

Decision No. 10467.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

# ORIGINAL

In the matter of the application of G.W. and W.E. SHARP to sell and O.O. DAVIS to purchase an automobile freight line operated between Los Angeles and Anaheim, California.

Application No. 7730.

G.W. Sharp and W.H. Sharp and O.O. Davis,  
Applicants, in propria persona  
S.B. Cowan, for Triangle-Orange County and  
Santa Ana Express, Protestant.

BY THE COMMISSION:

# C O P I E S

Applicants herein ask approval of the transfer of the operating rights of G.W. Sharp and W.E. Sharp, operating under the fictitious name of the Merchants' Express, between Los Angeles and Anaheim, to O.O. Davis. This right originates in established bona fide operation by the Sharps prior to May 1, 1917, perfected by the filing of proper tariffs.

A public hearing herein was held by Examiner Williams at Los Angeles.

The operation at first was not definite and included several points not now served. Applicants, the Sharps, testified that their service is confined to freight transportation from Los Angeles, La Brea, Fullerton and Anaheim and that this is all the right that survives and is to be transferred. O.O. Davis, the purchaser, testified that this operation is all he expects to acquire as a right and all parties, at the suggestion of

S.B.Cowan, proprietor of the Triangh-Orange County and Santa Ana Express, stipulated that no other right would ever be claimed. Upon this stipulation, protestant withdrew objection to the transfer.

ORDER

IT IS HEREBY ORDERED BY THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA that the above entitled application be and the same is hereby granted, subject to the following conditions:

- I - That the consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any other rate fixing body as a measure of value for rate fixing or any other purpose, excepting the transfer herein authorized.
- II - That the applicants, G.W. and W.E. Sharp will be required to immediately cancel all tariffs 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 Railroad Commission.
- III - That the applicant O.O. Davis will be required to immediately file tariff and time schedules, in duplicate, in his own name, or to adopt as his own the tariffs and time schedules heretofore filed by G.W. and W.E. Sharp, all rates and time schedules to be identical with those filed by G.W. and W.E. Sharp.
- IV - 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.
- V - That no vehicle may be operated by the applicant O.O. Davis, unless such vehicle

is owned by said applicant or is leased  
by him under a contract or agreement on a  
basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 16<sup>th</sup>  
day of May, 1922.

*L. B. Brundage*

*Isaac Martin*

*J. F. Pender*  
Commissioners.