

ORIGINAL

Decision No. 12768

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 H. E. DAVIS to sell and V. L. HAYNES )  
 and FAY HAYNES to purchase all of the )  
 right, title and interest of said )  
 H. E. Davis in and to an automobile )  
 freight line operating between Fresno )  
 and Lemoore, California, via Laton, ) Application No. 9409  
 Hanford and Armona, at present owned )  
 and operated by H. E. Davis and V. L. )  
 Haynes, a partnership. )

BY THE COMMISSION,

ORDER

H. E. Davis and V. L. Haynes and Fay Haynes, have filed a joint application with the Railroad Commission in which they petition for an order authorizing H. E. Davis to sell and V. L. Haynes and Fay Haynes to acquire the interest of said Davis in a certain automobile stage truck line.

The operative right herein proposed to be transferred was originally obtained by H. E. Davis under Decision No. 7760 in Application No. 5560, dated June 19, 1920. Davis was subsequently authorized to transfer one-half interest in said operative right to V. L. Haynes, under Decision No. 10730 in Application No. 7913, dated July 19, 1922. This operative right authorizes the operation of automotive truck service as a common carrier of freight and express between Fresno and Lemoore, via Hardwick, Grangeville, Hanford, and Armona; and between Fresno and Hanford, via Laton.

The consideration to be paid for the property herein proposed to be transferred is given as the sum of \$3,500.00, all of

which amount represents the claimed value of equipment proposed to be transferred which includes one 2½-ton Moreland truck, one 2½-ton Sterling truck, one 3½-ton Dorris truck, two 1½-ton trailers, together with miscellaneous tools and equipment.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is granted, subject to the following conditions:

1. The consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing or any purpose other than the transfer herein authorized.

2. Applicants H. H. Davis and V. L. Haynes shall immediately cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be transferred. Such cancellation to be in accordance with the provisions of General Order No. 51.

3. Applicants V. L. Haynes and Fay Haynes, shall immediately file, in their own names, tariff of rates and time schedules, in duplicate, or adopt as their own the tariff of rates and time schedules as filed by applicants H. H. Davis and V. L. Haynes for said service. All tariff of rates and time schedules to be identical with those as filed by applicants H. H. Davis and V. L. Haynes.

4. The rights and privileges herein authorized to be transferred may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. No vehicle may be operated by applicants V. L. Haynes and Fay Haynes, unless such vehicle is owned by said applicants or is leased by them under a

contract or agreement on a basis satisfactory to  
the Railroad Commission.

Dated at San Francisco, California, this 27<sup>th</sup>  
day of October, 1923.

C. Seaver  
H. B. Judge  
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J. F. Whittney  
Commissioners