

Decision No. 11211

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of )  
MONTE WILLIS and J. C. DYKES to )  
sell and A. E. CAMPBELL to purchase :  
an automobile truck line operated : Application No. 8340  
between Los Angeles and Blythe, )  
California, and of A. E. CAMPBELL )  
to sell to W. T. MURRAY. :

BY THE COMMISSION,

ORDER

The present application is a joint petition filed by Monte Willis and J. C. Dykes, co-partners, A. E. Campbell, an individual and W. T. Murray, an individual, in which they petition the Railroad Commission for an order authorizing the transfer of a certain automobile truck line operated between Los Angeles and Blythe, California.

Under Decision No. 10417 in Application No. 7815, dated May 5, 1922, A. E. Campbell was authorized to sell and Willis and Dykes, co-partners, were authorized to purchase and operate the automobile truck line herein sought to be transferred. Since taking over such line the co-partners have met with financial reverses and have failed to meet the payments due to the seller, applicant Campbell, and the present application is filed for the purpose of transferring the operative right, together with one 2½-Ton Federal truck to applicant Campbell, who now intends to transfer the same to W. T. Murray.

1.

The agreement entered into between the parties provides for the payment by Murray of the sum of \$500.00 to Willis and Dykes, being the amount of their interest in the equipment operated, to pay a balance of \$200.00 due on the Willis and Dykes contract to A. E. Campbell, and a balance of \$1,800 to A. E. Campbell, the latter sum representing the remaining equity in the equipment involved. No value is placed on the operative right or good will of the business.

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. The consideration to be paid for the property herein authorized to be transferred shall never be urged before the Railroad 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. Applicants Willis and Dykes, co-partners, 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.

3. Applicant A. E. Campbell shall immediately file in his own name tariff of rates and time schedules or adopt as his own the tariff of rates and time schedules filed by Willis and Dykes, co-partners, all rates and time schedules to be identical with those filed by applicants Willis and Dykes.

4. Applicant A. E. Campbell shall immediately file cancellation of rates and time schedules as filed by him in accordance with Condition No. 3 of the within Order.

5. Applicant W. T. Murray shall immediately file 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 A. E. Campbell; all rates and time schedules to be identical with those filed by applicant Campbell.

6. 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.

7. No vehicle may be operated by applicant Murray 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 23rd  
day of November, 1922.

H. B. Rundle  
Irving Martin  
Wesley A. Conner

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Commissioners