

ORIGINAL

Decision No. 14567

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the Matter of the Application of  
 SAM ARONSON and H. E. BOSWELL, co- )  
 partners, doing business under the firm )  
 name and style GOLDEN EAGLE-BARKER STAGE )  
 LINE, for permission to sell, and BEVERLY )  
 GIBSON, M. B. GIBSON, C. R. SPICKARD, )  
 C. J. McFALL, GEORGE E. WOODS, and W. M. )  
 SANFORD, a co-partnership, doing business )  
 under the firm name and style of CALIFORNIA- )  
 NEVADA STAGES, for permission to purchase )  
 operating rights for the transportation )  
 of passengers and express between )  
 Sacramento, Roseville, Lincoln, Marysville )  
 and intermediate points. )  
 :Application Number  
 : 10828

BY THE COMMISSION:

O P I N I O N

Sam Aronson and H. E. Boswell, co-partners,  
 operating under the fictitious name and style of Golden Eagle-  
 Barker Stage Line, have petitioned the Railroad Commission for  
 authority to sell and transfer and Beverly Gibson, M. B. Gibson,  
 C. R. Spickard, C. J. McFall, George H. Woods, and W. M. Sanford,  
 a co-partnership, proposing to do business under the fictitious  
 name of California-Nevada Stages, have applied for authority  
 to purchase, acquire and hereafter operate certain automobile  
 stage lines for the transportation of passengers and express  
 matter now operated under the certificates heretofore issued  
 by this Commission between Sacramento, Roseville, Lincoln,  
 Marysville and intermediate points.

The certificate rights herein proposed to be transferred are as follows:

I. Operative rights between Sacramento and Roseville and intermediate points and between Roseville and Lincoln and intermediate points as authorized transferred from Sam Aronson and Joseph Palace, as co-partners, to Sam Aronson and H. E. Boswell, as co-partners, by the provisions of this Commission's Decision No. 10383 on Application No. 7746 as decided April 29, 1922.

II. Operative rights as granted to Sam Aronson and H. E. Boswell, co-partners, operating under the fictitious name of Golden Eagle-Barker Stage Line for the carriage of passengers between Lincoln and Marysville serving Sheridan and Wheatland as intermediate points but restricted as to through operation from Roseville to Marysville or Sacramento to Marysville as authorized by this Commission's Decision No. 11612 on Application No. 8262 as decided February 6, 1923.

III. Operative rights granted to Sam Aronson and H. E. Boswell, co-partners, operating under the fictitious name of Golden Eagle-Barker Stage Line, authorizing the carriage of passengers and express between Sacramento and Marysville and intermediate points and the establishment of through rates between said termini and all intermediate points but prohibiting the operation of equipment as a through service other than between Sacramento and Roseville, and between Roseville and Marysville. Express shipments to be handled under this authorization limited to shipments which may be handled on passenger cars and not to exceed 100 pounds in weight, excepting shipments of ice-cream and containers therefor. The foregoing authorization is contained in this Commission's Decision No. 12650 on Application No. 8891 as decided September 24, 1923.

The proposed transfer is to be made in accordance with the provisions of an agreement between the respective co-partnerships herein appearing as applicants, said agreement having been executed under date of February 5, 1925 and providing for the transfer in consideration of the sum of \$117,500.00, of all physical property and the operative rights hereinabove mentioned. The agreement has been filed as a portion of the application herein.

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 in accordance with the conditions as appearing in the following form of order.

O R D E R

Application having been made by Sam Aronson and H. E. Boswell, co-partners operating under the fictitious name of Golden Eagle-Barker Stage Line for authority to sell and transfer to, and by Beverly Gibson, M. B. Gibson, C. R. Spickard, C. J. McFall, George H. Woods, and W. M. Sanford, co-partners, proposing to operate under the fictitious name of California-Nevada Stages, to purchase, acquire and hereafter operate automobile stage lines as common carriers of passengers and express matter over the routes and in accordance with the conditions as hereinabove set forth in the Opinion which precedes this Order, the Commission being now fully advised and 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 this application be and the same hereby is granted subject to the following conditions:

1. Applicants Aronson and Boswell, shall within ten (10) days from the date of this order file cancellation of all tariffs and time schedules covering all operation over the lines herein authorized to be transferred.

Applicants, Beverly Gibson, M. B. Gibson, C. R. Spickard, C. J. McFall, George H. Woods and W. M. Sanford, as co-partners, shall within ten (10) days from the date of this order file new tariffs and time schedules covering the routes hereinabove referred to, said tariffs of rates and rules and regulations governing same to be identical with the rates, rules and regulations heretofore filed with this Commission by Aronson

and Boswell, co-partners.

The cancellation of old tariffs and time schedules and the filing of new tariffs, rules and regulations, and time schedules to be made in accordance with the provisions of General Order No. 51 and other regulations of this Commission.

II. The rights and privileges, the transfer of which is hereby authorized may not again be leased, sold, transferred, assigned nor hypothecated nor may operation thereunder be discontinued unless such lease, sale, transfer, assignment, hypothecation or discontinuance shall first have received the written authorization of this Commission.

III. No vehicle may be operated by applicants to whom authorization for transfer is hereby made unless such vehicle is owned by said applicants or is leased by them on the basis of a contract or agreement satisfactory to and approved by this Commission.

The value of the equipment, operative rights, good will and other intangible values, the transfer of which is hereby authorized, is not approved by this Commission as a measure of value in any rate fixing or other proceeding before this Commission or any authorized regulatory body, the value herein stated and as appearing in the agreement attached to and made a part of the application herein being considered only as for the purpose of the transfer and not as a finding of value, or to be used as such, in any subsequent proceeding.

Dated at San Francisco, California, this 17<sup>th</sup> day of February, 1925.

W. A. Brundage

Georg D. Squires

Commissioners