

Decision No. ✓

ORIGINAL

Decision No. 1806

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
PIERCE WAREHOUSE COMPANY for authority) Application No. 1317.
to issue stock.)
.....)

LOVELAND, Commissioner.

OPINION.

This is an application by Pierce Warehouse Company of Suisun, Solano County, for authority to issue Three Hundred and Forty (340) shares of its capital stock of the par value of One Hundred Dollars (\$100.00) per share, or a total par value of Thirty Four Thousand Dollars (\$34,000.00).

Applicant was incorporated on August 14, 1912 for the purpose of acquiring certain real estate and warehouses in Suisun on the Suisun Slough and for conducting these properties as a public warehouse. Applicant states that these properties are particularly valuable for warehouse purposes as they are located at the head of navigation upon the Suisun Slough and thus afford warehouse facilities to water and rail carriers between Suisun, Fairfield and points north thereof and San Francisco and other Bay points.

Applicant has acquired from William Pierce and Lewis Pierce certain properties consisting of a parcel of real estate, two (2) wooden warehouse buildings and a corrugated iron warehouse with landing, &c., together with appurtenances necessary to the warehouse business. Applicant values these properties at Thirty Four Thousand Dollars (\$34,000.00) and asks for authority to issue Three Hundred and Forty (340) shares of stock in payment for these properties to William Pierce and Lewis Pierce.

A portion of the warehouse property is to be used by the

Northern Electric Railway Company in accordance with the terms of a contract filed with the application herein. This contract provides for certain payments by the Northern Electric Railway Company. It is not necessary in these proceedings to pass upon this contract, but I am of the opinion that the charges to the Northern Electric Railway Company are in the nature of rates and should therefore be filed for approval as part of the rates of the applicant herein.

In passing upon this matter, I shall not assume to determine the fair value of the property transferred and shall recommend that the application be granted on the condition that the authorization of the stock shall not be regarded as determinative of the value of the land and warehouse buildings transferred.

The applicant herein has an authorized issue of One Thousand (1000) shares of stock and has issued but four (4) shares to qualify directors. The Three Hundred and Forty (340) shares, for the issue of which applicant now requests authority, will include the four (4) shares already put out to qualify directors.

O R D E R .

PIERCE WAREHOUSE COMPANY having applied to the Railroad Commission for authority to issue Three Hundred and Forty (340) shares of capital stock of the par value of One Hundred Dollars (\$100.00) per share, and a hearing having been held and it appearing that the purposes for which it is desired to issue said stock are not in whole or in part chargeable to operating expenses or to income,

IT IS HEREBY ORDERED that the Pierce Warehouse Company be given and is hereby given authority to issue Three Hundred and Forty (340) shares of capital stock of the par value of One Hundred Dollars (\$100.00) per share.

The authority herein given is given upon the following conditions and not otherwise:

1. The stock herein authorized to be issued shall be issued to

William Pierce and Lewis Pierce in payment for certain real es-

tate in Suisun on the Suisun Slough and for two (2) wooden warehouses and one (1) corrugated iron warehouse and for appurtenances thereto incidental to the warehouse business, -said property being more particularly described in applicant's Exhibit "C" on file with the application herein and more particularly located by applicant's map filed with the application herein.

2. The authority herein given shall not be binding upon this Commission or other governmental or rate-fixing body as determining the value of the properties for which said stock of the par value of Thirty Four Thousand Dollars (\$34,000.00) is herein authorized to be issued.
3. The authority herein given to issue said stock shall not in any proceeding be urged as an approval by this Commission of the contract of applicant herein with the Northern Electric Railway Company, -a copy of said contract being attached to the application herein as Exhibit "D".

The authority herein given is given as to such stock as shall have been issued on or before September 30, 1914.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 19th day of September, 1914.

John M. Eassey
W. B. Board

Max Thelen

Commissioners.