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Decision No. 12850.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 JOHN S. DRUM and MERCANTILE TRUST
 COMPANY, as executors of the last
 will of Frank G. Drum, deceased, for
 authority to sell and convey to the
 Southern Pacific Company that cer-
 tain railroad known as the Chowchilla
 Pacific Railroad, together with its
 rolling stock, rights of way, fran-
 chises, etc.

Application Number 9417

E. J. Foulds, for applicants.

MARTIN, Commissioner:

ORDER

John S. Drum and Mercantile Trust Company of Cali-
 fornia, as executors of the last will of Frank G. Drum, deceased,
 ask authority to sell and convey to the Southern Pacific Company or
 one of its subsidiaries, for the sum of \$50,000.00, the railroad
 properties and appurtenances formerly owned by the Chowchilla Pac-
 ific Railway Company.

These properties were acquired by Frank G. Drum
 pursuant to the authority granted by Decision Number 10794 dated
 July 29, 1922, in Application Number 8030. A description of the
 properties is filed in that proceeding. The line of railway is
 approximately ten miles in length and extends from Chowchilla on the
 line of the Southern Pacific to a point known as Dairyland on the
 Chowchilla ranch. It is of record that though the properties
 may be transferred to a subsidiary company, the Southern Pacific
 Company will be in active control of the properties and their oper-
 ation.

The Commission has considered applicants request and believes that it should be granted, therefore-

IT IS HEREBY ORDERED that John S. Drum and Mercantile Trust Company of California, as executors of the last will of Frank G. Drum, deceased, be, and they are hereby authorized to sell and convey to the Southern Pacific Company or one of its subsidiaries, for the sum of \$50,000.00, the railroad properties acquired by said Frank G. Drum pursuant to the authority granted by Decision Number 10794 dated July 29, 1922, and said Southern Pacific Company or one of its subsidiaries are hereby authorized to acquire such properties.

The authority herein granted is subject to the following conditions;-

1. The price at which the properties are herein authorized to be transferred shall not hereafter be urged before this Commission or other public body as a measure of the value of the properties for the purpose of fixing rates or any purpose other than the transfer herein permitted.
2. The Southern Pacific Company or its subsidiary which will acquire title to the properties, shall file with the Railroad Commission a copy of the deed under which it secures and holds title to the properties, such copy to be filed with the Railroad Commission within thirty days after its execution.
3. The authority herein granted will become effective upon the date hereof and will apply only to such

properties as may be transferred on or before
February 1, 1924.

The foregoing Order is hereby approved and ordered filed
as the order of the Railroad Commission of the State of California.

DATED at San Francisco, California, this 21st day
of November, 1923.

C. Leary
H. P. Brundage
Egerton Shaw

Commissioners.