

Decision No. 20663

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

W. E. HINE, MARIE BURCKHALTER,
MARY A. WRIGHT and D. LLOYD,

Complainants,

vs.

TOMALES BAY LAND COMPANY,

Defendant.
.....)

ORIGINAL

Case No. 2592

BY THE COMMISSION:

ORDER OF DISMISSAL

On December 10, 1928, this Commission issued an Order to E. C. Grammcci directing him to appear and show cause why he should not be punished for contempt for failure to respond to a subpoena calling for his appearance at the hearing in the above entitled matter held on November 5, 1928.

Prior to the hearing on this Order to Show Cause respondent filed an affidavit setting forth that on November 5, 1928, he was suffering from influenza, likewise, that his father had died on the same date. Attached to the affidavit is a certificate of the San Francisco Board of Health confirming the fact of the death on November 5, 1928, of Gisberto Grammcci, respondent's father. In view of these circumstances, we do not feel that we should proceed any further with this matter, and it will, therefore, be dismissed.

WHEREFORE, IT IS HEREBY ORDERED that the contempt

