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Decision No. 14419

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
E.T. HEMPSTEAD and N.F. RAWLINGS, co-
partners doing business under the
fictitious name of OAKLAND-TUOLUMNE
STAGE LINE, to transfer certificate
of public convenience and necessity
to OAKLAND-TUOLUMNE STAGE LINE, a
corporation, and of OAKLAND-TUOLUM-
NE STAGE LINE, a corporation, to is-
sue stock.

Application Number 10529

ORIGINAL

Devlin and Brookman, by
Douglas Brookman, for Applicant.

MARTIN, Commissioner:

ORDER

WHEREAS, the Railroad Commission by Decision Number 13625 dated May 29, 1924 in Application Number 9982 granted to E.T. Hempstead and N.F. Rawlings, co-partners, doing business under the firm name and style of Oakland-Tuolumne Stage Line, a certificate of public convenience and necessity to operate an automobile stage line as a common carrier of passengers between Berkeley and Oakland and the summer recreation camp of the City of Berkeley and the summer recreation camp of the City of Oakland located in Tuolumne County, California; and

WHEREAS, the Railroad Commission by Decision Number 14392 dated December 23, 1924, amended the order in Decision Number 13625 so as to provide that the certificate granted by Decision Number 13625 would be effective only during the period of the year when the Oakland and Berkeley recreation camps are open to the public, that is, approximately from June 1st to Sept. 15th of each year; and

WHEREAS the Railroad Commission is now asked, in the above entitled matter, to make an order authorizing E.T. Hempstead and N.F. Rawlings to transfer and assign to Oakland-Tuolumne Stage Line, a corporation, the certificate of public convenience and necessity granted

by Decision Number 13625 and authorizing Oakland-Tuolumne Stage Line, a corporation, in exchange therefor to issue twenty shares of its capital stock of the aggregate par value of \$200.00, it being reported that H. T. Hempstead and N. F. Rawlings expended in excess of \$200.00 in obtaining the certificate of public convenience and necessity; and

WHEREAS, public hearings were held in the above entitled matter and the Commission is of the opinion that the application should be granted, as herein provided, therefore

IT IS HEREBY ORDERED that H. T. Hempstead and N. F. Rawlings, co-partners, doing business under the firm name and style of Oakland-Tuolumne Stage Line be, and they are hereby, authorized to transfer to Oakland-Tuolumne Stage Line, a corporation, the certificate of public convenience and necessity granted by Decision Number 13625, dated May 29, 1924, as amended by Decision Number 14392, dated December 23, 1924, and Oakland-Tuolumne Stage Line, a corporation, be, and it is hereby, authorized to issue in exchange twenty shares of its capital stock of the aggregate par value of \$200.00.

The authority herein granted is subject to the following conditions :

1. H. T. Hempstead and N. F. Rawlings shall cancel immediately all tariffs and time schedules now on file with the Railroad Commission and Oakland-Tuolumne Stage Line, a corporation, shall file immediately tariffs and time schedules in its own name, or adopt as its own the tariffs and time schedules heretofore filed with the Railroad Commission by H. T. Hempstead and N. F. Rawlings, all such tariffs and time schedules to be identical with those heretofore filed by H. T. Hempstead and N. F. Rawlings, such cancellation and filing to

be in accordance with the provisions of General Order No. 51, and other regulations of the Railroad Commission.

2. The rights and privileges which are herein authorized to be transferred may not hereafter be discontinued, sold, leased, transferred or assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has been secured.
3. No vehicle may be operated by Oakland-Tuolumne Stage Line unless such vehicle is owned by the company, or is leased for a specified amount on a trip or term basis, the leasing of the equipment not to include the services of a driver or operator. All employment of drivers or operators of leased cars shall be made on the basis of a contract by which the driver or operator shall bear the relation of an employee of the transportation company.
4. Within thirty days after the issue of the stock herein authorized, Oakland-Tuolumne Stage Line, a corporation, shall file with the Railroad Commission a verified report, as required by the Railroad Commission's General Order No. 24, which order in so far as applicable is made a part of this order.
5. The authority herein granted shall become effective upon the date hereof, but under such authority no stock may be issued after April 30, 1925.

The foregoing Order is hereby approved and ordered filed as the Order of the Railroad Commission of the State of Califor-

nia.

DATED at San Francisco, California, this 30th day of
December, 1924.

C. L. Seaver

David Martin

J. T. Whittney
Commissioners.