

ORIGINAL

Decision No. 20666

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
 MITCHELL SILLIMAN COMPANY)
 for authorization and permission to re-) Application No. 15307.
 new mortgage on real estate.)

BY THE COMMISSION:

O P I N I O N

Mitchell Silliman Company has applied to the Railroad Commission for an order authorizing it to renew a mortgage securing the payment of notes in the amount of \$22,600.00.

The application shows that Mitchell Silliman Company is a corporation engaged in the business of conducting a public utility warehouse and in buying and selling farm products in Salinas Valley.

As of December 1, 1928, the company reports its assets and liabilities as follows:-

ASSETS:

Real Estate and improvements	\$32,931.40
Machinery and equipment	3,720.95
Delivery equipment	5,660.25
Furniture and fixtures	500.00
Inventory	10,563.20
Cash	2,194.28
Accounts receivable	71,746.99
Total Assets	<u>\$127,317.07</u>

LIABILITIES:

Capital stock, common	\$49,000.00
Loans secured by mortgage	22,600.00
Notes payable	4,750.00
Accounts payable	20,165.40
Reserve for depreciation	4,986.81
Surplus	25,814.86
Total Liabilities	<u>\$127,317.07</u>

It appears that the company has outstanding a mortgage on its properties dated January 29, 1924, securing the payment of notes in the aggregate amount of \$22,600.00. Of this amount the company reports that \$9,000.00 was used in the purchase of its warehouse site and the balance in financing in part the cost of rebuilding its Castroville warehouse which was destroyed by fire. The Commission is now advised that the indebtedness is about to come due and that the company has not sufficient cash on hand to pay the indebtedness. It therefore asks permission to refund it through the issue of a new note and execution of a deed of trust.

ORDER

Mitchell Silliman Company having applied to the Railroad Commission for permission to issue a note and execute a deed of trust, and the Commission being of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted, as herein provided,

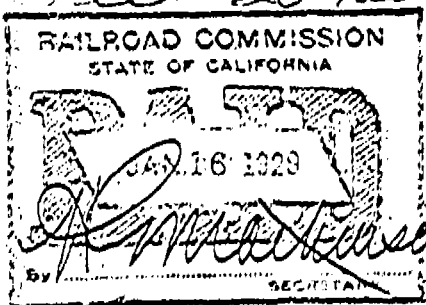
IT IS HEREBY ORDERED that Mitchell Silliman Company be, and it hereby is, authorized to execute a deed of trust substantially in the same form as that attached to the application herein, and to issue its promissory note in the principal amount of \$22,600.00, payable on or before five years after date of issue with interest at not exceeding seven percent per annum, for the purpose of paying or refunding its outstanding indebtedness of like amount.

The authority herein granted is subject to the following conditions:-

1. The authority herein granted to execute a deed of trust is for the purpose of this proceeding only, and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of such deed of trust as to such other legal requirements to which it may be subject.
2. Applicant shall keep such record of the issue of the note and of the disposition of the proceeds as will enable it to file on or before the 25th day of each month a verified report, as required by the Railroad Commission's General Order No. 24, which order insofar as applicable, is made a part of this order.
3. The authority herein granted will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars. Under such authority no note may be issued after April 30, 1929.
4. Within thirty (30) days after the execution of the deed of trust herein referred to, Mitchell Silliman Company shall file a certified copy of such instrument.

DATED at San Francisco, California, this 11th

day of January, 1929.



[Signature]
[Signature]
[Signature]
[Signature]

3.

Commissioners.