

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 E. H. BASHAM and M. J. BROWN, co-partners.)
 doing business under the firm name of)
 Basham & Brown, to sell, and)
 JAMES STONE and DAVE WILLIS to purchase)
 an automobile passenger, freight, and) Application No. 13093
 express line operated between the towns)
 of French Gulch, Shasta County, California,)
 and Carrville, Trinity County, California.)

BY THE COMMISSION -

OPINION and ORDER

Basham and Brown, a partnership, by M. J. Brown, surviving partner, has petitioned the Railroad Commission for an order approving the sale and transfer by the partnership to James H. Stone and Dave Willis, co-partners, of an operating right for the transportation of passengers and property between the towns of French Gulch and Carrville and intermediate points, and James H. Stone and Dave Willis, co-partners, have applied for authority to purchase and acquire said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with an agreement marked Exhibit "A", which exhibit is attached to the application herein and made a part thereof.

The consideration to be paid for the property herein proposed to be transferred is given as \$250, all of which sum is said to represent the value of the operating right.

The operating right herein proposed to be transferred was granted by the Railroad Commission to E. H. Basham and M. J. Brown in Decision No. 11312, dated December 5, 1922, and issued on Application No. 8419. The partners operated the service until May 2, 1923, when Basham died. Vivian B. Peterson, his daughter and sole heir, sold to M. J. Brown, her father's interest in the operating right and on November 19, 1923, in the Superior Court of the County of Trinity, a decree of settlement of

accounts and final distribution of the estate of E. H. Basham distributed to said M. J. Brown the interest of the Estate of E. H. Basham in the partnership of Basham & Brown. A copy of the decree of distribution is attached to the application herein and made a part thereof. There is also attached a copy of the bill of sale by Vivian B. Peterson to M. J. Brown of the interest of her father, E. H. Basham, in the partnership of Basham and Brown.

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 application in the above entitled proceeding 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 Basham & Brown by M. J. Brown shall immediately withdraw tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be transferred. Such withdrawal to be in accordance with the provisions of General Order No. 51.

3- Applicants James E. Stone and Dave Willis, co-partners, shall immediately file, in duplicate, in their own names, tariff of rates and time schedules covering service heretofore given by applicants Basham and Brown, which rates and time schedules shall be identical with the rates and time schedules now on file with the Railroad Commission in the name of applicants Basham and Brown, or rates and schedules satisfactory in form and substance to the Railroad Commission.

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

5- No vehicle may be operated by applicants Stone and Willis 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 1st day of

October, 1925.

H. B. Brundage

W. C. Clegg

Leon Whitely

COMMISSIONERS.