

## DUTY OF RAILROADS TO PROVIDE PROPER SERVICE, SAYS BOARD

Public Service Commission  
Makes Important Ruling in  
Case of Road Operated at  
a Loss.

HARRISBURG, Jan. 28.—In an opinion fraught with important possibilities, the Pennsylvania Public Service Commission yesterday practically decided that a railroad was bound to furnish reasonably adequate service on its line until such time as the duty imposed upon it by its charter shall have been surrendered and the surrender accepted by the Commonwealth.

Daniel E. Brandt and other residents of East Berlin complained to the Commission that the East Berlin Railroad Company refused to furnish to the public either freight or passenger service over the line which extends from East of

There was no dispute between the parties as to the fact that the operation had been a financial failure, and the respondent contended that for this reason the company had a right to cease exercising the franchisees' contracts.

by the late. The Commission points out that the granting of the charter to the company did not give to it a franchise, which it can surrender without the consent of the State.

When a railroad charter is granted, the company obtains the right to construct the line mentioned in the charter, and when it has exercised that right, it enters into a contract with the State to operate the line until such time as the State has authorized it to discontinue the operation.

The order of the commission is that the East Berlin Railroad Company shall, on or before February 1, 1913, re-

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