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Decision No. 11227

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
F. A. CARR to sell and RIVER AUTO )  
STAGE, a co-partnership, to purchase, :  
an automobile passenger line operated ) Application No. 8396  
between Walnut Grove, Sacramento County., )  
California, and Stockton, San Joaquin )  
County, California. :

BY THE COMMISSION.

O R D E R

F. A. Carr and B. Gibson, the latter doing business under the fictitious name of River Auto Stage, have filed a joint application with the Railroad Commission in which they petition for an order authorizing Carr to sell and Gibson to purchase a certain automobile stage line operated between Stockton and Walnut Grove, California.

The operative right herein proposed to be transferred was obtained by applicant Carr under the provisions of Section 5 of Chapter 213, Statutes of 1917, due to operation in good faith prior to the effective date of the above numbered statutory enactment and continuously since that time. This operative right covers the operation of an automobile stage line as a common carrier of passengers between Stockton and Walnut Grove, serving the intermediate points of Lodi and Thornton.

The consideration to be paid for the property herein proposed to be transferred is given as the sum of \$6,000

and includes, in addition to the operative right, one 12-passenger Stephens Duryea and one 12-passenger Cadillac automobile stages, together with certain miscellaneous equipment.

The proposed purchaser has been engaged for a considerable period of time in the operation of automobile passenger stages in the State of California and is at the present time operating an automobile passenger stage line connecting with the line of Carr at Walnut Grove.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted,

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 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 of said property for rate fixing or any purpose other than the transfer herein authorized.
2. That applicant F. A. Carr shall immediately file cancellation of all tariffs 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 of the Railroad Commission.
3. That applicant B. Gibson, doing business under the fictitious name of River Auto Stage, shall immediately file, in duplicate, in his own name tariff of rates and time schedules, or adopt as his own the tariff of rates and time schedules as filed by applicant Carr, all tariffs and time schedules to be identical with those as filed by Carr.
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. No vehicle may be operated by applicant Gibson 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 13<sup>th</sup>  
day of November, 1922.

*H. G. Brundage*  
*Wm. D. Brown*  
*J. J. Condit*  
Commissioners.