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ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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RIVERSIDE PORTLAND CEMENT COMPANY,  
& corporation,

Complainant,

vs.

SAN PEDRO, LOS ANGELES & SALT LAKE  
RAILROAD COMPANY, et al,

Defendants.

ORIGINAL

CASE NO. 539.

Decision No. 1648  
879

BY THE COMMISSION:

ORDER UPON MOTION TO OPEN  
CASE FOR FURTHER TESTIMONY.

The testimony in the above entitled case was regularly taken at different times and the case submitted. The complainant now files a verified application asking that the case be re-opened for the purpose of taking further testimony, and sets forth as the grounds upon which such application is based the following:

That the last witness called at the hearing was Mr. James A. Keller, who was called by the carriers defendant and who testified as to the cost of transporting cement from the factory of the PACIFIC PORTLAND CEMENT COMPANY at Cement, California, to Suisun, and thence by water from Suisun to San Francisco.

Said witness was called out of order, and after complainant's testimony in rebuttal had been fully presented. Complainant had no opportunity to examine into the facts testified to by this witness and was therefore unable at the time of the closing of the taking of testimony to present any evidence in rebuttal of the testimony of said witness.

That since the closing of said case, complainant has investigated the subject matter of the testimony of the said witness and finds and so states that "said witness is mistaken in his testimony in many important particulars thereof, all of which complainant is prepared to prove."

In view of the above and in view of the fact that the Commission desires all of the light which it can possibly receive in order that its decision may do justice to the litigants in this case,

IT IS HEREBY ORDERED that this Case No. 539 be reopened and that complainant be permitted to submit further testimony in rebuttal of the testimony of Mr. Keller, heretofore offered in this case, and

IT IS FURTHER ORDERED that the hearing herein ordered be set down for August 31st at 10 o'clock A.M., in the City of San Francisco.

The above Order is hereby approved and ordered filed as the Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 31 day of July, 1914.

Attest:  
W. H. Leland  
Chas. Gordon  
Max Thelen  
Commissioners.