

Decision No. 25738

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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SOUTHERN PACIFIC COMPANY, a corporation,
THE WESTERN PACIFIC RAILROAD COMPANY, a
corporation, SACRAMENTO NORTHERN RAILWAY
COMPANY, a corporation, THE ATCHISON,
TOPEKA AND SANTA FE RAILWAY COMPANY, a
corporation, CENTRAL CALIFORNIA TRACTION
COMPANY, a corporation, RAILWAY EXPRESS
AGENCY, INC., a corporation, SOUTHERN
PACIFIC GOLDEN GATE FERRIES, LTD., a
corporation, and R. W. ROGERS, doing
business as Sacramento Motor Transport,

Complainants,

) Case No. 3042

vs.

C. P. STANBROUGH and JOHN DOE STANBROUGH,
C. L. FILBERT, FIRST DOE, SECOND DOE,
THIRD DOE and DOE COMPANY, a corporation,
doing business under the firm name and
styles of San Francisco-Stockton Express
Company, also Stockton-San Francisco Express
Company, and Truck Transportation Company,

Defendant.

BY THE COMMISSION:

SUPPLEMENTAL ORDER

Decision 25369 adjudged C. P. Stanbrough and C. L. Filbert guilty of contempt and ordered that each be punished by a fine of \$500 and by five days' imprisonment, and in default of payment of such fine, ordered that they be committed to the County Jails of the City and County of San Francisco and of the County of Sacramento, respectively. On January 11, 1933 and pursuant to the above decision, orders for the attachment of the bodies of the respective respondents were sent to the sheriffs of the above counties, which commitment orders directed that each respondent be committed and detained for a period of five days.

On January 20, 1933, neither of the fines having been paid, the Commission issued further orders for attachment, directing that each respondent be committed and detained until he had paid or satisfied his fine, imprisonment not to exceed one day for each five dollars of the fine that should remain unpaid.

On March 8, 1933 respondents filed a Petition for Modification and the Commission, in accordance with Section 64 of the Public Utilities Act, issued its order setting hearing on petition for modification of Decision 25369. At the hearing affidavits by each of the respondents were introduced in evidence. Each affidavit states that the affiant has been and still is unable to pay all or any part of the fine imposed; that he does not now own, control or manage, directly or indirectly, any motor vehicle utilized in transportation of property for hire in common carriage outside the limits of incorporated municipalities; and avows that he will not engage in any trucking business in contravention of the orders of or the laws administered by this Commission.

Good cause appearing, IT IS HEREBY ORDERED that Decision 25369 is hereby amended in part by reducing the amount of the fine imposed upon each respondent from \$500 to \$275, and the Secretary of the Commission is directed to issue an Amended Order for the Attachment of the Body of C. P. Stanbrough directed to the Sheriff of the City and County of San Francisco, and an Amended Order for the Attachment of the Body of C. L. Filbert directed to the Sheriff of the County of Sacramento, modifying in accordance herewith the prior commitment orders directed to the above Sheriffs and dated January 20, 1933, and to attach to each of said Amended Orders for Attachment a certified copy of this order, which shall be made a

part thereof.

In all other respects said Decision 25369 shall remain in full force and effect.

Dated at San Francisco, California, this 14th day of March 1933.

C. C. Seaman
Leon A. Whaley
as /
W. H. McMan
Commissioners