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Decision No. 10374.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
J. T. B. DAVIS to sell and MRS. M. K.)
DAVIS to purchase an automobile : Application No. 7733
passenger stage operated between)
Sisson and McCloud, California.)

BY THE COMMISSION,

ORDER

J. T. B. Davis and Mrs. M. K. Davis have filed a joint application with the Railroad Commission in which they petition the Commission for an order authorizing J. T. B. Davis to sell and Mrs. M. K. Davis to purchase a certain automobile stage line operated between Sisson and McCloud, California.

The operative right herein proposed to be transferred was obtained by J. T. B. Davis through operation in good faith prior to May 1st, 1917, and continuously since that date, with the exception of service during the winter months when the highway between the two points served is impassable.

The operative right held by J. T. B. Davis includes the transportation of passengers only between Sisson and McCloud. The agreement of sale entered into between the parties applicant herein gives as consideration to be paid for the property herein proposed to be transferred, the sum of \$3,000.00, which, in addition to the operative right, includes three Stevens-Duryea automobiles together with miscellaneous

equipment.

With the understanding that in approving the transfer as herein applied for, this Commission in no way passes upon the value of the property proposed to be transferred, except insofar as is necessary to this proceeding, we are of the opinion that this is a matter in which a public hearing is not necessary.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is granted, subject to the following conditions:

1. That the consideration proposed to be paid for the property herein proposed to be transferred shall not be considered binding upon this Commission or any other rate fixing body as a measure of value for rate fixing or any purpose other than the transfer herein authorized.
2. That applicant J. T. B. Davis shall immediately cancel all tariff of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51 and other regulations of the Commission.
3. That applicant Mrs. M. K. Davis shall immediately file tariff of rates and time schedules, in duplicate, in her own name, or adopt as her own the tariff of rates and time schedules heretofore filed by applicant J. T. B. Davis, all tariff of rates and time schedules to be identical with those filed by applicant J. T. B. Davis.
4. That the rights and privileges herein authorized to be transferred, may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
5. That no vehicle may be operated by applicant Mrs. M. K. Davis, unless such vehicle is owned by her or is leased by her under a contract or agree-

on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 27th
day of April, 1922.

H. B. Brundage

Irving Martin

J. H. Pennington
Commissioners