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Ex. P.1 Clinton Ave
CLINTON AVENUE ROUTE
Miles
H & M Tubes to Newark City Line 3.376
Newark City Line to 40th & Stuyvesant 2.718
Total 6.094
CITY LINE

Ex. P-2

BLOOMFIELD

Present fare zones: Bus

Legend

	Miles
Lincoln Park to Bloomfield Center	5.21
Newark City Line to Bay Ave., Bloomfield	2.835
Total	8.045

Car

P.S. Terminal to Watsessing Avenue	3.70
Watsessing Avenue to Top of Mountain	3.59
Total	7.29

Proposed fares: Bus

Lincoln Park to City Line	3.802
City Line to Bay Avenue	2.835
Total	6.637

Car

P. S. Terminal to City Line	3.10
City Line to Top of Mountain	4.19
Total	7.29





E4. P-3

NEWARK-KEARNY-RUTHERFORD BUS ROUTE

Present fare:	Miles
Lincoln Park to Belleville Pike	5.029
Midland Avenue to Rutherford Avenue	3.481
Jauncey Avenue to Rutherford Station	2.440
Total	10.950

Proposed fare:	
Lincoln Park to Belleville Pike	5.029
Belleville Pike to Valley Brook Avenue	2.108
Valley Brook Avenue to Rutherford Station	1.673
Total	8.810



Ex P. 4 - Springfield

SPRINGFIELD BUS ROUTE

H. & M. Tubes Station to Newark City Line	2.821
Newark City Line to 43rd Street	1.949
Total	4.770

Exp. 5. ROSELLE PARK BUS ROUTE

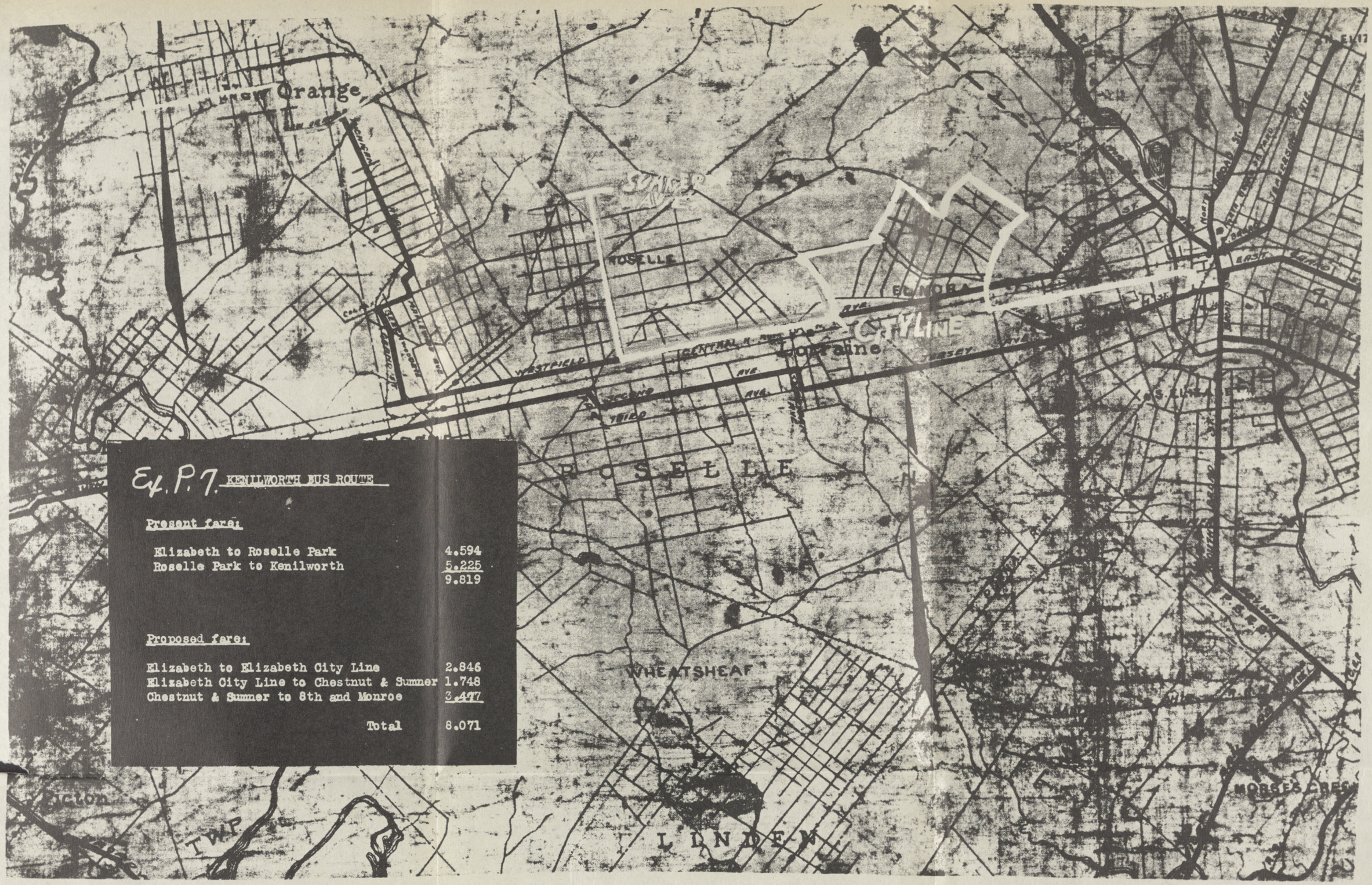
Bayway to Elizabeth City Line	3.89 miles
Elizabeth City Line to Roselle Park	1.90 "
Total	5.79



Ex. P. 6. CLINTON PLANT [illegible]

	Miles
H & M Tubes to Newark City Line	4.691
Newark City Line to Union and Chancellor	.731
Total	[illegible]4.422





E.P.T. KENILWORTH BUS ROUTE

Present fare:

Elizabeth to Roselle Park	4.594
Roselle Park to Kenilworth	5.225
	9.819

Proposed fare:

Elizabeth to Elizabeth City Line	2.846
Elizabeth City Line to Chestnut & Sumner	1.748
Chestnut & Sumner to 8th and Monroe	3.477
Total	8.071


E4 P.8. LYONS AVENUE BUS ROUTE
M & E. Tubes Station to Newark City Line 4.669
Newark City Line to Elmwood Loop 1.246
Total 5.915
CITY LINE



HAWTHORNE BUS

4 P-9

City Hall to City Line (Belle Avenue)	1.303
Belle Avenue to Goffle Road	2.857
Total	-.160

PASSAIC NORTH NEWARK

Ex. P. 10

RESENT FARE:

Newark City Line to Passaic and Kingsland Aves	4.212
Union Avenue and King St. to Burgess Place	5.759
	9.971

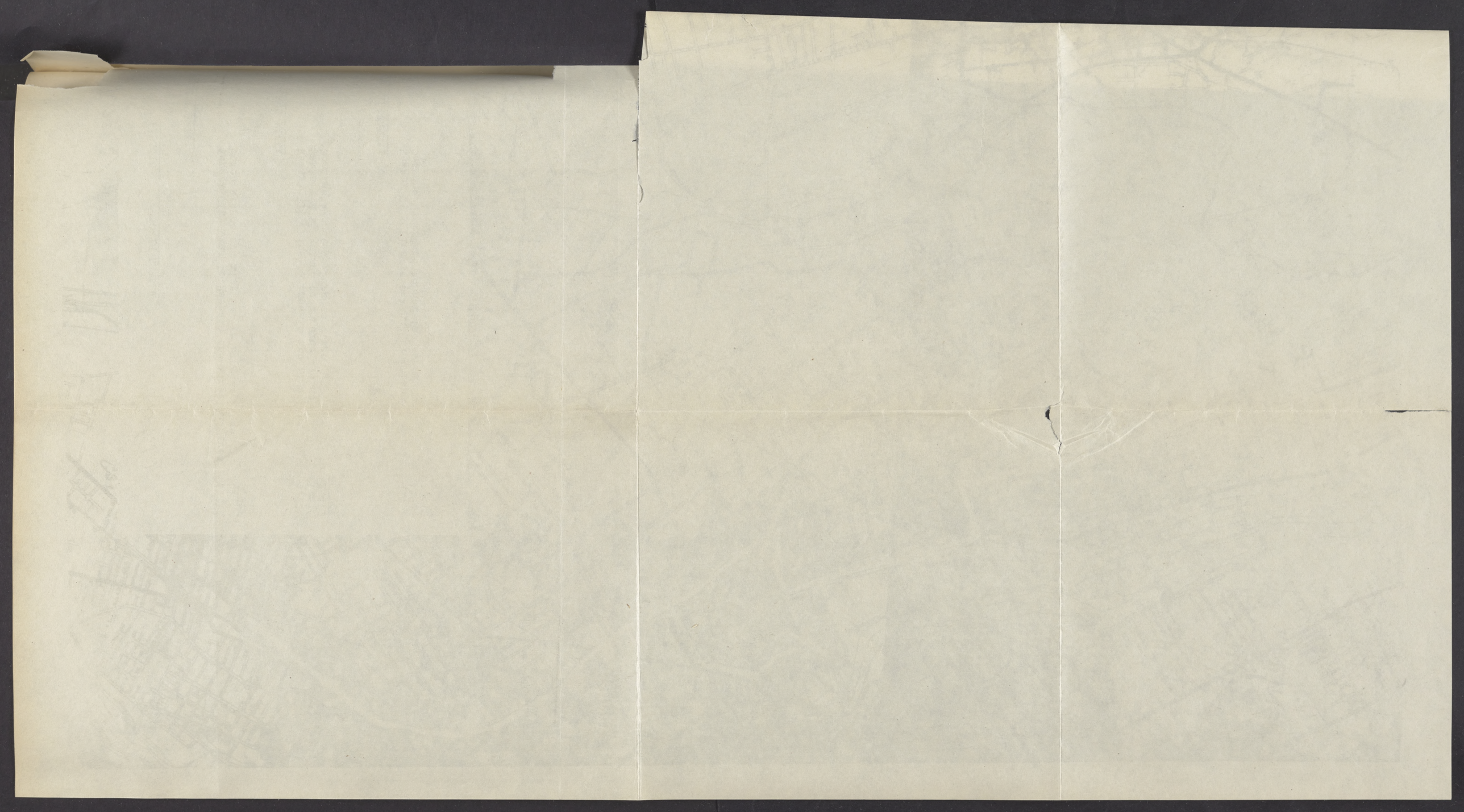
ROPOSED FARE:

Newark City Line to Passaic and Kingsland	4.231
Passaic & Kingsland to Romaine Avenue	1.514
Romaine Avenue to Burgess Place	2.419
	8.164

IA DELAWANNA:

Newark City Line to Oak and Kingsland	4.063
Oak and Kingsland to Romaine Avenue	1.846
Romaine Avenue to Burgess Place	2.419
	8.328





W. P. 11.

HAWTHORNE VIA MADISON AVENUE

City Hall to Paterson City Line	2.794
Paterson City Line to Lincoln & Parker	1.422
Total	4.216

Rush hour

Paterson City Line to Goffle Road	2.368
Total	5.162

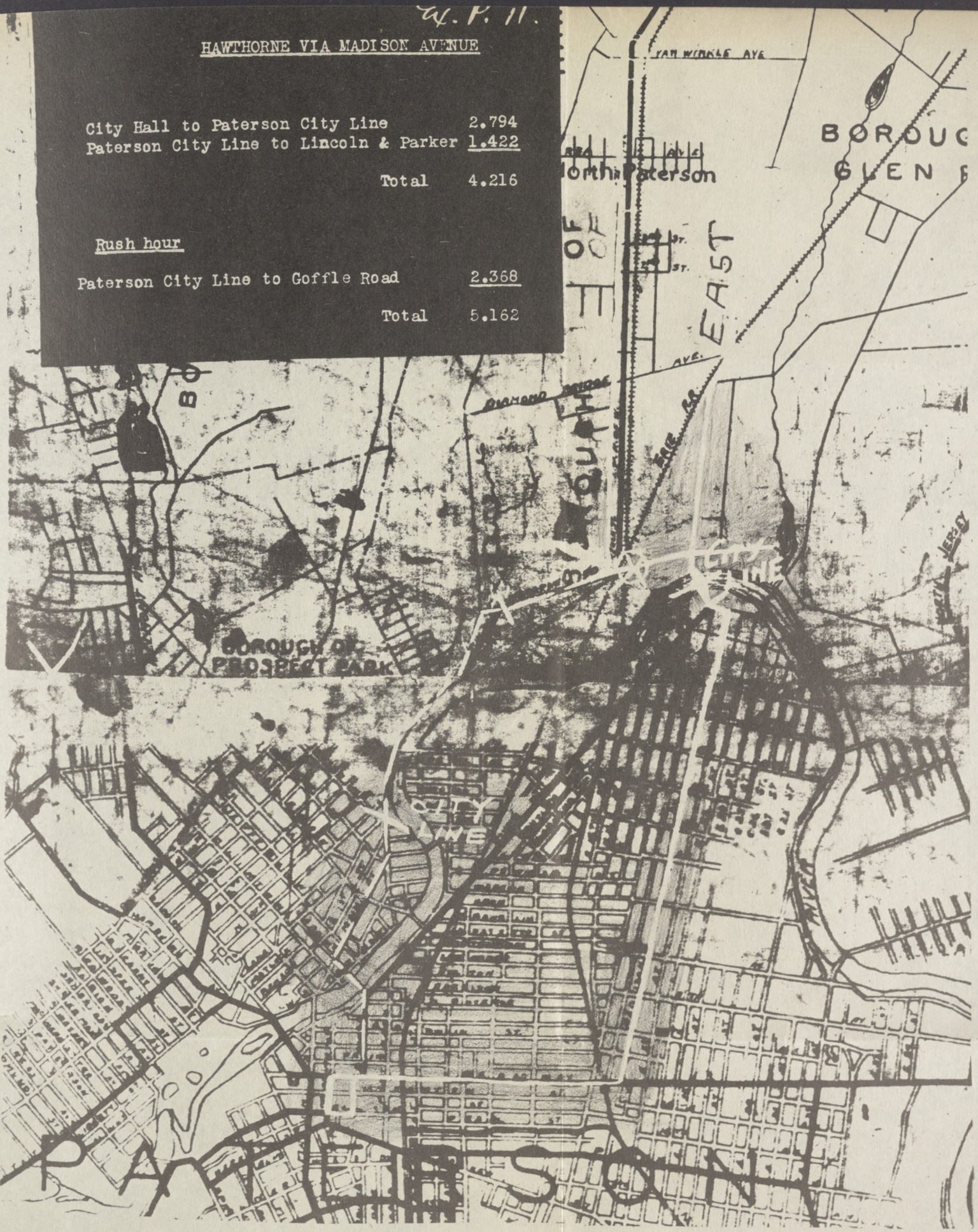


Exhibit P-12a.

June 1, 1927.

September 25, 1923.

To the Public Service Railway Company.

Gentlemen:

The Board has received from you a notice of intention to increase the street railway fare to ten cents and has carefully considered your statement and the schedule annexed.

The Board appreciates the fact that the conditions under which the Company is now operating make increased operating costs inevitable. To deny it the right to obtain sufficient revenue to meet these costs would be a gross injustice.

To raise this revenue the company now proposes to increase its fare to ten cents. Whether such an increase would meet the situation at this time, particularly in view of existing auto bus competition, is open to serious question. This Board has in the recent past, and after extensive hearings, although under a lower wage scale, decided against an application for a ten cent fare. The Board feels that it should not approve such a fare unless it appears, upon further hearing, that this is necessary to meet existing conditions.

In your recently proposed plan you claimed the elimination of bus competition would result in lower fare. The Board agrees that this competition should be restricted to an extent consistent with adequate service; and within the scope of its authority will assist in bringing

about this result. It will further seek the co-operation of the various municipalities to that end. In the Board's judgment the time has not arrived when the trolley, long established and used by some 325 millions of riders annually on your system alone can be dispensed with. Without passing upon the proposed increase in fare to ten cents, the Board desires to suggest a plan which it feels would place the company on a more equal basis in meeting the competition of the buses and, at the same time furnish the public transportation at a fair rate.

If the company insists upon a ten cent fare the Board cannot deny objectors opportunity to be heard. Extensive rate hearings in the past have cost the State many thousands of dollars and have resulted in protracted litigation. To avoid further litigation and expense and for the purpose of trial, the Board suggests that in lieu of the imposition of a ten cent fare the company establish a five cent flat fare without transfers within the limits of the larger municipalities, with an additional five cent fare for the longer rides to the end of the existing fare limits and continue in effect the present fare throughout the rest of the State for the time being.

If this is acceptable to the Company the Board suggests that the Company prepare and submit for approval the details of the foregoing in the form of a rate schedule which schedule, if approved, shall remain in effect for a trial period of four months in order to determine definitely whether such a schedule will

produce sufficient revenue to meet the requirements of the situation, during which period the company shall make monthly reports to the Board for its operating expenses and receipts.

The foregoing plan is suggested with the hope that it will provide sufficient revenue to enable the company to operate efficiently and not impose an undue burden upon the public.

Very truly yours,

BOARD OF PUBLIC UTILITY COMMISSIONERS,

By (Signed) H. V. Osborne,

President.

Exhibit P-12b.

June 1, 1927

PUBLIC SERVICE RAILWAY COMPANY,

PUBLIC SERVICE TERMINAL,

80 Park Place.

Newark, N. J., Sept. 27, 1923.

To the Board of Public Utility Commissioners,
of the State of New Jersey.

Dear Sirs:

Public Service Railway Company has given serious consideration to the recommendation made by the Board with reference to fares in its communication of September 25th, proposing a five-cent fare for the congested centers of the larger cities without transfer, and an additional five-cent fare without transfer to the present eight-cent fare limits of these cities.

While the Company entertains grave misgivings as to the financial results of the plan, nevertheless, desiring as it does to co-operate with the Board and in the hope that the plans suggested points the way to the ultimate solution of the transportation difficulties confronting the Company and the traveling public of New Jersey, the Company accepts the suggestion of the Board in the spirit in which it is offered and will go along with a trial of the rate proposed for a four months period or such shorter time as may clearly indicate to the Company and the Board the results thereof. In doing this

Exhibit P-12b

the Company will rely upon the active co-operation of the Board as offered in its statement in curtailing and limiting wasteful and unnecessary competition and further seeks the co-operation of the Board in helping it to obtain relief from municipal paving obligations founded upon archaic conditions inherited from horse car days.

For the rate recommended by the Board to be successful, two things must be accomplished. The Company must have more revenue, arising from the transportation of a very much larger number of passengers which a curtailment of uneconomic and wasteful competition will produce, and its operating expenses must be kept down to the minimum. This latter desideratum can be substantially assisted by relieving it from burdensome paying obligations.

A hearty support of the plan by the public will go a long way to make the trial a success and thus insure the permanency of the rate.

In furtherance of and pending the trial of the rate proposed by the Board, the Company hereby withdraws the proposed rate filed by it with the Board on the twenty-first of September last.

The Company herewith files the following rate for transportation over the portions of its system enumerated below, effective, Monday, October 1st, 1923, subject only to obtaining a permissive order from the United States District Court. Fare conditions not specifically hereinbelow referred to to remain for the present as they now are. All reference to municipal boundaries relate to present existing lines and not to any future extensions or modifications thereof.

Exhibit P-12b

A five-cent fare for a single ride without transfers:

1. Within the limits of the City of Newark (except the existing fare limit to Port Newark Terminal) Harrison, East Newark and on Kearney Avenue in the Town of Kearney.

2. Within the limits of the other municipalities in Essex County served by the Company (except Verona, Caldwell and the Eagle Rock Line).

3. Within the limits of Jersey City and Hoboken.

4. Within the limits of the City of Bayonne.

5. Within the limits of the remaining municipalities in Hudson County not hereinbefore specifically mentioned served by the Company and lying east of the Hackensack River.

6. Within the limits of the Town of Kearney between Schuyler Avenue and the Hackensack River and between the Passaic and the Hackensack Rivers.

7. Within the limits of the City of Paterson, Haledon and Totowa.

8. On the Hawthorne Line from the Paterson City Line to the Passaic County Line.

9. On the Singac Line from the Paterson City Line to Singac.

10. From the Paterson City Line through a portion of the City of Clifton and the City of Passaic to the Passaic River and the Passaic City Line at Romaine Ave.

Exhibit P-12b

11. On the Paterson Line from the southerly Passaic City Line to the Essex County Line.

12. On the Palisade Line in the County of Bergen from the Hudson County Line to Palisade Junction.

13. Within the limits of the City of Elizabeth.

14. Within the limits of the Borough of Roselle and Roselle Park.

15. Within the limits of the City of Camden.

16. From the Camden City Line to and through the City of Gloucester to Timber Creek.

17. On the Haddon Heights Line from the Camden City Line to Station Ave., in Haddon Heights.

18. On the Haddonfield Line from the Camden City Line to Haddonfield.

19. On the Federal St. Line from the Camden City Line to Cove Road, Merchantville.

20. On the Westfield Line from the Camden City Line to Pensauken.

21. On the Riverside Line from the Camden City Line to Delair.

All other fares not specifically herein referred to to remain as at present. School fares will be continued where they now exist at the present rate, limited however to the new fare limits.

Very truly yours,
(Signed) THOMAS N. McCARTER,
President.

Exhibit P-12c.

Jun 1, 1927

STATE OF NEW JERSEY,

BOARD OF PUBLIC UTILITY COMMISSIONERS,

Newark.

September 27th, 1923.

To the Public Service Railway Company.

Gentlemen:

We are in receipt of your communication of this date in which you indicate acceptance of the plan suggested by this Board on September 25th, filing a new rate schedule in accordance therewith and withdrawing the ten cent fare schedule filed by you on September 21st.

The Board acquiesces in your proposal to put the rate suggested by the Board into effect on October 1st, next as we deem it desirable that the public should have the benefit of the new rate at as early a date as possible.

The Board reiterates its declaration contained in its statement to you of August 8th, last, and again in its later proposal which you have just accepted, that, in its judgment ruinous auto bus competition should be reduced to a minimum and will, as heretofore declared to be its policy, regulate auto bus competition in accordance with the statute and to the fullest extent consistent with adequate service.

We note your request for the co-operation of

the Board in obtaining relief from "paving obligations founded upon archaic conditions inherited from horse-car days." The Board agrees that these paving obligations are, under present day conditions, an undue burden necessarily passed on to the riding public through the rate of fare charged. The Board has no power under existing law to relieve the company of these exactions but will recommend legislation for relief therefrom.

The Board expresses the hope that the acceptance of the present plan will meet the approval of the public and will, in a measure at least, dispose of the present unsettled conditions in the transportation problems of the State.

Yours very truly,

BOARD OF PUBLIC UTILITY COMMISSIONERS,

By (Signed) H. V. Osborne,

President.

Exhibit P-13.

PUBLIC SERVICE TRANSPORTATION COMPANY

Year 1926

Route	1 Length	2a Revenue Passengers (Fares)	2b Passenger Receipts	3 Bus Miles	4 Receipts per bus mile	5 Miscellaneous Receipts	6 Operating Expenses	7 No. of Buses
Bloomfield	6.637 miles	6,514,753	$325,735.68	936,705	34.77¢			31
Clinton Avenue	6.094	6,864,539	343,227.99	1,010,360	33.97	The only miscellaneous		42
Clinton Place	5.422	1,967,858	98,393.16	295,018	33.35	receipts practically		6
Hawthorne	4.160	1,510,966	75,522.01	311,561	24.24	assignable to lines is		10
Kenilworth	8.071	767,224	38,142.46	233,099	16.36	from advertising in buses,		7
Lyons Avenue	5.915	6,151,488	307,574.79	883,099	34.83	which was about $55 per		18
Madison Ave.-Hawthorne	5.162	1,034,132	51,682.46	274,997	18.79	bus per annum. No record		4
Newark-Rutherford	8.810	2,986,340	149,316.97	453,884	32.90	is kept of operating		6
Passaic-North Newark	8.164	2,236,556	186,332.56	692,703	26.90	expenses by lines.		15
Roselle Park	5.790	3,193,649	159,682.39	620,740	25.72			14
Springfield Avenue	4.770	8,057,339	402,867.47	991,448	40.63			33

Exhibit P-14.

PUBLIC SERVICE TRANSPORTATION COMPANY

January 1st to December 31st, 1926, Inc.

Line	Passenger Revenue	Revenue Passengers	Hours	Miles	Cents Per Bus Mile
Springfield	402,867.47	8,057,339	122,441	991,448	40.7
Clinton Avenue	343,227.99	6,864,539	117,384	1,010,360	34.0
Clinton Place	98,393.16	1,967,858	35,175	295,018	33.3
Lyons Avenue	307,574.79	6,151,488	95,903	883,099	34.8
	$1,152,063.41	23,041,224	370,903	3,179,925	

Exhibit P-15.

PUBLIC SERVICE RAILWAY COMPANY

January 1st to December 31st, 1926, Inc.

Line	Passenger Revenue	Revenue Passengers	Hours	Miles	Cents Per C. M.
Broad	946,796.38	18,994,008	212,606	1,976,149	47.9
Springfield	628,334.50	12,609,973	151,608	1,279,268	49.1
	$1,575,130.88	31,603.981	364,214	3,255,417	

Exhibit P-16.

PUBLIC SERVICE RAILWAY COMPANY

PASSENGERS CARRIED AND CAR MILES

Year 1926

Passengers Carried

Revenue	389,600,479
Complimentary	2,187,130
Employees	4,815,374
	396,602,983
Car Miles	45,107,413

Exhibit P-17.

PUBLIC SERVICE RAILWAY COMPANY

Year 1926.

Net Income	$214,272.70
Deduct dividends received from ferry companies	324,574.00
Net loss on railway operation	*$110,301.30*

Exhibit P-18.

PUBLIC SERVICE RAILWAY COMPANY

12 Months Ending Dec. 31, 1926

Comparative Income Account Statement	Amount
Miles of Track Operated	740,831.
Car Miles	45,107,413.
Car Hours	4,899,798.
No. of 18 Hour Cars	272,210.
REVENUE FROM TRANSPORTATION	
Passenger Revenue	19,398,334.36
Baggage Revenue	
Parlor, Sleeping, Dining, and Special Car Revenue	13,723.78
Mail Revenue	4,699.47
Express Revenue	23,132.58
Milk Revenue	
Freight Revenue	
Switching Revenue	
Miscellaneous Transportation Revenue	429.00
Total Revenue from Transportation	$19,440,319.19
REVENUES FROM OTHER RAILWAY OPERATIONS	
Station and Car Privileges	$278,140.10
Parcel-Room Receipts	4,115.15
Storage	
Demurrage	
Telephone and Telegraph Service	
Rent of Tracks and Facilities	2,846.50

Exhibit P-18

Rent of Equipment	16,292.13	
Rent of Buildings and Other Property	178,712.51	
Power	7,935.71	
Miscellaneous	6,482.94	
Total Revenue from Other Railway Operations	$494,525.04	
Total Railway Operating Revenues	19,934,844.23	
Railway Operating Revenue Deductions	15,271,749.54	
Railway Operating Income	4,663,094.69	
Auxiliary Operations—Revenue	40,061.74	
Auxiliary Operations—Expenses	46,379.75	
Auxiliary Operations—Income	*6,318.01*	
Total Operating Income	$4,656,776.68	

NON-OPERATING REVENUES

Income from Lease of Road		
Miscellaneous Rent Income		
Net Income from Miscellaneous Physical Property	$ 55,947.14	
Dividend Income	324,771.20	
Income from Funded Securities	39,970.95	
Income from Unfunded Securities and Accounts	14,718.53	
Income from Sinking Fund and Other Reserves	14,679.79	
Contributions from Others		
Miscellaneous Income	24,545.34	
Total Non-Operating Revenues	$474,632.95	

Exhibit P-18

NON-OPERATING REVENUE DEDUCTIONS	
Net Loss on Miscellaneous Physical Property	
Miscellaneous Taxes	
Total Non-Operating Revenue Deductions	
Non-Operating Income	$474,632.95
Gross Income	$5,131,409.63
INCOME DEDUCTIONS	
Rent for Leased Roads	$2,859,090.19
Miscellaneous Rents	54,092.15
Interest on Funded Debt	1,920,811.70
Interest on Unfunded Debt	49,180.20
Amortization of Discount on Funded Debt	7,653.96
Release of Premium on Funded Debt	*358.08*
Income Transferred to Other Companies	
Maintenance of Organization—Lessor Companies	
Miscellaneous Debits	26,666.81
Total Income Deductions	$4,917,136.93
Net Income	214,272.70
PROFIT AND LOSS ACCOUNTS	
Miscellaneous Credits	*25,070.29*
Apprs. of Surplus to Sinking Fund and Other Reserves	
Dividend Appropriations of Surplus	

Exhibit P-18

Miscellaneous Appropriations of Surplus		
Miscellaneous Debits	$ 3,024.14	
Total Profit and Loss Accounts	*22,046.15*	
Net Increase or Decrease in Surplus	$236,318.85	
Percentage of Operating Expenses	65.7	
Percentage of Operating Expenses Including Taxes	76.6	

Exhibit P-19.

PUBLIC SERVICE RAILWAY COMPANY

12 Months Ending Dec. 31, 1926.

Comparative Statement of Operating Revenue

Deductions		Amount
I. Way and Structures		
Superintendence of Way and Structures	1	$119,659.80
Ballast	2	3,713.40
Ties	3	5,184.84
Rails	4	5,691.70
Rail Fastenings and Joints	5	32,984.03
Special Work	6	3,962.07
Underground Construction	7	
Track and Roadway Labor	8	284,644.35
Miscellaneous Track and Roadway Expenses	9	45,293.39
Paving	10	145,681.43
Cleaning and Sanding Track	11	121,409.07

Exhibit P-19

	Removal of Snow and Ice	12	$231,110.38
	Tunnels and Subways	13	
	Elevated Structures and Foundations	14	5,021.64
	Bridges, Trestles and Culverts	15	27,406.76
	Crossing, Fences and Signs	16	4,752.27
10	Signal and Interlocking Apparatus	17	36,405.34
	Telephone and Telegraph Lines	18	8,068.14
	Miscellaneous Way Expenses	19	267.49
	Distribution Poles and Fixtures	20	35,647.42
	Distribution Underground Conduits	21	1,311.99
	Distribution System	22	135,199.75
	Miscellaneous Distribution System Expenses	23	9,990.63
	Buildings, Fixtures, and Grounds	24	72,165.60
	Depreciation of Way and Structures	25A	600,000.00
20	Way and Structures Retired	25B	
	Other Operations—Dr.	26	
	Other Operations—Cr.	27	
	Equalization—Way and Structures	28	
	TOTAL		$1,935,571.49

II. EQUIPMENT

	Superintendence of Equipment	29	$ 56,815.33
30	Passenger and Combination Cars	30	787,691.87
	Freight, Express and Mail Cars	31	
	Service Equipment	32	31,406.08
	Electric Equipment of Cars	33	409,344.81
	Locomotives	34	
	Floating Equipment	35	
	Shop Equipment	36	16,291.23
	Shop Expenses	37	112,445.47
	Vehicles and Horses	38	76,323.67
40	Miscellaneous Equipment Expenses	39	
	Depreciation of Equipment	40	200,000.00

Exhibit P-19

Equipment Retired	41		
Other Operations—Dr.	42		
Other Operations—Cr.	43		
Equalization—Equipment	44		
TOTAL		$1,690,318.46	10
III. POWER			
Superintendence of Power	45		
Power Plant Buildings, Fixtures and Grounds	46		
Power Plant Equipment	47		
Substation Equipment	48		
Transmission System	49		
Depreciation of Power Plant Buildings and Equipment	50A		20
Power Plant Buildings and Equipment Retired	50B		
Equalization—Power	51		
Power Plant Employees	52		
Fuel for Power	53		
Water for Power	54		
Lubricants for Power	55		
Miscellaneous Power Plant Supplies and Expenses	56		30
Substation Employees	57		
Substation Supplies and Expenses	58		
Power From Other Sources	59	1,669,382.14	
Power Exchanged—Balance	60		
Power Transferred—Cr.	61		
Other Operations—Cr.	62		
TOTAL		$1,669,382.14	40

Exhibit P-20.

PUBLIC SERVICE RAILWAY COMPANY

12 Months Ending Dec. 31, 1926

Comparative Statement of Operating Revenue Deductions		Amount
IV. Conducting Transportation		
Superintendence of Transportation	63	$795,982.32
Passenger Conductors, Motormen and Trainmen	64	3,276,558.52
Freight and Express Conductors, Motormen and Trainmen	65	
Miscellaneous Car Service Employees	66	131,068.41
Miscellaneous Car Service Expenses	67	134,640.90
Station Employees	68	93,298.36
Station Expenses	69	11,848.78
Carhouse Employees	70	502,582.86
Carhouse Expenses	71	53,390.98
Operation of Signal and Interlocking Apparatus	72	34,149.92
Operation of Telephone and Telegraph Lines	73	
Operation of Floating Equipment	74	
Operation of Steam Locomotives	75	
Freight and Express Collection and Delivery	76	
Loss and Damage	77	
Other Transportation Expenses	78	24,377.95
Total		$5,057,899.00

Exhibit P-20

V. Traffic

Superintendence and Solicitation	79	$385.06
Advertising	80	5,147.46
Parks, Resorts, and Attractions	81	
Miscellaneous Traffic Expenses	82	
Total		$5,532.52

VI. General and Miscellaneous

Salaries and Expenses of General Officers	83	$170,406.70
Salaries and Expenses of General Office Clerks	84	372,668.10
General Office Supplies and Expenses	85	483,518.54
Law Expenses	86	22,693.03
Relief Department Expenses	87	4,387.49
Pensions and Gratuities	88	153,948.55
Miscellaneous General Expenses	89	219,998.94
Valuation Expenses	90	
Amortization of Franchises	91	
Injuries and Damages	92	1,032,973.67
Insurance	93	51,295.80
Stationery and Printing	94	78,401.09
Store Expenses	95	89,195.67
Garage and Stable Expenses	96	31,737.73
Rent of Tracks and Facilities	97	12,000.00
Rent of Equipment	98	13,577.67
Other Operations—Cr.	99	
Other Operations—Dr.	100	
Total		$2,736,802.98
Total Operating Expenses		$13,095,506.59

Exhibit P-20

TAXES

State Franchise Tax on Capital Stock		$ 964.99
Five Per Cent State Franchise Tax		629,074.25
Tax in Lieu of Personal Property Tax		750,253.92
Taxes on Real Estate		316,315.03
Local Franchise Taxes	Local 5% Franchise Taxes	275,468.07
	Car Licenses	19,206.87
	Special Franchise Taxes	16,709.42
Federal Income Taxes		167,034.90
Federal Excise Tax on Capital Stock		1,215.50
Federal Excise Tax on Motor Busses		
TOTAL		$2,176,242.95
TOTAL OPERATING REVENUE DEDUCTIONS		$15,271,749.54
Track (Excluding Depreciation)		$ 997,856.10
Line (Excluding Depreciation)		$ 265,549.79
Buildings (Excluding Depreciation)		$ 72,165.60
Equipment (Excluding Depreciation)		$1,490,318.46

Exhibit P-21.

PUBLIC SERVICE TRANSPORTATION COMPANY

BALANCE SHEET, DECEMBER 31, 1926

ASSETS.

Fixed Capital	$18,229,197.25	
Investments in Affiliated Companies	170,000.00	
Special Deposits	300.00	
Cash	164,328.46	
Miscellaneous Accounts Receivable	62,446.36	
Interest Dividends and Rents Receivable	345.00	
Materials and Supplies	298,742.95	
Other Current Assets	81,761.13	
Prepayments	112,874.67	
Other Unadjusted Debits	303.99	
Corporate Deficit	1,541,067.08	

LIABILITIES.

Capital Stock Issued		$10,000,000.00
Funded Debt		3,025,000.00
Advances from Affiliated Companies		5,342,493.16
Audited Accounts and Wages Payable		477,391.31
Miscellaneous Accounts Payable		54,775.02
Other Current Liabilties		8,505.70
Unmatured Interest		44,185.00
Taxes Accrued		83,259.31
Other Accrued Liabilities		914.00
Other Unadjusted Credits		29,074.61
Operating Reserves		275,000.00
Retirement Reserve		1,320,768.78
	$ 20,661,336.89	$20,661,366.89

Exhibit P-22.

PUBLIC SERVICE TRANSPORTATION COMPANY

INCOME STATEMENT

12 Months Ending Dec. 31, 1926

Account	Amount	Cents per Bus Mile	Dollars per Bus Hour
Transportation Revenues			
Passenger Revenue	$10,748,130.18	29.788	2.68
Special Bus Revenue	96,768.96	.268	.02
Miscellaneous Operating Revenues			
Revenue from Station and Bus Privileges	50,205.00	.139	.01
Rent from Buildings and Other Property	22,268.21	.062	.01
Other Operating Revenues	27,071.64	.075	.01
Total Operating Revenues	$10,944,443.99	30.332	2.73
Operating Expenses			
Maintenance of Plant and Equipment	3,979,250.23	11.028	.99
Operating Garage Expenses	2,084,727.87	5.778	.52
Transportation	3,033,034.24	8.406	.76
Traffic Promotion	1,956.63	.005	.00
General and Miscellaneous Expenses	1,004,579.16	2.784	.25
Total Operating Expenses	$10,103,548.13	28.001	2.52
Taxes	608,665.52	1.687	.15
Total Operating Revenue Deductions	$10,712,213.65	29.688	2.67

Exhibit P-22

Operating Income	$232,230.34	.644	.06
Non-Operating Revenues			
Income from Unfunded Securities and Accounts	5,655.33	.016	.00
Miscellaneous Non-Operating Revenues	2,212.44	.006	.00
Total Non-Operating Revenues	$7,867.77	.022	.00
Gross Income	$240,098.11	.666	.06
Income Deductions			
Interest on Funded Debt	109,855.00	.304	.03
Interest on Unfunded Debt	25,847.36	.072	.01
Miscellaneous Income Deductions	16,878.34	.047	.00
Total Income Deductions	$152,580.70	.423	.04
Net Income	87,517.41	.243	.02
Profit and Loss			
Miscellaneous Debits	1,921.53	.006	.00
Total Profit and Loss	1,921.53	.006	.00
Net Increase or Decrease in Surplus	$85,595.88	.237	.02
Bus Miles	36,082,405		
Bus Hours	4,013,602		

Exhibit P-23.

PUBLIC SERVICE TRANSPORTATION COMPANY

STATEMENT OF OPERATING REVENUE DEDUCTIONS

12 Months Ending Dec. 31, 1926

Account		Amount	Cents per Bus Mile	Dollars per Bus Hour
I. Maintenance of Plant and Equipment				
Superintendence of Plant and Equipment	1	$200,532.87	.556	.05
Maintenance Department Rents	2	258,445.80	.716	.06
Maintenance of Buildings, Fixtures and Grounds	3	3,654.91	.010	.00
Maintenance of Bus Bodies	4	267,328.83	.741	.07
Maintenance of Bus Chassis	5	1,466,842.64	4.065	.37
Tires and Tubes	6	569,736.03	1.579	.14
Maintenance of Other Revenue Motor Equipment	7			
Maintenance of Shop Equipment	8A	3,523.59	.010	.00
Maintenance of Garage Equipment	8B	3,741.19	.010	.00
Maintenance and Operation of Service Motor Equipment	9	44,621.03	.124	.01
Shop Expenses	10	65,860.98	.183	.02
Retirement Expense	11	1,094,962.36	3.034	.27
Total Maintenance of Plant and Equipment		$3,979,250.23	11.028	.99
II. Operating Garage Expenses				
Fuel for Revenue Vehicles	15	$1,384,521.49	3.837	.35
Lubricants for Revenue Vehicles	16	131,994.69	.366	.03

Exhibit P-23

Garage Employees	17	$403,689.71	1.119	.10
Garage Supplies and Expenses	18	164,521.98	.456	.04
Total Operating Garage Expenses		$2,084,727.87	5.778	.52
III. Transportation				
Superintendence of Transportation	20	$ 273,927.65	.759	.07
Bus Operators	21	2,674,519.67	7.412	.67
Other Revenue Motor Operators	22			
Transportation Rents	23	20,375.36	.057	.01
Station Expenses	24	67.47	.000	.00
Freight and Express Collection and Delivery	25			
Loss and Damage on Freight and Baggage	26			
Road Expense	27	9,182.33	.025	.00
Other Transportation Expenses	28	54,961.76	.153	.01
Total Transportation		$3,033,034.24	8.406	.76
IV. Traffic Promotion				
Superintendence and Solicitation	30			
Advertising	31	1,956.63	.005	.00
Traffic Rents	32			
Total Traffic Promotion		$1,956.63	.005	.00
V. General and Miscellaneous Expenses				
Salaries and Expenses of General Officers	34	$15,783.46	.044	.00
Salaries and Expenses of General Office Clerks	35	39,271.34	.109	.01
General Office Supplies and Expenses	36	4,882.53	.014	.00
General Law Expenses	37	29,981.51	.083	.01
Relief Department Expenses	41	1,162.29	.003	.00

Exhibit P-23

	Pensions and Gratuities	42A	$ 351.04	.001	.00
	Sick Benefits	42B	6,781.50	.019	.00
	Special Sick Benefits	42C	6,018.78	.017	.00
	Death Benefits	42D	325.00	.001	.00
	Welfare Insurance	42E	278.18	.001	.00
10	Safety Department Expenses	43A	403.11	.001	.00
	Other Miscellaneous General Expenses	43B	83,286.75	.231	.02
	Valuation Expenses	44			
	Regulatory Commission Expenses	45			
	Amortization of Franchises	46			
	Injuries and Damages	47	685,893.79	1.900	.17
	Insurance	48	73,554.58	.203	.02
	Stores Expenses	49	56,605.30	.157	.02
20	Rent of Equipment and Facilities	50			
	Other Operations—Debit	51			
	Other Operations—Credit	52			
	Total General and Miscellaneous Expenses		$1,004,579.16	2.784	.25
	Total Operating Expenses		$10,103,548.13	28.001	2.52
	VI. Taxes				
30	Local Licenses	61	$ 66,552.07	.184	.02
	5% Tax	62	375,439.61	1.041	.09
	State Licenses	63	93,655.43	.260	.02
	Federal Excise Tax on Motor Buses	64	10,873.76	.030	.00
	Personal Property Tax	65	20,831.52	.058	.01
	Real Estate Tax	66	11,088.74	.031	.00
	State Tax on Capital Stock	67	130.16	.000	.00
	Federal Excise Tax on Capital Stock	68	1,498.00	.004	.00
	Federal Income Tax	69	28,596.23	.079	.01
40	Total Taxes		$608,665.52	1.687	.15
	Total Operating Revenue Deductions		$10,712,213.65	29.688	2.67

Exhibit P-24.

PUBLIC SERVICE RAILWAY COMPANY

BALANCE SHEET, DECEMBER 31, 1926

Road and Equipment	$88,191,035.30	
Sinking Funds	94,619.96	
Deposits in Lieu of Mortgaged Property Sold	419,700.00	
Miscellaneous Physical Property	277,901.54	
Investments in Affiliated Companies	559,690.05	
Other Investments		
Cash	489,752.07	
Special Deposits	9,313.87	
Loans and Notes Receivable		
Miscellaneous Accounts Receivable	558,408.44	
Material and Supplies	767,492.78	
Interest, Dividends and Rents Receivable	5,426.89	
Other Current Assets	58,040.00	
Insurance and Other Funds		
Other Deferred Assets	12,560.28	
Rents and Insurance Premiums Paid in Advance	73,065.42	
Discount on Capital Stock		
Discount on Funded Debt	88,465.47	
Property Abandoned Chargeable to Operating Expenses		
Construction Work in Progress		
Other Unadjusted Debits	1,154.55	
Securities Issued or Assumed—Unpledged		
Securities Issued or Assumed—Pledged		
Corporate Deficit		
Capital Stock		$36,560,925.00
Stock Liability for Conversion		1,575.00
Premium on Capital Stock		
Grants in Aid of Construction		

Exhibit P-24

	Funded Debt Unmatured		$ 42,882,317.16
	Receiver's Certificates		
	Non-Negotiable Debt to Affiliated Companies		5,418,000.00
	Loans and Notes Payable		
	Audited Accounts and Wages Payable		3,647,898.46
10	Miscellaneous Accounts Payable		28,919.46
	Matured Interest, Dividends and Rents Unpaid		
	Matured Funded Debt Unpaid		
	Accrued Interest, Dividends, and Rents Payable		538,834.76
	Other Current Liabilities		50,252.46
	Liability for Provident Funds		
	Other Deferred Liabilities		1,027,608.11
	Tax Liability		454,635.14
	Premium on Funded Debt		6,897.35
20	Insurance and Casualty Reserves		
	Operating Reserves		550,000.00
	Accrued Depreciation—Road and Equipment		9,548.50
	Reserve for Amortization of Franchises		
	Accrued Depreciation—Miscellaneous Physical Property		
	Other Unadjusted Credits		64,962.17
	Additions to Property Through Surplus		
	Funded Debt Retired Through Surplus		
30	Sinking Fund Reserves		
	Miscellaneous Fund Reserve		
	Corporate Surplus		364,253.05
		$91,606,626.62	$91,606,626.62

40

Ex P 25

REVISED
P-25

PUBLIC SERVICE TRANSPORTATION

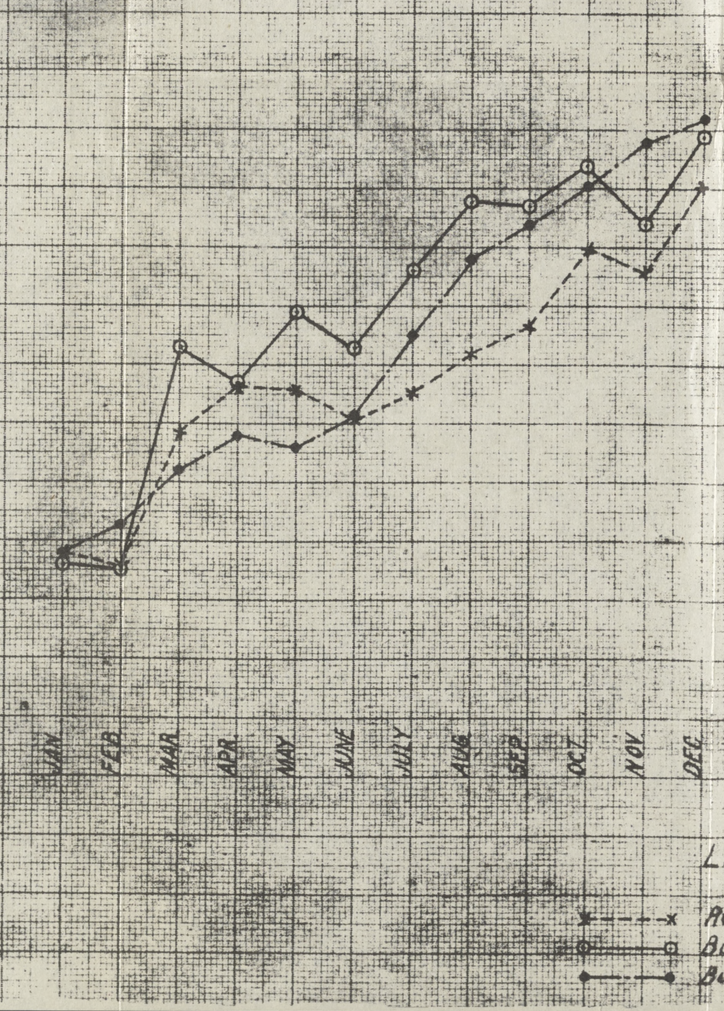
CURVES SHOWING

BUS MILES
REVENUE PASSENGERS
AVERAGE BUSES OPERATED DAILY

BY MONTHS — FOR THE YEARS 1925 & 1926

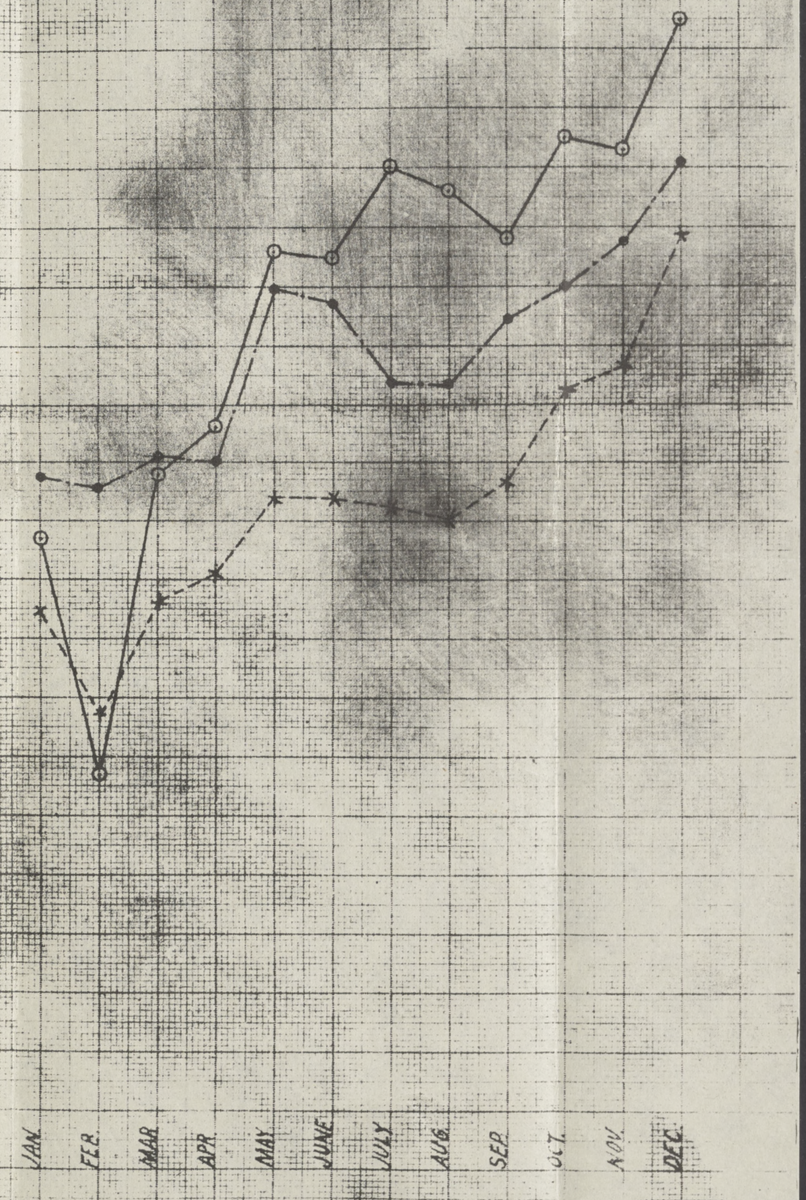
1925

Buses Operated	Bus Miles	Rev. Pass.
1000	3,500,000	25,000,000
975	3,400,000	24,000,000
950	3,300,000	23,000,000
925	3,200,000	22,000,000
900	3,100,000	21,000,000
875	3,000,000	20,000,000
850	2,900,000	19,000,000
825	2,800,000	18,000,000
800	2,700,000	17,000,000
775	2,600,000	16,000,000
750	2,500,000	15,000,000
725	2,400,000	14,000,000
700	2,300,000	13,000,000
675	2,200,000	12,000,000
650	2,100,000	11,000,000
625	2,000,000	10,000,000
600	1,900,000	9,000,000
575	1,800,000	8,000,000
550	1,700,000	7,000,000



1926

Buses Operated	Bus Miles	Rev. Pass.
1000	3,500,000	25,000,000
975	3,400,000	24,000,000
950	3,300,000	23,000,000
925	3,200,000	22,000,000
900	3,100,000	21,000,000
875	3,000,000	20,000,000
850	2,900,000	19,000,000
825	2,800,000	18,000,000
800	2,700,000	17,000,000
775	2,600,000	16,000,000
750	2,500,000	15,000,000
725	2,400,000	14,000,000
700	2,300,000	13,000,000
675	2,200,000	12,000,000
650	2,100,000	11,000,000
625	2,000,000	10,000,000
600	1,900,000	9,000,000
575	1,800,000	8,000,000
550	1,700,000	7,000,000



LEGEND

Revenue Passengers
Bus Miles
Buses Operated

Exhibit O-1.

PUBLIC SERVICE TRANSPORTATION COMPANY

COMPARATIVE BALANCE SHEET

Years 1923 to 1926 Inclusive

ASSETS	December 31, 1923		December 31, 1924		December 31, 1925		December 31, 1926	
	Detail Accounts	Indicant Accounts	Detail Accounts	Indicant Accounts	Detail Accounts	Indicant Accounts	Detail Accounts	Indicant Accounts
Fixed Capital								
Organization		$760,917.20		$5,588,856.13		$11,406,591.34		$18,229,197.25
Other Intangible Capital	1,028.25		12,453.25		14,878.25		21,880.75	
Shop and Garage Structures			1,987,644.45		3,932,029.76		8,414,872.02	
Revenue Passenger Motor Equipment					409,750.35		453,615.37	
Service Motor Equipment	759,046.95		3,462,045.33		6,821,817.79		9,135,408.38	
Shop and Garage Machinery and Tools					33,457.85		56,572.74	
Furniture and Office Equipment			1,888.20		31,711.83		139,015.76	
Miscellaneous Equipment and Other Tangible Capital	77.00		3,477.10		5,379.62		4,107.93	
	765.00		121,347.80		157,565.89		3,724.30	
Investment in Affiliated Companies		524,666.70		1,126,624.54		23,000.00		170,000.00
Special Deposits		25.00		3,825.00		3,325.00		300.00
Cash		132,173.56		198,320.52		235,845.12		164,328.46
Miscellaneous Accounts Receivable		9,008.20		52,811.57		37,194.84		62,446.36
Affiliated Companies			3,762.15		11,461.20		12,270.01	
Unaffiliated Companies	9,008.20		49,049.42		25,733.64		50,176.35	
Interest, Dividends and Rents Receivable								345.00
Materials and Supplies				134,158.42		283,044.70		298,742.95
Other Current Assets		16,053.55		59,349.12		72,901.63		81,761.13
Prepayments		4,002.60		96,734.60		100,666.86		112,874.67
Other Unadjusted Debits								303.99
Corporate Deficit		43,735.65		837,273.77		1,626,662.96		1,541,067.08
		$1,490,582.46		$8,097,953.67		$13,789,232.45		$20,661,366.89

Exhibit O-1

PUBLIC SERVICE TRANSPORTATION COMPANY

Comparative Balance Sheet

Years 1923 to 1926 Inclusive

Liabilities	1923 December 31 Detail Accounts	1923 December 31 Indicant Accounts	1924 December 31 Detail Accounts	1924 December 31 Indicant Accounts	1925 December 31 Detail Accounts	1925 December 31 Indicant Accounts	1926 December 31 Detail Accounts	1926 December 31 Indicant Accounts
Capital Stock Issued		$150,000.00		$5,150,000.00		$10,000,000.00		$10,000,000.00
Funded Debt						148,000.00		3,025,000.00
Advances from Affiliated Companies		1,305,000.00		2,267,493.16		1,767,493.16		5,342,493.16
Notes Payable		13,986.00				2,400.00		
Audited Accounts and Wages Payable		4,289.46		263,744.11		473,694.52		477,391.31
Affiliated Companies	$ 524.46		$112,639.60		$260,450.76		$ 72,684.89	
Unaffiliated Companies	3,765.00		151,104.51		213,243.76		404,706.42	
Miscellaneous Accounts Payable		1,000.00		72,287.79		74,086.91		54,775.02
Other Current Liabilities				180.73		1,749.98		8,505.70
Unmatured Interest						1,362.91		44,185.00
Taxes Accrued		407.00		29,954.26		36,269.94		83,259.31
Other Accrued Liabilities				23,645.00				914.00
Other Unadjusted Credits				708.57		19,544.19		29,074.61
Operating Reserves						100,000.00		275,000.00
Retirement Reserve		15,900.00		289,940.05		1,164,630.84		1,320,768.78
		$1,490,582.46		$8,097,953.67		$13,789,232.45		$20,661,366.89

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MAY 9 1927

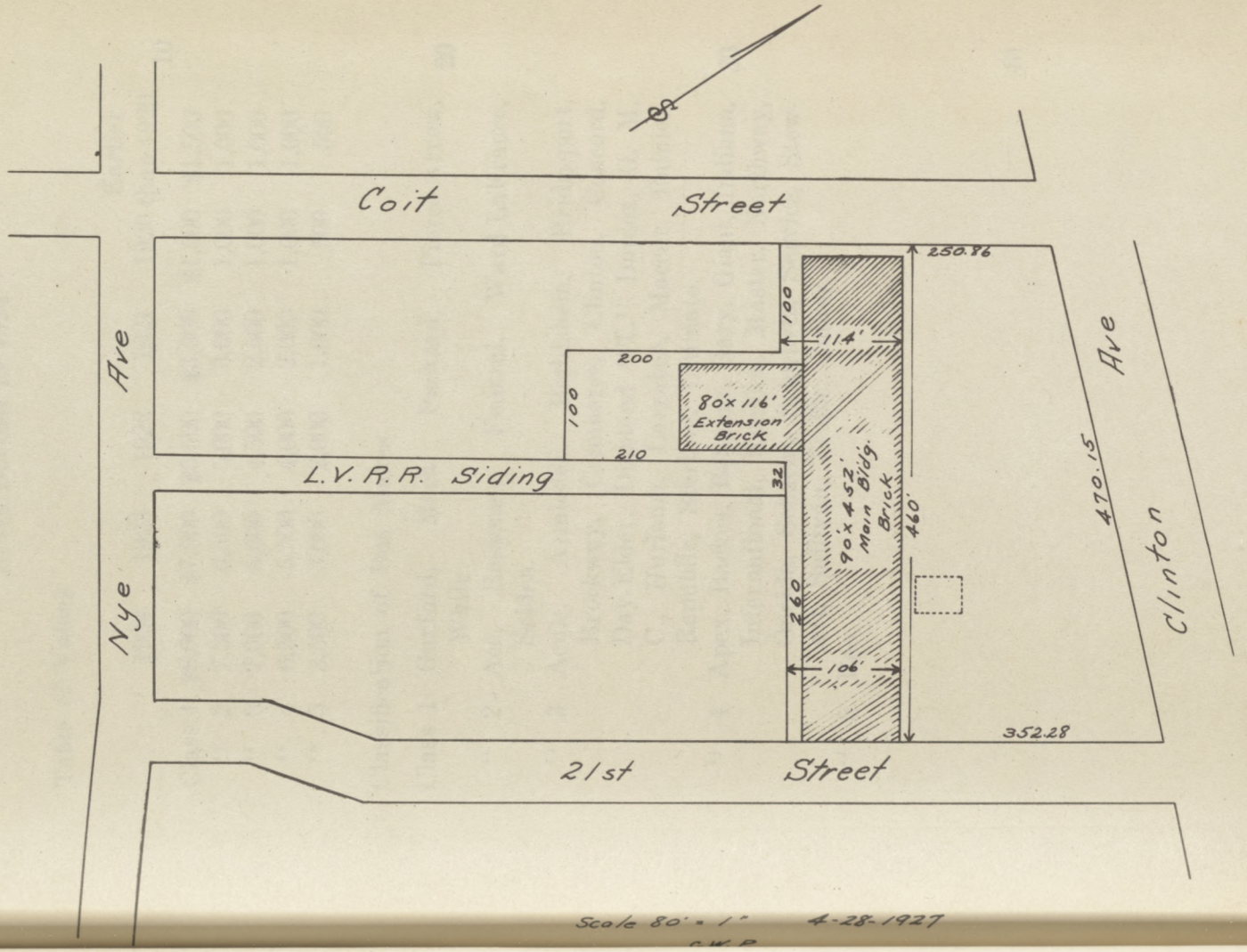

Exhibit O-3.

BUSES BOUGHT IN 1924

Table of Values

	1924	1923	1922	1921	1920	Earlier than 1920
Class 1	$8,000	$7,000	$5,500	$3,500	$1,500	$1,500
" 2	7,500	6,500	5,000	3,000	1,000	1,000
" 3	7,000	6,000	4,500	2,500	1,000	1,000
" 4	6,500	5,500	4,000	2,000	1,000	1,000
" 5	3,500	3,000	2,000	1,000	500	500

Classification of Bus Makes

Class 1 Garford, Mack, Packard, Pierce-Arrow, White.

" 2 Ace, Bessemer, Federal, Ward-LaFrance, Selden.

" 3 Acme, Armleder, Bethlehem, Bridgeport, Brockway, Commerce, Clinton, Concord, Day-Elder, Diamond "T," Duplex, G. M. C., Hurlburt, Larrabee, Maccar, Rainier, Republic, Sterling, Ultimate.

" 4 Apex, Backes, Belmont, Gary, Giant, Indiana, International, Koehler, Master, Northway, Oneida, Schacht, Schwartz, Service, Stewart, Sullivan, Traffic, Collier.

" 5 Reo.

Exhibit O-4.

STATE OF NEW JERSEY.

BOARD OF PUBLIC UTILITY COMMISSIONERS.

IN THE MATTER of The Complaint of SAMUEL MARION and VERONA CIVIC ASSOCIATION vs. PUBLIC SERVICE RAILWAY COMPANY *in re* Fares Charged Between Verona and the Lackawanna Station, Montclair, N. J.	Decision.

Samuel Marion for the Complainant.
W. W. Crane for the Borough of Verona.
George H. Blake for the Respondent.

The petitioners contend that the fare zones now existing between the Borough of Verona and the Lackawanna Station, in Montclair, are improper and that there should be a modification either in the zones or in the fare to be charged whereby passengers in Verona may be able to continue their ride to the Lackawanna Station without the payment of an additional fare.

At the present time the first fare zone on this line of the Public Service Railway Com-

pany extends from the end of the line in Caldwell on Bloomfield Avenue to the Mountain House in Montclair, the next zone extending from the Mountain House in the Town of Montclair, to Watsessing Avenue, Bloomfield, and the third zone extending from Watsessing Avenue through the City of Newark to the Public Service Terminal in the City of Newark.

The evidence offered by the petitioners indicates that a greater part of the riding between Verona and Montclair is to the Lackawanna Station, in Montclair, or points north of this station, and that as a result thereof the residents of Verona are compelled to pay an extra fare in the second zone for a comparatively short ride. It is contended that a large number of people from Verona use the Lackawanna Railroad to commute to New York and make no further use of the trolley service in the zone running through Montclair to Bloomfield that therefore the additional fare in this zone is an undue burden to them and is an unnecessary charge to the greatest number of car riders from Verona. It is also contended that a large number of riders living in Verona are employed in Montclair and are compelled because of the use of only a small part of the second zone to pay an additional fare to commute to their places of employment.

The difficulty with the petitioners' contention is that they do not regard the route of the trolley in its entirety, and overlook the fact that the zones are laid out with regard to the passenger travel over the entire route rather

than the community of interest that may exist over a small portion thereof. In any system of zone fares there are always passengers who live in the immediate vicinity of either side of the zone point, and consequently obtain only a relatively short ride in one zone. This condition, however, exists at any point where a zone is established for the purpose of an additional fare beyond its terminus. To permit either an overlap in the zone from the Montclair Line to the Lackawanna Station would considerably reduce the revenues of the company along this line. To extend the zone point from Bloomfield Avenue and the Mountain House to the Lackawanna Station would likewise diminish the passenger revenue along the line. When these zones were originally established the revenue to be obtained by the placing of the zone point was an important element to be considered. The overlap to the Lackawanna Station requested by the petitioner would add approximately one and one-half miles to the first zone, which is now approximately three miles in length. All three zones on this route, at present, are approximately the same length. The Board cannot adopt the principle that a zone point should be changed merely to accommodate those living within the vicinity of the zone on either side. The Board is satisfied from the evidence that the entire route of this line is zoned as to distance in practically equal proportions, and that the community of interest along the entire route is

being served by maintaining the present zones without overlap or extension. The Board will not, therefore, at this time require any change to be made in the existing zones and dismisses the petitioners' application.

Dated, October 21st, 1926.

BOARD OF PUBLIC UTILITY COMMISSIONERS,
By (Signed) Jos. F. Autenrieth,
President.

Attest:
(Signed) Alfred N. Barber,
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.

ALFRED N. BARBER,
Secretary.

Exhibit O-5.

PUBLIC SERVICE TRANSPORTATION COMPANY

Statement showing the total cost of the following buses and the classification of such costs to Revenue Passenger Motor Equipment Account and Other Intangible Capital

Permit Number	Accounting Number	Purchase Price	Revenue Passenger Motor Equipment	Other Intangible Capital
Clinton Avenue				
34	B 711	$ 5,242.47	$5,242.47	
45	725	3,403.34	3,403.34	
58	1695	22,500.00	5,500.00	$17,000.00
66	1529	16,028.89	3,500.00	12,528.89
73	1576	15,627.50	6,500.00	9,127.50
76	716	7,000.00	3,500.00	3,500.00
81	1536	15,678.89	3,500.00	12,178.89
90	1799	30,500.00	7,000.00	23,500.00
93	721	6,649.46	2,500.00	4,149.46
98	1798	30,500.00	5,500.00	25,000.00
105	718	6,600.00	5,500.00	1,100.00
112	1800	30,500.00	5,500.00	25,000.00
120	724	5,442.46	4,500.00	942.46
146	1696	22,000.20	7,000.00	15,000.20
152	1792	30,500.00	7,000.00	23,500.00
197	210	3,603.34	3,603.34	
200	720	6,692.46	3,500.00	3,192.46
213	1537	15,808.89	5,500.00	10,308.89
230	1791	30,500.00	5,500.00	25,000.00
233	1793	30,500.00	5,500.00	25,000.00
242	1697	20,250.50	5,500.00	14,750.50
247	1538	15,528.89	3,500.00	12,028.89

Exhibit O-5

264	1699	$22,000.50	$5,500.00	$16,500.50	
286	723	6,500.00	5,500.00	1,000.00	
306	1794	30,500.00	5,500.00	25,000.00	
313	719	5,942.46	4,000.00	1,942.46	
314	702	7,437.50	7,000.00	437.50	
340	712	6,492.47	6,492.47		10
350	1795	30,500.00	7,000.00	23,500.00	
356	707	4,592.46	4,592.46		
368	722	5,000.00	4,000.00	1,000.00	
399	704	7,437.50	7,000.00	437.50	
404	703	7,437.50	7,000.00	437.50	
431	708	4,592.46	4,592.46		
437	709	4,592.46	4,500.00	92.46	
440	1796	30,500.00	5,500.00	25,000.00	
450	700	8,750.00	7,000.00	1,750.00	20
503	705	5,442.46	5,442.46		
504	727	5,528.56	2,000.00	3,528.56	
546	713	6,342.47	6,342.47		
576	1797	30,500.00	7,000.00	23,500.00	
599	1815	30,500.00	7,000.00	23,500.00	
Total		$631,646.09	$221,211.47	$410,434.62	
					30
Springfield Avenue					
13	799	$11,042.18	$6,500.00	$ 4,542.18	
23	991	12,818.56	2,500.00	10,318.56	
24	844	11,286.40	5,500.00	5,786.40	
41	207	12,661.40	7,000.00	5,661.40	
48	843	11,361.40	4,500.00	6,861.40	
55	841	11,711.40	5,500.00	6,211.40	
68	1785	30,500.00	5,500.00	25,000.00	
75	1508	15,180.65	7,000.00	8,180.65	40
96	847	12,161.40	6,000.00	6,161.40	

Exhibit O-5

	100	870	$ 4,407.84	$4,407.84	
	153	1510	13,680.59	2,000.00	$11,680.59
	164	849	12,511.40	5,500.00	7,011.40
	202	842	10,361.40	1,000.00	9,361.40
	208	839	12,161.40	6,000.00	6,161.40
10	259	1804	30,500.00	1,500.00	29,000.00
	278	1591	21,527.28	5,500.00	16,027.28
	327	797	9,775.51	4,500.00	5,275.51
	333	1786	30,500.00	5,500.00	25,000.00
	339	840	12,536.40	5,500.00	7,036.40
	342	852	12,161.40	6,000.00	6,161.40
	343	798	9,043.36	3,500.00	5,543.36
	344	846	13,311.40	8,000.00	5,311.40
	345	1787	30,500.00	6,500.00	24,000.00
20	351	1575	12,715.00	4,500.00	8,215.00
	352	851	12,511.40	5,500.00	7,011.40
	357	1789	30,500.00	5,500.00	25,000.00
	358	829	13,161.40	7,000.00	6,161.40
	391	828	12,161.40	5,500.00	6,661.40
	402	1509	13,182.05	5,500.00	7,682.05
	405	830	11,161.40	2,500.00	8,661.40
	421	206	12,661.40	7,000.00	5,661.40
	422	850	11,161.40	5,500.00	5,661.40
30	445	1507	15,180.65	8,000.00	7,180.65
	446	848	13,511.40	7,000.00	6,511.40
	451	1788	30,500.00	6,500.00	24,000.00
	461	827	10,411.40	1,500.00	8,911.40
	464	992	13,318.56	7,000.00	6,318.56
	520	845	11,161.40	4,500.00	6,661.40
	525	1790	30,500.00	3,500.00	27,000.00
	538	853	7,561.40	2,000.00	5,561.40
40	Total		$613,061.63	$203,907.84	$409,153.79

Exhibit O-5

Bloomfield Avenue					
1	872	$10,603.56	$6,000.00	$4,603.56	
4	777	7,765.02	7,000.00	765.02	
7	217	12,722.61	7,000.00	5,722.61	
39	996	10,722.61	4,000.00	6,722.61	
268	228	11,722.60	4,500.00	7,222.60	10
369	775	8,886.46	2,000.00	6,886.46	
403	778	5,761.46	5,761.46		
416	772	9,261.46	6,000.00	3,261.46	
419	774	7,086.46	5,500.00	1,586.46	
480	221	11,722.61	4,500.00	7,222.61	
494	999	11,722.61	4,500.00	7,222.61	
495	226	10,722.60	4,500.00	6,222.60	
507	215	10,722.61	4,500.00	6,222.61	
512	776	6,966.46	4,500.00	2,466.46	20
515	229	11,972.60	4,500.00	7,472.60	
516	224	11,722.61	4,500.00	7,222.61	
518	995	11,722.61	4,500.00	7,222.61	
521	220	10,722.61	1,500.00	9,222.61	
522	994	11,722.61	6,000.00	5,722.61	
526	22	6,485.00	6,000.00	485.00	
527	227	11,722.60	5,500.00	6,222.60	
529	998	12,722.61	7,000.00	5,722.61	
535	219	12,722.61	7,000.00	5,722.61	30
541	222	11,722.61	4,500.00	7,222.61	
542	216	11,722.60	4,500.00	7,222.60	
549	223	12,722.61	7,000.00	5,722.61	
554	214	11,722.61	4,500.00	7,222.61	
557	773	9,286.46	6,000.00	3,286.46	
562	997	10,722.61	3,500.00	7,222.61	
568	779	7,186.46	4,000.00	3,186.46	
579	218	10,722.61	1,000.00	9,722.61	
Total		$323,713.56	$151,761.46	$171,952.10	40

Exhibit O-5

Rutherford-Newark					
	29	1570	$17,780.25	$5,500.00	$12,280.25
	77	888	11,411.40	2,500.00	8,911.40
	189	969	14,486.39	7,000.00	7,486.39
	318	835	11,165.59	5,500.00	5,665.59
	367	834	11,165.59	5,500.00	5,665.59
	591	875	12,186.40	4,500.00	7,686.40
	592	1571	17,583.44	3,500.00	14,083.44
	593	877	12,011.40	5,500.00	6,511.40
	Total		$107,790.46	$39,500.00	$68,290.46
Clinton Place					
	35	714	$5,542.47	$5,500.00	$42.47
	64	715	4,642.46	4,000.00	642.46
	195	706	5,442.47	5,442.47	
	469	710	3,592.46	2,500.00	1,092.46
	537	701	7,437.50	7,000.00	437.50
	595	726	8,000.00	1,500.00	6,500.00
	Total		$34,657.36	$25,942.47	$8,714.89
Lyons Avenue					
	5	756	$6,250.00	$6,250.00	
	38	753	3,805.11	1,000.00	$2,805.11
	42	748	5,850.00	5,850.00	
	47	23	3,592.00	3,592.00	
	49	750	6,050.00	5,500.00	550.00
	53	759	8,000.00	7,000.00	1,000.00
	57	754	3,805.12	2,000.00	1,805.12
	62	762	8,000.00	7,000.00	1,000.00
	74	760	8,000.00	6,000.00	2,000.00

Exhibit O-5

109	910	$ 9,778.56	$5,500.00	$4,278.56
110	755	3,805.12	3,805.12	
125	761	8,000.00	7,000.00	1,000.00
143	752	7,660.84	4,000.00	3,660.84
317	944	10,353.56	6,000.00	4,353.56
337	757	5,650.00	1,000.00	4,650.00
360	209	7,200.00	2,000.00	5,200.00
364	758	7,500.00	6,000.00	1,500.00
433	884	8,103.56	5,000.00	3,103.56
Total		$121,403.87	$84,497.12	$36,906.75

Passaic-North Newark

9	305	$ 4,986.38	$1,000.00	$3,986.38
42	304	9,286.38	8,000.00	1,286.38
48	300	8,812.13	2,000.00	6,812.13
52	299	10,703.57	4,500.00	6,203.57
54	320	9,286.38	7,000.00	2,286.38
59	321	8,486.38	1,500.00	6,986.38
63	311	8,286.38	7,000.00	1,286.38
66	322	8,286.38	3,500.00	4,786.38
71	295	12,076.57	6,000.00	6,076.57
72	297	11,953.57	7,000.00	4,953.57
73	298	12,184.82	6,000.00	6,184.82
76	296	11,834.82	6,500.00	5,334.82
80	868	13,350.00	7,000.00	6,350.00
84	292	12,734.82	8,000.00	4,734.82
87	323	6,736.38	6,736.38	
Total		$149,004.96	$81,736.38	$67,268.58

Exhibit O-5

Roselle Park					
	17	B 391	$ 9,649.35	$4,500.00	$ 5,149.35
	28	1823	34,333.34	6,500.00	27,833.34
	41	1608	19,350.00	3,500.00	15,850.00
	43	1824	34,333.33	5,500.00	28,833.33
	44	1825	34,333.33	7,000.00	27,333.33
	47	261	13,290.69	1,000.00	12,290.69
	50	392	9,649.35	1,000.00	8,649.35
	51	1569	13,194.17	2,500.00	10,694.17
	52	1609	19,367.45	3,500.00	15,867.45
	53	393	9,649.35	3,500.00	6,149.35
	54	394	9,649.36	4,500.00	5,149.36
	63	1757	25,750.00	8,000.00	17,750.00
	65	395	9,649.35	6,000.00	3,649.35
	66	1610	19,350.00	1,500.00	17,850.00
	Total		$261,549.07	$58,500.00	$203,049.07
Kenilworth					
	73	233	$ 4,000.00	$4,000.00	
	74	234	4,000.00	4,000.00	
	75	235	4,000.00	4,000.00	
	76	236	3,500.00	3,500.00	
	77	237	3,000.00	3,000.00	
	87	1779	28,000.00	6,500.00	$21,500.00
	78	238	3,500.00	3,500.00	
	79	239	3,000.00	3,000.00	
	Total		$53,000.00	$31,500.00	$21,500.00
Hawthorne (Madison Ave.)					
	230	1542	$13,110.33	$6,500.00	$6,610.33
	231	1543	13,110.33	7,000.00	6,110.33

Exhibit O-5

232	1544	$13,110.33	$7,000.00	$6,110.33
233	1545	13,110.32	7,000.00	6,110.32
234	1539	13,110.31	7,000.00	6,110.31
235	1540	13,110.31	7,500.00	5,610.31
242	1541	13,110.31	7,500.00	5,610.31
243	1546	13,110.31	3,000.00	10,110.31
Total		$104,882.55	$52,500.00	$52,382.55
Hawthorne				
23	1577	$19,796.60	$5,500.00	$14,296.60
27	1535	17,821.29	5,500.00	12,321.29
37	1826	37,350.00	7,000.00	30,350.00
95	1580	19,792.85	3,500.00	16,292.85
97	1578	19,799.10	8,000.00	11,799.10
98	1579	19,797.85	3,500.00	16,297.85
Total		$134,357.69	$33,000.00	$101,357.69

W. W. BENDER, President

J. L. BAUER, Vice-President
E. S. HERSH, Vice-President
H. A. RATH, Vice-President

A. C. HUSBANDS, Treasurer

Elizabeth Chamber of Commerce

ELIZABETH, NEW JERSEY

M. D. GRIFFITH, SECRETARY

Ex.0.6

DIRECTORS
J. L. BAUER
W. W. BENDER
A. J. DAVID
C. D. DOCTOR
E. H. EWERTZ
E. S. HERSH
H. McMANUS
B. B. MILLER
E. D. MULFORD
A. O. MURRAY
H. A. RATH
A. C. STEIN

February 3rd, 1927.

REFERRED TO COMMITTEE ON
Public Lieuse
FEB 3 1927
Special Transportation

To the Honorable,
Board of Public Works,
Its President and Members thereof,
Elizabeth, N. J.

Gentlemen;-

Your petitioner is the Civic Council on Transportation, an organization composed of representatives of civic and sectional improvement associations within the City of Elizabeth.

At a meeting of the Council, held on Monday evening, January 31st, the undersigned committee was instructed to appear before your honorable body to officially call to your attention the pending application of the Public Service Railway Company for anincrease of fare by auto bus between Elizabeth and outlying municipalities. This committee has been instructed, and by this letter and personal visit, is carrying out its instructions, to appeal to you on behalf of these associations to oppose this application for an increase in fare now pending before the Public Utility Commissioners of this state.

We are instructed to request you to use, to the fullest extent, the legal and the engineering departments in opposing this application. The following appear, to the Council, as being self-evident facts.

1- The Public Service Railway Company were not the first to engage in motor bus transportation between Elizabeth and outlying municipalities. Independent lines so established apparently made a satisfactory profit on the old fare basis.

2- Public Service Railway Company purchased these buses of their own volition and it is currently reported that, in many instances, prices were paid far in excess of the cost of the equipment.

3- It was foreseen, many years ago, that Public Service was making an effort to buy up all independent buses on these routes so as to have control of the situation.

ELIZABETH CHAMBER OF COMMERCE HOTEL COMPANY
ELIZABETH CHAMBER OF COMMERCE EXPOSITION COMPANY
ELIZABETH CHAMBER OF COMMERCE CREDIT RATING BUREAU
ELIZABETH CHAMBER OF COMMERCE TRAFFIC BUREAU

W. W. BENDER, President

J. L. BAUER, Vice-President
E. S. HERSH, Vice-President
H. A. RATH, Vice-President

A. C. HUSBANDS, Treasurer

Elizabeth Chamber of Commerce

ELIZABETH, NEW JERSEY

M. D. GRIFFITH, SECRETARY

Ex 0.6.

DIRECTORS
J. L. BAUER
W. W. BENDER
A. J. DAVID
C. D. DOCTOR
E. H. EWERTZ
E. S. HERSH
H. McMANUS
R. B. MILLER
E. D. MULFORD
A. O. MURRAY
H. A. RATH
A. C. STEIN

4- The law now on the statue books, placing under the jurisdiction of the Public Utility Commissions, applications for new bus permits on routes paralleling trolley lines, makes it almost impossible for new independent routes to be established on such lines.

5- The Council has been informed that Public Service abandoned its trolley connection to Kenilworth a year befor it purchased the bus lines. It therefore has no investment to protect on this particular route.

6- Roselle Park, Union and Kenilworth, those municipalities affected by the proposed fare increase, are entirely residential areas and the people of those places seek employment in Elizabeth's industries, purchase at Elizabeth's stores, find amusement at Elizabeth's theaters, use the facilities of Elizabeth's banks and in general, for all practical purposes, are a part of the business section of this city.

Therefore, in order to protect the interest of the industries, the merchants in the business and professional men of this community, the Council appeals to you to exercise to the fullest extent, the authority vested in you and oppose this application.

Respectfully submitted,

H. A. Rath

Frank R. Fricke Jr.

REFERRED TO COMMITTEE ON
Public License
FEB 3 1927
Special Transportation

ELIZABETH CHAMBER OF COMMERCE HOTEL COMPANY
ELIZABETH CHAMBER OF COMMERCE EXPOSITION COMPANY
ELIZABETH CHAMBER OF COMMERCE CREDIT RATING BUREAU
ELIZABETH CHAMBER OF COMMERCE TRAFFIC BUREAU

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street as the most easterly portion of our own city.

5. The application of the Public Service Corporation (which has acquired practically all the bus licenses for buses operating between Roselle, Kenilworth, and Elizabeth) to be allowed to increase the fare to 10 cents, will work great and irretrievable hardships to the public at large, including business men, housewives and the workers, who reside in the places named, and who are employed in large numbers at the Singer Sewing Machine Works, and at the Standard Oil Company plant, at the South end of our city.

6. We submit that if the bus lines could be operated and conducted by individuals with great success, as has been demonstrated, then there can be no good reason why they cannot be operated when controlled by a company, at less cost, and therefore with greater profits. If there is any doubt as to whether the lines were successful in a financial point of view, under individual ownership, then the persons, who have disposed of their licenses and properties to the Public Service, should be brought before your Board and made to testify as to their earnings during the years of their ownership of the buses they operated.

We feel that an increase of fare under the circumstances should be denied.

Very respectfully yours,

East Jersey Street Improvement Association.

By

James C. Connolly.

James C. Connolly

Its Attorney.

1427

W. W. BENDER, President

J. L. BAUER, Vice-President
E. S. HERSH, Vice-President
H. A. RATH, Vice-President

A. C. HUSBANDS, Treasurer

Elizabeth Chamber of Commerce

ELIZABETH, NEW JERSEY

M. D. GRIFFITH, SECRETARY

DIRECTORS
J. L. BAUER
W. W. BENDER
A. J. DAVID
C. D. DOCTOR
E. H. EWERTZ
E. S. HERSH
H. McMANUS
B. B. MILLER
E. D. MULFORD
A. O. MURRAY
H. A. RATH
A. C. STEIN

February 1st, 1927.

Ex 0.6

Honorable Board of Public Works,
Its President and Members thereof,
Elizabeth, N. J.

Gentlemen;-

At a meeting of the Board of Directors of the Elizabeth Chamber of Commerce, held on Monday, January 31st, a resolution was adopted by which the Chamber of Commerce is opposed to the application of the Public Service Railway Company for an increase in fares on the auto buses between Elizabeth and outlying municipalities.

The Board directed me to inform you of its opinion and to express the hope that the City will officially take a vigorous stand in opposition to this application.

Very truly yours,

M. D. Griffith

M. D. Griffith,
Secretary.

MDG/K

REFERRED TO COMMITTEE ON

FEB 3 1927

Special Transportation

ELIZABETH CHAMBER OF COMMERCE HOTEL COMPANY
ELIZABETH CHAMBER OF COMMERCE EXPOSITION COMPANY
ELIZABETH CHAMBER OF COMMERCE CREDIT RATING BUREAU
ELIZABETH CHAMBER OF COMMERCE TRAFFIC BUREAU

1428

WILLIAM MOSS, 1ST. VICE PRESIDENT
LOUIS O. BOGART, 2ND. VICE PRESIDENT

CHARLES BRITTON, PRESIDENT

GEORGE R. WALSH SECRETARY
HOWELL M. STILLMAN, TREASURER

Broad Street Improvement Association

OFFICE OF SECRETARY
GEORGE R. WALSH
272-4 NORTH BROAD STREET, ELIZABETH, N. J.
PHONE EMERSON 0455

EXECUTIVE BOARD
GEORGE L. HIRTZEL, JR.
LAUREN E. TODD
HENRY NELSON
JAMES A. LAURIE
LEO H. SCHWED
ROBT. L. PATTERSON
SHERWOOD VAN CAMPEN
WM. L. CAHN
EDWARD LIFSON
WM. G. KEEFE
DAVID GREENBERG
JULIUS A. PARNES

MAY 18 1927
Ex. O.-6

February 7th, 1927

Board of Public Works,
City Hall,
Elizabeth, N.J.

Gentlemen:-

In view of the action of the Public Service Corporation in applying to the Board of Public Utilities for permission to increase the bus fares between Roselle, Roselle Park, Kenilworth and Elizabeth, it was deemed advisable by this Association, that the writer communicate with you and request that your office be used to register protest against any increase in fare, as proposed.

As you already know, the civic organizations of this city, and adjoining municipalities, are taking steps to oppose the attempt of the company to accomplish such object on February 16th next, and it is certain the sentiments of similar associations are expressed in asking your body to do that which may reasonably be done for the benefit of the residents of this and surrounding communities.

Respectfully yours,

Secretary.

REFERRED TO COMMITTEE ON

FEB 10 1927

Special Transportation

Office of the Mayor
ROSELLE PARK, N. J.

Ex. 0-6.

Alfred N. Bagley
MAYOR

February 8th, 1927.

Hpn. John F. Kenah,
Mayor of the City of Elizabeth.

Dear Mr. Mayor;

At the invitation of the Chamber of Commerce of your city, I attended a conference yesterday evening of representatives, from the various municipalities called for the purpose of discussing the proposed increase of bus fares between Elizabeth, Roselle Park, and Kenilworth. At the conference were members of various civic bodies of your city as well as representatives from your Board of Works.

At the suggestion of members of your Board of Works, the several representatives present were requested to write you as to the attitude of the various municipalities and of the civic bodies present towards the proposed increase of bus fares. Following this suggestion, I wish to say that the Borough of Roselle Park has joined with other Municipalities in engaging a traffic engineer to study the situation and to present the result of that investigation to the Board of Public Utility Commissioners on the 16th, instant at which time the matter is to be heard. It is idle to send an attorney before the Utility Commissioners on such a case unsupportd and unprepared.

The Borough of Roselle Park will be glad to have the City of Elizabeth cooperate with it in this matter and I feel sure the other Municipalities, resisting the increase, feel likewise if the City of Elizabeth decides to join with them. There is to be a conference on Wednesday afternoon of this week between the traffic engineers which have been engaged and the Attorneys of the several municipalities interested.

Yours Respectfully

A. N. Bagley

To the

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Ex. 0-6

To the Board of Public Utility Commissioners.

In re Proposed change of fare by the Public Service Railway Company, and Public Service Transportation Company.

Gentlemen: On behalf of the East Jersey Street Improvement Association of the City of Elizabeth, we desire to present the views of that association for the consideration of your Honorable body, in the above matter.

1. The City of Elizabeth, with a population variously estimated from 100,000, to 115,000, inhabitants, is the centre of a number of smaller towns lying South, West and North of it, from which much of its business is drawn. The city of Elizabeth at the same time gives employment in its various factories and other industries, to large numbers of the people residing in those towns.

2. The bus rate of transportation heretofore prevailing between Elizabeth and Roselle, and Roselle Park, including Kenilworth has been five cents, and the business has been carried on by private parties with financial success, and with satisfaction to the traveling public.

3. The distance between the principal business street, in the city of Elizabeth, and the most distant parts of the three towns mentioned does not exceed three miles, and if the most easterly parts of the city of Elizabeth are included, the distance is not more than five miles.

4. The said towns of Roselle, Roselle Park and Kenilworth, are practically a part of the city of Elizabeth, and are separated from it only by

ALBERT E. COOLEY, President
921 Westfield Ave., Elizabeth, N. J.

ROBERT S. STRYKER, Secretary
725 Magie Avenue, Elizabeth, N. J.

EL MORA ASSOCIATION, Inc.

ORGANIZED JANUARY 9, 1909

Ex 0-6

February 9th, 1927.

Board of Public Works,
City Hall,
Elizabeth, N. J.

Gentlemen:

At the regular monthly meeting of this association held Monday, February 7th, the following action was taken.

"That this Association is opposed to any increase in bus fares on the Roselle Park and Kenilworth lines."

This is for your information.

Yours very truly,

Robert S. Stryker
Secretary.

RSS.S

REFERRED TO COMMITTEE ON

FEB 1 0 1927

Special Transportation

Ex. 0.6.

BOARD OF WORKS

ELIZABETH, NEW JERSEY

WE, THE MEMBERS OF THE REGULAR DEMOCRATIC CLUB OF ROSELLE PARK, IN A PUBLIC MEETING HELD FRIDAY, FEBRUARY 4TH, DO PROTEST AGAINST THE MOST UNSATISFACTORY BUS SERVICE OF THE PUBLIC SERVICE CORPORATION BETWEEN ROSELLE PARK AND ELIZABETH.

THE CITIZENS OF OUR BOROUGH ARE COMPELLED TO WAIT FROM TEN TO THIRTY MINUTES IN ALL KINDS OF WEATHER FOR A BUS, AND THEN WHEN A BUS DOES ARRIVE AT A GIVEN POINT, IT PASSES BY WITHOUT STOPPING.

BE IT, THEREFORE, RESOLVED THAT, AS CITIZENS AND TAX-PAYERS OF ROSELLE PARK, WE DO MOST STRENUOUSLY PROTEST AGAINST ANY GRANTING OF AN INCREASE IN FARE TO THE PUBLIC SERVICE CORPORATION, AND DO CALL UPON THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK AND THE BOARD OF WORKS OF ELIZABETH TO PROTECT THE INTERESTS OF THE PEOPLE AND USE ALL MEANS IN THEIR POWER TO PREVENT THE PROPOSED)UNWARRANTED HOLD-UP OF THE PEOPLE WHO ARE COMPELLED TO USE THE PUBLIC SERVICE BUSES TO TRAVEL TO AND FRO BETWEEN ROSELLE PARK AND ELIZABETH.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE GIVEN TO THE PUBLIC PRESS OF THE COUNTY.

F.J. Bruns, Pres.
D.R. Coleman, Secy.

REFERRED TO COMMITTEE ON
Public Lieuse
FEB 1 01927
Special Transportation

Exhibit O-7.

May 18, 1927.
File 2/18/22
Referred to committee on Feb. 16, 1922.

Public Licenses

To the Honorable Board of Public Works:

Gentlemen:

The undersigned hereby applies for consent or license to operate an auto-bus in the City of Elizabeth as hereinafter mentioned, and as a basis for such consent or license gives the following facts:

Full Name Patsy Arace Age 30.
Residence 601 Third Ave.
Are you a citizen of the U. S.? Yes.
Have you a state driver's license? Yes.
How many years have you had a driver's license? 5 years.
Where are you now employed? Jitney owner and driver.
Do you intend to operate the bus yourself? Yes.
Name of owner of bus Patsy Arace
Chattel mortgage or other liens on same $3500.
Make of Auto-bus Packard.
Capacity 45.
Fare charged 5 cents
Route of Auto-bus Aldere Route

PATSY ARACE, Applicant.

Dated February 15, 1922.

New Jersey State Library

Exhibit O-7

State of New Jersey,
County of Union, ss:

Patsy Arace, of full age, being duly sworn on his oath, according to law, says:

That he is Patsy Arace, the above mentioned applicant for consent or license to operate an auto-bus as herein set forth, and that all of the statements and facts enumerated in said application are true. That no person or persons other than this deponent have any ownership in said auto-bus. That he will not consent to the operation of any other auto-bus under said consent or license except by consent of the Board of Public Works of the City of Elizabeth, nor sell, assign or transfer said auto-bus to any other person, persons or corporation, or any interest therein, during the continuance of said consent or license, and that any change in ownership of said auto-bus or any interest therein, or false statements in this application, shall be sufficient cause for the revocation of said consent or license. Deponent further says that he agrees to comply with all of the terms and conditions of a certain ordinance entitled "An ordinance fixing the terms of consent for the operation of auto-buses in the City of Elizabeth, as same are defined by Chapter 136 of the Laws of 1916," adopted by the Board of Public Works on June 1st, 1916, and the supplements thereto and amendments thereof.

PATSY ARACE.

Sworn and subscribed before me this
15th day of Feb. of A. D. 1922.
John F. Tenal,
Commissioner of Deeds of N. J.

Patsy Arace
Charles Montana
Thomas Malanga

Exhibit O-8.

May 18, 1927.
File 9/8/1919, R. B. C.

To the Honorable Board of Public Works:

Gentlemen:

The undersigned Max Wolchok hereby applies for consent or license to operate an auto-bus in the City of Elizabeth as hereinafter mentioned, and as a basis for such consent or license give the following facts:

Age 24 yrs.
Residence 96 St. George Ave., Lenden
Make of Auto-bus
Capacity
Fare charged Five cents
Route of Auto-bus So. Broad St.
Westfield Ave.

The undersigned hereby agrees to comply with any terms or conditions imposed by the Board of Public Works, and the terms and conditions of an ordinance adopted by the Board of Public Works, June 1, 1916.

MAX WOLCHOK,
Owner.

Dated August 22, 1919.

Referred to committee on Aug. 28, 1919.
Public Licenses

Exhibit O-8

Application to the Board of Works of Elizabeth made by Max Wolchok and about 70 others, signed by

Joseph Yurewitz
Joseph S. Williams
John Enright
Joseph Kramer
James Delaney
Mrs. Ida Cox
Louis Cohen
Hyman Cherlen
Frank Checchia
William T. Cantrell
John Blick
Stanley Hedzak
Emil A. Horsey
Jacob Safianov
Charles Squire Amatel
Saul Kahen
Joseph J. Keelan
John and Henry Keiler
George Gilbert Grablin
Joseph Busichio
Abe F. Fruedenberger
Albert G. Frank
William Henry Fink
Samuel Braunstein
Joseph Viscount
Union Express Company
Abraham S. Sarath
William J. Schmeltz
Mendel Segal
Mrs. H. Seigmeister
Isidore Seigmeister
Solomon Shapiro
Abraham Shumsky
B. Steinberg
Matthew Traina

Exhibit O-8

Union Express Company
Union Express Company
Tony Rauba
Joseph S. Reibel
Bernard Rogan
Fred Reich
Chas. Rusciano
Vincent S. Santone
Morris Lipscutz
Michael Litterella
Samuel Mailman
Thomas Malanga
Michael John Mark
Tony Martin
Isidore Mihomester
Harry Monyek
Paul Netta
Fred Lechner
Mike Lepree
John A. Kroibet
John H. Kirk
Joseph Kutzner
Moritz Lax
William Botwin
Roy D. Arthurs
John Kennedy
David Krasner
Joseph Gorczyca
Jacob Lazarow
Fred Lechner
Arthur J. Lewis
James P. Ilardo
Thomas F. Whalen
John L. Berine
Philip Benjamin
Bochenek & Silverman
James H. Wood
William Botwin

Exhibit O-9.

Municipalities' Schedule I.

PUBLIC SERVICE TRANSPORTATION COMPANY

ESTIMATED OPERATING RESULTS AND RETURN FOR THE CALENDAR YEAR 1927

1. Bus Miles Operated	42,000,000
2. Operating Revenues at 32¢ per Bus Mile	$13,440,000
3. Revenue Deductions (except federal income tax) at 28.70¢ per Bus Mile	12,054,000
4. Operating Income (before federal income tax)	$1,386,000
5. Federal Income Tax at 13 1/2% of Operating Income	187,000
6. Net Return Available on Investment	$1,199,000
7. Net Investment including Going Concern	$11,600,000
8. Rate of Return upon Net Investment	10.3%

EXPLANATION: Line 1—the number of estimated bus miles operated in 1927 (without enlarging the number of routes and the investment in buses) is based upon the monthly bus miles for October, November and December,

1926, and January, February and March, 1927 (Municipalities' Schedule III). Line 2—the estimated operating revenues per bus mile are based also upon Municipalities' Schedule III. Line 3—the estimated revenue deductions including operating expenses and taxes (except federal income tax) are based upon Municipalities' Schedule IV. Line 7—the investment is taken from Municipalities' Schedule V and represents the fair value of the property used in bus operation as of January 1, 1927.

Exhibit O-10.

Municipalities' Schedule II.

PUBLIC SERVICE TRANSPORTATION COMPANY

ESTIMATED OPERATING RESULTS AND RETURN FOR THE CALENDAR YEAR 1927

Months	Operating Revenue	Revenue Deductions	Operating Income
October—1926	$1,011,384.96	$923,451.56	$87,933.40
November "	1,026,973.31	935,051.62	91,921.69
December "	1,137,458.97	1,021,315.73	116,143.24
Total—Three Months	$3,276,373.65	$2,879,818.91	$295,998.33
January—1927	$1,112,794.49	$1,038,249.26	$74,545.23
February "	1,021,139.48	942,532.65	78,606.83
March "	1,142,439.68	1,025,969.33	116,470.35
Total—Three Months	$3,276,373.68	$3,006,751.24	$269,622.41
Total—Six Months	$6,452,190.89	$5,886,570.15	$565,620.74
Total—For Year	$12,904,381.78	$11,773,140.30	$1,131,241.48

RATE OF RETURN

Operating Income for the Year	$1,131,000
Net Investment including "going concern"	$11,600,000
Rate of Return	9.7%

EXPLANATION: This estimate for the calendar year 1927 is based upon the earnings of the last six months of operation available. The figures for the six months are doubled for the year. The operating revenues are taken directly from the Company's records. The deductions and operating income are taken from Municipalities' Schedule VI, which explains the adjustments made.

Exhibit O-11.

Municipalities' Schedule III.

PUBLIC SERVICE TRANSPORTATION COMPANY

OPERATING REVENUE ANALYSIS

	Operating Revenue		Bus Miles		Revenue Per Bus Mile	
	1925	1926	1925	1926	1925	1926
January	$543,234.13	$763,776.53	1,861,330	2,566,126	29.2	29.7
February	523,138.25	676,393.08	1,853,267	2,167,694	28.2	31.2
March	579,693.30	781,733.09	2,231,712	2,680,320	26.0	29.5
Total	$1,646,065.68	$2,221,902.70	5,946,309	7,414,140	27.7	29.9
April	$607,089.32	$969,307.52	2,172,758	3,156,990 *	27.9	30.7
May	612,528.69	914,092.49	2,288,369	3,060,376	26.7	29.8
June	588,597.86	907,553.68	2,233,818	3,053,968	26.3	29.7
Total	$1,808,215.87	$2,790,953.69	6,694,945	9,271,334	27.0	30.1
July	$612,764.97	$915,213.27	2,360,280	3,201,743	26.3	28.5
August	642,031.19	907,231.30	2,476,458	3,160,909	25.9	28.7
September	662,156.39	933,325.79	2,468,301	3,085,157	26.8	30.2
Total	$1,916,952.55	$2,755,770.36	7,305,039	9,447,809	26.2	29.1
October	$726,983.00	$1,011,394.96	2,538,690	3,260,080	28.6	31.0
November	706,010.44	1,026,973.31	2,437,137	3,238,718	28.9	31.7
December	784,287.08	1,137,458.97	2,584,373	3,450,324	30.3	32.9
Total	$2,217,280.52	$3,175,827.24	7,560,200	9,949,122	29.3	31.9
	1926	1927	1926	1927	1926	1927
January	$763,776.53	$1,112,794.49	2,566,126	3,475,052	29.7	32.2
February	676,393.08	1,021,139.48	2,167,694	3,195,104	31.2	31.9
March	781,733.09	1,142,439.68	2,680,320	3,636,964	29.5	31.4
Total	$2,221,902.70	$3,276,373.65	7,414,140	10,307,120	29.9	31.7

* Included in these figures are miles operated during January, February and March, 1926, by Newark-Paterson line not considered in the months during which they were actually operated = 3,156,990 (2,760,096).

Exhibit O-12.

Municipalities' Schedule IV.

PUBLIC SERVICE TRANSPORTATION COMPANY

STATEMENT OF ESTIMATED OPERATING REVENUE DEDUCTIONS FOR THE CALENDAR YEAR 1927

Maintenance of Plant and Equipment

Account	No.	Amount	Cents per bus mile
Superintendence of Plant and Equipment	1	$231,000	0.55
Maintenance Department Rents	2	273,000	0.65
Maintenance of Bldgs., Fixtures and Grounds	3	21,000	0.05
Maintenance of Bus Bodies	4	315,000	0.75
Maintenance of Bus Chassis	5	1,470,000	3.50
Tires and Tubes	6	546,000	1.30
Maintenance of Shop and Garage Equipment	8	21,000	0.05
Maint. and Operation of Service Motor Equipment	9	42,000	0.10
Shop Expenses	10	63,000	0.15
Retirement Expense	11	1,281,000	3.05
Total Maintenance of Plant and Equipment		$4,263,000	10.15

Operating Garage Expenses

Fuel for Revenue Vehicles	15	$1,743,000	4.15
Lubricants for Revenue Vehicles	16	147,000	0.35

Exhibit O-12

Garage Employees	17	420,000	1.00	
Garage Supplies and Expenses	18	168,000	0.40	
Total Operating Garage Expenses		$2,478,000	5.90	10
Transportation				
Superintendence of Transportation	20	$315,000	0.75	
Bus Operators	21	3,024,000	7.20	
Transportation Rents	23	21,000	0.05	
Road Expense	27	21,000	0.05	
Other Transportation Expenses	28	63,000	0.15	20
Total Transportation		$3,444,000	8.20	
Traffic Promotion				
Super. and Solicitation—Advertising	30-31	$21,000	0.05	30
Total Traffic Promotion		$21,000	0.05	
General And Miscellaneous Expenses				
Salaries and Expenses of General Officers	34	$21,000	0.05	
Salaries and Expenses of Gen. Office Clerks	35	42,000	0.10	40
General Office Supplies and Expenses	36	21,000	0.05	

Exhibit O-12

General Law Expenses	37	42,000	0.10
Pensions, Gratuities, Sick Benefits, Etc.	42	21,000	0.05
Safety Dept. and Misc. General Expenses	43	105,000	0.25
Injuries and Damages	47	735,000	1.75
Insurance	48	84,000	0.20
Stores Expenses	49	63,000	0.15
Total General and Miscellaneous Expenses		$1,134,000	2.70
Total Operating Expenses		$11,340,000	27.00

Taxes

Local Licenses—5% Tax	61-62	$567,000	1.35
State Licenses	63	105,000	0.25
Personal Property Tax	65	21,000	0.05
Real Estate Tax	66	21,000	0.05
Total Taxes		$714,000	1.70
Total Operating Deductions		$12,054,000	28.70

EXPLANATION: The amounts are based upon an estimate of 42,000,000 bus miles to be operated in 1927 (Municipalities' Schedule III), and upon ratios as stated.

Exhibit O-12

PUBLIC SERVICE TRANSPORTATION COMPANY

EXPLANATIONS—MUNICIPALITIES' SCHEDULE IV.

The Schedule is based upon an expected operation of 42,000,000 bus miles during the calendar year 1927. The average expected cost per bus mile is estimated for each operating expense and tax account (except federal income tax). The cost per bus mile is stated at the nearest five-hundredths of one cent. In each instance it represents the normal cost at present range of wages and prices of materials under the same accounting methods and bases of dividing costs between jointly participating companies as were used in 1926. It takes into account monthly changes in cost during 1926 and the first three months of 1927.

Account 1—Superintendence of Plant and Equipment; 0.55¢ based upon the average cost of 1926. Account 2—Maintenance of Department Rents; 0.65¢ based upon charges maintained during the last six months of 1926 and 1927; 1926 average 0.72¢. Account 3—Maintenance of Buildings, Fixtures and Grounds; 0.05¢ based upon 1927 charges; 1926 average 0.01¢. Account 4—Maintenance of Bus Bodies; 0.75¢ based upon 1926 average. Account 5—Maintenance of Bus Chassis; 3.50¢ based upon last six months of 1926 and 1927; average for 1926 4.07¢. Account 6—Tires and Tubes; 1.30¢ based upon last five months of 1926 and 1927; 1926 average 1.58¢. Account 8A and 8B—Maintenance of Shop and Garage Expenses; two accounts combined 0.05¢ based upon 1926 and 1927; 1926 average 0.02¢. Account 9—Maintenance and Operation of Service Motor Equipment; 0.10¢ based

upon last six months of 1926 and 1927; 1926 average 0.12¢. Account 10—Shop Expenses; 0.15¢ based upon last six months of 1926 and on comparison of January, February and March 1927 with same months 1926; 1926 average 0.18¢. Account 11—Retirement Expense; based upon 1926 average and 1927; 1926 average 3.03¢.

Account 15—Fuel For Revenue Vehicles; 4.15¢ based upon last six months 1926 and 1927; 1926 average 3.84¢. Account 16—Lubricants for Revenue Vehicles; 0.35¢ based upon last six months 1926 and 1927; 1926 average 0.37. Account 17—Garage Employees; 1.00¢ based upon last six months of 1926 and comparison of January, February and March 1927 with same months of 1926; 1926 average 1.12¢. Account 18—Garage Supplies and Expenses; 0.40¢ based upon last six months of 1926 and comparison of January, February and March 1927 with same months of 1926; 1926 average 0.46¢.

Account 20—Superintendence of Transportation; 0.75¢ based upon 1926 average of 0.76¢. Account 21—Bus Operators; 7.20¢ based upon the last six months of 1926 and comparison of 1927 with same months of 1926; 1926 average 7.41¢. Account 23—Transportation Rents; 0.05¢ based upon 1926 average and on 1927; 1926 average 0.06¢. Account 27—Road Expenses; 0.05¢ based on 1926 average and 1927; 1926 average 0.03¢.

Accounts 30-31—Traffic Promotion; 0.05 based on 1926 average of 0.01¢.

Account 34—Salaries and Expenses of General Officers; 0.05¢ based on the 1926 average of 0.05¢. Account 35—Salaries and Expenses of General Office Clerks; 0.10¢ based on 1926 average of 0.11¢. Account

Exhibit O-12

36—General Office Supplies and Expenses: 0.05¢ based on 1926 average of 0.01¢. Account 37—General Law Expenses; 0.10¢ based on 1926 average of 0.08¢. Accounts 41-42—Relief Department Expenses, Pensions, Sick Benefits, etc; 0.05¢ based on 1926 average of 0.04¢ for these accounts combined. Account 43A and 43B—Safety Department Expenses and Other Miscellaneous General Expenses; 0.25¢ based upon 1926 average of 0.23¢. Account 47—Injuries and Damages; 1.75¢ based upon last six months of 1926 and comparison of January, February and March 1927 with same months of 1926. Account 48—Insurance; 0.20¢ based upon average of 1926 of 0.20¢; charges for 1927 materially decreased. Account 49—Stores Expenses; 0.15¢ based on 1926 average of 0.16¢; charges somewhat less in 1927.

Accounts 61-62—Local Licenses and 5% Tax; 1.35¢ based upon 1926 average and on 1927; 1926 average 1.23¢. Account 63—State Licenses; 0.25¢ based on 1926 average of 0.26¢. Account 64—Federal Excise Tax of Motor Buses; charges discontinued since June 1926. Account 65—Personal Property Tax; 0.05¢ based upon 1926 average and 1927; 1926 average 0.06¢. Account 66—Real Estate Tax; 0.05¢ based upon 1926 average of 0.03¢ and same rate for 1927.

Exhibit O-13.

Municipalities Schedule V.

PUBLIC SERVICE TRANSPORTATION COMPANY

Investment in Tangible Property Including Going Concern July 1, 1923, to December 31, 1926.

	1923	1924	1925	1926
1. Total Fixed Capital as of December 31	$760,917	$5,588,856	$11,406,591	$18,229,197
2. Other Intangible Capital	—	1,987,644	3,932,030	8,414,872
3. Fixed Tangible Capital	$760,917	$3,601,212	$7,474,561	$9,814,325
4. Depreciation	15,900	289,940	1,164,631	1,320,769
5. Net Fixed Tangible Capital	$745,017	$3,311,272	$6,309,930	$8,493,556
6. Working Capital—Cash, Materials and Supplies	132,174	332,479	518,890	463,071
7. Prior Going Concern	—	28,502	1,002,803	2,170,635
8. Total Capital as of December 31	$877,191	$3,672,253	$7,831,623	$11,127,262
9. Average Capital for the Year	$219,298	$2,288,973	$6,239,089	$10,063,359
10. Return at 7% per annum	$15,351	$ 160,228	$ 436,736	$ 704,435
11. Operating Deficit for the Year	13,151	814,073	731,096	(s) 232,230
12. Going Concern Cost for the Year	$28,502	$ 974,301	$1,167,832	$ 472,205
13. Total Investment including Going Concern as of December 31	$905,693	$4,646,554	$8,999,455	$11,599.467
14. Percent "Going Concern Cost"	3%	21%	24%	23%

Exhibit O-13

GOING CONCERN COST

Year	Accrued During Year	Total at Close of Year
1923	$28,502	$28,502
1924	974,301	1,002,803
1925	1,167,832	2,170,635
1926	472,205	2,642,840

EXPLANATION: (s)—Surplus. The "Going Concern Cost" accrued for each year is the sum of the operating deficit as shown by the Company's income statement for each year, plus the return at 7% upon the average net capital for the year. Since for 1926 there was an operating income, this sum is deducted from the 7% return to give the "Going Concern Cost" for the year. The capital data are taken from the Company's records supplied to the Municipalities. The depreciation deducted is the amount of the "Retirement Reserve" stated in the Company's balance and is predicated upon 3¢ per bus mile charged to operating expenses.

Exhibit O-13a.

Municipalities Schedule Va.

PUBLIC SERVICE TRANSPORTATION COMPANY

CAPITAL CHARGES FOR PRIVATE BUSES PURCHASED

Permit No.	Purchase Price	Tangible Value	Intangible Charge	Ratio of Tang. to Intang.
Clinton Avenue				
66	$16,028.89	$ 850.00	$15,178.89	18:1
73	15,627.50	1,210.13	14,417.37	12:1
76	7,000.00	2,858.13	4,141.87	2:1
93	6,649.46	1,696.15	4,953.31	3:1
105	6,600.00	3,548.16	3,051.84	1:2*
197	3,603.34	3,106.92	496.42	1:6*
200	6,692.46	2,224.52	4,467.84	2:1
286	6,500.00	2,408.75	4,091.25	2:1
313	5,942.46	916.75	5,025.71	5:1
431	4,592.46	701.68	3,890.78	6:1
450	8,750.00	3,190.91	5,559.09	2:1
503	5,442.46	2,837.75	2,604.71	1:2*
546	6,342.47	1,932.92	4,409.55	2:1
Total	$99,771.50	$27,482.77	$72,288.73	3:1
Springfield Avenue				
13	$11,042.18	$ 2,364.40	$ 8,677.78	4:1
23	12,818.56	2,233.95	10,584.61	5:1
48	11,361.40	2,116.45	9,244.95	4:1
55	11,711.40	3,096.36	8,615.04	3:1
75	15,180.65	1,905.59	13,275.06	7:1
96	12,161.40	2,373.82	9,787.58	4:1

Exhibit O-13a

100	4,407.84	3,050.29	1,357.55	1:2*
202	10,361.40	1,723.33	8,638.07	5:1
208	12,161.40	1,917.81	10,243.59	5:1
327	9,775.51	3,216.93	6,558.58	1:1
339	12,536.40	1,701.99	10,834.41	6:1
342	12,161.40	1,599.65	10,561.75	7:1
343	9,043.36	2,471.91	6,571.45	2:1
351	12,715.00	1,467.28	11,247.72	8:1
391	12,161.40	2,412.80	9,748.60	4:1
402	13,182.05	1,280.61	11,901.44	9:1
422	11,161.40	2,691.64	8,469.76	3:1
445	15,180.65	1,947.05	13,233.60	8:1
461	10,411.40	2,752.97	7,658.43	3:1
520	11,161.40	2,639.52	8,521.88	3:1
538	7,561.40	141.90	7,419.50	52:1
Total	$238,257.60	$45,106.25	$193,151.35	5:1

Lyons Avenue

5	$ 6,250.00	$ 2,827.14	$ 3,422.86	1:1
38	3,805.11	761.31	3,043.80	5:1
49	6,050.00	2,950.09	3,099.91	2:1
53	8,000.00	3,186.64	4,813.36	2:1
57	3,805.12	907.33	2,897.79	3:1
62	8,000.00	3,438.75	4,561.25	1:1
109	9,778.56	2,281.51	7,497.05	3:1
125	8,000.00	2,842.07	5,517.93	2:1
317	10,353.56	2,274.76	8,078.80	4:1
337	5,650.00	2,822.34	2,827.66	1:1
360	7,200.00	2,176.15	5,023.85	2:1
364	7,500.00	1,869.46	5,630.54	3:1
Total	$84,392.35	$28,337.55	$56,054.80	2:1

Exhibit O-13b.

	Permit No.	Purchase Price	Tangible Value	Intangible Charge	Ratio of Tang. to Intang.
	Clinton Place				
10	195	$ 5,442.47	$1,991.85	$ 3,450.62	2:1
	537	7,437.50	3,243.22	4,194.28	1:1
	595	8,000.00	884.58	7,115.42	8:1
	Total	$20,879.97	$6,119.65	$14,760.32	2:1
	Roselle Park				
	17	$ 9,649.35	$ 4,743.25	$ 4,906.10	1:1
	41	19,350.00	1,431.19	17,918.81	13:1
20	47	13,290.69	2,791.86	10,498.83	3:1
	52	19,367.45	1,398.46	17,968.99	13:1
	53	9,649.35	4,524.20	5,125.15	1:1
	54	9,649.36	4,433.73	5,215.63	1:1
	65	9,649.35	4,622.36	5,026.99	1:1
	66	19,350.00	1,616.81	17,733.19	11:1
	Total	$109,955.55	$25,561.86	$84,393.69	3:1
30	Kenilworth				
	73	$ 4,000.00	$ 3,051.93	$ 948.07	1:3*
	74	4,000.00	3,240.56	759.44	1:4*
	75	4,000.00	3,217.10	782.90	1:4*
	76	3,500.00	2,196.00	1,304.00	1:1*
	77	3,000.00	1,995.65	1,004.35	1:2*
	78	3,500.00	2,341.56	1,158.44	1:2*
	79	3,000.00	2,919.96	80.04	1:36*
40	Total	$25,000.00	$18,962.76	$6,037.24	1:3*

Exhibit O-13b

Hawthorne				
230	$13,110.33	$1,626.33	$11,484.00	7:1
233	13,110.31	1,887.41	11,222.90	5:1
242	13,110.31	2,062.20	11,048.11	5:1
243	13,110.31	1,672.68	11,437.63	7:1
Total	$52,441.26	$7,248.62	$45,192.64	7:1
Passaic* North Newark				
9	$ 4,986.38	$ 675.57	$ 4,310.81	6:1
42	9,286.38	2,742.97	6,543.41	2:1
48	8,812.13	693.70	8,118.43	12:1
52	10,703.57	2,789.79	7,913.78	3:1
59	8,486.38	718.09	7,768.29	11:1
63	8,286.38	2,511.54	5,774.84	2:1
66	8,286.38	1,179.77	7,106.61	6:1
71	12,076.57	1,598.75	10,477.82	7:1
72	11,953.57	2,840.62	9,112.95	3:1
84	12,734.82	2,600.68	10,134.14	4:1
87	6,736.38	949.73	5,786.65	6:1
Total	$95,612.56	$18,351.48	$77,261.08	4:1
Rutherford Newark				
189	$14,486.39	$2,415.78	$12,070.61	5:1
591	12,186.40	2,074.22	10,112.18	5:1
Total	$26,672.79	$4,490.00	$22,182.79	5:1

Exhibit O-14.

Municipalities' Schedule Vb.

PUBLIC SERVICE TRANSPORTATION COMPANY

DATA RELATIVE TO PRIVATE BUSES PURCHASED AND RETIRED

Lines	Number of Buses	Total Purchase Price	Charge to Intang. Capt.	Charge to Tangible Capital	Selling Price or Salvage	Depreciation	Charged Back Intang. Capt.	Credit to Property	Ratio of Intangible to Tangible
1. Clinton Avenue									
(a) Total Cost	13	$99,771.50	$72,288.73	$27,482.77	$9,361.96	$18,120.81	$34,497.96	$61,980.73	3:1
(b) Cost per Bus		7,674.73	5,560.67	2,114.06	720.15	1,393.91	2,653.69	4,767.75	3:1
2. Springfield Avenue									
(a) Total Cost	21	238,257.60	193,151.35	45,106.25	17,002.17	28,104.08	54,801.59	99,907.84	4:1
(b) Cost per Bus		11,345.60	9,197.68	2,147.92	809.63	1,338.29	2,609.60	4,757.52	4:1
3. Lyons Avenue									
(a) Total Cost	12	84,392.35	56,054.80	28,337.55	8,504.36	19,833.19	27,912.45	56,250.00	2:1
(b) Cost per Bus		7,032.70	4,671.23	2,361.46	708.70	1,486.10	2,326.04	4,687.50	2:1
4. Clinton Place									
(a) Total Cost	3	20,879.97	14,760.32	6,119.65	1,709.79	4,409.86	7,822.82	13,942.47	2:1
(b) Cost per Bus		6,959.99	4,920.10	2,039.88	569.93	1,469.95	2,607.61	4,637.49	2:1
5. Roselle Park									
(a) Total Cost	8	109,955.55	84,393.69	25,561.86	6,800.00	18,761.86	2,438.14	28,000.00	3:1
(b) Cost per Bus		13,744.44	10,549.21	3,195.23	850.00	2,345.23	304.77	3,500.00	3:1
6. Kenilworth									
(a) Total Cost	7	25,000.00	6,037.24	18,962.76	5,950.00	13,012.76	6,037.24	25,000.00	1:3*
(b) Cost per Bus		3,571.43	862.46	2,708.97	850.00	1,858.97	862.46	3,571.43	1:3*
7. Hawthorne									
(a) Total Cost	4	56,441.26	49,192.64	7,248.62	3,400.00	3,848.62	17,251.38	24,500.00	7:1
(b) Cost per Bus		14,110.32	12,298.16	1,812.16	850.00	962.16	4,312.85	6,125.00	7:1
8. Passaic—North Newark									
(a) Total Cost	11	95,612.56	77,261.08	18,351.48	5,258.72	14,042.71	35,934.95	55,236.38	4:1
(b) Cost per Bus		8,692.05	7,023.73	1,668.32	478.07	1,276.61	3,266.81	5,021.49	4:1
Total Cost of Eight (8) Lines									
(a) Total Cost	79	730,310.79	553,139.85	177,170.94	57,987.00	120,133.89	186,696.53	364,817.42	3:1
(b) Cost per Bus		9,244.44	7,001.77	2,230.01	734.01	1,520.68	2,224.01	4,617.94	3:1

Exhibit O-15.

PUBLIC SERVICE TRANSPORTATION COMPANY

COMPARATIVE INCOME STATEMENTS

	6 Months Ended December 31, 1923	12 Months Ended December 31, 1924	12 Months Ended December 31, 1925	12 Months Ended December 31, 1926
Transportation Revenues				
Passenger Revenue	$112,472.75	$4,083,279.60	$7,509,421.18	$10,748,130.18
Special Bus Revenue	847.00	20,300.79	30,879.40	96,768.96
Miscellaneous Operating Revenues				
Revenue from Station and Bus Privileges	30.00	3,147.57	37,626.90	50,205.00
Rent from Buildings and Other Property		510.00	11,795.92	22,268.21
Other Operating Revenues	547.70	25,882.44	18,781.22	27,071.64
Total Operating Revenues	$113,897.45	$4,133,120.40	$7,608,504.62	$10,944,443.99
Operating Expenses				
Maintenance of Plant and Equipment	49,894.53	1,949,969.17	3,332,046.05	3,979,250.23
Operating Garage Expenses	20,663.38	925,833.76	1,532,129.39	2,084,727.87
Transportation	36,651.58	1,479,267.25	2,445,565.15	3,033,034.24
Traffic Promotion		1,228.68	1,814.79	1,956.63
General and Miscellaneous Expenses	12,343.80	353,326.72	600,126.93	1,004,579.16
Total Operating Expenses	$119,553.29	$4,709,625.58	$7,911,682.31	$10,103,548.13
Total Taxes	7,495.08	237,567.61	427,918.15	608,665.52
Total Operating Revenue Deductions	$127,048.37	$4,947,193.19	$8,339,600.46	$10,712,213.65
Operating Income	*$13,150.92*	*$814,072.79*	*$731,095.84*	$232,230.34

Exhibit O-15

Non-Operating Revenues				
Income from Unfunded Securities and Accounts	$632.77	$2,832.18	$4,038.42	$5,655.33
Miscellaneous Non-Operating Revenues	24.94			2,212.44
Total Non-Operating Revenues	657.71	2,832.18	4,038.42	7,867.77
Gross Income	*12,493.21*	*811,240.61*	*727,057.42*	240,098.11
Income Deductions				
Interest on Funded Debt			4,072.50	109,855.00
Interest on Unfunded Debt				
Miscellaneous Income Deductions		28,352.07	10,233.21	25,847.56
Total Income Deductions				16,878.34
		28,352.07	14,305.71	152,580.70
Net Income	*12,493.21*	*839,592.68*	*741,363.13*	87,517.41
Profit and Loss				
Miscellaneous Debits				1,921.53
Miscellaneous Credits	*203.99*	*41.98*		
Total Profit and Loss	*203.99*	*41.98*		1,921.53
Net Increase or Decrease in Surplus	*$12,289.22*	*$839,550.70*	*$741,363.13*	$85,595.88
Bus Miles		15,669,848	27,506,493	36,082,405
Bus Hours			3,273,801	4,013,602

Exhibit O-

PUBLIC SERVICE TR
COMPAN

COMPARATIVE BALA

Years 1923 to 192

December 31
1923

LIABILITIES	Detail Accounts	Indicant Accounts	De Acc
ital Stock Issued		150,000.00	
ded Debt			
ances from Affiliated Companies		1,305,000.00	
s Payable		13,986.00	
ited Accounts and Wages Payable		4,289.46	
iliated Companies	524.46		112
naffiliated Companies	3,765.00		151
ellaneous Accounts Payable		1,000.00	
r Current Liabilities			
natured Interest			
s Accrued		407.00	
r Accrued Liabilities			
r Unadjusted Credits			
rating Reserves			
rement Reserve		15,900.00	
		1,490,582.46	

ANSPORTATION
Y

NCE SHEET

5 Inclusive.

December 31 1924		December 31 1925		December 31 1926	
tail ounts	Indicant Accounts	Detail Accounts	Indicant Accounts	Detail Accounts	Indicant Accounts
	5,150,000.00		10,000,000.00		10,000,000.00
			148,000.00		3,025,000.00
	2,267,493.16		1,767,493.16		5,342,493.16
			2,400.00		
	263,744.11		473,694.52		477,391.31
639.60		260,450.76		72,684.89	
104.51		213,243.76		404,706.42	
	72,287.79		74,086.91		54,775.02
	180.73		1,749.98		8,505.70
			1,362.91		44,185.00
	29,954.26		36,269.94		83,259.31
	23,645.00				914.00
	708.57		19,544.19		29,074.61
			100,000.00		275,000.00
	289,940.05		1,164,630.84		1,320,768.78
	8,097,953.67		13,789,232.45		20,661,366.89

Exhibit O-16.

PUBLIC SERVICE TRANSPORTATION COMPANY

Bus Equipment as of December 31st, 1926

	From Independents	New	Total
Buses purchased	1,053	752	1,805
Buses retired from service	635	44	679
Buses owned as of December 31, 1926	418	708	1,126
Number of buses scheduled			939
Number of spare buses			158
Idle buses awaiting retirement			29
			1,126

Exhibit O-17.

PUBLIC SERVICE TRANSPORTATION COMPANY

Buses Operated on the Lines Affected by the Petition

	Regularly Scheduled	Spares (Est. 15%)	Total
Bloomfield	24	4	28
Clinton Avenue	31	5	36
Clinton Place	8	1	9
Hawthorne	10	1	11
Kenilworth	7	1	8
Lyons Avenue	18	3	21
Madison Avenue-Hawthorne	4	1	5
Kearney-Rutherford	8	1	9
Passaic-North Newark	12	2	14
Roselle Park	14	2	16
Springfield Avenue	33	5	38
	169	26	195

In addition to the regularly scheduled buses extra tripper buses are operated to meet daily variations in rush hour requirements.

Exhibit O-18.

PUBLIC SERVICE TRANSPORTATION COMPANY.

Data Relative to Bus Purchases.

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Auth.	Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged Back A/C 504
		CLINTON AVENUE											
34	711	E. T. Ulickny	12-8-23	$ 5,242.47	Schwartz	21	1922	—	—	—	—	—	—
45	725	M. Goldberg	12-23-23	3,403.34	Armledder	17	1920	—	—	—	—	—	—
58	1695	Edward Nugent, Jr.	4-30-26	22,500.00	Pierce Arrow	27	1924	—	—	—	—	—	—
66	1529	Louis Pollock	7-22-25	16,028.89	Garford	23	1922	109	10-31-26	$ 850.00	$3,500.00		$2,650.00
73	1576	A. J. Stockheimer	9-12-25	15,627.50	Bessemer	25	1924	109	12-31-26	850.00	6,500.00	360.13	5,289.87
76	716	C. Weiner	12-20-23	7,000.00	Mack	23	1920	109	10-31-26	850.00	3,500.00	2,008.13	641.87
81	1536	J. Schmidt	7-31-25	15,678.89	Mack	23	1922	—	—	—	—	—	—
90	1799	Leon H. Moore	10-26-26	30,500.00	Garford	27	1925	—	—	—	—	—	—
93	721	Estate of A. Saperstein (Decd.)	4-21-24	6,649.46	Acme	22	1921	109	10-31-26	850.00	2,500.00	846.15	803.85
98	1798	A. W. Smith	10-26-26	30,500.00	Pierce Arrow	29	1924	—	—	—	—	—	—
105	718	W. J. Papscoe	1-16-24	6,600.00	Mack	21	1922	109	6-30-26	850.00	5,500.00	2,698.16	1,951.84
112	1800	J. Lifland	10-26-26	30,500.00	Garford	27	1924	—	—	—	—	—	—
120	724	C. R. Englund	1-26-24	5,442.46	Acme	14	1922	—	—	—	—	—	—
146	1696	Ira S. Eisenstein	4-30-26	22,000.20	Mack	25	1925	—	—	—	—	—	—
152	1792	S. Michalek	10-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
197	210	H. Shiffman	12-10-23	3,603.34	Garford	24	1922	109	10-31-26	850.00	3,603.34	2,256.92	496.42
200	720	J. Binder	1-4-24	6,692.46	Mack	25	1921	109	10-31-26	850.00	3,500.00	1,374.52	1,275.48
213	1537	Alex Wanczyk	7-31-25	15,808.89	Mack	21	1923	—	—	—	—	—	—
230	1791	T. T. Van Keuven	10-26-26	30,500.00	Mack	27	1924	—	—	—	—	—	—
233	1793	T. T. Van Keuven	10-26-26	30,500.00	Mack	22	1924	—	—	—	—	—	—
242	1697	Julius Kraft	4-30-26	20,250.50	Pierce Arrow	25	1924	—	—	—	—	—	—
247	1538	C. A. Ross	7-31-25	15,528.89	Mack	21	1922	—	—	—	—	—	—
264	1699	Benet Lizerman	4-30-26	22,000.50	White	25	1924	—	—	—	—	—	—
286	723	J. Wager	1-6-24	6,500.00	Schwartz	21	1923	109	6-30-26	850.00	5,500.00	1,558.75	3,091.25
306	1794	W. J. Gould	10-26-26	30,500.00	Mack	22	1924	—	—	—	—	—	—
313	719	G. C. Cowan	1-15-24	5,942.46	Service	21	1922	47	12-31-24	2.17	4,500.00	914.58	3,583.25
314	702	G. R. Barry	11-30-23	7,437.50	Garford	15	1922	—	—	—	—	—	—
340	712	H. Bornstein	12-8-23	6,492.47	Pierce Arrow	27	1922	—	—	—	—	—	—
350	1795	Geo. Kalnyansky	10-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
356	707	E. A. Bertrand	11-5-23	4,592.46	Rainier	25	1923	—	—	—	—	—	—
368	722	J. Weimann	1-7-24	5,000.00	Service	20	1922	—	—	—	—	—	—
399	704	G. R. Barry	11-30-23	7,437.50	Garford	16	1922	—	—	—	—	—	—
404	703	G. R. Barry	11-30-23	7,437.50	Garfield	15	1922	—	—	—	—	—	—
431	708	E. A. Bertrand	11-5-23	4,592.46	Service	18	1922	62	10-31-26	9.79	4,592.46	691.89	3,890.78
437	709	E. A. Bertrand	11-5-23	4,592.46	Concord	21	1921	—	—	—	—	—	—
440	1796	R. Puschko	10-26-26	30,500.00	Mack	27	1924	—	—	—	—	—	—
450	700	G. White	3-31-24	8,750.00	Packard	25	1923	109	10-31-26	850.00	7,000.00	2,340.91	3,809.09
503	705	A. Siroth	11-5-23	5,442.46	Garford	22	1922	109	10-31-26	850.00	5,442.46	1,987.75	2,604.71
504	727	M. Goldberg	6-7-24	5,528.56	Oneida	21	1921	—	—	—	—	—	—

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY.

Data Relative to Bus Purchases.

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged Back A/C 504
		CLINTON AVENUE (Continued)											
546	713	N. Steinberg	12-21-23	$6,342.47	Garford	23	1922	109	10-31-26	$850.00	$6,342.47	$1,082.92	$4,409.55
576	1797	Benjamin Phillips	10-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
599	1815	August Spindler	11-3-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
				631,646.09						9,361.96	61,980.73	18,120.81	34,497.96
		SPRINGFIELD AVENUE	2-13-24										
13	799	J. Gruber	2-13-24	11,042.18	Bessemer	21	1923	109	6-30-26	850.00	6,500.00	1,514.40	4,135.60
23	991	L. Lehrhoff	9-8-24	12,818.56	Ultimate	25	1921	109	10-31-26	850.00	2,500.00	1,383.95	266.05
24	884	M. Fasman	4-25-24	11,286.40	Mack	25	1922	—	—	—	—	—	—
41	207	B. Tucker	4-23-24	12,661.40	Mack	20	1923	—	—	—	—	—	—
48	843	W. Jorre	4-25-24	11,361.40	Ultimate	16	1922	109	10-31-26	850.00	4,500.00	1,266.45	2,383.55
55	841	A. Shapiro	4-25-24	11,711.40	Mack	23	1922	109	10-31-26	850.00	5,500.00	2,246.36	2,403.64
68	1785	George J. Grimm	10-27-26	30,500.00	Rehberger	23	1925	—	—	—	—	—	—
75	1508	Edw. M. Reichelt	7-1-25	15,180.65	Pierce Arrow	28	1924	109	10-31-26	850.00	7,000.00	1,055.59	5,094.41
96	847	C. Westerman	4-24-24	12,161.40	Bridgeport	23	1923	109	10-31-26	850.00	6,000.00	1,523.82	3,626.18
100	870	S. Bernstein	4-25-24	4,407.84	Ultimate	20	1924	109	10-31-26	850.00	4,407.84	2,200.29	1,357.55
153	1510	E. M. DeHart	7-2-25	13,680.59	Schwartz	20	1922	—	—	—	—	—	—
164	849	M. Shapiro	4-25-24	12,511.40	Schwartz	18	1923	—	—	—	—	—	—
202	842	B. Jorre	4-25-24	10,361.40	Ultimate	20	1919	109	10-31-26	850.00	1,000.00	873.33	D 723.33
208	839	H. Namarowsky	4-25-24	12,161.40	Bridgeport	20	1923	109	6-30-26	850.00	6,000.00	1,067.81	4,082.19
259	1804	Springfield Ave. Bus Co., Inc.	10-27-26	30,500.00	Mack	22	1922	—	—	—	—	—	—
278	1591	Antonio Grieco	9-28-25	21,527.28	Mack	25	1923	—	—	—	—	—	—
327	797	J. Holzhauer	1-3-24	9,775.51	Concord	20	1922	109	12-31-26	850.00	4,500.00	2,366.93	1,283.07
333	1786	Benj. Rose	10-27-26	30,500.00	Rehberger	23	1925	—	—	—	—	—	—
339	840	J. H. Smith	4-25-24	12,536.40	Schwartz	23	1923	109	10-31-26	850.00	5,500.00	851.99	3,798.01
342	852	M. Lerman	4-25-24	12,161.40	Bridgeport	20	1923	109	10-31-26	850.00	6,000.00	749.65	4,400.35
343	798	B. Beyer	1-16-24	9,043.36	Mack	28	1921	109	10-31-26	850.00	3,500.00	1,621.91	1,028.09
344	846	H. Lanskroner & A. Weich	4-25-24	13,311.40	Mack	23	1924	—	—	—	—	—	—
345	1787	J. & A. Ehrhardt	10-29-26	30,500.00	Rehberger	23	1926	—	—	—	—	—	—
351	1575	Max Green	9-11-25	12,715.00	Ultimate	25	1922	109	10-31-26	850.00	4,500.00	617.28	3,032.72
352	851	S. Cohen	4-25-24	12,511.40	Schwartz	22	1923	—	—	—	—	—	—
357	1789	F. J. Noll	10-27-26	30,500.00	Pierce Arrow	27	1924	—	—	—	—	—	—
358	829	Herman & Goldner	4-17-24	13,161.40	Mack	20	1923	—	—	—	—	—	—
391	828	Thomas Burfardi	4-17-24	12,161.40	Mack	18	1922	109	10-31-26	850.00	5,500.00	1,562.80	3,087.20
402	1509	A. A. Marsh	7-21-25	13,182.05	Garford	20	1923	109	12-31-26	850.00	5,500.00	430.61	4,219.39
405	830	Chas. Bernstein	4-17-24	11,161.40	Sterling	20	1921	—	—	—	—	—	—

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY,

Data Relative to Bus Purchases.

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Auth.	Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged Back A/C 504
		SPRINGFIELD AVENUE (Continued)											
421	206	H. Tucker	4-24-24	$12,661.40	Mack	23	1923	—	—	—	—	—	—
422	850	A. Wilson	4-24-24	11,161.40	Mack	23	1922	109	6-30-26	$850.00	$5,500.00	$1,841.64	$2,808.36
445	1507	Gus Hagmann	7-1-25	15,180.65	Pierce Arrow	28	1925	109	10-31-26	850.00	8,000.00	1,097.05	6,052.95
446	848	D. Rice	4-25-24	13,511.40	Mack	23	1923	—	—	—	—	—	—
451	1788	I. M. Noll	10-27-26	30,500.00	Rehberger	27	1926	—	—	—	—	—	—
461	827	H. Dehm	4-21-24	10,411.40	Mack	22	1920	109	6-30-26	650.00	1,500.00	1,902.97	D1,252.97
464	992	M. Lehrhoff	9-8-24	13,318.56	Mack	20	1923	—	—	—	—	—	—
520	845	S. Ostrowsky	4-24-24	11,161.40	Ultimate	25	1922	109	10-31-26	650.00	4,500.00	1,789.52	1,860.48
525	1790	H. Jubin	10-27-26	30,500.00	Mack	22	1923	—	—	—	—	—	—
538	853	G. Shapiro	4-30-24	7,561.40	Gary	20	1921	47	12-31-24	2.17	2,000.00	139.73	1,858.10
				613,061.63						17,002.17	99,907.84	28,104.08	54,801.59
		LYONS AVENUE											
5	756	E. E. Colger	1-23-24	$6,250.00	Garford	22	1923	109	10-31-26	850.00	6,250.00	1,977.14	3,422.86
38	753	Auto Bus Oper. Co.	12-19-23	5,805.11	Ultimate	20	1920	47	12-31-24	2.18	1,000.00	759.13	238.69
42	748	E. Brown	12-21-23	5,850.00	Packard	25	1922	—	—	—	—	—	—
47	23	Clara Bauer	12-10-23	3,592.00	Larabee	25	1922	—	—	—	—	—	—
49	750	H. E. A. Hanfield	12-10-23	6,050.00	Mack	25	1921	109	10-31-26	850.00	5,500.00	2,100.09	2,549.91
53	759	H. West	3-3-24	8,000.00	Garford	25	1923	109	10-31-26	850.00	7,000.00	2,336.64	3,813.36
57	754	Auto Bus Oper. Co.	12-19-23	3,805.12	Seldon	25	1923	47	12-31-24	2.18	2,000.00	905.15	1,092.67
62	762	J. Breitkoff	3-6-24	8,000.00	Garford	23	1923	109	6-30-26	850.00	7,000.00	2,588.75	3,561.25
74	760	P. Buonura	3-3-24	8,000.00	Larabee	23	1923	—	—	—	—	—	—
109	910	M. Asarnow	6-17-24	9,778.56	Schwartz	25	1923	109	10-31-26	850.00	5,500.00	1,431.51	3,218.49
110	755	Auto Bus Oper. Co.	12-19-23	3,805.12	Seldon	24	1922	—	—	—	—	—	—
125	761	J. Reinig	3-3-24	8,000.00	Garford	25	1923	109	10-31-26	850.00	7,000.00	1,992.07	4,157.93
143	752	Essex Bus Co.	12-12-23	7,660.84	Master	20	1921	—	—	—	—	—	—
317	944	H. Pochtar	7-14-24	10,353.56	Clinton	25	1923	109	10-31-26	850.00	6,000.00	1,424.76	3,725.24
337	757	J. Parella	1-31-24	5,650.00	Ultimate	20	1920	109	6-30-26	850.00	1,000.00	1,972.34	D1,822.34
360	209	S. J. Herman	4-17-24	7,200.00	Gary	24	1921	109	10-31-26	850.00	2,000.00	1,326.15	D 176.15
364	758	H. Meyer	2-27-24	7,500.00	Larabee	15	1923	109	6-30-26	850.00	6,000.00	1,019.46	4,130.54
433	884	J. P. & E. Cooper	6-11-24	8,103.56	Seldon	20	1922	—	—	—	—	—	—
				121,403.87						8,504.36	56,250.00	19,833.19	27,912.45
		CLINTON PLACE											
35	714	M. Hawkins	12-21-23	5,542.47	Garford	15	1921	—	—	—	—	—	—
64	715	F. L. Geisheimer	12-18-23	4,642.46	Gary	18	1921	—	—	—	—	—	—
195	706	A. Sirota	11-5-23	5,442.47	Garford	25	1922	109	10-31-26	850.00	5,442.47	1,141.85	3,450.62
469	710	E. A. Berthracid	11-5-23	3,592.46	Ultimate	17	1920	—	—	—	—	—	—
537	701	J. R. Barry	11-30-23	7,437.50	Garford	21	1922	109	10-31-26	850.00	7,000.00	2,393.22	3,756.78
595	726	J. Cantelena	4-11-24	8,000.00	Packard	21	1920	62	10-31-26	9.79	1,500.00	874.79	615.42
										1,709.79	13,942.47	4,409.86	7,822.82

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY,

Data Relative to Bus Purchases.

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged Back A/C 504
		ROSELLE PARK											
17	391	N. Kotler	10-6-24	$9,649.35	Brockway	20	1922	109	6-30-26	$850.00	$4,500.00	$3,893.25	D $243.25
28	1823	Thos. Laccietelli	11-23-26	34,333.34	Rehberger	22	1926	—	—	—	—	—	—
41	1608	S. Schlepka	11-20-25	19,350.00	White	20	1922	109	6-30-26	850.00	3,500.00	581.19	2,068.81
43	1824	Elizabeth Auto Bus Co.	11-23-26	34,333.33	Pierce Arrow	22	1924	—	—	—	—	—	—
44	1825	Elizabeth Auto Bus Co.	11-23-26	34,333.33	Pierce Arrow	22	1924	—	—	—	—	—	—
47	261	A. Weiner	1-7-25	13,290.69	Gary	25	1921	109	12-31-26	850.00	1,000.00	1,941.86	D1,791.86
50	392	M. Kotler	10-6-24	9,649.35	Brockway	18	1919	—	—	—	—	—	—
51	1569	John Zyglarsky	8-31-25	13,194.17	Diamond T	23	1922	—	—	—	—	—	—
52	1609	A. Novitzkie	11-20-25	19,367.45	White	20	1922	109	10-31-26	850.00	3,500.00	548.46	2,101.54
53	393	A. Enright	10-6-24	9,649.35	Mack	20	1921	109	6-30-26	850.00	3,500.00	3,674.20	D1,024.20
54	394	J. B. Morris	10-6-24	9,649.36	Brockway	20	1922	109	6-30-26	850.00	4,500.00	3,583.73	66.27
63	1757	R. Barry & P. Donohue	9-24-26	25,750.00	Mack	29	1926	—	—	—	—	—	—
65	395	T. Burman	10-6-24	9,649.35	Maccar	20	1923	109	6-30-26	850.00	6,000.00	3,772.36	1,377.64
66	1610	L. Cels & C. Nontti	11-20-25	19,350.00	Packard	20	1921	109	6-30-26	850.00	1,500.00	766.81	D 116.81
				261,549.07						6,800.00	28,000.00	18,761.86	2,438.14
		KENILWORTH											
73	233	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,201.93	948.07
74	234	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,390.56	759.44
75	235	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,367.10	782.90
76	236	United Bus Co.	9-29-24	3,500.00	Garford	14	1923	109	6-30-26	850.00	3,500.00	1,346.00	1,304.00
77	237	United Bus Co.	9-20-24	3,000.00	Garford	14	1923	109	6-30-26	850.00	3,000.00	1,145.65	1,004.35
87	1779	Henry J. Fischer	10-19-26	28,000.00	Rehberger	25	1926	—	—	—	—	—	—
78	236	United Bus Co.	9-29-24	3,500.00	Garford	14	1923	109	6-30-26	850.00	3,500.00	1,491.56	1,158.44
79	239	United Bus Co.	9-29-24	3,000.00	Ultimate	25	1923	109	6-30-26	850.00	3,000.00	2,069.96	80.04
				53,000.00						5,950.00	25,000.00	13,012.76	6,037.24
		HAWTHORNE (Madison Avenue)											
230	1542	G. & B. Trans. Co.	7-29-25	13,110.33	Federal	28	1924	109	10-31-26	850.00	6,500.00	776.33	4,873.67
231	1543	G. & B. Trans. Co.	7-29-25	13,110.33	Mack	28	1924	—	—	—	—	—	—
232	1544	G. & B. Trans. Co.	7-29-25	13,110.33	Mack	28	1924	—	—	—	—	—	—
233	1545	G. & B. Trans. Co.	7-29-25	13,110.32	Mack	28	1924	—	—	—	—	—	—
234	1539	Meola Trans. Co.	7-29-25	13,110.31	Mack	30	1924	—	—	—	—	—	—
235	1540	Meola Trans. Co.	7-29-25	13,110.31	Federal	28	1925	109	10-31-26	850.00	7,500.00	1,037.41	5,612.59
242	1541	Meola Trans. Co.	7-29-25	13,110.31	Federal	30	1925	109	10-31-26	850.00	7,500.00	1,212.20	5,437.80
243	1546	G. & B. Trans. Co.	7-29-25	13,110.31	Reo	23	1924	109	10-31-26	850.00	3,000.00	822.68	1,327.32
				108,882.55						3,400.00	24,500.00	3,848.62	17,251.38

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY,

Data Relative to Bus Purchases.

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date of Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged Back A/C 504
		HAWTHORNE											
23	1577	Ballone Trans. Co.	9-12-25	$19,796.60	Mack	25	1923	—	—	—	—	—	—
27	1535	Rosewall Trans. Co.	7-27-25	17,821.29	White	25	1923	—	—	—	—	—	—
37	1826	Hawthorne Transit Co.	11-30-26	37,350.00	White	25	1925	—	—	—	—	—	—
95	1580	H. Rothman	9-14-25	19,792.85	White	25	1922	—	—	—	—	—	—
97	1578	A. & R. Barsky	9-12-25	19,799.10	White	25	1925	—	—	—	—	—	—
98	1579	Hamilton Trans. Co.	9-12-25	19,797.85	White	25	1922	—	—	—	—	—	—
				134,357.69									

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY

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Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date of Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
		CLINTON AVENUE											
34	711	E. T. Ulickny	12- 8-23	$ 5,242.47	Schwartz	21	1922	—	—	—	—	—	—
45	725	M. Goldberg	12-23-23	3,403.34	Armledder	17	1920	—	—	—	—	—	—
58	1695	Edward Hugent, Jr.	4-30-26	22,500.00	Pierce Arrow	27	1924	—	—	—	—	—	—
66	1529	Louis Pollock	7-22-25	16,028.89	Garford	23	1922	109	10-31-26	$850.00	$ 3,500.00	—	$ 2,650.00
73	1576	A. J. Stockheimer	9-12-25	15,627.50	Beesemer	25	1924	109	12-31-26	850.00	6,500.00	360.13	5,289.87
76	716	C. Weiner	12-20-23	7,000.00	Mack	23	1920	109	10-31-26	850.00	3,500.00	2,008.13	641.87
81	1536	J. Schmidt	7-31-25	15,678.89	Mack	23	1922	—	—	—	—	—	—
90	1799	Leon H. Moore	10-26-26	30,500.00	Garford	27	1925	—	—	—	—	—	—
93	721	Estate of A. Saperstein (Decd.)	4-21-24	6,649.46	Acme	22	1921	109	10-31-26	850.00	2,500.00	846.15	803.85
98	1798	A. W. Smith	10-26-26	30,500.00	Pierce Arrow	29	1924	—	—	—	—	—	—
105	718	W. J. Papscoe	1-16-24	6,600.00	Mack	21	1922	109	6-30-26	850.00	5,500.00	2,698.16	1,951.84
112	1800	J. Lifland	10-26-26	30,500.00	Garford	27	1924	—	—	—	—	—	—
120	724	C. R. Englund	1-26-24	5,442.46	Acme	14	1922	—	—	—	—	—	—
146	1696	Ira S. Eisenstein	4-30-26	22,000.20	Mack	25	1925	—	—	—	—	—	—
152	1792	S. Michalek	10-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
197	210	H. Shiffman	12-10-23	3,603.34	Garford	24	1922	109	10-31-26	850.00	3,603.34	2,256.92	496.42
200	720	J. Binder	1- 4-24	6,692.46	Mack	25	1921	109	10-31-26	850.00	3,500.00	1,374.52	1,275.48
213	1537	Alex Wanczyk	7-31-25	15,808.89	Mack	21	1923	—	—	—	—	—	—
230	1791	T. T. Van Keuven	10-26-26	30,500.00	Mack	27	1924	—	—	—	—	—	—
233	1793	T. T. Van Keuven	10-26-26	30,500.00	Mack	22	1924	—	—	—	—	—	—
242	1697	Julius Kraft	4-30-26	20,250.50	Pierce Arrow	25	1924	—	—	—	—	—	—
247	1538	C. A. Ross	7-31-25	15,528.89	Mack	21	1922	—	—	—	—	—	—
264	1699	Benet Lizerman	4-30-26	22,000.50	White	25	1924	—	—	—	—	—	—
286	723	J. Wager	1- 6-24	6,500.00	Schwartz	21	1923	109	6-30-26	850.00	5,500.00	1,558.75	3,091.25
306	1794	W. J. Gould	10-26-26	30,500.00	Mack	22	1924	—	—	—	—	—	—
313	719	G. C. Cowan	1-15-24	5,942.46	Service	21	1922	47	12-31-24	2.17	4,500.00	914.58	3,583.25
314	702	G. R. Barry	11-30-23	7,437.50	Garford	15	1922	—	—	—	—	—	—
340	712	H. Bornstein	12- 8-23	6,492.47	Pierce Arrow	27	1922	—	—	—	—	—	—
350	1795	Geo. Kalnyansky	110-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
356	707	E. A. Bertrand	11- 5-23	4,592.46	Rainier	25	1923	—	—	—	—	—	—
368	722	J. Weimann	1- 7-24	5,000.00	Service	20	1922	—	—	—	—	—	—
399	704	G. R. Barry	11-30-23	7,437.50	Garford	16	1922	—	—	—	—	—	—
404	703	G. R. Barry	11-30-23	7,437.50	Garfield	15	1922	—	—	—	—	—	—
431	708	E. A. Bertrand	11- 5-23	4,592.46	Service	18	1922	62	10-31-26	9.79	4,592.46	691.89	3,890.78
437	709	E. A. Bertrand	11- 5-23	4,592.46	Concord	21	1921	—	—	—	—	—	—
440	1796	R. Puschko	10-26-26	30,500.00	Mack	27	1924	—	—	—	—	—	—
450	700	G. White	3-31-24	8,750.00	Packard	25	1923	109	10-31-26	850.00	7,000.00	2,340.91	3,809.09
503	705	A. Siroth	11- 5-23	5,442.46	Garford	22	1922	109	10-31-26	850.00	5,442.46	1,987.75	2,604.71
504	727	M. Goldberg	7- 7-24	5,528.56	Oneida	21	1921	—	—	—	—	—	—

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY

Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
		CLINTON AVENUE, Cont'd.											
546	713	N. Steinberg	12-21-23	$ 6,342.47	Garford	23	1922	109	10-31-26	$ 850.00	$ 6,342.47	$ 1,082.92	$ 4,409.55
576	1797	Benjamin Phillips	10-26-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
599	1815	August Spindler	11- 3-26	30,500.00	Mack	27	1925	—	—	—	—	—	—
				631,646.09						9,361.96	61,980.73	18,120.81	34,497.96
		SPRINGFIELD AVENUE	2-13-24										
13	799	J. Gruber	2-13-24	11,042.18	Bessemer	21	1923	109	6-30-26	850.00	6,500.00	1,514.40	4,135.60
23	991	L. Lehrhoff	9- 8-24	12,818.56	Ultimate	25	1921	109	10-31-26	850.00	2,500.00	1,383.95	266.05
24	884	M. Fasman	4-25-24	11,286.40	Mack	25	1922	—	—	—	—	—	—
41	207	B. Tucker	4-23-24	12,661.40	Mack	20	1923	—	—	—	—	—	—
48	843	W. Jorre	4-25-24	11,361.40	Ultimate	16	1922	109	10-31-26	850.00	4,500.00	1,266.45	2,383.55
55	841	A. Shapiro	4-25-24	11,711.40	Mack	23	1922	109	10-31-26	850.00	5,500.00	2,246.36	2,403.64
68	1785	George J. Grimm	10-27-26	30,500.00	Rehberger	23	1925	—	—	—	—	—	—
75	1508	Edw. M. Reichelt	7- 1-25	15,180.65	Pierce Arrow	28	1924	109	10-31-26	850.00	7,000.00	1,055.59	5,094.41
96	847	C. Westerman	4-24-24	12,161.40	Bridgeport	23	1923	109	10-31-26	850.00	6,000.00	1,523.82	3,626.18
100	870	S. Bernstein	4-25-24	4,407.84	Ultimate	20	1924	109	10-31-26	850.00	4,407.84	2,200.29	1,357.55
153	1510	E. M. DeHart	7- 2-25	13,680.59	Schwartz	20	1922	—	—	—	—	—	—
164	849	M. Shapiro	4-25-24	12,511.40	Schwartz	18	1923	—	—	—	—	—	—
202	842	B. Jorre	4-25-24	10,361.40	Ultimate	20	1919	109	10-31-26	850.00	1,000.00	873.33	D 723.33
208	839	H. Namarowsky	4-25-24	12,161.40	Bridgeport	20	1923	109	6-30-26	850.00	6,000.00	1,067.81	4,082.19
259	1804	Springfield Ave. Bus Co. Inc.	10-27-26	30,500.00	Mack	22	1922	—	—	—	—	—	—
278	1591	Antonio Grieco	9-28-25	21,527.28	Mack	25	1923	—	—	—	—	—	—
327	797	J. Holzhauer	1- 3-24	9,775.51	Concord	20	1922	109	12-31-26	850.00	4,500.00	2,366.94	1,283.07
333	1786	Benj. Rose	10-27-26	30,500.00	Rehberger	23	1925	—	—	—	—	—	—
339	840	J. H. Smith	4-25-24	12,536.40	Schwartz	23	1923	109	10-31-26	850.00	5,500.00	851.99	3,798.01
342	852	M. Lerman	4-25-24	12,161.40	Bridgeport	20	1923	109	10-31-26	850.00	6,000.00	749.65	4,400.35
343	798	B. Boyer	1-16-24	9,043.36	Mack	28	1921	109	10-31-26	850.00	3,500.00	1,621.91	1,028.09
344	846	H. Lanskroner & A. Weich	4-25-24	13,311.40	Mack	23	1924	—	—	—	—	—	—
345	1787	J. & A. Ehrhardt	10-29-26	30,500.00	Rehberger	23	1926	—	—	—	—	—	—
351	1575	Max Green	9-11-25	12,715.00	Ultimate	25	1922	109	10-31-26	850.00	4,500.00	617.28	3,032.72
352	851	S. Cohen	4-25-24	12,511.40	Schwartz	22	1923	—	—	—	—	—	—
357	1789	F. J. Noll	10-27-26	30,500.00	Pierce Arrow	27	1924	—	—	—	—	—	—
358	829	Herman & Goldner	4-17-24	13,161.40	Mack	20	1923	—	—	—	—	—	—
391	828	Thomas Burfardi	4-17-24	12,161.40	Mack	18	1922	109	10-31-26	850.00	5,500.00	1,562.80	3,087.20
402	1509	A. A. Marsh	7-21-25	13,182.05	Garford	20	1923	109	12-31-26	850.00	5,500.00	430.61	4,219.39
405	830	Chas. Bernstein	4-17-24	11,161.40	Sterling	20	1921	—	—	—	—	—	—

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY

Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
		SPRINGFIELD AVENUE Cont'd											
421	206	H. Tacker	4-24-24	$ 12,661.40	Mack	23	1923	—	—	—	—	—	—
422	850	A. Wilson	4-24-24	11,161.40	Mack	23	1922	109	6-30-26	$ 850.00	$ 5,500.00	$ 1,841.64	$ 2,808.36
4445	1507	Gus Hagmann	7- 1-25	15,180.65	Pierce Arrow	28	1925	109	10-31-26	850.00	8,000.00	1,097.05	6,052.95
446	848	D. Rice	4-25-24	13,511.40	Mack	23	1923	—	—	—	—	—	—
451	1768	I. M. Moll	10-27-26	30,500.00	Rehberger	27	1926	—	—	—	—	—	—
461	827	H. Dahm	4-21-24	10,411.40	Mack	22	1920	109	6-30-26	850.00	1,500.00	1,902.97	D1,252.97
464	992	M. Lehrhoff	9- 8-24	13,318.56	Mack	20	1923	—	—	—	—	—	—
520	845	S. Gatrowsky	4-24-24	11,161.40	Ultimate	25	1922	109	10-31-26	850.00	4,500.00	1,789.52	1,806.48
525	1790	H. Jubin	10-27-26	30,500.00	Mack	22	1923	—	—	—	—	—	—
538	853	G. Shapiro	4-30-24	7,561.40	Gary	20	1921	47	12-31-24	2.17	2,000.00	139.73	1,858.10
				615,601.63						17,002.17	99,907.84	28,104.08	54,801.59
		LYONS AVENUE											
5	756	E. E. Colger	1-23-24	$ 6,250.00	Garford	22	1923	109	10-31-26	850.00	6,250.00	1,977.14	3,422.86
36	753	Auto Bus Oper. Co.	12-19-23	3,805.11	Ultimate	20	1920	47	12-31-24	2.18	1,000.00	759.13	238.69
42	748	E. Brown	12-21-23	5,850.00	Packard	25	1922	—	—	—	—	—	—
47	23	Clara Bauer	12-10-23	3,592.00	Larabee	25	1922	—	—	—	—	—	—
49	750	E. E. A. Ranfield	12-10-23	6,050.00	Mack	25	1921	109	10-31-26	850.00	5,500.00	2,100.09	2,549.91
53	759	H. West	3- 3-24	8,000.00	Garford	25	1923	109	10-31-26	850.00	7,000.00	2,336.64	3,813.36
57	754	Auto Bus Oper. Co.	12-19-23	3,805.12	Selden	25	1923	47	12-31-24	2.18	2,000.00	905.15	1,092.67
62	762	J. Breitkoff	3- 6-24	8,000.00	Garford	23	1923	109	6-30-26	850.00	7,000.00	2,588.75	3,561.25
74	760	P. Buonura	3- 3-24	8,000.00	Larabee	23	1923	—	—	—	—	—	—
109	910	M. Asarnow	6-17-24	9,778.56	Schwartz	25	1923	109	10-31-26	850.00	5,500.00	1,431.51	3,218.49
110	755	Auto Bus Oper. Co.	12-19-23	3,805.12	Selden	24	1922	—	—	—	—	—	—
125	761	J. Reinig	3- 3-24	8,000.00	Garford	25	1923	109	10-31-26	850.00	7,000.00	1,992.07	4,157.93
143	752	Essex Bus Co.	12-12-23	7,660.84	Master	20	1921	—	—	—	—	—	—
317	944	H. Pochtar	7-14-24	10,353.56	Clinton	25	1923	109	10-31-26	850.00	6,000.00	1,424.76	3,725.24
337	757	J. Parella	1-31-24	5,650.00	Ultimate	20	1920	109	6-30-26	850.00	1,000.00	1,972.34	D 1,822.34
360	209	S. J. Herman	4-17-24	7,200.00	Gary	24	1921	109	10-31-26	850.00	2,000.00	1,326.15	D 176.15
364	758	H. Meyer	2-27-24	7,500.00	Larabee	15	1923	109	6-30-26	850.00	6,000.00	1,019.46	4,130.54
433	884	J. P. & E. Cooper	6-11-24	8,103.56	Selden	20	1922	—	—	—	—	—	—
				121,403.87						8,504.36	56,250.00	19,833.19	27,912.45
		CLINTON PLACE											
35	714	M. Hawkins	12-21-23	5,542.47	Garford	15	1921	—	—	—	—	—	—
64	715	F. L. Geisheimer	12-18-23	4,642.46	Gary	18	1921	—	—	—	—	—	—
195	706	A. Sirota	11- 5-23	5,442.47	Garford	25	1922	109	10-31-26	850.00	5,442.47	1,141.85	3,450.62
469	710	E. A. Berthracid	11- 5-23	3,592.46	Ultimate	17	1920	—	—	—	—	—	—
537	701	J. R. Barry	11-30-23	7,437.50	Garford	21	1922	109	10-31-26	850.00	7,000.00	2,393.22	3,756.78
595	726	J. Cantelena	4-11-24	8,000.00	Packard	21	1920	62	10-31-26	9.79	1,500.00	874.79	615.42
										1,709.79	13,942.47	4,409.86	7,822.82

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY

Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date of Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
		ROSELLE PARK											
17	391	N. Kotler	10- 6-24	$ 9,649.35	Brockway	20	1922	109	6-30-26	$850.00	$ 4,500.00	$ 3,893.25	D $243.25
28	1823	Thos. Lacoietelli	11-22-26	34,333.34	Rehberger	22	1926	—	—	—	—	—	—
41	1608	S. Schlepka	11-20-26	19,350.00	White	20	1922	109	6-30-26	850.00	3,500.00	581.19	2,068.81
43	1824	Elizabeth Auto Bus Co.	11-23-26	34,333.33	Pierce Arrow	22	1924	—	—	—	—	—	—
44	1825	Elizabeth Auto Bus Co.	11-23-26	34,333.33	Pierce Arrow	22	1924	—	—	—	—	—	—
47	261	A. Weiner	1- 7-25	13,290.69	Gary	25	1921	109	12-31-26	850.00	1,000.00	1,941.86	D1,791.86
50	392	M. Kotler	10- 6-24	9,649.35	Brockway	18	1919	—	—	—	—	—	—
51	1569	John Zyglarsky	8-31-25	13,194.17	Diamond T	23	1922	—	—	—	—	—	—
52	1609	A. Novitzkie	11-20-25	19,367.45	White	20	1922	109	10-31-26	850.00	3,500.00	548.46	1,101.54
53	393	A. Enright	10- 6-24	9,649.35	Mack	20	1921	109	6-30-26	850.00	3,500.00	3,674.20	D1,024.20
54	394	J. B. Norris	10- 6-24	9,649.36	Brockway	20	1922	109	6-30-26	850.00	4,500.00	3,583.73	66.27
63	1757	R. Barry & P. Donohue	9-24-26	25,750.00	Mack	29	1926	—	—	—	—	—	—
65	395	T. Burman	10- 6-24	9,649.35	Maccar	20	1923	109	6-30-26	850.00	6,000.00	3,772.36	1,377.64
66	1610	L. Cels & C. Montti	11-20-25	19,350.00	Packard	20	1921	109	6-30-26	850.00	1,500.00	766.81	D 116.61
				261,549.07						6,800.00	28,000.00	18,761.86	2,438.14
		KENILWORTH											
73	233	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,201.93	948.07
74	234	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,390.56	759.44
75	235	United Bus Co.	9-29-24	4,000.00	Day Elder	25	1924	109	10-31-26	850.00	4,000.00	2,367.10	782.90
76	236	United Bus Co.	9-29-24	3,500.00	Garford	14	1923	109	6-30-26	850.00	3,500.00	1,346.00	1,304.00
77	237	United Bus Co.	9-20-24	3,500.00	Garford	14	1923	109	6-30-26	850.00	3,000.00	1,145.65	1,004.35
87	1779	Henry J. Fischer	10-19-26	28,000.00	Rehberger	25	1926	—	—	—	—	—	—
78	236	United Bus Co.	9-29-24	3,500.00	Garford	14	1923	109	6-30-26	850.00	3,500.00	1,491.56	1,158.44
79	239	United Bus Co.	9-29-24	3,000.00	Ultimate	25	1923	109	6-30-26	850.00	3,000.00	2,069.96	80.04
				53,000.00						5,950.00	25,000.00	13,012.76	6,037.24
		HAWTHORNE (Madison Avenue)											
230	1542	C. & B. Trans. Co.	7-29-25	13,110.33	Federal	28	1924	109	10-31-26	850.00	6,500.00	776.33	4,873.67
231	1543	C. & B. Trans. Co.	7-29-25	13,110.33	Mack	28	1924	—	—	—	—	—	—
232	1544	C. & B. Trans. Co.	7-29-25	13,110.33	Mack	28	1924	—	—	—	—	—	—
233	1545	C. & B. Trans. Co.	7-29-25	13,110.32	Mack	28	1924	—	—	—	—	—	—
234	1539	Meola Trans. Co.	7-29-25	13,110.31	Mack	30	1924	—	—	—	—	—	—
235	1540	Meola Trans. Co.	7-29-25	13,110.31	Federal	28	1925	109	10-31-26	850.00	7,500.00	1,037.41	5,612.59
242	1541	Meola Trans. Co.	7-29-25	13,110.31	Federal	30	1925	109	10-31-26	850.00	7,500.00	1,212.20	5,437.80
243	1546	C. & B. Trans. Co.	7-29-25	13,110.31	Reo	23	1924	109	10-31-26	850.00	3,000.00	822.68	1,327.32
				108,882.55						3,400.00	24,500.00	3,848.62	17,251.38

Exhibit O-18

PUBLIC SERVICE TRANSPORTATION COMPANY

Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date of Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
23	1577	Ballone Trans. Co.	9-12-25	$ 19,796.60	Mack	25	1923	—	—	—	—	—	—
27	1535	Rosewall Trans. Co.	7-27-25	17,821.29	White	25	1923	—	—	—	—	—	—
37	1826	Hawthorne Transit Co.	11-30-26	37,350.00	White	25	1925	—	—	—	—	—	—
95	1580	H. Rothman	9-14-25	19,792.85	White	25	1922	—	—	—	—	—	—
97	1578	A. & R. Barsky	9-12-25	19,799.10	White	25	1925	—	—	—	—	—	—
98	1579	Hamilton Trans. Co.	9-12-25	19,797.85	White	25	1922	—	—	—	—	—	—
				134,357.69									

PUBLIC SERVICE TRANSPORTATION COMPANY

Data Relative to Bus Purchases

Permit No.	Identification No.	From Whom Purchased	Date of Purchase	Purchase Price	Make	Seating Capacity	Date of Mfg.	Date of Retirement Auth.	Date of Retirement Date	Selling Price or Salvage	Amount Credited to Property Account	Amount of Earned Depreciation	Amount Charged back A/C 504
		PASSAIC NORTH NEWARK											
9	305	B. Tanis	12- 3-23	$ 4,986.38	Grant	15	1922	47	12-31-24	$ 2.18	$ 1,000.00	$ 673.39	$ 324.43
42	304	F. Lombands	12-14-23	9,286.38	Garford	23	1923	109	10-31-26	850.00	8,000.00	1,892.97	5,257.03
48	300	J. D. Pola	12-24-23	8,812.13	Apex	21	1921	47	12-31-24	2.18	2,000.00	691.52	1,306.30
52	299	H. A. Travis	6-20-24	10,703.57	Ultimate	25	1922	109	10-31-26	850.00	4,500.00	1,939.79	1,710.21
54	320	S. Scarletta	12-14-23	9,286.38	White	25	1922	—	—	—	—	—	—
59	321	J. Pantis	12-14-23	8,486.38	White	24	1920	47	12-31-24	2.18	1,500.00	715.91	781.91
63	311	J. Zariello	12-18-23	8,286.38	G. M. C.	25	1923	109	6-30-26	850.00	7,000.00	1,661.54	4,488.46
66	322	F. Elnao	12- 8-23	8,286.38	White	25	1921	47	12-31-24	2.18	3,500.00	1,177.81	2,320.01
71	295	N. A. Paia Trans. Co.	6-20-24	12,076.57	G. M. C.	25	1923	109	10-31-26	850.00	6,000.00	748.75	4,401.25
72	297	J. Fozzio	6-20-24	11,953.57	Garford	25	1923	109	10-31-26	850.00	7,000.00	1,990.62	4,159.38
73	298	D. Nigre	6-20-24	12,184.82	G. M. C.	25	1923	—	—	—	—	—	—
76	296	C. Srefano	6-20-24	11,834.82	Besserner	26	1923	—	—	—	—	—	—
80	868	N. Barew	5-20-24	13,350.00	Garford	25	1923	—	—	—	—	—	—
84	292	B. Cennamo	6-20-24	12,734.82	Garford	30	1924	109	10-31-26	850.00	8,000.00	1,750.68	5,399.32
87	323	G. W. Loos	12-31-23	6,736.38	White	21	1920	37	10-31-24	150.00	6,736.38	799.73	5,786.65
				$149.004.96						$ 5,258.72	$55,236.38	$14,042.71	$35,934.95
		RUTHERFORD NEWARK											
29	1570	E. B. Rieck	9- 3-25	17,780.25	White	25	1923	—	—	—	—	—	—
77	888	W. Bachanas	6-11-24	11,411.40	Ultimate	21	1921	—	—	—	—	—	—
189	969	D. & P. Calabo	7-30-24	14,486.39	Acme	26	1924	109	10-31-26	850.00	7,000.00	1,565.78	4,584.22
318	835	J. Spangenberg	5- 1-24	11,165.59	White	25	1922	—	—	—	—	—	—
367	834	E. Clause	5- 1-24	11,165.59	White	25	1922	—	—	—	—	—	—
591	875	S. Rapaport	6-11-24	12,186.40	Ultimate	25	1922	109	10-31-26	850.00	4,500.00	1,224.22	2,425.78
592	1571	Estelle Morton	9- 9-25	17,583.44	White	25	1922	—	—	—	—	—	—
593	877	C. L. Ehlers	6-11-24	12,011.40	White	25	1922	—	—	—	—	—	—
				$107,790.46						$ 1,700.00	$11,500.00	$ 2,790.00	$ 7,010.00

Exhibit O-19.

PUBLIC SERVICE TRANSPORTATION COMPANY

Comparative Monthly Operating Results

Months 1925-1926	Operating Revenue 1925	Operating Revenue 1926	Revenue Deductions 1925	Revenue Deductions 1926	Operating Income 1925	Operating Income 1926
January	$ 543,234.13	$ 763,776.53	$ 821,417.93	$ 788,687.81	D $278,183.80	D $ 24,911.28
February	523,138.25	676,393.08	703,412.56	770,379.41	D 180,274.31	D 93,986.33
March	599,693.30	781,733.09	674,914.82	834,938.02	D 75,221.52	D 53,204.93
April	607,089.32	969,307.52	631,175.97	950,023.51	D 24,086.65	19,284.01
May	612,528.69	914,092.49	630,000.55	879,495.07	D 23,471.86	34,597.42
June	588,597.86	907,553.68	653,452.88	912,986.69	D 64,855.02	D 5,433.01
July	612,764.97	915,213.27	667,290.16	925,502.63	D 54,525.19	D 10,269.36
August	642,031.19	907,231.30	696,735.61	883,141.54	D 54,704.42	24,089.76
September	662,156.39	933,325.79	666,424.55	887,240.06	D 4,268.16	46,085.73
October	726,973.00	1,011,384.96	711,158.35	923,451.56	15,814.65	67,933.40
November	706,010.44	1,026,973.31	692,858.19	935,051.62	13,152.25	91,921.69
December	784,287.08	1,137,458.97	784,758.89	1,021,315.73	D 471.81	116,143.24
Total	$7,608,504.62	$10,944,443.99	$8,339,600.46	$10,712,213.65	D $731,095.84	$232,230.34

Months 1926-1927	1926	1927	1926	1927	1926	1927
January	$ 763,776.53	$1,112,794.49	$ 783,687.81	$1,038,249.26	D $ 24,911.28	$ 74,545.23
February	676,393.08	1,021,139.48	770,379.41	942,532.65	D 93,986.33	78,606.83
March	781,733.09	1,142,439.68	834,938.02	1,025,969.33	D 53,204.93	116,470.35
Total	$2,221,902.70	$3,276,373.65	$2,394,005.24	$3,006,751.24	D $172,102.54	$269,622.41

Exhibit O-19

EXPLANATIONS: The operating revenues are taken from the Company's records directly. The same is true of the 1925 revenue deductions (operating expenses and taxes). But for the 1926 revenue deductions, adjustments are made as follows: For the month of December $105,686.38 greater charges were made for injuries and damages than the average monthly charge for the year (including the December excess); likewise $21,120.01 excessive income taxes were included in the month of December. The sum of the December excess charges was $126,806.39; the round sum of $126,000 was, therefore, deducted from December and then apportioned at $10,500 to each month of the year (including December); the charges are thus placed upon a monthly comparable basis; the same adjustments are carried through the monthly operating income for 1926.

For 1927, adjustments are made in the revenue deductions and operating income to maintain the comparability with 1926. The charges were substantially increased in 1927 for Superintendence of Transportation, Salaries and Expenses of General Office Clerks, General Office Supplies and Expenses, and Federal Income Tax. For these accounts, the normal cost on the 1926 level was 1.05¢ per bus mile. On this basis, the increase in charges for 1927 was $38,425.20 in January, $40,408.31 in February, and $41,336.60 in March. These amounts are deducted from the charges as stated by the Company and added to the operating income.

Municipalities' Schedule VI.

EX 0-20

PUBLIC SERVICE TRANSPORTATION COMPANY

MONTHLY OPERATING RESULTS, JAN. 1925–MAR. 1927

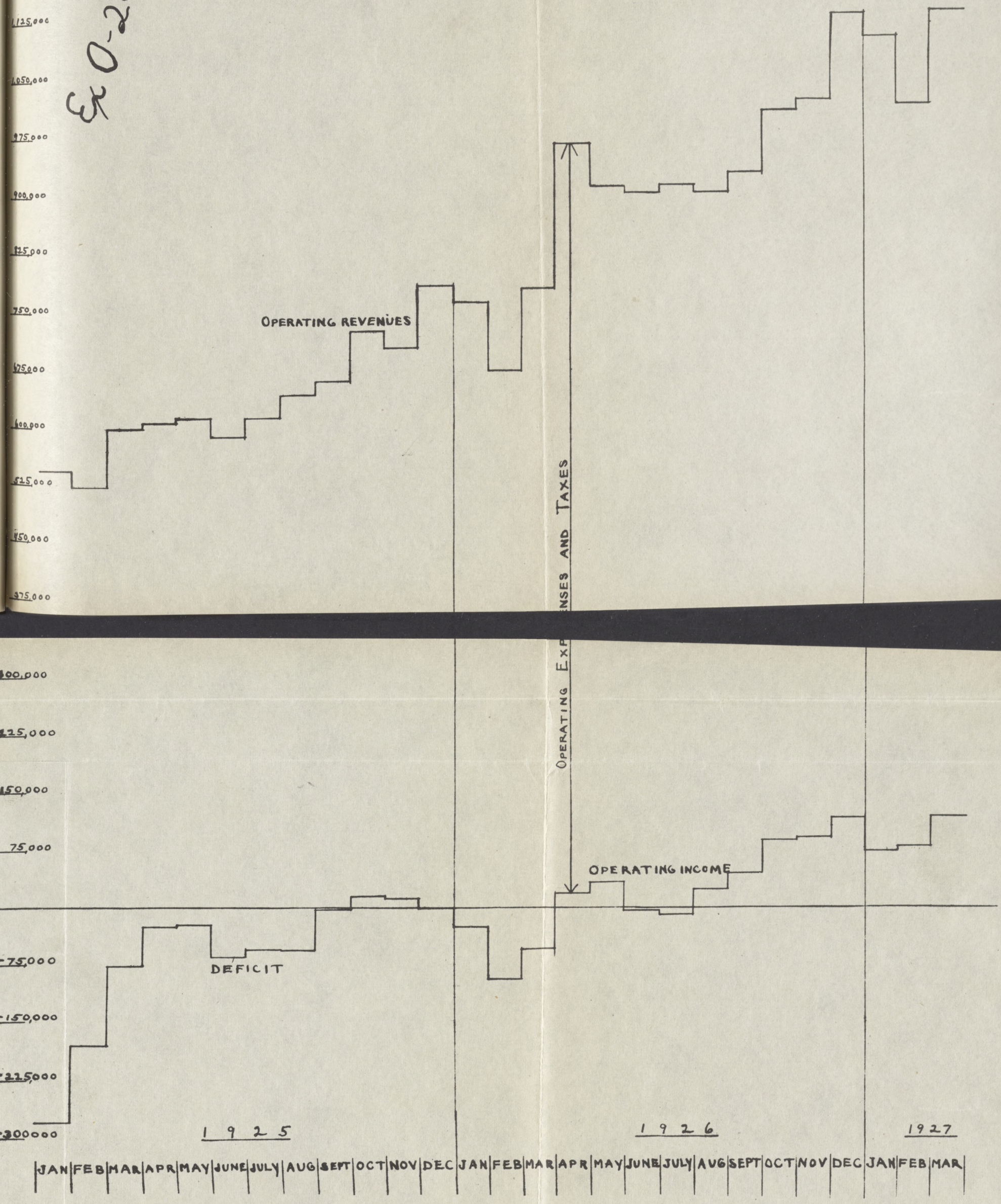


Exhibit O-21.

PUBLIC SERVICE TRANSPORTATION COMPANY

Estimated operating results and returns from the eleven petition lines for the calendar year 1927.

Months	Bus Receipts	Bus Miles	Receipts per Bus Mile
October— 1926	$ 194,498	587,063	33.13¢
November "	$ 202,708	587,734	34.48
December "	$ 224,377	635,714	35.29
Total—three months	$ 621,583	1,810,511	34.33¢
January— 1927	$ 223,036	646,837	34.48¢
February "	$ 204,582	598,711	34.17
March "	$ 225,789	678,347	33.28
Total—three months	$ 653,407	1,923,895	33.96¢
Total—six months	$1,274,990	3,734,406	34.14¢
Total—for year	$2,549,980	7,468,812	34.14¢

Return for 1927

Operating Revenues	$ 2,549,980
Revenue Deductions (except Federal Income Tax)	2,143,549
Operating Income	406,431
Federal Income Tax at 13½%	54,868
Return on Investment	351,563

Exhibit O-21

Return equals 7% on Capital Value of	5,000,000
Total System Fair Value	$11,600,000
Average Receipts per bus Mile	34.14¢
Average System Receipts	32.00¢

Explanation: The estimates for the year 1927 are based upon actual results during the last six months available; the receipts and bus lines are doubled for the year. The revenue estimations are based upon Municipalities' Schedule IV.

Municipalities' Schedule VIII.

Exhibit O-22.

Municipalities' Schedule IX.

PUBLIC SERVICE TRANSPORTATION COMPANY

Monthly Operating Results of Designated Lines For the Calendar Year 1926, and First Three Months of 1927

	1926													1927			Total Three Months 1927
	January	February	March	April	May	June	July	August	September	October	November	December	Year 1926	January	February	March	
CLINTON AVENUE																	
Bus Receipts	$ 28,073	$ 24,553	$ 27,836	$ 26,800	$ 28,156	$ 27,424	$ 26,572	$ 25,808	$ 26,921	$ 29,647	$ 34,762	$ 36,675	$ 343,228	$ 38,030	$ 34,938	$ 38,892	$ 111,860
Bus Hours	10,003	9,146	9,936	9,147	9,252	9,251	9,948	9,406	9,242	9,636	10,694	11,723	117,384	11,907	11,145	12,558	35,610
Bus Miles	84,853	71,369	83,534	77,713	78,955	79,075	85,259	66,102	84,216	86,979	92,542	99,542	1,010,360	108,046	100,793	114,542	323,381
Receipts per Bus Mile	33.08	34.40	33.32	34.49	35.66	34.68	31.17	29.97	31.97	34.09	37.47	36.84	33.97	35.20	34.66	33.95	34.59
SPRINGFIELD AVENUE																	
Bus Receipts	35,152	29,996	34,143	32,749	32,407	31,334	32,717	31,726	31,804	34,364	36,976	39,501	402,867	39,473	37,298	40,624	117,394
Bus Hours	10,802	9,514	10,306	9,602	9,470	9,514	10,551	10,193	10,150	10,327	10,568	11,444	122,441	11,507	11,276	12,462	35,245
Bus Miles	91,230	74,371	87,326	79,682	75,982	75,484	84,528	83,387	81,926	83,132	84,180	90,210	991,448	93,274	90,725	100,848	284,847
Receipts per Bus Mile	38.53	40.33	39.10	41.10	42.65	41.51	38.71	38.05	38.82	41.34	43.92	43.79	40.63	42.32	41.11	40.28	41.21
LYONS AVENUE																	
Bus Receipts	25,130	22,795	25,890	25,020	24,339	24,223	24,121	24,125	25,216	28,194	28,163	30,358	307,575	30,390	27,926	31,543	89,859
Bus Hours	8,053	7,443	8,197	7,848	7,657	7,914	8,197	8,078	7,710	8,104	8,046	8,656	95,903	8,491	7,806	9,067	25,364
Bus Miles	72,490	61,428	75,438	72,091	69,925	72,433	77,305	76,257	73,082	76,804	75,184	79,662	882,099	78,532	72,574	83,307	234,413
Receipts per Bus Mile	34.67	37.11	34.32	34.71	34.61	33.44	31.20	31.64	34.50	36.84	36.97	38.11	34.83	38.70	38.48	37.86	38.33
CLINTON PLACE																	
Bus Receipts	7,397	6,700	7,895	8,228	8,412	7,970	7,253	7,436	8,106	9,345	9,358	10,293	98,393	10,534	9,549	10,595	30,679
Bus Hours	2,769	2,518	2,886	2,835	2,909	2,873	2,952	2,965	2,972	3,119	3,018	3,359	35,175	3,402	3,086	3,441	9,929
Bus Miles	23,162	19,872	24,266	24,120	24,563	24,384	24,890	24,961	25,140	26,263	25,564	27,833	295,018	28,278	25,969	29,150	83,397
Receipts per Bus Mile	31.94	33.72	32.53	34.11	34.25	32.69	29.14	29.79	32.24	35.58	36.60	36.98	33.35	37.25	36.77	36.35	36.78
KENILWORTH																	
Bus Receipts	2,647	2,547	2,738	2,663	3,034	3,305	3,106	2,994	3,089	3,727	3,918	4,375	38,142	4,051	3,688	4,082	11,821
Bus Hours	1,564	1,467	1,646	1,594	1,571	1,478	1,531	1,493	1,437	1,714	1,861	1,943	19,299	1,952	1,826	2,090	5,868
Bus Miles	16,497	15,398	17,464	16,861	18,189	19,035	19,948	19,531	18,832	21,618	23,533	26,193	233,099	26,573	24,311	28,043	78,927
Receipts per Bus Mile	16.04	16.54	15.68	15.79	16.68	17.36	15.57	15.33	16.40	17.24	16.65	16.70	16.36	15.24	15.17	14.56	14.97
ROSELLE PARK																	
Bus Receipts	11,523	10,211	10,558	10,709	11,673	12,622	12,778	12,211	13,145	15,747	16,496	22,008	159,662	21,536	19,751	21,495	62,782
Bus Hours	5,456	4,695	5,357	5,224	5,481	5,537	5,670	5,546	5,450	6,114	6,212	7,362	68,144	7,393	6,918	7,806	22,117
Bus Miles	46,653	37,107	44,492	43,699	45,797	51,540	54,020	52,556	52,145	58,779	59,593	74,379	620,740	76,919	69,935	80,234	227,088
Receipts per Bus Mile	24.70	27.52	23.73	24.51	25.49	24.49	23.65	23.24	25.21	26.79	27.69	29.59	25.72	28.00	28.24	26.79	27.64

Exhibit O22

HAWTHORNE																
Bus Receipts	5,593	4,682	5,314	5,349	5,823	5,549	5,249	6,466	7,209	7,267	7,126	9,885	75,522	9,568	8,991	9,725	28,2
Bus Hours	2,593	2,303	2,650	2,598	2,745	2,634	2,638	3,680	3,962	3,875	3,730	4,315	37,723	4,190	3,792	4,273	12,2
Bus Miles	21,319	16,517	21,546	21,159	22,240	21,965	22,448	30,182	31,820	33,847	32,002	36,516	311,561	35,889	33,315	37,852	107,0
Receipt per Bus Mile	26.23	28.35	24.66	25.28	26.18	25.26	23.38	21.42	22.65	21.47	22.30	27.07	24.24	26.66	26.99	25.67	26.4
HAWTHORNE-MADISON AVENUE																	
Bus Receipts	5,110	4,048	5,100	4,978	4,137	4,258	4,274	3,739	3,596	3,974	4,054	4,414	51,682	4,544	4,232	4,700	13,4
Bus Hours	3,005	2,822	3,281	3,178	2,814	2,793	2,854	2,311	1,913	2,031	1,948	2,122	31,072	2,235	2,013	2,281	6,5
Bus Miles	26,644	21,602	30,179	28,744	25,569	23,710	24,466	21,487	17,052	18,868	18,016	18,660	274,997	19,507	18,246	20,971	58,7
Receipts per Bus Mile	19.18	18.74	16.90	17.32	16.18	17.96	17.47	17.40	21.09	21.07	22.50	23.65	18.79	23.29	23.19	22.41	22.9
BLOOMFIELD																	
Bus Receipts	25,349	22,891	25,159	25,328	25,227	26,399	26,765	26,844	28,007	30,745	30,309	32,712	325,736	32,240	28,996	32,241	93,4
Bus Hours	9,049	8,047	9,107	8,979	8,868	8,716	9,149	8,934	8,706	8,954	8,624	8,624	106,079	8,887	8,102	9,160	26,1
Bus Miles	79,110	69,226	80,479	78,419	77,499	76,645	81,247	79,251	77,184	79,138	77,168	81,339	936,705	61,169	73,949	83,398	238,5
Receipts per Bus Mile	32.04	33.07	31.26	32.30	32.55	34.44	32.95	33.87	36.29	38.96	39.28	40.22	34.77	39.72	39.21	38.66	39.2
PASSAIC-NORTH NEWARK																	
Bus Receipts	14,741	13,208	15,136	14,714	15,031	15,552	15,401	15,186	15,720	16,949	16,692	18,002	186,333	17,167	15,573	17,359	50,1
Bus Hours	6,562	5,949	6,633	5,999	6,163	5,990	6,273	5,937	5,939	6,154	5,975	5,993	73,587	5,602	5,051	5,581	16,2
Bus Miles	58,500	48,305	60,387	55,431	57,228	57,543	61,232	58,824	57,500	59,890	58,334	59,529	692,703	56,984	51,267	58,158	166,4
Receipts per Bus Mile	25.20	27.34	25.07	26.55	26.26	27.03	25.15	25.82	27.34	28.31	28.61	30.24	26.90	30.13	30.37	29.85	30.1
KEARNY-RUTHERFORD																	
Bus Receipts	11,403	9,668	10,932	11,270	11,578	10,850	11,495	13,174	13,412	14,538	14,844	16,154	149,317	15,505	13,640	14,533	43,6
Bus Hours	3,951	3,590	3,684	3,686	3,934	3,697	4,373	4,375	4,232	4,377	4,229	4,433	48,561	4,357	3,947	4,399	12,7
Bus Miles	38,310	30,141	34,492	34,696	36,393	33,974	39,964	41,590	40,311	41,745	40,417	41,851	453,884	41,666	37,627	41,844	121,1
Receipts per Bus Mile	29.77	32.07	31.70	32.48	31.81	31.94	28.76	31.67	33.27	34.83	36.73	38.60	32.90	37.21	36.25	24.73	36.0
TOTAL																	
Bus Receipts	$172,118	$151,300	$170,701	$167,808	$169,818	$169,406	$169,731	$169,709	$176,225	$194,498	$202,708	$224,377	$2,138,478	$223,036	$204,582	$225,789	$ 653,4
Bus Hours	63,827	57,494	63,683	60,690	60,864	60,397	64,136	62,918	61,713	64,405	64,945	70,296	755,368	69,923	64,962	73,218	208,1
Bus Miles	558,768	465,336	559,603	532,615	532,340	535,788	575,307	574,128	559,218	587,063	587,734	635,714	6,703,614	646,837	598,711	678,347	1,923,8
Receipts per Bus Mile	30.81	32.51	30.50	31.50	31.90	31.69	29.50	29.55	31.51	33.13	34.48	35.29	31.90	34.46	34.17	33.28	33.9

Exhibit O-23.

PUBLIC SERVICE TRANSPORTATION COMPANY

BUS ROUTES OPERATED AT LESS THAN 25¢ RECEIPTS PER BUS MILE.

Line No.	Designation of Route	Bus Miles Operated	Receipts Per Bus Mile
	Central Division		
22	Arlington	204,966	24.93
34	Elizabeth—Linden	198,480	24.76
36	Elizabeth—Linden (Roselle Ave.)	94,253	20.94
32	Elizabeth—Rahway	380,789	24.02
26	Kenilworth	233,099	16.36
24	Manville	44,705	20.62
18	Netherwood	152,697	17.21
6	New Burnswick—Jamesburg	97,951	17.08
20	Plainfield—Metuchan	128,979	14.72
	Essex Division		
62	Grove Street	53,929	20.25
46	High Street	138,230	23.07
44	Orange Valley	235,151	18.35
42	Parker Avenue	136,623	22.05
4	Fort Newark	169,862	22.90
	Passaic Division		
44	Garfield—Hackensack	2,481	13.06
22	Hawthorne	311,561	24.24
24	Madison Avenue	163,401	21.72
8	Madison & Hawthorne	274,997	18.79

Exhibit O-23

6	Main Street	40,880	20.80
34	Market Street	217,412	23.84
29	Midland Park	264,529	21.10
17	Paterson—Suffern	501,922	23.43
5	Temple Hill	100,041	20.60
	Southern Division		
38	Audubon	263,082	17.11
60	Berlin	677,698	24.94
42	Brooklawn	805,139	21.98
24	Mantua	33,843	11.89
24	Mount Holly	196,305	22.13
36	Parkside	39,833	17.92
	Bergin Division		
14	Edgewater	2,128	9.73
10	Englewood Cliffe	17,298	3.18
10	Fort Lee—Edgewater	13,461	9.66
12	Hackensack—E. Rutherford	153,167	18.48
8	River Road	129,688	15.88
	Hudson Division		
32	Eastern Boulevard	80,989	19.38
46	Weehawken Heights	176,264	22.97

Municipalities' Schedule X.

GEORGE F. SEYMOUR, JR.,
COUNSELLOR AT LAW
24 COMMERCE STREET
NEWARK, N.J.

Ex. O. 74

DEC 2 1926

December 15, 1926.

To the Mayor and Commissioners
of the Town of Irvington.

Gentlemen:-

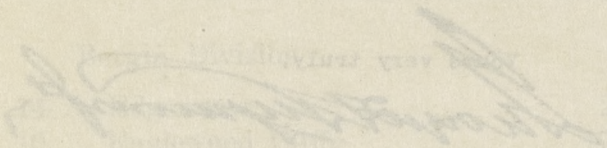
I represent the Clinton Avenue Bus Co., Inc., the president of which company, Woerner Beck, is now the owner of a bus operating on this line and has been a practical bus operator since May 1st, 1915.

Inasmuch as the Public Service Railway Company finds that it cannot operate buses at a five cent fare, I write to ask that your Board issue fifty permits to the Clinton Avenue Bus Co., Inc., for the operation of buses from 40th Street and Boyden Avenue, Irvington, to the Tube Station in Newark, along the route of the Clinton Avenue Line.

The Clinton Avenue Bus Co., Inc., will guarantee that if you will issue these permits, they will immediately put into operation, fifty of the new type, under-slung, deluxe buses, and they will agree that the fare from one end of the line to the other shall be five cents, and if at any time, they seek an increase in fare, such application for increased fare shall be considered as a surrender of their permits.

Yours very truly,

GFS/C



GEORGE F. SEYMOUR, JR.,
COUNSELLOR AT LAW
24 COMMERCE STREET
NEWARK, N.J.

DEC 21 1926

December 16, 1926

Ex. O-74

To the Mayor and Commissioners
of the Town of Irvington.

Gentlemen:-

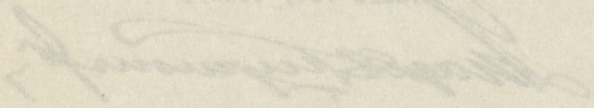
I represent Charles Lehrhoff, Eugene Brown and Leo Elliott, who are owners and operators of buses on the Springfield Avenue Route in Newark.

Inasmuch as the Public Service Transportation Company has decided that it cannot operate buses on this Route for less than a ten cent fare for the whole Route, I hereby make application to you for fifty permits for the operation of buses from the Tube Station in Newark, to Forty-second Street and Springfield Avenue in the Township of Irvington.

The buses to be used will be the new type underslung buses and the rate of fare will be five cents for the full Route.

Yours very truly,

GFS/O



DEC 21 1926

GEORGE F. SEYMOUR, JR.,
COUNSELLOR AT LAW
24 COMMERCE STREET
NEWARK, N.J.

MAY 20 1927 1927

Ex. O-74

December 15, 1926.

To the Mayor and Commissioners
of the Town of Irvington,

Gentlemen:-

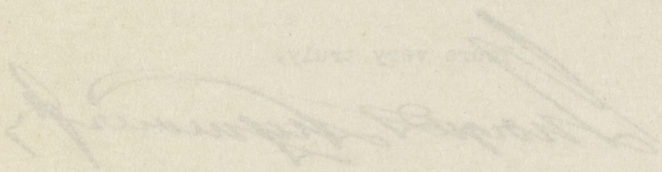
Inasmuch as the Public Service Railway Company finds it impossible to operate buses at a five cent fare on the Lyons Avenue Route in Newark and Irvington, the Clinton Avenue Bus Company, Inc., which I represent, hereby makes application to your Board for the issuance of twenty-five permits for buses to be operated from the end of Lyons Avenue, at Springfield Avenue, in Irvington, to the Tube Station in the City of Newark.

The Clinton Avenue Bus Co., Inc. will, on the issuance of these permits, immediately put into operation, twenty-five new, under-slung, deluxe buses and they will operate these buses at a five cent fare from one end of the line to the other.

Yours very truly,

GFS/C

George F. Seymour Jr.



E. POETER & CO.
INCORPORATED
MANUFACTURERS OF
High Grade Metal Ware for the Leather Goods Trade
1168-1174 GROVE STREET
IRVINGTON, N. J.

EXCLUSIVE MOUNTINGS AND TRIMMINGS
BAG, PURSE AND POCKET BOOK FRAMES

TELEPHONE
TERRACE 0643
SOLDERED CHAINS AND SPECIALTIES

May 16th, 1927 Ex 0.75

Barnet Foundry & Machine Co.,
536 Lyons Ave.,
Irvington, N. J. Attention Mr. Hannay

Gentlemen,

Regarding phone conversation regarding number of employes using Bus and Trolley transportation to and from Newark we find the following conditions of travel exist here :-

Lyons Ave Bus	12
Clinton Ave. lines	20
Springfield lines	16

Yours very truly

E. POETER & CO. INC

HDC

J.L.COWEN
PRESIDENT

M.CARUSO
TREASURER

THE LIONEL CORPORATION

LIONEL ELECTRIC MODEL RAILROAD ACCESSORIES TRAINS
"MULTIVOLT" TRANSFORMERS

Ex. 0.35

STANDARD
OF THE WORLD
SINCE 1900

605-621 SOUTH 21st STREET
IRVINGTON, NEW JERSEY

SHOWROOM
15-17-19 EAST 26TH ST.
NEW YORK. N. Y.

May 16, 1927.

Mr. Hanney,
% Barnett Fdry Co.,
536 Lyons Ave.,
Irvington, N. J.

Dear Sir:

In making a survey of our plant we find that about one half of our employees use Public Service conveyances.

The routes are divided about as follows:

Springfield Ave.	68
Clinton Ave.	105
Grove St.	49
18th St.	55

Trusting that the above information is adequate and will be of help to you,

Yours very truly,

THE LIONEL CORPORATION.

L. CARUSO, MANAGER.

LC:F

Ex. 0.35

CHARLES ENGELHARD, President & Treasurer

TELEPHONE {9350 9351 9352} TERRACE

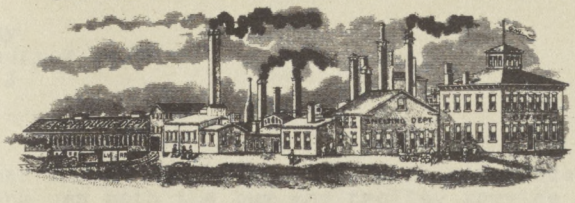
CLARENCE BLAIR MITCHELL, Vice President

CABLE ADDRESS, GLOSMELTER, IRVINGTON, N.J.

IRVINGTON SMELTING & REFINING WORKS

FORMERLY

GLORIEUX SMELTING & REFINING WORKS



NEW YORK OFFICE
CHARLES ENGELHARD
HUDSON TERMINAL BUILDINGS,
30 CHURCH STREET.
TEL. {0246 0215} CORTLANDT

ASSAYERS

SMELTERS & REFINERS OF

GOLD, SILVER, PLATINUM, COPPER

IRVINGTON, NEW JERSEY

May 13, 1927.

Mr. G.W.Hannay,
c/o Barnette Foundry & Machine Co.,
Irvington, N.J.

Dear Mr. Hannay:

In reference to the proposed increases in fares on Springfield, Clinton and Lyons Avenues, I beg to advise that our employees are vitally interested in preventing this increase.

Out of a total of 120 employees, 76 make regular use of the above lines.

We thank you and anyone else actively engaged in preventing the increase from being allowed.

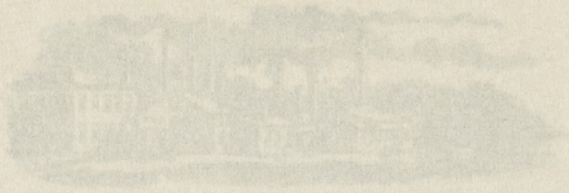
Yours truly,

IRVINGTON SMELTING & REFINING WORKS

E. L. Jorgensen

E.L. Jorgensen,
Superintendent.

J.



1486

GOULD & EBERHARDT

ESTABLISHED 1933

GEAR CUTTING MACHINES
SHAPERS

G&E

Ex 0.45

NEWARK (IRVINGTON) N.J.,U.S.A. May 14 1927

Mr C W Hannay,
Barnett Foundry & Machine Co.,
Irvington N J

DearSir:

As per telephone conversation with reference to a list of our men who use both the bus and trolley service on the Lyons, Springfield and Clinton Aves., would herewith enclose memorandum made up by our employment department, which we trust will answer your prupose.

If you should require any further information please advise.

Yours truly,

GOULD & EBERHARDT

F D Smith

FDS/G

P.S. Forty-six men use Springfield Avenue line.
Sixty-two men use Clinton Place coming from Clinton Ave.
Three men use South Orange Ave.
The Seventy-four on Crosstown are made up from the men on the Springfield Ave. and So. Orange lines and the difference are the men living on the Crosstown line.

National Motors Mfg. Co.

Day-Elder Worm Drive Motor Trucks

Newark, N. J.

Factory - 464 Coit Street, Irvington, N. J.

EK 0.35

F. T. MACRAE, Jr., President
A. L. RICE, Vice-President in charge of local sales
W. R. COOK, Vice-President in charge of wholesale and export
C. A. METZGER, Secretary in charge of Purchases
H. G. REDDEN, Treasurer

Trade Mark

DIRECTORS
F. T. MACRAE, Jr.
A. L. RICE
J. WILLIAM HATT
H. G. REDDEN
ARCHIBALD SLINGERLAND
H. BRAVERMAN
H. R. SMITH

May 13, 1927

Barnett Foundry & Machine Co.,
Lyons Ave. & Coit St.,
Irvington, N. J.

Att: Judge Stewart

Gentlemen:-

Replying to your phone inquiry of today, we are pleased to advise that we employ sixty-five (65) people in our factory, who use a transportation service of Lyons Ave, Clinton Ave, and Springfield Ave, along with about ten (10) of our office force, who use the same means of transportation.

Trusting that this is the information desired, we remain

Yours very truly,

NATIONAL MOTORS MFG. CO.

Chas. Lehmann Jr

CL/OS

Accountant

CASTINGS
TRUE T PATTERN

METAL PATTERNS & MATCH PLATES
OF PRECISION

AMERICAN ALUMINUM CASTING CO.,

CASTERS OF ALUMINUM
BRONZE BRASS, COPPER, WHITE METAL, ETC.

324-326 COIT STREET

IRVINGTON, N. J.

BIGELOW 3655

May 13 1927

Mr. G. W. Hannay
Barnett Foundry & Machine Co.
Irvington N.J

Dear Sir

Referring to telephone conversation of today, we have ten men in our employe who use the Lyons Av., Clinton Av. & Springfield Av. Busses to and fro to business.

Very truly yours,

AMERICAN ALUMINUM CASTING CO

SEC'Y

TELEPHONE BIGELOW 4424

Manufacturers and Dealers in
Window Frames
Medicine Cases
Breakfast Sets
Door Frames
Storm Sash
Columns
Brackets
Screens
Seats

Ex 0.75

H. H. Luke Sash & Door Co., Inc.

High Grade Interior Trim and Lumber for Houses, Schools, Churches, Factories and Public Buildings

Chancellor Ave. and Coit Street
Irvington, N. J.

H. H. LUKE, *President*
F. A. ADAMS, *Treasurer*
H. O. SMITH, *Secretary*

Porch Enclosure
Ironing Boards
Veneer Panels
Stair Material
Mouldings
Dressers
Mantels
Blinds
Doors
Sash

May 13, 1927

Barnett Foundry & Machine Co.,
536 Lyons Avenue,
Irvington, N. J.

Att: Mr. Hanna

Gentlemen:

As per your request this day, asking us how many of our employees use the Public Service going to and from our business, we find that there are nine employees that use the service.

Very truly yours,

H. H. LUKE SASH & DOOR CO. INC.

H H Luke

HHL/OSN

E40.25

ARROW SILK HOSIERY CO.
MANUFACTURERS OF HIGH GRADE
LADIES FULL FASHIONED SILK HOSE
367-381 COIT STREET
IRVINGTON, N.J.

SOLE SELLING AGENTS
EDWARD S. MITCHELL
220 FIFTH AVENUE
NEW YORK CITY

May 13th, 1927.

Mr. G.W. Hannay,
c/o Barnett Foundry Co,
Coit & Lyons Ave
Irvington, N.J.

Dear Sir:-

In reply to your inquiry we beg to inform you that forty-five of our employees are using the Public Service bus daily coming to work and going home.

Yours very truly,
ARROW SILK HOSIERY CO.

FU:GVC

NEWARK SHEET METAL & KALAMEIN CO.

211-217 COIT STREET

IRVINGTON, N. J.

TELEPHONES {3044 / 3045} BIGELOW

G. YUNKER
Gen. Mgr.

KALAMEIN DOORS, TRIM, ETC.
LABELED HOLLOW METAL WINDOWS
LABELED TIN CLAD FIRE DOORS
PUTTYLESS SKYLIGHTS
EXHAUST & VENTILATING SYSTEMS
GENERAL SHEET METAL WORK

May 19, 1927.

Ex. O. 75

CLINTON	LYONS	SPRINGFIELD
14	25	8

ZELLER LACQUER MFG. CO., INC.
500 LYONS AVENUE
IRVINGTON, N. J.

Ex 0.75

May 13, 1927.

Barnett Foundry & Machine Co.,
Lyons Avenue,
Irvington, N. J.

Gentlemen: Attention of Mr. G. W. Hannay.

In connection with our telephone conversation this morning, please be advised that we have 35 men in our employ, most of whom use the Lyons Avenue bus. A few have cars of their own or other means of transportation to and from the plant.

Very truly yours,

G. O. Zeller

G. O. ZELLER,
ZELLER LACQUER MFG. CO. INC.

GOZ:B

1493

F. C. KENT COMPANY

MANUFACTURERS OF

BENT PIPE AND TUBE SPECIALTIES

65-71 GRACE STREET

IRVINGTON, N.J.

KENT

TELEPHONE
WAVERLY-6774

F. C. KENT
PRESIDENT
W. S. FILE
SECRETARY-TREASURER

Ex. o. 25

May 18, 1927.

Barnett Foundry Co.,
Irvington, N.J.

Gentlemen:

We find that only three of our employees use the trolley line. Most of our employees live in and around the vicinity of the factory here in Irvington.

Yours truly,

F.C.KENT COMPANY

W. S. File

Secretary.

ALL QUOTATIONS MADE AND ORDERS ENTERED SUBJECT TO STRIKES, ACCIDENTS, ACCAUSE BEYOND OUR CONTROL. PRICES SUBJECT TO CHANGE WITHOUT NOTICE

TELEPHONES
TERRACE 3420-3421

ESTABLISHED 1868
INCORPORATED 1908

"SOME BODY FOR SOMEBODY"
THE COPE CO.
IRVINGTON, N.J.

Eq 0.75

MANUFACTURERS
MOTOR TRUCK BODIES
GENERAL REPAIRING
1082, 1084 and 1086 CLINTON AVENUE

May 13th, 1927.

Mr. Gerald Hannay,
Barnett Foundry & Machine Company,
Lyons Avenue & Woolsey Street,
Irvington, N. J.

Dear Mr. Hannay:

Referring to our conversation of today relative to thenumber of employees using the Public Service Trans. lines, would advise as follows:

Clinton Avenue Line	11
Springfield Avenue Line	12

Trusting this is the information desired,

Yours very truly,

THE COPE COMPANY, INC.

J. Grauz

THE KOPPE CO

A. G. WILLIAMS, PRESIDENT
FLOYD M. WILLIAMS, VICE PRES'T
J. D. CLARK, TREAS.
H. C. HAVELL, SECRETARY

MEMBERS OF THE
NEWARK CHAMBER OF COMMERCE
MANUFACTURERS ASSOCIATION OF N. J.
NATIONAL ASSOCIATION OF CREDIT MEN
NORTH JERSEY ASSOCIATION OF CREDIT MEN

ESTABLISHED 1837
INCORPORATED 1896

LONG DIST. PHONE

HAVELL MANUFACTURING CO.

MANUFACTURERS OF
NICKEL PLATED, BRASS & STEEL
METAL GOODS
PATENTED AND ADVERTISING NOVELTIES. GOODS TO ORDER A SPECIALTY
382-84-86-88 Coit Street
JUST SOUTH OF CHANCELLOR AVE.
IRVINGTON, N.J.

Eq 0.35

May 12, 1927.

BARNETT FOUNDRY CO.,
LYONS AVE.,
IRVINGTON, N. J.
ATT. MR. HENNY

Dear Sir:

The following is a list of employees who use buses and car lines itemized as to the line they use:

Bus #16 Clinton Ave.	4
Bus #14 Clinton Place	8
" #6 18th St. Crosstown	1
Grove Street Buss	12
Elizabeth-Irvington Bus	4
Bus #26 Springfield Ave.	4
" #8 Lyons Ave.	4
Clinton Ave. Car	1

Yours very truly,

HAVELL MANUFACTURING CO.

Floyd M. Williams

FLOYD M. WILLIAMS.
VICE PRESIDENT.

FMW·G

NOTE.—Terms and conditions printed on reverse side of this sheet are to be understood as constituting a part of this letter.

1496

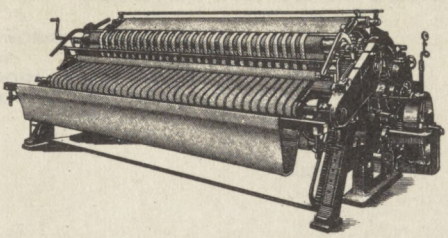
G4.0.75

ASHER MANUFACTURING COMPANY

LAUNDRY MACHINERY

MAIN OFFICE & FACTORY
212-228 COIT STREET
IRVINGTON, N.J.

TELEPHONE
TERRACE 0820
TERRACE 0821



ASHER FLAT WORK AND BODY CLOTHES IRONERS

EMPIRE WASHERS, EXTRACTORS AND TUMBLERS.

COMPLETE INSTALLATIONS FOR WET WASH, SEMI-FINISHED AND FINISHED FAMILY WORK

IRVINGTON, N.J. May 18, 1927

Mr. G. Hannay,
c/o Barnett Fdy.,
Lyons Ave.,
Irvington, N.J.

Dear Sir:

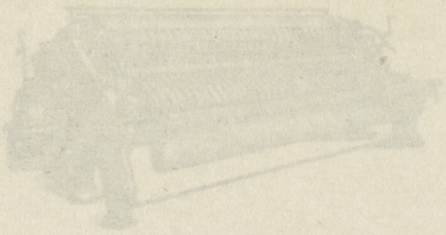
Referring to the number of employees who use the Public Service line, there are twenty who use the Lyons Ave. line, three who use the Springfield Ave. line and two who use the Clinton Ave. line.

Yours truly

ASHER MANUFACTURING CO.

W. P. Allen - Secretary

WPA:ER



JOSEPH H. SHAW, PRESIDENT

CHARLES DONATH, TREASURER & SECRETARY

PHOENIX BRASS FOUNDRY

IRVINGTON, NEW JERSEY

Eq 0.75

MANUFACTURERS, FOUNDERS
AND FINISHERS OF
PLUMBING BRASS GOODS
AND SPECIALTIES

BRASS FITTINGS
SOLDERING NIPPLES
BRASS & IRON FERRULES
CLOSET FLOOR FLANGES
BRASS & ALUMINUM CASTINGS
OF ALL KINDS

May 14, 1927

Barnett Foundry & Machine Co.,
Irvington, N.J.

Gentlemen:

We wish to advise you that an approximate count shows that 100 of our employees use either the Lyons Ave., Clinton Ave. or Springfield Ave. lines to go to business each day.

Very truly yours,

PHOENIX BRASS FOUNDRY

By H. L. Goodman
Sales Manager

HLG:EPA

PRICES SUBJECT TO CHANGE WITHOUT NOTICE, AND SHIPMENTS TO DELAYS CAUSED BY ACCIDENTS, STRIKES AND MANUFACTURING CONTINGENCIES.

FOUNDED 1845

BARNETT FOUNDRY & MACHINE CO.

LYONS AVENUE AND COIT STREET

IRVINGTON, N.J., U.S.A.

THE CAPITOL IRONING MACHINE

MEMBER OF NATIONAL FOUNDERS' ASSOCIATION

L.D. TELEPHONE 1911 1912 TERRACE

May 17, 1927

Summary of Irvington factory Employees using Public Service Lines coming to Work.

Eq 0.75

Firm	No. of Employees
American Aluminum Casting Co.	10
American Metal Moulding Co.	66
Atlas Foundry Co.	41
Barnett Foundry & Machine Co.	84
Richard Best Pencil Co.	29
Bierman Everett Fdry Co.	39
Boulee Frazer Tanning Co.	23
Gould & Eberhardt	111
Havell Mfg. Co.	26
Irvington Smelting & Refining Co.	76
National Motors Mfg. Co.	75
Newark Sheet Metal Co.	50
H.H. Luke Sash & Door Co.	9
Reliable Tool Co.	55
Jos. Ross & Co.	4
Landon P. Smith Co.	4
Shaw Insulator Co.	11
Zeller Lacquer Mfg. Co.	35
Phoenix Brass Foundry	100
Castles Ice Cream Co.	68
Jennings Silver Co.	10
E. Poeter & Co.	48
Arrow Silk Hosiery Co.	45
F.W. Horstmann Co.	12

Ex. 0. 75

Drake Bakeries
INCORPORATED
NEWARK BAKERY
514 LYONS AVENUE
Irvington, N. J.
TERRACE 0869



May 17th, 1927.

Mr. G. W. Hannay,
Barnett Foundry & Machine Co.,
Lyons Avenue,
Irvington, N.J.

Dear Sir:

Complying with your request of a few days ago over the telephone with reference to the number of employees that I have here who use, daily, the Lyons Avenue, Clinton Avenue and Springfield Avenue, bus lines, you will please find the totals as follows:

Lyons Avenue - 19
Clinton " - 5
Springfield - 2

This makes a total of 26.

We have a good many of our employees who live in the immediate neighborhood and do not use any bus lines at all to travel to and from business.

We also have quite a few who use their own automobiles for that purpose.

Hoping that this information is what you desire, I beg to remain

Very truly yours,
DRAKE BAKERIES, INC.

C. W. Drake.
Secretary

AWD:A

TELEPHONE

TELEPHONE TERRACE 1355

The F. W. Horstmann Co.

ENGINEERS AND MACHINISTS

196-210 COIT STREET

IRVINGTON, N. J.

E40.75

May 13, 1927.

Barnett Foundry & Machine Co.,
Lyons Ave. & Coit Street,
Irvington, N.J.

Gentlemen:-

Replying to our telephone conversation of May 13th.

We are employing at the present time about 12 and every one of these men make some use of the buses in going to and from work.

Trusting this to be satisfactory, we remain

Yours very truly,

F.W. HORSTMANN COMPANY

By F. Horstmann

AWB

TRADE MARKS
REG. U.S. PAT. OFF.

Red Devil
INDIAN
ECLIPSE
BLACK DIAMOND
RED MAN
"It's all in the wheel"

CABLE ADDRESS
GLASS.

TELEPHONE ESSEX 0001

E4.0.25

Landon P. Smith, Inc.

MANUFACTURERS OF
THE GENUINE Red Devil GLASS CUTTERS
REG. U. S. PAT. OFF.
AND GLAZIERS TOOLS
100 TO 108 COIT STREET
IRVINGTON, (NEWARK,) N.J. U.S.A.

SUCCESSOR TO
SMITH & HEMENWAY CO. INC.
GLASS CUTTER BUSINESS

REPLYING TO YOURS OF

May 14, 1927.

Barnett Foundry & Machine Co.,
Irvington, N. J.

Attention Mr. Hanna,

Dear Sir:

This will confirm our telephone conversation as to how many of our employees use the Clinton Ave. public service bus line. Wish to advise that out of 7 people that we employ in the office four of them use it every day.

Trusting that this is the information desired, we are

Yours very truly,
LANDON P. SMITH, INC.
J. Schlesenberger

JS:EM

TRADE MARK

A RED HANDLE DOES NOT MAKE IT A Red Devil GLASS CUTTER—LOOK FOR TRADE MARK

FORM No.5-100M-H.27-4-22-26-YPC

Ex 0.75

SHAW INSULATOR COMPANY

MOLDERS OF PLASTICS

SHAW

FOUNDED 1892

IRVINGTON. NEW JERSEY

WAVERLY 3671

May 16th, 1927.

Barnett Foundry & Machine Co.,
Lyons Ave. & Coit St.,
Irvington, N. J.

Att. G.W.Hannay:

Gentlemen:

In compliance with your request we have made a survey of our employees and find that the majority live within walking distance or use the Grove St. Bus.

Of the eleven who use the lines you mentioned, we find that one comes by Springfield Ave., two by Lyons and eight by Clinton Ave.

We trust this is the information you desire, and we assure you that we will be glad to cooperate in any way.

Very truly yours,

SHAW INSULATOR COMPANY.

Louis L. Shaw

LES:MJC

R. S. EDMONDSON, PRESIDENT
A. B. SAYRE, VICE-PRESIDENT
R. P. SPOONER, SECRETARY

SAFETY STAIR TREADS AND PLATES
ELEVATOR AND DOOR THRESHOLDS
WEAR RESISTANT PLATES AND PIPES
BRAKE SHOES RABBLE BLADES

BOSTON, 136 FEDERAL STREET
CHICAGO, CONWAY BUILDING
PHILADELPHIA, 1700 WALNUT STREET
PITTSBURGH, FARMERS BANK BUILDING
BUFFALO, ERIE COUNTY BANK BUILDING

AMERICAN ABRASIVE METALS CO.

Eq 0.75

FOUNDRY
IRVINGTON, N. J.

FERALUN—BRONZALUN—ALUMALUN
HUDSON TERMINAL BUILDING
50 CHURCH STREET
NEW YORK CITY

PHONES, 7444-7445 CORTLANDT
CABLE ADDRESS "AMCOITE"

IN REPLY REFER TO

May 17th, 1927.

Mr. Haney Jr.
Barnett Foundry And MachineCo.
536 Lyons Ave. Irvington N. J.

Dear Sir;-

In reference to your telephone conversation I beg to state that the following men use the trolleys and buses;

55 Clinton Ave Buses.

45 Lyons Ave "

35 Springfield "

60 Trolleys.

UNITED STATES AND CANADIAN
SALES REPRESENTATIVES
CARBORUNDUM ANTI-SLIP TILE

ARCHITECTURAL GOODS DESCRIBED IN "SWEETS"
ALL AGREEMENTS CONTINGENT UPON STRIKES, DELAYS IN TRANSPORTATION AND OTHER CAUSES BEYOND OUR CONTROL.
PATENT INFRINGEMENTS WILL BE PROSECUTED.

FORM 128 7-26-5000

TELEPHONES

AGENTS IN
NEW YORK
BOSTON
CHICAGO
PHILADELPH
ATLANTA
DETROIT
ST. LOUIS
CLEVELAND
KANSAS CITY
LOUISVILLE
PORTLAND
SEATTLE
SAN FRANCIS
LOS ANGELE

Form 3

TELEPHONES

AMERICAN METAL MOULDING CO.

40.75

ADDRESS ALL MAIL TO
MAIN FACTORY AND GENERAL OFFICES
IRVINGTON, N. J.

CHICAGO FACTORY
567 W. LAKE STREET

AGENTS IN
NEW YORK
BOSTON
CHICAGO
PHILADELPHIA
ATLANTA
DETROIT
ST. LOUIS
CLEVELAND
KANSAS CITY
LOUISVILLE
PORTLAND
SEATTLE
SAN FRANCISCO
LOS ANGELES

May 17, 1927.

Barnett Foundry & Mach. Co.
536 Lyons Avenue
Irvington, N. J.

Gentlemen:

This is to confirm information which we gave you over the telephone as to the number of people employed in our plant, who use the Clinton, Springfield and Lyons Avenue buses.

24	Clinton Avenue
4	Lyons Avenue
2	Springfield Avenue

Very truly yours,

AMERICAN METAL MOULDING CO.

F Westle

FWestle:MM

Ex 0.75

WEBER BAKING COMPANY

ESTABLISHED 1884

HARRY J. WEBER, President
NICHOLAS WEBER, Vice-President
GEO. E. SCHAEFER, Sec'y & Treas.

Irvington, N. J. May 17, 1917

Barnett Foundry & Machine Co
536 Lyons Av.
Irvington N.J

Gentlemen:

Attention Mr. Hannay

As per your request with regard to the number of our employees using the Public Service lines beg to submit the following

Springfield Av.	Clinton Av	Lyons Av
30	12	✓
✓		

Very truly yours
Weber Baking Co



Ex 0.75



J. T. CASTLES ICE CREAM CO.

19 to 49 LORETTA AVENUE
IRVINGTON, N. J.

May 14th, 1927.

CASTLES
ICE CREAM
IS
SUPERIOR
BECAUSE IT IS
HEATHIZED

WE HEATHIZE TO
ACHIEVE OUR
IDEAL IN

CLEANLINESS
PURITY
SAFETY
HIGH VITAMINES
FLAVOR
TEXTURE
KEEPING QUALITY

Mr. G. W. Hannay,
Barnett Foundry,
536 Lyons Ave.,
Irvington, N. J.

Dear Sir:-

As per your telephone request, we have checked up on all the employees of this company and find that there are 32 persons using Lyons Avenue Buses, 22 using Clinton Avenue and 14 using Springfield Avenue buses.

We all voice our sincerest hopes that no change will be made in the present rate of transportation.

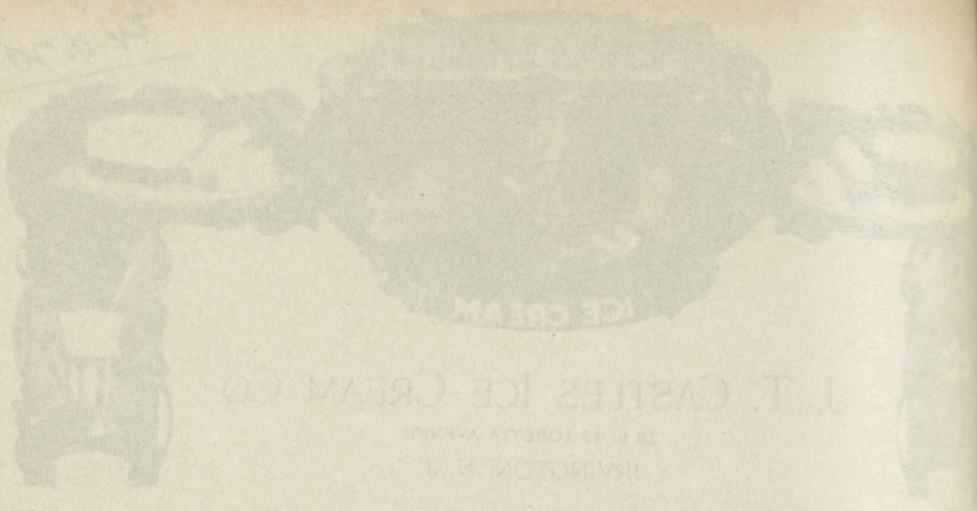
Very truly yours,

THE J. T. CASTLES ICE CREAM COMPANY

L. E. Wilson
AUDITOR

LEW:HS

PURER BECAUSE HEATHIZED

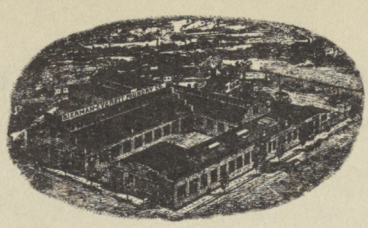


1507

BIERMAN-EVERETT FOUNDRY CO.

44 0.25

HIGH GRADE
CASTINGS IN
GRAY IRON



MACHINE WORK
ASSEMBLING
JAPANNING

TELEPHONES
3600 - 3601
WAVERLY

This letter is subject to the terms and conditions printed on other side.

133-153 SOUTH 20TH STREET
31-49 BUFFINGTON AVENUE

IRVINGTON, N. J., May 13, 1927.

Barnett Foundry & Machine Co.,
536 Lyons Ave.,
Irvington, N. J.

Attention of
Mr. Hannay, Jr.

Gentlemen:

Confirming our telephone conversation of this morning, would advise that there are 31 of our employees using the Clinton Avenue bus and trolley line and 8 using the Springfield Avenue bus and trolley line.

Yours very truly,

BIERMAN-EVERETT FOUNDRY CO.,

Per John E. Berlenbach
Secretary.

JEB/MW

CABLE ADDRESS: GRAFBEST

RICHARD BEST PENCIL COMPANY, INC.
1106-1120 GROVE STREET
99-113 COIT STREET

NEW YORK OFFICE
54-60 LAFAYETTE STREET

Ex 0.75

IRVINGTON, N. J., May 12, 1927.

Barnett Foundry & Machinery Co.
536 Lyons Avenue,
Irvington, N.J.

Attn: Mr. G. W. Hannay.

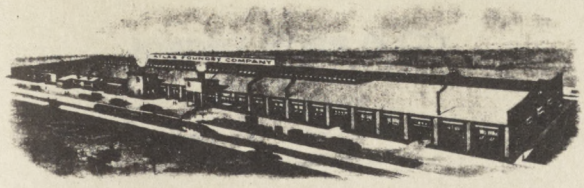
Gentlemen:

We have twenty nine (29), employees who will be affected by the increase in the Public Service fare.

Yours very truly,
Richard Best Pencil Co. Inc.

ALL AGREEMENTS CONTINGENT ON STRIKES, FIRES OR ALL OTHER CAUSES BEYOND OUR CONTROL

EL 0.75.



PHONE, TERRACE 4660-4661
WM. H. MANTZ, GEN'L MGR.

MEDIUM AND SMALL GRAY IRON CASTINGS

CAST IRON WELDING RODS

ALSO RODS, WIRE AND FLUXES FOR WELDING ALL KINDS OF METALS

ATLAS FOUNDRY COMPANY
LYONS AVE. & L.V.R.R. NEAR COIT STREET
IRVINGTON, N. J.

May 17, 1927.

Mr. G. A. Hannay, Jr.
c/o Barnett Foundry and Machine Co.,
Irvington, N. J.

My dear Mr. Hannay:

Confirming telephone conversation, beg to advise that among our employees outside of those that walk or come in automobiles, we find that we have the following that use either buses or streetcars.

21- - - - Lyons Avenue Buses.
9- - - - 18th Street Crosstown Buses.
7- - - - Springfield Avenue Buses.
3- - - - Clinton Avenue Buses.
1- - - - Broad Street Car.

Yours very truly,

ATLAS FOUNDRY COMPANY

W. H. Mantz

W. H. Mantz

WHM:S.

1510

Ex 0.25

ROBERT L. KLAAS. PRES. & TREAS.

TEL. TERRACE 0768

C. B. LARSON, SECY.

CONTINUOUS ROTARY FEED
Grinding and Polishing Machinery and Supplies
LABOR-SAVING
SPECIAL MACHINERY

JOSEPH ROSS & CO.

MANUFACTURERS
ESTABLISHED 1877

199 COIT STREET
IRVINGTON, N.J.

GRINDING, POLISHING
NICKEL PLATING
PARTS MADE ON CONTRACT

May 13, 1927

Mr. Haney Jr.
Barnett Foundry & Machine Co.
Lyons Ave.
Irvington, N.J.

Dear Sir:

Below is list of employees who take a bus to get to work. Other employees in the factory live near enough to walk t work.

J. Spillane,	18th St. Crosstown
C. Hoover,	Lyons Ave.
P. Caruso	Elizabeth & Irvington
F. Taylor	Grove St. Crosstown

Very truly yours,

JOSEPH ROSS & CO.

CBL:T.

1511

Eq 0.75

RELIABLE TOOL CO., INC.

PRECISION TOOL WORK OF THE HIGHEST GRADE

DIES
JIGS
FIXTURES
GAUGES
SPECIAL AUTO. MACH.
EXPERIMENTAL WORK
MECHANICAL DESIGNING
PATENTS DEVELOPED

60-66 COIT ST., IRVINGTON. N.J.
(NEWARK)

May 13th 1927.

Barnett Foundry & Machine Co
Coit St & Lyons Ave
Irvington N J

Attention Mr Hannay.

Dear Sir:

With further reference to the transportation situation as concerns Irvington.

Inasmuch as practically ninety percent of our sixty (60) employees constantly use either the Springfield, Clinton or Lyons Ave Buses, and being that these are the lines the Public Service contemplates increasing the fare, we wish to go on record as being opposed to this contemplated increase.

Very truly yours,

THE RELIABLE TOOL COMPANY. INC.

Louis K Krack

PRICES SUBJECT TO CHANGE WITHOUT NOTICE, AND SHIPMENTS TO DELAYS CAUSED BY ACCIDENTS, STRIKES AND MANUFACTURING CONTINGENCIES.

FOUNDED 1845

BARNETT FOUNDRY & MACHINE CO.

LYONS AVENUE AND COIT STREET

IRVINGTON, N.J., U.S.A.

THE CAPITOL IRONING MACHINE

MEMBER OF NATIONAL FOUNDERS' ASSOCIATION

L.D. TELEPHONE 1911 1912 TERRACE

May 17, 1927.

Ex O.75

Hon. Charles H. Stewart,
9 Clinton St.,
Newark, N.J.

Dear Sir:

We are pleased to inform you that we have 3 men using Clinton Ave., 61 using Lyons Ave. and 22 using Springfield Ave. lines coming to work. We object very strongly to any increase in Public Service fares effecting our employees and will be glad to render whatever assistance we can in fighting this increase.

Very truly yours,

BARNETT FOUNDRY & MACHINE CO.

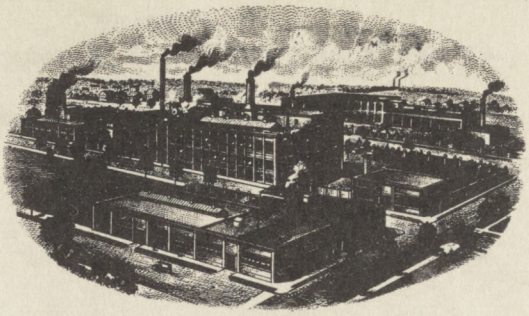
G. W Hannay

Asst. Treas.

GWH/MM

IRVINGTON VARNISH & INSULATOR CO.

C.K.O. 25
MAY 20 1927



ARTHUR E. JONES PRESIDENT
WM. F. HOFFMANN CHAIRMAN OF BOARD
ANDREW YOUNG VICE PRES.
D. FREDERICK BURNETT VICE PRES.
CARL EGNER TREASURER
E. E. HILER SECRETARY

IRVINGTON INSULATION

CABLE ADDRESS
VARSULATOR
NEWARK, N.J.

VARNISHED CAMBRIC

VARNISHED PAPER

VARNISHED SILK

INSULATING VARNISHES

INSULATING COMPOUNDS

"CELLULAK" TUBES

SEAMLESS BIAS TAPES

FLEXIBLE VARNISHED TUBING

COIL WINDINGS

IRVINGTON, NEW JERSEY, U.S.A.

IN REPLY REFER TO C.K.J.

May 19, 1927.

Barnett Foundry Co.,
Lyons Avenue,
Irvington, N. J.

Gentlemen: Attention Mr. Hanny.

In compliance with your telephone request regarding employees who use the Springfield Avenue trolley cars and busses. About 30 of our employees use the trolley and bus it being hard to say how many use each method of transportation because they do not use the same all the time.

Trusting the above information will serve your purpose and calling your attention to the fact that the majority of our employees live in the neighborhood of the factory, we are,

Yours very truly,
IRVINGTON VARNISH & INSULATOR CO.

C. K. Johnson.

C. K. Johnson.



1514

Ex 025

JENNINGS SILVER COMPANY, INC.

MANUFACTURERS OF

SILVER PLATED
SODA FOUNTAIN AND CAFETERIA SUPPLIES
CASSEROLES,
TABLE NOVELTIES & SHAVING SETS
AND
TOILET SETS
IN GOLD & SILVER PLATE

L.C.

MAIN OFFICE
AND
FACTORY
IRVINGTON, N. J.

NEW YORK OFFICE
FIFTH AVE. BUILDING
200 FIFTH AVENUE
TEL. 1552 GRAMMERCY

CHICAGO
60 EAST LAKE STREET

IRVINGTON, N. J. 5-14-27.

Barnett Foundry Co.,
Lyons Ave.,
Irvington, N.J.

Attn. Mr. Hannay.

Dear Sir:-

As per our telephone conversation of yesterday, please be advised that the following is the list you are after:

Those riding on Lyons Ave. - Clinton Ave. Springfield Ave.

One Four Five

There are two of our employees that travel on the Grove Street cross town, one on the Somerville and one on the 18th Street cross town. The rest walk home. I trust this gives you the desired information.

Please call Mr. Schwerin on the Telephone on Monday with reference to this matter.

Very truly yours,

JENNINGS SILVER CO. Inc.

L. Lieske

Book-keeper.

ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS, OR OTHER CAUSES UNAVOIDABLE OR BEYOND OUR CONTROL.

4. (b) Amount of capital stock.

(c) How much paid in cash.

(d) Where and when incorporated.

(e) Street address of principal office and name of agent in charge thereof.

Philip A. Donohue 919 Drake Ave Roselle

5. State fully former experience, if any, in operation of bus lines and when and where.

Roselle Park Line to Elizabeth N.J.

6. (a) State number and character of busses, and their capacity.

14 Pierce-Arrows 2½ ton C.

(b) Do busses conform to specifications of Board of Public Utility Commissioners of New Jersey?

Yes

7 State ownership of busses, i. e., whether owned outright or on conditional bill of sale

Conditional

8. If the application concerns a line only part of which is in the Borough of Roselle Park; state in detail the beginning and ending of route, and through what municipalities said busses are to be operated, the number of hours the busses will be in operation in each day of twenty-four hours and the s hedule upon which said busses are to be run from the different erminals.

Average about 15 trips in twenty four hours.

hours.

9. State amount of fare to be charged over entire route and between municipalities.

5 cts.

Five-cents

10. State names of municipalities which have already granted permits to applicants to operate the bus line for which permit is asked. If none, so state.

11. State number of stops to be made within the Borough limits, and the places where stops to take on and let off passengers are purposed to be made.

At all Intersections

12. Has application been made to the Public Utility Commission for permission to operate any portion of the bus line?

No

Has it been granted wholly or in part? If in part only, what part?

No.

Dated: 2/15/27

South Broad Bus Owners Assn
APPLICANT

by: Philip A. Donohue Pres

919 Drake Ave

Roselle

N. J.

Ex. 0. 76.

APPLICATION FOR BUS OR JITNEY LINE IN ROSELLE PARK, N. J.

To, the Mayor and Common Council of the
Inhabitants of the Borough of Roselle
Park, Union County, New Jersey.

1. The undersigned hereby make application for a permit to operate a bus line over and through the following streets and ways of the Borough of Roselle Park, that is to say: (State definitely the route both going and returning).

14 Busses
Starting Grand St Kenilworth
through Westfield Ave Roselle Park and
into City of Elizabeth

2. (a) The line is to be owned and operated by: (State full name and address of each party in interest).

South Broad Bus Owners Assn.

(b) State whether individual, co-partnership or corporation.

Association

3. If co-partnership, state names and address of individuals composing partnership, and give bank references for each.

4. (a) If corporation give names of its officers.

1516

Ex. O. 27

Electric Railway Costs and Fares in 1926

While Prices of Wholesale Commodities, Electric Railway Operating Materials and Car Fares Have Been Stabilized at About 150 per Cent of Pre-War Figures, Electric Railway Wages and Construction Costs Are More than Double the 1913 Level

By Albert S. Richey
Electric Railway Engineer, Worcester, Mass.

FOR the past several years, in its Financial and Corporate section, monthly, ELECTRIC RAILWAY JOURNAL has been presenting a series of index numbers compiled by the author under the heading "Conspectus of Indexes." This conspectus comprises indexes showing the trend of street railway fares and the costs of electric railway wages and materials entering into electric railway operation; costs of construction, both electric railway and general; wholesale commodities in general; retail food; cost of living, and some others. In the Annual Statistical Numbers of the JOURNAL—the first issue in January in 1923, 1924, 1925 and 1926—there have been shown charts and tables depicting the trend since 1914 of the more important of these indexes as affecting electric railway operation. In Fig. 4 herewith is shown a similar chart indicating the trend of five of these indexes from January, 1914, through the latest available figures for 1926. The indexes there shown are: (1) Wholesale prices of all commodities, as computed by the U. S. Bureau of Labor Statistics; (2) Electric Railway Construction Costs, as computed by the formula of the American Electric Railway Association; (3) Electric Railway Operating Materials Costs, including fuel for power; (4) Electric Railway Wages; (5) Street Railway Fares.

The methods used in the computation of these five indexes were described fully in the statistical issue of the JOURNAL for Jan. 2, 1926, which issue also contained a tabulation showing the numerical values of the various indexes monthly from January, 1920, through December, 1925. The numerical values monthly from January, 1914, through December, 1919, may be found in the JOURNAL for Jan. 5, 1924. A tabulation herewith shows the numerical value of six of the indexes monthly from January, 1924, to date, and these six indexes are also shown graphically on a somewhat larger scale than Fig. 4 by the charts Figs. 1 to 3 and 5 to 7, inclusive.

As shown by Fig. 1, the average street railway fare has increased slightly during 1926 from 7.32 cents in January to 7.42 cents in December. The change is due principally to increases in the eastern Massachusetts cities and Cleveland, and in a lesser degree to increases in Oakland, Des Moines, Spokane, Louisville, Salt Lake City, Duluth and Norfolk. A number of other increases have been of less consequence in affecting the index, either on account of small amount or the relatively small population involved. During the year only one decrease was noted as affecting the index, this being at Tacoma.

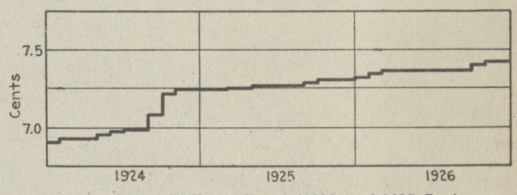


Fig. 1—Street Railway Fares (1923 = 4.8425 Cents

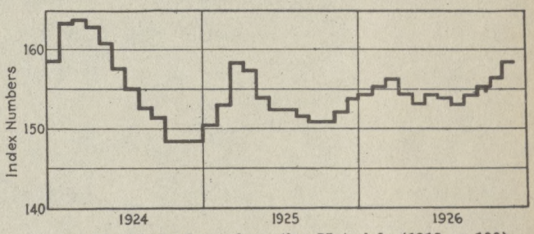


Fig. 2—Electric Railway Operating Materials (1913 = 100)

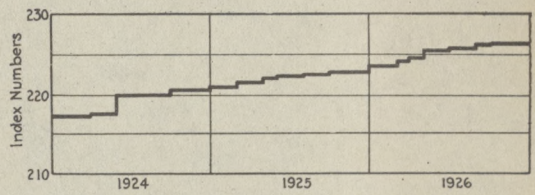


Fig. 3—Electric Railway Wages (1913 = 100)

The trend of the cost of electric railway operating materials has fluctuated only slightly during the year, as shown by Fig. 2, and seems to be stabilizing at about 155 as compared with its pre-war level of 100. The factor which was particularly effective in causing the fluctuations during the year was fuel for power, which enters into this index with the weighting of 40 per cent. Other factors entering maintain prices considerably more uniform than did fuel for power. Nevertheless, as indicated by Fig. 2, the fluctuations in this index were much less marked during 1926 than in either of the two preceding years.

The average wage of electric railway motormen and conductors maintained the upward trend which has been in evidence since the middle of 1923, as shown by Fig. 3. During 1926 eight companies were dropped from this index on account of reduction of forces and one company added, so that the index now

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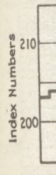

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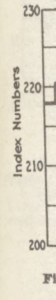

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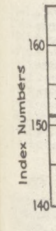

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wages" of motormen and conductors, the index representing "real wages" being the index of wages divided by the index of cost of living, or 134. In other words, the average motorman or conductor in the United States has had the opportunity to increase his standard of living since 1914 by about 34 per cent.

Construction Costs and Wholesale Prices

Turning to construction costs, the American Electric Railway Association Construction Cost Index, as shown by Fig. 5, has maintained a very constant level during the year, with minor fluctuations between 201.3 and 203.7, as compared with the pre-war level of 100 in

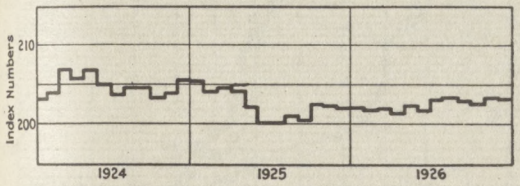


Fig. 5—A.E.R.A. Electric Railway Construction Cost Index (1913 = 100)

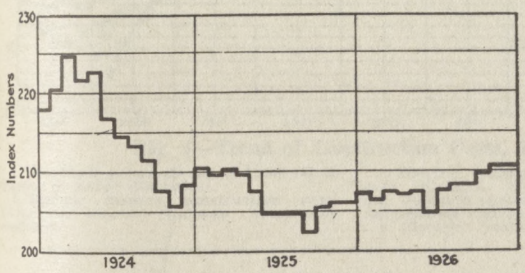


Fig. 6—"Engineering News-Record" Construction Cost Index (1913 = 100)

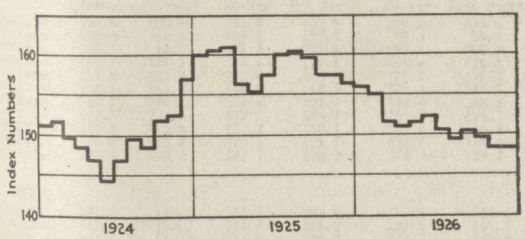
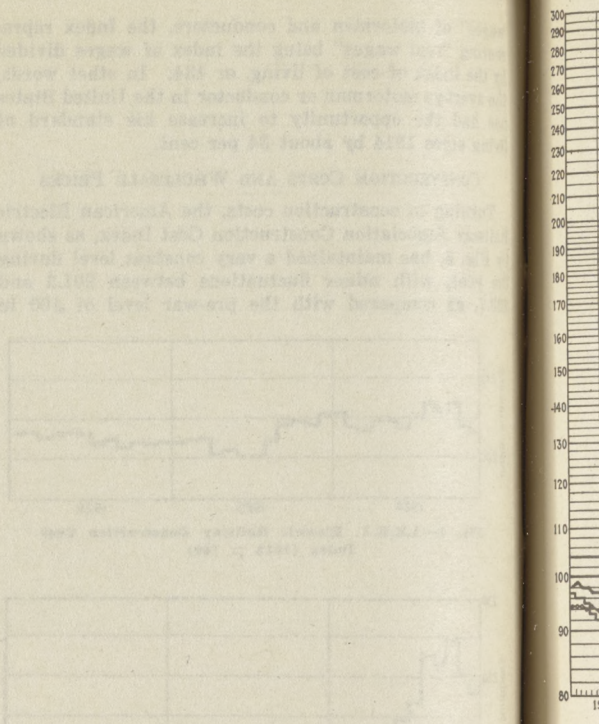


Fig. 7—Index of U. S. Bureau of Labor Statistics Wholesale Commodities (1913 = 100)

1913. The minor rise occurring about the middle of the year was principally due to the increased wage of common labor, which according to the *Engineering News-Record* averaged 54 cents for the country as a whole in January and had increased to 55½ cents in August, which latter figure was being maintained in December. It will be noted that the index, which averages about 202 for 1926, is somewhat lower than two years ago, when it was about 205, that being the maximum since the post-war low in 1922. Apparently this index is stabilizing at somewhere between 200 and 205 per cent of the pre-war value.

The *Engineering News-Record* Construction Cost Index (Fig. 6) applies to construction cost in general, and is here presented as of some value for comparison with the Electric Railway Construction Cost Index. The Electric Railway Index includes a much heavier weighting of labor than the general index, and is further stabilized by the heavier weighting of steel rail, the price of which has remained constant at $43 per ton since October, 1922. The General Construction Cost Index as compared with the Electric Railway Index during 1926 shows a slightly greater tendency upward during the last half of the year, although its reduction as compared with 1924 is considerably greater. The General Construction Cost Index is apparently stabilizing itself at about five points higher than the Electric Railway Construction Cost Index, both on the basis of 1913.

The Wholesale Commodity Index of the U. S. Bureau of Labor Statistics (Fig. 7) is perhaps the most often quoted of any index which purports to show the trend of the general price level. This index reached a maximum of 246.7 in May, 1920, dropped sharply to about 140 in 1921, rose to 158 in 1923, dropped to an average of 150 in 1924, averaged about 157 in 1925, and during the last half of 1923 has been hovering around 150. In other words, for the past several years, while this index has averaged about 150, it has been subject to fluctuations which carried it about ten points above and below that average in cycles of about two years. It is, of course, impossible to foretell its future course, but if the experience of the last four years is of any value, it confirms the opinion previously expressed, that the general price level is tending to fix itself at about 50 per cent above the pre-war level. Electric railway operating materials costs as compared with pre-war levels have increased only about the same amount, or 50 per cent. Construction costs have increased more than 100 per cent and electric railway wages more than 125 per cent. Inasmuch as neither the general commodity index nor the operating materials index contains a labor item, it is fair deduction that the disproportionate rise in electric railway construction and operating costs is due in large measure to the disproportionate increase in wages as compared with that of commodities in general. The fact remains that both construction and operating costs of electric railways have increased very considerably more than the cost of commodities in general, and, further, that the increase in the average fare paid for street railway service in the country as a whole has increased only about the same as commodities in general. The necessity for such operating economies as the light-weight car and one-man operation is evident, when the indexes of street railway fares and wages are compared.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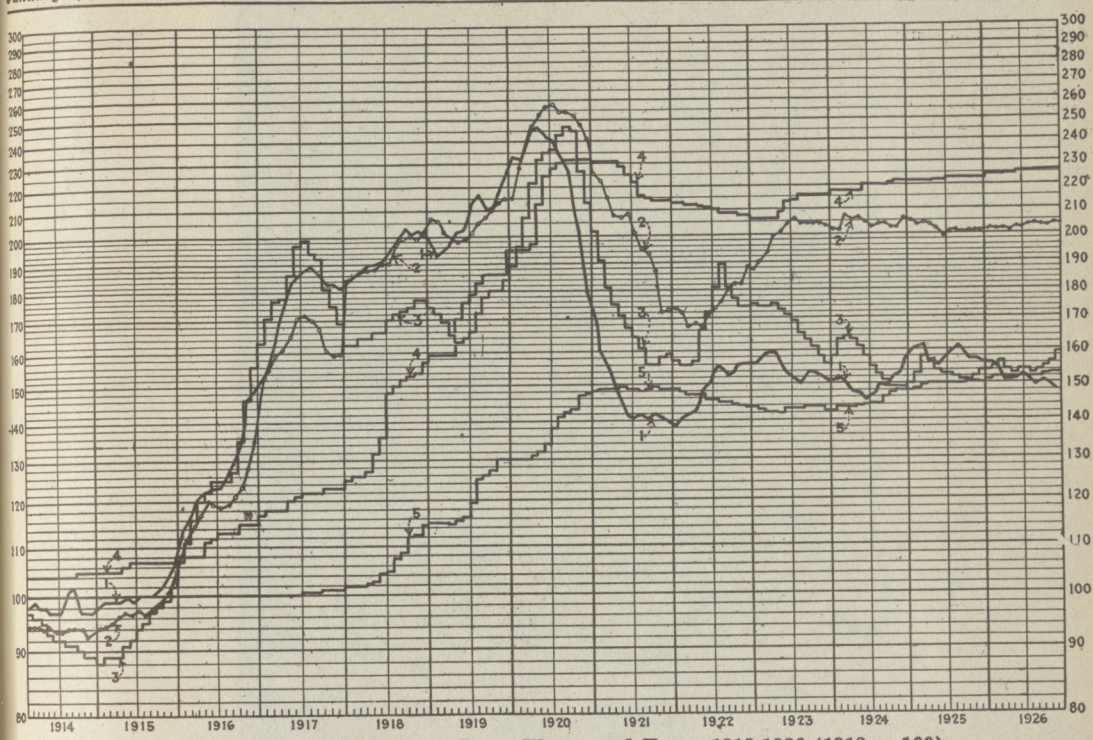

Fig. 4—Trend of Construction Costs, Wages and Fares, 1913-1926 (1913 = 100)

1. Wholesale prices all commodities (U. S. Bureau of Labor Statistics).
2. Electric railway construction costs (American Electric Railway Association statistics).
3. Electric railway operating materials costs (Richey). Includes fuel for power and weighted according to average use in maintenance and operation.
4. Electric railway wages (Richey). Maximum hourly wages of platform men, weighted according to number of men.
5. Street railway fares (Richey). U. S. cities (except New York) weighted according to population.

	Street Railway Fares (Richey)	Elec. Ry. Operating Materials Costs (Richey)	Electric Railway Wages (Richey)	Elec. Ry. Construction Costs (Am. Elec. Ry. Assn.)	General Construction Costs (*Eng. News-Record*)	Wholesale Prices, All Commodities (U.S. Bur. Lab. Stat.)
1913 aver...	100.0	100.0	100.0	100.0	100.0	100.0
1914 aver...	100.0	92.6	104.2	94.0	88.6	98.1
1915 aver...	100.1	93.5	106.2	97.3	92.6	100.8
1916 aver...	100.1	126.2	111.6	119.8	129.6	126.8
1917 aver...	100.5	181.9	120.6	162.7	181.2	177.2
1918 aver...	106.2	168.8	140.5	192.5	189.2	194.3
1919 aver...	120.7	172.2	174.0	205.1	198.4	206.4
1920 aver...	137.2	224.6	217.3	244.7	251.3	226.2
1921 aver...	148.9	169.9	222.7	200.7	201.8	146.9
1922 aver...	146.0	170.0	210.0	175.2	174.4	148.8
1923 aver...	142.9	168.0	212.1	200.2	214.1	153.7
1924						
January....	142.6	158.5	217.4	203.0	217.9	151.2
February...	143.1	163.2	217.4	203.8	220.3	151.7
March.....	143.1	163.9	217.5	206.8	224.7	149.9
April.....	143.2	162.8	217.7	205.5	221.6	148.4
May.....	143.5	160.8	217.8	206.7	222.4	146.9
June.....	143.8	157.6	220.0	204.8	216.8	144.6
July.....	144.2	154.9	220.0	203.7	214.4	147.0
August....	144.3	152.6	220.0	204.3	213.1	149.7
September..	146.2	151.4	220.1	204.3	211.2	148.8
October....	149.1	148.5	220.6	203.2	207.5	151.9
November..	149.5	148.6	220.7	203.7	205.7	152.7
December..	149.6	148.7	220.8	205.6	208.6	157.0

1925	Street Railway Fares (Richey)	Elec. Ry. Operating Materials Costs (Richey)	Electric Railway Wages (Richey)	Elec. Ry. Construction Costs (Am. Elec. Ry. Assn.)	General Construction Costs (*Eng. News-Record*)	Wholesale Prices, All Commodities (U.S. Bur. Lab. Stat.)
January....	149.6	150.3	221.0	205.3	210.4	160.0
February...	149.6	153.1	221.0	203.9	209.7	160.6
March.....	149.9	158.4	221.5	204.4	210.2	161.0
April.....	150.0	157.3	221.6	204.1	209.5	156.2
May.....	150.0	153.9	222.2	202.0	207.2	155.2
June.....	150.0	152.4	222.4	200.0	204.6	157.4
July.....	150.2	152.6	222.5	200.1	204.6	159.9
August.....	150.3	151.6	222.6	201.0	204.6	160.4
September..	150.6	150.9	222.7	200.5	202.1	159.7
October....	151.0	150.9	222.8	202.7	205.3	157.6
November..	150.7	152.0	222.8	202.4	205.9	157.7
December..	150.7	153.9	223.0	202.2	205.9	156.2
1926						
January....	151.2	154.3	223.8	202.2	207.1	156.0
February...	151.8	155.3	223.8	201.9	206.5	155.0
March.....	151.9	156.4	224.1	202.0	207.6	151.5
April.....	151.9	154.2	224.7	201.3	207.0	151.1
May.....	151.9	153.1	225.4	202.4	207.3	151.7
June.....	152.1	154.4	225.5	201.9	204.8	152.3
July.....	152.0	154.1	225.7	203.2	207.8	150.7
August.....	152.0	153.1	225.9	203.6	208.3	149.2
September..	152.0	154.2	226.1	203.2	208.3	150.5
October....	152.8	155.4	226.2	202.9	209.8	149.7
November..	153.2	156.6	226.3	203.7	210.8	148.1
December..	153.2	159.2	226.3	203.2	210.8	.....

includes 137 companies, each of which employs more than 100 motormen and conductors, and indicates the trend of the average wage of 105,025 men. The upward trend of the index during 1926 was due principally to increased wages in San Francisco, Philadelphia, Louisville, Cleveland, Connecticut, Detroit, Memphis, Cincinnati, Birmingham, Providence and eastern Massachusetts. Several other increases were noted which affected the index only slightly, either on account of the limited amount of the increase or the relatively small number of men involved. The average wage of the 105,025 men, as compared with 1913, had increased 123.8 per cent up to January, 1926, and 126.3 per cent up to December, 1926, there being an increase of 1.1 per cent during the year 1926. It will be noted that, in comparison with the rise in cost of living, the increase in electric railway wages has been out of all proportion. According to the National Industrial Conference Board, the cost of living since 1914 had increased 70.4 per cent up to January, 1926, and 67.2 per cent up to November, 1926. The average index of the cost of living during 1926 was about 168, and the average index of electric railway wages was about 225. This indicates a very considerable increase in the "real

Exhibit O-28.

PASSENGERS AFFECTED ANNUALLY
BY PROPOSED BUS ZONES

Route	Total Passengers per Day (per Warner)	Passengers per Day Affected by Proposed Zones (per Warner)	Per Cent Affected
Clinton Place	6,162	1,460	23.69
Lyons Avenue	20,657	5,418	26.23
Clinton Avenue	27,933	13,951	49.94
Springfield Ave.	28,666	15,256	53.22

Route	Passenger Receipts 1st 3 mos. 1927	Passenger Fares 1st 3 mos. 1927	Estimated Total Passengers 1927	Passengers Affected by Proposed Zones Annually
Clinton Place	$ 30,679	613,580	2,454,320	581,428
Lyons Avenue	89,859	1,797,180	7,188,720	1,885,601
Clinton Avenue	111,860	2,237,220	8,948,800	4,469,031
Springfield Ave.	117,394	2,347,880	9,391,520	4,998,167
Total				11,934,227

Exhibit O-28

PASSENGERS AFFECTED BY PROPOSED BUS ZONES THROUGH RIDERS BETWEEN NEWARK AND IRVINGTON

Clinton Place Bus Line

10	Observed Wednesday, February 2, from 6:30 A. M. to 10:00 P. M. (15½ hours)	1,651
	Observed Thursday, February 3, from 6:30 A. M. to 10:00 P. M. (15½ hours)	1,553
	Warner testimony, page 62,	1,460

Lyons Avenue Bus Line

	Observed Friday, February 4, from	
20	6:00 A. M. to 10:00 P. M. (16 hours)	4,941
	Observed Saturday, February 5, from 6:00 A. M. to 10:00 P. M. (16 hours)	
	Warner testimony, page 63,	5,418

Clinton Avenue Bus Line

	Observed Sunday, February 6, from 7:00 A. M. to 10:00 P. M. (15 hours)	7,366
	Observed Monday, February 7, from	
30	6:20 A. M. to 10:00 P. M. (15 2/3 hours)	10,443
	Observed Tuesday, February 8, from 6:00 A. M. to 10:00 P. M. (16 hours)	12,211
	Warner testimony, page 55,	13,951

Springfield Avenue Bus Line

	Observed Wednesday, February 9, from 6:00 A. M. to 10:00 P. M. (16 hours)	16,274
40	Observed Thursday, February 10, from 6:00 A. M. to 10:00 P. M. (16 hours)	15,517
	Warner testimony, page 62,	15,256

Exhibit O-28

Total—Irvington Bus Lines

Average observed in normal week day	
Clinton Place Line, Feb. 2 and 3,	1,602
Lyons Avenue Line, February 4,	4,941
Clinton Avenue Line, Feb. 7 and 8,	11,327
Springfield Ave. Line, Feb. 9 and 10,	15,896
	33,766
Warner testimony, total,	36,085

Exhibit O-28

CLINTON PLACE BUS LINE

Passenger Count Summary at Newark-Irvington Line

Observations Taken February 2, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:30-7:00 A. M.	1	35	35	1	16	16
7:00-7:30	3	101	34	2	58	29
7:30-8:00	2	39	19	5	120	24
8:00-8:30	3	49	16	4	77	19
8:30-9:00	4	17	4	2	19	9
Total	13	241	18	14	290	21
9:00-9:30	3	7	2	2	11	5
9:30-10:00	3	12	4	2	9	4
10:00-10:30	2	8	4	2	10	5
10:30-11:00	1	8	8	2	19	9
11:00-11:30	3	15	5	2	23	11
11:30-12:00	1	5	5	2	13	6
12:00-12:30 P. M.	2	12	6	2	16	8
12:30-1:00	2	10	5	2	14	7
1:00-1:30	3	12	4	2	13	6
1:30-2:00	3	27	9	3	25	8
2:00-2:30	2	13	6	2	13	6
2:30-3:00	3	34	11	2	10	5
3:00-3:30	2	12	6	2	7	3
3:30-4:00	2	11	5	3	8	3
Total	32	186	6	30	191	6

Exhibit O-28

4:00-4:30	2	24	12	5	38	8	
4:30-5:00	3	37	12	3	83	28	
5:00-5:30	2	61	30	3	82	27	
5:30-6:00	3	77	26	2	46	23	
6:00-6:30	4	64	16	3	16	5	
6:30-7:00	2	12	6	3	31	10	10
Total	16	275	17	19	296	15	
7:00-7:30	3	23	8	2	21	10	
7:30-8:00	3	22	7	2	24	12	
8:00-8:30	2	13	6	2	12	6	
8:30-9:00	2	25	12	2	8	4	
9:00-9:30	2	11	5	2	1	1	
9:30-10:00	2	7	3	2	5	2	20
Total	14	101	7	12	71	6	
Grand Total	75	803	11	75	848	11	

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Exhibit O-28

CLINTON PLACE BUS LINE

Passenger Count Summary at Chancellor Avenue and Newark-Irvington Line

Observations Taken February 3, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:30-7:00 A. M.	1	29	29			
7:00-7:30	2	69	34	3	95	32
7:30-8:00	2	57	28	4	120	30
8:00-8:30	3	15	5	3	73	24
8:30-9:00	5	21	4	3	41	14
Total	13	191	15	13	329	25
9:00-9:30	3	7	2	2	18	9
9:30-10:00	2	4	2	2	11	5
10:00-10:30	3	5	2	2	14	7
10:30-11:00	1	4	4	2	17	8
11:00-11:30	3	13	4	2	11	5
11:30-12:00	1	3	3	2	10	5
12:00-12:30 P. M.	2	8	4	2	12	6
12:30-1:00	2	19	9	2	8	4
1:00-1:30	2	9	4	3	32	11
1:30-2:00	2	16	8	2	21	10
2:00-2:30	2	12	6	2	18	9
2:30-3:00	3	17	6	3	17	6
3:00-3:30	2	11	5	2	13	6
3:30-4:00	3	23	8	3	8	3
Total	31	151	5	31	210	7

Exhibit O-28

4:00-4:30	2	18	9	3	33	11	
4:30-5:00	4	70	17	3	60	20	
5:00-5:30	2	26	13	3	81	27	
5:30-6:00	2	44	22	3	49	16	
6:00- 6:30	4	63	16	4	27	7	
6:30-7:00	3	35	12	2	25	12	10
Total	17	256	15	18	275	15	
7:00-7:30	3	17	6	2	12	6	
7:30-8:00	1	4	4	2	23	11	
8:00-8:30	2	25	12	2	12	6	
8:30-9:00	3	14	5	2	9	4	
9:00-9:30	2	9	4	2	10	5	
9:30-10:00	1	3	3	1	3	3	20
Total	12	72	6	11	69	6	
Grand Total	73	670	9	73	883	12	

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Exhibit O-28

LYONS AVENUE BUS LINE

Passenger Count Summary at Lyons Avenue and Newark-Irvington Line

Observations Taken February 4, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:00-6:30 A. M.	3	53	18	3	56	19
6:30-7:00	5	86	17	7	183	26
7:00-7:30	5	180	36	4	188	47
7:30-8:00	5	152	30	5	245	49
8:00-8:30	6	72	12	5	214	43
8:30-9:00	4	36	9	4	100	25
Total	28	579	21	28	986	35
9:00-9:30	5	27	5	6	55	9
9:30-10:00	6	27	4	5	37	7
10:00-10:30	6	31	5	5	48	10
10:30-11:00	4	30	7	5	36	7
11:00-11:30	5	29	6	5	33	7
11:30-12:00	5	40	8	5	48	10
12:00-12:30 P. M.	6	44	7	5	31	6
12:30-1:00	5	37	7	4	39	10
1:00-1:30	6	49	8	5	48	10
1:30-2:00	5	47	9	5	50	10
2:00-2:30	6	53	9	5	59	12
2:30-3:00	4	46	11	5	53	7
3:00-3:30	5	53	11	5	42	8
3:30-4:00	7	57	8	7	48	7
Total	75	570	8	72	607	8

Exhibit O-28

4:00-4:30	7	84	12	7	103	15	
4:30-5:00	6	126	21	4	120	30	
5:00-5:30	4	132	33	5	167	33	
5:30-6:00	8	252	31	6	130	22	
6:00-6:30	11	195	18	9	108	12	
6:30-7:00	6	122	20	8	39	5	
Total	42	911	22	39	667	17	
7:00-7:30	5	50	10	8	93	12	
7:30-8:00	7	106	15	6	92	15	
8:00-8:30	5	57	11	5	77	15	
8:30-9:00	5	31	6	4	21	5	
9:00-9:30	5	23	5	6	32	5	
9:30-10:00	3	22	7	3	17	6	
Total	30	289	10	32	332	10	
Grand Total	175	2349	13	171	2592	15	

Exhibit O-28

LYONS AVENUE BUS LINE

Passenger Count Summary at Lyons Avenue and Newark-Irvington Line

Observations Taken February 5, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:00-6:30 A. M.	3	35	12	2	15	7
6:30-7:00	5	75	15	7	130	19
7:00-7:30	6	161	27	5	213	43
7:30-8:00	5	101	20	5	205	41
8:00-8:30	5	37	7	5	184	37
8:30-9:00	5	36	7	6	127	21
Total	29	445	16	30	874	29
9:00-9:30	5	26	5	6	61	10
9:30-10:00	4	24	6	4	43	11
10:00-10:30	6	37	6	5	51	10
10:30-11:00	5	31	6	5	50	10
11:00-11:30	5	43	9	4	51	13
11:30-12:00	6	64	11	7	70	10
12:00-12:30 P. M.	6	100	17	6	168	28
12:30- 1:00	7	209	30	6	122	20
1:00- 1:30	8	146	18	7	92	13
1:30- 2:00	7	83	12	8	102	13
2:00- 2:30	7	102	15	7	69	10
2:30- 3:00	7	120	17	6	68	11
3:00- 3:30	7	86	12	6	55	9
3:30- 4:00	6	87	14	8	81	10
Total	86	1158	13	85	1083	13

Exhibit O-28

4:00- 4:30	5	78	16	6	48	8	
4:30- 5:00	7	88	13	6	96	16	
5:00- 5:30	6	97	16	6	70	12	
5:30- 6:00	5	64	13	7	79	11	
6:00- 6:30	7	99	14	5	84	17	
6:30- 7:00	5	99	20	6	63	10	10
Total	35	525	15	36	440	12	
7:00- 7:30	7	77	11	7	104	15	
7:30- 8:00	5	54	11	5	73	15	
8:00- 8:30	6	86	14	7	69	10	
8:30- 9:00	6	72	12	7	68	10	
9:00- 9:30	5	45	9	5	33	7	
9:30-10:00	4	36	9	5	35	7	20
Total	33	370	11	36	382	11	
Grand Total	183	2498	136	187	2779	149	

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Exhibit O-28

CLINTON AVENUE BUS LINE

Passenger Count Summary at Clinton Avenue and Newark-Irvington Line

Observations Taken February 6, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
7:00- 7:30 A. M.	4	35	9	1	17	17
7:30- 8:00	1	8	8	5	53	11
8:00- 8:30	4	27	7	3	22	7
8:30- 9:00	3	20	7	6	79	13
Total	12	90	7	15	171	11
9:00- 9:30	6	30	5	6	94	16
9:30-10:00	5	55	11	5	93	19
10:00-10:30	4	34	8	6	165	27
10:30-11:00	5	81	16	4	100	25
11:00-11:30	6	107	18	5	132	26
11:30-12:00	6	112	19	5	110	22
12:00-12:30 P. M.	5	90	18	8	96	12
12:30- 1:00	5	187	37	7	100	14
1:00- 1:30	7	132	19	7	107	15
1:30- 2:00	7	83	12	7	144	21
2:00- 2:30	8	165	21	7	173	25
2:30- 3:00	6	106	18	8	228	28
3:00- 3:30	8	134	17	8	229	29
3:30- 4:00	7	125	18	7	171	24
Total	85	1441	17	90	1942	21

Exhibit O-28

4:00- 4:30	6	110	18	7	152	22	
4:30- 5:00	8	144	18	7	215	31	
5:00- 5:30	8	178	22	7	123	18	
5:30- 6:00	6	116	19	8	169	21	
6:00- 6:30	7	160	23	7	161	23	
6:30- 7:00	8	160	20	7	192	27	10
Total	43	868	20	43	1012	23	
7:00- 7:30	3	75	25	7	199	28	
7:30- 8:00	12	206	17	8	273	34	
8:00- 8:30	7	134	19	7	169	24	
8:30- 9:00	4	69	17	7	149	21	
9:00- 9:30	10	187	19	6	95	16	
9:30-10:00	6	157	26	7	129	18	20
Total	42	828	20	42	1014	24	
Grand Total	182	3227	18	190	4139	22	

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Exhibit O-28

CLINTON AVENUE BUS LINE

Passenger Count Summary at Clinton Avenue and Newark-Irvington Line

Observations taken February 7, 1927

Time		Out West Bound			In East Bound		
		Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:20- 6:30	A. M.	—	—	—	2	42	21
6:30- 7:00		9	110	12	13	300	23
7:00- 7:30		8	191	24	17	394	23
7:30- 8:00		10	230	23	12	403	34
8:00- 8:30		13	151	12	10	373	37
8:30- 9:00		15	126	8	10	324	32
Total		55	808	15	64	1836	29
9:00- 9:30		11	59	5	9	126	14
9:30-10:00		10	77	8	6	127	21
10:00-11:00		7	36	5	8	165	21
10:30-11:00		4	58	14	6	127	21
11:00-11:30		7	85	12	6	106	18
11:30-12:00		6	98	16	7	96	14
12:00-12:30	P. M.	6	92	15	7	131	19
12:30- 1:00		8	108	13	6	133	22
1:00-1:30		5	89	18	8	191	24
1:30- 2:00		11	68	6	5	140	28
2:00- 2:30		6	102	17	7	140	20
2:30- 3:00		6	118	20	10	124	12
3:00- 3:30		8	139	17	7	56	8
Total		95	1129	12	92	1662	18

Exhibit O-28

4:30- 5:00	9	265	29	15	276	18	
5:00- 5:30	10	376	38	15	409	27	
5:30- 6:00	17	610	36	13	283	22	
6:00- 6:30	17	471	28	10	153	15	
6:30- 7:00	13	334	26	10	151	15	
	—	——	—	—	——	—	10
Total	66	2056	31	67	1272	20	
7:00- 7:30	13	177	14	7	212	30	
7:30- 8:00	8	170	21	10	290	29	
8:00- 8:30	7	148	21	9	186	21	
8:30- 9:00	13	124	10	6	79	13	
9:00- 9:30	7	93	13	8	64	8	
9:30-10:00	6	89	15	7	48	7	
	—	——	—	—	——	—	20
Total	54	801	15	47	879	19	
Grand Total	270	4794	18	266	5649	21	

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Exhibit O-28

CLINTON AVENUE BUS LINE

Passenger Count Summary at Clinton Avenue and Newark-Irvington Line

Observations Taken February 8, 1927

Time		Out West Bound			In East Bound		
		Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:00- 6:30	A. M.	2	28	14	5	90	18
6:30- 7:00		9	133	15	12	319	27
7:00- 7:30		8	226	28	17	459	27
7:30- 8:00		8	223	28	12	462	38
8:00- 8:30		11	154	14	11	431	39
8:30- 9:00		10	122	12	10	315	31
Total		48	886	18	67	2076	31
9:00- 9:30		17	85	5	9	132	15
9:30-10:00		8	40	5	7	196	28
10:00-10:30		8	96	12	8	142	18
10:30-11:00		6	79	13	8	176	22
11:00-11:30		7	94	13	6	119	20
11:30-12:00		7	100	14	7	145	21
12:00-12:30	P. M.	7	128	18	7	140	20
12:30- 1:00		9	106	12	7	147	21
1:00- 1:30		5	95	19	8	183	23
1:30- 2:00		8	167	21	7	187	27
2:00- 2:30		6	80	13	9	170	19
2:30- 3:00		9	173	19	10	141	14
3:00- 3:30		9	166	18	9	121	13
3:30- 4:00		9	183	20	13	161	12
Total		115	1592	14	115	2160	19

Exhibit O-28

4:00- 4:30	10	240	24	9	141	16	
4:30- 5:00	13	391	31	11	249	22	
5:00- 5:30	10	351	35	16	416	26	
5:30- 6:00	15	534	36	11	226	20	
6:00- 6:30	14	434	31	9	159	18	
6:30- 7:00	13	334	26	10	175	17	10
Total	75	2284	30	66	1366	21	
7:00- 7:30	10	189	19	10	256	26	
7:30- 8:00	11	184	17	8	272	34	
8:00- 8:30	7	124	18	9	169	19	
8:30- 9:00	8	114	14	7	91	13	
9:00- 9:30	8	168	21	8	64	8	
9:30-10:00	8	148	18	6	68	12	20
Total	52	927	18	48	920	19	
Grand Total	290	5689	20	296	6522	22	

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Exhibit O-28

SPRINGFIELD AVENUE BUS LINE

Passenger Count Summary at Springfield Avenue and Newark-Irvington Line

Time		Out West Bound Passengers			In East Bound Passengers		
		Buses	Total	Per Bus	Buses	Total	Per Bus
6:00- 6:30	A. M.	6	89	15	7	190	27
6:30- 7:00		7	134	19	14	357	25
7:00- 7:30		13	365	28	13	569	44
7:30- 8:00		14	312	22	14	575	41
8:00- 8:30		15	141	9	14	624	45
8:30- 9:00		15	106	7	9	307	34
Total		70	1147	16	71	2622	37
9:00- 9:30		13	93	7	8	238	30
9:30-10:00		9	86	10	8	247	25
10:00-10:30		13	160	12	11	236	21
10:30-11:00		8	93	11	11	275	25
11:00-11:30		12	157	13	11	236	21
11:30-12:00		10	191	19	11	199	18
12:00-12:30	P. M.	11	166	15	10	172	17
12:30- 1:00		12	169	14	10	245	24
1:00- 1:30		9	170	19	11	294	27
1:30- 2:00		9	161	18	11	257	23
2:00- 2:30		12	256	21	11	205	19
2:30- 3:00		10	210	21	12	187	16
3:00- 3:30		9	189	21	12	162	13
3:30- 4:00		12	272	23	14	192	13
Total		149	2373	16	153	3145	20

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4:00-4:30	9	304	34	13	185	14	
4:30-5:00	15	484	32	15	340	23	
5:00-5:30	10	344	34	17	403	27	
5:30-6:00	22	710	32	11	264	24	
6:00-6:30	15	498	33	13	190	15	
6:30-7:00	15	393	26	10	280	28	
	86	2733	32	79	1662	21	
7:00-7:30	7	216	31	11	385	35	
7:30-8:00	9	273	30	9	323	36	
8:00-8:30	14	269	19	10	264	26	
8:30-9:00	9	113	12	12	179	15	
9:00-9:30	12	266	17	11	72	7	
9:30-10:30	11	227	20	10	65	6	
Total	62	1304	21	63	1288	20	
Grand Total	367	7557	21	366	8717	24	

Exhibit O-28

SPRINGFIELD AVENUE BUS LINE

Passenger Count Summary at Springfield Avenue and Newark-Irvington Line

Observations Taken February 10, 1927

Time		Out West Bound Passengers			In East Bound Passengers		
		Buses	Total	Per Bus	Buses	Total	Per Bus
6:00-6:30	A. M.	5	92	18	9	218	24
6:30-7:00		8	162	20	11	314	29
7:00-7:30		12	279	23	12	491	41
7:30-8:00		13	297	23	12	503	42
8:00-8:30		15	114	8	13	526	40
8:30-9:00		12	86	7	8	277	35
Total		65	1030	16	65	2329	36
9:00-9:30		13	68	5	10	283	28
9:30-10:00		7	75	11	9	205	23
10:00-10:30		11	95	9	9	198	22
10:30-11:00		9	117	13	11	253	23
11:00-11:30		13	147	11	10	209	30
11:30-12:00		8	115	14	10	203	20
12:00-12:30	P. M.	12	170	14	9	130	14
12:30-1:00		10	145	14	11	245	22
1:00-1:30		8	116	15	10	248	25
1:30-2:00		11	157	14	10	248	25
2:00-2:30		12	241	20	9	225	25
2:30-3:00		7	145	21	10	215	21
3:00-3:30		11	254	23	12	185	15
3:30-4:00		11	289	26	14	169	12
Total		143	2134	15	144	3016	21

Exhibit O-28

4:00-4:30	8	287	36	13	203	16
4:30-5:00	16	573	36	11	288	26
5:00-5:30	12	431	36	16	411	26
5:30-6:00	10	385	38	14	292	21
6:00-6:30	27	862	32	12	180	15
6:30-7:00	11	348	31	9	212	24
Total	84	2886	34	75	1586	21
7:00-7:30	9	280	31	11	338	31
7:30-8:00	11	298	27	10	294	29
8:00-8:30	12	230	19	12	255	21
8:30-9:00	9	135	15	11	216	19
9:00-9:30	12	163	14	11	101	9
9:30-10:00	7	130	19	8	96	12
Total	60	1236	21	63	1300	21
Total	352	7286	21	347	8231	24

Exhibit O-28

COMPARATIVE BUS AND TROLLEY SERVICE

Clinton Avenue Line

Observations Taken February 23, 1927, at Clinton Avenue and Ball Street, Irvington

Time	Out West Bound		In East Bound	
	Buses	Trolleys	Buses	Trolleys
12:30-1:00 P. M.	8	2	5	2
1:00-1:30	7	1	6	3
1:30-2:00	4	2	7	2
2:00-2:30	6	2	7	2
2:30-3:00	7	2	10	2
3:00-3:30	10	2	10	4
3:30-4:00	10	2	10	5
Total	52	13	55	20
4:00-4:30	7	2	9	4
4:30-5:00	11	2	11	9
5:00-5:30	8	2	14	2
5:30-6:00	18	2	11	3
6:00-6:30	11	9	12	4
6:30-7:00	13	6	13	3
Total	68	23	70	25
7:00-7:30	13	5	7	3
7:30-8:00	9	5	9	2
Total	22	10	16	5
Grand Total	142	46	141	50

Exhibit O-28

CLINTON AVENUE TROLLEY LINE

Passenger Count Summary at City Line and Newark-Irvington Line

Observations Taken February 6, 1927

Time	Out West Bound			In East Bound		
	Cars	Passengers Total	Per Car	Cars	Passengers Total	Per Car
7:00-7:30 A. M.	1	—	—	3	11	4
7:30-8:00	2	6	3	4	5	1
8:00-8:30	2	3	1	2	3	1
8:30-9:00	2	3	1	2	4	2
Total	7	12	2	11	23	2
9:00-9:30	2	3	1	2	5	2
9:30-10:00	1	6	6	3	13	4
10:00-10:30	2	12	6	2	25	12
10:30-11:00	2	15	7	2	22	11
11:00-11:30	1	5	5	2	20	10
11:30-12:00	3	19	6	2	15	7
12:00-12:30 P. M.	2	12	6	2	5	2
12:30-1:00	2	42	21	2	9	4
1:00-1:30	2	9	4	2	9	4
1:30-2:00	2	6	3	2	11	5
2:00-2:30	3	11	4	1	4	4
2:30-3:00	2	16	8	2	20	10
3:00-3:30	2	17	8	2	10	5
3:30-4:00	2	13	6	2	16	8
Total	28	186	6	28	184	6

Exhibit O-28

	4:00-4:30	2	10	5	2	16	8
	4:30-5:00	3	13	4	2	24	12
	5:00-5:30	2	8	4	2	9	4
	5:30-6:00	—	—	—	2	10	5
	6:00-6:30	4	20	5	2	5	2
10	6:30-7:00	2	8	4	2	10	5
		—	—	—	—	—	—
	Total	13	59	4	12	74	6
	7:00-7:30	2	15	7	2	18	9
	7:30-8:00	—	2	—	2	27	13
	8:00-8:30	3	15	5	1	8	8
	8:30-9:00	2	9	4	2	7	3
	9:00-9:30	1	9	9	3	16	5
20	9:30-10:00	1	12	12	3	10	3
		—	—	—	—	—	—
	Total	9	60	6	13	86	6
	Grand Total	57	317	5	64	367	6

30

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Exhibit O-28

BROAD-NUTLEY TROLLEY LINE

Passenger Count Summary at Clinton Avenue and Newark-Irvington Line

Observations Taken February 7, 1927

Time	Out West Bound			In East Bound		
	Cars	Passengers Total	Per Car	Cars	Passengers Total	Per Car
6:30-7:00 A. M.	2	14	7	5	33	7
7:00-7:30	2	61	30	6	87	14
7:30-8:00	3	27	9	7	143	20
8:00-8:30	3	10	3	4	40	10
8:30-9:00	6	9	2	3	39	13
Total	16	121	8	25	342	14
9:00-9:30	4	10	2	2	5	2
9:30-10:00	3	5	2	2	10	5
10:00-10:30	3	—	—	2	8	4
10:30-11:00	2	10	5	3	3	1
11:00-11:30	3	12	4	2	3	2
11:30-12:00	1	2	2	2	8	4
12:00-12:30 P. M.	2	10	5	2	9	4
12:30-1:00	2	3	2	2	5	2
1:00-1:30	2	15	8	2	19	10
1:30-2:00	3	8	3	2	10	5
2:00-2:30	1	9	9	2	13	6
2:30-3:00	2	10	5	2	5	2
3:00-3:30	3	27	9	4	12	3
Total	31	121	4	29	110	4

Exhibit O-28

BROAD-NUTLEY TROLLEY LINE

Passenger Count Summary at Clinton Avenue and Newark-Irvington Line

Observations Taken February 8, 1927

Time	Out West Bound			In East Bound		
	Cars	Passengers Total	Per Car	Cars	Passengers Total	Per Car
6:00-6:30 A. M.	2	3	1	4	21	5
6:30-7:00	2	8	4	5	55	11
7:00-7:30	2	39	19	6	158	26
7:30-8:00	2	17	8	7	130	19
8:00-8:30	4	17	4	3	48	16
8:30-9:00	5	12	2	3	19	6
Total	17	96	6	28	431	15
9:00-9:30	4	4	1	2	8	4
9:30-10:00	2	2	1	2	12	6
10:00-10:30	3	6	2	2	13	6
10:30-11:00	1	1	1	2	5	2
11:00-11:30	2	8	4	2	6	3
11:30-12:00	2	8	4	2	6	3
12:00-12:30 P. M.	2	3	1	2	10	5
12:30-1:00	2	7	3	2	8	4
1:00-1:30	2	13	6	2	10	5
3:30-4:00	—	—	—	4	13	3
4:00-4:30	3	26	9	5	10	2
4:30-5:00	3	42	14	9	36	4
5:00-5:30	2	54	27	4	53	13

Exhibit O-28

5:30-6:00	5	125	25	2	86	43
6:00-6:30	12	108	9	3	12	4
6:30-7:00	7	43	6	3	17	6
Total	52	450	9	48	305	6
7:00-7:30	3	16	5	3	20	7
7:30-8:00	5	20	4	2	24	12
8:00-8.30	2	15	7	2	9	4
8:30-9:00	2	9	4	2	11	5
9:00-9:30	2	6	3	2	2	1
9:30-10:00	2	9	4	3	2	1
Total	16	75	5	14	68	5
Grand Total	65	621	7	90	804	9

Exhibit O-28

CLINTON AVENUE BUS LINE

Running Time and Intervals Between Buses

Observations Made February 23, 1927

At Newark Post Office and at Clinton Avenue and Ball Street, Irvington

Bus No.	Leave Newark P. O.		Arrive Ball St.	Running Time	Interval Between Buses
	A. M.		P. M.	Min. Sec.	Min. Sec.
264	11:41:15		12:07:20	26 : 05	— —
343	11:44:00		12:07:25	23 : 25	— : 05
93	11:54:20		12:15:50	21 : 30	8 : 25
368			12:16:20		: 30
64	11:56:00		12:16:40	20 : 40	: 20
340	12:08:00	P. M.	12:32:30	24 : 30	15 : 50
264			12:32:30		
34	12:19:00		12:48:20	29 : 20	15 : 50
76	12:24:30		12:50:00	25 : 30	1 : 40
202	12:28:45		12:51:20	22 : 35	1 : 20
247			12:55:30		4 : 10
146	12:34:00		12:57:00	23 : 00	1 : 30
58	12:37:45		12:57:45	20 : 00	: 45
100	12:41:15		1:03:10	21 : 55	5 : 25
450	12:43:20		1:03:50	20 : 30	: 40
105	12:48:00		1:09:30	21 : 30	5 : 40
313	12:52:20		1:11:25	19 : 05	1 : 55
343	1:02:00		1:26:20	24 : 20	14 : 55
264	1:02:20		1:27:10	24 : 50	: 50
368	1:05:20		1:28:40	23 : 20	1 : 30
93	1:08:30		1:33:30	25 : 00	4 : 50
64	1:16:50		1:41:30	24 : 40	8 : 00

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599	1:19:20	1:42:45	23 : 25	1 : 15	
340	1:25:45	1:49:40	23 : 55	6 : 55	
202	1:42:40	2:07:30	24 : 50	17 : 50	
146		2:12:50		5 : 20	
356		2:14:10		1 : 20	
58	1:54:00	2:15:50	21 : 50	1 : 40	10
247	1:58:00	2:23:00	25 : 00	7 : 10	
100		2:24:00		1 : 00	
105	2:09:30	2:33:35	24 : 05	9 : 35	
450	2:08:50	2:34:35	25 : 45	1 : 00	
313	2:12:10	2:35:35	23 : 25	1 : 00	
343		2:42:10		6 : 35	
368	2:27:00	2:53:00	26 : 00	10 : 50	
264	2:31:30	2:53:10	21 : 40	: 10	
93	2:32:00	2:54:20	22 : 20	1 : 10	20
154	2:39:40	3:01:00	21 : 20	6 : 40	
599	2:40:10	3:01:00	20 : 50	: 00	
64	2:35:45	3:01:20	25 : 35	: 20	
	P. M.	P. M.	Min. Sec.	Min. Sec.	
76		3:07:20		6 : 00	
356		3:07:30		: 10	
537		3:12:25		4 : 55	
340	2:49:00	3:13:55	24 : 55	1 : 30	
404	2:55:00	3:20:30	25 : 30	6 : 35	30
202	3:02:30	3:27:30	25 : 00	7 : 00	
399	3:04:30	3:29:05	24 : 35	1 : 35	
286	3:11:00	3:35:40	24 : 40	6 : 35	
58	3:14:45	3:36:00	21 : 15	: 20	
100	3:19:05	3:47:00	27 : 55	11 : 00	
213	3:24:50	3:47:10	22 : 20	: 10	
247	3:22:35	3:47:40	25 : 05	: 30	
313	3:29:40	3:49:15	19 : 35	1 : 35	
450	3:27:45	3:49:30	21 : 45	: 15	40
546	3:34:30	3:57:00	22 : 30	7 : 30	

Exhibit O-28

	343	3:35:45	3:57:40	21 : 55	: 40	
	105	332:35	3:58:00	25 : 25	: 20	
	226	3:43:10	4:05:30	22 : 20	7 : 30	
	264	3:44:00	4:09:20	25 : 20	3 : 50	
	93	3:49:20	4:12:30	23 : 10	3 : 10	
10	154	3:52:30	4:16:55	24 : 25	4 : 25	
	368	3:46:00	4:25:10	39 : 10	8 : 15	
	64	3:57:30	4:25:10	27 : 40	: 00	
	356	4:03:45	4:28:25	24 : 40	3 : 15	
	152	4:06:40	4:32:40	26 : 00	4 : 15	
	537	4:14:00	4:35:40	21 : 40	3 : 00	
	242	4:11:40	4:37:40	26 : 00	2 : 00	
	76		4:39:00		1 : 20	
	120	4:18:15	4:49:20	31 : 05	10 : 20	
20	399	4:25:45	4:49:50	24 : 05	: 30	
	404	4:23:00	4:51:40	28 : 40	1 : 50	
	202	4:28:00	4:53:45	25 : 45	2 : 05	
	286		4:54:00		: 15	
	58		4:55:30		1 : 30	
	100	4:37:50	4:58:20	20 : 30	2 : 50	
	450	4:34:35	5:01:30	26 : 55	3 : 10	
	213	4:44:00	5:07:50	23 : 50	6 : 20	
	339		5:08:00		: 10	
30	247	4:45:50	5:12:55	27 : 05	4 : 55	
	313	4:49:40	5:14:50	25 : 10	1 : 55	
	343	4:51:35	5:18:20	26 : 45	3 : 30	
	45	4:57:25	5:23:20	25 : 55	5 : 00	
	523		5:29:20		6 : 00	
	264	5:07:00	5:33:00	26 : 00	3 : 40	
	226	5:01:40	5:34:50	33 : 10	1 : 50	
	230		5:42:00		7 : 10	
	146		5:42:20		: 20	
40	503	5:09:20	5:43:00	33 : 40	: 40	
	154	5:14:00	5:44:00	30 : 00	1 : 00	
	242		5:44:20		: 20	

Exhibit O-28

93	5:13:35	5:44:40	31 : 05	: 20	
599	5:23:40	5:45:30	21 : 50	: 50	
233	5:16:45	5:46:30	29 : 45	1 : 00	
152	5:25:00	5:46:45	21 : 45	: 15	
340		5:47:00		: 15	
120	5:24:45	5:49:20	24 : 35	2 : 20	**10**
356	5:26:45	5:51:00	24 : 15	1 : 40	
197	5:30:00	5:56:00	26 : 00	5 : 00	
58		5:56:50		: 50	
537		5:57:50		1 : 00	
504		5:58:00		: 10	
76	5:37:30	6:01:00	23 : 30	3 : 00	
213		6:03:50		2 : 50	
399		6:04:15		: 25	
368		6:07:10		2 : 55	**20**
313	5:52:00	6:15:00	23 : 00	7 : 50	
200	5:51:00	6:15:50	24 : 50	: 50	
286	5:54:45	6:17:40	22 : 55	1 : 50	
100	5:58:30	6:21:30	23 : 00	3 : 50	
450	6:00:25	6:21:50	21 : 25	: 20	
404	5:56:50	6:22:20	25 : 30	: 30	
546	6:03:40	6:26:15	22 : 35	3 : 55	
105	6:05:30	6:30:20	24 : 50	4 : 05	
45	6:09:10	6:34:30	25 : 20	4 : 10	**30**
343		6:37:00		2 : 30	
503	6:14:20	6:37:20	23 : 00	: 20	
146	6:16:50	6:42:10	25 : 20	4 : 50	
93	6:20:00	6:43:30	23 : 30	1 : 20	
230	6:20:50	6:48:00	27 : 10	4 : 30	
120	6:25:25	6:48:30	23 : 05	: 30	
340	6:24:25	6:49:30	25 : 05	1 : 00	
154	6:28:30	6:53:20	24 : 50	3 : 50	
504	6:29:50	6:54:30	24 : 40	1 : 10	40
226	6:32:45	6:56:30	23 : 45	2 : 00	
152		6:59:00		2 : 30	

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	264	6:35:00	7:00:20	25 : 20	1 : 20
	599	6:41:15	7:02:30	21 : 15	2 : 10
	242	6:37:15	7:03:00	25 : 45	: 30
	356	6:43:45	7:06:00	22 : 15	3 : 00
	64	6:47:20	7:09:30	22 : 10	3 : 30
10	537	6:50:40	7:10:30	19 : 50	1 : 00
	197	6:55:00	7:18:35	23 : 35	8 : 05
	247	6:56:45	7:18:40	21 : 55	: 05
	202	6:59:40	7:20:00	20 : 20	1 : 20
	213	7:02:35	7:23:50	21 : 15	3 : 50
	200	7:04:00	7:23:50	19 : 50	: 00
	404	7:01:10	7:24:10	23 : 00	: 20
	93		7:25:00		: 50
	450	7:14:15	7:38:20	24 : 05	13 : 20
20	546	7:21:00	7:46:25	25 : 25	8 : 05
	105	7:24:40	7:46:50	22 : 10	: 25
	45	7:26:30	7:47:40	21 : 10	: 50
	368	7:17:20	7:50:00	32 : 40	2 : 20
	264		7:50:10		: 10
	504	7:29:00	7:52:30	23 : 30	2 : 20
	58		7:52:40		: 10
	343	7:35:00	7:57:30	22 : 30	4 : 50
	154	7:41:50	8:04:20	22 : 30	6 : 50
30	146	7:44:20	8:04:50	20 : 30	: 30

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Exhibit O-28

SUMMARY—AVERAGE LENGTH OF RIDE

Irvington Bus Lines

Date	Trips	Passengers	Passenger Miles	Average Ride
Clinton Place Line, Eastbound				
February 2	13	556	1,429.7	2.57
3	11	480	1,285.5	2.68
2 & 3	24	1,036	2,715.2	2.62
Clinton Place Line, Westbound				
February 2	10	324	745.4	2.30
3	11	380	941.8	2.48
2 & 3	21	704	1,687.2	2.40
Clinton Place Line, Both Directions				
February 2	23	880	2,175.1	2.47
3	22	860	2,227.3	2.59
2 & 3	45	1,740	4,402.4	2.53
Lyons Avenue Line, Eastbound				
February 4	15	624	1,662.1	2.66
5	15	855	2,431.4	2.84
4 & 5	30	1,479	4,093.5	2.77
Lyons Avenue Line, Westbound				
February 4	12	634	1,563.8	2.47
5	15	820	2,200.1	2.68
4 & 5	27	1,454	3,763.9	2.59
Lyons Avenue Line, Both Directions				
February 4	27	1,258	3,225.9	2.57
5	30	1,675	4,631.5	2.76
4 & 5	57	2,933	7,857.4	2.68

Exhibit O-28

SUMMARY—AVERAGE LENGTH OF RIDE

Irvintton Bus Lines

(Continued)

Date	Trips	Passengers	Passenger Miles	Average Ride
Clinton Avenue Line, Eastbound				
February 7	17	913	2,527.6	2.77
8	18	820	2,107.8	2.57
7 & 8	35	1,733	4,635.4	2.67
Clinton Avenue Line, Westbound				
February 7	17	694	1,513.1	2.18
8	18	702	1,684.1	2.40
7 & 8	35	1,396	3,197.2	2.29
Clinton Avenue Line, Both Directions				
February 7	34	1,607	4,040.7	2.52
8	36	1,522	3,791.9	2.49
7 & 8	70	3,129	7,832.6	2.50
Springfield Avenue Line, Eastbound.				
February 9	20	913	2,448.1	2.68
10	14	597	1,514.5	2.54
9 & 10	34	1,510	3,962.6	2.62
Springfield Avenue Line, Westbound				
February 9	20	724	1,651.3	2.28
10	15	499	1,135.9	2.28
9 & 10	35	1,223	2,787.2	2.28

Exhibit O-28

Springfield Avenue Line, Both Directions

February 9	40	1,637	4,099.4	2.50
10	29	1,096	2,650.4	2.42
9 & 10	69	2,733	6,749.8	2.47

All Irvington Lines, Eastbound

123	5,758	15,406.7	2.68

All Irvington Lines, Westbound

118	4,777	11,435.5	2.39

All Irvington Lines, Both Directions

241	10,535	26,842.2	2.55

Exhibit O-28

CLINTON PLACE BUS LINE

Average Length of Ride

Observations Made February 2, 1927.

West Bound				East Bound			
Leaving Time	Miles	Passengers	Average	Leaving Time	Miles	Passengers	Average
A. M.				A. M.			
8:08	41.1	20	2.06	7:16	44.3	20	2.21
9:50	21.4	8	2.67	7:26	219.0	69	3.18
				8:38	167.2	59	2.83
				8:55	102.3	44	2.32
Total or Average	62.5	28	2.23	Total or Average	532.8	192	2.78
10:05	30.6	13	2.35	10:15	112.2	50	2.24
11:05	48.3	23	2.10	11:00	144.0	47	3.06
P. M.				11:45	108.8	47	2.32
12:35	73.7	33	2.23	P. M.			
12:50	75.2	38	1.98	1:12	148.0	53	2.79
1:10	119.4	48	2.49	1:25	141.0	54	2.67
2:03	104.5	47	2.22	1:47	86.5	38	2.27
3:34	129.7	50	2.60	2:42	95.5	40	2.38
3:50	101.5	44	2.31				
Total or Average	682.9	296	2.31	Total or Average	836.0	329	2.54
				4:18	22.4	13	1.72
				4:36	38.5	22	1.75
				Total or Average	60.9	35	1.74
Grand Total or Average	745.4	324	2.30	Grand Total or Average	1429.7	556	2.57

Exhibit O-28

CLINTON PLACE BUS LINE

Average Length of Ride

Observations Made February 3, 1927

West Bound				East Bound			
Leaving Time	Miles	Passengers	Average	Leaving Time	Miles	Passengers	Average
A. M.				A. M.			
5:08	144.4	66	2.19	6:54	176.6	56	3.16
6:20	114.3	35	3.27	8:01	206.0	62	3.32
7:26	91.3	39	2.34				
8:44	32.5	19	1.71				
Total or Average	382.5	159	2.41	Total or Average	382.6	118	3.24
9:22	58.7	24	2.45	9:15	131.0	50	2.62
9:50	15.8	8	1.98	10:02	120.0	46	2.61
10:35	85.5	32	2.67	10:30	104.8	36	2.91
11:35	77.7	28	2.77	11:18	106.9	40	2.67
P. M.				P. M.			
12:18	84.0	33	2.54	12:16	92.8	46	2.02
2:10	95.6	45	2.12	12:58	110.9	48	2.31
3:47	142.0	51	2.78	2:52	82.0	28	2.93
Total or Average	559.3	221	2.53	Total or Average	748.4	294	2.54
				4:33	134.7	57	2.36
				5:56	19.8	11	1.80
				Total or Average	154.5	68	2.28
Grand Total or Average	941.8	380	2.48	Grand Total or Average	1285.5	480	2.68

Exhibit O-28

LYONS AVENUE BUS LINE

Average Length of Ride

Observations Made February 4, 1927.

West Bound				East Bound			
Leaving Time	Miles	Passengers	Average	Leaving Time	Miles	Passengers	Average
A. M.				A. M.			
6:23	179.5	72	2.50	5:55	109.4	32	3.42
7:55	269.0	78	3.45	7:16	194.5	61	3.19
				8:15	50.5	19	2.66
Total or Average	448.5	150	2.99	Total or Average	354.4	112	3.16
9:32	109.0	51	2.14	9:07	100.5	36	2.79
11:22	92.5	44	2.16	9:43	21.5	11	1.96
11:28	117.2	46	2.55	10:45	100.6	39	2.58
P. M.				10:49	61.6	25	2.46
12:40	106.5	60	1.78	P. M.			
12:47	150.1	62	2.42	12:03	102.7	46	2.24
2:35	137.0	39	2.59	12:07	92.2	35	2.64
2:47	103.0	39	2.64	2:00	66.8	20	3.34
3:51	89.2	36	2.48	2:08	105.9	53	2.00
				3:12	103.8	43	2.42
				3:22	134.6	50	2.69
Total or Average	904.5	391	2.31	Total or Average	890.2	358	2.49
4:20	109.4	48	2.28	4:23	176.5	69	2.56
5:45	101.4	45	2.25	4:55	241.0	85	2.84
Total or Average	210.8	93	2.27	Total or Average	417.5	154	2.71
Grand Total or Average	1563.8	634	2.47	Grand Total or Average	1662.1	624	2.66

Exhibit O-28

LYONS AVENUE BUS LINE

Average Length of Ride

Observations made February 5, 1927.

East Bound				West Bound			
Leaving Time	Miles	Passengers	Average	Leaving Time	Miles	Passengers	Average
A. M.				A. M.			
7:08	232	78	2.97	6:30	122.7	48	2.56
8:58	180.2	57	3.16	8:21	64.9	40	1.62
Total or Average	412.2	135	3.05	Total or Average	187.6	88	2.13
10:04	191.0	66	2.89	9:28	67.6	29	2.33
11:19	212.0	70	3.03	10:50	99.2	43	2.30
11:29	114.3	51	2.24	10:42	122.2	53	2.31
P. M.				11:15	153.0	48	3.18
12:05	218.0	80	2.73	12:03	254.0	100	2.54
1:14	194.0	73	2.66	1:16	151.6	43	3.53
1:50	173.8	56	3:10	1:16	178.0	61	2.92
1:55	217.0	74	2.93	2:30	158.2	53	2.99
3:11	179.0	60	2.98	2:34	111.6	44	2.54
3.16	85.0	29	2.93	2:38	130.0	50	2.60
3:21	80.4	33	2.44	3:55	152.6	58	2.64
Total or Average	1664.5	592	2.81	Total or Average	1578.0	582	2.71
4:35	155.1	59	2.63	4:00	210.5	74	2.85
4:43	86.8	27	3.22	4:55	224.0	76	2.95
5:37	112.8	42	2.69				
Total or Average	354.7	128	2.77	Total or Average	434.5	150	2.90
Grand Total or Average	2431.4	855	2.84	Grand Total or Average	2200.1	820	2.68

Exhibit O-28

CLINTON AVENUE BUS LINE

Average Length of Ride

Observations Made February 7, 1927

East Bound				West Bound			
Leaving Time A. M.	Miles	Passengers	Average	Leaving Time A. M.	Miles	Passengers	Average
6:08	110.5	36	3.07	6:33	62.5	24	2.60
7:10	228.5	63	3.63	6:38	54.7	30	1.82
7:15	242.0	75	3.22	6:51	102.9	44	2.34
7:32	175.0	55	3.18	7:51	90.7	44	2.06
8:22	202.0	63	3.20	7:43	68.8	43	1.60
8:28	246.0	69	3.57	7:57	63.6	33	1.93
8:35	203.0	76	2.67				
Total or Average	1407.0	437	3.22	Total or Average	443.2	218	2.03
9:38	61.9	24	2.58	9:00	83.6	52	1.61
10:04	137.8	60	2.29	9:18	18.1	5	3.63
10:50	88.9	33	2.69	9:37	35.6	21	1.70
11:30	96.0	42	2.28	10:12	65.2	30	2.17
P. M.				10:55	72.1	35	2.06
1:25	109.2	43	2.54	P. M.			
1:29	183.0	66	2.77	12:43	85.7	42	2.04
2:53	64.3	34	1.89	12:46	149.2	70	2.13
3:05	77.0	36	2.14	2:08	152.8	62	2.46
				2:22	116.8	42	2.78
				3:50	147.6	48	3.07
				3:53	143.2	69	2.08
Total or Average	818.1	338	2.42	Total or Average	1069.9	476	2.24

Exhibit O-28

4:36	142.2	61	2.33
4:47	160.3	77	2.08
Total or Average	302.5	138	2.19
Grand Total or Average	2527.6	913	2.77

Grand Total or average	1513.1	694	2.18

CLINTON AVENUE BUS LINE

Average Length of Ride

Observations Made February 8, 1927

East Bound

Leaving Time A. M.	Miles	Passengers	Average
7:07	231.5	77	3.01
7:10	219.0	57	3.84
8:25	220.5	65	3.39
8:32	149.4	56	2.67
Total or Average	820.4	255	3.22
9:38	88.8	35	2.54
9:53	101.5	42	2.42
11:24	90.2	38	2.37
11:28	125.2	50	2.51
P. M.			
12:42	82.5	31	2.66

West Bound

Leaving Time A. M.	Miles	Passengers	Average
6:28	30.2	11	2.74
6:32	35.7	18	1.99
7:43	125.5	67	1.88
7:48	70.5	42	1.68
Total or Average	261.9	138	1.90
9:03	44.2	25	1.68
9:12	22.2	8	2.78
10:11	33.3	13	2.56
10:26	61.1	27	2.26
11:58	126.1	60	2.10
P M			

Exhibit O-28

	12:48	121.8	54	2.26	12:03	65.4	48	1.36
	12:57	128.1	58	2.21	2:10	72.1	34	2.12
	2:12	93.9	41	2.29	12:21	55.4	22	2.52
	2:58	75.0	34	2.21	1:33	109.0	41	2.66
	3:00	56.0	26	2.15	2:16	136.0	61	2.23
10	3:33	76.5	30	2.55	2:51	85.0	35	2.43
	Total or Average	1039.5	439	2.36	Total or Average	807.8	374	2.16
	5:15	131.8	62	2.12	4:28	216.4	66	3.28
	5:20	59.3	34	1.74	4:35	156.0	53	2.96
	5:35	56.8	30	1.90	4.52	242.0	71	3.40
20	Total or Average	247.9	126	1.997	Total or Average	614.4	190	3.23
	Grand Total or Average	2107.8	820	2.57	Grand Total or Average	1684.1	702	2.40

SPRINGFIELD AVENUE BUS LINE

30 AVERAGE LENGTH OF RIDE

Observations Made February 9, 1927

	EAST BOUND				WEST BOUND			
	Leaving Time A. M.	Miles	Passengers	Average	Leaving Time A. M.	Miles	Passengers	Average
40	6:48	190.0	52	3.66	6:08	47.2	17	2.77
	6:51	185.8	64	2.90	6:14	35.0	21	1.67
	7:50	221.0	65	3.40	7:18	97.2	41	2.37

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7:57	215.5	53	4.07	7:25	107.0	51	2.10	
8:59	149.6	46	3.25	8:20	42.6	24	1.77	
				8:23	16.5	9	1.83	
Total or Average	961.9	280	3.43	Total or Average	345.5	163	2.12	10
9:01	131.8	62	2.12	9:31	41.2	20	2.06	
10:10	128.6	52	2.47	9:55	33.5	17	1.97	
10:29	137.8	47	2.93	10:44	62.5	34	1.84	
11:18	107.6	38	2.83	11:03	58.7	28	2.09	
11:32	105.1	43	2.45	11:48	50.0	28	1.79	
P. M.				12:00	73.8	35	2.11	
12:26	66.4	27	2.46	P. M.				
1:19	41.3	20	2.06	12:56	41.0	20	2.05	20
1:34	115.6	47	2.47	1:47	100.1	45	2.23	
2:17	65.3	25	2.61	2:42	81.5	39	2.09	
3:27	94.8	42	2.26	2:54	78.3	34	2.31	
3:30	26.6	14	1.90					
Total or Average	1020.9	417	2.45	Total or Average	620.6	300	2.07	
4:40	137.2	56	2.45	4:00	192.0	66	2.91	
4:46	102.5	37	2.77	4:02	169.0	55	3.07	30
6:53	118.8	67	1.77	6:14	165.0	60	2.75	
Total or Average	358.5	160	2.24	Total or Average	526.0	181	2.91	
8:05	106.8	56	1.91	7:31	159.2	80	1.99	
Grand Total or Average	2448.1	913	2.68	Grand Total or Average	1651.3	724	2.28	

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Exhibit O-28

SPRINGFIELD AVENUE BUS LINE

Average Length of Ride

Observations Made February 10, 1927

East Bound				West Bound			
Leaving Time A. M.	Miles	Passengers	Average	Leaving Time A. M.	Miles	Passengers	Average
7:04	180.0	59	3.05	6:29	61.2	27	2.26
8:08	196.7	54	3.64	7:34	21.6	21	1.03
				8:38	58.3	36	1.62
Total or Average	376.7	113	3.33	Total or Average	141.1	84	1.68
9:14	114.0	37	3.08	9.34	40.2	21	1.91
10:14	96.4	43	2.24	9:43	15.2	11	1.38
10:22	97.5	41	2.38	10:44	34.1	17	2.00
11:20	146.9	47	3.12	10:54	29.0	15	1.93
11:30	86.8	42	2.07	11:50	68.9	30	2.30
P. M.				12:00	77.2	37	2.08
12:24	125.8	48	2.62	P. M.			
12:38	101.0	49	2.06	2:12	82.7	38	2.18
2:41	101.0	41	2.46	2:16	70.6	31	2.27
3:00	104.4	46	2.27	3:14	124.6	50	2.49
3:54	51.6	34	1.52				
Total or Average	1025.4	428	2.40	Total or Average	542.5	250	2.17
5:06	58.5	27	2.16	4:26	157.0	51	3.08
6:12	53.9	29	1.86	5:37	150.0	47	3.19
				6:55	145.3	67	2.17
Total or Average	112.4	56	2.01	Total or Average	452.3	165	2.74
Grand Total or Average	1514.5	597	2.54	Grand Total or Average	1135.9	499	2.28

Exhibit O-28

ESTIMATED REVENUE FROM PROPOSED ZONE ADJUSTMENTS

Clinton Place Line

1.	Passenger Receipts, 1926	$98,393.16
2.	Bus Miles, 1926	295,018.
3.	Passenger Receipts per bus mile, 1926	33.35 cents
4.	Passengers per day crossing proposed zone (Warner, page 62)	1,460.
5.	Total Passengers per day on line (Warner, page 62)	6,162.
6.	Per cent of total passengers crossing proposed zone who were observed to get on or off within 1/2 mile of proposed zone	21.78%
7.	Passengers per day represented by this percentage (Item 5 multiplied by Item 6)	1,342.
8.	Estimated passengers per day who will pay increased fare	118.
9.	Estimated additional annual revenue at $15 per passenger per year	$1,770.00
10.	Estimated total revenue (Item 1 plus Item 9)	$100,163.16
11.	Estimated total revenue per bus mile (Item 10 divided by Item 2)	33.95 cents

Exhibit O-28

ESTIMATED REVENUE FROM PROPOSED ZONE ADJUSTMENTS

Lyons Avenue Line

1.	Passenger Receipts, 1926	$307,574.79
2.	Bus Miles, 1926	883,099.
3.	Passenger Receipts per bus mile, 1926	34.83 cents
4.	Passengers per day crossing proposed zone (Warner, page 63)	5,418.
5.	Total Passengers per day on line (Warner, page 63)	20,657.
6.	Per cent of total passengers crossing proposed zone who were observed to get on or off within 1/2 mile of proposed zone	18.58%
7.	Passengers per day represented by this percentage (Item 5 multiplied by Item 6)	3,838.
8.	Estimated passengers per day who will pay increased fare	1,580.
9.	Estimated additional annual revenue at $15 per passenger per year	$23,700.00
10.	Estimated total revenue (Item 1 plus Item 9)	$331,274.79
11.	Estimated total revenue per bus mile (Item 10 divided by Item 2)	37.51 cents

ESTIMATED REVENUE FROM PROPOSED ZONE ADJUSTMENTS

Clinton Avenue Line

1.	Passenger Receipts, 1926	$343,227.99
2.	Bus Miles, 1926	1,010,360.
3.	Passenger Receipts per bus mile, 1926	33.97 cents
4.	Passengers per day crossing proposed zone (Warner, page 55)	13,951.
5.	Total Passengers per day on line (Warner, page 55)	27,933.
6.	Per cent of total passengers crossing proposed zone who were observed to get on or off within 1/2 mile of proposed zone	20.88%
7.	Passengers per day represented by this percentage (Item 5 multiplied by Item 6)	5,832.
8.	Estimated passengers per day who will pay increased fare	8,119.
9.	Estimated additional annual revenue at $15 per passenger per year	$116,244.00
10.	Estimated total revenue (Item 1 plus Item 9)	$459,472.00
11.	Estimated total revenue per bus mile (Item 10 divided by Item 2)	45.31 cents

Exhibit O-28

ESTIMATED REVENUE FROM PROPOSED ZONE ADJUSTMENTS

Springfield Avenue Line

1.	Passenger Receipts, 1926	$402,867.47
2.	Bus Miles, 1926	991,448.
3.	Passenger Receipts per bus mile, 1926	40.63 cents
4.	Passengers per day crossing proposed zone (Warner, page 62)	15,256.
5.	Total Passengers per day on line (Warner, page 61)	28,666.
6.	Per cent of total passengers crossing proposed zone who were observed to get on or off within 1/2 mile of proposed zone	13.33%
7.	Passengers per day represented by this percentage (Item 5 multiplied by Item 6)	3,821.
8.	Estimated passengers per day who will pay increased fare	11,435.
9.	Estimated additional annual revenue at $15 per passenger per year	$155,899.00
10.	Estimated total revenue (Item 1 plus Item 9)	$558,766.00
11.	Estimated total revenue per bus mile (Item 10 divided by Item 2)	56.36 cents

Exhibit O-28

CLINTON PLACE LINE

Rate of Return

I. Basis: Present fares and full allowance for company's book value of intangibles.		
Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	51.27 cts.	
Revenue per bus mile, Clinton Place Line, 1926	33.350 cts.	
System operating expenses and taxes per bus mile, 1926	29.688 cts.	
Net income available for return on investment, per bus mile	3.662 cts.	
Rate of return on investment of 51.27 cents	7.14 per cent	
II. Basis: Present fares and no allowance for company's book value of intangibles.		
Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) less $8,414,872 (other intangible capital), as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	27.95 cts.	
Net income available for return on investment, per bus mile	3.662 cts.	
Rate of return on investment of 27.95 cents	13.10 per cent	
III. Basis: Proposed fares and full allowance for company's book value of intangibles.		

Exhibit O-28

	Estimated revenue per bus mile	33.950 cts.
	System operating expenses and taxes per bus mile, 1926	29.688 cts.
	Net income available for return on investment, per bus mile	4.262 cts.
10	Rate of return on investment of 51.27 cents	8.31 per cent

IV. Basis: Proposed fares and no allowance for company's book value of intangibles.

	Investment per bus mile (See No. II above)	27.95 cts.
	Net income available for return on investment, per bus mile (See No. III above)	4.262 cts.
	Rate of return on investment of 27.95 cents	15.25 per cent

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LYONS AVENUE LINE

Rate of Return

I. Basis: Present fares and full allowance for company's book value of intangibles.

30	Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	51.27 cts.
	Revenue per bus mile, Lyons Avenue Line, 1926	34.830 cts.
	System operating expenses and taxes per bus mile, 1926	29.688 cts.
40	Net income available for return on investment, per bus mile	5.142 cts.
	Rate of return on investment of 51.27 cents	10.03 per cent

Exhibit O-28

II. Basis: Present fares and no allowance for company's book value of intangibles.	
Investment per bus mile	27.95 cts.
Based on investment of $18,500,000 (Mr. Young, page 542) less $8,414,872 (other intangible capital), as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	
Net income available for return on investment, per bus mile	5.142 cts.
Rate of return on investment of 27.95 cents	18.40 per ct.
III. Basis: Proposed fares and full allowance for company's book value of intangibles.	
Estimated revenue per bus mile	37.510 cts.
System operating expenses and taxes per bus mile, 1926	29.688 cts.
Net income available for return on investment, per bus mile	7.822 cts.
Rate of return on investment of 51.27 cents	15.26 per ct.
IV. Basis: Proposed fares and no allowance for company's book value of intangibles.	
Investment per bus mile (See No. II above)	27.95 cts.
Net income available for return on investment, per bus mile (See No. III above)	7.822 cts.
Rate of return on investment of 27.95 cents	27.99 per ct.

Exhibit O-28

CLINTON AVENUE LINE

Rate of Return

I.	Basis: Present fares and full allowance for company's book value of intangibles.	
	Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	51.27 cts.
	Revenue per bus mile, Clinton Ave. Line, 1926	33.970 cts.
	System operating expenses and taxes per bus mile, 1926	29.688 cts.
	Net income available for return on investment, per bus mile	4.282 cts.
	Rate of return on investment of 51.27 cents	8.35 per cent
II.	Basis: Present fares and no allowance for company's book value of intangibles.	
	Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) less $8,414,872 (other intangible capital), as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	27.95 cts.
	Net income available for return on investment, per bus mile	4.282 cts.
	Rate of return on investment of 27.95 cents	15.32 per cent
III.	Basis: Proposed fares and full allowance for company's book value of intangibles.	

Exhibit O-28

Estimated revenue per bus mile	45.310 cts.
System operating expenses and taxes per bus mile, 1926	29.688 cts.
Net income available for return on investment, per bus mile	15.622 cts.
Rate of return on investment of 51.27 cents	30.47 per cent

IV. Basis: Proposed fares and no allowance for company's book value of intangibles.

Investment per bus mile (See No. II above)	27.95 cts.
Net income available for return on investment, per bus mile (See No. III above)	15.622 cts.
Rate of return on investment of 27.95 cents	55.89 per cent

SPRINGFIELD AVENUE LINE

Rate of Return

I. Basis: Present fares and full allowance for company's book value of intangibles.

Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	51.27 cts.
Revenue per bus mile, Springfield Avenue Line, 1926	40.630 cts.
System operating expenses and taxes per bus mile, 1926	29.688 cts.
Net income available for return on investment, per bus mile	10.942 cts.
Rate of return on investment of 51.27 cents	21.34 per cent

Exhibit O-28

II. Basis: Present fares and no allowance for company's book value of intangibles.

Investment per bus mile Based on investment of $18,500,000 (Mr. Young, page 542) less $8,414,872 (other intangible capital), as of December 31, 1926, and on 36,082,405 bus miles operated in 1926.	27.95 cts.
Net income available for return on investment, per bus mile	10.942 cts.
Rate of return on investment of 27.95 cents	39.15 per cent

III. Basis: Proposed fares and full allowance for company's book value of intangibles.

Estimated revenue per bus mile	56.360 cts.
System operating expenses and taxes per bus mile, 1926	29.688 cts.
Net income available for return on investment, per bus mile	26.672 cts.
Rate of return on investment of 51.27 cents	52.02 per cent

IV. Basis: Proposed fares and no allowance for company's book value of intangibles.

Investment per bus mile (See No. II above)	27.95 cts.
Net income available for return on investment, per bus mile (See No. III above)	26.672 cts.
Rate of return on investment of 27.95 cents	95.43 per cent

Exhibit O-28

ROSELLE PARK BUS LINE

Passenger Count Summary at Westfield Avenue and Elizabeth-Roselle Park Line

Observations Taken April 5, 1927

Time	Out West Bound			In East Bound		
	Buses	Passengers Total	Per Bus	Buses	Passengers Total	Per Bus
6:00- 6:30 A. M.	5	14	3	6	108	18
6:30- 7:00	7	63	9	6	157	26
7:00- 7:30	6	109	18	5	166	33
7:30- 8:00	5	101	20	7	231	33
8:00- 8:30	7	57	8	6	138	23
8:30- 9:00	7	52	8	6	108	18
Total	37	396	11	36	908	25
9:00- 9:30	5	27	5	5	34	7
9:30-10:00	5	25	5	6	74	12
10:00-10:30	4	30	8	6	43	7
10:30-11:00	5	39	8	4	48	12
11:00-11:30	4	35	9	6	42	7
11:30-12:00	5	45	9	4	37	9
12:00-12:30 P. M.	5	39	8	4	43	11
12:30- 1:00	7	47	7	5	56	11
1:00- 1:30	5	45	9	6	99	17
1:30- 2:00	7	50	7	7	116	17
2:00- 2:30	5	36	7	6	72	12
2:30- 3:00	6	58	10	5	50	10
3:00- 3:30	7	55	8	6	57	9

Exhibit O-28

	3:30- 4:00	5	50	10	6	62	10
	Total	75	581	8	76	833	11
	4:00- 4:30	7	113	16	5	58	11
	4:30- 5:00	5	89	17	8	153	19
	5:00- 5:30	6	192	33	5	122	24
	5:30- 6:00	6	208	36	6	72	12
	6:00- 6:30	6	203	36	6	87	14
	6:30- 7:00	6	74	12	5	59	12
	Total	36	879	24	35	551	16
	7:00- 7:30	6	53	9	6	139	23
	7:30- 8:00	6	79	13	4	64	16
	8:00- 8:30	6	60	10	8	83	10
	8:30- 9:00	5	55	11	5	33	7
	9:00- 9:30	5	48	9	5	20	4
	9:30-10:00	5	50	10	6	50	8
	Total	33	345	10	34	389	11
	Grand Total	181	2201	12	181	2681	15

Exhibit O-28

WESTFIELD AVENUE TROLLEY LINE

Passenger Count Summary at Westfield Avenue and Elizabeth-Roselle Park Line

Observations Taken April 5, 1927

Time	Out West Bound Cars	Out West Bound Passengers Total	Out West Bound Passengers Per Car	In East Bound Cars	In East Bound Passengers Total	In East Bound Passengers Per Car
6:00- 6:30 A. M.	3	—	—	4	2	—
6:30- 7:00	5	—	—	4	3	1
7:00- 7:30	3	3	1	4	13	3
7:30- 8:00	5	5	1	5	8	2
8:00- 8:30	4	—	—	3	8	3
8:30- 9:00	3	—	—	4	3	1
Total	23	8	—	—	—	—
	—	—	—	24	37	2
9:00- 9:30	3	—	—	3	1	—
9:30-10:00	3	1	—	3	2	1
10:00-10:30	2	—	—	2	3	2
10:30-11:00	3	—	—	3	—	—
11:00-11:30	4	—	—	3	—	—
11:30-12:00 P. M.	1	1	1	1	—	—
12:00-12:30	3	—	—	3	2	1
12:30- 1:00	3	—	—	3	—	—
1:00- 1:30	3	—	—	3	1	—
1:30- 2:00	5	1	—	3	1	—
2:00- 2:30	2	1	—	3	1	—
2:30- 3:00	4	2	—	3	2	1
3:00- 3:30	2	1	—	2	—	—
3:00- 4:00	4	3	1	4	2	—
	—	—	—	—	—	—
Total	42	18	2	39	15	5

Exhibit O-28

	4:00- 4:30	3	1	—	3	—	—
	4:30- 5:00	5	3	1	4	10	2
	5:00- 5:30	5	16	3	4	12	3
	5:30- 6:00	3	10	3	4	6	2
	6:00- 6:30	5	9	2	5	4	1
10	6:30- 7:00	4	—	—	5	1	—
	Total	25	39	9	25	33	38
	7:00- 7:30	3	1	—	3	—	—
	7:30- 8:00	3	1	—	3	5	2
	8:00- 8:30	2	1	—	2	—	—
	8:30- 9:00	3	—	—	2	—	—
	9:00- 9:30	3	—	—	3	2	1
20	9:30-10:00	2	1	—	3	—	—
	Total	16	4	—	16	7	3
	Grand Total	106	61	13	104	92	56

30

40

Exhibit O-28

ROSELLE PARK BUS LINE

Average Length of Ride

Observations Made April 5, 1927

West Bound				East Bound			
Leaving Time A. M.	Miles	Passengers	Average Ride	Leaving Time A. M.	Miles	Passengers	Average Ride
7:20	74.7	29	2.58	6:51	85.1	39	2.18
7:35	79.2	49	1.62	8:08	129.4	64	2.03
Total or Average	153.9	78	1.97	Total or Average	214.5	103	2.08
10:10	12.1	10	1.21	9:35	42.5	23	1.85
11:16	25.1	18	1.39	10:39	13.6	6	2.26
P. M.				P. M.			
1:56	45.4	31	1.46	1:22	104.3	50	2.09
3:09	53.0	43	1.23	2:28	45.8	29	1.58
Total or Average	135.6	102	1.33	Total or Average	206.2	108	1.91
4:18	107.5	57	1.89	3:40	47.2	26	1.82
5:26	181.0	77	2.35	4:51	85.8	42	2.04
Total or Average	288.5	134	2.15	Total or Average	133.0	68	1.96
Grand Total or Average	578.0	314	1.84	Grand Total or Average	553.7	279	1.98
				Grand Total Both Directions	1131.7	593	1.91

Exhibit O-28

ESTIMATED REVENUE FROM PROPOSED ZONE ADJUSTMENTS

Roselle Park Line

1.	Passenger Receipts, 1926	$159,682.39
2.	Bus Miles, 1926	620,740.
3.	Passenger Receipts per bus mile, 1926	25.72 cents
4.	Passengers per day crossing proposed zone (Warner, page 62)	5,399.
5.	Total Passengers per day on line (Warner, page 61)	13,960.
6.	Per cent of total passengers crossing proposed zone who were observed to get on or off within 1/2 mile of proposed zone	14.67 %
7.	Passengers per day represented by this percentage (Item 5 multiplied by Item 6)	2,048.
8.	Estimated passengers per day who will pay increased fare	3,351.
9.	Estimated additional annual revenue at $15 per passenger per year	$ 50,265.00
10.	Estimated total revenue (Item 1 plus Item 9)	$209,947.39
11.	Estimated total revenue per bus mile (Item 10 divided by Item 2)	33.82 cents

Exhibit O-28

KENILWORTH BUS LINE

PASSENGER COUNT SUMMARY INBOUND AT WESTFIELD AVENUE AND ELIZABETH-ROSELLE PARK LINE

Observations Taken April 5, 1927

Time	Passengers	Interval Between Buses Minutes
6:11 A. M.	15	
6:28	11	17
6:47	10	19
7:04	9	17
7:18	20	14
7:32	15	14
7:49	11	17
8:03	5	14
8:35	10	32
8:51	9	16
Total, A. M. Rush	115	
9:45	3	54
10:17	2	32
10:45	3	28
11:21	3	36
11:50	5	29
12:18 P. M.	10	28
12:45	4	27
1:16	5	31
1:45	7	29
2:14	6	29
2:45	5	31

Exhibit O-28

	3:16	10	31
	3:50	9	34
	Total, Mid-day	72	
	4:16	7	26
	4:49	9	33
	5:15	10	26
	5:29	9	14
	5:41	3	12
	6:01	7	20
	6:23	—	22
	6:36	1	13
	6:49	8	13
	Total, P. M. Rush	54	
	7:13	5	24
	7:31	11	18
	7:44	6	13
	8:14	8	30
	8:44	6	30
	9:11	4	27
	Total, Evening	40	
	Grand Total	281	

Exhibit O-28

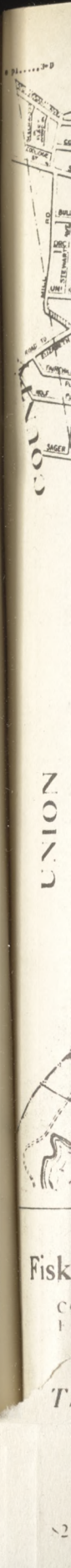
ANALYSIS OF PROPOSED ZONE DIVISIONS

Irvington, Hawthorne and Roselle Park Bus Lines

Route	Total Length, Miles	Newark Zone, Miles	Irvington Zone, Miles	Percentage Division Newark	Irvington
Clinton Place	5.422	4.691	0.731	86.5	13.5
Lyons Avenue	5.915	4.669	1.246	78.9	21.1
Springfield Avenue	4.770	2.821	1.949	59.2	40.8
Clinton Ave.	6.094	3.376	2.718	55.5	44.5
				70.1	29.9

Route	Total Length, Miles	Paterson Zone, Miles	Hawthorne Zone, Miles	Percentage Division Paterson	Hawthorne
Hawthorne Madison Ave.	4.160	1.303	2.857	31.4	68.6
Non-rush	4.216	2.794	1.422	66.2	33.8
Rush	5.162	2.794	2.368	54.1	45.9

Route	Total Length, Miles	Elizabeth Zone, Miles	Roselle Park Zone, Miles	Percentage Division Elizabeth	Roselle Park
Roselle Park	5.79	3.89	1.90	67.2	32.8


UNION

MAPLEWOOD TOWNSHIP

1582

E4.0-29

CITY OF EAST ORANGE

IRVINGTON

UNION

TOWN OF IRVINGTON
NEW JERSEY
EXTENT OF
PROPOSED FARE ZONE
FOR PASSENGERS
BOARDING BUSES
IN NEWARK

Fisk & Roberts
CONSULTING ENGINEERS
Transportation
Traffic
Power
82 BEAVER STREET
NEW YORK

E4.0-29

CITY OF EAST ORANGE

IRVINGTON

UNION

EXPLANATION
Indicates streets used by Buses and Trolleys jointly.
Indicates streets used by Buses, but not by Trolleys.

TOWN OF IRVINGTON
NEW JERSEY
EXTENT OF
PROPOSED FARE ZONES
FOR PASSENGERS
BOARDING BUSES
IN IRVINGTON

Fisk & Roberts
CONSULTING ENGINEERS
Transportation
Traffic
Power
82 BEAVER STREET
NEW YORK

MAPLEWOOD TOWNSHIP

E4.0-29

CITY OF EAST ORANGE

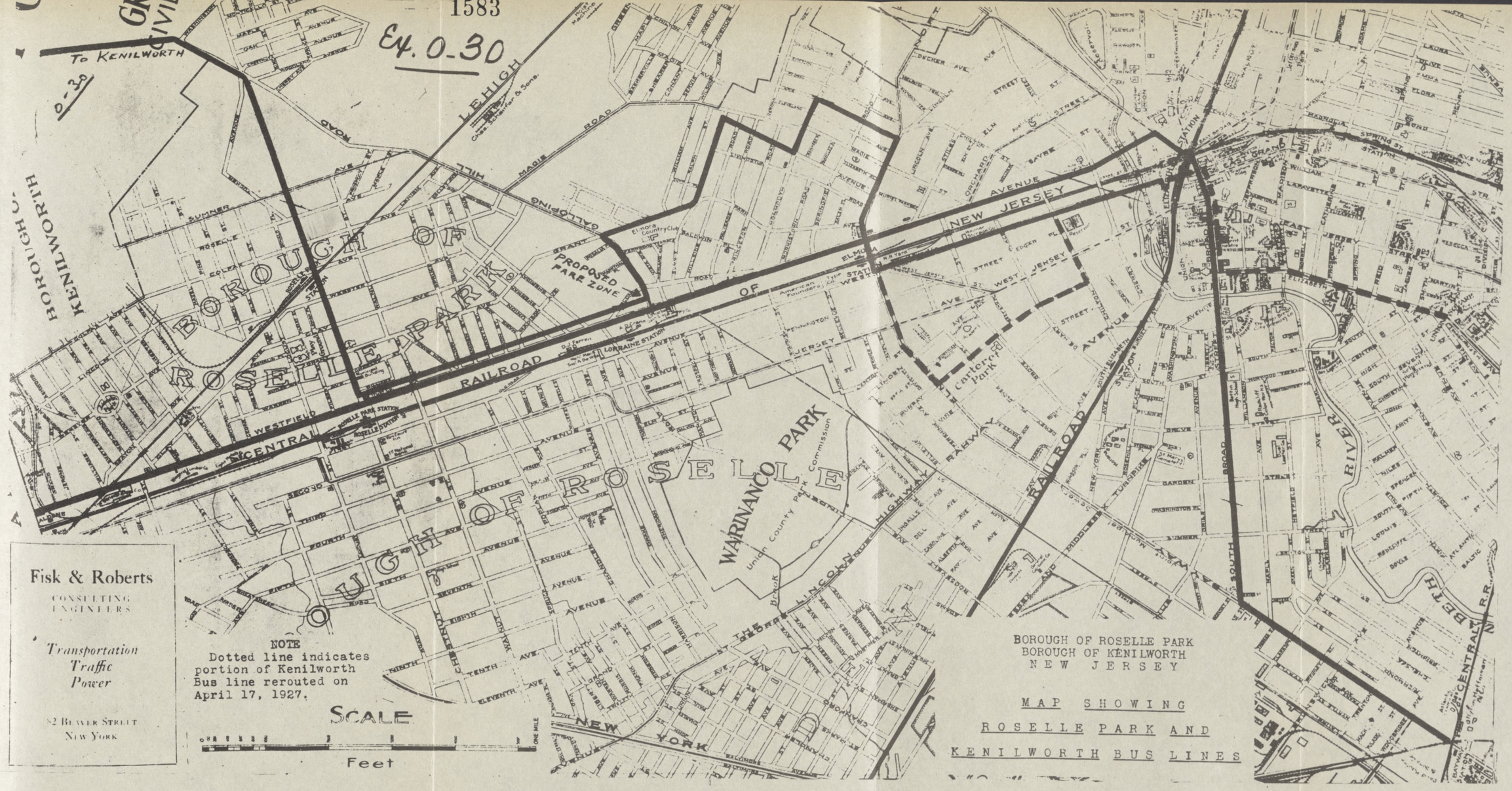
IRVINGTON

UNION

TOWN OF IRVINGTON
NEW JERSEY
EXTENT OF
PRESENT FARE ZONES
FOR PASSENGERS
BOARDING BUSES
IN IRVINGTON

Fisk & Roberts
CONSULTING ENGINEERS
Transportation
Traffic
Power
82 BEAVER STREET
NEW YORK

E4.0-30



Fisk & Roberts
CONSULTING ENGINEERS
Transportation
Traffic
Power
82 BEAVER STREET
NEW YORK

NOTE
Dotted line indicates portion of Kenilworth Bus line rerouted on April 17, 1927.

SCALE
0 1/4 1/2 3/4 1 ONE MILE
Feet

BOROUGH OF ROSELLE PARK
BOROUGH OF KENILWORTH
NEW JERSEY

MAP SHOWING
ROSELLE PARK AND
KENILWORTH BUS LINES

PASSAIC-NORTH NEWARK BUS LINE

Present fare:- E 0.31

Legend

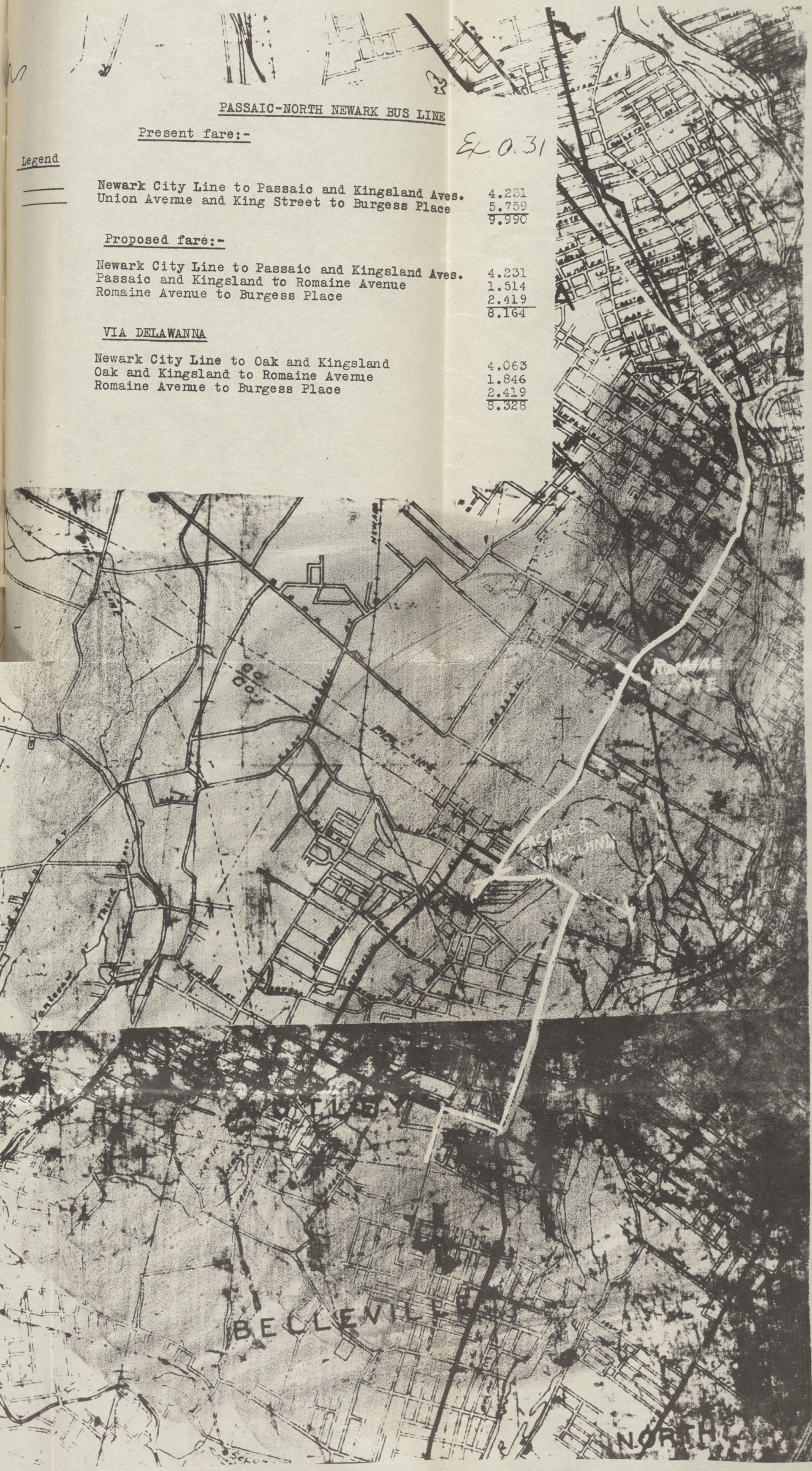
Newark City Line to Passaic and Kingsland Aves.	4.231
Union Avenue and King Street to Burgess Place	5.759
	9.990

Proposed fare:-

Newark City Line to Passaic and Kingsland Aves.	4.231
Passaic and Kingsland to Romaine Avenue	1.514
Romaine Avenue to Burgess Place	2.419
	8.164

VIA DELAWANNA

Newark City Line to Oak and Kingsland	4.063
Oak and Kingsland to Romaine Avenue	1.846
Romaine Avenue to Burgess Place	2.419
	8.328



356

417

404

Exhibit O-32.

CLINTON AVENUE

50 Buses.

No. Bus	Owner	
537	Barry, Frank M.	permit granted 4/1/19, renewed 10/8/19, 5/1/20, 11/8/20, 4/30/21, 10/31/21, 5/1/22, 10/30/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 5/2/24, transferred to Public Service 5/5/24.
314	Barry, J. H.	permit granted 11/15/18, renewed 4/24/19, 10/21/19, 5/1/20, 11/8/20, 4/30/21, 10/31/21, 5/1/22, 10/30/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 4/30/24, transferred to Public Service 5/5/24.
399	Barry, J. H.	permit granted 11/15/18, renewed 4/24/19, 10/21/19, 5/1/20, 11/8/20, 4/30/21, 10/31/21, 5/1/22, 10/30/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 4/30/24, transferred to Public Service 5/5/24.
404	Barry, J. H.	permit granted 11/15/18, renewed 4/24/19, 10/21/19, 5/1/20, 11/8/20, 4/30/21, 10/31/21, 5/1/22, 10/30/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 4/30/24, transferred to Public Service 5/5/24.
417	Beck, Werner	permit granted 12/3/18, renewed 4/25/19, 10/21/19, 5/1/20, 10/28/20, 4/25/21, 10/17/21, 5/1/22, 10/27/22, 4/26/23, 10/24/23, 5/3/24, 11/1/24.
356	Bertrand, E. A.	transferred from Barney Shapiro 12/18/22. permit granted 12/26/22, renewed 4/30/23, 11/1/23, sold to J. L. Gaughran 1/4/24.

Exhibit O-32

	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	
431	Bertrand, E. A.	transferred from John A. Hogelin 10/2/22. permit granted 11/1/22, renewed 4/30/23, 11/1/23, sold to J. L. Gaughran 1/4/24.	154
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	313
437	Bertrand, E. A.	permit granted 12/9/18, renewed 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/20/21, 5/1/22, 11/1/22, 4/30/23, 11/1/23, sold to J. L. Gaughran 1/4/24.	
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	146
469	Bertrand, E. A.	transferred from Adam Gloverdance 4/2/23. permit granted 4/30/23, renewed 11/1/23, sold to J. L. Gaughran 1/4/24.	120
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	
200	Binder, John	permit granted 2/14/19, renewed 8/14/19, 2/21/20, 5/1/20, 11/9/20, 4/30/21, 11/1/21, 5/1/22, 11/2/22, 5/1/23, 11/2/23, sold to J. L. Gaughran.	306
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	
340	Bornstein, H.	permit granted 12/3/18, renewed 4/30/19, 10/21/19, 5/1/20, 11/9/20, 5/2/21, 11/1/21, 5/4/22, 10/31/22, 5/4/23, 11/5/23, sold to J. L. Gaughran.	64
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.	
595	Cantilena, Jos.	transferred from B. Weinstein. permit granted 11/3/20, renewed 4/30/21, 10/31/21, 5/1/22, 12/20/22, 4/27/23, 11/2/23, sold to J. L. Gaughran 4/3/24.	504

Exhibit O-32

	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
154	Cousens, George	transferred to Cousens from L. Kraft 12/31/19. permit granted 1/29/29, renewed 5/1/20, 11/4/20, 5/2/21, 10/31/21, 4/28/22, 10/31/22, 4/30/23, 11/2/23, 5/3/24, 11/1/24.
313	Cowan, G. L.	permit granted 1/29/19, renewed 7/29/19, 3/3/20, 5/1/20, 11/10/20, 4/30/21, 11/1/21, 5/1/22, 11/3/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/17/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
146	Eisenstein, Ira	permit granted 11/10/20, renewed 5/2/21, 11/1/21, 5/4/22, 10/31/22, 5/4/23, 11/5/23, 5/5/24, 11/1/24.
120	England, Cyrus R.	transferred from Max Polousky 3/1/21. permit granted 3/5/21, renewed 4/30/21, 10/31/21, 5/1/22, 11/1/22, 5/1/23, 11/2/23, sold to J. L. Gaughran.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
306	Gould, William	permit granted 12/2/18, renewed 4/30/19, 10/21/19, 5/1/20, 11/9/20, 4/30/21, 10/27/21, 5/4/22, 11/2/22, 4/28/23, 11/5/23, 5/1/24, 11/1/24.
64	Geisheimer, Fred	permit granted 12/5/18, renewed 4/28/19, 5/1/20, 11/5/20, 5/21/21, 11/1/21, 5/4/22, 11/2/22, 5/4/23, 11/9/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
504	Goldberg, Morris	transferred from Nathan Rosen 12/13/20. permit granted 12/17/20, renewed 4/28/21, 10/28/21, 5/2/22, 10/31/22, 5/1/23, 11/2/23, 5/1/24, sold to Public Service 6/9/24.

Exhibit O-32

45	Goldberg, Max	transferred from C. Burnoville. permit granted 10/21/19, renewed 5/1/20, 11/5/20, 4/27/21, 10/26/21, 5/1/22, 10/25/22,
	Gaughran, J. L.	4/28/23, 11/2/23, sold to J. L. Gaughran 1/10/24. permit renewed 5/3/24, sold to Public Service 5/5/24.
35	Hawkins, Michael	transferred from A. Kindred 3/8/20. permit granted 5/1/20, renewed 11/4/20, 4/30/21, 10/29/21, 5/1/22, 10/31/22, 4/32/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
350	Kalnyansky, George	transferred from F. Swift 5/1/20. permit granted 5/1/20, renewed 10/29/20, 4/30/21, 10/26/21, 4/26/22, 10/28/22, 4/30/23, 10/29/23, 5/1/24, 11/1/24.
242	Kraft, Julius	permit granted 12/7/18, renewed 10/21/19, 5/1/20, 11/10/20, 5/2/21, 10/28/21, 5/1/22, 10/31/22, 5/1/23, 11/19/23, 5/1/24, 11/1/24.
112	Lifland, Jacob	transferred from Leonard Setaro 9/16/21. permit granted 9/21/21, renewed 10/29/21, 4/27/22, 10/31/22, 4/28/23, 10/31/23, 5/1/24, 11/1/24.
264	Lizerman, Benjamin	transferred from A. Sirota 11/11/20. permit granted 11/11/20, renewed 4/30/21, 10/26/21, 4/26/22, 10/31/22, 5/4/23, 11/2/23, 5/1/24, 11/1/24.
152	Michalek, Stephen	permit granted 11/30/18, renewed 4/23/19, 10/21/19, 5/1/20, 11/1/20, 4/29/21, 10/28/21, 5/1/22, 10/24/22, 4/28/23, 10/29/23, 5/2/24, 11/1/24.
90	Moore, L. H.	permit granted 12/2/18, renewed 4/23/19, 10/21/19, 5/1/20, 11/15/20, 4/30/21, 10/28/21, 4/26/22, 10/30/22, 4/27/23, 10/29/23, 5/1/24, 11/1/24.

Exhibit O-32

58	Nugent, Edw. Jr.	transferred from Mrs. Stewart 9/8/20. permit granted 9/8/20, renewed 11/3/20, 4/30/21, 10/28/21, 5/1/22, 11/1/22, 5/1/23, 10/29/23, 4/30/24, 11/1/24.
105	Papsive, Wm. J.	transferred from Benjamin Fox 10/2/22. permit granted 10/26/22, renewed 4/26/23, 10/23/23, sold to J. L. Gaughran 1/17/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
576	Philips, Benjamin	transferred to George H. Baker 5/12/20. permit granted 5/12/20, renewed 11/3/20, 4/30/21, 10/31/21, 5/1/22, 11/1/22, 4/30/23, 11/2/23, 4/30/24, 11/1/24.
66	Pollock, Louis	transferred from Robert Levine 11/15/21. permit granted 12/6/21, renewed 4/28/22, 10/30/22, 5/2/23, 11/2/23, 4/30/24, 11/1/24.
440	Puschko, Rudolph	permit granted 1/17/21, renewed 4/29/21, 10/31/21, 4/29/22, 10/24/22, 4/30/23, 11/2/23, 4/30/24, 11/1/24.
247	Ross, C. A.	permit granted 11/20/18, renewed 4/30/19, 10/21/19, 5/1/20, 11/5/20, 4/30/21, 11/3/21, 5/1/22, 10/27/22, 4/30/23, 11/5/23, 4/30/24, 11/1/24.
93	Saperstein, A.	permit granted 12/7/18, renewed 5/1/19, 10/21/19, 5/1/20, 11/9/20, 5/10/21, 11/1/21, 5/1/22, 11/3/22, 5/1/23, 11/2/23, 4/30/24, sold to Public Service 5/20/24.
81	Schmidt, Julius	transferred from W. Beck 12/4/20. permit granted 12/8/20, renewed 4/29/21, 10/24/21, 4/27/22, 10/28/22, 4/27/23, 11/2/23, 5/1/24, 11/1/24.
98	Smith, Alvin	transferred from J. Weinman 4/1/20. permit granted 4/1/20, renewed 5/1/20, 11/6/20, 4/29/21, 10/28/21, 5/1/22, 10/24/22, 4/30/23, 11/5/23, 5/1/24, 11/1/24.

Exhibit O-32

197	Shifman, Harry	transferred from F. C. Burgholz. permit granted 10/21/19, renewed 5/1/20, 11/4/20, 5/2/21, 11/3/21, 5/3/22, 11/10/22, 4/30/23, 11/2/23, sold to Christian Zihlbauer 1/3/24.
	Zihlbauer, Christian	transferred to Public Service 4/29/24.
503	Suota, A.	permit granted 4/23/19, renewed 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/31/21, 5/1/22, 11/1/22, 4/30/23, 11/2/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
195	Suota, A.	permit granted 12/3/18, renewed 4/23/19, 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/31/21, 5/1/22, 11/1/22, 4/30/23, 11/2/23 sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
599	Spindler, August	permit granted 7/21/20, renewed 11/1/20, 4/30/21, 10/25/21, 4/26/22, 10/30/22, 4/30/23, 10/30/23, 5/2/24, 11/1/24.
546	Steinberg, Michael	transferred from Terry and Daly 1/7/21. permit granted 1/8/21, renewed 5/2/21, 11/2/21, 5/1/22, 10/31/22, 4/30/23, 11/2/23, 11/5/23, sold to J. L. Gaughran 1/4/24.
	Gaughran, J. L.	renewed 5/3/24, transferred to Public Service 5/5/24.
73	Stockheimer, A.	transferred from Ida A. Shell. permit granted 5/1/19, renewed 10/21/19, 5/1/20, 11/8/20, 4/30/21, 10/31/21, 5/1/22, 10/31/22, 5/23/23, 12/12/23, 5/2/24, 11/1/24.
34	Ulicny, Emil F.	transferred from L. M. Karasik 12/18/22. permit granted 12/26/22, renewed 4/30/23, sold to J. L. Gaughran 1/4/24. permit renewed 5/2/24, transferred to Public Service 5/5/24.

Exhibit O-32

	Gaughran, J. L.	transferred from S. Bock 6/3/20.
230	Van Kenren, F. F.	permit granted 6/3/20, renewed 10/28/20, 4/30/21, 10/28/21, 4/25/22, 10/30/22, 4/26/23, 10/29/23, 5/11/24, 11/1/24.
233	Van Kenren, F. F.	transferred from A. M. Linnett.
		permit granted 10/21/19, renewed 5/1/20, 10/28/20, 4/30/21, 10/28/21, 4/25/22, 10/30/22, 4/26/23, 10/29/23, 5/1/24, 11/1/24.
213	Wanczyh, Alex	permit granted 12/2/18, renewed 4/21/19, 10/21/19, 5/1/20, 11/12/20, 4/26/21, 10/28/21, 4/28/22, 10/30/22, 4/30/23, 10/29/23, 5/1/24, 11/1/24.
286	Wager, Joseph	transferred from Joseph Kahan 12/18/22.
		permit granted 12/26/22, renewed 4/25/23, 11/2/23, sold to J. L. Gaughran 1/24/24.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
76	Weiner, Charles	transferred from Andrew Zuigzda 2/22/20.
		permit granted 2/22/20, renewed 5/1/20, 11/1/20, 5/2/21, 10/26/21, 5/1/22, 11/1/22, 5/7/23, 11/5/23, 5/1/24, sold to Public Service.
368	Weinman, Jack	permit granted 12/2/18, renewed 5/1/19, 10/21/19, 5/1/20, 11/11/20, 5/3/21, 10/26/21, 5/1/22, 10/30/22, 4/28/23, 11/2/23, sold to J. L. Gaughran.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.
450	White, George F.	permit granted 5/10/20, renewed 11/1/20, 4/30/21, 10/25/21, 4/26/22, 10/21/22, 4/27/23, 10/29/23, sold to J. L. Gaughran.
	Gaughran, J. L.	permit renewed 5/3/24, transferred to Public Service 5/5/24.

Exhibit O-32

CLINTON AVENUE LINE

5-17-27.

No.	Owner		Address	Renewed 1925 May	Nov.	(Fees paid to Mr. Jamouneau from August to date)
417	Beck, Werner	489	Nye Ave., Irv.	1	5	
154	Cousens, George	780	Grove St., Irv.	20	14	
146	Eisenstein, Ira	290	Peshine Ave., Nk.	12	14	(Sold to P. S. 10-27-26)
306	Gould, William	29	Dewey St., Nk.	12	4	(Sold to P. S. 10-27-26)
350	Kalnyansky, George	384	New St., Nk.	14	14	(Sold to P. S. 10-27-26)
242	Kraft, Julius	558	So. 13th St., Nk.	21	14	(Sold to P. S. 10-27-26)
112	Lifland, Jacob	136	Hedden Ter., Nk.	13	2	(Sold to P. S. 10-27-26)
264	Lizerman, Benj.	342	Hillside Ave., Nk.	21	14	(Sold to P. S. 10-27-26)
152	Michalek, Stephan	31	Twentieth Ave., Irv.	13	2	(Sold to P. S. 10-27-26)
90	Moore, L. H.	15	Grand Ave., Nk.	2	2	(Sold to P. S. 10-27-26)
58	Nugent, Edward, Jr.	71	Maple Ave., Irv.	19	4	(Sold to P. S. 10-27-26)
576	Phillips, Benj.	69	Madison Ave., Nk.	12	14	(Sold to P. S. 10-27-26)
66	Pollock, Louis	277	Eighteenth Ave., Nk.	15	(Sold to P. S. 8-6-25)	
440	Puschko, Rudolph	722	Stuyvesant Ave., Irv.	19	14	(Sold to P. S. 10-27-26)
247	Ross, Charles A.	106	Cummings St., Irv.	2	(Sold to P. S. 8-6-25)	
81	Schmidt, Julius	752	Bergen St., Nk.	7	(Sold to P. S. 8-4-25)	
98	Smith, Alvin	314	Mulberry St., Nk.	19	2	(Sold to P. S. 10-27-26)
599	Spindler, August	41	Nineteenth Ave., Nk.	1	2	(Sold to P. S. 10-27-26)
73	Stockheimer, Arthur	168	Liberty Ave., Hillside	21	(Sold to P. S. 9-14-25)	
230	VanKeuren, F. F.	170	Maple Ave., Irv.	1	2	(Sold to P. S. 10-27-26)
233	VanKeuren, F. F.		"	1	2	(Sold to P. S. 10-27-26)
213	Wanczyk, Alek	249	Twenty-second St., Irv.	12	(Sold to P. S. 8-6-25)	
537	Public Service	80	Park Place, Nk.	1		
314	200	45	546			
399	340	35	286			
404	595	105	76			
356	313	93	368			
431	120	197	450			
437	64	503	34			
469	504	195				
(All above and		73	247		2	
		66	81			
		213				

Exhibit O-32

CLINTON AVENUE

BUSES OWNED AND OPERATED BY PUBLIC SERVICE DURING 1924

Bus No.	Owner	1924
286	Public Service	permit renewed 11/1/24
76	Public Service	permit renewed 11/1/24
368	Public Service	permit renewed 11/1/24
450	Public Service	permit renewed 11/1/24
197	Public Service	granted 5/1 renewed 11/1/24
503	Public Service	permit renewed 11/1/24
195	Public Service	permit renewed 11/1/24
546	Public Service	permit renewed 11/1/24
34	Public Service	permit renewed 11/1/24
105	Public Service	permit renewed 11/1/24
64	Public Service	permit renewed 11/1/24
504	Public Service	permit renewed 11/1/24
45	Public Service	permit renewed 11/1/24
35	Public Service	permit renewed 11/1/24
469	Public Service	permit renewed 11/1/24
200	Public Service	permit renewed 11/1/24
340	Public Service	permit renewed 11/1/24
595	Public Service	permit renewed 11/1/24
313	Public Service	permit renewed 11/1/24
120	Public Service	permit renewed 11/1/24
537	Public Service	permit renewed 11/1/24
314	Public Service	permit renewed 11/1/24
399	Public Service	permit renewed 11/1/24
404	Public Service	permit renewed 11/1/24
356	Public Service	permit renewed 11/1/24
431	Public Service	permit renewed 11/1/24
437	Public Service	permit renewed 11/1/24
93	Public Service	permit renewed 11/1/24

Exhibit O-33.

SPRINGFIELD AVENUE

44 Buses

Bus No.	Owner	
405	Bernstein, C. A.	transferred from Charles Cohen 5/21/19. permit granted 5/21/19, renewed 10/21/19 5/1/20, 11/1/20, 5/2/21, 10/31/21, 4/29/22 10/31/22, 4/30/23, 10/31/23, sold to Public Service 4/29/24.
463	Brown, Eugen E.	transferred from Robert Holmes 12/6/21. permit granted 1/4/22, renewed 5/1/22 10/26/22, 5/1/23, 11/2/23, 5/1/24, 11/1/24.
153	De Hart, E. M.	transferred from Carl Sanders 5/12/20. permit granted 5/12/20, renewed 10/29/20 4/29/21, 10/31/21, 4/27/21, 10/24/22, 5/1/23 10/30/23, 5/1/24, 11/1/24.
24	Beyer, Paul	transferred from Michael Gach 12/8/20. permit granted 12/8/20, renewed 5/2/21 10/31/21, 5/8/22, 11/2/22, 5/2/23, sold to M. Fosman 10/30/23.
	Fosman, M.	sold to Public Service 4/29/24.
351	Greene, Max	transferred from A. Magil. permit granted 5/1/20, renewed 11/1/20 5/2/21, 11/2/21, 5/3/22, 10/30/22, 5/3/23 10/30/23, 5/2/24, 11/1/24.
68	Gumin, Geo.	transferred from A. Guery 11/17/19. permit granted 11/17/19, renewed 5/1/20 11/1/20, 5/2/21, 10/31/21, 4/26/22, 11/2/22 5/3/23, 11/1/23, 5/2/24, 11/1/24.
13	Gruber, Jacob	transferred from Louis Fera 2/21/20. permit granted 2/21/20, renewed 5/1/20 11/1/20, 4/30/21, 10/31/21, 5/2/22, 11/1/22 5/1/23, 11/16/23, sold to Oden F. Libbey 5/2/24.

Exhibit O-33

	Libbey, Olden F.	permit granted 5/2/24, transferred to Public Service 5/12/24.
202	Beckman, A.	permit granted 12/4/18, renewed 5/1/19, 11/1/19, 5/1/20, 11/1/20, 5/1/21, 11/1/21, 5/1/22, 11/1/22, 5/1/23, sold to Robert Joue.
	Joue, Robert	permit granted 10/30/23, renewed 4/30/24, sold to Public Service 5/2/24.
345	Ehrhardt, Joseph	permit granted 12/2/18, renewed 5/21/19, 10/21/19, 5/1/20, 11/1/20, 4/29/21, 11/1/21, 4/29/22, 10/31/22, 5/1/23, 10/30/23, 5/3/24, 11/1/24.

SPRINGFIELD AVENUE

44 Buses.

Bus No.	Owner	
327	Holzhauer, John	permit granted 10/15/20, renewed 11/1/20, 4/25/21, 10/31/21, 10/23/22, 4/28/23, 11/1/23, sold to General Transportation Company.
	General Trans. Co.	permit granted 5/3/24, transferred to Public Service 5/29/24.
342	Lerman, Max	permit granted 5/21/19, renewed 10/21/19, 5/1/20, 11/3/20, 4/29/21, 10/28/21, 4/28/22, 10/26/22, 5/1/23, 10/31/23, 5/1/24, sold to Public Service.
445	Seigel, H.	transferred from H. Pitlor 10/21/19. permit granted 10/21/19, renewed 5/1/20, 11/1/20, 4/29/21, 10/31/21, 4/27/22, 10/23/22, 4/28/23, sold to Gus Hagman 10/22/23.

Exhibit O-33

		Hagman, Gus	permit granted 10/22/23, renewed 10/30/ 5/1/24, 11/1/24.
	358	Herman & Gohler, Inc.	transferred from Landskrounen and Wei 3/17/21.
10			permit granted 3/17/21, renewed 4/29/ 11/1/21, 5/1/22, 11/2/22, 5/2/23, 10/31/ 5/1/24, sold to Public Service 5/27/24.
	525	Jubin, Harry	transferred from Benjamin Kass 12/18/22.
			permit granted 12/18/22, renewed 5/1/ 10/31/23, 5/2/24, 11/1/24.
	23	Lehrhoff, L.	transferred from H. Harrison.
			permit granted 9/22/19, renewed 2/21/ 5/1/20, 11/6/20, 4/30/21, 10/31/21, 5/3/ 10/31/22, 5/1/23, 11/11/23, 5/2/24, sold Public Service 9/15/24.
20	20	Elliott, William	transferred from M. F. O'Neill.
			permit granted 10/21/19, renewed 5/1/ 11/1/20, 5/2/21, 10/31/21, 4/27/22, 10/30/ 5/1/23, 10/30/23, 5/2/24, 11/1/24.
	402	Marsh, A.	permit granted 12/2/18, renewed 5/21/ 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/31/ 5/1/22, 10/30/22, 4/30/23, 11/1/23, 4/29/ 11/1/24.
30	520	Ostrowsky, Samuel	transferred from Theodore Falk, 12/18/22.
			permit granted 12/26/22, renewed 5/1/ 11/5/23, sold to Public Service 4/29/24.
40			

Exhibit O-33

SPRINGFIELD AVENUE

44 Buses.

Bus No.	Owner	
100	Bernstein, S.	permit granted 10/21/19, renewed 5/1/20, 11/12/20, 4/30/21, 11/1/21, 5/3/22, 10/23/22, 5/1/23, 10/30/23, 5/2/24, sold to Public Service 5/27/24.
391	Buffardi, Thomas	permit granted 12/3/18, renewed 5/21/19, 10/21/19, 5/1/20, 11/20/20, 4/30/21, 11/1/21, 4/27/22, 10/23/22, 5/1/23, 11/1/23, 5/3/24, sold to Public Service 5/24/24.
352	Cohen, S.	permit granted 4/25/19, renewed 10/21/19, 5/1/20, 11/4/20, 4/30/21, 10/31/21, 4/29/22, 11/2/22, 5/1/23, 10/31/23, 5/1/24, sold to Public Service.
461	Dehm, Henry	permit granted 10/21/19, renewed 5/1/20, 11/8/20, 4/30/21, 11/1/21, 5/3/22, 11/4/22, 5/1/23, 10/30/23, sold to Public Service 5/24/24.
538	Gold, Charles	permit granted 11/19/20, renewed 4/30/21, 10/31/21, 5/3/22, 11/3/22, 5/3/23, 10/31/23, sold to George Shapiro 3/25/24.
	Shapiro, George	permit granted 5/1/24, sold to Public Service 5/14/24.
278	Grieco, A.	permit granted 12/1/18, renewed 5/21/19, 10/21/19, 5/1/20, 11/1/20, 4/30/21, 11/4/21, 5/2/22, 11/3/22, 5/2/23, 10/30/23, 5/1/24, 11/1/24.
48	Joue, Wolf	permit granted 12/3/18, renewed 5/25/19, 10/21/19, 5/1/20, 11/1/20, 4/30/21, 11/1/21, 5/1/22, 10/30/22, 5/2/23, 11/9/23, 5/1/24, sold to Public Service.

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344	Landskrounen and Weich	permit granted 12/4/18, renewed 5/24/19, 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/31/21, 5/2/22, 10/23/22, 5/1/23, 10/31/23, 5/1/24, sold to Public Service 5/21/24.
140	Lehrhoff, C.	permit granted 12/2/18, renewed 4/30/19, 10/21/19, 5/1/20, 11/9/20, 4/30/21, 10/29/21, 5/3/22, 11/6/22, 5/1/23, 10/31/23, 5/1/24, 11/1/24.
464	Lehrhoff, M.	permit granted 3/25/19, renewed 1/29/20, 5/1/20, 11/11/20, 4/30/21, 10/31/21, 5/5/22, 11/2/22, 5/2/23, 10/31/23, 5/3/24, sold to Public Service 9/15/24.
484	Lines, Sam D.	permit granted 1/26/20, renewed 5/1/20, 11/3/20, 4/29/21, 10/28/21, 1/28/22, 10/26/22, 5/1/23, 10/30/23, 5/2/24, 11/1/24.

SPRINGFIELD AVENUE

44 Buses.

Bus No.	Owner	
75	Reichelt, E.	permit granted 12/5/18, renewed 5/2/19, 10/21/19, 5/1/20, 11/1/20, 4/28/21, 10/26/21, 4/24/22, 10/30/22, 4/30/23, 10/29/23, 5/2/24, 11/1/24.
446	Rice, David	transferred from Saul Perlmutter 10/22/23. permit granted 10/30/23, renewed 5/1/24, sold to Public Service 5/22/24.
333	Rose, Benjamin	permit granted 12/12/18, renewed 5/25/19, 10/21/19, 5/1/20, 11/3/20, 4/30/21, 10/28/21, 5/1/22, 10/23/22, 5/1/23, 10/31/23, 5/1/24, 11/1/24.

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55	Shapiro, A.	permit granted 12/3/18, renewed 5/21/19, 10/21/19, 5/1/20, 11/1/20, 4/30/21, 10/31/21, 5/1/22, 10/23/22, 5/2/23, 10/31/23, 5/1/24, sold to Public Service 5/20/24.
164	Shapiro, Max	permit granted 12/3/18, renewed 5/21/19, 10/21/19, 5/1/20, 11/1/20, 4/29/21, 10/31/21, 5/1/22, 11/2/22, 5/1/23, 11/1/23, 4/30/24, sold to Public Service 5/20/24.
339	Smith, Julius	transferred from Hyman Wollad 12/18/22. permit granted 12/26/22, renewed 4/30/23, 10/30/23, 4/30/24, sold to Public Service 5/16/24.
41	Tucker, Benjamin	permit granted 12/2/18, renewed 5/1/19, 10/21/19, 5/1/20, 11/1/20, 4/29/21, 10/31/21, 5/1/22, 11/1/22, 5/4/23, 11/2/23, sold to Public Service 4/29/24.
421	Tucker, Harry	transferred from Frank L. Stancati 2/19/21. permit granted 2/19/21, renewed 4/29/21, 10/31/21, 4/28/22, 10/27/22, 4/30/23, 11/1/23, sold to Public Service 4/29/24.
259	Waechter, Charles	transferred from A. and M. Shapiro 12/7/20. permit granted 12/9/20, renewed 4/30/21, 10/31/21, 4/28/22, 10/23/22, 4/28/23, 10/31/23, 5/1/24, 11/1/24.
96	Westerman, Chas.	transferred from P. Simonet 3/6/21. permit granted 3/19/21, renewed 10/31/21, 4/27/22, 10/24/22, 5/1/23, 10/30/23, 4/30/24, sold to Public Service 5/15/24.

Exhibit O-33

SPRINGFIELD AVENUE

44 Buses.

Bus No.	Owner	
422	Wilson, Alexander	permit granted 5/12/19, renewed 10/21/19, 5/1/20, 11/9/20, 4/30/21, 11/2/21, 5/6/22, 11/3/22, 5/4/23, 10/30/23, 5/1/24, sold to Public Service 5/26/24.
208	Namarovsky, Hyman	transferred from S. Sadolf 8/27/20. permit granted 8/27/20, renewed 11/1/20, 4/30/21, 10/31/21, 4/28/22, 10/24/22, 5/1/23, 10/31/23, 5/1/24, sold to Public Service 5/19/24.
343	Nixon, Hugh	transferred from Benjamin Beyer 10/23/23. permit granted 10/23/23, sold to General Transportation Company 5/3/24, transferred to Public Service 5/29/24.
357	Noll, Frank J.	transferred from Simon Beyer 8/2/20. permit granted 8/18/20, renewed 11/1/20, 4/30/21, 11/1/21, 4/27/22, 10/27/22, 4/30/23, 10/31/23, 5/1/24, 11/1/24.
451	Noll, I. M.	transferred from Charles Maas. permit granted 5/1/20, renewed 11/1/20, 4/29/21, 11/1/21, 4/27/22, 10/27/22, 4/30/23, 10/31/23, 5/1/24, 11/1/24.

Exhibit O-33

SPRINGFIELD AVENUE

BUSES OWNED AND OPERATED BY PUBLIC SERVICE DURING 1924.

Bus No.	Owner	1924	
405	Public Service Trans. Co.	permit granted 4/29	renewed 11/1/24
100	Public Service Trans. Co.	permit granted 5/27	renewed 11/1/24
391	Public Service Trans. Co.	permit granted 5/24	renewed 11/1/24
352	Public Service Trans. Co.	permit granted 11/ 1	
461	Public Service Trans. Co.	permit granted 5/24	renewed 11/1/24
24	Public Service Trans. Co.	permit granted 4/29	renewed 11/1/24
528	Public Service Trans. Co.	permit granted 11/ 1	
13	Public Service Trans. Co.	permit granted 11/ 1	
358	Public Service Trans. Co.	permit granted 11/ 1	
327	Public Service Trans. Co.	permit granted 11/ 1	
202	Public Service Trans. Co.	permit granted 5/ 2	renewed 11/1/24
48	Public Service Trans. Co.	permit granted 11/ 1	
344	Public Service Trans. Co.	permit granted 11/ 1	
23	Public Service Trans. Co.	permit granted 11/ 1	
464	Public Service Trans. Co.	permit granted 11/ 1	
342	Public Service Trans. Co.	permit granted 11/ 1	
520	Public Service Trans. Co.	permit granted 5/ 1	renewed 11/1/24
55	Public Service Trans. Co.	permit granted 11/ 1	
164	Public Service Trans. Co.	permit granted 11/ 1	
339	Public Service Trans. Co.	permit granted 11/ 1	
41	Public Service Trans. Co.	permit granted 5/ 1	renewed 11/1/24
421	Public Service Trans. Co.	permit granted 5/ 1	renewed 11/1/24
96	Public Service Trans. Co.	permit granted 11/ 1	
422	Public Service Trans. Co.	permit granted 11/ 1	
208	Public Service Trans. Co.	permit granted 11/ 1	
343	Public Service Trans. Co.	permit granted 11/ 1	
446	Public Service Trans. Co.	permit granted 11/ 1	

Exhibit O-33

SPRINGFIELD AVENUE LINE

No.	Owner	Address	Renewed 1925 May	Nov.	(Fees paid to Mr. Jamouneau from August to date)
463	Brown, Eugene E.	28 Prospect Ave. Irv.	15	9	
153	DeHart, Edward M.	391 Twenty-first St. Irv.	2		(Sold to P. S. Sept. 17, 1925)
345	Ehrhardt, Joseph	1011 Chancellor Ave. Irv.	1	9	(Sold to P. S. 10-27-26)
20	Elliott, William	864 So. 14th St. Nk.	15	2	
278	Grieco, A.	263 N. 10th St. Nk.	1		(Sold to P. S. Sept. 29, 1925)
68	Grimm, George	238 Peshine Ave. Nk.	20	9	(Sold to P. S. 10-27-26)
445	Hagmann, Gus	559 Stuyvesant Ave. Irv.	12		(Sold to P. S. Sept. 17, 1925)
525	Jubin, Harry	646 So. 11th St., Nk.	2	2	(Sold to P. S. 10-27-26)
140	Lehrhoff, Charles	2 Bruen Ave. Irv.	12	9	
484	Lines, Samuel D.	447 Stuyvesant Ave. Irv.	20	4	
402	Marsh, Albert	693 Mt. Prospect Ave. Nk.	1		(Sold to P. S. Sept. 17, 1925)
357	Noll, Frank J.	968 Grove St. Irv.	1	4	(Sold to P. S. 10-27-26)
451	Noll, I. M.	959 Grove St. Irv.	7	4	(Sold to P. S. 10-27-26)
75	Reichelt, E.	35 Brighton Ter. Irv.	1		(Sold to P. S. Sept. 17, 1925)
333	Rose, Benjamin	730 So. 12th St. Nk.	15	4	(Sold to P. S. 10-27-26)
259	Sprfd. Av. Bus Co. Inc.	Irv.	20	4	(Sold to P. S. 10-27-26)
		80 Park Place, Nk.			
202	Public Service	421	1		
405	351	342 96			
100	13	208 422			
343	358	520			
24	327	446			
391	48	55			
352	344	164			
461	23	339			
538	464	41 402		2	
	(All above and	75 445			
		153 278			

Exhibit O34.

LYONS AVENUE

18 Buses

This line was started in 1921

Bus No.	Owner	1921		1922			1923		1924
109	Asarnow, Morris	granted	4/ 3	renewed	10/31	4/29	11/ 2	5/ 1	10/31 5/3 sold to Public Service
47	Bauer, Fred	granted	3/ 4	renewed	10/29	5/ 1	11/ 1	5/ 1	11/ 1 sold to Public Service 3/25
62	Brietkopf, Jack	granted	3/ 5	renewed	11/ 3	5/ 1	11/ 1	5/ 1	11/ 1 sold to J. L. Gaughran 3/31
42	Brown, Everett	granted	3/ 3	renewed	10/27	5/ 2	10/31	4/30	11/ 2 sold to J. L. Gaughran 1/4
74	Buonura, Philip	granted	3/22	renewed	11/ 9	5/ 1	11/ 2	5/ 1	11/ 5 sold to J. L. Gaughran 3/31
49	Hamfield, H.	granted	3/ 3	renewed	11/ 1	4/24	11/ 1	5/ 2	10/29 sold to J. L. Gaughran 1/4
360	Herman, S. J. Inc.	granted	6 /11	renewed	11/ 1	5/ 2	11/ 2	5/ 1	10/31 sold to Public Service 4/29
364	Meyer, Harold	granted	3/ 4	renewed	11/ 9	4/29	10/31	5/ 1	11/ 1 sold to J. L. Gaughran 3/31
5	Colyer, Edw. E.	granted	12/ 9			5/10	11/ 1	4/30	11/ 1 sold to J, L. Gaughran 1/22
337	Parella, Jas.	granted	3/ 2	renewed	10/31	5/ 1	10/31	4/30	10/29 sold to J. L. Gaughran 2/11
317	Pitlor, Herman	granted	3/ 4	renewed	10/31	4/25	10/31	4/27	10/29 sold to Harry Proctor
125	Reinig, Julius	granted	3/14	renewed	11/ 1	5/ 1	11/ 1	5/ 2	10/31 sold to J. L. Gaughran
110	Mandeville, J. L.	granted	5/ 4	renewed	10/28	4/28	11/ 2	5/ 2	8/ 6 sold to Service Bus Company
53	West, Herbert	granted	3/ 4	renewed	11/ 1	5/ 1	11/ 1	5/ 2	11/ 5 sold to J. L. Gaughran 3/31
38	Willis, Otto	granted	3/ 4	renewed	10/31	4/29	11/ 1	5/ 4	11/ 2 5/3 sold to Newark Bus Co.
143	Spitzer, Rich.	granted	3/ 5	sold to Raymond Burnett					3/24/21
57	Hall, David	granted	3/ 4	renewed	10/31	5/ 1	11/ 1	5/ 2	11/ 2 sold to Auto Bus Operating Co.
433	Peter, Fredk.	granted	3/ 7	renewed	11/ 3	5/ 3	11/ 1	5/ 1	sold to John M. Cooper, sanction of Public Utility 6/19/23

Exhibit O-34

Bus No.	Owner	1924		
109	Public Service Trans. Co.	granted 9/30	renewed 11/ 1	
47	Public Service Trans. Co.	granted 4/29	renewed 11/ 1	sanction P. U. C. 6/24/24
62	Gaughram, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
42	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
74	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
49	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
360	Public Service Trans. Co.	granted 5/ 1	renewed 11/ 1	
364	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
5	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
337	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
317	Proctor, Harry	granted 5/ 3 7/24/24	transferred to Public Service Trans. Co.	renewed 11/1
125	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
110	Service Bus Company	granted 11/2/23 6/ 6/24	renewed 5/3/2	transferred to Public Service renewed 11/1
53	Gaughran, John L.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
38	Newark Bus Company	granted 5/ 3 6/ 6/24	transferred to Public Service Trans. Co.	renewed 11/1
143	Bennett, Raymond	granted 3/24/21	renewed 11/1/21	4/29/22 11/2/22 sold to
	Essex Bus Trans. Co.	granted 4/5/23	renewed 10/30/23	sold to
	General Trans. Co.	granted 4/30	transferred to Public Service Trans. Co.	renewed 11/1
57	Auto Bus Operating Co.	granted 5/ 3	transferred to Public Service Trans. Co.	renewed 11/1
433	Cooper, John M.	granted 11/2/23	renewed 5/3/24	transferred to Public Service renewed 11/1

Exhibit O-34

LYONS AVENUE LINE.

No.	Owner	Address	Renewed 1925 May	Nov.	(Fees paid to Mr. Jamouneau from August to date.)
109	Public Service	80 Park Place, Nk.	1	2	
47	"	"			
62	"	"			
42	"	"			
74	"	"			
5	"	"			
143	"	"			
57	"	"			
49	"	"			
360	"	"			
110	"	"			
364	"	"			
337	"	"			
433	"	"			
317	"	"			
125	"	"			
53	"	"			
38	"	"			

Exhibit O-35.

PUBLIC SERVICE TRANSPORTATION COMPANY

Detail of Amounts Charged to Maintenance Department
Rents and Transportation Rents During Year 1926

Garage	Rented From	Period Covered	Rental Paid	Capacity	Actually Stored	Remarks
A & S Garage, 20 So. Broad St., Eliz., N. J.	Not Public Service	1/1-12/31/26	6,600.00			Displaced since 12/31/26 by new Elizabeth Garage.
694-700 South 15th St. Gar., Newark, N. J.	" " "	1/1- 1/31/26	475.00			Displaced by Lake Street Garage.
447-469 So. 17th St. Garage, Newark, N. J.	" " "	1/1-12/21/26	7,500.00	24	24	
Miller & Broad St., Newark. Gas Station & Terminal	P. S. Railway Company	5/1-12/21/26	2,413.92			Not a storage point
Black Morse Pike, Turnerville Garage	Not Public Service	1/1- 7/21/26	600.00			Displaced by new Turnerville Garage.
Atlantic Ave., Camden Gas Station & Terminal	" " "	3/1-12/31/26	25.00			Not a storage point.
Hudson Street Garage, Hackensack, N. J.	P. S. Rwy. Co. ($15 basis)	3/1-12/31/26	630.00			Displaced by new Hackensack Garage.
Interboro Garage, Hackensack, N. J.	Not Public Service	1/1- 9/26/26	450.00			Displaced by Hudson St. Garage, Hackensack.
Plainfield Garage, 223 Madison Ave., Plfd., N. J.	" " "	1/1-12/31/26	5,100.00	32	17	
New Brunswick Garage, Sanford St., New Bruns., N. J.	P. S. Railway Company	1/1-12/31/26	25,000.00	80	41	
Newton Avenue Garage, Camden, N. J.	P. S. Railway Company	1/1-12/31/26	24,000.00	127	121	
Gibbstown Garage, Gibbstown, N. J.	Not Public Service	3/18-12/31/26	560.00	8	6	
Berlin Garage, Berlin, N. J.	" " "	3/10-12/31/26	2,000.00	14	14	
City Line Garage, Main St., East Orange	" " "	1/1-12/31/26	8,700.00	32	23	
Lake St. Garage, Bloomfield Ave. & Lake St., Newark, N. J.	P. S. Railway Company	1/1-12/31/26	35,467.24	140	96	
Hilton Garage, Newark, N. J.	P. S. Ry. Co. ($15 basis)	1/1-12/31/26	15,450.00		78	
Grove St. Garage, 45 No. Grove Street, Newark, N. J.	Not Public Service	1/1-12/31/26	7,800.00	42	33	
Lakeview Garage, Ry. Ave. & Florida St., Paterson, N. J.	P. S. Railway Company	1/1-12/31/26	6,736.89	60	46	
Market St. Carhouse, Market St., Paterson, N. J.	P. S. Ry. Co. ($15 basis)	1/1-12/31/26	21,555.00		129	

Exhibit O-35

G. & P. V. Carhouse Washington St., Orange, N. J.	P. S. Ry. Co. ($15 basis)	1/1-12-31-26	4,065.00		24	
Union City Carhouse	P. S. Railway Company	1/1-12/31/26	6,770.27	28	28	
" " "	P. S. Ry. Co. ($15 basis)	1/1-12/31/26	8,300.00		56	
65 River St. Garage, Paterson, N. J.	Not Public Service	1/1-12/31/26	5,600.00	30	5	Service Equipt. also stored at this point.
735 Main Ave., Garage, Passaic, N. J.	" " "	1/1-12/31/26	6,700.00			This point used as public service station during 1926. Lease expired during 1926.
Rutherford Carhouse	P. S. Ry. Co. ($15 basis)	1/1-12/31/26	2,480.00		22	
Manville Garage, Manville, N. J.	Not Public Service	1/1-12/31/26	780.00		2	Displaced by Bound Brook Carhouse since 12/31/26.
No. 5 Schuyler Street, New Brunswick, N. J.	" " "	1/1- 9/30/26	1,800.00			Displaced by new Sanford St. Garage.
Edgewater Carhouse	P. S. Ry. Co. ($15 basis)	1/1-12/31/26	795.00		6	
Bus Terminal, Weehawken, N. J.	Not Public Service	1/1-12/31/26	4,000.00			Not used as storage point.
Irvington Shops, 20 Coit St., Irvington, N. J.	P. S. Production Co.	1/1-12/31/26	41.000.00			Not used as storage point, except to the extent of buses at Shops waiting repairs.
Pavilion Ave. Garage, Riverside, N. J.	P. S. Elec. & Gas Co.	5/1-12/31/26	250.00	6	6	
Rahway Ave. Garage, Rahway Ave., Elizabeth, N. J.	Not Public Service	5/6-12/31/26	3,600.00			Replaced by new Elizabeth Garage.
			21,447.84			
Current repairs, wiring changes, and miscellaneous alterations arising during bus occupancy of rented premises, miscellaneous rents paid for subsidiary operations, etc.			278,821.16			

Exhibit O-36.

PUBLIC SERVICE RAILWAY COMPANY

PLAN OF SETTLEMENT OF TRANSPORTATION CRISIS
OFFERED BY
PUBLIC SERVICE RAILWAY COMPANY

Newark, N. J., August 21, 1923.

Public Service Railway Company, mindful of the burdens that have been heaped upon it during the past five years, reaffirms its determination that it can not contract to pay out large sums of money for wages in excess of its revenues available for that purpose, but conscious of its obligations to the people of New Jersey, and desirous of meeting the local transportation needs of that portion of the State served by it, offers the following comprehensive plan, as an entirety, for the settlement of the very serious problem that now confronts the State. If it were otherwise practicable, nothing would be gained by a resumption of operation upon a basis of destructive and uneconomic competition such as has latterly existed. It would only result in a repetition of the present unfortunate situation at a later date. In no large community in the United States, does any such condition exist as has been the case in New Jersey. It has been ascertained by hard experience the country over that cars and buses cannot economically exist in direct competition with each other upon the same streets and wherever the issue has arisen the necessity for railway transportation has manifested itself. It is possible to settle this whole problem and it should be done now once for all.

Exhibit O-36

PLAN.

1. Although the Railway Company has never had a desire to embark largely in bus transportation, nevertheless a situation has developed that must be met in a broad way, if local transportation is to survive, therefore, the Railway Company, acting through an allied corporation, will purchase at their present fair physical value all buses operating competitively on July 31, 1923 (the day before the commencement of the strike) on the streets where Railway Company's tracks are laid, whose owners are willing to sell. This present value to be agreed upon, if possible, between the Company and the respective owners of the buses. If unable to agree, value shall be fixed by an independent appraisal. This will involve a capital investment of several million dollars, the financing of which, after much negotiation, has been provided for, conditioned upon the adoption of the plan as a whole.

2. Thereafter the Companies will operate cars and buses in co-ordination to the extent found necessary to accommodate the traffic and under the supervision of the municipal authorities and of the Board of Public Utility Commissioners. This will end the wasteful and uneconomic competition that has hitherto existed. As opportunity offers, buses operated will be modernized and standardized. Transfers will be instituted between buses and cars in the manner heretofore existing on the lines of the Railway system. While ample service will thus

be provided, at the same time much unnecessary traffic congestion will be removed from the highways. This, it may be said, will create a monopoly. This would only be so, as to streets where railway tracks are laid. Such service is a natural monopoly, like the telephone, water, gas and electricity. That such is the fact is the reason for state supervision and control. The ignoring of this economic principle is the chief cause of the present crisis.

3. The licenses of all bus owners who sell to the Company, and of those having temporary permits, shall be rescinded and cancelled, and the licenses of bus owners who do not desire to sell shall either be rescinded, or the buses shall be rerouted on streets where there are no street railway tracks. The power of the Board of Public Utility Commissioners as contained in the Public Utility Act as amended by the so-called Elliot Act of 1921 is ample to accomplish the result within a very reasonable time, if the Board will exercise it. The municipalities and the Board, acting together, can accomplish the result whenever they see fit. That it is the duty of the Board to thus act is made clear by the opinion of Judge Katzenbach in the recent case in the New Jersey Supreme Court of Arthur A. Hunter versus Board of Public Utility Commissioners, where the Justice in his opinion speaks as follows:

"While temporarily the public might have greater facilities of transportation in Woodbury and from Woodbury to Camden by permitting the prosecutor to compete with the Railway

Company, in the end such competition is not for the public convenience and interest as it either results in less efficient service by the Railway Company or abandonment of its service because the operation of the line will not pay operating expenses and a fair return on the capital invested. 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."

Two cases in the State of Illinois have recently enunciated the same doctrine. They are Joseph K. Choate, Receiver, and others versus the Illinois Commerce Commission and the West Suburban Transportation Company versus the Chicago and West Towns Railway Company.

4. No competitive bus licenses shall be issued hereafter for operation on streets where Railway Company's tracks exist.

5. The Companies will promulgate a new wage scale with a basic maximum of 60c. per-hour, this being the last figure which the men agreed to accept, and is 10c. per-hour, or 20 per cent.

in excess of the present schedule. This involves of course 5c. per-hour extra for one-man operated car or bus. So far as the labor situation will permit, no one will be required to work more than six days in any week. Other working conditions can be left to the management and the employees to adjust satisfactorily.

6. Both sides shall agree that the report of former Judge Thomas G. Haight, the Master in the pending rate case, fixing the value of the property of the Railway Company devoted to the public use, as of the date specified in his report, at one hundred and ten millions of dollars, as therein set forth, be confirmed by decree. This valuation was arrived at by the Master appointed by the Federal Court after considering the whole subject, with the aid of counsel for both parties, for one year and one-half. It is some million dollars less than the valuation fixed by a firm of independent engineers employed by the State of New Jersey, at a cost of approximately one hundred thousand dollars, after nearly one year's study of the problem. It is in excess of the amount fixed as the value in the summer of 1921 by the then Board of Public Utility Commissioners, which, under the law, was obliged to find a value after a few weeks consideration. Necessarily such consideration did not admit of so complete an investigation as was made either by the State engineers or by the Master of the Federal Court. It is essential to adjust this matter at this time because while the Federal suit remains undetermined, the injunction stands and

the change in fare referred to in the next paragraph cannot be made.

7. Simultaneously with the effectuation of the plan, the Companies shall put into effect both on cars and buses a fare of seven cents, with one cent for transfer. This fare is lower by one cent for transfer charge than that fixed by the Board of Public Utility Commissioners as a just and reasonable fare in 1921 upon the low valuation found by the Board and with a lower wage in effect than that contemplated in this plan. This fare will stand comparison with any company operating under at all similar conditions and is less than the average of present street railway fares in the country. It may be decreased as and when the cost of service, including a fair return upon the value of the property devoted to the public use will admit. Such a reduction could be accelerated by support of the plan by the public, by the employees, by the removal of unjust paving obligations now enforced upon the Railway Company and by the reduction of burdensome taxes.

8. The Companies will give employment, either on cars or buses, to all bus drivers who are qualified and can pass the Railway Company's usual tests of employment.

9. After the plan has become effective, the Company will take up with the Board of Public Utility Commissioners the revamping of its financial structure so as to provide for future financing and to place the company upon a sound financial basis.

Exhibit O-36

10. Service can be resumed, temporarily at the rate of fare in effect when the strike was called, at the new wage scale, upon the Railway Company receiving definite assurances from the Board of Public Utility Commissioners and from the representatives of the more prominent municipalities that the plan is acceptable and that they will cooperate with the Railway Company in carrying it into prompt execution. It is impossible for the Railway Company to resume service at the rate of wages demanded by the men and under the conditions in other respects that prevailed prior to the first of August.

Public Service Railway Company submits this plan to the deliberate and intelligent consideration of the Board of Public Utility Commissioners of the State of New Jersey, the authorities of the interested municipalities and of all fairminded people.

PUBLIC SERVICE RAILWAY COMPANY,
By Thomas N. McCarter,
President.

Exhibit O-37.

June 1, 1927.

September 25, 1923.

To the
Public Service Railway Company.

Gentlemen:

The Board has received from you a notice of intention to increase the street railway fare to ten cents and has carefully considered your statement and the schedule annexed.

The Board appreciates the fact that the conditions under which the Company is now operating make increased operating costs inevitable. To deny it the right to obtain sufficient revenue to meet these costs would be a gross injustice.

To raise this revenue the company now proposes to increase its fare to ten cents. Whether such an increase would meet the situation at this time, particularly in view of existing auto bus competition, is open to serious question. This Board has in the recent past, and after extensive hearings, although under a lower wage scale, decided against an application for a ten cent fare. The Board feels that it should not approve such a fare unless it appears, upon further hearing, that this is necessary to meet existing conditions.

In your recently proposed plan you claimed the elimination of bus competition would result in lower fare. The Board agrees that this competition should be restricted to an extent consistent with adequate service; and within the

scope of its authority will assist in bringing about this result. It will further seek the co-operation of the various municipalities to that end. In the Board's judgment the time has not arrived when the trolley, long established and used by some 325 millions of riders annually on your system alone can be dispensed with. Without passing upon the proposed increase in fare to ten cents, the Board desires to suggest a plan which it feels would place the company on a more equal basis in meeting the competition of the busses and, at the same time furnish the public transportation at a fair rate.

If the company insists upon a ten cent fare the Board cannot deny objectors opportunity to be heard. Extensive rate hearings in the past have cost the State many thousands of dollars and have resulted in protracted litigation. To avoid further litigation and expense and for the purpose of trial, the Board suggests that in lieu of the imposition of a ten cent fare the company establish a five cent flat fare without transfers within the limits of the larger municipalities, with an additional five cent fare for the longer rides to the end of the existing fare limits and continue in effect the present fare throughout the rest of the State for the time being.

If this is acceptable to the Company the Board suggests that the Company prepare and submit for approval the details of the foregoing in the form of a rate schedule which schedule, if approved, shall remain in effect for a trial period of four months in order to determine definitely whether such a schedule will pro-

duce sufficient revenue to meet the requirements of the situation, during which period the company shall make monthly reports to the Board for its operating expenses and receipts.

The foregoing plan is suggested with the hope that it will provide sufficient revenue to enable the company to operate efficiently and not impose an undue burden upon the public.

Very truly yours,
BOARD OF PUBLIC UTILITY COMMISSIONERS
By (Signed) H. V. Osborne
President

Exhibit O-38.

June 1, 1927

PUBLIC SERVICE RAILWAY COMPANY
PUBLIC SERVICE TERMINAL
80 Park Place
Newark, N. J., Sept. 27, 1923

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

Dear Sirs:

Public Service Railway Company has given serious consideration to the recommendation made by the Board with reference to fares in its communication of September 25th, propos-

ing a five-cent fare for the congested centers of the larger cities without transfer, and an additional five-cent fare without transfer to the present eight cent fare limits of these cities.

While the Company entertains grave misgivings as to the financial results of the plan, nevertheless, desiring as it does to co-operate with the Board and in the hope that the plan suggested points the way to the ultimate solution of the transportation difficulties confronting the Company and the traveling public of New Jersey, the Company accepts the suggestion of the Board in the spirit in which it is offered and will go along with a trial of the rate proposed for a four months period or such shorter time as may clearly indicate to the Company and the Board the results thereof. In doing this the Company will rely upon the active co-operation of the Board as offered in its statement in curtailing and limiting wasteful and unnecessary competition and further seeks the co-operation of the Board in helping it to obtain relief from municipal paving obligations founded upon archaic conditions inherited from horse car days.

For the rate recommended by the Board to be successful, two things must be accomplished. The Company must have more revenue, arising from the transportation of a very much larger number of passengers which a curtailment of uneconomic and wasteful competition will produce, and its operating expenses must be kept down to the minimum. This latter desideratum can be substantially assisted by relieving it from burdensome paving obligations.

Exhibit O-38

A hearty support of the plan by the public will go a long way to make the trial a success and this insure the permanency of the rate.

In furtherance of and pending the trial of the rate proposed by the Board, the Company hereby withdraws the proposed rate filed by it with the Board on the twenty-first of September last.

The Company herewith files the following rate for transportation over the portions of its system enumerated below, effective, Monday, October 1st, 1923, subject only to obtaining a permissive order from the United States District Court. Fare conditions not specifically hereinbelow referred to to remain for the present as they now are. All reference to municipal boundaries relate to present existing lines and not to any future extensions or modifications thereof.

A five-cent fare for a single ride without transfer:

1. Within the limits of the City of Newark (Except the existing fare limit to Port Newark Terminal) Harrison, East Newark and on Kearny Avenue in the Town of Kearny.

2. Within the limits of the other municipalities in Essex County served by the Company (except Verona, Caldwell and the Eagle Rock Line).

3. Within the limits of Jersey City and Hoboken.

4. Within the limits of the City of Bayonne.

Exhibit O-38

5. Within the limits of the remaining municipalities in Hudson County not hereinbefore specifically mentioned served by the Company and lying east of the Hackensack River.

6. Within the limits of the Town of Kearny between Schuyler Avenue and the Hackensack River and between the Passaic and the Hackensack Rivers.

7. Within the limits of the City of Paterson, Haledon and Totowa.

8. On the Hawthorne Line from the Paterson City Line to the Passaic County Line.

9. On the Singac Line from the Paterson City Line to Singac.

10. From the Paterson City Line through a portion of the City of Clifton and the City of Passaic to the Passaic River and the Passaic City Line at Romaine Ave.

11. On the Paterson Line from the southerly Passaic City Line to the Essex County Line.

12. On the Palisade Line in the County of Bergen from the Hudson County Line to Palisade Junction.

13. Within the limits of the City of Elizabeth.

14. Within the limits of the Borough of Roselle and Roselle Park.

15. Within the limits of the City of Camden.

16. From the Camden City Line to and through the City of Gloucester to Timber Creek.

Exhibit O-38

17. On the Haddon Heights Line from the Camden City Line to Station Ave. in Haddon Heights.

18. On the Haddonfield Line from the Camden City Line to Haddonfield.

19. On the Federal St. Line from the Camden City Line to Cove Road, Merchantville.

20. On the Westfield Line from the Camden City Line to Pensauken.

21. On the Riverside Line from the Camden City Line to Delair.

All other fares not specifically herein referred to to remain as at present. School fares will be continued where they now exist at the present rate, limited however to the new fare limits.

Very truly yours
(Signed) THOMAS N. McCARTER
President.

Exhibit O-39.

Jun 1, 1927.

STATE OF NEW JERSEY BOARD OF PUBLIC UTILITY COMMISSIONERS

NEWARK

September 27th, 1923.

To the Public Service Railway Company

Gentlemen:

We are in receipt of your communication of this date in which you indicate acceptance of the plan suggested by this Board on September 25th, filing a new rate schedule in accordance therewith and withdrawing the ten cent fare schedule filed by you on September 21st.

The Board acquiesces in your proposal to put the rate suggested by the Board into effect on October 1st, next, as we deem it desirable that the public should have the benefit of the new rate at as early a date as possible.

The Board reiterates its declaration contained in its statement to you of August 8th, last, and again in its later proposal which you have just accepted, that, in its judgment ruinous auto bus competition should be reduced to a minimum and will, as heretofore declared to be its policy, regulate auto bus competition in accordance with the statute and to the fullest extent consistent with adequate service.

We note your request for the co-operation of the Board in obtaining relief from "paving obligations founded upon archaic conditions in-

herited from horse-car days." The Board agrees that these paving obligations are, under present day conditions, an undue burden necessarily passed on to the riding public through the rate of fare charged. The Board has no power under existing law to relieve the company of these exactions but will recommend legislation for relief therefrom.

The Board expresses the hope that the acceptance of the present plan will meet the approval of the public and will, in a measure at least, dispose of the present unsettled conditions in the transportation problems of the State.

Yours very truly,

BOARD OF PUBLIC UTILITY COMMISSIONERS

By (Signed) H. V. Osborne

President

New Jersey Court of Errors and Appeals

THE TOWN OF IRVINGTON and ALICE M. STEWART, Prosecutors-Appellants, *vs.* BOARD OF PUBLIC UTILITY COMMISSIONERS, PUBLIC SERVICE RAILWAY COMPANY, PUBLIC SERVICE TRANSPORTATION COMPANY, and PUBLIC SERVICE COORDINATED TRANSPORT, Defendants-Appellees.	On Appeal from New Jersey Supreme Court. On Certiorari.

BRIEF FOR THE TOWN OF IRVINGTON AND ALICE M. STEWART, PROSECUTORS-APPELLANTS.

Facts.

On December 14, 1926, the Public Service Railway Company and the Public Service Transportation Company filed a petition with the Board of Public Utility Commissioners, praying for certain relief hereinafter mentioned, and on said day, and as part of said petition, the said Public Service Transportation Company *filed a schedule of rates, to become effective the first day of January, 1927,* which increased the rates on the lines involved in their particular petition, four of which run into Irvington from the City of Newark, one of which runs from Elizabeth into Kenilworth, and one of which runs from Elizabeth into Roselle Park, and also increased the rates of five other

lines in other territory. The effect of this increased rate, so far as the lines running into Irvington are concerned, is to change the rate which theretofore existed, viz.: a five-cent fare from the termini of the routes at the Hudson Tubes station, Park Place and Saybrook Place, Newark, N. J., to their western termini in Irvington. These western termini were respectively as follows: On the Springfield Avenue line, the Newark-Maplewood boundary line of Springfield Avenue, Irvington; on the Clinton Avenue line, Fortieth Street and Chancellor Avenue, Irvington; on the Lyons Avenue line, Lyons Avenue and Springfield Avenue, Irvington; and on the Clinton Place line, a little east of Union Avenue, on Chancellor Avenue, Irvington. The proposed rate was a five-cent fare from the termini of the several lines at the Hudson Tubes station to the Newark-Irvington boundary line, and a five-cent fare from that point to the termini of the several lines in Irvington.

The Board set the 19th day of January, 1927, for the hearing on said application, and served notice of the hearing on the municipalities affected by the proposed changes (State of Case, page 34). In the meantime, the Board ordered the suspension of said increase for a period of three months, according to the provisions of Section 17, subdivision (h) of "An Act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers" (Cumulative Supplement to Compiled Statutes of New Jersey, Vol. 2, page 2884). The hearings were continuously had until and including June 1, 1927, and during said hearings, under the provisions of the same section, the Board further suspended said increase for a further period of three months, the hearings not having been concluded at the termination of the first suspension.

At the first hearing, the attorneys for the Town of Irvington, the Borough of Hawthorne, the Borough of Roselle Park, the Borough of Kenilworth, and other municipalities affected by the petition, appeared. Only Irvington, Roselle Park, Kenilworth and Hawthorne seriously contested the petition.

The Board, having concluded the hearings, took the matter under advisement, and, on August 4, 1927, filed its decision and order, the order becoming effective August 14, 1927. By the order, the Board of Public Utility Commissioners did not grant, in the exact form applied for, the relief sought by the Public Service Transportation Company on the Clinton Avenue and Springfield Avenue lines running from Newark to Irvington, but did order that the then present rate should be changed from five cents for a continuous ride from one terminus of those lines to the other terminus of those lines, to a five-cent fare for a continuous ride from the terminus in the City of Newark to the junction of Clinton Avenue and Springfield Avenue, in the Town of Irvington, and created a new zone from that point to their western termini, with a rate of five cents. On all other points on the involved lines, with the exception of those operating from Paterson to Hawthorne, the Board granted substantially the relief sought by the Public Service Transportation Company. With regard to Hawthorne, it made an order which apparently was satisfactory to both the Company and the municipality involved.

Purpose of Petition.

The purpose of the petition, as stated therein, is to save the public from an increase in fares.

Under the heading: "COOPERATION NECESSARY TO GOOD TRANSIT SERVICE" (State of Case, page 27, line 3) the petition recites:

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> "The companies therefore at this time apply to the Board for an adjustment of fare zones to enable the companies to maintain proper service and *coordinate* street railway and bus service where they are operated in the same territory.
>
> "The points where these discrepancies exist and the lines affected are as follows:"

Then the petition sets forth the affected districts in which they seek to have the rate changed from five cents for the then present zone to additional fares of five cents for the zones indicated in the petition. Then, under the title "RATES MUST COVER COST OF SERVICE", the petition says (State of Case, page 29, line 39):

> "The public and the companies are confronted with the fact that either the two services must be co-ordinated and costs reduced *or higher rates charged.* Having pointed the way for proper co-ordination and reductions in cost, the officials of the companies have decided to *further delay* filing with the Board *an increased schedule of rates* for cars and buses in the hope that through the co-operation of the public and public officials the recommendations herein set forth may be carried out."

In the paragraph just quoted, the petition says: "Having pointed the way for proper coordination and reductions in cost." This refers, of course, to what is set forth in the petition under the headings of (State of Case, page 22, line 12; page 25):

(1) Suggestions for Co-operative Action.

(2) Coordination of Service.

(3) Adjustment of Zones.

(4) Car Rider should not pay for paving.

(5) Snow Removal, Street Sprinkling and Oiling.

(6) Street Traffic and Congestion.

(7) Better Type of Bus Service.

(8) Taxes Take Too Much of Fare.

(9) Passes and Reduced Rate Tickets.

This is apparent when it is coupled up with the paragraph of the petition, entitled: "*Higher Fares* or other Measures of Relief" (State of Case, page 21, line 41) which reads as follows:

> "The problem to be decided by the Board, representing the public, and the company is whether fares should be *immediately increased* sufficiently to make these *properties self-supporting,* or whether other measures should and will be undertaken *to* either *make a fare increase unnecessary or lessen the amount* of any necessary increase in fares."

which is followed by the suggested methods of relief above set forth: "Suggestions for Co-operative Action," etc.

Recommendations Do Not Relate to Transportation Company.

These recommendations (page 22, line 21), which the companies "hope that through the co-operation of the public and public officials" (page 30, line 2, State of Case) may be carried out as above referred to under the specific captions, almost entirely relate to the Public Service Railway Company; for example, under the caption "Coordination of Service" (page 22, line 21, State of Case):

> "Competition and unnecessary duplication of service must be eliminated by the arrangement of schedules, rerouting and other adjustments" (page 22, line 33, State of Case).

As we will show later on, by quotations from the testimony the Transportation Company is not materially affected by its competition with the trolley company; but the trolley company was and is so seriously affected by the competition of the buses that the Railway Company was forced to, through this separate transportation company go into the bus business in order to save itself from bankruptcy. The Transportation Company does not need competition removed.

Under the title of "Adjustment of Zones," they say: (State of Case, page 22, line 40)

> "To bring about proper coordination, the five-cent fare zones for the buses should be adjusted and made co-extensive with the five-cent zones of the street railway as well as with the boundary lines of the larger municipalities."

We will later show that, on the lines operating into Irvington, no change in the fare zones is needed in order to make them pay a return on the value of the property used and useful in the operation of the Transportation Company's business on these lines.

"Car Riders should not Pay for Paving" (page 23, line 10, State of Case):

> It was only the Railway Company that needed to be relieved from this obligation, and it has, since the filing of this petition, been so relieved.

With regard to "Snow Removal, Street Sprinkling and Oiling" (page 23, line 21, State of Case):

> The Transportation Company never had any such obligation.

With regard to "Street Traffic and Congestion" (page 23, line 31, State of Case):

> The buses have the same right of way that the trolley cars have; and unless it be that the two companies desire to have the use of the streets to the exclusion of all the rest of the traveling public, very little can be hoped from this suggestion.

The matter of "Passes and Reduced Rate Tickets" (page 25, line 12, State of Case):

> This applies only to the Railway Company.

So that, the major portion of the suggestions for measures of relief, which will obviate the necessity for asking higher rates, relates not to the Transportation Company, but to the Railway Company. As a matter of fact, the only relief prayed for by the Public Service Railway Company which the Public Utility Commissioners could grant was at the very end of the petition (State of Case, page 31, line 23):

> "Public Service Railway Company herewith files, effective January 1, 1927, the following rate:
> "A five-cent fare for a single ride within the City of Newark on the Bloomfield line; five cents to the Verona-Montclair line; and five cents beyond."

On this almost tenuous application all the evidence in relation to the Railway Company's finances, operation and transportation difficulties, etc. was allowed to be introduced.

Motions to Dismiss Petition.

At the conclusion of the Companies' direct case, various motions were made to dismiss the petition of the two Companies, which motions were taken under consideration by the Board, the decision of them being postponed until a later day. These

motions were never decided by the Board, except in so far as the rendition of the judgment sought by this application to be reviewed was an indirect denial of the motions.

No reason, legal or logical, can be found for joining the two companies in this one petition; excepting for the fact that their astute counsel hoped that under the guise of asking the Board for the minor relief on the short portion of the Bloomfield trolley line above quoted, a mass of evidence might be introduced which related solely to the Railway Company's financial condition and operating difficulties and which otherwise would have been irrelevant.

As to the companies considered separately, the petition asks for absolutely unrelated relief, so far as the schedules of fares are concerned.

It should be borne in mind that the petition nowhere alleges that, at the time of the filing of the petition, the Public Service Transportation Company was failing to earn operating expenses and fixed charges. It does allege that since the inauguration of the five-cent fare on the trolley, the Transportation Company had failed to earn operating expenses and fixed charges by over $1,600,000. The statement "since the inauguration of the five-cent fare" might lead one to believe that there had been in force, at some time anterior, some other than a five-cent fare on the buses of the Transportation Company. Such is not the case.

In view of the fact that a mass of irrelevant matter has been offered by both the companies and the municipalities, as frequently happens in rate cases, I think it advisable, at the beginning, to point out what is sought and contended for by the defendant companies, as indicated by the testimony of their witnesses.

Purpose of Formation of Transportation Company, and the Claim That the Railway Company Went into Bus Transportation with the Approval of the Board.

The Transportation Company was formed solely in order that the buses and trolleys throughout the State, where they were in competition, might be operated in such manner as to avoid wasteful and ruinous competition and give the Public Service Company *a monopoly of business.* This the Companies conceived to be necessary at the time of the railway strike in 1923. On August 21, 1923, the Railway Company addressed to the Public Utility Board and to the public generally, an open letter entitled "Plan to Settlement of Transportation Crisis Offered by Public Service Railway Company", and after reciting certain alleged facts, this open letter (see Exhibit O-36, page 1609 of Exhibits) stated:

> "1. Although the Railway Company has never had a desire to embark largely in bus transportation, nevertheless a situation has developed that must be met in a broad way, if local transportation is to survive, therefore, the Railway Company, acting through an allied corporation, will purchase *at their present fair physical value all buses operating competitively on July 31, 1923* (the day before the commencement of the strike) *on the streets where Railway Company's tracks are laid,* whose owners are willing to sell. *This present value to be agreed upon, if possible, between the Company and the respective owners of the buses. If unable to agree, value shall be fixed by an independent appraisal.* This will involve a capital investment of several million dollars, the financing of which, after much negotiation, has been provided for, conditioned upon the adoption of the plan as a whole."

In paragraph 2 of the plan it was stated that the Company would operate the cars and buses in coordination to the extent found necessary to accommodate the traffic, to end wasteful and uneconomic competition that had theretofore existed. *The plan also contemplated transfers between buses and cars* (page 1609, line 38, of Exhibits), in the manner theretofore existing on the railway system, *and that this would create a monopoly only as to streets where railway tracks are laid* (page 1610, line 8, of Exhibits). It further contemplated that the licenses of all bus owners who should sell to the Company, and of those having temporary permits, should be rescinded and cancelled, and the licenses of bus owners who did not sell should either be rescinded or the buses rerouted on streets where there are no street railway tracks (page 1610, line 15, of Exhibits). It further stated that the Board of Public Utility Commissioners had power to accomplish this result (page 1610, line 23, of Exhibits), and sought to sustain this view, so far as the public were concerned, by quoting specific cases from the courts. All this scheme was based on a common fare of seven cents, with one cent for a transfer on both buses and trolleys (see Section 7 of the Plan, page 1613, line 3, Exhibit O-36).

Through the intervention of the State, a suit in equity was brought by the Attorney General to compel the resumption of the operation of trolley cars on the part of the Company, and on September 25, 1923, the Board addressed a letter to the Public Service Railway Company (Exhibit O-37, page 1615, of Exhibits), in which they stated:

> "In your recently proposed plan you claimed the elimination of bus competition would *result in lower fare.* The Board agrees that this competition should be restricted to an extent consistent with adequate service;

> and within the scope of its authority will assist in bringing about this result."

and further stated that it was its judgment that the time had not arrived when the trolley could be dispensed with, and suggested:

> "To avoid further litigation and expense, and for the purpose of trial, the Board suggests that in lieu of the imposition of a ten cent fare the Company establish a five cent flat fare without transfers within the limits of the larger municipalities, with an additional five cent fare for the longer rides to the end of the existing fare limits and continue in effect the present fare throughout the rest of the State for the time being."

The suggested fare applied only to the trolleys, as at this time the Transportation Company, if in existence, was not operating to any extent (see page 54, line 1, State of Case), and the ten-cent fare referred to in the Board's letter applied to the trolley company alone.

In reply to that letter, *the Public Service Railway Company addressed a letter* to the Board of Public Utility Commissioners (Exhibit O-38, page 1617 of Exhibits), in which they said they had given consideration to the recommendation made by the Board in the communication of September 25, proposing a five-cent fare, and saying that they accepted the suggestion of the Board and would go along with the trial of the rate proposed, for four months (page 1618, line 17, of Exhibits), and further saying (page 1618, line 22, of Exhibits):

> "In doing this the Company will rely on the active cooperation of the Board as offered in its statement in curtailing and limiting wasteful and unnecessary competition and further seeks the cooperation of the Board in helping it to obtain relief from municipal paving obligations," etc.

In this letter the trolley company therewith filed a rate of five cents within the larger municipalities, and five cents outside the limits of the larger municipalities (page 1619, line 12, of Exhibits).

In reply to that letter the Board addressed a letter to the Public Service Railway Company, under date of September 27, 1923 (Exhibit O-39, page 1622 of Exhibits), acknowledging receipt of their communication of September 27, and in this letter of the Board it says (line 30):

> "The Board reiterates its declaration contained in its statement to you of August 8th, last, and again in its later proposal which you have just accepted, that, in its judgment ruinous auto bus competition should be reduced to a minimum and will, as heretofore declared to be its policy, regulate auto bus competition in accordance with the statute and to the fullest extent consistent with adequate service."

Such lengthy attention to the plan and the three letters is given because constantly, in the testimony of the witnesses produced on behalf of the Companies, the statement is made in such a way as to indicate that the purchase of buses was done not only with the Board's approval, but by its authority and under its direction, one witness going so far as to say that the purchase of the buses was to carry out the order of the Board (Boylan, State of Case, page 723, line 28, *et seq.*). It is apparent that the Board did not authorize, direct or order the Railway to go into bus transportation.

Mr. Young (page 48, line 17, State of Case) read from the petition a portion of a statement which it is claimed was issued by the Board of Public Utility Commissioners, as follows:

> "The Board has considered the plan and accepts it as an effort on the part of the Com-

> pany to end the present situation, *and while some of its* FEATURES DO NOT APPEAL *to the Board as practical, it presents a basis for discussion and conference.*''

The statement of the Board from which the above extract is taken, was not put in evidence, and whether that statement pointed out the particular features which did not appeal to the Board as practical, does not appear, but it does appear from the testimony that there was never any discussion or conference thereafter between the Company and the Board with reference to purchasing the buses at highly exorbitant prices.

Railway Company Went into Bus Transportation to Save Railway From Bankruptcy.

The evidence further shows that whatever moral support of the Public Utility Board the Railway Company obtained with reference to purchasing the buses as contemplated in the Railway Company's plan, it straightway proceeded to flagrantly disregard the plan under which such support was obtained. Instead of buying the buses from the independents at their then present fair physical value, on the streets where the railway company's tracks are laid, whose owners were willing to sell, and where the present fair physical value could not be agreed upon between the Company and the owners, to have the value fixed *by independent appraisals,* it proceeded to buy at any prices and *solely for the purpose of removing the operation of the buses from the hands of independents into friendly hands.*

For example, Mr. Young (State of Case, page 210, line 38), when interrogated as to whether the bus was the most economical means of transportation, said it was, ''under certain conditions, in certain places.''

"Q. Well, under the conditions prevailing on these lines? A. No.

Q. Under the conditions which justified you, in your opinion, in purchasing the buses? A. No. We did not satisfy ourselves and we are not satisfied yet."

See also Mr. Boylan to same effect State of Case, page 723, line 18.

The real reason for the trolley company going into bus transportation through this allied company, was not with the primary idea of making money out of bus transportation, but because they felt that the bus operation by independents was cutting into their receipts to such an extent that it would lead to the ultimate ruin of the trolley company.

Mr. Young (State of Case, page 210, at line 15, etc.):

"Q. As a matter of fact, the bus, as a means of transportation, had a telling effect on the earnings of the street railway, did it not? A. Yes.

Q. In fact, that was the mainspring that prompted the organization of the Transportation Company, was it not? A. Surely.

Q. So that, as a matter of fact, the Transportation Company is allied with the street railway company for the purpose of protecting the street railway company? A. Protecting the street railway company and the public who depend upon its service."

(Page 211, line 11):

"Q. In other words, to control the buses and control the street railway, wasn't that it? In other words, control the transportation problem? A. This establishment of a monopoly, under regulation, we thought was right and proper and desirable."

And (on page 212, top of page):

"The indiscriminate addition of buses interfered with the ability of the railway company to properly serve the public,"

and that the buses as they were operated before the railway company acquired them interfered too much with the street railway company and that, as above set out, the Company would have gone into bankruptcy if they had not gone into the bus transportation.

Mr. Young (page 322, State of Case, line 35):

> "Q. Isn't this the fact, Mr. Young, that if you had not gone into the bus business and eliminated the competition of the independent buses, that your company's officials felt—that is now referring to the trolley company—that your company's officials felt that the trolley company would be forced into dire financial straits? A. Yes.
>
> Q. That is the real situation, isn't it? A. Yes.
>
> Q. And you bought these buses and operated these buses as a matter of self defense? A. That is true."

Mr. Young (State of Case, page 343, line 30), when asked if the Company did not purchase the independent buses in order to avoid ruinous competition and save the railway from bankruptcy, after hedging (see page 344, line 18), says:

> "That we purchased the buses in order to preserve and maintain the five cent fare, to serve the public, and to bring about coordination, to prevent competition, *and to preserve the Railway Company,* if you like, *from bankruptcy.*"

(State of Case, page 471, line 37):

> "Q. It would be of no value (referring to the trolley) except what you could salvage. With the independent buses operating, it was the company's thought that the competition would be so wasteful, I think you called it, it would ultimately result in the trolleys having to cease running, is that it? A. *The ultimate result would be that the trolleys would go into bankruptcy.*"

Further, to show that the plan of the Company, of August 21, 1923, was not carried out, Mr. Young, in his testimony (State of Case, page 218, line 26), says:

> "Q. Then that letter you have got in here—
> A. This, of course, went overboard as soon as we had to increase the men and we had to resume service."

And (page 221, line 16, State of Case) Mr. Young says:

> "The plan was not carried out because of the injunction or whatever it was; the court order which compelled us to grant the rate of pay to the men and operate the cars.
> "Q. Let it go at that. A. Then we had to start off afresh."

The attempted justification by the petitioners of their course in going into the bus transportation business, by alleging that the Board approved it, is thus shown to be without foundation.

The proven fact is that the reason and purpose was to save the trolley company from bankruptcy.

What Is Meant by Coordination.

The case was presented by the companies and decided by the Board on the basis that it was a coordination and not a rate case.

The following definitions of coordination were given in the case:

Mr. Young defined it (State of Case, page 157, line 10):

> "It is an operation of two or more facilities in such a way as to bring about the greatest economy and the best service."

And, when asked whether this meant equalization, he answered (line 15):

> "It is more than that. That perhaps might be part of the description of the term; but only a part."

And (on line 20, same page) he says:

> "I might further say that this is the economic use of facilities so as to obtain the best service at the greatest economy. And perhaps more than that. To prevent waste of investment in facilities or to bring about better service to the public and a cheaper operating condition."

and ends up by saying, when asked what major result will be accomplished by coordination, that (page 158, line 15, State of Case)

> "the major result is to effect a *coordination of service,* which I have endeavored to describe."

In other words, he argues in a circle.

Mr. Boylan's definition of coordination (State of Case, page 678, line 12) is:

> "Coordination means the most economic and efficient use of trolley cars and buses, as that permits the best service at the lowest cost to the rider."

Notwithstanding Mr. Boylan's definition of coordination, the practical working of it, as shown by his testimony (on pages 730 and 731, State of Case), is elimination. The particular illustration refers to the Roselle Park system, where the trolley has been discontinued except for morning and evening tripper service; and Mr. Boylan says (State of Case, page 731, line 17):

> "A. We have made the coordination. We are using one facility where formerly two did the work.
>
> Q. You call that coordination by eliminating the trolley service? A. Yes, sir."

Mr. Young claims the effect of the coordination will be that on an affected line a passenger will pay a similar rate for a similar distance on either utility (page 158, line 29, State of Case).

As we will show later, this is not true, because, as Mr. Young admits (on page 328, lines 10-29, State of Case), that the zones will not be co-extensive if the coordination scheme goes into effect, all that will be accomplished, so far as zones is concerned, is that at one part of the line there will be a co-incidental point of crossing the boundary line between municipalities, though the length of ride will not be the same, and, the points where the bus and the trolley cross the zone line may be separated by anywhere from a half a mile to a mile.

Mr. Boylan says that the effect of coordination will be that there will be no reduction in cost to the rider on the bus, *but that it will increase the cost to the rider,* and that it will not decrease the cost to the rider on the trolley; in other words, it will not give the lower cost to either rider (see page 680, lines 28 to 42, State of Case).

In this the rider gets no benefit. He is asked to pay more fare, not because the Transportation Company is not making money, but because the Trolley Company cannot successfully compete with the bus.

Mr. Roberts (State of Case, page 1162, line 14):

> "Coordination is a term which has come into use in the transportation industry, as a result of the older established transportation companies adopting the motor bus as a means of giving supplementary or auxiliary transportation. The term is generally used in connection with the advantages that are to be derived by operating the two transit facilities under one common control."
>
> "The advantages are first, that one general organization supervises and controls the

operation of both facilities without wasted overhead expense, and, secondly, that the same organization controls the routes and schedules of the two, and can adjust the service so that less is wasted than would be the case if the two were operated separately, and the third principal advantage is that much of the machinery necessary for maintaining trolley cars can also be used to maintain the buses, again eliminating waste. These advantages are reflected in every phase of operation of the two facilities and result in advantages to the public in uniformity of service and simple regulation, decreases traffic congestion in the streets because of the elimination of wasted service, and many other less important advantages."

(Page 1163, line 9):

"Q. Do you consider the bus lines controlled by the Public Service Transportation Company to be properly coordinated with the Public Service Trolley Company's service? A. As far as our observations are concerned, the two services are quite thoroughly coordinated now."

(Page 1163, line 22):

"Q. The schedules of the two systems being made by the same department, does that eliminate unnecessary service or should it? A. It should.

Q. What relation has coordination of bus and trolley service got with the rate of fare charged? A. I do not consider that the rate of fare has any fundamental relation to coordination."

The only conclusion to be drawn from the foregoing testimony is that coordination means the operation of two facilities at the lowest cost consistent with adequate service. This is within the power of the Companies now without any order. Rates of fare have nothing to do with coordina-

tion. And the Companies' witnesses do not make any such claim.

Having shown what coordination is claimed to be, we will now show WHAT THE REAL PURPOSE OF THE APPLICATION IS, and how it will work.

First, the purpose is to eliminate the competition between the bus and the trolley. See Mr. Young's testimony (page 61, line 24, State of Case), in which Mr. Wakelee asks, among other things, in a very long question,

> "whether, in the opinion of the Company the competition of our buses and our own trolleys isn't just as serious as outside competition?"

to which Mr. Young answers "Yes."

Mr. Young (State of Case, page 203, lines 10-22) says that even if the buses can accommodate the public at a five cent fare, that the fare should be increased to eliminate the competition that now exists, and says:

> "I don't think any investment that has been made in good faith, that is giving satisfaction and is economic in its character, should be scrapped."

Notwithstanding this viewpoint (on page 204, line 34, State of Case), he admits that on the Roselle Park line, if the buses can operate for a five cent fare and the trolley cannot, that one of the utilities should be eliminated.

The testimony further shows that not only do they want to stifle competition where the utilities operate on the same street, but they want to stifle it regardless of whether the two utilities parallel each other or are in direct competition with each other or have a route, the termini of which are not the same on both facilities (see Exhibit P-1,

page 1367, of Exhibits, and the testimony on page 68 of the State of Case). This refers to the Clinton Avenue route, where the two utilities compete only from Trinity Church, Newark, to Irvington Center. From Trinity Church north the trolley runs on up to the Newark-Nutley line, and from Irvington Center westwardly the bus diverges from the trolley line and constantly works away from it.

The Lyons Avenue Line (Exhibit P-8, page 1374 of Exhibits) competes with the trolley in Newark at the same rate of fare, but after turning into Lyons Avenue at Bergen Street, on to its western terminus at Lyons Avenue and Springfield Avenue, Irvington, it in no wise competes with the trolley.

On the Clinton Place line (Exhibit P-6, page 1372 of Exhibits) the portion of the line that is in Irvington is only three-quarters of a mile in length and crosses the zone at a point half a mile or more distant from the trolley. It leaves the line of the trolley at Clinton Place and Clinton Avenue, Newark, and runs southerly and thence westerly, and in no wise competes with the trolley at all. Therefore, on these lines no order of coordination is necessary.

The second purpose is to save the trolley company from ultimate disintegration, to establish the credit of the companies, to save a horizontal increase on the entire system. As to ultimate disintegration see pages 14 to 16 of this brief.

Mr. Young (on page 289, line 13, State of Case) is asked:

> "Q. I am still anxious to know what advantages the traveling public will receive if this proposed coordination goes into effect? A. The main advantage, of course, is to establish the credit of the transportation companies by them receiving higher net income."

On page 344, line 40, and at the top of the next page, State of Case, he says that the railway company hopes to get very material financial benefits from the proposed coordination.

The questions and answers (on pages 686 and 687, State of Case) show that the necessity of this application is not because the eleven affected lines are not paying, but because the entire system, taken as a whole, is not paying, and that the increase is applied for on these lines in order that the riders in other parts of the State on the other eighty-four lines may still have a five-cent fare.

While the coordination, if allowable, may be very beneficial to the finances of the two transportation companies, the advantages which the public will obtain thereby are not so readily discovered, as has been shown. The effect on the public is that, in the first place, on the bus, which is the instrumentality in which we are interested, a through rider will have to pay ten cents or more where he now pays five, depending on whether the line is split up into two or three zones.

Thirdly, the effect, if not the purpose, is that the buses may be discontinued in whole or in part.

Mr. Young (State of Case, page 170, line 10), discussing the Springfield Avenue line, says the main trouble is duplication of service. Upon being interrogated as to what the plan of the Company is, under the coordination scheme, to eliminate this duplication, he says that the plan is to adjust the zones first so that it can be eliminated (State of Case, page 171, line 2).

It might be well to comment here that as the two companies were, at the time of filing the petition, operated under joint management, it does not seem that it requires any order (of the kind applied for) of the Board of Public Utility Commissioners to permit the companies to arrange their schedules or the number of buses and cars

run, or the headway of the facilities, in order to avoid duplication of service. They can do any of these things as the case may require.

Mr. Young further says (page 174, line 10, and what follows, State of Case) that many of the lines are over-bused, but declines (at line 35) to say whether he intends to take off the buses or not; and upon being pressed (on page 186, line 22), says that by the expression "over-bused" he meant "that the trolley service on certain lines should be increased" (line 28):

> "Q. The trolley service should be increased? A. The trolley service should be increased *and the buses diminished.*"

An on page 202, line 34, State of Case, he says that *any competition that the railway does not invite should be eliminated.*

And (on page 229, line 24, State of Case) he says "no competition in transportation is desirable;" and (at line 40) he says the trolleys are more efficient; and (on page 322, line 15) he says the trolleys were giving adequate service at the time the Transportation Company was organized; and (at line 20):

> "Q. Then what was the necessity of having a bus company? A. Giving too much service, perhaps.
>
> Q. If your trolley was giving adequate service, adding additional facilities in the way of buses must have meant you would be giving too much service; isn't that true? A. Surely."

And Mr. Boylan (on page 679, line 16, State of Case) says that after the adjustment is made in zones,

> "certain lines could be re-routed, *certain trips that are now run,* which we could call duplicate, *can be eliminated;*"

and (at line 40), upon being interrogated as to whether the number of trips would be reduced on a given line, says:

> "If such a case arose, we would. There is no necessity of running two trips, running a trolley car and a bus over the same route, if the trolley or the bus can do the business. That is wasteful, it is unnecessary, it is duplication."

As a further indication that the buses would probably be discontinued in whole or in part (on pages 171 and 172, State of Case), Mr. Young says that the trolleys can be run cheaper than the buses.

The foregoing resume of facts, to this point, shows that:

> The purpose of the petition is to eliminate bus competition where it is detrimental to the Trolley Company.

That:

> No order of coordination should be made as far as the Irvington lines are concerned.

That:

> The main purpose of the petition is to establish the credit of the Companies.

That:

> The Railway Company went into bus operation through this allied Company to save the Railway Company from bankruptcy.

That:

> Bus service will where possible be eliminated.

That:

> On the facts, public necessity does not require the order.

That:

> Public convenience will not be served by the order.

Granting of this Application Will Benefit the Trolley at the Expense of the Bus.

Mr. Young (on page 191, lines 12-19, State of Case) says that the bus must bend to meet the condition of the street railway.

(Page 256, line 40). He admits that the traffic will be divided between the railway and the transportation company, in what proportions he doesn't know; and that this must be so is shown by his testimony (on page 290, line 14), in which he says:

> "We hope its (the trolley company's) income will be improved as well as that of the Transportation Company."

And Mr. Warner (on page 766, line 32, State of Case) says it is hard to tell where the traffic will go or how it will be divided. And Mr. Tuson (on page 1252, lines 13-20, State of Case) said it was possible that the trolley company would get the major share of the anticipated increase in revenues of $600,000 by reason of the increased fare.

What right has the Public Utility Commission to make rates or routes which will operate to the financial disadvantage of an existing company and to benefit another existing Company?

Should a Fare Increase Be Allowed?

The Public Service Railway Company went into the bus business, through its associated company, the Transportation Company, notwithstanding that Mr. Young contends that the trolley can be run cheaper than the bus. The buses were being operated on a five cent fare at the time of the organization of the Company and the purchase of the buses, and the Company bought the buses as a going concern on that fare basis (Young, State of Case, page 195, line 20, and page 226, line 36).

The witnesses for the transportation and trolley companies endeavored to give the impression in their testimony that, when they bought the buses, either they did not know that they could not operate the buses at a five cent fare or that the buses were not being operated profitably at a five cent fare.

The evidence shows, however, that the Company studied the transportation system and satisfied itself that the bus was the most economical means of transportation under certain conditions (Young, State of Case, page 210, line 34). If going into the bus business had been purely a venture by which, out of the bus business alone, the Company had anticipated making a profit, and it was later found that the buses could not operate at a profit on a five cent fare, there would be some justification for the Transportation Company coming in and asking for an increase in fare, whether by change of zones or by charging a larger fare, on a flat basis; but the fact is that the testimony shows *that the economic conditions have not changed for the worse since the Transportation Company bought the buses of the independents;* and it further shows that the Transportation Company has been able to effect econo-

mies which the independent could not effect; as, for example, Mr. Boylan (on page 695, lines 30-40, State of Case) testifies to that effect; and (at line 30 of the same page, and page 719, line 10) he testifies that the net deficit of the Railway Company, for 1926, was only $88,000. Whereas, in the preceding years of 1923, 1924 and 1925 an average deficit of $500,000 per year had been incurred. By years as follows (State of Case, page 747, lines 1, 20, 25):

1923	$1,694,430.	deficit
1924	24,330.	net income
1925	79,574.	net income

that the actual income received by the trolley company from ferries operated by ferry companies in which the trolley company owned stock was $214,000. (page 747, line 15, State of Case); so that the trolley company, for 1926, did not report a deficit, but in place of that reported a profit.

The Transportation Company, after paying operating expenses, taxes, and interest obligations, had for the

Year	*Net Deficit*	*Net Profit*
1923	$ 12,289.22	
1924	830,550.00	
1925	741,333.00	
1926	----------	$85,595.88

(See Tuson, State of Case, page 746.)

For 1925 this deficit was after paying interest obligations amounting to $14,310.71.

For 1926 the net profit of $85,595.88 was earned after paying interest charges of $109,855. on funded debt, and miscellaneous income deductions in the amount of $44,647.43, totaling $154,502.43. (See Exhibit O-15, pages 1455-1456 of Exhibits.)

The net profit of $85,595.88, plus the above sum of $154,502.43, is the equivalent of a return at 6% on $4,000,000.

The above figures show that, from 1923 on, the financial condition of the Company is on a constantly up grade. That they have gone from a deficit to a profit. That they were, as of December 31, 1926, earning the equivalent of 6% on an investment of $4,000,000. This is in comparison with a deficit, for the year ended December 31, 1925, of $741,333., or an improvement in the Transportation Company's net revenue of almost $1,000,000. per year.

Mr. Boylan (on pages 701, 702 and 703, State of Case) illustrated some of the economies which had been accomplished through the operation of a fleet of buses by the Transportation Company, over the cost they could be operated by the independent, such as, the buying of tires on a contract basis, buying gas in bulk at three cents less than tank wagon price and between five and six cents less than gas is sold at the curb; and (on pages 704 and 705, State of Case) that the Transportation Company can make repairs cheaper than the independent, and a saving effected by not having to carry liability insurance; and (p. 706) buying buses cheaper than the independent can buy them, and operating gas-electric buses at a cheaper rate than the gas-mechanical bus, and (page 707) the collection of fares by an electric fare box instead of manually.

(Page 707, line 9):

> "Q. Generally speaking, you feel that your company operates the bus system under a much more efficient and economical management than the independents could operate them? A. Yes, sir."

And Mr. Young (on pages 264 and 265, State of Case) shows that because of the method in which the Company buys its supplies, they buy them cheaper than the independent did; and (at page 266, lines 1 to 15, and page 267, State of Case) that they are operating their buses at a less cost than the independent can operate his.

So it appears that the company, when it went into the transportation business by means of buses, knew that the five-cent fare prevailed and that they could and actually did carry on the business at less operating cost than the independents.

This, coupled with the fact that the Transportation Company made $240,098.11 in 1926, above operation expenses (See Exhibit O-15, page 1456 of Exhibits), against a deficit of $727,057.42 during 1925, places it in no position to ask for any increase in rates.

Should Fare on Irvington Lines Be Changed?

This brings us logically to consider whether the order of the Board should have been made. Unless the four lines running into Irvington are not doing better than barely carrying themselves, we contend that the fare should not be increased. Loking first at the facts, we find that Mr. Young says (at bottom of page 238 and top of page 239, State of Case), when asked to refer to anything in the petition or in his testimony that shows that these particular lines should yield to the companies $600,000 more a year, which it is claimed will result from granting the prayer of the petition:

(Page 239, line 2):

> "No, I wouldn't have made that statement because I don't believe it;"

and further he admits that there is nothing in the petition or in his testimony that shows that these lines are carried at a loss; and (on page 242, line 40, State of Case) he admits that there are lines which he would term losing lines, operated by the Company in the State, which are not involved in this application. And (on page 255, line 14, State of Case) he further admits that the company is not now running at a loss. And (on page 261, lines 1-4, State of Case) his examination shows that the Transportation Company has gotten to the point where it is now making money; and (on page 263, lines 32-40) that

> "We have so operated, we have given more bus miles of service and at the same time increased our revenues."

And (on page 304, line 38) he admits that they are more than paying operating expenses. And (on page 321, line 12) he admits that they had no idea that the four lines running into Irvington were losing money; and (on page 324, line 19) that all the affected lines are quite possibly making money on a five-cent fare and that they may be making an adequate return; and (on page 348, line 25) he admits that in 1926 the bus company made a slight profit; and (on page 350, line 12, State of Case) that the operating income is showing improvement right along; and (on pages 785, line 35, and 786, line 26) Mr. Warner admits that the Clinton Avenue bus line is doing better than carrying itself.

From the exhibits and testimony of Bauer and Roberts, it will be seen that all the lines operating into Irvington are doing far better than carrying themselves.

In part, it appears to be a claim of the Transportation Company that regardless of the fact that in 1926 this Company turned the corner from

deficits to profits, they still need additional revenue in order to pay a fair rate of return on the capital invested, and the first thought that presents itself is: Why should eleven lines out of a total of ninety-seven operated by the Transportation Company be selected to produce this additional revenue; and in particular, why should the four lines running into Irvington be selected, when, as will be shown, they are paying handsome profits at present, and when, as before noted, there are other lines being operated which are losing lines.

With regard to the lines into Irvington, the following statements show that the four lines are at present earning an adequate sum on the valuation claimed by the Company, and earn a very handsome sum on the valuation claimed by the Company less intangibles.

If the new zones are permitted to remain in effect, these lines will earn an exceedingly high rate of return on the Company's full claimed cost valuation. With the new zones in effect these lines will earn an excessive rate if the intangible value of the property is deducted.

The following tabulation shows the rate of return at present and the estimated rate of return which the proposed zone changes will yield, based on the company's (1) claimed investment and (2) on the company's claimed investment less intangibles (see Exhibit O-28, pages 1568 to 1572 of Exhibits):

RATE OF RETURN.

Line	*Present Zones and Company's Claimed Investment*	*Present Zones and Company's Claimed Investment less intangibles*	*Proposed Zones and Company's Claimed Investment*	*Proposed Zones and Company's Claimed Investment less intangibles*
Clinton Place	7.14%	13.10%	8.31%	15.25%
Lyons Ave.	10.03%	18.40%	15.26%	27.99%
Clinton Ave.	8.35%	15.32%	30.47%	55.89%
Springfield Ave.	21.34%	39.15%	52.02%	95.43%
Average	12.78%	23.40%	30.95%	56.75%

Dr. John Bauer testified (page 1004, line 31, State of Case):

> "If on top of that a further computation is based as to what the result would be if the petition in this case was granted, the return on these eleven (11) lines would run well over forty per cent, or about forty per cent on the allocated investment of $2,100,000 to those lines."

To say that the fare should be increased on lines which are at present earning, on the Company's inflated values which were brought about by the paying of extravagant prices for buses in order that they might get them, an average of 12.78% on the present rate of fare, and an average of 23.40% when the excessive prices paid are reduced to the fair physical value of the bus, as contemplated in the original plan, to a point where, allowing for the return on the buses of the Company's full claimed valuation, 30.95% average and 56.75% when the excess cost is squeezed out, is too plain for argument. (As to excess cost, see discussion under "Law" of this brief.)

Worthlessness of Mr. Young's Testimony.

Before making a resume of the foregoing points, I think attention should be called to the fact that the testimony of Mr. Young, speaking generally, with respect to operating conditions of the properties involved, is almost worthless, notwithstanding his testimony occupied the major part of the evidence put in by the petitioning companies. The evidence shows that he was totally unfamiliar with the matters regarding operating problems on which he testified at great length. In the first place, his direct testimony was nothing but a reading of the petition, but his cross-examination

showed his lack of familiarity with the facts which he was trying to present.

On page 181 and on the following pages, State of Case, Mr. Young testified that the present fare on the buses here was lower than elsewhere, and cited buses in New York and Philadelphia; but (at line 30) he admitted that the Fifth Avenue bus was the only line that he knew of in New York that got ten cents, and that he actually did not know what the bus fares in Philadelphia were.

On page 186, and running through to line 2 on page 187, State of Case, after a half page of testimony he ends up by saying that the questions are traffic questions, to be answered by the traffic operator.

On pages 188 and 189, State of Case, he testified volubly as to the coordination scheme, and the net result in moneys to the Companies, when, on being pressed (page 189, line 28) he says (at line 31):

> "I would much prefer to have that answered by our transportation expert."

On cross-examination regarding operating changes, schedules, etc., maintained by the independents, he having previously testified that there was no regulation or control of the independents and no schedule, he finally said:

> "In fact I don't know that" (page 201, line 38).

On pages 204 and 205, State of Case, he again testifies at great length regarding the two utilities on the Roselle Park route, but ends up (at the top of page 205) by saying that he is not familiar enough with the operation of that line to answer questions offhand. And again (on page 213, line 15), being examined on the flexibility of service

and the conditions under which he considered the street railway more economical, after a series of questions he finally says, in answer to the question:

> "Q. You don't know, as a matter of fact, do you? A. No; I suppose I don't."

And (on page 227, line 40, State of Case) the gist of his testimony is that a single operator, by operating his bus when and how he pleased, they were not taking care of the people, but were relying on the Railway Company for basic service; and on being pressed as to any particular case, though he had just said he could demonstrate it in any number of cases, he says:

> "A. I can't do it, but I am so informed and I know the situation there for years."

And (on page 246, lines 30-40, State of Case), notwithstanding he has testified to the net increase which will result from the so-called co-ordination of the lines, admits that he does not know how many people are affected by the change; and (on page 250, line 40, State of Case), when questioned as to the congestion of buses on the Clinton Avenue line, concerning which he was being examined, finally admits that his testimony did not relate to any specific line; and (at the top of page 251) admits that he is not up to date on the situation and that he doesn't follow the local situation; and, again, on his direct and cross-examination, he detailed at considerable length how the change would cause some people to walk and some people to ride and some to use their private automobiles; but (on page 253, line 21) he says:

> "I don't think it is going to change the habits much of the regular day-to-day type of rider."

and (line 34):

"It would only change the habits of the occasional rider."

And (on bottom of page 257 and top of page 258), being examined as to whether the traveling public do not let the trolley cars go by and wait for the buses on the Clinton Avenue line,

"A. No, not when the trolleys have seats in the rush hour."

And (on page 258, line 3):

"Q. Are you sure of that? A. No, I wouldn't say from observation on that line, no; but observations on other lines."

And (on page 259), where he was again claiming that the independents did not run on schedule out of Irvington, he finally says (line 37):

"I was speaking generally. I think you could get that information from the transportation department."

And (on page 292, line 22):

"No; I was speaking generally. I think if you want specific information, the question should be directed to the men in charge of operation."

And so on, like evidences of lack of knowledge are shown on pages 292, 293, 294 and 295; for example (page 293, line 41):

"I am now speaking without knowledge and without special knowledge of the particular situation."

To further show his lack of knowledge, the question was put to Mr. Boylan (on page 734, line 12, State of Case):

"Mr. Young testified that prior to the acquisition of the buses by the Transporta-

tion Company there was no regulation; that it was a hit and miss proposition.

A. I did not hear Mr. Young testify to that, but there has been a schedule on the Roselle Elizabeth line.

Q. There has always been a schedule on that line? A. I believe there has been, yes, sir.''

From the foregoing resume of facts and from a factual standpoint alone, we submit that it is apparent that the application does not present a situation which entitles the Transportation Company to the relief asked;

that the evidence introduced in behalf of the Transportation Company did not sustain the petition;

that the Transportation Company was organized and the buses purchased and operated solely to save the Railway Company from bankruptcy;

that the zones do not benefit the public;

that no public necessity or convenience for the making of the zones was shown;

that the real purpose of the petition is to eliminate bus competition with the trolley company, to the benefit of the trolley company and to the detriment of the Transportation Company and the riding public;

that the evidence shows that the Transportation Company is making money and is not in need of the relief;

that the increase in fare or establishment of zones, which amounts to an increase in fare, on the Irvington lines, produces an excessive rate of return on these lines, and that these lines were making an adequate return on the old five-cent fare, with the old zones;

that Mr. Young's testimony is unreliable and worthless wherever it applies to operating or traffic conditions, and only is of value when it relates

to the financial condition of the Company, with which he was familiar.

Law.

The prosecutors herein have filed reasons why the decision and order of the Board of Public Utility Commissioners should be set aside (30 in all). These we will group and argue as hereinafter set forth.

Motions to Dismiss.

We will first argue reasons 1, 3, 4 and 5, which may be epitomized as follows:

1. At the close of the evidence on the part of the petitioners, the Board did not grant the respondent municipalities' motions to dismiss the petition.

3. The petitioning Transportation Company did not produce sufficient evidence, in its direct case, to sustain the petition.

4. The Public Utility Board should have severed the application of the Public Service Railway Company from that of the Public Service Transportation Company.

5. The motions to dismiss the petition have never been determined and disposed of by the Board of Public Utility Commissioners.

The evidence produced by the petitioners, in their direct case, consisted of that of Mr. Percy S. Young, Vice-President in charge of Finances, Mr. Matthew R. Boylan, Vice-President in charge of Operations, and Mr. Arthur T. Warner, General Manager in charge of Traffic respectively,

such officers of the two companies, to be found on pages 44 to 90, inclusive, of the State of the Case.

Mr. Young's testimony consisted almost entirely of a reading of the petition, or of a summarization of parts of the petition, and, so far as it related to the Transportation Company's affairs, was as follows: That the Transportation Company is an allied company of the Public Service Railway Company and operates in substantially the same territories; that its stock is owned by the Public Service Corporation, excepting qualifying shares of directors; that the management of the Company is the same as that of the Railway Company; that in 1923 the Railway Company, by reason of the strike, suggested a comprehensive plan that it (the Railway Company), or an affiliated company, acquire, by purchase, the competing buses, and the two systems be coordinated; that since the formation of the Transportation Company in 1923, and down to December 31, 1926, the Transportation Company had failed to earn operating expense and fixed charges by over $1,600,000.; that the rate of fare on buses in Philadelphia and New York is ten cents; that assuming the changes in fare zones as applied for would result in increased revenue to either of the companies or to both, that the additional revenue, plus present earnings, would be insufficient to support the five-cent rate of fare without the added relief which they referred to in their petition, and that it would not allow a fair rate of return upon the value of the buses or the railway property, either separately or together.

Matthew R. Boylan testified that the Public Service Transportation Company had made capital expenditures of over $20,000,000.; that the Company had purchased 660 new buses and had rebuilt 807 buses purchased from independents, had built 19 garages and had purchased the most

modern type of machinery for the repair of buses, and at present is operating about 850 buses, and that the Company is the largest operator of buses in the United States; that certain plans for 1927 for the Railway and bus company have been made, and a budget for expenditures for the year has been made, but that the budgets are contingent upon the company obtaining some measure of relief from the present situation in respect to the instances Mr. Young developed in his testimony; that the Transportation Company's budget is $4,361,675., which the Company is willing to put into the business, providing it can get some measure of relief, and that the principal item in the Transportation Company's budget is the purchase of buses new from independent lines, garages, tools, machinery, etc.

Arthur T. Warner produced maps showing the proposed changes which would make the bus zones co-extensive with the trolley zones, and explained them, and gave the average normal passengers carried on the Clinton Avenue Line for a normal week day and explained how this passenger traffic was divided as to the area served, and that, if the fare is equalized, traffic would more normally equalize itself between the bus and trolley lines affected; that the total number of passengers carried on the Public Service Railway and Transportation lines, at the date of hearing, was 1,800,000 passengers daily, and that 62,000 of this number would be the number affected by the change in zones. What proportion of the total number of bus passengers is affected by the change, he did not testify to, but very carefully bulked the railway and bus passengers together on the entire system, but not on the eleven affected lines, nor in the districts served. He further testified that of the 62,000 affected, his belief was that less than

40,000 would pay the additional fare occasioned by the change in zones.

This completed the entire testimony produced by the Public Service Transportation Company in support of its petition.

It is apparent from the foregoing that there was no proof before the Board, at the close of the petitioners' case, which justified a granting of their application that the bus lines affected by the application should have their routes divided up into zones, which would increase the cost to the riding public. There was no proof that there was any necessity for the elimination of overlaps. There was no proof of a valuation of the Company's property upon which the Board could determine whether the return being received was sufficient or insufficient, whether it was reasonable or unreasonable to the travelling public. There was no proof as to whether the Company was, at the time of the hearing, still accumulating a deficit or whether it was making money. There was no proof to show that the Transportation Company would be in any wise benefited by these changes or that it would be benefited by the sole change asked for by the Public Service Railway Company, in the petition, viz.: "A five-cent fare for a single ride within the City of Newark on the Bloomfield Line, five cents to the Verona-Montclair Line, and five cents beyond." There was no proof to indicate that there was any necessity for the so-called coordination of the systems or that the operation of the bus had any relation whatever to the operation of the trolley; as to which was the more economical system or the more convenient system, or as to the necessity of having both systems in operation.

We, therefore, respectfully submit that,

First: The petition should have been dismissed on the preliminary motion, because the Company had not produced sufficient evidence to sustain the petition, and that the failure to dismiss it was error.

Second: The failure to determine and adjudicate upon the motion was error.

Third: The petition of the two companies should have been severed, so that the hearing on the application of the Transportation Company might have proceeded on its merits alone, and the petition for the short bit of line in Bloomfield on the trolley company could have proceeded on its merits alone, and failure to sever was error.

No Power to Coordinate.

Secondly we will argue

Reasons—Nos. 2-27-28. These reasons relate to the jurisdiction of the Board to hear and determine an application for coordinating, as to fare zones, two utilities operated by independent corporations and to the power to coordinate the utilities in question so far as the utilities serve the Town of Irvington, the evidence showing that one utility (the Buses) is earning a fair return.

The burden of the testimony on the part of the Company's witnesses was that the case was not a rate case, but one to coordinate two competing utilities (and see Senator Wakelee, page 44, line 16). A reading of the opinion discloses that, in the view of the Board, the petition was filed for the general purpose of making the bus routes as to fare zones commensurate with the present existing railway fare zones (Page 1309, lines 1-15).

Under our statute, the Board is given no power to coordinate the two facilities operated by independent corporations, and where no such power is given in the statute, the Public Utility Commission has no power to make rates simply for the purpose of protecting the railway company from the competition of the newer and cheaper transportation facility.

Rapid Rwy. Co. vs. *Mich. P. U. C.,* 225 Mich. 425, 96 N. W. 518;
Pond on Public Utilities, Sections 734, 735, 739 and 746.

Is Valuation Necessary or Advisable?

Under the case of O'Brien *vs.* Board of Public Utility Commissioners, 105 Atl. 132 (92 Law 44), before the Supreme Court, which is relied on by the respondents as showing that a valuation is not necessary, it is well to note that in that case a valuation was not required as a matter of fact, as distinguished from a matter of law, because the Court says that "the evidence shows that the increase was only enough to enable the railway to meet the increased expense forced upon it by the order of the War Labor Board of the Federal Government to increase wages. The increase, permitted the railway, allowed nothing for return on large investments of capital. The railway, if its petition had been denied, would have had ground to complain that the rate was not just and reasonable. Since the petition was granted, it cannot complain. The prosecutor is in no position to complain. *He did not venture to introduce evidence or to contradict the evidence offered on the part of the railway.* He contents himself with urging that there was no evidence of the value of the property of the railway, and assumes that the

justice and resaonableness of a rate can only be determined by first ascertaining the value of the property devoted to the public service."

The case of *O'Brien* vs. *Board of Public Utility Commissioners, supra,* and the case of *Inhabitants of the City of Trenton* vs. *Trenton & Mercer County Traction Company,* 92 N. J. L. 61, were carried to the Court of Appeals (106 Atl. 414, 92 N. J. Law 587). Justice Bergen says that in those two cases

> "*the concise question presented is*: *Has the Board of Public Utilities Commissioners, a state agent, the power to increase the rate to be charged* for transportation service *in order to produce a sufficient additional income to meet increased expense of operation growing out of the great advance in the cost of labor and material, principally due to conditions incident to our war with Germany; and,* if so, *was such power lawfully exercised?* * * * The next point is thus stated in the brief of the appellant: 'Has the Board a jurisdiction to fix a rate of fare to be paid by the public under the compulsion of the order of the Board, without the Board finding, on evidence, that such rate is a fair rate of return on the value of the property of the railway used for or useful to the public? * * *' It is well to bear in mind that the statute under which the Utility Commissioners are acting does not require it to make an appraisement of the value of the property. *It may be wise to do so in some cases,* but it is not obligatory."

Justice Bergen then says:

> "What the Utilities Board did in the case under consideration was to add to the existing rate a sum sufficient to meet the increased cost of operation due to the increased taxes and labor cost imposed by the agencies of the National government to meet expenditures in the prosecution of the war with Germany, *all*

> *of which was carefully ascertained through testimony showing that the increase was necessary to prevent a deficit in operation.''*

And in conclusion Justice Bergen says:

> ''We are of the opinion *that under the facts shown in this case a valuation is not required by the law;* that the Board exercised a reasonable discretion within the legislative powers delegated to it; *and that no more is exacted from the public than the services rendered are reasonably worth to it, if they are to be efficiently served, or perhaps served at all.''*

We do not admit that it is not obligatory to have a valuation made, but as Mr. O'Connor will argue the point in his brief, we will limit our argument on it.

We urge that these two cases are distinguishable from the case *subjudice.*

The O'Brien case, *supra,* is distinguishable from the case *sub judice* in the following respects:

1. The O'Brien case was one asking for relief from a mathematically pre-determined loss.

2. The Utility in the O'Brien case produced evidence to show the increased rate was reasonable. In the instant case the Utility produced no evidence to show the increased rate was reasonable.

3. In the O'Brien case ''no one asked that the Board determine what was a fair rate.'' In the instant case the municipalities at every stage of the proceeding asked the Board to determine whether the proposed rate was fair.

4. In the O'Brien case the rate allowed was a horizontal increase over the whole sys-

tem. In the instant case the raise affects only 11 of the 97 lines operated by the P. S. T. Co.

5. The O'Brien case and Mercer Co. Traction Co. case are distinguishable because in these two cases there was added to an existing rate a sum sufficient to meet the increased cost which was carefully ascertained through testimony showing that the increase was necessary to prevent a deficit in operation.

In the present case there is absolutely no evidence to show any increased cost of operation due to any cause or that an increase in rate is necessary to prevent an operating deficit. The evidence shows to the direct contrary.

It is apparent that Justice Swayze was of the opinion that if the prosecutor had introduced evidence to contradict the evidence on the part of the railway he would have been entitled to have a valuation made before a rate was fixed.

Justice Bergen also, as above noted, intimates that in order for the Utility Board to legally exercise its *reasonable discretion,* there may be cases where a valuation is required, as shown where he says: "We are of the opinion that under the facts shown *in this case* a valuation is not required by the law." In other words, his discussion of the right of the legislature to fix rates at the time of the granting of charters *is not by him intended to apply as a hard and fast rule controlling the exercise of the powers of the Public Utility Commission.*

The subsequent discussion of the Company's methods of arriving at fixed capital both taken by itself and taken in conjunction with the method employed by the Municipalities' experts will show

that a valuation was both necessary and advisable before the Board could reasonably exercise its judgment.

Company's Method of Arriving at Fixed Capital Account Unreliable and Unscientific.

The Company's fixed capital amounts to $18,229,197.25 as of December 31, 1926. This is made up of the elements set forth on Exhibit O-15 (page 1457 of Exhibits). All the items set forth as fixed capital were charged *at cost* to Company. The item "Other Intangible Capital", amounting to $8,414,872.02, is made up largely of moneys expended by the Transportation Company in the purchase of buses from independents. "Other Intangible Capital" constituted one of the major items making up the Company's total fixed capital.

In the case of buses purchased from independent operators, the sums paid by the Company have been taken into its fixed capital account as follows:

At the time of purchase, the bus was appraised at its estimated physical value. This sum was charged directly to Passenger Motor Equipment. At the same time an amount was charged to the intangible account *for going concern.* If the bus was put into service, it was depreciated at a given rate and the depreciation ultimately charged off. At the end of its useful life, *there was a further charge* made *to the intangible account* if the depreciation earned and salvage value, *plus the original charge to intangibles,* did not equal the purchase price.

As to the method applied by the Company in arriving at its cost value, Mr. Tuson (State of Case 631) being examined on the purchase of a particular bus (line 19), when his attention was

called to the fact that the bus cost $15,627.50, and *that $6500.* of that amount *was charged* to *the revenue passenger motor equipment account, said* that *the $6500. represented the physical value of the bus at the time of purchase* and that the balance of the purchase price, $9,127.50, represented intangible value. That this intangible value was built up of "the value of the business, the going value of the business," *and that all that the intangible value consists of was going value;* that the Company arrived at this going value by the arbitrary method of deducting the physical value from the amount that they paid for the bus. He later testified that part of the going value was "franchise value". This indicates that the franchise value is one of the elements that went to make up the excessive intangible value claimed by the Company.

How important this is, is indicated by the fact that out of the Company's total claimed value of $18,527,940.20, *the intangible value is* $8,414,872., or *45.4%*.

A further evidence of the unreliable methods followed in ascertaining cost values is shown by the following: On page 634, line 27, the price to be paid by the Transportation Company for this particular bus, this witness stated, was arrived at by the seller and the Transportation Company; that the Transportation Company arrived at what was a fair value by simply paying the lowest price for which the independent operator would sell at the time; *that it was not really a question of the actual value of the bus,* but that it was a matter of paying the least that it could be bought for, considering that the Company wanted it.

Further examples of the unreliable and unscientific methods of arriving at cost value are shown below:

Page	Line	Permit No.	Purchase Price	Charged to Intangibles at time of purchase	Sale or Retirement	Earned Depreciation	Further Charge to Intangibles	Total Charge to Intangibles	Percent of Purchase Price Charged to Intangibles
638	30	286	$6,500.00	$1,000.00	$850.00	$1,558.75	$3,091.25	$4,091.00	63
639	15	503	$5,442.00	.....	$850.00	$1,987.75	$2,604.71	$2,604.71	47
640	12	404	$7,437.50	$437.50	.....	.....	.....	.....	....
642	3	75	$15,180.00	$8,180.00	$850.00	$1,055.59	$5,094.41	$13,274.41	87

By reference to the above table, it will be noted that bus permit No. 503 has nothing charged to intangibles at the time of purchase. The explanation of the witness as to why this is so is that the bus was physically worth what they paid for it (page 639, line 34). On this particular bus they paid nothing for going concern value. Again referring to the table, permit No. 404, it will be noted that only $437.50 was charged to the intangible account. This shows that this bus was only estimated to have a going concern value of $437.50, while the bus represented by permit 286 was considered to have a going value of $1,000. Since these buses operated on the same line and under the same conditions and were bought within two months of each other, it is impossible that one of them could have a patronage attached to it worth $1,000. and another one have a patronage worth $437.50. These "going concern values" are nevertheless a part of the total claimed cost value of the Company's property.

(The figures given on the above table are taken from the testimony at the page indicated, and will further appear on Exhibits O-18, pages 1461 and 1462 of Exhibits, and O-5, pages 1416 and 1417.)

An examination of Exhibit O-5 (State of Case, pages 1416-1418, and on 1420 and 1421), covering the lines running into Irvington, in conjunction with Exhibit O-18 (State of Case, pages 1461-1463, both inclusive), shows the peculiar situation, viz., that when the Public Service Transportation Com-

pany first started to buy buses, the purchase price and the amount charged to the physical value (revenue passenger motor equipment) were reasonable and that either little or no sum was charged to other intangible capital account for going value or for business attached at the time of purchase, but that, as the Public Service Transportation Company acquired more and more buses on these lines, curiously enough the business attached to the independent bus rose in value to the almost inconceivable figures of $25,000. per bus. In other words, the more competition that the independent operator had to meet, the greater became the value of his business.

That this is not sound economics needs no demonstration.

The fact is that, as admitted by Mr. Tuson (on page 647), *the Company had no schedule or basis upon which they fixed a price that they were willing to pay for any particular bus that they were buying.* This is demonstrated by the following table:

SPRINGFIELD AVENUE LINE—From Exhibit O-18. From Exhibit O-5.

Permit No.	*Item No.*	*Date Purchased*	*Cost*	*Make*	*Seating Capacity*	*Date of Mfgr.*	*Date of Retirement*	*Selling Price*	*Credit to Property Account*	*Earned Depreciation*	*Amount Charged Back to Intangibles*	*Charged to Intangible account at time of purchase*
96	847	4-24-24	$12,161.40	Bridgeport	23	1923	10-31-26	$850	$6,000.00	$1,523.82	$3,626.18	$6,161.40
100	870	4-25-24	$ 4,407.84	Ultimate	20	1924	10-31-26	$850	$2,200.29	$2,200.29	$1,357.55	.....
48	843	4-25-24	$11,361.40	Ultimate	16	1922	10-31-26	$850	$1,266.45	$1,266.45	$2,383.55	$6,861.40
520	845	4-24-24	$11,161.40	Ultimate	25	1922	10-31-26	$650	$1,789.52	$1,789.52	$1,860.48	$6,661.40

The above table shows *that on the same day* that the Company purchased Ultimate truck, permit No. 100, it purchased another Ultimate truck, permit No. 48, which was two years older and had four less seats, but the Company paid $6,953.64 more for it.

In like manner, *on the day preceding the purchase of Ultimate truck permit No. 100,* the Company purchased another Ultimate truck, permit No. 520, with five more seats but two years older, and paid $6,753.56 more than it had paid for Ultimate truck permit No. 100.

On the day prior to the purchase of Ultimate truck permit No. 100, the Company purchased a Bridgeport truck, permit No. 96, one year older, with three more seats, but paid $7,753.56 more for it than was paid for Ultimate truck permit No. 100. All the foregoing buses were operating on the same line.

The above illustrates that the Company had no fixed or scientific method of arriving at cost. They would have paid much more for these buses if the owners had held out for a higher price. Mr. Tuson admitted (page 635, line 3) that they did not pay $30,000 for buses in the early stages "because the independent operators had not educated themselves to any such figure at that time".

The Company handled the matter of going concern (intangible) value in these four instances as follows:

Permit No.	*Purchase Price*	*Intangible Account at time of Purchase*
100	$ 4,407.84	----------
48	$11,361.40	$6,861.40
520	$11,161.40	$6,661.40
96	$12,161.40	$6,161.40

These buses were all retired on the same date at a salvage price of $850, except Ultimate truck represented by permit No. 520, which was retired

for $200 less, and on the date of retirement, the Company charged back to the intangible account the difference between the purchase price and the aggregate of the selling price and earned depreciation, so that the final accounting shows as follows:

Permit No.	*Purchase Price*	*Total Charged to Intangibles at time of Retirement*	*Total Charged to Intangibles as Per cent of Purchase Price*
100.....	$ 4,407.84	$1,357.55	31%
48.....	$11,361.40	$9,244.95	81%
520.....	$11,161.40	$8,521.88	76%
96.....	$12,161.40	$9,787.58	80%
Average	$ 9,773.01	$7,227.97	74%

Of the average original purchase price of these four buses, viz., $9,773.01, there was charged back to the intangible account, at the time of their retirement, an average amount of $7,227.97, or 74% of the purchase price. This means that 74% of the money invested in the purchase of these buses is now represented by no physical or tangible property.

This demonstrated, as testified by Mr. Tuson (on page 650, line 28), that the prime factor was the elimination of the independent operator. He says that because the independent knew that they were bidding for these buses *and that they would pay almost any price to get them,* that forced up the price, with the ultimate result that in 1926 they paid as high as $30,500 for buses on these lines. It is clear, therefore, that the value of these buses was not based on either their physical value or on their physical value plus going concern value.

Mr. Boylan (page 736, line 34), testifies that when he went out to buy a bus, he did not consider the physical value or anything of the sort; that he bought the bus and business, "call it what you

may;'' that he was anxious to put the so-called plan into effect; that he was not concerned as to how the charge was disposed of (pages 736 and 737); *that there was no bus which the Company purchased that had a physical value of* $30,000. (page 738); that they were out to complete the plan and put into effect the coordination scheme and save the five-cent fare "which the Board ordered us to try out," (the five-cent fare being *that on the trolley*) *that what they wanted to do was to complete the purchase of independent buses.*

Another example of their unscientific and unreliable methods:

The testimony shows that the buses which the Transportation Company purchased from independent operators were in a more or less worn out condition at the time of purchase. This is evidenced by the fact that on nine of the eleven affected lines the Company purchased, between 1923 and December 31, 1926, 165 buses from independent operators. In the same period of time the Company retired 81 of these buses, or 49%, at a salvage of $59,685. This is 7.2% of the total amount originally charged to *revenue passenger motor equipment* or tangible value. During the same period, these retired buses earned a depreciation of 14.8% of the original physical value as estimated by the Company, leaving 77.9% charged into intangible. These buses were retired because they were worn out and obsolete.

The purchase price of the buses bought from independents is being carried by the Company in its capital account, excepting the salvage and earned depreciation. On this difference between purchase price and the aggregate of salvage and earned depreciation the Company asks to be allowed to earn a return. This sum, on these nine lines, amounts to $649,681. This sum must have been included in the Board's estimated total valu-

ation when it said: "It appearing that the anticipated increased revenue to the companies will not produce a rate of return that will be excessive."

This was error on the part of the Board; value of obsolete property cannot be taken into account in arriving at a rate base.

How much more it would be for the other two lines, we cannot estimate, and how much more it would be for the remaining eighty-six lines operated by the Company, cannot be told; but it must be a staggering sum when compared to the total fixed capital account.

Under the case of *Kansas City Street Railway Co.* vs. *U. S.*, 231 U. S. 423, the court sustained the regulations of the Interstate Commerce Commission, which rejected the theory that the cost of property abandoned as an incident to permanent improvement should remain in the property account, and said that such a contention rested upon the unwarrantable assumption that all capital expenditures result in permanent accretions to the property of the Company. "This in effect ignores depreciation—an inevitable fact which no system of accounts can properly ignore. A more complete depreciation than that represented by a part of the original plant that through destruction or obsolescence has actually perished as useful property, it would be difficult to imagine."

We therefore submit that a large portion of the fixed capital account is made up value claimed for obsolescent property and that this is legally wrong.

The foregoing citations from the testimony and exhibits clearly demonstrate that the cost value of the buses was not arrived at by their physical value plus going value. The Board had no other evidence on the part of the petitioners upon which they could base the *actual value* of buses at the

date of hearing. That they had no other evidence of value from petitioners the Board stated in its opinion. Value so arrived at is certainly not to be recognized for rate making purposes. Cost value is not a recognized basis of ascertaining value for rate making purposes, nor can the Board or Court determine from such evidence whether the rate fixed is reasonable or just.

In the *McCardle* vs. *Indianapolis Water Co.* case, *U. S. Advance Opinion,* 71 L. Ed. 154, Justice Butler says:

> "But this does not mean that the original cost or the present cost or *some figure arbitrarily chosen between these two* is to be taken as a measure. The weight to be given to such *cost figures* and other items or classes of evidence *is to be determined in the light of the facts of the case at hand.*"

City of Erie vs. *P. S. C.,* 123 Atl. 471. At 475 (6):

> "Generally speaking, the value of private property used in public service and affected with public interest is to be determined at the time of the inquiry or investigation regarding rates. (Citing cases.) And the standard applied is its then present value. (Citing cases.) * * * It is a matter of very common observation that cost does not indicate the value of property; nor does present value indicate original cost. * * * Original cost cannot be used as a substitute for value. * * * 478 (17) Where a finding exists showing a wide departure from undisputed evidence of a contrary import, of such magnitude as to show on its face an abuse of power, it becomes the duty of the court of first instance, exercising independent judgment in reviewing the record, to remand the case to the Commission for further report, so there may be placed on the record the reason for declining

to accept the evidence substantially as submitted, or recast the report if in error."

Spring Valley Water Co. vs. *City and County of San Francisco,* 252 Fed. 979, 989.

Since cost value is not a recognized basis of ascertaining value for rate making purposes, and, in determining value, the cost to reproduce the property under prices prevailing at the time of the inquiry is an element to be taken into consideration, did the petitioners produce any evidence of reproduction cost? They did not. Reproduction cost is but one element, not the controlling determining factor.

In *Georgia Railway & Power Company* vs. *Railroad Commission,* 262 U. S. 625, Justice Brandeis says:

"The objections mainly urged relate to the rate base, and one of them is of fundamental importance. The companies assert that the rule to be applied in valuing the physical property of a utility is reproduction cost at the time of the inquiry less depreciation. * * *

"The case is unlike Missouri, *ex rel.* Southwestern Bell Telephone *vs.* P. S. C., 262 U. S. 276, decided May 21, 1923. Here the commission gave careful consideration to the cost of reproduction; but it refused to adopt reproduction cost as the measure of value. It declared that the exercise of a reasonable judgment as to present 'fair value' required some consideration of reproduction costs, as well as of 'original costs,' but that 'present fair value' is not synonymous with present replacement cost, particularly under abnormal conditions."

In the case of *Monroe G. & E. Co.* vs. *Michigan P. U. C.,* 292 Fed. 139, it was said:

> "Where it (proof of cost of reproduction) stands not impeached or attacked otherwise than it was in that case (Southwestern Bell Telephone *vs.* P. S. Commission, 262 U. S. 277), the reproduction cost is the dominating element in the fixing of the rate base, and if a Commission which leaves it substantially unimpeached fails to give it that dominating effect, there is an error of law which the court must correct."

In our case, the petitioners produced no proof of reproduction cost. Dr. Bauer, on the other hand, took the original cost of the physical property as charged in the petitioners' books and deducted from it annual depreciation, and to this sum added the developmental cost, based upon a failure to earn a fair return at 7% during the developmental period of the Transportation Company, viz., from its inception to December 31, 1926; which more nearly represents reproduction cost than any other figures submitted during the prosecution of the case.

Since the Commission had nothing but original cost submitted by the Company, and Dr. Bauer's figures representing reproduction cost, and they failed to give his figures "dominating effect," they committed an error of law which this court should correct.

Dr. Bauer's Method of Ascertaining Value.

Dr. Bauer (beginning on page 981, line 2, State of Case), explains in detail his method of constructing his value analysis. (See also Exhibit 0-13, page 1448 of Exhibits.) In computing this valuation, he started with the Company's total fixed capital for 1923, as shown on the Company's books, from this he deducted depreciation as shown by the Company's books, and arrived at a

figure of $745,017. as the net fixed tangible capital. To this amount he added $132,174., covering the Company's cash and material and supply account, and obtained his value of total capital as of December 31, 1923. He then calculated the average investment for the period the Company had been operated during the year 1923. On this average capital investment he allowed a seven per cent return, to which he added the deficit during the period of operation; this he designates as going concern cost for the year. This going concern cost is then added to the total capital account, and the total investment as of December 31, 1923, was thus obtained.

For each subsequent year, the same method is followed, except that the Company's other intangible values are deducted from the Company's total fixed capital account to secure a starting point with total fixed tangible capital.

Dr. Bauer's method uses as a basis the cost to the Company of its physical property and adds thereto, to cover going concern, a sum, scientifically determined and in many cases approved by the courts. The amount determined to cover going concern is equal to or greater than is usually allowed either by the courts or commissions.

The methods applied by Dr. Bauer to cover going concern will be discussed further under that heading.

Going Concern Value.

In this discussion "Intangible" is used as synonymous with "Going Value."

The following demonstrates that the Company is claiming, on the lines running into Irvington, much more than the percentage allowed by the courts for going value. Exhibits 0-13a and 0-13b

(pages 1450, 1451 and 1452 of Exhibits) show, on these lines, that for buses purchased from independent operators and retired as of December 31, 1926, the ratio of intangible to tangible value, as set up on the Company's books, is:

Line	*No. of Buses*	*Ratio of Intangible to Tangible Value*
Clinton Avenue	13	3-1
Springfield Avenue	21	5-1
Lyons Avenue	12	2-1
Clinton Place	3	2-1
Total	49	3-1

The foregoing table shows the ratio of intangible to tangible value for *buses retired.*

The following shows the ratio of intangible to tangible value for *all buses purchased* from independents, both *retired* and still *in service* as of December 31, 1926:

On the Clinton Avenue line there was charged to

(1) intangible capital, $410,434.,

(2) passenger motor equipment or physical value, $221,211.,

(3) ratio of 2 to 1.

On the Springfield Avenue line, on the same basis of calculation, the ratio of intangible to tangible value was 2 to 1.

On the same basis, the ratio of intangible value to tangible value, for the four lines running into Irvington, is 1.62 to 1. This means that the claimed intangible or going concern value of the buses on these lines is 162% of their estimated tangible or physical value.

The fact is that what the Company paid to the independent operator, for the alleged intangible

value of the bus, does not represent the business attached, nor franchise right, nor any of the other elements which Mr. Tuson said constituted going concern value, but actually represents what the Public Service Corporation, the parent holding Company, was willing through its subsidiary, the Public Service Transportation Company, to pay in order to save its other subsidiary, the Public Service Railway Company, from bankruptcy.

Municipalities' Method of Determining Going Concern.

Criticism was made by the Board, in its decision, of Dr. Bauer's method of ascertaining the present value of the property of the Company used and useful in its business. This criticism is that he assumed only the cost of the physical property to the Company and *ignored the fact that nearly all the buses purchased were in operation with business attached at the time of the purchase.*

This is not a fact. Mr. Boylan (page 64, line 18, State of Case), testifies that the Company had purchased 660 new buses, 395 of which were of the gas electric type, and 265 of the gas mechanical type. The gas electric type cost about $10,000 (see page 714, line 14), and the gas mechanical averaged not less than $7,500, or a total investment in new buses of approximately $5,880,000. So that, approximately $6,000,000 was expended for new buses, to which there was no business attached, and not, as the Commission stated, that nearly all the buses purchased were purchased with business attached.

Secondly, they criticized him because they say he did not give any weight in his estimates to the fact that, when the Company purchased buses from independent operators, they acquired not only the physical buses, *but the permits under which they operated.*

At the time that these purchases were made, *the permits had no value,* as the person taking over the bus had to make a new application, both to the municipality and to the Public Utility Board, for the privilege to run the bus over its established route and might be denied the right, as happened in the case of the Public Service *vs.* Board of Public Utility Commissioners, 116 Atl. 274 (97 N. J. L. 30). In this case, the applicant had purchased a bus which had been run in competition with the Public Service lines; the Board approved the municipal permit on the assumption that he had a prior right and was entitled to the permit, unless it was shown that conditions had changed since the original approval. The Supreme Court set aside the order approving the permit and held, "It was necessary for 'the new owner' to obtain and he did obtain after March 15, 1921, a municipal consent and that consent was not valid until approved by the Board." The Court further held that the approval by the Public Utility Board must rest on evidence that the privilege permitted was necessary and proper for the public convenience and properly conserved the public interest. Without application to the Public Utility Board and without its approval, the permit was valueless. Therefore the permits are not a part of the going concern value.

Dr. Bauer has allowed going concern value as follows:

	Allowed Going Concern Value	*Per Cent Going Concern*
1923	$ 28,502.	3
1924	$ 974,301.	21
1925	$1,167,832.	24
1926	$ 472,205.	23
Total or average,	$2,642,840.	23

For the Board to say that he should have allowed a sum for the business attached, and that he

could have arrived at this sum by any tenable basis is absurd. An inspection of Exhibit 0-5, on pages 1416-1423, indicates that, on the several lines involved in the application, the Company itself credited, as business attached to individual buses, sums ranging all the way from nothing up to $29,000 per bus.

As for example:

Clinton Avenue line,	from	nothing	up	to	$25,000.	per	bus;
Springfield Avenue line,	"	"	"	"	$29,000.	"	"
Bloomfield Avenue line,	"	"	"	"	$ 9,722.	"	"
Rutherford-Newark line,	"	$5,665.	"	"	$14,083.	"	"
Clinton Place line,	"	nothing	"	"	$ 6,500.	"	"
Lyons Avenue line,	"	"	"	"	$ 5,200.	"	"
Passaic-North Newark line,	"	"	"	"	$ 6,812.	"	"
Roselle Park line,	"	$3,649.	"	"	$28,833.	"	"
Kenilworth line,	"	nothing	"	"	$21,500.	"	"
Hawthorne (Madison Avenue) line,	"	$5,610.	"	"	$10,110.	"	"
Hawthorne line,	"	$11,799.	"	"	$16,297.	"	"

Dr. Bauer allowed greatly in excess of what the courts have usually allowed for going concern costs. Dr. Bauer's average for the 3½ years of operation was 23%.

Rates Allowed for Intangibles.

Re: *Jackson County Light, Heat & Power Co.* (*Mo. P. S. Com.*), *P. U. R.* 1926, 737-752	7.45%
Mich. Bell Telephone Co. (*Mich. P. U. C.*), *P. U. R.* 1926c, 607-611	5.00%
Portsmouth Gas Co. (*Ohio P. U. C.*), *P. U. R.* 1927d, 829-831	9.00%
City of Laurenceburg (*Indiana P. U. C.*), *P. U. R.* 1927d, 269-272	10.00%
Follett v. *Seneca Water Co.* (*N. Y. Sup. Court*), *P. U. R.* 1927d, 761-771	5.72%
MacThwaite Oil & Gas Co. v. *City Ada* (*Okla. Corp. Com.*), *P. U. R.* 1927d, 833-840	5.00%

Ex parte Lexington Tel. Co. (Virginia State Corp. Com.), P. U. R. 1927c, 730-737		8.04%
Columbus Gas & Fuel Co., U. S. Dist. Court, S. D. Ohio, Ed. 17 F (2 D 630), P. U. R. 1927c, 639-649, and cases cited		10.00%
Indianapolis Street Ry. Co. (Indiana P. U. C.), P. U. R. 1927d, 587-596:		
On basis of $241,000 intangibles	48.2%	Disallowed by Commission.
On basis of $333,000 intangibles	56.2%	
Gage County Electric Co. (Neb. State Ry. Com.), P. U. R. 1926c, 170		17.70%
Associated Tel. Co. (Ind. P. S. Com.), P. U. R. 1927c, 577-583		8.80%
P. U. C. v. *New England T. & T. Co. (Rh. I.), P. U. R.* 1926c, 207, at 230		10.00%
United Ry. Co. of Baltimore, reported in P. U. R. 1926c, 441-446		12.50%

The criticism of the Board is therefore without foundation.

Reasonableness of Rate.

We will now argue reasons 6, 7, 15 and 23, which may be summarized:

6. That the rates allowed by the Board's order, on the lines running into Irvington, are excessive.

7. That on the same affected lines, the rates are discriminatory.

15. That the order is unjust and unlawful because discriminatory against the prosecutors, in that the Board increased the fares on the affected lines without first having any valuation of the property used and useful on the affected lines and

without any valuation of the entire system of ninety-seven lines and without investigating or considering the earning power and operating expenses of the eighty-six lines not involved in the petition.

23. That the Transportation Company did not sustain the burden of proof to show that the increase in fare applied for or allowed is just and reasonable. (This will be discussed under burden of proof.)

In the first place, the Transportation Company bought these buses on a five-cent fare with the length of route as it continued from the time of the purchase to the time of the making of the order. The independent operators, as we show in this brief, were making money and were willing, even at the date of the hearing, to run lines over the same routes at a five-cent fare, there being, so far as the Town of Irvington is concerned, applications on file with the Town for one hundred twenty-five permits, which were put in evidence (Exhibit 0-24, pages 1481 and 1482 of Exhibits), and applications were applied for on others of the 11 affected lines (Exhibits 0-26, 0-7, 0-8). The order increased the fares on the lines running into Irvington, without a valuation of the property used and useful on these lines or a valuation of the entire system, and the Board apparently assumes that because the Public Service Transportation Company was not making a return sufficient to pay dividends, that the eleven affected lines might be selected to have the rates increased on them, regardless of whether these rates are reasonable or just. This is a discrimination against the lines running into Irvington, in favor of the poorer paying lines.

In the case of *O'Brien* vs. *Public Utility Board,* 92 N. J. Law, 44-49, the Court says:

> "The reasonable worth of the services rendered is a maximum of the permissible rate and a fair return on the value of the property is a minimum. * * * that the real test of the justice and reasonableness of an individual rate is *that it should be as low as possible and yet sufficient to induce the investment of capital in the business, and its continuance therein.*"

The court further says that no better evidence of the reasonableness of a rate can be obtained than its general adoption by municipalities in ordinances granting consent for the operation of a utility. Likewise, the court says in the decision (at page 50):

> "So in the question of a reasonable rate, where there is evidence for and no evidence against the rate and no decided case holding the particular rate to be unreasonable, the tribunal whatever it may be, is compelled to the inference of reasonableness, as the board was in this case."

In the present case, there was evidence that the five-cent rate had been long established, and that the Company had bought the buses with that rate of fare in effect, and that there had been no increase in operating costs or in the cost of materials, and that the independents had apparently made money on that rate and were willing to continue on that rate of fare, and, as we have shown above, so far as the lines running into Irvington are concerned, the buses were making a high rate of return. Further, there were applications filed with the Town of Irvington for the issuance of one hundred twenty-five permits for buses on these lines (Exhibit 0-24, pages 1480-1482 of Exhibits).

In the case of *Public Service Gas Co.* vs. *Board of Public Utility Commissioners,* 84 N. J. Law 463-474, 87 Atl. 651, the court says:

> "The real test of justice and reasonableness of an individual rate seems to be that it should be as low as possible and yet sufficient to induce the investment of capital in the business, and its continuance therein. This also is a business question, and depends on the opportunities that may be offered for more profitable investments and the risk involved."

In the case of *Smyth* vs. *Ames,* 169 U. S. 466, which involved the reasonableness of rates fixed by state authority, the court, Justice Harlan, at page 547, said:

> "We hold, however, *that the basis* of all conclusions as to the *reasonableness* of rates to be charged by a corporation maintaining a highway under legislative sanction *must be the fair value of the property being used by it for the convenience of the public.* * * * What the Company is entitled to ask is a fair return upon the *value* of that which it employs for the public convenience. On the other hand, what the public is entitled to demand is that no more be exacted of it for the use of a public highway than the services rendered by it are reasonably worth."

In the case of the *Inhabitants of the City of Trenton* vs. *The Trenton & Mercer County Traction Company,* 92 N. J. Law 61, 105 Atl. 136, by Justice Swayze, the court says:

> "Whether the railway shall run some parts of its line at a loss, perhaps with a view to future development or future gain, perhaps with a view to greater public service, is a business question to be determined by the railway subject to the control of the Public Utility Commissioners.
>
> "It is settled that the correct legal test is the effect on the railway's entire line, and not upon that which was formerly a part of one of the consolidating roads." (Citing cases.)

In this case the court says:

> "The only argument calling for remark is that the street railway lost $86,000 a year by its operation of suburban lines, *and that this loss cannot be made up by profits on the operation of lines in the City of Trenton.*"

In the present case, the Public Service Transportation Company alleges that the system, as a whole, has, for a period of approximately three years, been losing money. It is true, and the proofs of the municipalities show, that for the year 1926, the petition being filed in December of that year, the Transportation Company was making money above operating expenses and fixed charges in the amount of $87,517.41. Notwithstanding this, it asks that the rate of fare be increased on a few lines out of its entire system, which lines are, as we have already shown in the "Facts," operating at a very high rate of return.

Dayton Goose Creek Ry. v. *U. S.*, 263 U. S. Reports 457, 480.

It should be noted that, in reaching a conclusion, upon this first proposition, we are only considering the general level of rates and their direct bearing upon the net return of the entire group. The statute does not require that the net return from all the rates shall affect the reasonableness of a particular rate or a class of rates.

At 482: It is argued that to cut down the operating profit of the stronger roads to a certain per cent. is not cutting or reducing rates, since the net income of a carrier has no proper relation to rates and cannot be used as evidence of their reasonableness. Northern Pacific Ry. Co. *v.* North Dakota, 236 U. S. 585, and Interstate Commerce Commission *v.* Union Pacific R. R. Co., 222 U. S. 541, are cited to the point. They merely

decide that where the reasonableness of one rate or a class of rates is in issue, the total operating profit of the railroad or public utility is of little use in reaching a conclusion. This is shown by the words of Mr. Justice Lamar, speaking for the court, in Interstate Commerce Commission *v.* Union Pacific R. R. Co. (page 549):

> "Where the rates as a whole are under consideration, there is a possibility of deciding, with more or less certainty, whether the total earnings afford a reasonable return. *But whether the carrier earned dividends or not sheds little light on the question as to whether the rate on a particular article is reasonable.* For, if the carrier's total income enables it to declare a dividend, that would not justify an order requiring it to haul one class of goods for nothing, or for less than a reasonable rate. *On the other hand, if the carrier earned no dividend, it would not have warranted an order fixing an unreasonably high rate on such article.*"

At 483: Reliance is also had on decisions of this court in cases where the question was of the reasonableness of State rates, and it was held that evidence to show that the revenue of the carrier from both State and interstate commerce gave a fair profit, was not relevant. The State cannot justify unreasonably low rates for domestic transportation, considered alone, upon the ground that the carrier is earning large profits on its interstate business, *and on the other hand the carrier cannot justify unreasonably high rates on domestic business on the ground that only in that way is it able to meet losses on its interstate business* (Minnesota Rate Cases, 230 U. S. 352, 435; Smythe *v.* Ames, 169 U. S. 466, 541).

In the case of the *Board of Railroad Commissioners* vs. *Illinois Central R. R. Co.,* 20 I. C. C. 181, the Commission says:

> "The net revenues have an undoubted and often an important bearing upon the question of the reasonableness of rates, but the value of the service to the shipper and the other elements so often referred to as entering into the reasonableness of rates must also be taken into consideration. In this connection Canada Southern Railway Co. *vs.* International Bridge, 8 App. Cases, 731, is not without interest. A railroad company may be operated with a less return than it ought to enjoy or even at a loss, but neither condition of affairs would justify the exaction by it of rates that are higher than they reasonably should be for services performed, all things being considered. So also the fact that the net earnings of a carrier may be large does not of itself justify us in fixing a rate at less than is reasonable for the service, all other things being considered."

By like reasoning, the fact that the Public Service Railway Company cannot continue, with jitney competition on a five-cent fare, and that the Public Service Transportation Company may not be earning an adequate return on the capital invested, still does not justify the increasing of the rates on the Irvington lines, or, in fact, on the eleven affected lines, merely for the purpose of avoiding this situation, if the increased fares are greater than they reasonably should be for the services performed.

> "Then their reasonableness relates to both the Company and the customer. Rates must be reasonable to both, and if they cannot be to both, they must be to the customer."

Brunswick and T. Water District vs. *Maine Water Co.*, 99 Maine 371, 59 Atl. 537;
Pond on Public Utilities, Sec. 575.

The Company produced no proof as to the reasonableness of the new rate.

The Board Must Determine that the Rate Is Reasonable.

In the instant case, the Board, in its decision, merely stated that "it appearing that the anticipated increased revenue to the companies will not produce a rate of return that will be excessive."

The *Public Utility Act* (*Section 17, subdivision (h)*, Increase in Rates, *Cumulative Supplement to Compiled Statutes of New Jersey, Vol. 2, page 2884, section mark *167-18*), specifically provides:

> "When any public utility * * * shall increase any existing individual dates * * * the board shall have power * * * upon its own initiative, to hear and determine whether the said increase, change or alteration is *just and reasonable.* The burden of proof to show that the said increase, change or alteration is just and reasonable shall be upon the public utility making the same * * *. It shall be the duty of the board to approve any such increase, change or alteration, upon being satisfied that the same is *just and reasonable.*"

The Public Service Transportation Company, by its petition, filed a rate on the affected lines, to become effective on the first day of January, 1927 (see State of Case, page 30, line 21).

The Public Utility Board did not determine that the rates were just and reasonable, either as filed by the Public Service Transportation Company or as fixed by the Public Utility Board.

In *Collingswood Sewerage Co.* vs. *Borough of Collingswood,* 91 N. J. Law 20, the court said that the Sewerage Company was entitled to a formal determination that the existing rates were unjust and unreasonable, and that this right was not met by an adjudication that the rates were not so low as to be confiscatory.

The proceedings in the Collingswood case were taken, apparently, under Section 17 (h); but if taken under Section 16 (c) of the Act, the only difference between the provisions of 16 (c) and 17 (h) is that the Board has power under 16 (c) "after hearing, upon notice, by order in writing to fix just and reasonable individual rates * * *," and under 17 (h) "when any public utility shall increase any existing individual rates * * * the board shall have power * * * to hear and *determine* whether the said increase * * * is just and reasonable," and the Board has a duty imposed upon it, under this section, to approve the increase, upon being satisfied *that it is just and reasonable.* So that, if the utility, under Section 16 (c), has the right to have a specific determination that the existing rate is unjust and unreasonable, certainly under 17 (h) the consumer has the right to have the specific formal determination that the rate fixed is just and reasonable.

The order of the Board should be set aside because *it did not determine that the rates* filed by the Public Service Transportation Company *were just and reasonable,* and did not determine that the rates fixed by the Board's order *were just and reasonable.*

See also

Passaic Gas Cases, 87 N. J. Law 705.

In conclusion, the best evidence that the five-cent fare on buses is reasonable is that it has been the accepted fare for so long a time that the slang phrase for a nickel, "jitney", has caused the buses to be commonly referred to as jitneys.

Five cents for this service may then be said to be reasonable. See *O'Brien* vs. *P. U. C.,* 92 N. J. Law 587.

The rate of five cents and the old zones having been long established, and no evidence being produced by the Company to show that a greater rate was reasonable to be charged for the service rendered, and the rate of return on the lines in Irvington, on a five-cent fare with the old zones in effect, producing returns which were sufficiently remunerative to induce the investment of capital in the business and its continuance therein, viz., independent operators; therefore, Order of the Board should be set aside. Furthermore, the financial improvement made on all the lines by the Public Service Transportation Company, from the year ended December 31, 1924, to the year ended December 31, 1926, which, as we have shown, is from an operating deficit of $727,057.42 to an operating profit of $240,098.11, is sufficient to attract capital to its business. No justification can be found for the order of the Board increasing the rates on the eleven affected lines simply because other portions of the system may be losing money, with no evidence that the new rates are reasonable and just. The order should, therefore, be set aside.

We will next take up reason 26: That the Board, in fixing the rate, capitalized the permits which the Company acquired and owns, which is contrary to law.

What the Company considered going value to be is illustrated by Mr. Tuson's testimony (on page 632, line 1, State of Case). He says:

> "Going value *in this case* would include the factors of profits, if any, to be derived from the business; the early losses, if it had any; its necessity to the public; *its franchise value,* if there was one; and other similar factors."

This testimony was in relation to a particular bus; but (on page 632, beginning at line 35) he stated there was nothing to distinguish the purchase of this particular bus from other purchases, or to distinguish this particular bus from other buses; and (on page 633, line 17) he said, in reference to what constituted the going value of this bus, "the franchise value——"

"By Mr. Blake:

Q. The right to do business? A. The right to do business on the public street.

By Mr. Stewart:

Q. That is what you mean by franchise value, the right to do business on the public street? A. Yes."

This clearly indicates that the Company, in this application, is endeavoring to capitalize its franchise value, because the intangibles include the going value, and a part of the going value, Mr. Tuson (page 633, line 25) says, is franchise value.

The cases uniformly hold that in determining going value, neither good will nor franchise should be included. *Cedar Rapids Gas Light Co.* vs. *Cedar Rapids,* 223 U. S. 655-669; *Des Moines Gas Company* vs. *Des Moines,* 238 U. S. 153; *Denver* vs. *Denver Union Water Co.,* 246 U. S. 178, 184, 191; *Lincoln Gas & Electric Co.* vs. *Lincoln,* 250 U. S. 256; *Georgia Railway and Power Co.* vs. *Railroad Commission,* 262 U. S. 625.

The Board, in its opinion, says (State of Case, p. 1317, line 29) that nearly all of the buses purchased were in operation with business attached at the time of purchase; that Bauer did not give any weight to the fact that when the Company purchased these buses, it acquired not only the physical bus, but also the permit under which they operated.

Good Will and Franchise Value Excluded.

In the case of the *State of Missouri* vs. *Public Service Commission,* 262 U. S. 276, Justice Brandeis said:

> "In Cedar Rapids Gas Company *vs.* Cedar Rapids, 223 U. S. 655, 669, and Des Moines Gas Company *vs.* Des Moines, 238 U. S. 153, 165, good will and franchise value were excluded from the rate base in determining whether the prescribed charges of the public utility were confiscatory."

Again, in *Galveston Electric Co.* vs. *City of Galveston,* 258 U. S. 388, Justice Brandeis says:

> "But in determining whether a rate is confiscatory, good will and franchise value were excluded from the base value (citing cases), and the expressions in Denver *vs.* Denver Union Water Works, 246 U. S. 178, and in Lincoln Gas and Electric Light Co. *vs.* Lincoln, 250 U. S. 256, are not to be taken as modifying in any respect the rule there declared."

See also *Georgia Railway & Power Co.* vs. *Railroad Commission,* 262 U. S. 625.

> "At present franchise values receive little consideration in rate cases because of the 'indeterminate permit' and of regulation having taken the place of competition, thus creating natural monopolies to which customers must resort in order to secure their service."
>
> *Section 599 of Pond on Public Utilities.*
>
> *Public Service Gas Co.* vs. *Public Utility Commissioners,* 84 N. J. Law, 463, 87 Atl. 651; reversed in 87 N. J. Law 581, 92 Atl. 606, and affirmed in 87 N. J. Law 581, 94 Atl. 634, on the opinion in 84 N. J. Law 463.

In that case, Justice Swayze says:

> "These considerations lead us to the conclusion that logically no allowance should be made for the value of the special franchise in a case where it is not legally exclusive and where the State still retains the right to fix rates."

And Section 18, subdivision (f), of the Act Concerning Public Utilities (Cumulative Supplement to Compiled Statutes, Vol. 2, page 2886), distinctly prohibits any such capitalization in excess of the amount, exclusive of any tax or annual charge, actually paid to the State or any political subdivision thereof as the consideration of such franchise.

Therefore, the Board erred when it threw out Dr. Bauer's value and indicated that in its opinion "franchise value" should be considered as part of "going value" for the purpose of ascertaining whether the rates applied for and allowed were reasonable.

Excessive Earnings on Affected Lines.

Reasons 12, 13, 16 and 17 will be argued. These relate to operating net profit on the four (4) lines running into Irvington, based on the Company's full claimed valuation, pro-rated on a bus mile basis, which profit is shown by the evidence to be a fair rate of return, viz.:

Clinton Avenue line.....earned 8.35%
Springfield Avenue line....earned 21.34%
Clinton Place line.....earned 7.14%
Lyons Avenue line.....earned 10.03%

On the same lines and on the Company's full claimed valuation, pro-rated on a bus mile basis, with the new zones in effect, as granted by the

Board, an excessive rate of return will result. The entire system is not in need of the relief asked for, because the Transportation Company's financial condition changed from an operating deficit for 1924 of $727,057. to an operating profit for 1926 of $240,098.

The natural forecast of net operating profit for 1927 would be far in excess of that for 1926.

Prudent Investment.

Under this head there will be argued reasons 20 and 25, which, summarized, are: That the Board fixed a rate of fare on the eleven affected lines, based upon expenditure of money in the purchase of buses at excessively high prices, and did not find that such expenditures were imprudent, and, on the contrary, permitted a return upon moneys imprudently expended, contrary to law, and that before a public utility is entitled to earn any return on money invested, it must appear that the investment has been prudently made. This Transportation Company did not prove, nor did the Board find it as a fact.

We urge that they did not sustain this burden because, as appears from the Board's decision (State of Case, page 1318, line 37):

> "The Company, on the other hand, by introducing evidence only of cost of property to the Company, leaves the Board without any evidence to determine whether this cost was prudently expended or not."

That, before a utility is entitled to earn any return on money invested in property used and useful, it must appear that the investment had been prudently made, is sustained by the following:

> "In determining the present fair value of a public utility operating under our public

utility law, it is our view that justice as well as sound economic practice requires that controlling weight should be given, in the valuation of the plant of a public utility, to the investment cost *where the investment has been prudently made.* Waukesha Gas & Electric Co. *v.* Railroad Commission, 181 Wis. 281; 194 N. W. 846." *Section 602 of Pond on Public Utilities.*

"No particular return is guaranteed to the municipal public utility on its investment." *Section 549 of Pond on Public Utilities.*

The case of

New Memphis Gas & Light Co. v. *Memphis,* 72 Fed. 952, decided in 1896,

furnishes an accurate statement in forceful language which stands unchallenged to the effect that:

"The question of the reasonableness of a rate of charge is eminently a question for judicial investigation, requiring due process of law for its determination. * * * *And the very use of the term 'regulation' implies that an investigation shall be made; that an opportunity to present the facts shall be furnished;* that, when the facts are established, they shall, by the regulating power, be given due consideration; and that such action as shall be taken in view of these facts, thus ascertained, shall be just and reasonable, and such as enables the company to maintain its existence, to preserve the property invested from destruction, and to receive, *on the capital actually and bona fide invested* in the plant, a remuneration or dividend corresponding in amount to the ruling rates of interest."

In the case of

Brunswick and T. Water District vs. *Maine Water Co.,* 99 Maine 371; 59 Atl. 537,

the Court says, among other things, speaking of the elements in determining a proper rate:

> "There are others; as, for instance, the risks of the incipient enterprise on the one hand, and whether all the property used is reasonably necessary to the service, *and whether as a structure it is unreasonably expensive,* on the other." * * *
>
> *Section 575 of Pond on Public Utilities.*
>
> "The complainant undoubtedly has the right to receive from water rates an income which will enable it to pay its actual operating expenses, its taxes, its interest on its bonded or other indebtedness, *so far as that indebtedness represents money properly expended in or upon its property.* Contra Costa Water Co. *v.* Oakland, 165 Fed. 518."
>
> *Section 576 of Pond on Public Utilities.*
>
> "It is clear that in ascertaining the present value we are not limited to the consideration of the amount of the actual investment. *If that has been reckless or improvident,* losses may be sustained which the community does not underwrite." Simpson *v.* Shepard, 230 U. S. 352."
>
> *Section 584 of Pond on Public Utilities.*

See also

> *People vs. Wilcox,* 210 N. Y. 479.
>
> "The well-established rule of law is unquestioned that what the company is entitled to demand in order that it may have just compensation is a fair return *upon the reasonable value of the property at the time it is being used for the public. The determination* of the proper basis for ascertaining *the reasonable value* of the property used and useful in rendering its service *is the final* and most difficult matter for solution in the complex and as yet not fully developed field of the law of municipal public utilities. The later decisions

continue to emphasize *present value* as the proper rule of valuation, *supplemented by the 'prudent investment' theory, which practically limits valuations to investments which are 'prudent.'* ''

Section 591 of Pond on Public Utilities.

San Diego Land & Town Co. vs. *National City,* 174 U. S. 739.

''The application of the theory of original cost is attended with many practical difficulties, for in attempting to ascertain the actual original cost in many cases the records available on this point are neither accurate nor complete. The solution of the further question under this theory of original cost, which is naturally attended with difficulty, *is the determination of the honesty and necessity of such expenditures and whether the contract price as paid was exorbitant or fraudulent,* * * * As the application of this theory necessarily contemplates a determination of what was the actual and fair original cost, it could not be followed in a case where the capacity of the plant was unreasonably excessive *or the amount which had been expended in its equipment or for a site was much greater than necessary prudently to invest* in order to provide the required service, for such excess could not be fairly included in determining the proper valuation as the basis for fixing a reasonable rate for the service at the time.''

Section 593 of Pond on Public Utilities.

The Company itself, in its plan of August 21, 1923, as above noted, stated that it would pay the fair physical value to the independent operator, and if this fair physical value could not be agreed upon, it should be determined by an independent appraisal. The evidence heretofore quoted shows that fair physical value was not what they paid, that what they paid was the price which the inde-

pendent operator demanded as the lowest price at which he would sell, and this regardless of physical value or intangible value. We have demonstrated that the prices paid were grossly extravagant.

It will probably be contended that the Transportation Company is not to be held to account for imprudent expenditures, under the theory pronounced in the case of the *City of Elizabeth* vs. *Board of P. U. C.*, 123 Atl. 358, 99 N. J. Law 496, in which the Court of Errors, adopting the opinion of the Supreme Court, declared:

> "If it was mistakenly constructed too large, which we do not think, a utility should not be punished for a mistake in judgment in such a case any more than a physician should be prevented from charging his fee in a case where he made a mistake in his diagnosis."

The cases are not analogous. In the instant case, the Transportation Company did not care particularly what price they had to pay, having paid prices ranging from $4,000 to $37,350 for a bus. From the evidence heretofore quoted from Mr. Boylan, Mr. Tuson and Mr. Young, it appears that the price to be paid made no difference, that the main object was to get rid of independent operators and coordinate the systems and save the trolley company from bankruptcy, and that they did not know whether the buses were operating profitably or otherwise.

It will probably further be attempted to justify the expenditures which the Company incurred, first because of their desire to control and coordinate the bus and trolley systems, and secondly because the Company did not go into the initial exploitation of virgin fields, but bought over the business of other exploiters after the field had been developed. This latter theory was developed by

the respondents in their brief on the application for the writ, wherein they say that this is the second method of acquiring control and coordinating bus service, viz.:

> "By letting others exploit the field and develop knowledge as to territory and lines which are calculated to be profitable or unprofitable, and then purchasing the successful lines at an advanced price and thus avoid all the losses incident to the innumerable ventures which prove unsuccessful."

If the Transportation Company did adopt this method, it either had very little foresight or knowledge of the bus business, or else it was, subsequent to the purchase of the bus lines, extraordinarily extravagant. Under the theory suggested by the Company, it took advantage of the experimental work of bus transportation developers and purchased what were supposed to be the profitable and successful lines, paying an advanced price therefor; but the evidence shows that in the three and one-half years of operation down to December 31, 1926, the Transportation Company succeeded in accumulating a total operating deficit of $1,600,000.

It will probably further be contended that the expenditures were not imprudent and that the Board found them not to be imprudent, because the Court in the case of the *City of Elizabeth* vs. *Board of P. U. C.*, 123 Atl. 358, 99 N. J. Law 496, declared that the Board of Public Utility Commissioners could use the knowledge it had obtained, in other proceedings, of unit prices. What the Court did say in that case was that it appeared from the report of the Public Utility Commissioners that its engineers had checked the inventory and the appraisal was subjected to a careful analysis by a study of the unit prices and a comparison of the

prices used with similar figures used by the Board in other appraisal work. In the case *sub judice* it nowhere appears that the Commissioners made any analysis or any checking, nor does it appear that they have any knowledge of the cost of buses or the cost of operation. So far as the prosecutors have been able to ascertain, the Board of Public Utility Commissioners has at no time made a physical appraisal of any bus line for the purpose of fixing rates.

Therefore, we will respectfully submit that we have proven the bus company made grossly imprudent expenditures in the purchase of buses; that the public does not underwrite a return on such expenditures; that the Board erred, both in not determining that the expenditures were imprudent and in not deciding that the company was not entitled to the relief prayed for.

Burden of Proof.

Did the Public Service Transportation Company sustain the burden of proof to show that the said increase is just and reasonable?

Under the provisions of Section 17, subdivision (h), of the Public Utility Act (Cum. Sup. to C. S. Vol. II, page 2884), the law says:

> "The burden of proof to show that the said increase, change or alteration is just and reasonable shall be upon the public utility making the same."

What evidence did the Public Service Transportation Company produce to show that the change in rate was just and reasonable? The Board, in its decision, says (State of Case, page 1310, line 38):

> "On the part of the petitioners, evidence was introduced in support of their joint peti-

tion to establish the fact that * * * the Transportation Company had been operating since its inception in 1923 at a deficit up to December 31, 1926."

(State of Case, page 1313, line 4):

"The company contends that it has invested in bus transportation the sum of approximately eighteen and one-half million dollars as of January 1, 1927."

(State of Case, page 1316, line 25):

"No valuation has ever been made of the transportation company's property * * *. The Company offered testimony to show the amount of investment in its property, to-wit: the sum of $18,229,197 as of December 31, 1926, exclusive of working capital. The testimony also indicated that the average capital net additions for the half year 1927 would approximate $2,000,000. The sum of $18,229,197 represents the cost to the Company as of December 31, 1926, to acquire the transportation business, together with its equipment, but does not include any item of depreciation or working capital. No effort was made on the part of the Company to establish the value of its property by means of testimony of experts as to reproduction cost or on any other recognized basis, but the proofs on the part of the Company as to value related entirely to cost to the Company. * * * "

(State of Case, page 1318, line 36):

"The company, on the other hand, by introducing evidence only of cost of property to the company, leaves the Board without any evidence to determine whether this cost was prudently expended or not, so that the Board is confronted with two extremes in the matter of proof as to value of the property between the result ascertained by Mr. Bauer on the one hand and the Company's investment on the other, neither of which, in the Board's

> judgment, reasonably represent the true value of the property used and useful for rate making purposes."

So it appears that all the Board had before it to establish a value of the property used and useful of the Transportation Company in the conduct of its business was cost, not present value nor reproduction value, nor any other recognized basis of value.

Certainly, from the foregoing, it cannot be said that the Public Service Transportation Company sustained the burden laid on it by the statute.

In the case of

> *Elizabethtown Gas Light Co.* vs. *Public Utility Commissioners,* 95 N. J. Law, page 18,

it appears, from the opinion, that the utility, among other things, claimed that the Board had undervalued their property because they disregarded the only evidence as to going concern value and adopted an arbitrary sum not sustained by any evidence at all. And the court says (page 20):

> "I am inclined to think that the amount allowed by the Public Utility Commission for the value of the plant as a going concern may suffice, but I do not find that there was any evidence in the case to justify the figure, and under Section 38 as amended (P. L. 1918, page 304) the order may be set aside where it clearly appears that there was no evidence before the Board to support, reasonably, the same. This makes it necessary that there should be evidence to justify the finding, and that I do not find."

We respectfully submit that in the present case evidence of cost is not evidence of value, and that the Public Service Transportation Company

in this respect did not sustain the burden of proof to show that the increase was just and reasonable.

The case of the *City of Elizabeth* vs. *Board of Public Utility Commissioners,* 99 N. J. Law 496, 123 Atl. 358, will probably be cited to show that the burden of showing that this schedule is not just and reasonable is upon the prosecutor, in view of the fact that it is not a schedule prescribed by the Company.

This case came before the Public Utility Commissioners, on application of the utility company for an increase in rates on a filed schedule (Vol. X, Reports of the Board of Public Utility Commissioners, page 1). At page 23 are found the rates filed by the Company, together with the rates previously in existence, followed by the rates applied for, for its constituent companies. On page 27 and on following pages are the rates fixed by the Public Utility Board. A comparison shows that practically not a single rate proposed by the Company was adopted by the Board, and that the charge for the use of meters as distinguished from the consumption charge was raised by the Board in some instances as much as $65. per meter.

The case at bar is clearly distinguishable, and the reasoning of the Court in the Elizabethtown case does not apply. In the case at bar the Board adopted the rate proposed, and adopted the zones proposed by the public utility, with the exception of a few immaterial changes as to zone points and overlaps.

Public Necessity and Convenience.

Reasons 10 and 11 relate to the alleged error that the Board fixed the zones on the lines running into Irvington arbitrarily and without any evidence showing that any public necessity or con-

venience was involved, or would be served by the fixing of the zone points at these particular places, and that the sole reason for fixing the zones at Irvington Center on the Clinton Avenue and Springfield Avenue bus lines was to make the cost of a ride, from Newark into Irvington, on either utility the same.

The expression public necessity and convenience has not a well defined and precise meaning. The word convenience is not used colloquially in the statutes. It is not synonymous with handy and easy of access. Convenience should be interpreted in accordance with its regular meaning, suitable, fitting; and public convenience has reference to something fitted or suited to the public need. The word necessity does not mean indispensable necessity. It means reasonably requisite, something which is suited to and tends to promote the accommodation of the public, and that the result is reasonably required to meet a need for such public accommodation. *Abbott* vs. *Public Utilities Commission,* Rhode Island Supreme Court, P. U. R. 1927 C, 436, 438.

There is absolutely no evidence to show either public necessity requiring the zones to be fixed on the Lyons Avenue and Clinton Place lines, at the boundary line between Irvington and Newark, nor is there any evidence to show that public convenience will be served by any such location of the zone. The territory at the zone points is served by the Public Service Transportation Company, which is the sole utility by which the public may be served. The only alleged necessity is that the zone points on the trolleys and the jitneys shall be coincident. This certainly is not a public necessity or a public convenience. It may be a matter of convenience to the Public Service Trolley Company, but it certainly cannot be said to be a necessity. With regard to the Clinton

Avenue and Springfield Avenue lines, the decision of the Board (page 1321, line 11, State of Case) says that as the anticipated increased revenue to the companies will not produce an excessive rate of return, it becomes necessary "to determine from the standpoint of public convenience and necessity, whether the adjustment of zones as proposed by the Company, is suitable and proper, or whether some other modification thereof would be more in the public interest."

The decision then proceeds to quote Mr. Roberts, Traffic Expert for the municipality, wherein he said that a common zone point could be established at any place along these routes; and the same operating results would follow as would follow from the proposed zoning. The opinion then proceeds to state that the Clinton Avenue and Springfield Avenue bus routes had a common point in Newark, and after following their respective routes, met again at Irvington Center, where the Clinton Avenue route diverges southerly and the other route proceeds on out Springfield Avenue, that the trolleys parallel the Springfield Avenue and Clinton Avenue jitney routes over practically their entire length from the point of starting in Newark to Irvington Center, that Irvington Center is a common loading and distribution point for both the trolleys and buses on these lines, and that it will be in the public interest to the citizens of Irvington to have both buses and trolleys establish the fare zone at Irvington Center, that to thus establish the fare zone will equalize the service and fares and will offer better service to the public.

No evidence appears in the case which would substantiate any such conclusion on any of the lines, nor does the Board's opinion quote any evidence which would justify their decision, nor do they give any explanation which would justify

their decision. The testimony of Mr. Roberts, above referred to, and which appears on page 1185, line 21, shows that the establishment of a common zone point at any place on the utilities where they are parallel would accomplish the same results, that is, equalize the fares. But he nowhere suggests that such establishment of a zone point will serve public convenience or that public necessity requires it. Unless there is evidence, upon which the Board can base its decision, which shows that public necessity or convenience will be conserved by their order, their order cannot be upheld. For cases discussing this question, see:

Red Star Transportation Co. vs. *Red Dot Coach Lines,* P. U. R. 1927, E, 338, 341.
Abbott vs. *Pubic Utilities Commission,* P. U. R. 1927, C, 436, 438.
In Re Linden, South Dakota Board of Railroad Commissioners, P. U. R. 1926, D, 782, 783.
Wabash C. & W. Company vs. *Commerce Commission,* P. U. R. 1924, A, 548, 553.

It is respectfully submitted that the Board's order should be reversed because it is not founded on proof of public necessity and convenience.

It may be urged that the application was not one for zoning, but was one for re-zoning. The answer is that these lines never before were zoned and, therefore, it cannot be a re-zoning. The word "zone" means to divide a whole area or length into parts. The lines running into Irvington never had been zoned; but the fare from one terminus to the other terminus was five cents. The application was for a dividing of the line into parts, and the order did divide the line into parts and established a fare for each part or zone.

This certainly constituted a change of rate between the termini.

It was also urged before the Supreme Court that it would be ridiculous to require a valuation of the Transportation Company's entire property every time a readjustment of zones in a limited area takes place. As we have pointed out before, no valuation of the Transportation Company's property has ever been made, and the area involved in the petition and order was certainly not limited, as it took in parts of Essex, Passaic, Union and Bergen Counties. Thus, if an increase in fare can be made without a valuation, because only a part of the entire system is involved, the rates over the entire system can be raised by first making an application for the parts involved in the present litigation, and later taking another group in another part of the State, and later another group in another part of the State, and ultimately the rates on the entire system will have been raised.

Before the order of the Public Utility Commissioners went into effect, a rider in Irvington had his choice of riding on the bus from any part of Irvington to the terminus of the bus line in Newark for five cents, or taking the trolley in Irvington and paying ten cents. Now, as to utility, he can still take his choice; but as to rate of fare, he has no choice.

In 1925, the legislature passed an act (Chapter 244, page 675, of the Session Laws), which permitted any street railway company, organized under any of the laws of this State, to acquire, own and operate auto buses, commonly called "jitneys", and required such railway company, before operating such auto bus, to obtain the consent of the municipal authorities and of the Public Utility Board in the same manner as independent jitney owners would be required to do

before engaging in the operation. It then directed that such street railway company should keep books, records and accounts of the operation of the auto buses, so that the receipts and expenses of the same might be distinguished from the receipts and expenses of the street railway company; and then provided: "No fare for transportation on any auto bus shall be increased because of any deficit from street railway operation."

We respectfully urge that the order of this Board and the judgment of the Supreme Court distinctly contravened the statute above quoted. It may be, as stated by the Supreme Court in its opinion, "that the trend of adjudication by the Board of Public Utility Commissioners approved by this Court is that every reasonable effort should be made to maintain the service by trolley as well as by bus, * * *. This, however, is upon the presently existing theory that it is wise and prudent that both means of transportation should be preserved and maintained for the benefit of the public."

We urge that regardless of what the trend of the adjudications of either the Public Utility Board or the courts may be, they cannot contravene the laws of the State; and if ever there was a case where the evidence showed that the rates on the one utility were being raised to make up a deficiency in the other utility, then this is the case.

It will undoubtedly be urged that the statute above mentioned was impliedly repealed by Chapter 52 of the Laws of 1928, a supplement to the Public Utility Act. The first section of this Act relates to substitution of buses for railway service, where the Public Utility Board has approved the suspension of such railway service. This section has no applicability in the present case, because buses have not been substituted for trolley

cars in Irvington, and no trolley service has been abandoned or discontinued. The second section of the Act merely provides that whenever, in order to serve public convenience, any street railway is operating buses in conjunction with its railway lines, and the two utilities are operated as a co-ordinated system, the company, as to such system, shall be deemed to be operating a single public utility, furnishing a single service. While this may do away with the necessity for keeping separate accounts, it, nevertheless, does not provide that in case a change in fare or rate is filed by the utility, covering any considerable portion of the company's bus lines on which no valuation has ever been made, that a valuation need not be made. No valuation of the Public Service Coordinated Transport has ever been made.

The case of *Fornarotto* vs. *Board of Public Utility Commissioners,* N. J. Advanced Reports, Vol. 6, No. 45, page 1635, cited in the opinion of the Supreme Court, we respectfully contend does not sustain the proposition that the Board has power to make an order of coordination. That case involved merely the question whether an extension prayed for by the prosecutor was necessary and proper for the public convenience and properly conserved the public interest, and whether the Public Service Railway Company and Public Service Transportation Company were to be subjected to new competition.

Fornarotto operated a bus in competition with the defendants' cars in Newark. He wished to extend his route a mile or so beyond its terminus at the Newark and South Orange line and into Irvington, but he wanted to be allowed to charge only five cents for a ride for the entire length of his route, whereas the transportation companies were charging ten cents for a like distance. It

was a question of unfair competition. An existing rate over an existing line was not involved.

The other reasons assigned are so interwoven with the reasons which have already been argued, that we refrain from arguing said other reasons separately, and urge the Court to consider that the arguments on the reasons which we have herein argued apply to the reasons which we have not specifically included in the sub-headings heretofore.

Upon the grounds which have been so fully discussed, we respectfully submit that the order of the Board of Public Utility Commissioners should be set aside.

Respectfully submitted,

CHARLES H. STEWART,
Attorney for and of Counsel with
Prosecutors-Appellants, Town of
Irvington and Alice M. Stewart.

New Jersey Court of Errors and Appeals.

THE TOWN OF IRVINGTON and ALICE M. STEWART,
Prosecutors-Appellants,

vs.

BOARD OF PUBLIC UTILITY COMMISSIONERS, PUBLIC SERVICE RAILWAY COMPANY, PUBLIC SERVICE TRANSPORTATION COMPANY, and PUBLIC SERVICE COORDINATED TRANSPORT,
Defendants-Appellees.

On Appeal from New Jersey Supreme Court.

On Certiorari.

BRIEF FOR PUBLIC SERVICE COMPANIES, DEFENDANTS-APPELLEES.

Attorney for the Town of Irvington and Alice M. Stewart, prosecutors-appellants, has served and is using in the Court of Errors and Appeals in the instant case the same brief, with slight and unimportant modifications, which the Town of Irvington and Alice M. Stewart filed and used in the argument before the Supreme Court. I shall, therefore, use the same brief which was filed by me in the Supreme Court, with the exception that I shall excise therefrom several pages which dealt with the propriety of municipalities seeking the writ (which pages I excise not because I deem them either unimportant or not pertinent, but because the Supreme Court in its opinion—State of Case, page 1660—said: "Some objection is made to the municipalities as proper parties to these proceedings. In *Public Service Gas Co.* vs. *Public Utility Commrs.* and *O'Brien and City of Trenton* vs. *Pub-*

New Jersey State Library

lic Utility Commrs., supra, this question seems not to have been raised by any of the parties, nor the Court. Here it is not necessary to be decided because, in each case, a member of the public is joined as a party prosecutor"; and because I deem the answer to the case made by prosecutors-appellants to be entirely complete and conclusive), and with the further exception that I shall add thereto the following observations and arguments.

* * * * * * * * * * * * *

A summary of the facts sufficient to present the legal points, taken from the State of Case and from the records of litigation between the Public Service transportation companies and the Utility Board, of which judicial notice may be taken, since it may be found in the records of the courts and has been common news property these many years, follows, brought down to date.

Prior to 1918, the rate of fare was 5 cents. Since the outbreak of the World War the expense of operating and maintaining the street railway property has more than doubled; wages alone in the case of the present Company increased from 22 cents to 65 cents an hour. These costs have not appreciably decreased.

The Company could not operate under those conditions without an enormous annual loss, and has been striving for more than ten years past to obtain income sufficient to pay the cost of the service.

In May, 1920, the Legislature passed an act to provide for the valuation of street railway properties in this State (P. L. 860). Under that act the State employed Ford, Bacon and Davis, of New York, an engineering firm "experienced in the work of valuing street railway property," to value the property of the Company, and they found the value to be $125,000,000 as of January 1, 1921 (*Public Service Ry. Co.* v. *Public Utilities Com.*, 276 Fed. at page 983). The act under which that valuation

was made stated that it should be accepted by the Board of Public Utility Commissioners as presumptive evidence of the value of the property. The engineers employed by the State made their report in April, 1921. On July 14th following the Utility Board declared the value of the same property to be $82,000,000, and prescribed a schedule of rates based on that valuation (276 Fed. at p. 984). On October 1, 1921, the United States District Court for the District of New Jersey, upon bill filed by the Company, issued a preliminary injunction prohibiting the enforcement of the schedule of rates prescribed by the Utility Board in July of that year on the ground that such rates were confiscatory, *Public Service Railway Co.* v. *Public Utility Com.*, 276 Fed. 979, and at the same time the Court permitted the Company to charge a base fare of 8 cents, and required it to sell four tokens or tickets for 30 cents, in order to prevent confiscation of the Company's property.

In the ensuing litigation in the Federal Court the value of the Company's property was found to be $110,000,000, by Thomas G. Haight, the Master to whom the case had been referred for hearing. A final decree in the cause was entered in favor of the Company on the 28th of May, 1924, confirming the Master's report, awarding a permanent injunction, and sustaining the rates mentioned in the preliminary injunction. The opinion in that case contains a valuable statement of the previous efforts of the Company to obtain adequate rates. See also *Public Service Railway Co.* v. *Utility Board,* 96 N. J. L. 54, 56.

In the summer of 1923 the employees of the Company demanded a large increase of wages, which the Company could not pay. A strike ensued, and service for a time was discontinued. Thereupon the Court of Chancery made an order compelling resumption of service which rendered it necessary

for the Company to grant the demands of its employees, and increased its operating expenses to the extent of several million dollars a year. On September 21st, shortly after resumption of service, the Company filed a 10 cent fare to become effective October 11th. Thereupon the Utility Board addressed to the Company a communication, to which the Company replied. In their communication the Board suggested that the 5 cent fare be restored in the larger municipalities, without transfers, declared its purpose to prohibit unnecessary and wasteful auto bus competition, and pledged its cooperation to relieve the Company of conditions concerning pavements which were no longer reasonable. It was proposed by the Board that the 5 cent fare on those terms should be restored by the Railway Company to "remain in effect for a trial period of four months in order to determine definitely whether such a schedule would produce sufficient revenue to meet the requirements of the situation". The injunction issued by the Federal Court was modified to permit the trial to be made. The 5 cent fare has remained in effect not merely four months, but for more than six years. During that time the income of the Street Railway Company, and its successor, Public Service Coordinated Transport (the company formed by consolidation of Public Service Railway Company and Public Service Transportation Company, which operated buses), **has failed to meet operating expenses and fixed charges by more than $5,000,000, and no return whatever has been made on $47,855,925 invested in the property by Public Service Corporation, and represented by stock of the Railway Company.** Besides, during the past six years the present Company, and its predecessor companies, have invested $36,000,000 in cash for additions and improvements to tracks and street railway equipment, the purchase of new buses and the acquisi-

tion of the buses and business of independent operators, and for other purposes stated on pages 7 and 8 of the State of Case. All of these facts were reported to the Utility Board from time to time.

It is conceded by the Utility Board that operations during the past year under the 5 cent rate put in effect in 1923, figured on its valuation of $82,000,000 in 1921, with adjustments for additional investments and depreciation, show a deficit of approximately $1,900,000 calculated on a rate of return of 7%.

The Board further concedes that the deficit based on the valuation found by the Master, and confirmed by the Federal Court, after applying the same adjustments and adopting a 7% rate of return, was approximately $3,300,000. Based on the value found by the engineers employed by the State, the deficit was much larger. Of course, the value found by the Federal Court, with the necessary subsequent adjustments, is the minimum value that can be used to ascertain deficits.

It is manifest that the situation here disclosed can not continue, against the objection of the Company, without a palpable violation of that provision of the Constitution of this State which forbids the taking of private property for public use without just compensation. Taking the use of private property without just compensation is equivalent to the taking of the physical property itself.

> "If the company is deprived of the power of charging reasonable rates for the use of its property, and such deprivation takes place in the absence of an investigation by judicial machinery, it is deprived of the lawful use of its property, and thus, in substance and effect, of the property itself, without due process of law and in violation of the constitution of the United States."
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> *C. M. & St. P. Ry. Co.* v. *Minnesota,* 134 U. S. 418, at page 458.

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Brief in the Supreme Court on Certiorari.

At the very beginning of the brief for the Town of Irvington (in which the Boroughs of Roselle Park and Kenilworth join), counsel has sought to make it appear that this proceeding is in essence a pure rate case. On page 2 it is said: "and as part of said petition, the said Public Service Transportation Company *filed a schedule of rates, to become effective the first day of January, 1927,* which increased the rates on the lines involved in their particular petition, four of which run into Irvington from the City of Newark, one of which runs from Elizabeth into Kenilworth, and one of which runs from Elizabeth into Roselle Park, and also increased the rates of five other lines in other territory."

This is utterly misleading. The petition, while it incidentally affected the fares, was primarily a re-zoning operation. This was also the Board's view. (See State of Case, p. 1309, ll. 1-20.) The Board said: "This matter comes on to be heard on the petition of the Public Service Railway Company and Public Service Transportation Company for modification and readjustment of certain fare zones and bus routes of the transportation company hereinafter mentioned in detail, the general purpose of which is to make the bus routes, as to fare zones, commensurate with the present existing railway fare zones. The petition asks for this modification at several points in the applicants' system, it being represented that these are the only points where the bus routes and trolley routes are not co-extensive." There was no change of rates

between the termini, but only a readjustment of zones within those termini.

To require that every time a readjustment of zones in a limited area takes place, a complete valuation of the entire property must be made by the Utility Board as a pre-requisite to granting relief with respect to zones, with the huge attendant expense incident thereto, is not only not *in* the public interest, but diametrically opposed thereto, and would result in the long run not in lower but in higher fares, since the only way the expense of such frequent valuations can be absorbed is by adding it on to the fares of passengers. Furthermore, such a requirement of valuation on the numerous applications which must from time to time arise where small readjustments of zones are required to be made in the public interest would tend to rigidify the zones and perpetuate existing rates, even though public interest and policy demanded a change.

That the readjustment of fares was a mere incident of the re-zoning is demonstrated by the established fact that the object of the re-zoning was to make the bus zones co-terminous with the trolley zones. This is the policy which had been theretofore adopted practically throughout the entire State, and had been accepted and determined by the Board of Public Utility Commissioners to be greatly in the public interest. The result, therefore, of the re-zoning order was not to bring a discrimination in this area into the picture, but on the contrary to destroy an anomaly that existed therein, and to bring this area into harmony with the system elsewhere in vogue throughout the State; in other words, to utterly destroy all vestige of inequality or discrimination. (See State of Case, Decision and Order of the Board, p. 1309, ll. 1-20, *supra.*)

That a coordination of bus and trolley service, so as to afford to passengers a choice of transportation by either vehicle at the same fare within co-terminous zones, is from every standpoint greatly in the public interest, as has been heretofore determined by the Board of Public Utility Commissioners, is the overwhelming result of experience; and is evidenced by the statute recently passed and hereinafter referred to permitting the unification of the operations of bus and traction companies, which has been accomplished under the authority of this statute by the consolidation of Public Service Railway Company and Public Service Transportation Company into Public Service Coordinated Transport, as evidenced by the certificate of consolidation which is in evidence in this case, and which is set forth in the printed supplement to the state of the case.

* * * * * * * * * * * * *

Interruption to Present Interesting Sidelight.

As an interesting sidelight on the volume of work cast upon an already overworked Court by a proceeding of this kind, I point out in passing that there are 1623 pages of state of case and exhibits in this proceeding, and that in addition thereto, outside of this brief, there are 216 pages of brief presented by the attorneys for the Town of Irvington, the Boroughs of Roselle Park and Kenilworth, and the Board of Public Utility Commissioners of the State of New Jersey.

I also point out in passing what I am sure must be clear in the recollection of the members of this Court, to whom the application for certioraris herein was presented, that it was then represented that huge mass-meetings of indignant citizens who

were in a critical state of mind over this situation were being held within the municipalities involved, and that public feeling against Public Service was at a great height of indignation. I then direct your attention to the fact that the order sought to be reviewed herein was made on August 4, 1927, and went into effect on August 14, 1927, and has been in effect ever since, so that over one year and four months have elapsed since the order became effective; and yet, as President Coolidge so aptly remarked when Rupert Hughes made his notorious criticism of George Washington, "The monument still stands."

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Resumption of Statement.

The statute hereinbefore mentioned, just prior to the above interruption, is Chapter 52 of the Laws of 1928, pp. 112-113, the second paragraph of which reads as follows:

> "Whenever, in order to serve the public convenience, any street railway or traction company is lawfully operating auto busses in conjunction with its street railway lines, and its auto busses and street railway lines are operated by such company as a coordinated system of street transportation, such company as to such system shall be deemed in all respects and for all purposes to be a single public utility furnishing a single service subject to the supervision and regulation, jurisdiction and control of the Board of Public Utility Commissioners; * * *"

The proof in the Supplemental State of Case shows that on January 31, 1928, the Agreement of Consolidation between Public Service Railway Company and Public Service Transportation Company under the name of Public Service

Coordinated Transport was filed in the office of the Secretary of State, and therefore under the statute became the charter of the coalesced Railway and Transportation companies; and the evidence in the case shows that the purpose of the Order of the Board of Public Utility Commissioners, which is now sought to be reviewed, was to coordinate the system of street transportation by auto buses and street railway lines. By force of the statute, therefore, and by virtue of the law applicable thereto, Public Service Coordinated Transport as to such system is to be deemed in all respects and for all purposes to be a single public utility furnishing a single service subject to the supervision and regulation, jurisdiction and control of the Board of Public Utility Commissioners; and the operations of either branch of its business have been made by statute distinctly relevant to and legally coordinatable with the other. And consequently all discussion in the briefs of counsel with respect to the propriety of coordination in the public interest of the dual services rendered by Public Service Coordinated Transport is beside the question, since it has received the express sanction of legislation and is in accord with the latest enunciation of public policy.

The first thirty-seven pages of the brief for the Town of Irvington, practically the entire brief of the Borough of Roselle Park, and a large portion of that of the Borough of Kenilworth are taken up with a discussion of the propriety of coordination of service and the readjustment of zones to protect existing transportation facilities and to preserve to the public existing instrumentalities, and to show that the Board should not have attempted to coordinate and thereby to prevent a destructive competition, even though such competition should result in the elimination of one if not both of the

facilities engaged therein. The foregoing discussion has been directed to pointing out the unsoundness of such a contention.

* * * * * * * * * * * * *

I will now direct attention to the decision of the Supreme Court of the State of New Jersey in the case of *Fornarotto* v. *Board of Public Utility Commissioners,* in New Jersey Advance Reports, Vol. VI, No. 45, page 1635, where the Supreme Court had the very questions discussed in Prosecutor's briefs under consideration, and speaking through Mr. Justice Minturn used the following language with respect thereto:

> "The legislature has seen fit to delegate this power to the discretion of this board, and unless it appears that the board has reached its conclusion by a manifest violation of the law or by a clear abuse of the discretion vested in it, it is not within the power of this court to disturb the conclusion thus reached where there is evidence apparent upon which it can be reasonably supported. In this instance the board gave two hearings to the prosecutor, and we must assume reviewed all the evidence in the case in the light of their own knowledge of the exigencies and demands of the public situation. This conclusion is supported by the opinion of the learned Chancellor in the case of *McCran* v. *The Public Service Railway Co.,* 95 N. J. Eq. 30, where, after an exhaustive consideration of all the equities and facts in the case, he refused to order the Public Service Corporation to continue operating its lines under conditions which might mean serious financial embarrassment to that company. The Public Service Corporation we must observe is a *quasi* public corporation and has been organized for many years to practically carry on the work of public transportation as a substitute or a subsidiary for direct public service by the state; and the *ratio decidendi* adopted by the Chancellor in the case referred to indicates that the court

will not lightly undertake to render that service abortive where a *bona fide* effort by the company is being made to comply with the public duty, imposed upon it by its charter and the general law. In the case referred to the Chancellor's decision resulted in an agreement between the public utility board and the Public Service Company, involving a system of zoning and the retention of the five-cent fare as well as a provision which resulted in providing electric transportation for the state. Upon this basis the five-cent fare provision was established. This is substantiated by the testimony of Mr. Warner where he is asked the question:

'Q. And that is the fare limit approved by the board of public utility commissioners when the socalled zoning system was put into effect, is it not?

'A. Yes, sir; that was the point fixed on October 1st, 1923, at the time when the Newark city line was fixed as the limit of the five-cent area.

'Q. That makes the fare five cents within the city of Newark and five cents beyond?

'A. Yes, sir.'

"In view of that situation the language of the public utility board (page 193) is comprehensive and luminous: 'To create a competitive field in the territory under consideration as proposed would tend to adversely affect the whole scheme of the basic five-cent fare which is now in effect on the street railway and bus lines in the territory in which the public service operates. The disadvantage of this to the larger public served would more than counter-balance any local advantage resulting from the extension of the bus operation proposed.'

"In rendering its decision the board of utility commissioners considered these matters *seriatim,* including the need for additional transportation and the public interest generally, which would be subserved by a continuance of the present five-cent fare system;

and the larger question was whether it would be in the public interest under the circumstances related to grant the consent applied for, keeping in mind at all times that when the legislature used the words 'the public interest' the intention was to connote not only *the local situation* but the general effect of such action upon the entire body politic served by the corporation. It must be manifest that the prime purpose of legislative action of this character is to serve the body politic as an entirety, or in the language of the act *'the public interest'* as contradistinguished from *legislation of a peculiar local character limited only to the necessities of a circumscribed territorial locality,* unless the intention be otherwise clearly expressed in the enactment. Such not only is the presumptive legislative purpose but our constitutional amendments concerning special municipal legislation emphasize such legislative intent. This is emphasized by the board (page 193) where it observes: 'The board before approving a local consent to operate must find that the consent properly conserves the public interest. This involves more than the detail of the fare as related to a particular operation. While in a particular case there might be an advantage to a limited number in a rate of fare competitive in its nature, the public interest would not be conserved if the competition would tend to affect adversely a system of charges and transportation it is desirable to maintain. The offer to operate at a lower fare does not alone establish public necessity and convenience. If this were so transportation would multiply beyond the point of operation at a reasonable profit to the detriment of proper maintenance and service. This would not be in the public interest.'

"In this statement of the intent of this legislation we concur, since it must be observed that the Public Service Company was operating with legislative authorization trolley cars over the route shown on the map for a period of time long anterior to the time during which the bus line entered into com-

petition therewith (keeping in mind also that the permits sought to be approved are intended to extend the service of the prosecutors and competition for one mile further than the Public Service Company now operates). The Public Service Company at present operates its trolleys several miles beyond the limits of the extension sought to be obtained by the bus company, and thereby renders service to a large tract of territory, which service peradventure might be seriously affected, disjointed, or materially impaired if the present application were approved. It is also to be observed that it is within the power of the public utility board at any time when the public necessity demands it, upon proper presentation to that board, to require the Public Service Company to operate additional cars and buses for the service of the public in this and other territory.

"'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,* 140 Atl. Rep. 793, where it is observed that the duty of the board is not limited to a consideration of the convenience of the *locus in quo,* but also extends so as 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 test in a case of this character manifestly is not limited to the rate of fare proposed to be charged, but to those considerations of general public advantage and convenience which might be disrupted if not

entirely disestablished to the public detriment were the existing status disorganized or discontinued.

"In such a situation, where we find evidence which will support the finding of the board from the various aspects of the case as required by the legislation under which the board is organized, we cannot even upon a mere variance of opinion overturn that position upon a theory based entirely upon a financial status which will affect only the immediate locality in controversy as contradistinguished in the language of the act from the general 'public interest.' Such was the reason adopted by the court in the case of *The Plainfield Union Water Co.* v. *The Board of Public Utility Commissioners,* 140 Atl. Rep. 785."

In the case now under consideration the court will find that the precise questions of *Fornarotto* v. *Board of Public Utility Commissioners, supra,* were involved and were expressly recited and decided by the Board of Public Utility Commissioners. This statement will be found substantiated by reading the Decision and Order of the Board—that part of the Decision and Order as found on page 1310 of the State of Case and running through page 1314. That this is the case is conclusively demonstrated on page 25 of the brief of counsel for the Town of Irvington, where he attempts a summation of what the foregoing pages therein had shown. This is his summation:

1. "The purpose of the petition is to eliminate bus competition where it is detrimental to the Trolley Company.

2. "No order of coordination should be made as far as the Irvington lines are concerned.

3. "The main purpose of the petition is to establish the credit of the Companies.

4. "The Railway Company went into bus operation through this allied Company to save the Railway Company from bankruptcy.

5. "Bus service will where possible be eliminated on the facts.

6. "Public necessity does not require the order.

7. "Public convenience will not be served by the order."

Each and every one of the foregoing contentions is conclusively disposed of by the opinion in *Fornarotto* v. *Bd. of Public Utility Commissioners, supra,* since it is there decided that the Board is vested with authority "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 survice." This, too, is the language of *Motor Transport Co.* v. *Board of Public Utility Commrs.,* 140 Atl. Rep. 793.

It is also decided in the *Fornarotto* case that "The delegation of power to the board of public utility commissioners in approving or disapproving the granting of a franchise to a public utility, manifestly necessitates the exercise of their good judgment to determine the question upon the evidence as well as upon their knowledge of the conditions, and the needs of the general public welfare; and unless it appears that the board, in dealing with the application for its approval, have reached their conclusion by a violation of law, or a clear abuse of the discretion vested in it, their conclusion, where there is evidence which reasonably supports it, cannot be disturbed by the Supreme Court."

Several of the questions as to the jurisdiction and power of the Board of Public Utility Commissioners determining upon the public necessity and convenience of such an order were disposed of unfavorably to the contention of the prosecutors

herein in a very concise and trenchant opinion filed in case No. 262 at the October term, 1928, of this court, the same being *Hudson County Bus Owners Ass'n* v. *Board of Public Utility Commrs.*

The notion that no order of coordination should have been made so far as the Irvington lines are concerned is completely disposed of by the decision of this court in the *Fornarotto* case, where it is said: "In such a situation, where we find evidence which will support the finding of the board from the various aspects of the case as required by the legislation under which the board is organized, we cannot even upon a mere variance of opinion overturn that position upon a theory based entirely upon a financial status which will affect only the immediate locality in controversy as contradistinguished in the language of the act from the general 'public interest'." And again where it is said: "The board before approving a local consent to operate must find that the consent properly conserves the public interest. This involves more than the detail of the fare as related to a particular operation. While in a particular case there might be an advantage to a limited number in a rate of fare competitive in its nature, the public interest would not be conserved if the competition would tend to affect adversely a system of charges and transportation it is desirable to maintain."

The last above cited portion of said opinion also completely demonstrates the unsoundness of the position that it would be fatal to the Order made by the Board of Public Utility Commissioners if the main purpose of the petition were to establish the credit of the companies, and that the Railway Company went into bus operation through this allied company to save the Railway Company from bankruptcy, since protection from unreasonable and destructive competition of existing facilities which

are actually serving the public, so that the public may continue to have the benefit of such service is one of the obligations of the Board.

That there was ample evidence to support public necessity and convenience upon which the Order of the Board of Public Utility Commissioners must rest is demonstrated by the extremely voluminous record which has been presented in evidence in this case, and by the concise résumé of that evidence and the grounds of its decision contained in the Decision and Order of the Board of Public Utility Commissioners, found in the printed State of Case at pages 1308 and following.

The foregoing discussion also disposes of that portion of the brief of prosecutor Borough of Roselle Park contained in pages 38 and following; and also of the contentions contained in the brief of prosecutor Borough of Kenilworth, which deal with questions other than valuation.

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Something is said in each of the briefs relative to discrimination. It is obvious that there is nothing whatever in this point, and it may be shortly answered by referring to page 1309 of the State of Case, where it is said in the Decision and Order of the Board, "This matter comes on to be heard on the petition of the Public Service Railway Company and Public Service Transportation Company for modification and readjustment of certain fare zones on bus routes of the transportation company hereinafter mentioned in detail, the general purpose of which is to make the bus routes, as to fare zones, commensurate with the present existing railway fare zones. The petition asks for this modification at several points in the applicants' system, it being represented that these are the only points where the bus routes and trolley routes are not co-extensive." It is obvious, therefore, that

instead of seeking to bring about a discrimination in this neighborhood by making the trolley zones and bus zones commensurate and co-terminous, the object sought is exactly the reverse thereof, it being to bring these zones which theretofore had been out of harmony with the zones established throughout the rest of the State, where they were universally commensurate and co-terminous, into complete and thorough harmony therewith, and thereby to remove any shred of disharmony and incommensurate zones from the system, and to place the same so that no discrimination would exist anywhere in the entire State with respect thereto.

Another point which may be shortly noticed, since it contains no substance whatever, is that which is mentioned among other places at page 16 of the brief of the Borough of Roselle Park, where it is argued that a public utility cannot capitalize any franchise in excess of the amount actually paid to the State or any political subdivision thereof as the consideration of such franchise.

It is perfectly clear that immediately upon the sale of the buses, the permits and the business attached thereto, that the permits ceased to have any legal existence as permits and no one could operate thereunder. They were not then transferable so as to entitle the transferee to operate thereunder, but became *functus oficii* as permits. This matter was provided for by statute, and is clearly set forth in *Public Service Rlwy. Co.* v. *Board of Public Utility Commrs.,* 116 Atl. 274.

Inasmuch, then, as the state of the law at the time of the purchase of said permits by Public Service destroyed their entire efficacy as permits, and yet the fact was that they were nevertheless purchased by Public Service, together with the buses and the business attached thereto, the question arises as to whether said permits had any

value as property, and whether a sale and purchase thereof was a valid and legal transaction.

That they had a value as property and that that value was one which was not inconsiderable, and that the permits might be bought and sold and the transaction be a legal one, is clearly settled by the case of *Hoagland* v. *Hall*, 38 N. J. L. at page 350. In that case Chief Justice Beasley, in reply to an argument that an agreement to transfer a license to keep an inn, although the license after its transfer would be inoperative, was illegal, and that the license itself could therefore have no value, used the following language:

> "This objection rests on the fallacy of assuming that the plaintiff agreed to transfer to the defendant a license, which, as such, would be operative in his hands. But this was not so; we are bound to consider that both of these contracting parties knew what the law was, and were aware that this paper would not be efficacious as a license after a transfer of it; and the consequence is, it stands as an incontestable fact that the defendant, when he stipulated for the license, did not expect to keep an inn by virtue of it. The transfer of it would have been a legal act; the use of it as a warrant to keep an inn would have been illegal. The language of the statute is: 'No license shall entitle any person to keep an inn and tavern in any other place than that in which it was first kept, by virtue of such license; and such license, with regard to all other places and persons, shall be void.' The court must charge the defendant with a knowledge of this law, and it thus becomes certain that what he sought was the acquisition of a paper which would be absolutely ineffectual as an authority to keep a tavern. He may have thought this in some way beneficial, as in a future application to have his house licensed as an inn; but whatever his motive, or want of motive, there was nothing illegal in the thing, and it will not, consequently, avoid the contract."

What happened in the case of the purchase of the buses, and what the evidence clearly shows to have occurred, is, that Public Service purchased the buses, the permits, and the business attached thereto for a lump sum, and there was nothing illegal in the transaction and the acquisition by Public Service of such a permit, which it is common knowledge is used and extremely valuable to its user in making an application to the municipal authorities for a new license to run the bus on the route specified in the old.

Under such circumstances Dr. Bauer was clearly in error in omitting this item from his calculation, since the company did make a claim that the permit was an element of value, that it had paid value for it; and the elimination of it from the consideration of the so-called expert was an indefensible error on his part.

Very much the same considerations apply to the matter of the value of the business attached. It is common knowledge that when a bus line has established a clientele upon a certain route, who are accustomed to ride upon and resort to its vehicles, that the purchase of the buses upon such a route with such an established business attached is an element of great value of the precise nature of going-concern value attached to other characters of business.

I have mentioned these things in passing so that I might not be thought to have either overlooked them or to have avoided answering them because I conceived them to be unanswerable.

* * * * * * * * * * * * *

The only questions which remain for consideration are those that have to do with the alleged necessity for the valuation of the property as a *sine qua non* to the readjustment of the zones of

the trolley and bus lines. It is contended with the utmost confidence that the cases under consideration are not in any valid sense of the word *rate* cases, but merely cases, as pointed out by the Board of Public Utility Commissioners in its Decision and Order, for modification and readjustment of certain fare zones on bus routes of the transportation company hereinafter mentioned in detail, the general purpose of which is to make the bus routes, as to fare zones, commensurate with the present existing railway fare zones.

A consideration of the consequences which would ensue if every petition to the Utility Board for the readjustment of zones necessarily entailed a valuation of the entire property of the petitioning company, having in mind the magnitude and extent of such properties as a matter of common knowledge, will demonstrate the unsoundness of the contention of prosecutors herein that such a valuation is required in every such application. It is a notorious fact that the expense attending such a valuation, both to the Public Utility Commission and to the utility involved, is staggering.

It is further not to be lost sight of that the only way in which such expense can be met is through the fares that must be charged to the passengers in the vehicles of the company involved. In any inquiry, therefore, where the public interest is a necessary consideration and an inevitable factor, it is clear that the public board entrusted with the prosecution of such an inquiry ought not to be required to demand of the utility the embarkation upon an expense which will eventuate in the increase of rates of fare to passengers of such utility, if the results sought can be properly attained without involving such expenditure. In this case the Board was clearly of opinion that such result could be and was reached by it, and that a valua-

tion would be at once unnecessary and unprofitable. It is my contention and firm conviction that no valuation was required.

A perusal of the evidence and of the utterly inconclusive briefs of counsel for prosecutors, and of the rather peeved and querulous criticism of the experts who were involved on the side of the municipalities, makes it clear that the result arrived at by the Board displays neither a violation of the law, nor a clear abuse of the discretion vested in it in dealing with the application, and that there was evidence to support reasonably the conclusion arrived at by it.

In such a posture of the case, under the decisions in the cases of *Fornarotto* v. *Board of Public Utility Commrs., supra,* and the *Plainfield Union Water Company* v. *Board of Public Utility Commrs.,* 140 Atl. 785, and the statute which bears directly upon the case, the Decision and Order of the Board of Public Utility Commissioners should not be disturbed, but on the contrary, judgment should be given on the writs of certiorari heretofore granted herein for the defendants.

I also call attention, as throwing a strong light upon the extensive powers of Utility Commissions and how loath courts are to interfere with their decisions and orders, to the case of *McCall* v. *N. Y. & Queens Gas Co.,* 113 N. E. Rep. 795, affirmed in 245 U. S. 345. Also, as showing the right of utility boards to (1) Judicially notice their own records, (2) Consider the rights of other companies likely to be affected by ruinous competition and protect them, (3) To permit a railway company to intervene and be heard even though no relief were sought by it, see *People ex rel., Edison Co.* v. *Willcox,* 207 N. Y. 86, 100 N. E. 705, 45 L. R. A., N. S. 629, where the court says, at page 633; "The com-

mission may, perhaps, be thus satisfied from its own records, of which, of course, it may take judicial notice."

I point out also that in the argument of counsel for the appellant in the case of *People etc.* v. *Willcox,* 207 N. Y. 86, there is a large citation of cases to the effect that competition is not permitted in the case of public service corporations regulated by statute, unless the public interest requires it. See also *Willcox* v. *Consolidated Gas Co.,* 212 U. S. 19, 49, 53 L. Ed. 382, 398, which case also holds that "value" is an essential element only when *confiscatory* rates are the subject-matter of the inquiry. And *Weld* v. *Gas and Elec. Commrs.,* 197 Mass. 556, 84 N. E. 101.

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The principles of law and of policy which are so firmly settled in our jurisprudence as not any longer to furnish even the slightest ground for reasonable debate are applicable to and dispositive of all the questions raised by the prosecutors in this case. It is thoroughly settled that the Public Utility Act was meant to give full control of all public utilities to the Board of Public Utility Commissioners so far as could be done by legislation. *O'Brien* v. *Public Utility Board,* 92 N. J. L. 587.

It is also thoroughly settled that there are two methods provided by the legislature for the fixing of just and reasonable rates: the one may be called the method of agreement or bargaining, and the other that of litigation.

In *O'Brien* v. *Public Utility Board,* 92 N. J. L. 46, Justice Swayze makes that distinction crystal clear, and I quote that portion of his very excellent opinion which draws the distinction between these two methods of exercise of the power of

rate making, and also answers another of prosecutors' contentions by declaring that when a rate is fixed by the method of agreement or bargaining no valuation of the property of the company is necessary.

> "The chief point made by the prosecutor is that the board of public utility commissioners was without jurisdiction to make the orders, since they were made without evidence of the value of the property of the railway company. The prosecutor assumes that the only power of the board in respect to rates is to fix just and reasonable individual rates, after hearing upon notice, as provided in paragraph (*c*) of section 16 of the Public Utility Act. This section may properly be described as the section of the act which authorizes the board to take proceedings adverse to the 'public utility' and to require it to do what it may not want to do. It is because the proceedings under that section are *in invitum,* that care is taken to provide for notice and a hearing, without which the proceedings would be without due process of law. If section 16 were the only section of the act applicable, there would be some force in the prosecutor's contention. There are other sections which prevent this narrow construction of the act. The scope of the act, as we have recently said, is very broad; it was meant to give full control of all public utilities to the board so far as could be done by legislation. *Atlantic Coast Elec. Ry. Co.* v. *Board of Public Utility Comrs.,* post p. 168. The act provides not merely for proceedings *in invitum,* but by paragraph (*h*) of section 17, for agreement between the board and the 'public utility.' That paragraph provides for an increase of rates by the 'public utility' itself, authorizes the board to hear and determine whether the increase is just and reasonable, and makes it the duty of the board to approve the increase upon being satisfied that the same is just and reasonable. The difference in the two methods is funda-

mental. One is the method of litigation, long, expensive, unsatisfactory, necessarily too slow to afford prompt relief, and sure to do injustice by delay to one side or the other. The other we may call the method of agreement, or bargaining, if we choose; prompt and comparatively satisfactory, and resulting, if not always in abstract justice, yet in a determination, which in the hands of fair-minded men, is likely to be acquiesced in. When we consider the well-known object of this legislation, apparent in many sections of the act, we cannot believe that the legislature meant to limit the power of the board to a power to make war on much of the most important business of the state. The difficulty meant to be remedied was the control by private corporations or individuals, necessarily monopolistic in character, of business affected with a public interest. The aim of the legislature was to subject such corporations (or individuals if there were any in the same situation of monopolistic advantage), to public control so that a public board, charged with the interests of the public, might have a measure of control over the service to be rendered and the price to be paid therefor. Justice to all, as the policy of the state, is evinced in the act. The difficulty of securing justice through political or judicial methods is not necessarily inconsistent with the legislative policy. The readiest means to approximate that end is the method of agreement provided by paragraph (*h*) of section 17. The contrast between the method of section 16 and the method of section 17 could not be better shown than it is by making the board the actor in section 16 (*c*), and making the 'public utility' the actor in section 17 (*h*). It is of no consequence that in the present case the Public Service Railway began the proceedings by a petition asking the consent of the board instead of itself increasing the rate and waiting for the board to act upon someone's written complaint or on its own initiative. The essential thing meant to be secured by section 17 (*h*) was agreement between the

'public utility' and the board. No right could be lost by the petition, a method more polite or more politic as we choose to call it. In fact the exact method provided by section 17 (*h*) has been pursued in this case. The railway has increased its rates. It has merely secured in advance the assurance that the board will take no adverse action. If it should be considered important, the board may now, being satisfied as it has already said, that the increase is just and reasonable, approve of the increase, and there would not be even an appearance of any but the statutory method. But neither its prior approval of the petition nor a subsequent order if the board makes one, is necessary to secure the same end. Paragraph (*h*) distinctly recognizes that the 'public utility' retains its power to increase rates; it gives the board power to determine whether the increase is just and reasonable, but it does not compel the board to act on its own initiative; if it does not, the increase is in effect unless some one makes a written complaint.

"The evidence shows that the increase was only enough to enable the railway to meet the increased expense forced upon it by the order of the war labor board of the federal government to increase wages. The increase permitted the railway allowed nothing for return on large investments of capital. The railway, if its petition had been denied, would have had ground to complain that the rate allowed was not just and reasonable. Since its petition was granted, it cannot complain. The prosecutor is in no position to complain. He did not venture to introduce evidence or to contradict the evidence offered on the part of the railway. He contents himself with urging that there was no evidence of the value of the property of the railway, and assumes that the justice and reasonableness of a rate can only be determined by first ascertaining the value of the property devoted to the public service. I am unable to follow his reasoning. The question

> of the reasonableness of a rate has always been regarded as complex and as largely a business question."

In support of the latter point, which is attempted to be put in issue in the briefs of counsel for the prosecutors, herein, it would be quite sufficient to refer to *Public Service Company* v. *Public Utility Board,* 84 N. J. L. 471, where Mr. Justice Swayze uses the following language, which sets the question entirely at rest and places it in a very clear light:

> "Justice to the consumer ordinarily would require a rate somewhat less than the full value of the service to him; and justice to the company would ordinarily require a rate above the point at which it would become confiscatory. To induce the investment and continuance of capital there must be some hope of gain commensurate with that realizable in other business; the mere assurance that the investment will not be confiscated would not suffice. Many of the cases in the federal courts and in the courts of our sister states have involved a determination of the confiscatory character of the rate under the fourteenth amendment or similar constitutional provisions. We are not called upon to deal with this constitutional question; we have to do only with the question submitted to our judgment by the legislature, and expressed in the language of the statute authorizing the commissioners to fix just and reasonable individual rates. The word 'individual' is important. It connotes more than a mere distinction between the rates of one corporation and the joint rates mentioned immediately thereafter. If the legislation related to railroad rates alone, where joint rates are common the word 'individual' might have a narrow sense pointing to a distinction between the rate fixed by a single corporation and the rate fixed by two or more acting together. The statute relates to all public utility corporations, and the expres-

> sion 'individual rates' must be equally applicable to all. As applied to gas companies, the words can hardly be meant to point a distinction from joint rates; for a joint rate by gas companies must be a rare occurrence; in the actual situation in this state in 1911 almost inconceivable. We think the legislature must have had in mind the rate to the individual consumer. In cases involving the constitutional question, the whole property used in the particular public service and the net return upon the whole must be considered, and if the whole net return is a fair return for the whole property, there is no confiscation, although some individual rates may be unremunerative. *Minneapolis and St. Louis R. R. Co.* v. *Minnesota,* 186 U. S. 257. But where, as in this case, the individual rates must be just and reasonable, the net return upon the whole investment may be less than the ordinary return upon investments involving equal risks (*Covington, &c. Turnpike Co.* v. *Sandford,* 164 *Id.* 578), or may be very much more. *Cotting* v. *Kansas City Stock Yards Co.,* 183 *Id.* 79. With this statutory declaration before us, we may well adopt the language of Lord Selbourne in *Canada Southern Rlwy. Co.* v. *International Bridge Co.,* L. R., 8 App. Cas. 723: 'The principle must be, when reasonableness comes in question, not what profit it may be reasonable for a company to make, but what it is reasonable to charge to the person who is charged. That is the only thing he is concerned with."

This opinion was adopted by the Court of Errors and Appeals as its opinion in 87 N. J. L. 597, and in *O'Brien* v. *Public Utility Board,* 92 N. J. L. 587. The Court, speaking through Mr. Justice Bergen, says:

> "The next point is thus stated in the brief of the appellant: 'Has the board a jurisdiction to fix a rate of fare to be paid by the public under the compulsion of the order of the board without the board finding on evi-

dence that such rate is a fair rate of return on the value of the railway used for, or useful to the public?'

"Thus is challenged the power of the board of utility commissioners to increase or decrease a rate without a valuation of all the property of the corporation.

"It is well to bear in mind that the statute under which the utility commissioners are acting does not require it to make an appraisement of the value of the property. It may be wise to do so in some cases, but it is not obligatory.

"From time immemorial the legislature in granting charters to railroad companies has fixed the rates to be charged without the slightest consideration of the value of the property, because in most instances the property was not in existence to be valued when the rates were fixed, nor, so far as we know, has the right of the legislature to change rates by legislation been successfully assailed because there was no valuation of the property, unless it has been shown that the rates are confiscatory or unreasonable, and what the legislature may do it may delegate to its agent to do within the limits of the delegated power."

It will thus be apparent that it is not necessary either for the legislature itself or its agent, the public utility commissioners, to make a valuation of the property of a company used and useful in its business as a condition precedent to the making of an individual rate. Where the rate has been fixed by the method of bargaining or agreement hereinbefore referred to, the Board of Public Utility Commissioners is not by the statute creating it or otherwise compellable to make a valuation of the property of the utility used and useful in its business, and no challenge against a rate thus fixed can be made on the ground that such valuation was not made. Where, however, the other method of imposing rates upon a utility against

its will is adopted (the so-called method of litigation), there the question being one of confiscation and violation of the constitutional rights of the utility company, which has a legal right to insist that it be permitted to earn a fair return upon its property used and useful in its business, it becomes apparent that in order to ascertain whether the constitutional rights of the company have been invaded by the action of the board, and whether confiscation of its property is being accomplished by the rate sought to be imposed, it becomes essential to fix a value in order to ascertain whether a fair return results from the application of the rate imposed to the fair value of the property involved in the enterprise.

This distinction gives point and complete application to the language of Justice Swayze in *Public Service Company* v. *Public Utility Board,* 84 N. J. L. 472, when he says:

> "In cases involving the constitutional question, the whole property used in the particular public service and the net return upon the whole must be considered, and if the whole net return is a fair return for the whole property, there is no confiscation, although some individual rates may be unremunerative. *Minneapolis and St. Louis R. R. Co.* v. *Minnesota,* 186 U. S. 257. But where, as in this case, the individual rates must be just and reasonable, the net return upon the whole investment may be less than the ordinary return upon investments involving equal risks (*Covington etc. Co.* v. *Sandford,* 164 *Id.* 578), or may be very much more. *Cotting* v. *Kansas City etc. Co.,* 183 *Id.* 79."

All the authorities cited on the brief of counsel for the prosecutors herein are those in which the constitutional question raised by the charge on the part of the utility company that its property is being confiscated by the rate imposed is involved.

It must be further borne in mind that a reading of the authorities hereinbefore cited makes it perfectly clear that the right to raise the question of a non-valuation of the property of a utility company in a rate case is the right of the utility company and not that of any one else. It is that distinction which is pointed out with great clarity in the case last hereinbefore cited in the language "Many of the cases in the federal courts and in the courts of our sister states have involved a determination of the confiscatory character of the rate under the fourteenth amendment or similar constitutional provisions. We are not called upon to deal with this constitutional question; we have to do only with the question submitted to our judgment by the legislature, and expressed in the language of the statute authorizing the commissioners to fix just and reasonable individual rates." The importance of the presence of the word "individual" in this connection is then pointed out in the opinion of the learned justice, and he shows conclusively that what the consumer is interested in and entitled to complain about is the rate to him, and if the rate to him is fair and reasonable, he has no cause for complaint whatever, nor will he be heard to raise an issue with respect thereto in any court, even though, as the opinion states, the individual rates may be such as to make the net return upon the whole investment less than the ordinary return upon investments involving equal risks, or very much more. This is merely application of the rules of logic and of legal construction to the terms of the statute, and admits of no even plausible answer.

Prosecutors, realizing the strength of this current of decisions, two of which are in the Court of Errors and Appeals, seek to attenuate the same by pointing out what they conceive to be

circumstances which would differentiate these cases from the one now *sub judice.*

They say that in the *O'Brien* case, upon which the Board of Public Utility Commissioners in the decision in the case now under consideration in this court relied, in the latter part of the opinion of Justice Bergen, the court said that it was of opinion that under the facts shown in the case a valuation is not required by the law, and then attempt to indicate that the facts existing in the *O'Brien* case were such as to detract from the universality of the application of the general rule which was stated with great clearness and fullness by Justice Bergen on page 590 of the opinion in said cause, and which excerpt is hereinbefore set out in full. This method of attenuation is entirely without force, since the reasons upon which the learned Justice relied, and which he stated in the early part of the opinion, utterly refute the argument which it attempted to be drawn from the expressions used by him in the latter part thereof, and, furthermore, no reference to or refutation of the utterly conclusive language and argument of Justice Swayze in *Public Service Co.* v. *Public Utility Board,* 84 N. J. L. 471-472, also hereinbefore quoted, is attempted.

Counsel for prosecutors also argues at great length to show that the burden of proof rested upon Public Service Transportation Company to show that the increase is just and reasonable. Even if such burden had rested upon that company, it has completely borne the same and no successful challenge thereof can be made. While, however, it is not therefore necessary to contend that prosecutors are wrong in their claim that the burden of proof rested upon Public Service Transportation Company, nevertheless it is perfectly clear under the

laws and decisions of the State of New Jersey that such burden did not rest upon that company. In *City of Elizabeth* v. *Board of Public Utility Commrs.*, 123 Atl. 358, in a case in which the water company made application for an increase of rates, and suggested a schedule, and the Board did not adopt the schedule suggested by the company but made a new schedule, the Court of Errors and Appeals laid down the rule, "The burden of showing that this schedule is not just and reasonable is upon the prosecutor, in view of the fact that it is not a schedule prescribed by the company." In the case at bar, the program of re-zoning submitted to the Board of Public Utility Commissioners by the Transportation Company was not adopted by that Board, but a new and different arrangement of zones was prescribed by the Board itself. It is clear, therefore, under the rule just cited, that this new adjustment of zones which was prescribed by the Board and not by the company was one of which the burden of establishing the justice and reasonableness was not upon Public Service Transportation Company, but upon the prosecutors of the applications for these writs.

It is next argued in the brief of prosecutors that Public Service Transportation Company did not sustain this alleged burden because that company did not introduce evidence before the Board to determine whether the cost of acquiring the buses was or was not prudently expended. If a valuation is unnecessary, as I think I have conclusively demonstrated in this brief, the question of prudent investment is immaterial. If, however, the Court should consider that the Board of Public Utility Commissioners did fix a value to which it adjusted a rate, then it is contended that nothing whatever in the proofs submitted by the prosecutors shows that to have been an unfair and unreasonable individual rate.

It is furthermore a complete answer to this suggestion of imprudent investment that the Board in its decision has given the reasons upon which it relied in arriving at the rates imposed. In *City of Elizabeth* v. *Board of Public Utility Commissioners, supra,* the Court of Errors and Appeals declared that on an application for an increase of water rates the Board of Public Utility Commissioners could use knowledge which it had obtained in other proceedings of unit prices. In that case the first point argued by the prosecutor was that the Board took into consideration, in its decision, evidence which was not a part of the record, and the court, in overruling that contention, said that it appeared from the report that the engineers of the Board checked the inventory and the appraisal was subjected to a careful analysis by a study of the unit prices and a comparison of the prices used with similar figures used by the Board in other appraisal work. The court said: "We think the Board was within its powers in using the knowledge which it had obtained in other proceedings of unit prices and in using its engineers to check the inventory. It would be almost impossible for any Board not to use the knowledge which it has obtained in other proceedings in weighing the evidence in the case which it has under consideration, and to mould the form of its schedule along the lines of those schedules which had been tested in the courts and approved."

A reading of the exhaustive and convincing decision of the Board of Public Utility Commissioners in this case will make it clearly apparent that the Board did not adopt as the basis of its valuation the cost price of the buses submitted by the company, nor did it adopt the estimates of value submitted by the experts called by those who contested the matter before the Board, but on the

contrary arrived at its own estimate of value in the light of its own exhaustive knowledge and experience in matters of that kind. The lack of knowledge and experience in matters of this kind on the part of counsel for prosecutors has resulted in their overlooking what is an interesting and complex problem in modern bus transportation. Such knowledge and experience as those thoroughly acquainted with the business have, and as the Board undoubtedly has, would have taught them that there are two methods of acquiring a control of and co-ordinating a bus service: (1) By yourself exploiting the field and bearing the financial loss of all unprofitable experiments and unsuccessful ventures: (2) By letting others exploit the field and develop knowledge as to territory and lines which are calculated to be profitable or unprofitable, and then purchasing the successful lines at an advanced price and thus avoid all the losses incident to the innumerable ventures which prove unsuccessful. The latter method is considered by most competent administrators and economists to be much the cheaper and better way.

Another conclusive reason is that in *City of Elizabeth* v. *Board of Public Utility Commissioners,* 123 Atl. 360. The Court of Errors and Appeals used the following language, which is directly applicable to the case under consideration, since a decision was necessary as to whether the first or second of these methods should be adopted, and the company has exercised its judgment thereon: "If it was mistakenly constructed too large, which we do not think, a utility should not be punished for a mistake in judgment in such a case any more than a physician should be prevented from charging his fee in a case where he made a mistake in his diagnosis."

Prosecutors in their brief seem to place great reliance upon *Elizabethtown Gas Light Co.* v.

Board of Public Utility Commissioners, 95 N. J. L. 18. They seem to think that Justice Swayze held that because there was no evidence in the case to justify the figure arrived at by the Board of Public Utility Commissioners in valuing the plant, and therefore set aside the order on the ground that there was no evidence before the Board to support, reasonably, the same, that the same rule should be applied to the case at bar. The answers to this misapprehension are numerous and conclusive.

That case was brought by the utility company as prosecutor against the Board of Public Utility Commissioners and involved the question of confiscation and a denial to the utility company of its constitutionel rights. As I have shown in the earlier part of this brief on that issue raised by the utility company itself, which is the only party that can raise it, the value of the plant used and useful in the business is an essential item of the inquiry; whereas in a case like the one now *sub judice* where the utility company is not the prosecutor, and neither the question of confiscation nor any other constitutional question is involved, the question of an accurate appraisal and valuation of the property is an indifferent question, and the decision of the Board would not be set aside even though no valuation whatever had been attempted.

It is further to be noted that in the case at bar a valuation was made by the Utility Board, which was based upon facts which had been offered in evidence before it.

That case, therefore, has no legal bearing upon the question now under consideration.

A similar contention before the Chief Justice on the original application in this case was an-

swered by his statement that the real issue in the case was not whether there had been a valuation fixed, but whether the individual rates which had been imposed by the re-zoning arrangement adopted by the Board were fair and reasonable or not. He stated that he was not specially interested in the reasons which were given by the Board for its conclusion, but rather in the question as to whether or not the conclusion itself had been in any way impugned. Of course, it is perfectly clear under all our decisions on the subject that a court may give utterly wrong reasons and these are not subject to review or reversal, but so long as it arrives at the right conclusion, that is unchallengeable, no matter what mistakes may have been made in the ratiocination by which it was arrived at.

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Some contention was made in the oral argument, and the same contention will be found in the argumentative affidavits of the alleged experts, Fiske and Bauer, to the effect that the order of the Board was illegal because it attempted to capitalize the franchise. This argument was sought to be supported by the fact that some going concern value was allowed by the Board for the business attached to the bus at the time of its purchase, and the transfer of the permit. This contention is entirely without merit.

That such buses in the course of their operation do acquire a business and a clientele is, of course, indubitable. That such business attached to a bus has value, of course, can not be questioned. It would seem so obvious as not to require argument that there is a vast difference in value between purchasing a bus in a factory and purchasing the same bus later, when it has acquired and attached to itself a custom and patronage.

At the time to which this inquiry is directed, a permit to run a bus over a certain route was not transferable in such wise as to enable the transferee to carry on operations under such permit. This matter is clearly outlined in the case of *Public Service Rlwy. Co.* v. *Board of Public Utility Commissioners,* 116 Atl. 274. It was, however, recognized as an item in the transfer of buses from one person to another that where such bus had been traveling over an established route under a permit, that even though by a transfer of the bus to another owner such new owner could not operate under the permit, yet the permit was considered as giving to the purchaser a sort of priority in making application for a new permit or franchise to operate over that line. It was this aspect alone of the permit which gave to it any value whatever. It became customary, therefore, for the purchaser of a bus to take over the bus, its good will or going concern value, and the permit. A mere statement of this state of the law and of the business makes it manifest that there was not and could not be any capitalization of a franchise.

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Prosecutors contended in their oral argument that the changing of the zones on eleven only out of ninety-seven routes operated by Public Service Transportation Company constituted a discrimination and was therefore illegal. The conclusive answer to that contention is found in *Public Service Company* v. *Board of Public Utility Commrs.,* 84 N. J. L. 463. The fourth syllabus in that case is: "In determining the justice and reasonableness of a rate for gas fixed by the public utility commissioners, a portion of the territory supplied by the gas company may in a proper case be segregated from the remaining territory. Such segregation

is reasonable if it is such as a reasonable man having in view economical and efficient manufacture and distribution would adopt, and just if it is based upon reason and the local situation and not merely arbitrary." The opinion in the case amply supports by reason this syllabus.

It does not need citation of authority in support of the proposition that all legislation rests upon a basis of valid classification and that if the classification bears a reasonable relation to the objects sought to be accomplished, that the same is not inimical to any constitutional or statutory provision.

I pointed out earlier in this brief that counsel for the prosecutors had not made the petition upon which the re-zoning in this case was entered upon in any way a part of their evidence or of the case. They have illegally attempted, without making the petition in any way evidential, to quote on pages three and four of their brief certain excerpts from the petition. I objected at the oral hearing and renew said objection at this time to any use of a garbled version of portions of the petition, since had the whole petition been in evidence it would have shown the whole history of the bus and trolley situation in the State of New Jersey, the reasons which led to the adoption of a policy of coordination of service, and the efforts on the part of the companies and the public utility board to arrive at solutions of that problem which would at once preserve the five-cent fare and result in better, more efficient, and more economical service. It would also have appeared that, instead of the order of the Board which adjusts the zones of the trolley and bus companies in the territory now under consideration being a discrimination, it is the final act which removes the last vestige of possible discrimination, and brings the whole system

of transportation in the State into a condition of harmony, so that the Board of Public Utility Commissioners can preserve all these instrumentalities which it deems useful and beneficial to the public and exact from them a character of service at once protective of the companies' vested rights and of the best interests of the traveling public. That such problems and such solutions are clearly within the domain of the legislative conference of power upon the Board of Public Utility Commissioners, although apparently questioned by one of the counsel at the hearing, is clear, and I shall advert to it and support it later in this brief.

* * * * * * * * * * * * *

Some further point was attempted to be made in the oral argument and is suggested in the moving papers in the application made to the Chief Justice, to the effect that a statute passed in 1925 evidenced the policy of the legislature to keep the finances of a trolley company, which by that act was permitted to operate buses, separate from those of the bus company. This statute is chapter 244 of the Laws of 1925, at page 675, entitled "An Act to authorize street railway and traction companies and companies operating as street railways to acquire, own and operate for hire motor vehicles and auto busses." A portion thereof provides, "Every street railway, traction railway or other company operating as a street railway which may operate auto busses, commonly called jitneys, shall keep books, records and accounts of the operation of such auto busses, so that the receipts and expenses of such operation may be distinguished from the receipts and expenses of street railway operation. No fare for transportation on any auto bus shall be increased because of any deficit from street railway operation, nor shall any street railway fare

be increased because of any deficit from the operation of any auto bus or busses."

It is thence argued by the prosecutors that this evidences a legislative policy which would prohibit the Board of Public Utility Commissioners from taking measures, which, as I shall show, are clearly within their power and duty, to preserve the life of transportation instrumentalities, and to so regulate, co-ordinate and adjust zones as to enable companies which have been incorporated to advance the public interest to accomplish that end. The language of the quoted section is so plain and its meaning so obvious that it is quite difficult to understand how any one could be misled by it, or how any argument such as that forwarded by the prosecutors herein could be extracted therefrom.

It is too plain for argument that in the decision of the Board now sought to be put under review no attempt was made to increase any fare for transportation on any auto bus because of any deficit from street railway operation, or vice versa. The finances of each company have been kept separately so that the receipts and expenses of such operation of one may be distinguished from the receipts and expenses of the other. All that the order seeks to attain is to so adjust the zones as that these instrumentalities, admittedly advancive of the public comfort, convenience and welfare, may be permitted to live and earn a fair return by charging fares in accordance with just and reasonable individual rates properly ascertained and declared by the Board of Public Utility Commissioners.

That it is not illegal for the Board so to do, and that it would be violative of its duty to refrain from so doing if the circumstances warrant such action on its part, is clearly settled by the decided cases in this State and elsewhere.

In *Hunter* v. *Public Utility Commissioners*, 1 N. J. Misc. Reports, 410, Justice Katzenbach said:

> "The board by its findings evidently concluded that the public convenience and interest required that the business of the Public Service Railway Company should be as little disturbed as possible by the operation of the bus line of the prosecutor in that territory in which the railway company was affording service. This position is sound. While temporarily the public might have greater facilities of tarnsportation in Woodbury and from Woodbury to Camden by permitting the prosecutor to compete with the railway company, in the end such competition is not for the public convenience and interest, as it either results in less efficient service by the railway company or an abandonment of its service, because the operation of the line will not pay operating expenses and a fair return on the capital invested. 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. These, in brief, were the reasons which undoubtedly actuated the board in the imposition of the conditions mentioned. These conditions the board had the power, in the exercise of a farsighted policy, to impose for the convenience and interest of the public."

In *City of Elizabeth* v. *Board of Public Utility Commrs.*, 123 Atl. 358, at page 360, our own Court of Errors and Appeals made use of the following language:

> "The policy of the law is and should be to aid utilities to properly function and to render

> adequate service to the public by permitting rates to be charged for the service rendered, which will yield an adequate return upon the capital invested, maintain the property, and attract capital. The policy should never be one of destruction. *O'Brien* v. *Public Utilities Commrs.*, 92 N. J. L. 44, 105 Atl. 132. A starved utility is in no better position to render proper service than a starved horse or a motor car without fuel. We think the evidence amply justified the increase in rates granted."

The provision of the Public Utility Act to which the prosecutors have called attention provides that "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."

I have hereinbefore called specific attention to the fact that neither the evidence nor a résumé thereof taken before the Board has been included in the briefs submitted to your Honors in support of the application for these writs. This court is therefore practically totally in the dark with respect to what evidence was before the Board upon which the decision of the Board was rendered, except as the Board itself in its decision has seen fit to recite the same. The law is clearly settled in this State that a certiorari will not be granted to determine the question whether the trial court abused its discretion in setting aside verdict as against weight of evidence where evidence is not before Supreme Court. *Lyons et al.* v. *Armstrong et al.*, 125 Atl. 565. Justices Trenchard, Minturn and Lloyd constituted the branch of the Supreme Court which decided this case, and the opinion being short, I cite it herein.

> "The common pleas had this matter before it upon rule to show cause why a new trial

> should not be granted upon two occasions, and in each instance reached the same result and set aside the verdict. There is no question of jurisdiction in the case, the only issue presented being whether the trial court in setting aside the verdict as against the weight of evidence abused the discretion reposed in it. I have no means of determining that question, since the evidence is not before me, but if it were I should hesitate long before granting this writ after the trial court, in the exercise of its undoubted discretion, had upon two occasions exercised it to the best of its judgment. *State* v. *Potter*, 83 N. J. L. 428, 85 Atl. 216. The rule will be discharged."

Furthermore, the Board in its decision states that the petition of the Public Service Railway Company and Public Service Transportation Company was supported by the evidence. We here have a case presented upon which this court is asked to grant writs of certiorari when the petition which is said to be supported by the evidence has not been offered in evidence, and when the evidence itself has not been produced to the Court, nor has any proof with respect to its character and extent been adduced. How is it possible for this court to say that the record is in that state that there is any reasonably debatable question which should be considered on certiorari, or that there is anything presented to the court which leads it to believe that there was no evidence before the Board to support reasonably the Board's order?

I have not dealt at any great length with the facts and argumentative affidavits of the experts submitted by the prosecutors, for the reason that the decision of the Board so clearly and conclusively presents the grounds both of law and of fact upon which the judgment of the Board was rested, that nothing that I could have said

would have added any strength thereto, nor was anything needed to be said, since *proprio vigore* it is its own complete vindication.

Nothing further needed to be said in criticism of the affidavits of Messrs. Fiske and Bauer, since a reading of both of them will at once convince the court that each is but a critical essay written by a disappointed witness in support of a discarded thesis. If more needed to be said, it can be concentrated in a short space by pointing out that Mr. Bauer in his affidavit is willing to admit that all the points in the petition may be conveniently grouped under two principal charges: First, that said Board did not properly determine that the Public Service Transportation Company would not receive an adequate return under the old zones and fares and was entitled to additional revenues to bring a fair return on the fair value of the properties, and, Second, that even if the additional revenues were needed and had been properly so determined the additional burden was arbitrarily placed upon only eleven lines out of a total of ninety-seven or more lines included in the entire system, that this is an unreasonable burden and constitutes a discrimination against the few lines selected out of the large system.

Both of these essays by these alleged experts are critical arguments to support these two grounds, and their complete refutation is found in the decision itself, which shows that one of the precise points which the Board posed for decision was whether Public Service Transportation Company would receive merely an adequate return under the new fares and zones, and whether it was likely that it would receive an adequate return under the old zones and fares. The matter of the additional burden alleged to have been placed arbitrarily upon only eleven

lines out of a total of ninety-seven lines or more included in the entire system, and the matter of the unreasonableness of the burden and of discrimination has already been dealt with earlier in this brief, so that no more need be said thereon.

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I feel that I should mention in this brief the obvious fact so well stated by Chief Justice Cardozo, in the Municipal Gas Company case when he said that

> "A statute prescribing rates is one of continuing operation. It is an attempt by the legislature to predict for future years the charges that will yield a fair return. The prediction must square with the facts, or be cast aside as worthless. It must square with them in one year as in another, at the beginning but equally at the end. In all such legislation, from the hour of its enactment, there thus inheres the seed of an infirmity which the future may develop. It is the infirmity that always waits upon prophecy; the coming years must tell whether the prophecy is true or false. All that we can say at the outset is that the power to regulate exists. The validity of its exercise depends upon the nicety of the adjustment between forecast and events. This is as true of a regulation which looks forward a year as of one which looks forward a decade or a century. In either case, with differences only to degree, there is a forecast of the future, which must be justified by results. Into every statute of this kind we are to read, therefore, an implied condition. The condition is that the rates shall remain in force at such times and at such only as their enforcement will not work denial of the right to a fair return. When the return falls below that level, the regulation is suspended. When the level is again attained, the duty of obedience revives. There would be no obscurity about this if the condition were expressed. It is no less binding because it is implied."

In the case at bar the Board in its decision has pointed out with great clearness that there will be, in its opinion, no extravagant or unfair return from the imposition of these new zoning regulations. The experts for the prosecutors think that there may be a larger return than is warranted, but in their case such estimate is based upon such an obviously unfair and illegal process of valuation as renders their opinions in that respect of little, if any, value.

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The most recent pronouncement of the Supreme Court of the United States upon the principles involved in and necessary to a decision of this case, and which were applied by the Board of Public Utility Commissioners in arriving at the Order which is the subject-matter of controversy herein, is found in *United Railways & Electric Company of Baltimore* v. *Harold E. West, chairman,* etc., decided January 6, 1930, and found in United States Supreme Court Advance Opinions, 1929 term, No. 5, pp. 148 *et fol.* It was there held,

> "The property of a public utility, although devoted to the public service and impressed with a public interest, is still private property; and neither the corpus of that property, nor the use thereof, constitutionally can be taken for a compulsory price which falls below the measure of just compensation.
>
> "The fair rate of return to which a public utility is entitled is to be tested primarily by present-day conditions, and not by what may have been a proper rate in the past.
>
> "No rule as to what constitutes a fair return may be laid down which will apply uniformly to all sorts of utilities. What may be a fair return for one may be inadequate for another, depending upon circumstances, locality, and risk.
>
> "What will constitute a fair return for a public utility in a given case is not capable

of exact mathematical demonstration, but is a matter more or less of approximation, about which conclusions may differ.

"Just compensation for a utility requiring for efficient public service skillful and prudent management, as well as use of the plant, and whose rates are subject to public regulation, is more than current interest on mere investment, since sound management requires that after paying all expenses of operation, setting aside the necessary sums for depreciation, payment of interest, and reasonable dividends, there should still remain something to be passed to surplus account.

"A rate producing a return of 6.26 per cent on the valuation of the property of a street railway company will be considered so inadequate as to amount to a taking of its property without due process, where it is shown that while the total number of passengers carried has for some time steadily decreased, the number carried during rush hours has increased, resulting in an increase of expenses in proportion to the whole number of passengers carried, and that, in borrowing money with which to finance its operations, the company has been obliged to pay a rate of interest ranging well over 7 per cent.

"Allowance for depreciation, in fixing public utility rates, should be based upon present value rather than on original cost."

Mr. Justice Sutherland, in delivering the opinion, some of whose principles are stated in the above quotations from the syllabus of the case, said:

"What is a fair return within this principle cannot be settled by invoking decisions of this court made years ago based upon conditions radically different from those which prevail today. The problem is one to be tested primarily by present-day conditions. Annual returns upon capital and enterprise, like wages of employees, cost of maintenance and related expenses, have materially increased the country over. This is common knowledge. A rate

of return upon capital invested in street railway lines and other public utilities which might have been proper a few years ago no longer furnishes a safe criterion either for the present or the future. * * * Nor can a rule be laid down which will apply uniformly to all sorts of utilities. What may be a fair return for one may be inadequate for another, depending upon circumstances, locality and risk."

He further said:

"The general rule recently has been stated in *Bluefield Waterworks & Impvt. Co.* v. *Public Service Comm.*, 262 U. S. 679, 692-695, 67 L. ed. 1176, 1182-1184, 43 Sup. Ct. Rep. 675:

" 'What annual rate will constitute just compensation depends upon many circumstances and must be determined by the exercise of a fair and enlightened judgment, having regard to all relevant facts. A public utility is entitled to such rates as will permit it to earn a return on the value of the property which it employs for the convenience of the public equal to that generally being made at the same time and in the same general part of the country on investments in other business undertakings which are attended by corresponding risks and uncertainties; but it has no constitutional right to profits such as are realized or anticipated in highly profitable enterprises or speculative ventures. The return should be reasonably sufficient to assure confidence in the financial soundness of the utility and should be adequate, under efficient and economical management, to maintain and support its credit and enable it to raise the money necessary for the proper discharge of its public duties. A rate of return may be reasonable at one time and become too high or too low by changes affecting opportunities for investment, the money market and business conditions generally. * * *

" 'Investors take into account the result of past operations, especially in recent years,

> when determining the terms upon which they will invest in such an undertaking. Low, uncertain, or irregular income makes for low prices for the securities of the utility and higher rates of interest to be demanded by investors.' "

How apt these principles are to the case now *sub judice* will be apparent from a reading of the testimony of Messrs. Fiske and Bauer.

I would also direct attention, for purposes of emphasis, to the opinion of Justice Cardozo, of the New York Court of Appeals, in *Municipal Gas Co. etc.* vs. *Public Service Comm.,* 121 N. E. 772, a pertinent excerpt from which will be found ~~hereafter~~ in this brief. The essence of the opinion is that all rate-making is prophecy, and that it contains within itself the seed of an infirmity which the future may develop, which is an infirmity inherent in all prophecy, when the facts developed by experience fail to square with the terms of the prophecy. He further points out that a statute prescribing rates is one of continuing operation; that it is an attempt by the legislature to predict for future years the charges that will yield a fair return; that "the prediction must square with the facts, or be cast aside as worthless. * * * Into every statute of this kind, we are to read, therefore, an implied condition. The condition is that the rates shall remain in force at such times and at such only as their enforcement will not work denial of the right to a fair return. When the return falls below that level, the regulation is suspended. When the level is again attained, the duty of obedience revives. There would be no obscurity about this if the condition were expressed. It is no less binding because it is implied."

It is thus clear that if the re-zoning which was accomplished by the Order under scrutiny in this appeal resulted in an unjust, swollen, or extrava-

gant return, it was at once the right and the duty of the Board of Public Utility Commissioners to reduce it to the level of a fair return; and the prosecutors-appellants had the right to appeal to the Board upon the facts demonstrated by experience with the rate for such remedy.

In the light of this indubitable status of the law and of the parties to this controversy, it is extremely illuminating to recollect that the petition of Public Service Railway Company and Public Service Transportation Company which eventuated in the Order challenged herein was filed with the Board of Public Utility Commissioners on December 14, 1926; that a most comprehensive hearing was had thereon, and that the Decision and Order of the Board were filed on August 4, 1927; that the decision of the Supreme Court of New Jersey in favor of Public Service Railway Company and Public Service Transportation Company on the certiorari was filed on January 31, 1929; that the order of the Supreme Court confirming the order of the Board was entered February 9, 1929; and that no appeal was taken therefrom until January 4, 1930, when the Notice of Appeal was served upon the attorney for the defendant-appellees.

It will thus be seen from the above chronological statement of the situation that public convenience and necessity has apparently not been seriously incommoded, and it will further appear that between the time of the rendering of the decision of the Public Utility Board on August 4, 1927, and the present, a period of more than two years and six months has elapsed, during all of which time the Order complained of has been in force and acted under by defendants-appellees, and that no new application has been made to the Board of Public Commissioners based upon the return to said companies from the operation of rates and re-

zoning provisions of the Order complained of. This would seem to be a complete vindication of the challenged Order and a confession by the prosecutors-appellants that the prophecies of their experts have been disproven by the facts developed by experience of operation under said order.

It is therefore respectfully prayed that the decision of the Supreme Court of New Jersey appealed from should be affirmed.

Respectfully submitted,

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Defendants-Appellees.

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