

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
CHRIS MATTLY to sell, and GOTTLIEB MATTLY )  
to purchase an undivided one-fourth interest ) Application  
in an automobile passenger stage line oper - ) No.13346  
ated between Bakersfield and Taft, Kern )  
County, California. )

BY THE COMMISSION -

OPINION AND ORDER

**ORIGINAL**

Walter Boyd and Chris Mattly, partners, have petitioned the Railroad Commission for an order approving the transfer to Gottlieb Mattly of Chris Mattly's one-quarter interest in an operating right for an automobile service for the transportation of passengers and property between Bakersfield and Taft and intermediate points, and Gottlieb Mattly has asked for authority to acquire said one-quarter interest and with Walter Boyd as a partner to continue the operation of said automobile service, the transfer to be in accordance with an agreement attached to the application herein and made a part thereof.

The operating right, an interest in which is herein proposed to be transferred, was established by a partnership consisting of R.E. Wood, Walter Boyd, Carl Ingalls and Elmer Kitchen through operation prior to May 1, 1917, and the proper filing of tariffs and time schedules with the Railroad Commission. With the approval of the Commission, as shown by Decision No.6939, dated December 11, 1919, and issued on Application No.5038, the operating right was transferred to a partnership consisting of Ingalls, Boyd and Kitchen, - Wood retiring. On March 21, 1922, Kitchen sold his interest to Boyd and Ingalls, the transfer and sale being approved by the Commission in its Decision No.10218, issued on Application No.7505. Chris Mattly, one of the applicants in the instant proceeding, acquired an interest in the operating right on June 16, 1922, on which date the Commission

(see Decision No.10593, issued on Application No.7700), approved the transfer to him of a one-quarter interest, Boyd retaining a three-quarters interest and Ingalls retiring from the firm.

Chris Mattly, because of advancing years, is now planning to retire from active participation in business affairs and proposes to transfer to his son, Gottlieb Mattly, his one-quarter interest in the business of Boyd & Mattly and the operating right under which said business has been developed. No money consideration is involved, the elder Mattly making the son a present of his interest in the partnership. His partner, Boyd, is agreeable to the change, having joined in the application for a transfer of the Chris Mattly interest. The younger Mattly for many years has been an active participant in the affairs of Boyd & Mattly.

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- Applicants Walter Boyd and Chris Mattly 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.
- 2- Applicants Walter Boyd and Gottlieb Mattly shall immediately file, in duplicate, in their own names, tariff of rates and time schedules covering service heretofore given by applicants Boyd and C. Mattly, 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 Boyd and C. Mattly or rates and schedules satisfactory in form and substance to the Railroad Commission.
- 3- 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.

4- No vehicle may be operated by applicants Walter Boyd and G. Mattly 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 10<sup>th</sup> day of  
December, 1926.

H. K. Brundige

C. L. Seaver

Frank J. ...

Leon ...

COMMISSIONERS.