

FROM	TO	DIS-TANCE IN MILES	VIA	CHAR- ACTER OF SER- VICE	CLASSES										COMMODITIES, CARLOADS			
					1	2	3	4	5	A	B	C	D	E	Agri- cul- tural Imple- ments	Canned Goods	Sugar	Syrup
					RATES IN CENTS PER 100 LBS.													
San Francisco, Cal. Agent Gomph's C.R.O. No. 45	Alturas.... Cal.	491.1	W.P. Liegan and N.O.O.	Two Line Haul	157	136	125	107	95	95	80	75	61½	61½	95	95	85	85
San Francisco, Cal. Agent Gomph's C.R.O. No. 35	Goldfield... Nev.	514.5	S.P. Mina and T. & G.	Two Line Haul	250	225	208	179	154	146	99	92	73	69	146	154	154	154
Los Angeles... Cal. Agent Gomph's C.R.O. No. 35	Goldfield... Nev.	530.9	SPJ&SL Las Vegas and LV&T	Two Line Haul	250	225	208	179	154	146	99	92	73	69	146	154	154	154
Pueblo..... Colo. Denver & Rio Grande I.O.O. No. 2249	Telluride, Colo.	302.8	D. & R.G. Montrose and RGS.	Two Line Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Stockton..... Cal. Agent Gomph's C.R.C. No. 45	Alturas.... Cal.	397.4	W.P. Liegan and N.O.O.	Two Line Haul	155	136	123	106	94½	94½	79	72	59½	59½	94½	94½	85	85
Stockton..... Cal. Agent Gomph's C.R.C. No. 35	Blair Jct... Nev.	403.9	S.P. Mina and T. & G.	Two Line Haul	220	195	178	152	136	136	87	80	69	65	136	136	136	136
Los Angeles... Cal. Agent Gomph's C.R.O. No. 35	Jacksonville, Nev	388	A.T. & S.F. Jualow and T&T Ry	Two Line Haul	250	225	208	179	154	139	99	92	73	69	139	154	154	154
Pueblo..... Colo. Denver & Rio Grande I.O.O. No. 2249	Telluride, Colo.	302.8	D. & R.G. Montrose and RGS.	Two Line Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Stockton..... Cal. Southern Pacific C.R.O. Nos. 134 & 720.	Klamath Falls, Or.	387.6	S.P.	One Line Haul	176	161	146	134	123	123	86½	68	62½	62½	123	123	110	123

1. In making up the above rates, the use of the following conditions are observed: -
 (a) The above rates are for the use of the Southern Pacific Co. only. - No other carrier's rates are included.
 (b) The above rates are for the use of the Southern Pacific Co. only. - No other carrier's rates are included.

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					1	2	3	4	5	A	B	C	D	E	Agric- ul- tural Imple- ments	Canned Goods	Sugar	Syrup
RATES IN CENTS PER 100 LBS.																		
Sacramento, Cal. Agent Gomph's O.R.C. No. 45	Alturas, Cal.	338.1	W.P. Liegan and N.C.O.	Two Line ^A Haul	145	126	116	99	87½	87½	73	68	55½	55½	87½	87½	85	85
Ogden, Utah. Oregon Short Line	East Ely, Nev I.O.C. No. 1706	277.8	S.P. Cobre and N.N.	Two Line ^B Haul	152	136	120	109	98	94	71	67	58	53	94	82	87	82
Pueblo, Colo. Denver & Rio Grande	Telluride, Colo. I.O.C. No. 2249	302.8	D. & R.G. Montrose and RGS.	Two Line ^H Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Los Angeles, Cal. Agent Gomph's O.R.C. No. 35	Island, Nev.	339	A.T. & S.F. Ludlow, and T&T Ry	Two Line ^B Haul	241	217	189	166	140	126	92	84	69	63	126	140	140	140
Marysville, Cal. Agent Gomph's O.R.C. No. 45	Alturas, Cal.	312	W.P. Liegan and N.C.O.	Two Line ^C Haul	145	126	116	99	87½	87½	73	68	55½	55½	87½	87½	85	85
Los Angeles, Cal. Agent Gomph's O.R.C. No. 35.	Death Valley Jct Cal.	316	A.T. & S.F. Ludlow, and T&T Ry	Two Line ^B Haul	216	194	169	149	125	114	82	75	62	56	114	125	125	125
Pueblo, Colo. Denver & Rio Grande	Telluride, Colo. I.O.C. No. 2249	302.8	D. & R.G. Montrose and RGS	Two Line ^H Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Marysville, Cal. Southern Pacific	Klamath Falls, Or C.R.C. Nos. 134 & 720.	293.3	S.P.	One Line Haul	155	141	128	117	110	110	72½	66½	52	52	110	110	110	110

FROM	TO	DIS-TANCE IN MILES	VIA	CHAR-ACTER OF SER-VICE	CLASSES										COMMODITIES, CARLOADS			
					1	2	3	4	5	A	B	C	D	E	Agri-cul-tural Imple-ments	Canned Goods	Sugar	Syrup
					RATES IN CENTS PER 100 LBS.													
Oroville.....Cal. Agent Gomp's C.R.	Alturas.....Cal. O.No.45	296	W.P.Liegan and N.O.O.	Two Line ^{//} Haul	145	126	116	99	87½	87½	73	68	55½	55½	87½	87½	85	85
Los Angeles.....Cal. Agent Gomp's C.R.	Death Valley Jct Cal C.No.35	316	A.P.& S.F. Ludlow, and T&T Ry	Two Line ³ Haul	216	194	169	149	126	114	82	75	62	56	114	125	125	125
Pueblo.....Colo. Denver & Rio Grande	Telluride..Colo. I.O.O.No.2249	302.8	D.& R.O. Montrose and RGS	Two Line ^{//} Haul	216	200	165	130	107	107	85	75	47	47	107	107	107	107
Marysville.....Cal. Southern Pacific	Klamath Falls,Or C.R.C.Nos.134 & 720.	293.3	S.P.	One Line ³ Haul	155	141	128	117	110	110	72½	56½	52	52	110	110	110	110

FROM	TO	DIS- TANCE IN MILES	VIA	CHAR- ACTER OF SER- VICE	CLASSES										COMMODITIES, CARLOADS			
					1	2	3	4	5	A	B	C	D	E	Agricultural Implements	Canned Goods	Sugar	Syrup
					RATES IN CENTS PER 100 LBS.													
San Francisco, Cal. Agent Comph's	Alturas....Cal. C.R.C.No. 45	491.1	W.P. Logan and H.C.O.	Two) Line a Haul	157	136	125	107	95	95	80	75	61½	61½	95	95	85	85
San Francisco, Cal. Agent Comph's	Goldfield...Nov. C.R.C. No. 35	514.5	S. P. Mina and T. & C.	Two) Line b Haul	250	225	208	179	154	146	99	92	73	69	146	154	154	154
Los Angeles...Cal. Agent Comph's	Goldfield...Nov. C.R.C. No. 35	530.9	SPLA&SL Las Vegas and IV&T	Two) Line B Haul	250	225	208	179	154	146	99	92	73	69	146	154	154	154
Pueblo.....Colo. Denver & RioGrande	Telluride,..Colo. I.C.C.No.2240	302.8	D. & R.C. Montrose and RCS.	Two) Line a Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Stockton.....Cal. Agent Comph's	Alturas.....Cal. C.R.C.No.45	397.4	W.P. Logan and H.C.O.	Two) Line a Haul	155	136	123	106	94½	94½	79	72	59½	59½	94½	94½	85	85
Stockton.....Cal. Agent Comph's	Blair Jet...Nov. C.R.C.No.35	403.9	S.P.Mina and T. & C.	Two) Line b Haul	220	195	178	152	136	136	87	80	69	65	136	136	136	136
Los Angeles...Cal. Agent Comph's	Jacksonville, Nov. C.R.C. No. 35	388	A.T. & S.F. Ludlow and T&T Ry	Two) Line b Haul	250	225	208	179	154	139	99	92	73	69	139	154	154	154
Pueblo.....Colo. Denver & Rio Grande	Telluride..Colo. ICC No.2249	302.8	D.&R.C. Montrose and RCS	Two) Line a Haul	215	200	165	130	107	107	85	75	47	47	107	107	107	107
Stockton.....Cal. Southern Pacific	Klamath Falls, Or. C.R.C.Nos.134 & 720.	387.6	S.P.	One) Line b Haul	176	161	146	134	123	123	86½	68	62½	62½	123	123	110	123

Standard and Narrow Gauge involving expense of transfer from Standard Gauge to Narrow Gauge cars or vice versa.
Both Carriers Standard Gauge consequently, no transfer cost to be taken care of by Carriers out of Joint Rate.

FROM	TO	DIS-TANCE IN MILES	VIA	CHAR-ACTER OF SER-VICE	CLASSES										COMMODITIES, CARLOADS		
					1	2	3	4	5	A	B	C	D	E	Agri-cul-tural Imple-ments	Canned Goods	Sugar
															RATES IN CENTS PER 100 LBS.		
San Francisco, Cal. Agent Gomph's	Alturas, Cal. O.R.C. No. 45	491.1	W.P. Logan and N.C.O.	Two Line a Haul	157	136	125	107	95	95	80	75	61½	61½	95	95	85
San Francisco, Cal. Agent Gomph's	Goldfield, Nev. O.R.C. No. 35	514.5	S. P. Mina and T. & O.	Two Line b Haul	250	225	208	179	154	146	99	92	73	69	146	154	154
Los Angeles, Cal. Agent Gomph's	Goldfield, Nev. O.R.C. No. 35	530.9	S.P.A. & S.L. Las Vegas and IV&T	Two Line b Haul	250	225	208	179	154	146	99	92	73	69	146	154	154
Pueblo, Colo. Denver & Rio Grande	Telluride, Colo. I.C. No. 2249	302.8	D. & R.C. Montrose and RGS.	Two Line a Haul	215	200	165	130	107	107	85	75	47	47	107	107	107
Stockton, Cal. Agent Gomph's	Alturas, Cal. O.R.C. No. 45	397.4	W.P. Logan and N.C.O.	Two Line a Haul	155	136	123	106	94½	94½	79	72	59½	59½	94½	94½	85
Stockton, Cal. Agent Gomph's	Blair Jct., Nev. O.R.C. No. 35	403.9	S. P. Mina and T. & O.	Two Line b Haul	220	195	178	152	136	136	87	80	69	65	136	136	136
Los Angeles, Cal. Agent Gomph's	Jacksonville, Nev. O.R.C. No. 85	388	A. T. & S. F. Judlow and T&T Ry	Two Line b Haul	250	225	208	179	154	139	99	92	73	69	139	154	154
Pueblo, Colo. Denver & Rio Grande	Telluride, Colo. I.C. No. 2249	302.8	D. & R.C. Montrose and RGS	Two Line a Haul	215	200	165	130	107	107	85	75	47	47	107	107	107
Stockton, Cal. Southern Pacific	Klamath Falls, Or. O.R.C. Nos. 134 & 720	387.6	S.P.	One Line b Haul	176	161	145	134	123	123	86½	68	62½	62½	123	123	110

A Standard and Narrow Gauge involving expense of transfer from Standard Gauge to Narrow Gauge cars or vice versa.
 B Both Carriers Standard Gauge consequently, no transfer cost to be taken care of by Carriers out of Joint Rate.

Decision No. 25.

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

M. S. CURRIER,

Plaintiff,

vs.

WELLS FARGO & COMPANY, (a corporation),

Defendant.

Case No. 121.

Decision No. 25

DECISION.

The complaint in this case alleges that the defendant Wells Fargo & Company, through its agent at Oceano, California, has discriminated against the plaintiff and in favor of the Oceano Clam Company, his rival in business. It is further set out that this discrimination is effected by means of a refusal on the part of said agent of Wells Fargo & Company to receive shipments of clams tendered by the plaintiff, and also said agent is charged with having tampered with the plaintiff's shipment and having substituted for the clams tendered by plaintiff others of a different grade. The defendant has denied in detail each and every material allegation of the complaint.

The gist of this action is discrimination, and by reason of the fact that discrimination is a serious offense under the Constitution and Statutes of this State, this Commission, regardless of the fact that the amount involved in this case is small, deemed it necessary to make a careful investigation of the charges set out in the complaint, and to this end ordered a hearing at San Luis Obispo.

We find no evidence sufficient to sustain the charge of discrimination and find as a fact that no such discrimination was practiced by the defendant. The entire case presented by

plaintiff is based upon suspicion not amounting to positive proof. In this connection the Commission desires to voice its disapproval of any practice on the part of litigants which will cause the useless expenditure of a considerable amount of time in the consideration of a matter which is either not meritorious or concerning which only suspicion and not evidence is ready for presentation when the case is set for trial. While we stand always ready, even though the matter involved, as in this case, from a monetary standpoint, is small, to give all the time necessary to a thorough investigation of the complaint of the smallest litigant, yet it is incumbent upon this litigant to assist the Commission in arriving at the facts and not appear for trial without any preparation.

It appears from the evidence that the plaintiff was engaged in digging and shipping clams from Ocesno and also Arroyo Grande in San Luis Obispo County. That he catered particularly to the trade which desires clams of very small size. The other clam diggers in this vicinity do not dig the smaller clams which ordinarily are found near the shore, but only the larger ones that are secured by digging farther out. The general sentiment of the people of the vicinity appears to be antagonistic to the taking of these small clams, by reason of the fact that such practice tends to destroy the beds. Considerable feeling no doubt existed between the plaintiff and the proprietor of his rival the Oceano Clam Company, which led to an intervention by the District Attorney of San Luis Obispo County, who served a notice upon plaintiff to the effect that the taking of the smaller clams was illegal. The basis for the charge of discrimination against the agent at Ocesno no doubt was the fact that he notified plaintiff that he would not accept for shipment these smaller clams, after

the notification of the District Attorney that the taking of such claims was illegal. The subsequent conclusion by the plaintiff that he had a legal right to take the smaller claims no doubt led him to believe that the District Attorney, his rival in business and the Wells Fargo agent were in league against him to drive him out of business. The Commission is of the opinion that such was not the case.

During the course of this investigation the existence of some practices of the defendant was disclosed, not necessarily bearing upon the question of discrimination but to which nevertheless we desire to draw attention. It appears from the evidence that a certain shipment made by the plaintiff was, through the mistake of Wells Fargo & Company's agent, delivered to one other than the consignee thereof, and, regardless of the fact that the plaintiff was no wise in fault, yet he was required to seek his reparation from the man who received the shipment and Wells Fargo and Company did not assume the responsibility of reimbursing him. It does not make less pernicious the practice in this particular case that the man who received the shipment promptly paid the plaintiff therefor, and this Commission desires to call the attention of Wells Fargo & Company to the fact that in such cases shippers must not be put to the trouble of seeking their reparation from the person who receives the shipment, but that it is the duty of the carrier to immediately rectify its mistake and compensate the shipper for whatever loss he may have sustained.

A second practice disclosed is that of selling goods for express charges without notification to the consignor, and, as appears from the evidence in this case, in some instances with perfectly definite instructions from the consignor as the method of procedure if the consignment can not be delivered to the person to whom it is originally consigned. We can find no

