwy. Co.* vs. *Commonwealth,* decided January 17, 1929, by the Supreme Court of Appeals of Virginia, and reported in 146 South Eastern, 292, the proceeding was brought by the Southside Transportation Co. before the State Corporation Commission for a certificate of public convenience and necessity, which proceeding was opposed by the Petersburg, H. & C. P. Rwy. Company.

From an order granting the certificate, the opponent appealed, and the Supreme Court of Appeals of Virginia affirmed the order.

While it is true that section 3 of the Motor Vehicle law of Virginia provides that "no motor vehicle carrier shall hereafter operate for the transportation of persons or property for compensation on any improved public highway without first having obtained from the Commission, under the provisions of this act, a certificate declaring that the public convenience and necessity require such

operation," and "that the existence of a railroad or other motor vehicle carrier in the territory sought to be served by such applicant shall not be sufficient cause for a refusal to grant him a certificate, but may be considered by the Commission as constituting good cause for limiting the number of vehicles which such applicant may operate on the route mentioned," the case is of extreme value, because it shows that the legislature of the State may enact statutes which do not recognize the so-called pre-emptive right of railroad companies to operate buses, which is claimed in the case of the Camden and Atlantic City people; in other words, that no such pre-emptive right exists.

It is further of extreme value because it was admitted in the case that "no complaint is made of the service now given."

It was further shown in the case that there has been a steadfast diminution of receipts of the railroad company, and the claim was made by that company of pecuniary hardships which this additional competition would impose upon it.

In dealing with these questions the court said:

> "If we were to concede, for the sake of argument, that the operating income of the electric line would materially decrease, this would not of itself be sufficient to warrant any modification of the commission's order. Whatever may be the policy of the Interstate Commerce Commission, Virginia has seen fit to neither curtail nor forbid competition between transportation companies, and this was the law when the electric line was built. Investors took their chances."

The court further said that "the only limitation on competition is that written into the motor vehicle law. There, in Section 3, new permits are forbidden when public convenience and necessity are already reasonably served. Public convenience

is always the paramount consideration. For unnecessary duplication of transportation facilities, the public ultimately pays. 'Shoestring' competition, in the end, hurts everybody."

The case is further of great importance in the pending litigation in New Jersey because a point was made that the bus company had no right to operate along the streets of Petersburg and Hopewell without the permission of these municipalities, and that such permission had not been given by them. The court easily disposed of this objection by stating that inasmuch as the municipalities were not parties to the proceeding, a discussion of their rights would be unprofitable; that in a previous case the court had had occasion to consider a somewhat similar objection, and had decided that inasmuch as neither of the municipalities involved was before it complaining of the action of the Commission in the instant case, and inasmuch as the legal provisions were ordained primarily for the protection of the cities and towns of the State, individuals would not be heard to raise the question and complain thereof for their own benefit and advantage.

I think it important to excerpt in full the very-learned discussion by Judge Holt, speaking for the court of the matter of public convenience and necessity, since it bears directly upon the present issues, and reads as follows:

> "What is meant by 'public convenience and necessity'?
>
> "*In re J. R. Towns,* 10 Va. Law Reg. (N. S.) 498, the Corporation Commission cited with approval *In re Walter M. Aldrich,* decided by the New York Public Service Commission on October 5, 1922, and reported in P. U. R. 1923A, at page 385, where it was said:
>
> > 'So here the word "convenience", as connected with the word "necessity," is so connected, not as an additional requirement,

but to modify and quality what might otherwise be taken as the strict significance of the word "necessity." And to analyze and give each word a separate meaning would be the same sort of "extraordinary departure from the usual course" spoken of by the learned Chief Justice as to result in giving a wholly meaningless prefix to "a word of rigor and strictness." In the phrase "public convenience and necessity" the word "necessity" means that which is needful, essential, requisite or conductive to "public convenience." When more convenient and adequate service is offered to the public it would seem that necessity requires such public convenience should be served. (*Re Rochester, Corning, Elmira Traction Co.,* 118 App. Div. 521, 102 N. Y. S. 1112; *Re Troy Auto Car Co.,* 11 N. Y. Off. Dept. R. 420, Case No. 6939; 31 N. Y. Off. Dept. Reports.)'

"The New York Commission had again occasion to consider this subject in *Re International Bus Corporation,* decided September 1, 1926, and reported in P. U. R. 1927A, p. 346, where it was said:

"'The opposition of the New York Central and Lehigh Valley railroads is based upon the ground that the facilities afforded by their respective steam railroads and the electric railroad of the International are adequate to properly care for all demands for transportation between Buffalo and Niagara Falls, and that no public convenience or necessity will be served by an extension of those facilities. The petitioner concedes that the above mentioned facilities are amply sufficient to adequately and reasonably serve all demands for transportation by those who wish to travel by railroad, but asserts that there is an insistent and increasing demand on the part of the public for bus instead of railroad transportation.

"'It is apparent from the record in this case that there is a demand for the service

which the petitioner proposes to give and that such service will be covenient for the public use.'

"In the instant case, the commission, in the course of its opinion, said:

"'This commission has heretofore granted certificates of public convenience and necescity to operate motor vehicles for the transportation of persons for compensation between Norfolk and Virginia Beach, Newport News and Hampton, Richmond and Hopewell, Richmond and Petersburg, Roanoke and Salem and Alexandria and Washington, D. C. In all of these cities, except between Richmond and Hopewell, there is electric railway service being offered to the public, which is either paralleled by motor vehicle service, or motor vehicles are being operated in the same general transportation territory, and were served by electric and steam railway facilities at the time motor vehicle service was inaugurated.

"'In the cities of Richmond, Norfolk, Roanoke, Petersburg and Portsmouth motor vehicle service is being offered to the public daily over its streets in close proximity to that of the electric railway service. In Richmond, Norfolk and Portsmouth electric and motor vehicle service is rendered by the same owner and under the same management. It is quite clear that this company sensed the condition of the times, and properly decided to offer to the public this new mode of transportation that it might the more adequately meet the transportation requirements of the public served by it.'

"The ability to carry in some manner all who apply for passage is not necessarily the touchstone. It was pointed out in the International Bus Corporation Case that it is sufficient if there is a public demand for bus service in preference to other means of transportation. It was already easily possible to carry from Buffalo to Niagara Falls all who wished to go, and the controlling consideration was

public preference for bus service. When people generally wish to travel in this way, they should be permitted to do so, and it is no sufficient answer to say that other carriers, in other ways, stand ready to give the necessary service. That many people do entertain such preference is a matter of common knowledge. Bus lines parallel almost every railroad in the state, and have taken over much of their local, and some of their long-distance, traffic. This must have been, in part at least, the cause which led the State Corporation Commission of Virginia to authorize automotive service between Newport News and Hampton, Roanoke and Salem, and Alexandria and Washington, where conditions in many respect approximate those of the case in judgment. Convenience and necessity, as those words are used in the statute, carry with them a certain elasticity of meaning, which, in other circumstances, does not always attach. Silk is a necessary article of wearing apparel, although with cotton, linen, and wool we can be tastefully and comfortably clothed.

"We have to concede that, in industrial development, the law of the survival of the fittest is not to be gainsaid. Stage coaches and canals were in many instances a total loss, made so by railroads, which in their turn clashed with interurban electric lines, and now both are facing the automobile in its varied forms. *Booth's Case,* 10 Va. Law Reg. (N. S.) 24. Should the time come when airplanes are preferred by a substantial part of the public, this preference, in its turn, will have to be heeded. They, too, will have then become a necessary public convenience, not to be put aside because busses can carry all who wish to go.

"Public necessity does not rest upon service to be rendered by those who live along East Bank street, or who work at the Hummel-Ross plant, but grows out of preference which the people at large in these two cities have for automotive transportation, and there is positive testimony in the record tending to show that such preference exists."

The most instructive method of resolving the questions involved in the present case is what may be properly designated as the process of analysis or fragmentation: the consideration of the various factors which enter into the complete problem, separately.

The first step in this process to which the Court's attention is invited is the consideration of what would be the condition of affairs if a body of individuals should associate themselves under the general railroad law into a corporation for the purpose of running a parallel line of railroad from Philadelphia or Camden into Atlantic City, and thereby impair, if not destroy, the value of the railroad properties of the prosecutors in this case, and so greatly diminish their income as to make the running of the railroads unprofitable and eventually to destroy them.

The consideration of this matter is most illuminating from the further fact that competitive conditions among the railroads in this very zone have been brought about in the way indicated.

It is perfectly clear that the existing railroads would be utterly remediless against the intruding railroad, notwithstanding the fact that its existence and competition might impair or destroy their value. The law in the State of New Jersey, and elsewhere, is perfectly settled upon this question, and is to the effect that where a grant of franchises to a railroad company is not in its terms exclusive, the legislature may subsequently grant the same or a similar franchise to another company, altho the latter greatly impairs the value of the former. This doctrine will be found clearly stated in *Raritan, etc. R. R. Co.* vs. *The Delaware Co. etc.,* 18 N. J. Eq. 546, and *Thompson* vs. *New York etc. R. R. Co.,* 3 Sandford's Chancery, 625. Other New Jersey cases dealing with the problem in an intimate way are *Penna R. R. Co.* vs. *National Rlwy.*

Co., 23 Eq. 441; *Delaware etc., Cos.* vs. *The Camden etc. Co.*, 15 N. J. Eq. 13; 16 *id.* 321. Some of these cases involve a consideration of the charters of some of the railroads concerned in the present case.

Another matter which must arrest the attention of the Court is that the testimony discloses that the greater part of the injury done to the revenues of the railroad companies involved was accomplished by the use of private cars and especially of interstate buses after the opening of the Philadelphia-Camden bridge. Such private cars and such interstate buses are not subject to the jurisdiction of the Board of Public Utility Commissioners, and the railroad company does not seek by this certiorari or otherwise, nor could it obtain, a remedy against this character of destructive competition.

Suppose, too, as is the case with respect to interstate buses, that the State had established no Board of Public Utility Commissioners in the State of New Jersey at all for the regulation of intrastate buses. It is perfectly clear that under those conditions the railroad company would have been remediless against the competition of the unregulated intrastate buses, running in direct competition with themselves upon the public highway. The condition then as to intrastate buses would have been assimilable to that governing interstate buses, and the buses, in the absence of inhibition by the State or the municipalities, would have been justified in running on the highways to carry passengers between Atlantic City and Camden, and the railroad company would have had no legal standing to attack the bus operators on this ground. *Camden Horse-R. R. Co.* vs. *Citizens Coach Co.*, 31 N. J. Eq. 525, aff'd in 33 Eq. 267; *Public Service* vs. *Reinhardt*, 92 N. J. Eq. 365; see also 93 N. J. Eq. 463, to the effect that unlawful competition and the com-

plainant's suffering irreparable injury would be no ground for interference.

Another feature of the matter which will also arrest the attention of the Court is that the claim of the railroad companies is, that if they are ready, able and willing to and desirous of furnishing transportation by buses, that they have a pre-emptive right to do so, which the Board of Public Utility Commissioners is bound to recognize; and if such Board does not recognize the same, that the non-recognition thereof would amount to discrimination and a violation of the provisions of the 14th Amendment to the Constitution of the United States, in that it would deprive the railroad companies of their property without due process of law, and of the equal protection of the laws, etc.

This is a most extraordinary contention, owing to the fact that until the year 1928, when by Chapter 50 of the pamphlet laws of that year, entitled "An Act to authorize steam railroad companies to acquire, own and operate for hire auto busses and auto trucks," which was passed and took effect on March 15, 1928, the railroad companies of the State were entirely without legal power or authority to operate buses for hire.

Public Service, prior to the last-mentioned enactment, was operating buses in local transportation on the White Horse Pike over at least a portion of the road, and therefore, if physical presence at the point in question confers a pre-emptive right, that right would belong to Public Service rather than to the prosecuting railroad companies. Furthermore, it would seem most passing strange that the railroad companies would be possessed of a pre-emptive right to run buses, which the Board of Public Utility Commissioners was bound to recognize and enforce, when the right to run buses at all did not exist in said railroad companies until March 15, 1928; and when companies actually pos-

sessing power to operate buses at the very point in question had already entered upon and were occupying the field before the railroad companies were permitted to engage in that character of business.

It will also be interesting to the Court to bear in mind that the law is clearly settled that while a railroad franchise may be exclusive, it is exclusive as against every one but the State, and that when the State, thru an instrumentality created by itself—to wit, the Board of Public Utility Commissioners—has authorized that instrumentality to grant approval to certificates or permits to operate buses on grounds of public necessity and convenience, such action is clearly within its power.

Another consideration that should not escape the Court's notice is that the bulk of impairment was already accomplished before the challenged order was made. The evidence shows that this impairment was practically all accomplished by private cars and interstate buses before the railroads were empowered by law to run buses. The extent, therefore, to which the intrastate buses would cause impairment, if any, is utterly problematical.

Still another consideration of great importance is that the requirement—even if there be one, as in Illinois—that preferment should be given is not imposed for the benefit of the company, but in the public interest.

A further point of the same character is that even in Illinois the requirement is not rested upon any right in the company, and is at best a mere factor in the problem of public necessity and convenience, which the Court is bound to consider; if the public interest will be best subserved by a grant to another, the railroad company cannot complain.

As to the contention that the challenged order violates *rights* guaranteed to the prosecutors by the

Constitution of the United States, it is conspicuously without merit.

One will search in vain thru prosecutors' brief to find any *right* of prosecutors that the order under review denies. Their brief on this case is neither legally nor factually sustainable. Enough has been said hereinbefore to answer these contentions, but a few words in reply to them will not be, perhaps, valueless.

There is nothing either arbitrary or unreasonable in the Order of the Board, nor is there the slightest evidence of a series of consistent decisions sustaining the *right* of existing transportation companies to supply the facilities in a given territory, and to be protected from destructive competition so long as they are ready, able and willing to meet the requirements of the public convenience and necessity; but on the contrary there is a consistent adherence to the principle that the *public interest* is a paramount consideration. No different action was taken in this case from that taken in the numerous citations on prosecutors' brief. This defendant was expressly confined to its field of local transportation which it had occupied before the prosecutors were permitted by law to operate buses, and the railroads were given permits to operate in the express-service field. The stifling of competition was done not because of the right of the company, but because it would advance the public interest; the *public interest* was the paramount consideration, made so by the express language of the regulatory statute; the protection to the utility was a mere incident or by-product.

Under the decisions of the Supreme Court of the United States even "if a Board or Court did overrule earlier decisions it would have interfered with no vested rights of the plaintiff-in-error," per Holmes, *J.*, in *Willoughby* vs. *Chicago,* 235 U. S. 50. No one has a vested right protected by the Con-

stitution of the United States in the decisions of the Courts to keep them unreversed and static. Growth is not stunted in that way. Prosecutors not only have no *vested* right but have not even *the right* which they claim.

I have demonstrated, I think, that whatever advantage prosecutors can get in the way of protection against competition is purely derivative, incidental, and a by-product of advancing the public interest; if the *public interest* would be better advanced by promoting competitive service it is at once the right and duty of the Board to do so. "Rights are vested when the rights to enjoyment, present or prospective, has become the *property* of some particular person or persons as a present interest." *Pearsall* vs. *Great Northern R. R. Co.,* 161 U. S. 646, 673. They are rights which are complete and consummated, so that nothing remains to be done to fix the right of the citizen to enjoy them. *Moore* v. *State,* 43 N. J. L. 203. On the other hand, a mere expectancy of future benefit, or a contingent interest in property founded on anticipated continuance of existing laws, does not constitute a vested right.

The brief of appellants is stuffed with objections and contentions based on alleged violation of the Federal Constitution. In this domain, of course, the decisions of the Supreme Court of the United States are the ultimate touchstone. The leading case is that of *Charles River Bridge* vs. *Warren Bridge,* 11 Pet. 420, 547. There it was held that a bridge franchise was not exclusive as against the State, and that the State had power to grant another franchise to another company, altho its effect might be to destroy the former.

Chief Justice Taney, delivering the opinion in the Charles River Bridge case, *supra,* said (p. 547):

> "But the object and end of all government is to promote the happiness and prosperity of

> the community by which it is established; and it can never be assumed that the government intended to diminish its power of accomplishing the end for which it was created. And in a country like ours, free, active, and enterprising, continually advancing in numbers and wealth, new channels of communication are daily found necessary, both for travel and trade, and are essential to the comfort, convenience and prosperity of the people. A state ought never to be presumed to surrender this power, because, like the taxing power, the whole community have an interest in preserving it undiminished. And when a corporation alleges that a state has surrendered for seventy years its power of improvement and public accommodation, in a great and important line of travel, along which a vast number of its citizens must daily pass, the community have a right to insist, in the language of this Court above quoted, 'that its abandonment ought not to be presumed in a case in which the deliberate purpose of the state to abandon does not appear.' ''

This is still the doctrine of the United States Supreme Court, as is evidenced by the case of *Larson* vs. *South Dakota,* 278 U. S. 437, which is decisive against the point raised by prosecutors that a grant of a franchise to run a railroad pre-empts the field for all other character of transportation in that geographical neighborhood.

It is there said:

> "The contention that an exclusive ferry franchise should be construed to cover all methods of travel and transportation across the water is rejected in *Dyer* v. *Tuskaloosa Bridge Co.,* 2 Porter 296 (Ala. 1835); *Piatt* v. *Covington & Cincinnati Bridge Co.,* 8 Bush 31 (Ky. 1871); *Snidow* v. *Board of Supervisors of Giles County,* 123 Va. 578 (1918); *Dibden* v. *Skirrow* (1908) 1 Ch. 41. There are many strong dicta to this same effect. *Morey* v. *Ovford Bridge,* Smith (N. H. 1804) 91, 95;

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Piscataqua Bridge v. *New Hampshire Bridge,* 7 N. H. 35, 59 (1834); *Bush* v. *Peru Bridge Co.,* 3 Ind. 21, 24 (1851); *Parrot* v. *Lawrence,* Fed. Cas. No. 10772 (C. C. Kan. 1872) 18 Fed. Cas. 1234; *State ex rel. McPherson Bros.* v. *Superior Court,* 142 Wash. 284,291 (1927).

"The great weight of authority holds that a contractual term forbidding a ferry or a toll bridge does not exclude a railroad bridge. *Mohawk Bridge Co.* v. *Utica & Schenectady R. R.,* 6 Paige 554, 564 (N. Y. 1837); *McLeod* v. *Savannah, Albany & Gulf R. R.,* 25 Ga. 445 (1858); *Bridge Proprietors* v. *Hoboken Co.,* 1 Wall. 116, 149 (1863); *Hopkins* v. *Great Northern Ry.,* 2 Q. B. D. 224 (1877), overruling *Regina* v. *Cambrian Ry.,* L. R. 6 Q. B. 422 (1871). Contra: *Enfield Toll Bridge Co.* v. *Hartford & New Haven R. R.,* 17 Conn. 40, 45 (1845).

"There is some conflicting authority on the main question. *Gates* v. *McDaniel,* 2 Stewart 211 (Ala. 1829); *Norris* v. *Farmers' & Teamsters' Co.,* 6 Cal. 590 (1865); *Menzel Estate Co.* v. *City of Redding,* 178 Cal. 475 (1918); *Blanchard* v. *Abraham,* 115 La. 989 (1906). But all of these cases are distinguishable in that the infringing bridge or ferry was established without legal authority, and there were other reasons such as obstruction to navigation, special statutes, or injury to tangible property which affected the decisions.

"The strongest case for the appellant is *Mason* v. *Harper's Ferry Bridge Co.,* 17 W. Va. 396 (1880), where a statute forbidding other ferries was held to give an exclusive right to transportation over the bridge and hence to prohibit rival bridges as well, but the court said that the Legislature could take away at any time all the exclusive privileges of the proprietors theretofore existing.

"In *Hopkins* v. *Great Northern Railway,* 2 Q. B. D. 224, 230 (1877), a railway company built a railway bridge and a foot bridge across a river one-half mile above an ancient ferry, which then went out of business. It was held that the ferry could not obtain compensation

for either bridge, the railway being necessary for new traffic, and the foot bridge being used by those going to the railway station or by trespassers. There was a dictum by a court of distinguished English judges 'that the owner of a ferry has not a grant of an exclusive right of carrying passengers and goods across the stream by any means whatever, but only a grant of an exclusive right to carry them across by means of a ferry.'

"We can hardly say, therefore, from the weight of authority, than an exclusive grant of a ferry franchise, without more, would prevent a legislature from granting the right to build a bridge near the ferry. Following the cases in this Court in its limited and careful construction of public grants, it is manifest that we must reach in this case the same conclusion."

When in addition to the foregoing it is remembered that the Supreme Court of the United States has held that no one has a vested right to be free from competition, and that the fourteenth amendment to the Federal Constitution does not guarantee such freedom, and that "no person has a vested right in a general rule of law or policy of legislation entitling him to insist that it shall remain unchanged for his benefit," *Munn* vs. *Illinois,* 94 U. S. 113, 134; *Hurtado* vs. *Cal.,* 110 U. S. 516, 532; *Buttfield* vs. *Stranahan,* 192 U. S. 476, 493; *Martin* vs. *Pittsburg Co.,* 203 U. S. 284, 294, and that when, in speaking of the police power, that Court said, "It is to be remembered that we are dealing with one of the most essential powers of government, one that is the least limitable. It may, indeed, seem harsh in its exercise, usually is on some individual, but the imperative necessity for its exercise precludes any limitation upon it when not exercised arbitrarily. A vested interest cannot be asserted against it because of conditions once obtaining. *Chi. & Alton R. R.* vs. *Traubarger,* 238 U. S. 67,

68. To so hold would preclude development and fix a city forever in its primitive conditions. There must be progress, and, if in its march, private interests are in the way they must yield to the good of the community,'' *Hadacheck* vs. *Los Angeles,* 239 U. S. 410, I think it must be concluded that the decision and order of the Board of Public Utility Commissioners should be approved and the judgment of the Supreme Court affirmed.

Respectfully submitted,

William H. Speer,
Attorney for Public Service
Coordinated Transport.
Respondent.

NEW JERSEY COURT OF ERRORS
AND APPEALS.

Atlantic City Railroad Company and Reading Transportation Company,
Prosecutors-Appellants,

v.

Board of Public Utility Commissioners of the State of New Jersey, Public Service Coordinated Transport, Union Bus Co., Parlor De Luxe Coach Co., and White Way Tours,
Defendants-Respondents.

On Certiorari.

Appeal from Supreme Court.

BRIEF FOR PROSECUTORS-APPELLANTS, ATLANTIC CITY RAILROAD COMPANY AND READING TRANSPORTATION COMPANY.

I.

STATEMENT OF FACTS.

A.

THE NATURE AND SCOPE OF THE APPEAL.

This matter is brought up upon appeal from the Supreme Court by virtue of that Court's determination of a certiorari proceeding which brought up for review a certain decision and order of the Board of Public Utility Commissioners. Applications to the Board were made by the appellant, Reading Transportation Company, and by the various carrier respondents to this appeal, as well as by Pennsylvania General Transit Company, the latter of which does not figure in this appeal. All of said applications were for the approval by the Board of Public Utility Commissioners of certain municipal consents to operate motor buses between Philadelphia and Camden and Atlantic City and Ocean City. The Supreme Court's opinion is printed on page 1427, *et seq.,* Volume II, State of the Case, and the Court's rule for judgment entered upon that opinion is to be found on pages 1432 and 1433, Volume II, State of the Case. In view of the fact that the Supreme Court sat as a reviewing tribunal, the only ground of appeal which the appellants have stated is that the Supreme Court erred in giving judgment as it did, but with respect to their appeal, the appellants rely upon certain of the reasons in certiorari which

they filed in the Supreme Court. These reasons are brought up with the record as grounds for substantiating the contentions which the appellants are making in this Court. The reasons which were filed in the Supreme Court are printed on pages 1419, *et seq.,* Volume II, State of the Case. The reasons were twenty-three in number, and in order to avoid confusion in this record on appeal, the same numbers will be applied to the various reasons as were used in the Supreme Court.

It should be made clear, however, that the appellants in this proceeding will not urge as grounds for the reversal of the Supreme Court's judgment all of said reasons in certiorari, and there are therefore eliminated from the scope of this appeal Nos. 7, 10 and 11. In addition to the elimination in toto of the reasons numbered as aforesaid, the appellants desire to make it clear that they will not contest in this appeal that portion of the Board's order which approved certain municipal consents held by Public Service Coordinated Transport, so far as that approval permitted the said Public Service Coordinated Transport to connect its Camden-Hammonton service with its Egg Harbor-Atlantic City service, and to render local service from point to point along the entire line, but the appellants do object to the approval by the Board of such consents of the Public Service Coordinated Transport so far as that approval permitted it to render through service between Camden and Atlantic City and vice versa. Therefore, with respect to all of the remaining reasons, the appellants will urge as against the Public Service Coordinated Transport only its objection to said carrier rendering through service as aforesaid

under the Board's order and under the Supreme Court's affirmance of that order, and said reasons, so far as they may affect the Public Service Coordinated Transport as a respondent to this appeal, are to be considered as amended accordingly.

The issue thereby limits itself to those objections which were raised in the Supreme Court against the Board's order in permitting the respondents, Union Bus Co., Parlor De Luxe Coach Co., and White Way Tours, to render *any intrastate service whatsoever,* and in permitting the Public Service Coordinated Transport to render through service between Camden and Atlantic City and vice versa, and in denying to the appellant, Reading Transportation Company, which was an applicant before the Board, approval of so many more of its municipal consents as would be necessary to render the intrastate service which the Board decided was necessary and proper for the public convenience.

The remaining appellant, Atlantic City Railroad Company, appeared as one of the parties to the various proceedings before the Board of Public Utility Commissioners, and said Atlantic City Railroad Company also joined with the Reading Transportation Company in the prosecution of the writ of certiorari in the Supreme Court. Accordingly, said Atlantic City Railroad Company again joins with the Reading Transportation Company in urging the reversal of the Supreme Court's judgment *pro tanto* in this Court. In order that the status of the said Atlantic City Railroad Company as a proper party to all of said proceedings might be made clear, it may be pointed out that both the Reading Transportation Company and the Atlantic City Railroad

Company are subsidiaries of a parent corporation known as the Reading Company, and that all of the stock in both the Atlantic City Railroad Company and the Reading Transportation Company is held and owned by the Reading Company, with the exception of directors' qualifying shares (see Case, Volume I, p. 633, l. 32 to p. 634, l. 6).

A further discussion of the close relations existing between the Atlantic City Railroad Company and the Reading Transportation Company as well as of their identity of interest is hereinafter set forth on page 14 of this brief.

The so-called Public Utility Act, P. L. 1911, C. 195, p. 374, provides in Section 38 thereof (as amended by P. L. 1918, C. 130, p. 305) that:

> "Whenever a judgment of the Supreme Court upon certiorari to review an order made by said Board shall be appealed to the Court of Errors and Appeals, and said Court of Errors and Appeals shall deem it equitable and just that a re-hearing should be had before said Board, the said Court shall remit the record and proceedings before it to the Supreme Court, to the end that said Court may order that such re-hearing may be had before said Board upon such terms and conditions as are reasonable, as hereinbefore provided."

The purpose of this appeal is therefore to cause the record which is brought up to this Court to be remitted to the Supreme Court with appropriate directions.

Briefly, it may be said that the appellants con-

tend that the Supreme Court, in determining the issues before it upon certiorari, erred in its determination of the controversial matters, and particularly because it departed from well-established principles of regulation in the utility field, as those principles had been so clearly enunciated in the previous decisions of the Board of Public Utility Commissioners itself, in the Supreme Court's prior decisions and in the decisions of utility commissions and Courts throughout the country.

B.

DESCRIPTION OF THE LOCUS IN QUO, OPERATIONS EXISTING PRIOR TO THE VARIOUS APPLICATIONS TO THE BOARD, AND THE NATURE OF THE APPLICATIONS.

The territory affected or proposed to be served by the various applicants before the Board in the case under review, lies in a direct line between the City of Camden and Atlantic City.

There are approximately twenty-five station stops between Camden and Atlantic City on the railroads hereinafter mentioned varying in distance from each other from approximately one to four miles. The principal intervening towns from west to east are Berlin, Hammonton and Egg Harbor. The distances are approximately as follows:

Camden to Berlin	15½ miles
Berlin to Hammonton	12 "
Hammonton to Egg Harbor	11 "
Egg Harbor to Atlantic City	17 "
Total	55½ miles

(See Case, Vol. I, p. 525, l. 28.)

Two railroads, the Atlantic City Railroad Company, a subsidiary of the Reading Company, and the West Jersey and Seashore Railroad Company, a subsidiary of the Pennsylvania Railroad, and an improved highway, the White Horse Pike, run the whole distance.

There were, previous to the proceedings before the Board, a street railway service from Camden as far as Clementon (three miles west of Berlin), a bus service, now operated by the Public Service Coordinated Transport of New Jersey, out of Camden as far as Berlin and Atco (two miles further) operating twelve buses (Case, Vol. II, p. 947), and an extension of that bus service to Hammonton by the operation of one bus making two trips per day (Case, Vol. II, p. 973, ll. 9-24). From Atlantic City to Egg Harbor there is a bus service by one bus, recently purchased by the Public Service, making 9 trips daily (Case, Vol. I, p. 130, ll. 19-22).

There were a number of interstate bus operations over the White Horse Pike from Philadelphia to Atlantic City, which picked up and discharged passengers from any point along the White Horse Pike to or from Philadelphia. Of these operations, the Parlor De Luxe Coach Company, Union Bus Company and White Way Tours (these three being united in the O. G. Schultz ownership and management)—and the Reading Transportation Company were parties to the proceedings before the Board and traversed the same route, with slight variations, from Camden to Atlantic City. The People's Rapid Transit Co., of which the Pennsylvania Railroad owns seventy-five per cent (Case, p. 476, l. 25), is

in the territory and runs interstate buses along this route (Case, pp. 503, 504).

The Public Service applied in its proceeding before the Board for permission to extend its Atlantic City-Egg Harbor line to Berlin, and also to superimpose on that extension the operation of eleven additional buses (Case, Vol. I, pp. 106-111).

Each of the interstate companies above mentioned and each of the railroad subsidiaries applied to the Board for permission to do an intrastate business between Camden and Atlantic City, the Reading Transportation Company having also applied for approval of local consents as far as Ocean City and the Parlor De Luxe Coach Company having also applied for approval of local consents as far as Ocean City via Pleasantville (Case, Vol. I, pp. 301, 580, 681, 735, 764 and 794). Each applicant was given such permission by the Board, although in some cases limited and in all cases not to the full extent applied for (Case, Vol. I, pp. 835, 836).

The Atlantic City Railroad parallels the White Horse Pike at a distance of approximately a quarter of a mile, from Camden to Atlantic City, except that between Lindenwold and Hammonton, the White Horse Pike bends to the north. For that distance—approximately fifteen miles—the highway and that railroad are about two miles apart.

Before the order of the Board, there were two means for through travel between Camden and Atlantic City, with intermediate local service: the Atlantic City Railroad and the West Jersey and Seashore Railroad. There was a local service from Camden to Clementon furnished by the electric railway; local service from Camden to Berlin and Atco

by Public Service buses and a very limited service of two trips per day on to Hammonton; also a most limited service from Egg Harbor to Atlantic City rendered by a single bus making nine round trips per day. Strictly speaking, therefore, there was a total lack of local service, except that rendered by the railroads, between Egg Harbor and Berlin, a distance of approximately twenty-three miles, with the exception that between Berlin and Hammonton (12 miles of the 23) there was the operation of one bus making two trips per day as aforesaid.

As a result of the present order of the Board having been made, there are eight transportation systems permitted to operate intrastate: the two railroads, rendering through and local service as heretofore; their subsidiaries, the Reading Transportation Company and the Pennsylvania General Transit Company, and the three "Schultz Management" lines, all rendering a through service from Camden to Atlantic City, and in the case of Reading Transportation Company and Parlor De Luxe Coach Company, from Camden to Ocean City with stops at Berlin and Hammonton to take passengers to Atlantic City and vice versa (Case, Vol. I, p. 836); and the Public Service by means of its facilities connecting at Berlin doing an unlimited through and local business (Case, Vol. I, p. 834). The Reading Transportation Company and the Pennsylvania General Transit Company voluntarily agreed to accept restrictions against doing business between Camden and Berlin and between Absecon and Atlantic City (Case, Vol. I, p. 628, ll. 6-10 and p. 355, ll. 7-28), for the reason that these are within the zones of local

service centering in Camden and in Atlantic City respectively.

The railroad lines, the street car lines, the present Public Service routes and the proposed routes of the other applicants are all shown on Exhibit P. R. R. 1 (Case, Vol. III, p. 8).

C.

EXISTING SYSTEMS.

1.

The railroads.

The Atlantic City Railroad Company has been in operation between Philadelphia (via Camden) and Atlantic City for upwards of fifty years (Case, Vol. I, p. 379, l. 20). It is an integral part of the Reading Railroad system through stock control and management. Its line between Camden and Atlantic City has been developed and its service improved until it is now one of the best equipped and one of the most efficient railroads operating in this country. This has meant expenditures running into millions of dollars for investment in road, equipment and miscellaneous physical property (Exhibit R6, Vol. III, p. 53, also Case, Vol. I, p. 641, l. 11).

The West Jersey and Seashore Railroad Company also operates an up-to-date and highly efficient line between the same terminal points.

These railroads have contributed, in a marked degree, to the prosperity and upbuilding of the New

Jersey Coast resorts on the Atlantic Seaboard and to the growth of intermediate localities.

Until the improved road program was put into effect by the State through the State Highway Commission, no common carriers operated over the highways in the territory under consideration, except the street railways in the vicinity of Camden. All of these improved roads are paid for by the taxpayers among whom the railroads figure largely (Exhibit R7, Case, Vol. III, p. 54).

This improved road program is of very recent origin, starting about 1917 and not becoming an important factor in furnishing transportation ways until within the past few years, so that, but for the railroads, the various communities would have been isolated through the period of their greatest development.

Owing to the increased use of the private automobile and the development of the autobus and its operation over highways, made possibly largely through the taxes paid by the railroads, the passenger business and revenues of the railroad companies have been steadily declining for a number of years, notwithstanding every effort by the railroad companies to regain their passengers through continually improved service and lowered fares designed to attract a greater volume of business.

Mr. Steptoe, employed in the office of the comptroller of the Reading Company, testified, and by means of an exhibit showed that since 1926, after the Delaware River Bridge was opened, the situation has grown progressively worse and that the three years from 1926 to 1928 show a marked increase in deficit as follows:

Year	Deficit
1926	$241,429.71
1927	771,511.95
1928	1,080,833.63

In the meantime, the total amount of taxes paid by the Atlantic City Railroad Company to the State of New Jersey and its sub-divisions increased as follows:

Year	Taxes Paid
1926	$401,008.32
1927	470,146.64
1928	489,743.40

(See Exhibit R7, Vol. III, p. 54.) While between 1921 and 1928, the freight revenues of the Atlantic City Railroad Company remained practically stationary or showed a slight gain, the passenger revenue decreased from $3,231,597.66 in 1925 to $2,110,-123.50 in 1928 (see Exhibit R5, Case, Vol. III, p. 52). It is noteworthy that the Delaware River Bridge was opened to traffic July 4, 1926.

Also, it must be understood that the Atlantic City Railroad Company could perhaps not be operated at all if it were not for the advances which have been made to it from time to time by its parent company, the Reading Company, for Exhibit R8 (Case, Vol. III, p. 55), shows that between 1917 and 1928 these advances have increased from $1,913,027.97 to $10,-551,658.93. For the year 1928 alone, it is evidenced by the said exhibit that an advance of $830,000.00 was made by the Reading Company to the Atlantic City Railroad Company.

Mr. E. D. Osterhout, passenger traffic manager of the Reading system, testified (Case, Vol. I, pp. 646-648), concerning the particular nature of the business done by the Atlantic City Railroad in contrast with the rest of the Reading system. It was disclosed that on the Atlantic City Railroad 56½% of the revenue comes from passengers, whereas on the whole Reading system, which does a diversified business, only 8 6/10% is from passengers. He also testified concerning the seasonal characteristics of seashore traffic and the one-way business done at various times in the week. Also, the Atlantic City Railroad suffers from the fact that it has no passing-over business. All of these peculiarities and difficulties, added to the temperamental and exacting demands of the seashore traffic, have served to make the problem of operating this railroad a great one and in the instant case it became the duty of the Board of Public Utility Commissioners to deny to all applicants, except the railroad subsidiaries, any opportunity of making further inroads upon the passenger revenues of the two existing railroad systems.

There is no method of control of the privately owned automobile nor is such control expected, but the excellence of the through highway has invited common carriers to make use of it for the transportation of passengers in competition with the established railroad systems. They thus avoid the expense of providing and maintaining a right of way. The result is that the autobus, using a right of way paid for by the railroads, in a large degree, competes with them with a favorable cost differential that makes the contest a steadily losing one for the

railroads. It is difficult to view this continuing loss, due in part, at least, to automotive operation by competitive, non-railroad management, without becoming concerned as to how to solve the problem of maintaining the unusually high caliber of service furnished by the Atlantic City Railroad in Southern New Jersey as well as the problem of financing the improvements contemplated, involving large sums to be added to the millions previously expended for improvements, additions and betterments.

Recognizing their responsibilities, as public transportation companies, to maintain their systems and service to meet public preference for transportation by motor vehicle, and believing that the operation of buses over longer distances in the territory already served by the rail line is the legitimate function of the railroads and the only way to solve the competition problem, the Reading Company has organized, in order to recoup this loss of traffic in some measure, a subsidiary, the Reading Transportation Company, under its sole control, for the purpose of operating autobuses in conjunction with its rail operations.

The Reading Transportation Company is one of the prosecutors-appellants in this case and was the applicant before the Commission for approval of local consents to operate a line of autobuses between Camden, Atlantic City and Ocean City, also giving service to intermediate points. This territory was already served by the railroads and this bus service was planned to supplement the train service, with the idea of furnishing transportation to the public by bus at times when the amount of traffic would be insufficient to justify the operation of trains, thus

coordinating the existing rail operation wherever practical with bus operation, using the rail stations for the convenience and comfort of bus riders and providing facilities for the making of seat reservations, etc. (Case, Vol. I, pp. 659 and 660). Mr. J. F. Deasy, assistant vice-president in charge of operations of the Pennsylvania Railroad Company, expressed the opinion that the suburban field is best served by existing so-called local bus operators (p. 468), but that the railroads should be permitted to do a "station to station" business along their route (p. 484).

Reading Transportation Company, after securing local consents from municipalities between Camden and Ocean City, applied to the Board of Public Utility Commissioners, avowedly as a bus operating subsidiary of the railroad system, for the approval of these consents as required by law.

2.

The "O. G. Schultz Management" System.

Parlor De Luxe Coach Company, White Way Tours and Union Bus Company applied for approval of local permits to do an intrastate business along the Camden-Atlantic City route at about the same time as the prosecutor. Also, the Parlor De Luxe Coach Company applied for approval of local permits to do an intrastate business between Camden and Ocean City via Pleasantville. These three companies were owned and managed by O. G. Schultz, who owned all the shares of each (see Case, Vol.

I, p. 723, ll. 25-31, and p. 724, ll. 20-31), as a unified system. These companies theretofore operated purely interstate lines. These companies referred to by the Board in its decision as the "companies under the O. G. Schultz Management" (see Case, Vol. I, p. 835, l. 7) had theretofore done no intrastate business on these routes (Case, Vol. I, p. 715, ll. 17-19; p. 722, ll. 16-22). They had not been required to procure approval of the Board of Public Utility Commissioners nor to obtain municipal consents to operate prior to their applications to the Board, their business having been limited as aforesaid, to an interstate business. Other than by means of the gasoline tax, they paid nothing toward the maintenance of the roads or for the use of the streets in their business.

George W. Booz, the manager of these companies, admitted that their service was not necessary to the public convenience in addition to the bus service to be supplied by the railroads (see Case, Vol. I, p. 718, ll. 10-21), although it would increase convenience, as any excess of service does temporarily.

The applications which these companies made to the Board were calculated to produce a service in direct competition with the railroads, over and through the territory served and built up by the railroads, and in direct competition with the new facilities offered by the subsidiaries of the railroads. They had never spent a dollar in the development of the territory nor in the creation and maintenance of a right of way, nor in the creation of a system. Some of their buses they owned, but some were leased (Case, Vol. I, p. 720, ll. 2-3). The operating equipment which they possessed had

been acquired for the purpose of their interstate operations and was required in order to furnish that type of service (Case, Vol. I, pp. 716 and 717). They had no claim, either legal or moral, on the Board's consideration. Their operation was certain to injure the railroads.

3.

The Public Service Coordinated Transport System.

The Public Service Coordinated Transport has developed and operated a street railway system radiating from Camden. A part of that system paralleled railway lines herein mentioned as far as Lindenwold or Clementon (P. S. Exhibit , Case, Vol. III, p. 69; Exhibit P. R. R. 1A, Vol. III, p. 8), the intervening distance (some twelve miles) being within the suburban area surrounding Camden and which was properly, and in accordance with sound economic considerations, served by a local transportation system.

Prior to 1926, when the Act was passed bringing all bus operations under the Utility Board, certain bus operations were started from Camden to Berlin, Atco and Hammonton. Under the Act of 1921, bringing autobuses within the control of the Board, only street cars were given protection against bus competition, and it was not until the 1926 Amendment to the Act that objections by the railroads were necessarily considered.

These routes were later purchased by the Public

Service Coordinated Transport, or its predecessor, and thereafter operated by it.

In 1927 the Public Service Transportation Company applied to the Board for approval of an extension of these routes—Camden-Berlin-Atco-Hammonton to Atlantic City and for permission to increase its service by the operation of twelve additional buses to Hammonton and by twelve more buses running through to Atlantic City (Case, Vol. II, p. 937).

After the hearing, in which the appellant, Atlantic City Railroad Company, as well as the West Jersey and Seashore Railroad Company, vigorously opposed the approval of the consents, the Board rendered its decision refusing consent to the Public Service to operate, and based its refusal on the grounds that the railroads were furnishing service at a loss; were conducting operations with a constantly decreasing revenue; that the operation would further deplete their revenue and endanger the continuance of their system and that the railroads were entitled to protection against such direct competition as would result from the proposed operation. This opinion is in the State of the Case at Vol. II, p. 1407.

After the aforesaid hearing and prior to the release of the decision, the Public Service Transportation Company purchased from one Lawrence a bus and permit in an operation from Atlantic City to Egg Harbor (Case, Vol. I, p. 272, ll. 7-11).

The application of the Public Service Coordinated Transport to the Board was to increase the Egg Harbor-Atlantic City service by adding eleven buses to the one bus already in operation as aforesaid and then to extend said Egg Harbor-Atlantic

City line, as so increased, to Berlin so as to connect up the two ends (Case, Vol. I, p. 106, *et seq.*). Mr. Herbert E. Harper, traffic engineer of the Public Service Coordinated Transport, in his cross-examination (Case, Vol. I, p. 178, l. 22, to p. 179, l. 18) testified that taking the Egg Harbor-Atlantic City business into consideration, only one additional bus would be needed, and not eleven additional buses, to permit that service to operate on a one-hour headway which in his opinion was desirable. Since the Board's decision which gave to the Public Service Coordinated Transport approval of its municipal consents to operate five additional buses on the Atlantic City-Egg Harbor route and to extend the route of operation from Egg Harbor to Berlin (Case, Vol. I, p. 834), the said operation has been put into effect and the Public Service has advertised and operated a Camden-Atlantic City service by connecting buses at Berlin (see Vol. III, Exhibits pp. 41-42, 45, and Vol. I, p. 880, l. 14, *et seq.*, and p. 914 to end).

This whole matter of rendering indirectly a through service from Camden to Atlantic City, which the Board in its decision of July 17, 1928 (Case, Vol. II, p. 1407, *et seq.*), had expressly refused to allow the Public Service to render was anticipated by the railroads in their opposition to the Public Service application. Substantial representations were made to the Board by the witness, Harper (Case, Vol. I, p. 180, l. 25, to p. 182, l. 15), that there would be no schedule arrangements or any other connecting arrangements that would make a transfer of passengers at Berlin feasible. What then was reasonably anticipated has in fact hap-

pened and the Public Service is carrying Camden to Atlantic City passengers under the authority of the Public Utility Commission when a short time earlier the Board had declared that the bus route between Camden and Atlantic City would carry mostly through traffic between Atlantic City and Camden and would further reduce the passenger incomes of the railroads and would probably result in a further curtailment of service. It was on those grounds that the earlier application was denied (Case, Vol. II, p. 1413). Nevertheless, with the evidence before it, that the railroad losses, about which it had previously expressed concern, were increasing, the Board approved the later application of the Public Service as to five of the eleven additional buses applied for.

The objections of the appellants to that approval of the Public Service application are not directed at the opportunity which that approval gave to the Public Service Coordinated Transport to render local service from point to point between Camden and Berlin on the one end and between Berlin and Atlantic City on the other end. The appellants do strenuously object to the opportunity which that approval gave to the Public Service Coordinated Transport to link those services together, thereby carry substantial numbers of through passengers between Camden and Atlantic City and vice versa, and in that way circumvent, or at least overcome, the Board's decision of a year previous, which decision had been so carefully intended to safeguard the railroad revenues.

II.

STATEMENT OF THE LAW.

The decision of the Board of Public Utility Commissioners that the municipal consents of Public Service Coordinated Transport for the extension of the Egg Harbor-Atlantic City route to Berlin, New Jersey, and for the operation of five additional autobuses thereon in such a manner as to permit through passengers between Camden and Atlantic City to be carried; of White Way Tours for the operation of three autobuses, Camden to Atlantic City; of Parlor De Luxe Coach Company for the operation of three autobuses, Camden to Atlantic City; of Union Bus Company for the operation of four autobuses, Camden to Atlantic City via Pleasantville; and of Parlor De Luxe Coach Company for the operation of two autobuses, Camden to Ocean City via Pleasantville, are necessary and proper for the public convenience and properly conserve the public interest; and that the municipal consents of Reading Transportation Company, a subsidiary as aforesaid, for the operation of thirteen autobuses, Camden to Ocean City via Atlantic City, in both local and express service as also the rendering of any local highway bus service by Reading Transportation Company, are not necessary and proper for the public convenience and do not properly conserve public interest, is erroneous in law. (Reasons 12, 13, 14, 15, 16, 17, 18, 19, 20, 22 and 23 are discussed herein.)

A.

THE POWER OF THE BOARD OF PUBLIC UTILITY COMMISSIONERS OVER MUNICIPAL CONSENTS TO OPERATE AUTOBUSES IS DELEGATED AND DEFINED BY SECTION 24 OF AN ACT CONCERNING PUBLIC UTILITIES—CHAP. 195, LAWS OF 1911—(AS AMENDED).

which reads as follows:

> "24. No privilege or franchise hereafter granted to any public utility as herein defined, by any political sub-division of the State, shall be valid until approved by said Board, such approval to be given when, after hearing, said Board determines that such privilege or franchise is necessary and proper for the public convenience and properly conserves the public interests, and the Board shall have power in so approving to impose such conditions as to construction, equipment, maintenance, service or operation as the public convenience and interests may reasonably require."

Under this section the Board of Public Utility Commissioners *must* give its approval to any privilege or franchise, "when, * * * such privilege or franchise is necessary and proper for the public convenience and properly conserves the public interest" and the Board may not *withhold* such approval where "such privilege or franchise is necessary and proper for the public convenience and properly conserves the public interests."

B.

SECTION 24 DOES NOT GIVE THE BOARD THE POWER TO GRANT OR WITHHOLD ITS APPROVAL ARBITRARILY BUT SETS UP A STANDARD TO WHICH THE BOARD MUST CONFORM.

1.

Decisions which ignore the law or the facts are arbitrary.

Definition of arbitrary—*Century Dictionary:*

> "4. Not characterized by or manifesting any overruling principle; fixed, determined or performed at will; independent of rule or control. 'By an arbitrary proceeding, I mean one conducted by the private opinions or feelings of the man who attempts to regulate' Burke."

Kamper v. Hawkins, 1 Va. Cas. (3 Va.) 20, 23.

> "The difference between a free and an arbitrary government is that, in the former, limits are assigned to those to whom the administration is committed, but the latter depends on the will of the departments, or some of them."

2.

Under our system of government no governmental agency may exercise arbitrary power but all

must be guided by fundamental legal principles. A rule applicable to all must be formulated and applied so that all may know the law which governs.

George W. Alger, "The Letter Law and the Golden Rule," Atlantic Monthly, Sept., 1922, p. 296.

> "Ours was to be, as the ancient Charter of Massachusetts solemnly stated, a government '*of laws and not of men.*' Laws should be made so that the people could read and understand them; so that standards should be set, which Judges should follow and enforce. Personal justice, justice dependent alone or mainly upon the personal concept of right in the heart of the Judge—a concept varying with the moral calibre of Judges—was to be discarded. The law was to be, in the main, a book—enforced, to be sure, by a person, but in accordance with the book. The whole history of Law is the struggle for a working compromise between two ideals: judicial discretion and the Saint-Louis ideal, on one hand, and the letter law, superior to and binding upon the Judge, and he its sworn servant, on the other. * * * " Quoted in *Wigmore on Evidence,* Vol. I, para. 4b, p. 35.

Lord Chief Justice Mansfield in *R. v. Bembridge,* (1783) Howell's State Trials XXII, 155.

> "The law does not consist in particular instances, though it is explained by particular instances and rules; but the law consists of prin-

ciples which govern specific and individual cases as they happen to arise."

Hon. Cuthbert W. Pound, Judge New York State Court of Appeals in "Constitutional Aspects of American Administrative Law," 9 Am. Bar Assn. J. 409, at 410, said,

> "The protection of individuals from the exercise of unrestricted power is an essential attribute of free government."

At 413, he quotes:

> "The maxim that a Legislature may not delegate legislative power has some qualifications, as in the creation of municipalities, and also in the creation of administrative boards to apply to the myriad details—the regulatory police power of the State. The latter qualification is made necessary in order that the legislative power may be effectively exercised. In creating such an administrative agency, the Legislature, to prevent its being a pure delegation of legislative power, *must enjoin upon it a certain course of procedure and certain rules of decision in the performance of its function.* It is a wholesome and necessary principle that such an agency must pursue the procedure and rules enjoined, and show a substantial compliance therewith to give validity to its action."

See also: *Yick Wo v. Hopkins*, 118 U. S. 356; 30 L. Ed. 220.

The law requires that the Board hear evidence

before deciding on an application for approval of local consents. The very functions of evidence in an ordered government is to present the facts to which a rule may be applied (see the definition of evidence by Mr. Jeremy Bentham, (1827) Rationale of Judicial Evidence, b. I, c. I, Bowring's Ed., Vol. VI, p. 208).

Mr. Justice Lamar said, in dealing with rate fixing by the Interstate Commerce Commission in *I. C. C. v. Louis. & Wash. R. R.*, (227 U. S. 88, 91; 57 L. Ed. 431),

> "The statute gave the right to a full hearing, and that conferred the privilege of introducing testimony, and at the same time imposed the duty of deciding in accordance with the facts proved. A finding without evidence is arbitrary and baseless. And if the government's contention is correct, it would mean that the Commission had a power possessed by no other officer, administrative body or tribunal under our government. It would mean that where rights depended upon facts, the Commission could disregard all rules of evidence and capriciously make findings by administrative fiat. Such authority, however, beneficently exercised in one case, could be injuriously exerted in another; is inconsistent with rational justice, and comes under the Constitution's condemnation of all arbitrary exercise of power."

In *Erie R. R. Co. v. Board of Public Utility Commissioners*, 85 N. J. L. 420, at 423, Mr. Justice Swayze said:

> "The statute (the Public Utilities Act of 1911) does not justify merely arbitrary orders, and any one who is injuriously affected by such an order may justly complain * * * "

In *Hackensack Water Co. v. Board of Public Utility Commissioners,* (1921) 96 N. J. L. 184, at 188-9, the Court of Errors and Appeals by Gummere, C. J., said:

> "It is contended that this part of the judgment is in conflict with the Public Utilities Act which clearly intends that the powers of the Board shall be free and unrestricted, except as limited by the statute itself. But we are not willing to concede that it was the purpose of the Legislature to clothe this Board with powers to be exercised by it without regard to established legal rules or principles. On the contrary, we are entirely satisfied that it was the intent of the Legislature that the exercise of these powers should be controlled not only by the statute itself but by the settled rules and principles of the common law."

W. J. & S. R. R. Co. v. Public Utility Board, 87 N. J. L. 170, at 178:

> "That court (the Supreme Court) can upon certiorari, or under the statutory procedure provided by section 38 of the Act of 1911, review such action for the purpose of ascertaining whether or not it is purely arbitrary, whether or not it has a reasonable basis to rest

upon, whether or not it is supported to any extent by the facts submitted to the Board for its consideration; and if it shall be made to appear to the Court that such action is purely arbitrary, or that it has no reasonable basis upon which to rest, or is unsupported by the facts laid before the Board, the Court may declare it null and void, and order it to be set aside."

See also, *N. Y., Susquehanna and Western R. R. Co. v. Board of Public Utility Commissioners and City of Paterson,* (1917) 90 N. J. L. 432—affirmed 91 N. J. L. 701 (1918); *Potter v. Board of Public Utility Commissioners, et al.,* 89 N. J. L. 157 (1916); *Public Service Co. v. Board of Public Utility Commissioners, et al.,* 1913—84 N. J. L. 463.

C.

THE STANDARD SET UP BY THE LEGISLATURE IS THE STANDARD OF PUBLIC CONVENIENCE AND NECESSITY. IT IS FOR THE COURT TO DETERMINE BY CONSTRUCTION THE LEGISLATIVE INTENT IN THE TERMS SO USED.

1.

The intent of the Legislature must govern the Court and it is to be ascertained from the context of the whole statute, from the evil which was to be remedied and with reference to sound public policy.

Carpenter, J., in *Peck, et al., v. The Freeholders of Essex,* 20 N. J. L. (Spencer) 457, at 466 (1845).

> "The construction of a statute depends upon the apparent intention of the legislators, to be collected either from the particular provision or the general context; from the mischiefs intended to be remedied, and the provisions of the act for remedying them."

State v. Clark, 29 N. J. L. 96, at 99 (5 Dutcher), Whelpeley, J.

> "The object designed to be reached by the Act must limit and control the literal import of the terms and phrases employed. 1 Kent's Com. 462; *Commonwealth v. Kimball,* 24 Pick. 370; *U. S. v. Fisher,* 2 Cranch 400; 1 Bl. Com. 60."

Vroom v. The Executors of Allen Smith, deceased, (1834) 14 N. J. L. (II Green) 479.

> "It is also a rule, that Acts of Parliament ought to be expounded according to the intent and meaning of the Legislature, which is to be collected, sometimes *by considering the cause and necessity of making the Act,* sometimes by comparing one part of the Act with another, and sometimes by foreign circumstances; *so that the courts have ever been guided by the intent of the Legislature,* which they have always taken according to the necessity of the matter, and according to that which is consonant to reason and good discretion. I Plowd. 105-06."

In *Proprietors of Morris Aqueduct advs. Jones,* (1873) 36 N. J. L. (VII Vroom) 206 at 209, Chief Justice Beasley said,

> "Upon looking into the cases referred to, and on examination of others standing in the same line, I find they all rest upon the common principle that the legislative will is to be ascertained not from the meaning of the text of the statute alone, but from such words interpreted in view of the general object of the particular Act. The adjudications are the results, not of acts of interpretation, which is the mere finding of the true sense of the special form of words used, but of acts of construction, which Dr. Lieber, in his Hermeneutics, has properly defined as 'the drawing of conclusions respecting subjects that lie beyond the direct expression of the text —conclusions which are in the spirit, though not within the letter of the text.' *Lieber on Political Hermeneutics.* Ch. 1."

In *Morris Canal and Banking Co. v. C. R. R.*, 16 N. J. Eq. 419, at 428 (1863) the following is quoted from Chancellor Kent's *Commentaries* with approval:

> "It is an established rule in the exposition of statutes that the intention of the Legislature is to be derived from a view of the whole and every part of a statute, taken and compared together. The real intention, when ascertained, will prevail over the literal sense of terms. * * * When words are not explicit, the intention is to be collected from the context, from the occasion and necessity of the law, from the mischief felt, and the remedy in view; and the intention is to be taken or presumed accord-

ing to what is consonant to reason and good discretion. 1 Kent's Com. 461-2."

Smith v. Tucker, (1839) 17 N. J. L. (2 Harr.) 82, at 84.

"Every statute should be so construed as to suppress the mischief, and advance the remedy."

2.

The legislation placing bus transportation under the regulatory supervision of the Board of Public Utility Commissioners has its origin in the desire of the Legislature to control competition in this field for the protection of existing agencies.

The Board of Public Utility Commissioners, as at present constituted, was created in 1911 by An Act concerning Public Utilities (Laws 1911, ch. 195, p. 374). Autobuses were not at that time included in the definition of public utilities, and were, therefore, not within the regulatory power of the Board.

In 1916 the "Kates Act," (L. 1916, Ch. 136, p. 283) prohibited the operation of autobuses in the streets of any city of the State without the consent of the local authorities having control of the streets therein and imposed conditions upon the granting of such consent.

In 1921, Section 15 of the Public Utilities Act was amended (L. 1921, Ch. 149, p. 390) to read:

"The Board shall have general supervision

and regulation of, jurisdiction and control over, all public utilities, and also over their property, property rights, equipment, facilities and franchises so far as may be necessary for the purpose of carrying out the provisions of this Act. The term 'public utility' is hereby defined to include every individual, copartnership, association, corporation, or joint stock company, their lessees, trustees or receivers appointed by any Court whatsoever, that now or hereafter may own, operate, manage or control within the State of New Jersey any steam railroad, street railway, traction railway, *autobus commonly called jitney, the route of which in whole or in part parallels upon the same street the line of any* street railway or traction railway; canal, express, subway, pipe line, gas, electric light, heat, power, water, oil, sewer, telephone, telegraph system, plant or equipment for public use, under privileges granted or hereafter to be granted by the State of New Jersey, or by any political sub-division thereof."

In the same year the "Kates Act" was amended and continued the municipal control over the use of the streets (P. L. 1921, Chapter 204, p. 638). In 1926, it was again amended (L. 1926, Chap. 144, p. 219). The special regulatory power of municipalities over the use of their streets by omnibuses was extended to municipalities other than cities. By Chapter 146, Laws of 1926, p. 226, Section 15 of the Public Utilities Act was again amended so that the Board now has "general supervision and regu-

lation of, jurisdiction and control over" all public autobuses with a carrying capacity of more than six passengers.

From the amendments to the "Kates Act," which concur in time with the amendments to the Public Utilities Act, it is clear that the control over bus operations given to the Board was not given with a view to the protection of the streets and highways. The regulatory power over streets and highways still continues in the municipalities to whom it has been delegated by the Legislature.

The amendment to the Utilities Act of 1921 is significant of the original legislative purpose in the passage of Section 24, for the amendment brings within the purview of Section 24 those autobus lines and only those which, because of the location of their route, were in a position to offer competition with the existing trolley systems. At that time bus operations were generally confined to short trips in local transportation.

The field of bus operations, however, constantly extended and by 1926 such operations were competing not only with trolley operations but also with the railroads. Long haul routes were becoming common. It was then that the Legislature, by a further amendment to the Utilities Act, brought all bus operations within the purview of Section 24.

Re Public Service Railway Co., P. U. R. 1921 D, 593, at 640 (N. J. Board of Public Utility Com.).

> "Under an Act passed by the last Legislature, the regulation of jitney buses is now, insofar as they compete with street railway transportation, within certain defined limits, placed

under the jurisdiction of this Board; and it may be assumed that, within those limits, jitney competition will be controlled in accordance with the requirements of public convenience and necessity and will be so regulated that unlimited competition not required for such purposes will be held in check."

P. U. R. 1922 B, 260. Annotation.

"Commission policy with reference to the grant or refusal of certificates of convenience and necessity is governed by the purpose of securing safe and adequate service for the public and of protecting companies rendering such service from wasteful competition. *The statutes were undoubtedly passed in the first instance to protect street railways from the jitney, and afterwards expanded as the importance of automobile transportation grew.* The policy is pretty well settled as to an applicant seeking to enter a field already occupied * * *."

D.

THE PHRASE "PUBLIC CONVENIENCE AND NECESSITY" AND LIKE PHRASES, INTERPRETED WITH REFERENCE TO THEIR ORIGIN IN LEGISLATIVE USAGE, GIVE TO EXISTING TRANSPORTATION SYSTEMS A RIGHT TO PROTECTION FROM COMPETITION.

In Motor Carrier Regulation by Certificates of Necessity and Convenience—Lilienthal and Rosenbaum, 36 Yale, L. J. 163, at 166 (Dec., 1926) the authors say:

> "The formula of 'public convenience and necessity' is by no means a new one. For many years the phrase—or its alternative, 'common convenience and necessity'—ran through the highway construction statutes. A State statute would impose a duty to build highways in certain localities, if in the judgment of those in authority, such construction was required by 'public convenience and necessity'; the enforcement of the duty, that is the application and construction of the phrase, was imposed upon the courts [See *Fenwick Hall Co. v. Town of Old Saybrook*, 69 Conn. 32 (1897)]. The test was also employed in the direct statutory regulation of public utilities which preceded the era of Commission control."

The origin of the phrase (variable in form) and its meaning in public utility regulatory legislation is carefully analyzed by Andrews, C. J., in the following quotation from *In re Shelton St. Ry. Co.*, 38 Atl. 362, 69 Conn. 626, (1897), the earliest case found on the subject, reversing a finding of convenience and necessity for the extension of a street car line: (Italics ours.)

> "Public necessity, in this sense, is that urgent, immediate public need arising from existing conditions which, in the judgment of the Legislature, *justifies a disturbance of private rights that otherwise might be legally exempt from such interference.* * * *
>
> So in the statute under consideration the 'public convenience and necessity' sufficient to

'require the construction of such street railway' means a *condition existing at the time of the application in respect to the applying railroad, the mode of public travel, the manner in which those needs are to be supplied, and the probable effect of the proposed road upon the whole question of adequately supplying those needs, as well as in respect to the road proposed to be paralleled,* that in the judgment of the trior *will justify the interference* with private rights involved. *Railroad companies chartered by the Legislature have expended large sums of money in the construction of their roads which are practically wasted unless the road can be used without loss for the transportation of passengers and freight. It is obviously for this reason that the provisions of Section 8 were incorporated into the general Act, and so a legal right given to existing roads to protection against a certain kind of parallel* road, when the circumstances of such road are not shown to be, under all the existing conditions, of public convenience and necessity. For the protection of such legal rights, an existing road may apply to the courts. New England R. C. v. Central Railway & Electric Co., 69 Conn., 47-54, 36 Atl. 1061."

See also *Abbott v. Public Utilities Commission,* 48 R. I. 196; 136 At. 490.

In *Motor Carriers and the State* (*A Study in Contemporary P. U. Legislation*) by *David E. Lilienthal and Irwin S. Rosenbaum,* 2 Journal of L. & P. U. Economics, 257 at 269 (1926) it is said:

"The primary object of the Legislature was probably the protection of the public interest through the elimination of cut-throat competition between motor carriers, as well as between motor carriers and the older transportation agencies: electric and steam roads. The function of this requirement, as many statutes imply and some state explicitly, is to prevent such unrestrained competition as may result in a high mortality among motor carriers, making reliable transportation by motor impossible, and on the other hand, to prevent such inroads into the business of electric and steam roads as to impair their efficiency. The doctrine under which the railroads operated for so many years; *i. e.*, that the public interest is best served by the encouragement of competition, has apparently had its day; at all events an antithetical theory prevails in the legislation governing motor carriers, as reflected in numerous State statutes. In some of the State statutes, such directions to the Commission are set out at considerable length and detail."

The statutes of North Dakota, Kansas, Ohio, South Dakota, Wyoming, Kentucky, Colorado and West Virginia contain specific provisions to the effect that, in passing upon an application for a certificate of convenience and necessity, the Commission shall give reasonable consideration to the transportation being furnished or that could be furnished by any railroad, and the effect which such proposed transportation service may have upon

other forms of transportation service which are essential and indispensable to the communities to be affected by such proposed transportation service.

North Dakota Laws, 1925, C. 91;
Kansas Laws, 1925, C. 206, par. 4;
1 *Ohio Code* (page 1926) par. 614-87;
S. D. Laws, 1925, C. 224, par. 3;
Wyo. Comp. Stat. (1920) par. 5497;
Ky. Act of Mar. 5, 1926, par. 4;
Colo. Ann. Stat. (Courtright's Mill's, 1924) par. 5933 i (a);
W. Va. Ann. Code (Barnes, 1925) C. 43, par. 82.

The words of the New Jersey statute are "necessary and proper for the public convenience and properly conserves the public interests." These words have been treated as the equivalent of the shorter phrase "public convenience and necessity" by the courts and the Board of Public Utility Commissioners.

E.

THE OPINIONS OF COURTS, PUBLIC UTILITY COMMISSIONS, ECONOMISTS AND LAW WRITERS ESTABLISH, BY AN OVERWHELMING WEIGHT OF AUTHORITY, THAT THE ELIMINATION OF UNNECESSARY COMPETITION FROM THE FIELD OF TRANSPORTATION AND THE PROTECTION OF THE EXISTING UTILITY FROM DESTRUCTIVE COMPETITION ARE NECESSARY AND PROPER FOR THE PUBLIC CONVENIENCE AND PROPERLY CONSERVE THE PUBLIC INTERESTS AND THAT EXISTING UTILITIES HAVE A RIGHT TO SUCH PROTECTION.

1.

Opinions of Text Writers and Experts.

Wherry, in Public Utilities and the Law, page 209.

"The whole basis of public utility regulation rests on the recognition by the State of the fact that public utility business of this character is essentially a monopoly, and that public convenience and interests are not promoted by inducing or compelling competition, but are promoted by regulating and controlling such competition."

"The doctrine that monopoly is essential in the business and competition is disastrous to the public interests, has been authoritatively expounded in almost every jurisdiction."

Pond—Public Utilities, para. 775, page 798.

"The policy of regulation, upon which our present public utility commission plan is based

and which tends to do away with competition among public utilities, as they are natural monopolies, is at once the reason and the justification for the holding of our courts that the regulation of an existing system of transportation, which is properly serving a given field or may be required to do so, is to be preferred to competition among several independent systems. *While requiring a proper service from a single system for a city or territory in consideration for protecting it as a monopoly for all the service required* and in conserving its resources, no economic waste results and service may be furnished at the minimum cost. The prime object and real purpose of Commission control is to secure adequate sustained service for the public at the least possible cost, and to protect and conserve investments already made for this purpose. Experience has demonstrated beyond any question that competition among natural monopolies is wasteful economically and results finally in insufficient and unsatisfactory service and extravagant rates."

Pond—Public Utilities, para. 271, page 294.

"The regulation and control now provided by State commissions takes the place of competition and saves the expense of necessary duplicated service."

Pond—Public Utilities, para. 715, page 772.

" * * * Competition as an ultimate means of

control and regulation is expensive and fails to accomplish the desired end of properly serving the public at minimum cost. *Other things being equal the existing* or first *applicant should be favored and protected in any field* so long as proper *service is given and fair rates maintained.*''

Pond—Public Utilities, para. 740, p. 782.

> ''*The policy followed by the Commission is a general one upon which all Commission control rests of regulating and requiring existing utilities to render proper service and of protecting them as natural monopolies in serving the public, which can be done at a more reasonable rate than would be possible if competing systems were permitted.*''

Id., para. 741, page 783.

> ''The object should always be that of securing the best service and of conserving the investment of an established system * * *.''

Pond—Public Utilities, para. 745, page 785.

> ''*The existing systems are entitled to protection from competition up to a certain point.* This is necessary in the interest of the public service as well as for the benefit of the established public utility in order that proper investments may be conserved and the public service continued.

> Increased investments and new capital are necessary to carry on the public service and this will not be available in the absence of satisfactory returns from the present investment."

J. E. Slater—The Motorbus and the Railroads—II Journal of Land and P. U. Economics (1926), 129 at 152, *et seq.*

> "* * * *On the other hand, one would suppose that the public should have discovered by this time that, in the long run, unrestrained competition among public utilities has uniformly turned out badly in the field of transport.* The results of ruinous competition for both passenger and freight service during the first 50 years of steam railroad development provided a lesson that should not be forgotten.
>
> * * * * * * *
>
> From the standpoint of sound public policy, it appears that the new situation could best be handled by the existing agencies, if they will handle it. The steam railroads and the electric lines over a long period of years have learned the lesson of their responsibility to the public. Public regulation is accepted as a permanent factor in their respective fields. Litigation or evasion of responsibilities to the public are far less likely if the field is occupied by established transport agencies.
>
> Again, if the steam and electric railroads make use of the motorbus, they will be able to

coordinate the two branches of service and give the public much better service than it ever before enjoyed.

* * * * * * *

More important than any of these matters is the assurance that with the motorbus handled by the electric line or the steam railroad it will take its proper place in the scheme of transport. That it has such a place has been demonstrated, but that it has very distinct limitations has also been shown. If the bus is under other than the existing companies, there will be a constant tendency toward the extension of its use into other cities. There are many cases where over long stretches of railroad there are but one or two trains a day in each direction and these are largely of a local nature. With well-paved highways buses may compete successfully on runs much longer than 100 miles. The bus lines operating out of Chicago to points such as Benton Harbor and Muskegon, Michigan, illustrate this situation. If the railroad companies study the situation to determine where the bus can be operated most efficiently, the public need not fear that a utility which is absolutely necessary for most of the service will be endangered in the performance of that service by ruinous competition of the new carrier.

If we adopt the policy of fostering competition with independent bus companies, the railroads will have but one means of meeting the situation; namely, by reducing the existing ser-

vice. The loss in revenue will result in a much greater proportionate loss in the income and a continued tendency toward poorer financial condition. To take care of such a situation, an increase in rates will be one of the few solutions. An increase in rates would naturally result in further opportunities for the extension of bus service. From every angle, therefore, it would appear that the public interests would best be served by the encouragement of the control of this new form of transport by the existing agencies.''

2.

Decisions of Utility Commissions.

Scott v. Latham (N. Y.), P. U. R. 1921, C., 714.

''It is the policy of this Commission to prohibit competition in bus lines, as it is its practice to prevent other competition among common carriers. It is the theory of the law, which this Commission supports, that one carrier only should operate, subject to regulation as to all matters. And that thereby the best interests of the public are served.''

Wash. Ry. & Elec. Co. v. Wash. Rapid Transit Co., P. U. R. 1922, C., 754, 757 P. U. C. (D. C.).

''The Commission believes, moreover, that *where additional transportation facilities are needed, they should be furnished by existing*

transportation agencies, * * * rather than by the licensing of new companies, particularly where local transportation is necessary. It has followed this course in the past and will continue that policy."

In re Wash. Rapid Transit—P. U. R. 1923, B., 328, 331 (D. C., P. U. C. 1922):

"In our opinion there is a legitimate field for bus service, but this does not lie in the multiplication of lines or of vehicles reaching the heart of the city. It lies rather in providing service in extension of the street car lines into territory so thinly settled as not to justify the large investment necessary for street railway service. The bus lines should be feeders. They should create business and not rob the street railways of the just reward due their heavy investments for the public benefit. An exception to this principle arises when the existing street railway service proves to be inadequate and, for reasons either physical or financial, additional street railway lines cannot be created. In such cases, even in thickly settled territory, the obvious recourse is to bus lines; *but, in the absence of legal objections the best interests of the public will be promoted by causing such lines to be owned and operated by the street railway companies and to coordinate them with the car lines so that transfer privileges and other desirable joint relations may result.*"

Re: Maine Motor Coaches, P. U. R. 1926, B., 545, 553.

> "We believe that the objective to be sought, in our State at least, is a coordination of public automobile service with that of the steam railroads, and with such of the electric railways and street railways as will lend themselves to such coordinated service. It is a trite and superficial saying that railroads must be preserved, unless we are willing to do something to preserve them."

The Commission quoted with approval the opinion in *Wash. R. & Electric Co. v. Wash. Rapid Transit Co.* (D. C.), P. U. R. 1922, C., 754, 757—as above quoted herein.

In re Paradox Land & Transport Co. (1925), P. U. R. 1926, A., 116, the Colorado Commission granted to the existing railroad the exclusive right to render motorbus service paralleling its lines; quoting with approval (p. 505) from the California Railroad Commission's opinion *in re United Stages,* P. U. R. 1925, A., 688:

> "The primary interest of the citizens of a community and the duty of the Commission lie in the safeguarding of adequate provision for the existing operations of transportation companies now operating in that community, *and anything tending to jeopardize such service would not meet the requirements of public convenience and necessity.*"

Buffalo Motor Coach Co., Inc., P. U. R. 1927, E., page 852.

"It is not the policy of the State to permit competition as a means of providing public service. Street car service is in its nature a monopoly. Competition does not protect the public, but on the contrary, is likely to become an economic waste. State regulation takes the place of, and is intended to prevent the evils of unrestricted competition, and on the other hand, protects the public from the abuses of monopoly * * * In determining the question, the convenience and necessity of the community as a whole must be considered."

In re Application of La Crosse Gas & Electric Company, 1907, 2 Wisconsin, R. C. Reports, page 3, at p. 5 (P. U. Commission).

"In fact, active and continuous competition between public utility corporations, furnishing the same service to the same locality, seems to be out of the question. This has been shown by experience."

Lockport Light, Heat & Power Co., 1907, 1 P. S. C. Rep. (N. Y.), p. 12.

"It can doubtless be demonstrated beyond any possibility of successful contradiction that better service and fairer prices in furnishing such public utilities to a community can, as a general rule, be given by one corporation than by several and that this can be done with the use of less capital."

In the matter of the Application of the Atlantic Highlands Gas Co., for the approval of an ordinance passed by the Township Committee of the Township of Shrewsbury, Nov. 17, 1910, 1 Rep. of Board of Public Utility Com. (N. J.), 7, 10.

> "Experience has gone a long way towards demonstrating that services afforded by public utilities tend eventually to be rendered under conditions of monopoly. It is true that for a time a public utility may compete with another supplying the same body of consumers with the same service. But experience demonstrates that such competition is likely to be short-lived. The two competitors are influenced by the considerations of securing higher prices by the mutual cancellation of their competition, and not infrequently by the possibility of reducing costs by a union of parts of their productive apparatus. Where actual fusion of the two erstwhile competing concerns does not result, a division of territory or joint agreements as to rates, prices or service not uncommonly operate to leave consumers at the mercy of a virtual monopoly. The low prices prove but temporary, and the transient gain is succeeded by a long period of loss. That public opinion has come to recognize the almost inevitable outcome of such temporary competition between public utilities is evidenced by much recent legislation. The creation of various boards and commissions with supervisory powers over public utilities, and often with eventual powers of rate-fixing, *demonstrates that the illusive doctrine of com-*

> *petition in this field is being superseded by an experimental regime of strictly regulated monopoly."*

In re Johnson, C. P. C. 199, Nov. 13, 1920, the Nevada Commission reasserted its holding in *Re Ginnocchio Bros.,* P. U. R. 1920, B., 325, that a utility rendering adequate and efficient service in a territory shall be protected from competition.

In re George R. Houser, et al., Penn. P. S. Comm. (192) P. U. R. 1922, B., 383, the Pennsylvania Public Service Commission refused a certificate of convenience and necessity to an autobus company to operate in competition with a street railway on the ground that the large capital investment in a street railway should be protected.

In re Thomas H. Quinn, P. U. R. 1922, C., 514, the Pennsylvania Public Service Commission said,

> "The Commission would not be justified, under the Public Service Company law and the principles which protect the public against unfair and ruinous competition, in granting a certificate for a continuance of the operation of the bus line in question. The measure of public convenience involved in the operation of this and other autobus lines under similar conditions is small in comparison with the public necessity and convenience involved in sustaining the service of existing carriers."

The Rhode Island Public Utilities Commission *in re Applications for Certificates to operate Jitneys,* P. U. R. 1922, E., p. 612 at 619, quoted with

approval from "In Re Application of Perrett and Glenney," decided on June 17, 1921, by the Connecticut Public Utilities Commission:

> "* * * As we understand the law and the legislative policy of Connecticut, such a competitive franchise should not be granted if the existing franchised company is willing and capable of affording adequate service at reasonable rates. If it is, public convenience and necessity do not require additional or competing service. Under public regulation, competition is no benefit and may be a detriment to the service and to the public."

Re Union Auto Transportation Co., Arizona Corp. Com., P. U. R. 1922, A., p. 608.

> "In Docket 853-A-161 we announced that the Commission 'must base its decisions primarily *upon the right of priority.* We do not believe that this line of reasoning can be successfully attacked, and, therefore, it must be adhered to herein * * *' "

In re Wash. & W. Telephone Co., Application No. 4528, Jan. 14, 1922, the Nebraska Commission, in authorizing an issue of common stock to be used in the purchase of the property of a competing telephone company, said:

> "The Commission's experience has revealed the unsatisfactory and irritable conditions which follow where competing companies are serving the same community. Higher operat-

ing costs and usually less efficient service are probable where such a condition exists."

West Milford Electric Co., XII Reports of Bd. of P. U. Com. (N. J.) 193, p. 196 (1925):

> "It has been the policy of this Board to protect a utility from competition from another when such utility furnishes adequate service."

The whole field of the law on this subject was reviewed by the Illinois Commerce Commission in the case of *Chicago and Joliet Transportation Company, et al.,* P. U. R. 1928, E., 481. The Commission said:

> "* * * The introduction of automotive transportation on a large scale in this country has had a profound effect upon rail carriers. * * * This has resulted in serious loss. Nevertheless the rail carriers are endeavoring to meet the situation with all available means.
>
> *Appellants have stated that they are willing and able to give such service, and it appears clear that the Commission is not justified in granting a certificate of convenience and necessity to a competing line until the utility in the field has had an opportunity to demonstrate the truth of its statement and to give the required service.*
>
> The Courts and Commissions of other States, when they have been confronted with similar questions, have reached similar conclusions, with a unanimity that indicates the soundness of this policy."

In Utah it was held that railroads have a "*natural preferential right to extend service instead of permitting competition by an autobus company.*"

Blue and Gray Bus Line, P. U. R. 1924, A449.

3.

Decisions of Courts.

In Lake Shore Electric Ry. Co. v. P. U. C., 154 N. E. 239; 115 Ohio St. 311 (1926).

1. The Court reversed an order of the Public Utility Commission of Ohio on the ground that public convenience and necessity was not shown by the evidence.

2. The Court said, incidentally, at 154 N. E. 242,

> "The Commission has uniformly ruled in hundreds of cases that *an existing motor transportation service preempts the route covered by the certificate and this Court has affirmed this interpretation by the Commission.*"

In Illinois the Supreme Court adopted the same principle, and in *Egyptian Transportation System v. L. and N. R. R. Co.,* 321 Ill. 580, 152 N. E. 510, 513, the Court said:

> "Railroads have permanent road-beds and trackage which require an outlay of millions of dollars and which in turn yield large revenue to

the people of the State. The average bus line is incorporated for a comparatively small sum. The railroad is of vastly greater financial responsibility. This is a matter of substantial public interest, particularly in cases of accident. It is the established policy of the law in this State that a public utility be allowed to earn a fair return on its investments. *It is therefore, not only unjust* but poor economy to grant to a much less responsible utility company the right to compete for the business of carrying passengers by paralleling its line unless it appears that the necessary service cannot be furnished by such railroad. Appellants offer to provide whatever increase in accommodations and service is deemed essential to meet the public convenience and necessity. *It is but consonant with our law regulating public utilities that they be given opportunity to do so.* It is argued that appellants cannot give the necessary service except at a large loss. Such argument is beside the question involved in the proceedings before the Commission in this case. Appellants have stated that they are willing and able to give such service, and *it appears clear that the Commission is not justified in granting a certificate of convenience and necessity to a competing line until the utility in the field has had an opportunity to demonstrate the truth of its statement and to give the required service.*"

West Suburban Transp. Co. v. Chicago & Western, 309 Ill. 87, 140 N. E. 56, 58.

"It is not the policy of the Public Utilities Act to promote competition between common carriers as a means of providing service to the public. The policy established by that Act is that, through regulation of the established carrier occupying a given field and protecting it from competition it may be able to serve the public more efficiently and at a more reasonable rate than would be the case if other competing lines were authorized to serve the public in the same territory."

"*Where one company can serve the public conveniently and efficiently, it has been found from experience that to authorize a competing company to serve the same territory ultimately results* in requiring the public to pay more for transportation, in order that both companies may receive a fair return on the money invested and the cost of operation."

Choate v. Commerce Commission, 309 Ill. 248, 141 N. E. 12, 16:

"The theory of the Public Utilities Act is to provide the public with efficient service at a reasonable rate by compelling an established carrier occupying a given field to provide adequate service and at the same time to protect the existing utility from ruinous competition. By this method the public is protected from paying the cost of the operation of competing systems and a return upon a double investment of capital.

The railroads in this country have kept pace with the industrial development and the popula-

> tion increase and the prosperity of the nation has been due to a large extent to the steady expansion of the transportation system. The savings of hundreds of thousands of investors have been massed to build our great network of railroads and these transportation systems are entitled to protection from irresponsible competition."

An important case dealing with this problem of eliminating unnecessary competition from the field of transportation and of protecting the existing utility from destructive competition was decided as recently as October 4, 1929, by the Supreme Court of Illinois. In *Chicago Railways Co., et al., v. Commerce Commission, ex rel., Chicago Motor Coach Co.,* 167 N. E. 840, at 850; 336 Ill. 51, Dunn, J., said:

> "It is not the policy of the Public Utilities Act to promote competition between common carriers as a means of providing service to the public. * * * The policy of the Public Utilities Act is that existing utilities shall receive a fair measure of protection against ruinous competition. * * * It is in accord with justice and sound business economy that the utility already in the field be given an opportunity to furnish the required service where it offers and is able to do so."

In *Yelton & McLaughlin v. Dept. of Public Works* (1925), 240, p. 679, at 681; 136 Wash. 445, Holcomb, J., said:

> "In the case at bar we have no doubt whatever that under the statutes above quoted, appellants, having signified their desire, willingness and ability to continue their transportation business into the newly opened territory which they have been serving heretofore as necessity required, should be granted the certificate to the exclusion of anyone else. It is simply a statutory right which cannot be denied them under the evidence in this case. The findings and order of the department are arbitrary and in disregard of the statutory rights of appellants."

In this case the statute specifically gave the existing utility a right of pre-emption.

(1927) *United Fuel & Gas Company v. Public Service Commission, et al.*, 138 S. E. 388, 390 (W. Va.), 54 A. L. R. 1104 at 1107-8:

> "It is very manifest from the State and Federal statutes on the subject, that the principal purposes of all commission regulation of public service corporations is to require uniformity in rates, prevent unjust discrimination in rules and practices by them, and unnecessary duplications of plants and facilities and unjust burdens upon the public resulting therefrom, or ruinous competition between persons and corporations employed in the public service; and certainly we can find no justification in statute law or judicial decisions, for such commissions, by means of regulatory orders, to sacrifice one utility in behalf of another.

> The intervenor is fully equipped to render the service, is in the field with all necessary connections, and is ready and willing to serve its customers. Why duplicate the service to the ruination and destruction of the intervenor and its property? The Commission can be conceded no such arbitrary authority. The Courts and Public Utility Commissions, generally, construing statutes, deny such power."

The Supreme Court of Appeals of West Virginia had before it a case directly in point: viz., *Baltimore & Ohio Railroad Company and West Virginia Transportation Company v. State Road Commission of West Virginia,* 104 W. Va. 183, 139 S. E. 744. In that case the Commission issued certificates of public convenience to bus lines paralleling the Baltimore & Ohio Railroad. After applications had been filed by the independent bus lines, the Baltimore & Ohio Railroad Company, through its subsidiary, the West Virginia Transportation Company, filed applications to serve the same territory. The Court held that the railroad company had a preferential right to render the service for the following reasons:

> "Their position may be summarized as follows: The railroads perform certain vital services to the public which bus companies cannot perform, and, therefore, must be preserved; the railroads have large investments, and, to make adequate returns thereon as well as to maintain their roads, equipment, and service properly, need all the income available under present rates and conditions; competitive bus companies

will divert a material amount of travel from the railroads, thereby diminishing the revenues of the latter; reduced revenues will necessarily cause one of two things, (a) rates will be raised to meet the loss thus occasioned, or (b) the efficiency of railroad service will be impaired; either contingency will seriously affect the general traveling public, but these contingencies may be avoided by permitting the railroads or their subsidiaries to render and receive the emoluments from the bus service, which would otherwise be competitive; because of greater resources the railroads afford greater security to the public in performing bus service than that offered by the ordinary bus companies; and the interests of the public will, therefore, be better served by giving the existing carriers the preference over other applicants for certificates of convenience.

It is * * * *not only unjust* but poor economy to grant * * * the right to compete for the business of carrying passengers by paralleling its line unless it appears that the necessary service cannot be furnished by such railroad. Appellants (the railroad) offer to provide whatever increase in accommodation and service is deemed essential to meet the public convenience and necessity. It is but consonant with our law regulating public utilities that they be given an opportunity to do so."

See also *Abbott v. Public Utilities Commission*, 48 R. I. 196; 136 At. 490.

Mr. Justice Sutherland in *Frost v. R. R. Comm. of California,* 271 U. S. 583, 591, 46 S. Ct. 605, 70 L. Ed. 1101, 1104.

> "It is very clear that the Act, as thus applied, is in no real sense a regulation of the use of the public highways. It is a regulation of the business of those who are engaged in using them. *Its primary purpose evidently is to protect the business of those who are common carriers in fact by controlling competitive conditions.*"

Mr. Justice Brandeis said in *Buck v. Kuykendall* (1925), 267 U. S. 307, 314; 45 S. Ct. 324; 69 L. Ed. 623, 627:

> "Its primary purpose is not regulation with a view to safety or to conservation of the highways, but the prohibition of competition."

The view here contended for was restated by Mr. Justice Minturn, speaking for the Supreme Court of New Jersey in *Fornarotto, et al. v. Board of Public Utility Com'rs,* 1928, 143 Atl. 450; 6 Adv. Rep. 1631:

> " 'The public' in this sense must be construed to be not only the immediate local public of the vicinity affected by the proposed application, but the larger public without regard to territorial limitations, whose interests must also be considered and conserved in making any change which in its results would be detrimental to the entire system of continued public transportation as it is now maintained. This *obligation*

> of the Board of Public Utility Commissioners is made manifest by the language used in the case of Motor Transport Co. v. Board of Public Utility Commissioners (N. J. Sup.) 140 A. 793, where it is observed that the *duty* of the Board is not limited to a consideration of the conveniences of the *locus in quo,* but also extends so as to '*protect it from unreasonable and destructive competition existing facilities which are actually serving the public, so that the public may continue to have the benefit of such service.*' "

In *Hunter v. Board of Public Utility Commissioners,* 141 Atl. 90, 91, 92 (1 N. J. Misc. Rep. 408), Mr. Justice Katzenbach, speaking for the Supreme Court of New Jersey, stated his view on the protection to be afforded to an established utility as follows:

> "The State assumes to regulate the rates for transportation, and the character of the service rendered. *Morally and legally it should protect the business of the established utility from impairment and encroachment.* To do otherwise would soon create a situation where the public would be without transportation service. No capital could be obtained for an enterprise where no security was afforded the investor. Without capital there would be no transportation facilities, which in this age are indispensable to the transaction of business and the enjoyment of life. * * * It is a right of the railroad company to improve its service even

though the necessity for such improvement may have been pointed out by threatened competition."

That language of the Court was approved by the Supreme Court in the case of *Motor Transport Co. v. Board of Public Utility Commissioners of New Jersey,* 140 Atlantic 793 (not officially reported). The latter case was affirmed by the Court of Errors and Appeals (143 Atl. 918).

The Hunter case was acknowledged by the Board to be binding on it, in its opinion denying the application (in 1928) of Public Service Coordinated Transport for approval of permits to operate a bus route between Camden and Atlantic City. The Board's decision is set forth in Vol. II of the State of the Case, p. 1407.

F.

THE ORDER OF THE BOARD OF PUBLIC UTILITY COMMISSIONERS VIOLATED RIGHTS GUARANTEED TO THE APPELLANTS BY THE CONSTITUTION OF THE UNITED STATES.

If the statute is authority *for arbitrary action* on the part of the Board, restricting the natural rights of the owners of property used in the transportation business to deal freely with that property for the extension of their business according to its natural growth, and for the protection of the existing business by meeting competition with competition, the statute is in violation of the Fourteenth Amendment to the Constitution of the United States.

1.

The Order of the Board of Public Utility Commissioners deprived the appellants of property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States.

(*a*)

An order of a State Commission is made by an instrumentality of the State, is legislative in its nature and is a State law within the restrictions of the Federal Constitution.

Mr. Justice Holmes in *Prentiss v. Atlantic Coast Line,* 211 U. S. 210, 225 (1908), 53 L. Ed. 151, 158:

> "A judicial inquiry investigates, declares and enforces liabilities as they stand on present or past facts and under laws supposed already to exist * * *. Legislation on the other hand looks to the future and changes existing conditions by making a new rule to be applied thereafter to all or some part of those subject to its power."

Louisville & N. R. Co. v. R. R. Comm. of Ala., 191 Fed. 757, 768:

> "The Commission in making its order, however, was an administrative instrumentality of the State, and exercised its authority. The prohibitions of the Fourteenth Amendment against deprivation of property without due process or

a denial to any person of the equal protection of the laws operate upon all instrumentalities of the State. As such Acts are those of public bodies clothed with State power, they are, within the meaning of the 14th Amendment, the Acts of the State. The order here made amounts to a denial to complainant by authority of the State of the right to the equal protection of the laws and is therefore invalid and void, and by an unbroken array of authorities its execution must be enjoined, if the Constitution of the United States or equivalent provisions in our State Constitution are to be observed."

In *Raymond v. Chicago Union T. Co.*, 207 U. S. 20 at 35-6; 53 L. Ed. 78 at 87, Mr. Justice Peckham said:

> "The provisions of the 14th Amendment are not confined to the action of the State through its Legislature, or through the executive or judicial authority. Those provisions relate to and cover all the instrumentalities by which the State acts, and so it has been held that whoever, by virtue of public position under a State government, deprives another of any right protected by that amendment against deprivation by the State, violates the constitutional inhibition; and as he acts in the name of the State and for the State, and is clothed with the State's powers, his act is that of the State."

The New Jersey Supreme Court has recognized that the Board of Public Utility Commissioners is

a legislative rather than a judicial body and that the Court may examine its acts for justness and reasonableness in the same way as legislation may be examined. In *Public Service Gas Co. v. Board of Public Utility Commissioners* (1913), 84 N. J. L. 463, at 467, Mr. Justice Swayze said:

> "The presumption in favor of the acts of a judicial or quasi-judicial tribunal does not apply with the same force to a legislative tribunal, nor to a tribunal which possesses not only to some extent the powers of a Court but also to some extent the powers of a public prosecutor. A legislative body prescribing a rule for future conduct is not limited by the same considerations of justice as a tribunal required to do justice in accordance with existing rules; and one in the position of a public prosecutor can hardly be supposed to preserve a judicial frame of mind; he is rather in the position of one who is judge in his own cause. Under the Public Utilities Act, the Commissioners are given extensive powers of legislation and are given the power of initiating proceedings themselves. The manner in which these powers shall be exercised involves often a consideration of large questions of public policy or business wisdom. * * * In such a case there may perhaps be a fair presumption that the action of the commissioners is dictated by wise policy but hardly that its action is just and reasonable."

(*b*)

Arbitrary and unreasonable regulation of a public utility constitutes a deprivation of property without due process in violation of the Fourteenth Amendment to the Constitution of the United States.

Miss. R. Comm. v. Mobile & O. R. Co., 244 U. S. 388, at 390, 391; 61 L. Ed. 1216, at 1220, Mr. Justice Clarke said:

> "But, while the scope of this power of regulation over carriers is very great and comprehensive, the property which is invested in the railways of the country is nevertheless under the protection of the fundamental guarantees of the Constitution and is entitled to as full protection of the law as any other private property devoted to a public use, and it cannot be taken from its owners without just compensation, or without due process of law."

Northern Pacific Railroad Co. v. North Dakota ex rel McCue (1914), 236 U. S. 585, p. 604, 59 L. Ed. pp. 735, 745:

> "The constitutional guaranty protects the carrier from arbitrary action."

Mr. Justice Clarke said in *New York and Queens Gas Co. v. McCall* (245 U. S. 345, 348-9, 62 L. Ed. 337, 341), on the question of an order of a State Public Service Commission requiring a city gas company to extend its mains:

New Jersey State Library

> "It is the result of these and similar decisions, that, while in such cases as we have here this Court is confined to the Federal question involved and therefore has not the authority to substitute its judgment for that of an administrative commission as to the wisdom or policy of an order complained of, and will not analyze or balance the evidence which was before the Commission for the purpose of determining whether it preponderates for or against the conclusion arrived at, *yet it will, nevertheless, enter upon such an examination of the record as may be necessary to determine whether the Federal constitutional right claimed has been denied,* as in this case, whether there was such a want of hearing *or such arbitrary or capricious actions on the part of the Commission as to violate the due process clause of the Constitution.*"

Norfolk & W. R. Co. v. P. S. Comm. of W. Va., 265 U. S. 70 at 74, 68 L. Ed. 904 at 907:

> "The State, in the exercise of its police power, directly or through an authorized Commission may require railroad carriers to provide reasonably adequate and suitable facilities for the convenience of the communities served by them. But its power to regulate is not unlimited. It may not unnecessarily or arbitrarily trammel or interfere with the operation and conduct of railroad properties and business."

In *Lawton v. Steele,* 14 Sup. Ct. Rep. 499; 38 L. Ed. 385, at 388; 26 Sup. Ct. Rep. 144; 152 U. S. 133, at 137 (1893), Mr. Justice Brown said:

> "The Legislature may not, under the guise of protecting the public interests, arbitrarily interfere with private business, or impose unusual and unnecessary restrictions upon lawful occupations."

Quoted and approved in *Jay Burns Baking Company, et al. v. Bryan,* 264 U. S. 504, at 513, 68 L. Ed. 813, at 826 (1923).

In *New York, ex rel., Lieberman v. Van De Carr* (1905), 199 U. S. 552, at 559, 50 L. Ed. 305, at 308, the U. S. Supreme Court by Mr. Justice Day, approved the following language of the Appellate Division of the New York Supreme Court:

> "Such regulations, however, should be uniform, and the Board should not act arbitrarily; and if this section of the sanitary code vested in them arbitrary power to license one dealer (in a lawful commodity) and refuse a license to another, similarly situated, undoubtedly it would be invalid * * *."

See also *New York, ex rel, Woodhaven Gas Light Co. v. P. S. C.,* 269 U. S. 244, 70 L. Ed. 255.

The granting of a permit to a carrier entering the territory and the denying of a permit to the existing utility when the existing utility is able and ready to serve the needs of the territory fully, is in itself unreasonable and arbitrary so as to constitute deprivation of property without due process of law.

In *Chicago Motor Bus Co. v. Chicago Stage Co.* (1919), 287 Ill. 320, 122 N. E. 477, P. U. R. 1919 D. 157, it was said:

> "In other words, if it appeared that appellant had for months served the public efficiently and satisfactorily on the north side and that it was able to do so on the south side, *to deny it a certificate and award it to the Chicago Stage Company would seem to be so arbitrary as to be unreasonable.*"

A carrier is denied due process of law by an order of an administrative body which is not supported by the evidence.

Northern P. R. Co. v. Dept. of Public Works, 268 U. S. 39, at 44-5; 45 Sup. Ct. Rep. 412; 69 L. Ed. 837, at 841:

> "An order based upon a finding made without evidence (Chicago Junction Case [Baltimore & O. R. Co. v. United States], 264 U. S. 258, 263, 68 L. Ed. 667, 673, 44 Sup. Ct. Rep. 317), or upon a finding made upon evidence which clearly does not support it (Interstate Commerce Commission v. Union P. R. Co., 222 U. S. 541, 547, 56 L. Ed. 308, 311, 32 Sup. Ct. Rep. 108), is an arbitrary act against which Courts afford relief. The error under discussion was of this character. It was a denial of due process."

If the substance of the order is arbitrary and unreasonable, the mere fact that the appellant has had

a hearing does not convert the deprivation into due process.

> *Washington, ex rel, Oregon R. & N. Co. v. Fairchild, et al.*, 224 U. S. 510, 56 L. Ed. 863 at 868 (1910);
> *Chicago, M. & St. P. R. Co. v. Minn.*, 134 U. S. 418, at 457; 33 L. Ed. 970, 981.

2.

The Board has deprived the appellants of the equal protection of the laws in violation of the Fourteenth Amendment to the Constitution of the United States.

(*a*)

The Board in many instances, and in a series of consistent decisions, has sustained the right of existing transportation companies to supply the facilities in a given territory and to be protected from destructive competition so long as they are ready, able and willing to meet the requirements of the public convenience and necessity.

In *Richard Mayr's application—Nutley-Journal Square, Jersey City route,* July 1, 1926. 12 P. U. C. Rep. (N. J.) 406, the Board said:

> "The Board considers this bus line as a direct competitor with the Erie Railroad for traffic between Nutley, Belleville, Jersey City and New York and believes that the continued

operation of the proposed bus route would eventually have a very serious effect upon the revenue and traffic of the railroad."

Application of Passaic-Bergen Transportation Co. for removal of restrictions on Haworth-Fairview route. October 15, 1925.

"The law which gives the Board jurisdiction in this matter is designed to accommodate public necessity and convenience and also to protect existing transportation facilities against uneconomic competition. The lifting of restrictions when the evidence indicates that the existing facilities are providing reasonable service would jeopardize the continued existence of the present transportation service."

Jerry Triano, Inc.—Bloomfield, Belleville and Nutley. July 29, 1926:

"The Board concludes that the existing facilities should be reasonably protected against competition * * *."

Rahway-Westfield Bus Company. October 19, 1926. 12 P. U. C. Rep. (N. J.) 493:

"The uniform trend of opinion in the various Commissions in construing public necessity and convenience is that the existence of other facilities reasonably serving the same community must be considered in the light of the need for additional transportation facilities * * * where it appears that the existing facilities af-

ford sufficient accommodation for the demand for transportation, the public necessity for additional facilities is not established."

Paterson—Westwood-Ridgewood, November 29, 1926:

"The Board * * * believes that certain restrictions should be placed upon the operation of the petitioner's buses in order to eliminate any unnecessary competition."

Tri-County Transportation Company, May 5, 1927:

"Yet the fact remains that the purpose of restrictions is to eliminate destructive competition, which would be detrimental to the continuance of the existing facilities."

Jacob Zellen, Paterson-Oradell, June 7, 1927:

"The legislative policy is to protect existing transportation facilities from unnecessary competition where it is shown that the existing facilities are affording adequate service."

Passaic-Athenia Bus Company's complaint v. Consolidated Bus Line, Inc.—Re Violation of Restriction, March 24, 1927:

"Restrictions are imposed to carry out the policy of the State to protect existing utilities that give satisfactory service."

Safeway Transportation Company's application for re-hearing on lifting restrictions on New Brunswick—Bound Brook and Somerville, October 22, 1925:

> "The purpose of the foregoing restriction was to afford service to the public along the proposed route at such points where no transportation service existed, and to restrict the operation at such points along said route that are now adequately served by other transportation facilities."

B. & N. Transportation Company's application for change of route and extension, October 29, 1925:

> "The Board * * * believes that the through business from Madison to Millburn can be properly taken care of by the present trolley facilities offered by the Morris County Traction Company as well as the Delaware, Lackawanna & Western Railroad Company * * * and for these reasons will impose certain restrictions."

Joseph B. Owen's application to lift restriction on Camden-Gibbstown—Billingsport, December 8, 1925:

> "In its decision of May 22, 1924, heretofore referred to, the Board was of the opinion that the territory in question should be protected against unnecessary competition, provided, however, that the service furnished by the Camden-Swedesboro buses is reasonable and adequate."

Somerset Bus Company—Irvington to Somerville, November 12, 1925:

> "The operation of buses by the Somerset Bus Company between Mountain Avenue and Bound Brook and Somerville would be competitive with the Safeway Transportation Company's bus line, therefore, the Board will impose restrictions to eliminate unnecessary competition between said points."

Somerset Bus Company's application for modification of restrictions in decision of November 12, 1925, February 16, 1926:

> "The operation of buses by the Somerset Bus Company between Mountain Avenue, Bound Brook and Somerville, would be unduly competitive with the Safeway Transportation Company's bus line; therefore, the Board imposed restrictions to eliminate unnecessary competition between said points."

Consolidated Bus Line, Inc., extension of Passaic-Clifton route, September 8, 1926:

> "It is obvious that both bus routes would serve the through passengers from Clifton who desire to be transported to the center of Passaic and that the competition which would be created by the proposed extension against the buses operated by the Passaic-Athenia Bus Company would be between the Passaic terminal and Clifton. The Board, therefore, believes that this competition could be eliminated

by imposing a reasonable restriction upon the operation of the buses by the Consolidated Bus Line over the route as extended."

Crosstown Transportation Company of Clifton, May 19, 1927:

"The Board determines, however, that the existing transportation facilities should be reasonably protected against any direct competition and will therefore impose certain restrictions."

Jersey City and Montclair Bus Company, June 16, 1927:

"The Board, however, will impose certain restrictions on the buses in order to eliminate competition with the existing intervening transportation facilities."

Dominic Ferraro, July 28, 1927:

"In order to eliminate any unnecessary competition on the existing facilities, the Board will impose certain restrictions."

North Jersey Bus Company, Inc.—Little Falls, October 3, 1927:

"The Board therefore will approve of the change of route with certain restrictions in order to eliminate any undue competition with existing transportation facilities."

Hunter v. Board of Public Utility Commissioners, 1 N. J. Mis. R. 408; 141 Atl. 90:

> "It is the duty of the Board to protect from unreasonable and destructive competition existing facilities which are actually serving the public, so that the public may continue to have the benefit of such service."

Motor Transport Co. v. Board of Public Utility Commissioners, N. J. Supreme Court, February 25, 1928, 140 Atl. 793; Aff'd. 143 Atl. 918.

Complaints of the Public Service Railway Company and the Erie Railroad Company v. Richard Mayr, alleging illegal operation of buses between Nutley and Journal Square, Jersey City, N. J., 12 P. U. C. (N. J.) 502:

> "The principle that a public utility affording reasonably adequate service should not be subject to competition which would result in economic loss and be detrimental eventually to the public interest has been frequently upheld by the Board."

Application of Public Service Transportation Company for approval of local consents to operate five De Luxe buses between and including Plainfield and Newark, N. J., 12 P. U. C. (N. J.) 534:

> "The Board finds and determines that the proposed route is competitive, in that it affords a service now being provided by the three existing bus lines and also augmented by the rail-

road and railway facilities; that it would attract, in part at least, the passengers now being served by those facilities; that the present facilities are adequate to supply the needs of transportation of the communities to be served and that the applicant has not demonstrated that public necessity and convenience require the installation of the transportation proposed."

Application of Robert T. Wilson for approval of municipal consents to operate three autobuses between Red Bank and Rumson, N. J., 10 P. U. C. (N. J.) 416:

> "In approving the application of Boro Buses, for an additional bus to augment its present service, the Board held that more efficient and economical service could be rendered by a unified system of operation. To allow unnecessary competition on a route on which safe, proper and adequate service is being rendered would result in poor service to the public."

Application of the Borough of Keansburg for permission to serve water in the Township of Middleton, 12 P. U. C. (N. J.) 168:

> "It has been the policy of this Board to protect a utility from competition by another when such utility furnishes safe, proper and adequate service to all applicants."

Application of the Jersey City Transportation Company for approval of local permits to operate

three autobuses on the Jersey City-Keansburg Route, 12 P. U. C. (N. J.) 464:

> "The purpose of the Utility Act is to see that adequate and continued service at reasonable rates is furnished for the benefit of the public. Such service cannot be expected if the number of operators is multiplied to such an extent as to interfere with each other and make it impossible to give adequate and safe service."

In the matter of the application of the Chevalier Bus Company for approval of municipal consents for the operation of eight autobuses between and including Journal Square, Jersey City, and the Township of Wayne, N. J., July 17, 1928:

> "The creation of a multiplicity of bus lines in a territory which apparently is now adequately served would not be in the public interest. The Supreme Court of this State in the case of Hunter, Pros. v. Board of Public Utility Commissioners held:
>
> > 'The State assumes to regulate the rates for transportation and the character of the service rendered. *Morally and legally it should protect the business of the established utility from impairment and encroachment.* To do otherwise would soon create a situation where the public would be without transportation service.' "

In the matter of the application of the Paterson-Palisade Sightseeing Company for approval of

municipal consents to operate six autobuses between Paterson and Palisade Amusement Park, Borough of Cliffside, N. J. May 16, 1928:

> "The preservation of the utilities which are willing and able to furnish service to the traveling public continuously during the entire year appears to be in the public interest."

In the matter of the application of the Journal Square Coach Transportation Company for approval of local consents to operate five autobuses as a De Luxe express service between and including Journal Square, Jersey City, and Closter, New Jersey. June 23, 1927:

> "* * * to add to the transportation facilities now existing would create a more intensive competition, which would not, in the Board's opinion, be in the public interest, but would have the usual effect of destructive competition in the proper maintenance of effective and adequate service now along the route."

In the matter of the application of the Orange Coach Corporation for approval of municipal consents to operate nine autobuses between and including Maplewood, Orange, East Orange and Journal Square, Jersey City, New Jersey. January 12, 1927:

> "* * * approval of the local consents given to the petitioner would result in unnecessary and wasteful competition which would not properly conserve the public interests."

In the matter of the application of Public Service Transportation Company for approval of municipal consents for the extension of the Camden-Berlin-Atco-Tansboro Route to Atlantic City, New Jersey, and

In the matter of the application of Public Service Transportation Company for approval of municipal consents to operate twelve additional autobuses between and including Camden and Hammonton, New Jersey. July 17, 1928:

> "* * * the railroads are losing vast sums of money operating their facilities between these points, a considerable loss being caused by the continued increase in the number of privately owned automobiles, the continued increase in interstate bus transportation, which is without regulation and increases at will. Because of this situation the railroads are maintaining service at a great loss, which will be increased by the addition of other transportation facilities. The testimony indicates that most of the intermediate business is now being amply served by buses as well as the railroads as far east as Hammonton and from Egg Harbor to Atlantic City. It is evident, therefore, that direct competition in through business will result from the proposed application. The Supreme Court of this State has set forth the rule for the Board to follow in the case of Hunter, Pros. v. Board of Public Utility Commissioners, 1 N. J. Misc. 409, as follows:
>
> 'The State assumes to regulate the rates for transportation, and the character of the

service rendered. Morally and legally it should protect the business of the established utility from impairment and encroachment. To do otherwise would soon create a situation where the public would be without transportation service.'

The Board is of the opinion that a bus route, as proposed, would carry mostly through traffic between Atlantic City and Camden, thus further reducing the passenger incomes of the railroads which would probably result in a further curtailment of service.

Upon consideration of the evidence the Board finds and determines that the municipal consents given to the petitioner for the operation of autobuses in the above mentioned applications are not necessary and proper for the public convenience and will not properly conserve the public interest, therefore, the application is denied.''

(*b*)

The Board has deprived the appellants of the equal protection of the laws by denying them the same right and the same privilege which it has granted to other transportation companies under the same or similar conditions.

In *Soon Hing v. Crowley,* 113 U. S. 703 at p. 709, 28 L. Ed. 1145 at p. 1147 (1884), Mr. Justice Field said:

> "The discriminations which are open to objection are those where persons engaged in the same business are subjected to different restrictions or are held entitled to different privileges under the same conditions."

In *Barbier v. Connolly,* 113 U. S. 27 at 31, 28 L. Ed. 923 at 924-5. Mr. Justice Field said:

> "The 14th Amendment, in declaring that no State 'shall deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law,' undoubtedly intended, not only that there should be no arbitrary deprivation of life or liberty or arbitrary spoliation of property but that equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights; that all persons should be equally entitled to pursue their happiness and acquire and enjoy property; * * * *that no impediment should be interposed to the pursuits of anyone except as applied to the same pursuits by others under like circumstances; that no greater burdens should be laid upon one than are laid upon others in the same calling and condition,* * * *."*

In *Yick Wo v. Hopkins* (1885), 118 U. S. 356 at 374, 30 L. Ed. 220 at 227, Mr. Justice Matthews said:

> "Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an

> evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution. This principle of interpretation has been sanctioned by this Court in Henderson v. Mayor, etc., of New York, 92 U. S. 259 (Bk. 23, L. Ed. 543); Chy Lung v. Freeman, 92 U. S. 275 (Bk. 23, L. Ed. 550); Ex parte Va., 100 U. S. 339 (Bk. 25, L. Ed. 676); Neal v. Delaware, 103 U. S. 370 (Bk. 26, L. Ed. 267); and Soon Hing v. Crowley (*supra.*)''

In *Frost v. Corporation Commission* (1929), 73 L. Ed. (Adv. 246); 49 Sup. Ct. Rep. 235, the United States Supreme Court held unconstitutional under the equal protection clause of the 14th Amendment, a statute of Oklahoma permitting farmers' co-operative associations to run cotton gins without a finding of convenience and necessity by the Corporation Commission of the State, when a finding of convenience and necessity was required before any other organization could engage in that business. The decree of the lower Court refusing an injunction to a competing gin owner against the permitting of such an operation by the Commission without a finding of convenience and necessity was reversed. After holding that a certificate of convenience and necessity permitting the operation of a cotton gin is a franchise because none may engage in that business in Oklahoma without such a license, Mr. Justice Sutherland, speaking for the majority of of the Court, said (p. 248):

"While the right thus acquired does not preclude the State from making similar valid grants to others, it is, nevertheless, exclusive against any person attempting to operate a gin without obtaining a permit or, *what amounts to the same thing, against one who attempts to do so under a void permit*; in either of which events the owner may resort to a court of equity to restrain the illegal *operation upon the ground that such operation is an injurious invasion of his property rights. * * * The injury threatened by such an invasion is the impairment of the owner's business * * *.*"

(Page 249):

"The purpose of the clause in respect of equal protection of the laws is to rest the rights of all persons upon the same rule under similar circumstances. * * * That is to say, mere difference is not enough; the attempted classification 'must always rest upon some difference which bears a reasonable and just relation to the Act in respect to which the classification is proposed, and can never be made arbitrarily and without any such basis.'

That the immunity thus granted to the corporation is one which bears injuriously against the individual does not admit of doubt, since by multiplying plants without regard to necessity the effect well may be to deprive him of business which he would otherwise obtain if the substantive provision of the statute were enforced."

(Page 251):

> "We conclude: That the proviso is unconstitutional as contravening the equal protection clause of the 14th Amendment; * * * that the corporation commission is without power to issue permits to corporations organized under the Act of 1919 without a showing of public necessity; that the Durant Company is without authority to do business in the absence of a permit thus issued; and that appellant is entitled to the relief for which he prays."

In his dissenting opinion, Mr. Justice Stone (with whom concurred Mr. Justice Holmes and Mr. Justice Brandeis) said (p. 261):

> "The proviso of the 1925 Act is held unconstitutional solely on the ground that 'an onerous restriction upon the right to engage in a public business' was 'imposed by the statute upon appellant' and others similarly situated, which was not imposed on appellee. *Appellant, if he had been denied a license, or if his exercise of the privilege, when granted, were more limited by the statute than that of appellee, might invoke the equal* protection clause."

III.

THE FINDINGS OF FACT AND THE EVIDENCE.

(Reasons 1, 2, 3, 4, 5, 6, 8 and 9 are covered under this heading.)

A.

THE COMPANIES UNDER THE O. G. SCHULTZ MANAGEMENT.

The Board in its decision said (see Case, Vol. I, p. 835, ll. 4-23):

> "The evidence also indicates that in these applications the petitioners are at the present time conducting an interstate business between points in New Jersey and Philadelphia, Penn.; that some of the companies under the O. G. Schultz Management were pioneers in this method of transportation; the railroads having permitted local transportation by buses to develop without objection, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation. The character of the service proposed to be furnished by the railroads will be express service in the nature of railroad service, therefore, the Board will permit the railroads to supplement their railroad service with bus service but does not consider that their will-

> ingness to do so should preempt the territory against other lines which have been carrying on interstate and intrastate service previous to the railroad's proposed bus operation."

In so saying, the Board erred in logic, in law and on the facts. The Board specifically found that White Way Tours, Parlor De Luxe Coach Company and Union Bus Company were engaged in intrastate transportation over the Atlantic City-Camden route. The record showed clearly by the testimony of George W. Booz, manager of White Way Tours, Parlor De Luxe Coach Company and Union Bus Company (Case, Vol. I, p. 715, ll. 17-19; p. 722, ll. 16-22), that none of these companies had ever theretofore carried on any local business nor anything but a purely interstate business.

These three companies began to operate an express service between Philadelphia and Atlantic City, doing an exclusively interstate business subject to no regulation whatever. Neither the consent of the Board of Public Utility Commissioners, the Interstate Commerce Commission, nor even the consent of the municipalities to the use of the streets was required (Case, Vol. I, p. 638, ll. 17-24). By reason of the unfortunate state of Federal legislation, there is no regulation of the interstate motor-bus business. That it is needed, everybody admits. That the competition of interstate buses is injurious to railroad business is self-evident. But there is this saving grace in that situation; namely, that the railroads may, without hindrance, meet competition with competition, and protect themselves after the manner of ordinary

business organizations. This they have done as to interstate operations. When the Board says that the railroads have permitted the independent bus operations to develop without objection it makes a misstatement which injures the railroads. The railroads have done the only thing which they could do to defend themselves. And it was for the first time in the proceedings before the Board that they were able to object before any public body to the operations of the interstate buses then seeking to broaden their business to include intrastate carriage. Yet the Board concludes, from its finding, that these operators have been pioneers in interstate transportation and that "the railroads having permitted local transportation by buses to develop, they cannot now be heard to object to the extension of facilities to meet the demands of this kind of street transportation," and the order under review limited the right of the railroad to meet competition with competition. Furthermore, the Board placed the same restriction upon White Way Tours, Parlor De Luxe Coach Company and Union Bus Company as it did upon the appellant, Reading Transportation Company, limiting them all to express service so that no question of local transportation was involved. How, then, could these operators gain any right to enter intrastate express transportation by reason of the failure of the railroads to object to local transportation? The finding of the Board that the railroads permitted such local transportation to develop without objection was not only unsupported by the evidence but was directly contradicted by the statement of the Board elsewhere in the decision that (Case, Vol. I, p. 833, ll. 15 to 18):

> "Testimony in that proceeding indicated that the Atlantic City Railroad Company and the West Jersey & Seashore Railroad Company were opposed to the application * * *."

and also by a large number of cases, in evidence before this Court, in which railroad objections to bus operations were placed on record (Case, Vol. I, p. 838, *et seq.*, p. 873, *et seq.*, and p. 885, *et seq.*).

That the head of the Legal Department of the Reading Railroad system did attempt as early as the year 1922 to obtain from the Board of Public Utility Commissioners notice of hearings to be held on applications for approval of local consents to operate autobuses is evidenced by Exhibit P.R.1, printed on pages 43 and 44 of Vol. III of the State of the Case. This exhibit was introduced as a part of the testimony taken after the writ of certiorari to review the Board's decision had been allowed. The contents of that letter are re-printed in this brief largely because of the importance thereof, but also because of the difficulty with which the photostatic copy would have to be read. Said letter reads as follows:

> "STATE OF NEW JERSEY.
> BOARD OF PUBLIC UTILITY
> COMMISSIONERS
> TRENTON.
>
> Nov. 4, 1922.
>
> Notice of hearings on applications for Board's approval of local licenses to operate auto busses.

W. L. Kinter, Esq., Gen'l. Sol'r.,
Philadelphia & Reading Railway Co.,
Reading Terminal, Phila., Pa.
Dear Sir:—

Referring to your letter of the 30th ult., this has been given consideration by the Board of Public Utility Commissioners, and I am instructed to direct your attention to Section 15 of the public Utility act (Chap. 195, P. L. 1911). You will note from this that the Board has authority to regulate auto busses, only when the route in whole or part parallels upon the same street the line of a street railway or traction railway, and that there are excluded from the jurisdiction of the Board those who operate under municipal consents granted prior to March 15, 1921 unless there is a change of ownership or change in the route.

Apparently it was the intention of the Legislature to prevent the operation of additional auto busses in competition with street railways unless the Board of Public Utility Commissioners, after hearing, should find that the additional operation proposed would be necessary and proper for the public convenience and would properly conserve the public interest. The Board does not find any intention on the part of the Legislature to give it authority to restrict or limit the operation of auto busses because of competition with steam railroads. Probably no auto bus is put in operation (except within the limits of a single municipality) which does not carry some passengers who, but for the operation of the bus, might travel upon

a railroad, yet many such busses may be lawfully operated without the operation being in any way subject to the authority of approval of the Board.

It may be that in cases where it is proposed to operate busses between distant points, and part of the route is upon the same street as the line of a street railway, therefore requiring the Board's approval of the local licensee granted, the Board might properly consider the railroad facilities provided in determining whether the operation of the busses is necessary and proper for the public convenience and properly conserves the public interest. The Board, however, is not willing to commit itself to an assurance that it will give notice of hearings on all applications for its approval of the operation of auto busses which operations, in the opinion of your management, might incidentally affect travel on your road. If such assurance should be given it might be that in some cases where it did not seem to the Board the railroad company would be affected in any way, and notice was not given of the hearing, your company might take the contrary view and feel aggrieved because it did not receive such notice.

The Board, as you are aware, does not itself grant licenses to operate busses. It acts after the licenses are granted, and then only when part of the route is on the line of a street railway.

It seems to the Board that instead of relying upon it to give you information of all applications made to it for its approval of such li-

censes, in order that you may determine whether or not you desire to appear at the hearings upon the question of their approval, your company should keep iu touch with the local licensing authorities. When it is ascertained that licenses have been granted, or applications have been made for licenses where the nature of the operation is such that the Board's approval would be required, and where your company feels its interests might be affected by the operation, the Board, if advised of the desire of the railroad company to be heard, will give the company notice of the time and place of the hearing, and as such hearing would afford the railroad company opportunity to submit pertinent evidence.

Hearings are not held by the Board upon the applications made to it for its approval of local licenses immediately after the municipalities grant licenses, or state that they are ready to grant such licenses subject to the Board's approval. If the railroad companies keep in touch with the local situation they should experience no difficulty in learning of the applications to the local authorities for licenses which, if granted, would require the Board's approval, and in advising the Board of the cases upon which they desire to be heard.

Very truly yours,

A. N. Barber,
Secretary."

Finally, there is no principle of law that failure to object to one bus line at one time estops a rail-

road from objecting to another and different bus line at another time. Such a rule would be highly onerous and contrary to the principles and the practice of our government. Had the railroads been lax in asserting their rights so that a bus line had actually been put in operation over this territory and large sums of money invested in reliance upon such failure to assert rights, a different situation would have been presented. But here, none of the operators had engaged in intrastate business between and including Camden and Atlantic City, and if the railroads had been lax in objecting to any other operations no parties to this action would have suffered by the assertion of their rights in the case at bar.

B.

AS TO THE ENTRY OF PUBLIC SERVICE COORDINATED TRANSPORT INTO THE TERRITORY.

1.

The evidence showed that Public Service Coordinated Transport had not been supplying service between Hammonton and Egg Harbor and consequently had not been operating over "the entire route located between Camden and Atlantic City."

The Board in its decision stated (Case, Vol. I, p. 834, ll. 9 to 12):

> "The Board is satisfied that the Public Service Coordinated Transport should continue to

provide the local transportation service over the entire route located between Camden and Atlantic City."

This finding of the Board is contrary to the facts as shown by the evidence. Arthur T. Warner, general manager in charge of traffic for Public Service Coordinated Transport, testified (Case, Vol. I, p. 288):

"Q. There are just one or two questions with regard to your actual operation. How many buses are you now operating between Berlin, Waterford and Hammonton?

A. None. Pardon me just a minute, to clarify that. On a route from Berlin to Hammonton?

Q. Between Berlin, Waterford and Hammonton?

A. There is a two-hour headway operated, so far as the Hammonton service, out as far as Hammonton."

On page 147, ll. 6-29, Vol. I, of the State of the Case, the following testimony of Herbert E. Harper, Traffic Engineer of Public Service Coordinated Transport, is reproduced:

"Q. And do you know whether it was brought out at that hearing that the section of the White Horse Pike between Hammonton and Egg Harbor was not served by intrastate buses?

A. I think I remember that, yes.

Q. And therefore, when the Board said in its opinion, 'There is a section of the White Horse

Pike located between Hammonton and Egg Harbor which is not served by an intrastate bus operation,' the Board had the right idea of things, didn't it?

(Objection.)

Q. You knew that that was brought to the attention of the Board at the time of the other hearing?

A. Yes; as I remember it, that was the situation."

The existing operations (local and limited) were established by other operators as a suburban service between Camden and Hammonton and between Atlantic City and Egg Harbor. Prior to 1926, when these local lines were established, the law protected only street railways and not steam railroads. In the case before the Board, which is now the subject of this appeal, the Reading Transportation Company voluntarily accepted a restriction as to operation between Camden and Berlin and between Absecon and Atlantic City, believing it to be proper that the existing carriers should continue to serve the territory they had been serving (Case, Vol. I, p. 628, ll. 6-10).

Public Service Coordinated Transport bought the Egg Harbor-Atlantic City line while decision was pending in its application to extend the Camden-Atco route to Atlantic City, decided July 17, 1928 (Case, Vol. I. p. 272, ll. 7-11, Warner). It operated one bus on that line. At the hearing before the Board on the extension of the Camden-Atco line (1928), a representative of the Public Service

stated that their chief purpose in asking for the extension, which was subsequently denied, was to obtain a foothold in the territory on which to base rights to operate on the White Horse Pike (Vol. II, pp. 1307, 1308, ll. 32-11, Case). Such a foothold along the White Horse Pike was shortly thereafter, by the Board's decision now under review, accorded to the Public Service Coordinated Transport, and, as before stated, these appellants would raise no objection to that action were it limited to a grant of authority to the Public Service to do a purely local business along the White Horse Pike, but when, as it did, the Board gave to the Public Service the right to carry through passengers along the entire length of the White Horse Pike between Camden and Atlantic City, it reversed without just cause its stand of a year or so earlier and caused the detriment to these appellants which brings about this appeal.

The appellant, Atlantic City Railroad Company, had been supplying all the station-to-station service to the communities along the Camden-Atlantic City route for a generation prior to the invention of the automobile. It had been responsible in large measure for the growth and prosperity of this section of the State (see Vol. I, page 431, ll. 26-29; p. 435, ll. 16-19; p. 438, ll. 1-19; p. 441, ll. 25-32; p. 445, ll. 5-11, Case). Without it these communities would have been isolated and many of them would never have come into existence.

This section of the State cannot dispense with the railroad at this time, and it is difficult to predict when, if ever, all of the transportation needs sup-

plied by the railroad can be fully and equally well supplied by other means. With these facts before it, the Board of Public Utility Commissioners has, by its decision in the case at bar, permitted Public Service Coordinated Transport to extend its lines and to connect its recently acquired suburban routes so that they form a complete chain from Atlantic City to Camden, carrying through traffic in competition with the appellants. That Public Service Coordinated Transport had never been in all of this territory, and that it had never rendered this type of service therein, and that it had been expressly denied the opportunity of providing through service between Camden and Atlantic City is all clear upon the evidence. That public convenience did not require this additional carrier in a well-served field is self-evident. That this action was contrary to the consistent previous practice of the Board can be readily seen from its previous decisions, many of which are referred to in Part II of this brief. In further contravention of all previous practice no restriction to prevent competition in through traffic was placed on the operation by Public Service Coordinated Transport. Such action on the part of the Board had all of the qualities of arbitrariness.

C.

DESTRUCTIVENESS OF THE COMPETITION.

In its decision of July 17, 1928, the Board of Public Utility Commissioners found that,

> "All the exhibits clearly indicate that the railroads are losing vast sums of money operating their facilities between these points, a considerable loss being caused by the continued increase in the number of privately owned automobiles, the continued increase in interstate bus transportation, which is without regulation and increases at will. Because of this situation the railroads are maintaining service at a great loss, which will be increased by the addition of other transportation facilities."

There was no evidence before the Board in the case at bar which would lead to an opposite finding. On the contrary, the following testimony by J. F. Deasy, Assistant Vice-President of the Pennsylvania Railroad, in charge of operations, is reproduced on page 467 of Vol. I, of the State of the Case.

> "A year ago, in a proceeding before this Commission, in relation to proposed bus service between Camden and Atlantic City, by an independent company, the West Jersey & Seashore Railroad showed a decline in passenger revenue from 1925 to 1927 of $1,700,000, or 22 per cent in two years. In the year 1928 a further decline of revenue of $1,000,000 or 16 per cent compared with 1927 has been sustained."

Mr. A. E. Buchanan, General Passenger Agent of the Pennsylvania Railroad, West Jersey & Seashore Railroad and the Pennsylvania General Transit Company, testified, with exhibits (see Vol. I, p. 536, ll. 29-31, p. 538, ll. 33-37, Case):

"A. In the eight years [from 1921 to 1928 inclusive] the passenger revenue, gross passenger revenue, has gone down from eight million dollars to five million dollars.

* * * * * * * * *

Q. In your opinion is the situation, as far as the passenger traffic on the West Jersey & Seashore Railroad, on this division, in a serious situation? Is it serious to the railroad, those conditions you have indicated?

A. I think the condition is very serious."

In "Statistical Abstract of the United States" (1928), compiled and published by the Bureau of Foreign and Domestic Commerce of the United States Department of Commerce, the total number of passengers carried by Class I railroads of the United States annually from 1920 to 1927, inclusive, is given as follows:

1920	1,234,862,000
1921	1,035,496,000
1922	967,409,000
1923	986,913,000
1924	932,678,000
1925	888,267,000
1926	862,361,000
1927	829,010,000

These figures showed the marked decline in railroad passenger business due to the growth in popularity of the use of the automobile, both private and motor-bus, in spite of the increase in population and the tremendous increase in travel

throughout the country during the same period. They indicated the inroads which these competitors have made into railroad business.

The Board made no finding of fact contradicting its finding of July 17, 1928, on this point, and in the decision now under review specifically mentioned its earlier finding (page 833, ll. 11-15, Case) without reversing it. The Board entirely disregarded this finding in the present decision and in so doing disregarded its established duty, reiterated in innumerable decisions of the Board and of the Supreme Court, to protect existing utilities and the investments therein from destruction by competition. In so doing, the Board acted in direct contravention of the policy of the Act creating it.

The legislative history of the statute, hereinbefore set out, shows clearly that it was this policy of protecting existing utilities from destructive competition which moved the Legislature to bring autobuses under the supervision of the Board of Public Utility Commissioners.

IV.

ARGUMENT ON FACTS AND LAW.

A.

THE ISSUE.

The basic question in this case is whether the appellants have, in this territory, which has been served by the Atlantic City Railroad Company for

upwards of fifty years (see page 379, Vol. I, Case) and which they stand ready and are fully able to serve with transportation facilities to the full extent necessary for the public convenience, a right to protection from destructive competition; or whether, on the other hand, by administrative fiat, having no basis in any legal principles, on findings of fact entirely unjustified by the evidence, they may be deprived of the right to protect their existing and coordinated system from destruction and its revenues from impairment by the supplying of other transportation facilities to meet the public demand.

B.

THE PRINCIPLE OF LAW.

The Board in its decision referred to no principles of law which would support its action; gave no reasons which would indicate that the public interest would be better served by permitting White Way Tours to run three (3) buses, Parlor De Luxe Coach Company five (5) buses, Union Bus Company four (4) buses, Public Service Coordinated Transport five (5) buses, Reading Transportation Co. twelve (12) buses and Pennsylvania General Transit Company ten (10) buses, than by permitting the railroads already supplying the intrastate service in the territory to continue to supply it with additional facilities as required; and the Board failed to give effect to the governing legal principles.

In *Hunter v. Board of Public Utility Commissioners* (*supra*), this Court said that *a moral and*

a legal duty is imposed upon the Board to "protect the business of an established utility from impairment and encroachment." This statement was not made at random but is founded in the policy of the Public Utilities Act. It is based upon a long line of cases (many of which are cited and quoted in Part II of this brief) and it represents the uniform practice of the Board of Public Utility Commissioners since its creation by the Legislature. It has since been approved by the Court of Errors and Appeals in *Motor Transport Co. v. Board of Public Utility Commissioners* (*supra*), and is now the established principle of law which governs the situation. It is firmly imbedded in justice and sound policy.

Restated, the rule of law is, that an existing railroad has the natural and preferential *right* to supply all of the service in the territory in which it is operating to the exclusion of all who seek to enter the territory, so long as it is ready, able and willing to supply the service required by the public necessity and convenience as determined by the Board of Public Utility Commissioners.

C.

APPLICABILITY OF THE PRINCIPLE.

It has been alleged by Public Service that the railroads should have rendered this service earlier.

The railroad has rendered all of the service required by the public convenience and necessity as

determined by the Board of Public Utility Commissioners and has not lost its right to protection by remissness in performance of its duty.

The decision of the Board of Public Utility Commissioners, rendered on July 17, 1928 (and here in evidence), is *res adjudicata* on one question. It is conclusive that no bus service was required on the Atlantic City-Camden route *at that time.* That decision has not been appealed or questioned. The finding of the Board that bus service was later needed on that route *does not contradict its finding that it was not needed on the date of the prior decision.* It has, therefore, been judicially determined that the railroads have not been remiss in their duty to serve the public; that they have omitted no duty which would lose to them their established right to continue to supply the service, both local and express, between and including Camden and Atlantic City to the exclusion of all others.

D.

THE JUSTICE OF APPLYING THE PRINCIPLE.

Morally, the railroads are entitled to protection because they have served this territory for generations before any other service was available and are still indispensable to this section of the State. A duty is imposed upon them to continue to render the service which they have been rendering for so long. They are prohibited from entering other territories in competition with the utilities there oper-

ating by the established law and policy of the State. They are subject to the regulation of their rates. They have been deprived by the State of a portion of their freedom to contract. It is unjust to deny them protection from competitors who will usurp the cream of their business and who are unable to supply all the service which the territory requires. Especially grave is this injustice in view of the offer of the railroads to supply all of the transportation, of whatever character which may be required by the public convenience and necessity, in the territory served by them.

E.

LEGAL BASIS.

Legally, the railroads are entitled to such protection because the statute which gives the Board jurisdiction was enacted for the very purpose of supplying it and was in itself an announcement of the policy of the State. Further, because all other utilities similarly situated are thus protected; and because it is written into the fundamental law of the land that all who are in the same situation shall receive the same treatment and none shall be unjustly deprived of property or the enjoyment thereof. To permit free competition with the appellants by the bus operations of the other applicants before the Board, while continuing to impose a duty to serve and a restriction upon their own entry into competition with other carriers in other fields, is a virtual confiscation of railroad property. The law

provides the right to protection in compensation for the onerous duties which it imposes (see Pond, "Public Utilities," para. 775). It is a right correlative with the duty of the Board to protect. A deprivation of that right is a violation of the fundamental guarantees of the Constitution of the United States as well as of the Public Utilities Act.

F.

ECONOMIC BACKGROUND.

Behind and beneath the law are broad economic principles to which no Court or administrative Board may shut its eyes. Economic stability and the security of investments are essential to the welfare of the State and its people. The railroads constitute a great industry in which billions of dollars are invested. This private wealth has been dedicated to a service "affected with a public interest." Onerous restrictions are placed upon the free manipulation of railroad properties in order that the public may be well served. The railroads are deprived of their freedom to compete when and as they see fit. This in the interest of the public because competition has been shown by a century of experience to serve the public badly. Nevertheless, the railroads are private property. The investment is endangered by the competition of other forms of transportation. The railroads' hands are tied. They cannot strike out as other enterprises can, to recapture the business which is essential to their continued

existence, unless the Board of Public Utility Commissioners approve.

Under the decisions of the Board of Public Utility Commissioners and of the Courts, they may not enter new territory in competition with a carrier already there. Therefore, they must have preserved to them free from competition the territory which they are now serving, in order that a great State may not be deprived of a great industry before its usefulness has passed, and in order that thousands of investors may feel secure that when they dedicate their property to the "public interest," the public will in turn safeguard their investment. If this feeling of security is removed, funds, indispensable for public utility enterprises, will not be available, and our whole system of quasi-public corporations will be broken down.

These facts have been recognized and reiterated in innumerable cases by Courts and Public Utility Commissions, as we have already shown. Mr. Thomas N. McCarter, President of Public Service Coordinated Transport, in an address before the American Electric Railway Association in Atlantic City, made the following statement:

(Newark Sunday Call—October 6, 1929—Editorial):

> *"If the history of transportation in this country proves anything at all, it proves that indiscriminate competition among common carriers inevitably leads, in the end, to poor service and high rates."*

The rule of law, which is, in the last analysis, only a method of assuring the social and economic

welfare of the State and its people by the assertion of the sovereign power, is determined by these considerations.

G.

CONCLUSION.

The Board of Public Utility Commissioners, the Supreme Court and this Court have repeatedly recognized the principles hereinbefore outlined. No distinguishing fact was shown by the evidence or found by the Board in the case now under review. Yet a contrary decision was rendered and the appellants have been deprived of their right to protection. Such a decision is arbitrary. It is not based on established principles. It does not follow from the facts proved. It is contrary to the provisions of the statute. It is denial of the equal protection of the laws and of due process of law in violation of the Fourteenth Amendment of the Constitution of the United States. This Court has ample authority under the law to bring about the reversal of such arbitrary action.

The three interstate operators, Parlor De Luxe Coach Company, Union Bus Company and White Way Tours, are entitled to no consideration or preference as against the application of the railroad subsidiary, Reading Transportation Company, and the Board should not, in view of the above situation, have approved municipal consents for their intrastate operation.

The Public Service Coordinated Transport is en-

titled to continue service in local territory, and its opportunity to render local service was broadened territorially, by the Board's decision. But in view of the fact that it had never operated the whole length of the White Horse Pike or rendered through service from Camden to Atlantic City (notwithstanding the statement of the Board to the contrary), and that the railroads had theretofore exclusively served the need of through travel between Camden and Atlantic City, Public Service Coordinated Transport should not have had its municipal consents approved in such a manner as to permit it to render through service between Camden and Atlantic City so shortly after that authority had been expressly denied to it, when the Reading Transportation Company was ready, able and willing to continue to serve this territory by supplementing the rail service of the Atlantic City Railroad Company with its bus service.

It is respectfully submitted that the judgment of the Supreme Court, which affirmed the order of the Board of Public Utility Commissioners, should be reversed and that the record should be remitted to the Supreme Court to the end that it may make, under the direction of this Court, such order and judgment in the cause as it properly should have made.

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