

Decision No. 23618

23618

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IMPERIAL VALLEY-LOS ANGELES EXPRESS,)
 Complainant,)
 vs.) Case No. 2977
 MACK HENSON, Defendant.)

ORIGINAL

Hugh Gordon, for Complainant.
 Rex W. Boston, for Defendant.
 W. S. Johnson, for Southern Pacific Company, Railway
 Express Agency, Inc., and Pacific Motor Transport
 Company.

WEITSELL, Commissioner -

OPINION

Imperial Valley-Los Angeles Express, a corporation, filed a complaint, amended by supplemental complaint filed at public hearing herein, charging that Mack Henson, without first having obtained a certificate of public convenience and necessity from the Railroad Commission, as is required by Chapter 213, Statutes of 1917, and effective amendments thereto, is operating an automobile service for the transportation of property between Los Angeles and El Centro and other Imperial Valley points. Complainant prays for an order of the Railroad Commission requiring said defendant to cease and desist from such illegal operation. Defendant duly filed his answer to said complaint, said answer being a general denial of the allegations of the complaint. By stipulation it was agreed that said answer would be considered as an answer to the supplemental complaint also.

Public hearings were held at Los Angeles and El Centro and considerable testimony heard. The matter was dropped from the calendar because of an accident resulting in serious injury to the defendant. Advised of his death, I recommend that an order of dismissal be entered herein.

ORDER

Good cause therefor appearing,

IT IS HEREBY ORDERED that Case No.2977 be and the same is hereby dismissed.

The above opinion and order are hereby approved and adopted as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 20th day of April, 1931.

W. L. Seaver

Leon C. Williams

W. A. Lee

W. B. Harris

Fred G. Stewart

COMMISSIONERS.