

Before the Kentucky Railroad Commission.

In the matter of application of)
the Lexington & Eastern Railway)
Company to abandon station Monica)
and change the site of stations)
St. Helens and Tallega.)

BRIEF FOR COMPLAINANT.

1 This is an application by the Lexington & Eastern Railway Company to the Kentucky Railroad Commission for its consent to abandon Monica station and change the site of St. Helens and Tallega stations. It is made pursuant to Section 772 of the Kentucky Statutes, which provides that consent of the Commission first must be obtained before a passenger station that has been in operation for five years can be abandoned. It is recognized that freight stations and passenger stations that have not been established for as long a period as five years are subject to the unrestricted control of the carrier owning the road of which they are a part.

This application is not an arbitrary one, but is incident to an improvement in the Lexington & Eastern Railway, which requires the abandonment of a portion of its line, beginning at Beattyville Junction and extending eastwardly from that point a distance of about eight and one-half miles. In lieu of this part of the road thus to be discontinued, the Company has constructed a new section south of, and substantially parallel to, the discontinued part, but by reason of the elimination of extensive curves the length of the new part is one and forty-two hundredths miles shorter than the discontinued part.