

Decision No. 21355

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
RICHARD L. FRYE )  
to sell, and ROY DAY, to purchase )  
his interest in Farmers Warehouse )  
& Supply Co. operated in Turlock, )  
California. )

Application No. 15723

**ORIGINAL**

BY THE COMMISSION:

ORDER

Applicants Richard L. Frye and Roy Day, doing a public utility warehouse business under the firm name and style of Farmers Warehouse & Supply Co., ask the Commission to permit Richard L. Frye to sell his interest in said Farmers Warehouse & Supply Co. to Roy Day.

Applicants are engaged in a warehouse business at Turlock and in conjunction with such warehouse business, conduct a mercantile business consisting of the selling of dairy feed, poultry feed, whole grains, beans, fertilizers, sacks, sprays and other commodities used for agricultural purposes. They have also an agency for a fire insurance company, conduct a brokerage business in beans and grains, and are, to a limited extent, engaged in a barley milling business and in a bean and grain cleaning business.

Richard L. Frye, it appears from applicants' petition, has agreed to sell his half interest in Farmers Warehouse & Supply Co. to Roy Day for \$12,000.00; \$6,000.00 to be paid upon the exercising of the option to purchase; \$2,000.00 on or before August 10, 1929; \$2,000.00 on or before November 10, 1929; and \$2,000.00 on or before December 31, 1929. The deferred payments are to bear interest at

the rate of seven percent per annum until paid.

It appears that Roy Day who has agreed to purchase the interest of Richard L. Frye in Farmers Supply & Warehouse Co., has been in charge of the operation of that company and that he will continue to conduct the business of the Farmers Warehouse & Supply Co. along substantially the same lines as it has been conducted heretofore.

The Commission has considered the request of applicants and is of the opinion that this is a matter in which a public hearing is not necessary and that this application should be granted subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED that Richard L. Frye be, and he is hereby, authorized to sell on or before December 31, 1929, his interest in the Farmers Warehouse & Supply Co. to Roy Day, who is hereby authorized to purchase and operate said interest in Farmers Warehouse & Supply Co.

IT IS HEREBY FURTHER ORDERED that the authority herein granted is subject to the following terms and conditions:-

- (1) The consideration being paid by Roy Day for the interest of Richard L. Frye in Farmers Warehouse & Supply Co. shall not be urged before this Commission as a measure of the value of said properties for any purpose other than the transfer herein authorized.
- (2) Within thirty days after the acquisition of the interest of Richard L. Frye in Farmers Warehouse & Supply Co., Roy Day shall file with the Commission a

copy of the bill of sale or other instrument under which he acquires the properties herein authorized to be transferred.

- (3) The authority herein granted shall become effective upon the date hereof.

DATED at San Francisco, California, this 8th day of July, 1929.

Thos. J. Kuntz

C. J. Seaver

Leon Whitell

W. J. Cum

Commissioners.