

ORIGINAL

Decision No. 1152

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application)
of Angel's Flight Railway Company)
to purchase Angels Flight Railway) Application No. 306
in the City of Los Angeles and to)
issue capital stock of the par)
value of \$100,000.)

EDGERTON, Commissioner.

SUPPLEMENTAL OPINION

An order was heretofore made herein on the 25th day of April, 1913, authorizing J. W. Eddy to sell a certain incline railroad located in the City of Los Angeles, known as "Angels' Flight Railway" to Angels' Flight Railway Company and authorizing said last named company to issue certain stocks and bonds in payment therefor.

Subsequent to the date of said order, applicant abandoned its purpose of issuing bonds and applied to this Commission for a modification of said order eliminating the authorization for the issuance of bonds, and requesting authorization for the issuance of \$100,000 par value of capital stock in payment for said railway property.

Thereupon said order was cancelled and annulled and said application was set down for a hearing. This hearing was had and no additional evidence was introduced by applicant, but the request was made that as large an amount of stock be authorized as the Commission considered proper. It was frankly admitted by representatives of applicant at this hearing that all of the stock to be issued would go to the Funding Company of California in exchange for said railway property, and that it

was not the purpose of said Funding Company to sell said stock.

It therefore, appears that at this time the purposes of applicant would be as well served by the issuance of a conservative amount of capital stock as by a larger issue, and therefore, I recommend that applicant be authorized to issue \$25,000 par value of its capital stock in exchange for said railway property, it being understood that this price is no accurate measure of the value of this property and that applicant may hereafter upon a proper showing make application for issuance of additional stock or bonds.

I submit herewith the following form of order:

SUPPLEMENTAL ORDER

Application having been made by Angels' Flight Railway Company for an order authorizing it to issue \$100,000 par value of its capital stock in exchange for that certain railway property known as "Angels' Flight", and for an order authorizing J. W. Eddy or Funding Company of California to sell said property to said Angels' Flight Railway Company, and a hearing having been held and it appearing to the Commission that said application should be granted in part,

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that J. W. Eddy, or Funding Company of California, or the assigns of either, be and they are hereby authorized to sell and convey to Angels' Flight Railway Company that certain incline railway property located in the City of Los Angeles known as "Angels' Flight", in consideration of 25,000 shares of the capital stock of said Angels' Flight Railway Company.

Said Angels' Flight Railway Company is hereby authorized to issue \$25,000 par value of its capital stock, said stock to be exchanged for that certain railway property situated in the City of Los Angeles, known as "Angels' Flight" and to be

transferred to said Angels' Flight Railway Company free of encumbrances.

As a condition precedent to the effectiveness of this order, said Angels' Flight Railway Company shall submit for the approval of this Commission a conveyance setting out in detail the property to be transferred under the authority of this order, and which property is generally known as "Angels' Flight".

The rights and privileges granted by this order shall be exercised within a period of six months from the date hereof, and if not exercised within such time, such rights and privileges shall cease and this order will thereupon become void.

Immediately upon acquiring the aforesaid property and issuing the stock hereby authorized, report of such acquisition and such issue shall be made to this Commission.

The foregoing second supplemental opinion and order are hereby approved and ordered filed as the second supplemental opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 20th day of December, 1913.

H. H. [Signature]
Alvin Gordon
Max Thelen
Edwin O. Edgerton

Commissioners.