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Decision No. 13426

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
CHARLES E. WILKINSON, Jr., to sell and
HENRY C. HUTCHENS and J. J. BURGARD to :Application No. 9952
purchase an automobile passenger and
freight line operated between Bridge-)
ville and Ruth, California.

BY THE COMMISSION,

ORIGINAL

O R D E R

Charles E. Wilkinson, Jr., and Henry C. Hutchens and J. J. Burgard have filed an application with the Railroad Commission in which they petition for an order authorizing applicant Wilkinson, Jr., to sell and applicants Henry C. Hutchens and J. J. Burgard, co-partners, to purchase and operate a certain automotive stage line.

The operative right proposed to be transferred is one obtained by applicant Wilkinson, Jr., under Decision No. 8129 in Application No. 6069, dated September 23, 1920, and authorizes the operation of automotive stage service as a common carrier of passengers and freight between Bridgeville and Ruth and intermediate points.

The consideration to be paid is set forth in the Agreement of Sale as the sum of \$3,500.00, which includes in addition to the certificate proposed to be transferred, the mail contract now held by the proposed seller together with one G M C truck, one Dodge Delivery truck, together with horses, wagons, harness and other miscellaneous apparatus.

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 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. Applicant Charles E. Wilkinson, Jr., shall immediately cancel tariff of rates and time schedules filed with the Commission covering service under certificate herein authorized transferred. Such cancellation to be in accordance with the provisions of General Order No. 51.

3. Applicants Hutchens and Burgard, co-partners, shall immediately file, in duplicate, tariff of rates and time schedules, or adopt as their own the tariff of rates and time schedules as filed by Charles E. Wilkinson, Jr., covering said service. All tariff of rates and time schedules to be identical with those heretofore filed by applicant Wilkinson, Jr. for said service.

4. The rights and privileges herein authorized 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 the co-partners Hutchens and Burgard unless such vehicle is owned by them or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 17th day of April, 1924.

C. C. Seamy
H. B. Burdette
J. W. Martin
E. Gordon Shore
J. T. Whitting
Commissioners.