

Decision No. \_\_\_\_\_

ORIGINAL

Decision No. 3517

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of Marin County Electric Railways for a certificate of public convenience and necessity and for an order authorizing the issue of stock.

} Application No. 1360.

LOVELAND, Commissioner.

Second Supplemental Order

WHEREAS, the applicant has reported to this Commission that it has realized \$375 from the sale of stock as authorized by this Commission in Decision No. 2495 (Vol. 7, Opinions and Orders of the Railroad Commission of California, Page 178), and

WHEREAS, said order provided that said fund should be held in trust, thereafter, if not expended upon the proposed railway project, to be returned to the stock subscribers less any expenditures which the Commission may in the meantime have authorized, and

WHEREAS, the applicant has now applied to this Commission for authority to expend from said sum of \$375 the following amounts:

|                          |              |
|--------------------------|--------------|
| Printing bill, .....     | \$6.65       |
| Cost of franchise, ..... | 234.00       |
| Attorneys fee, .....     | <u>25.00</u> |
| Total .....              | \$265.65     |

and,

WHEREAS, the applicant has requested authority to distribute the balance of \$109.35 to stock subscribers, and

WHEREAS, this Commission has heretofore, in Decision No. 1457 upon Application No. 947 (Vol. 4, Opinions and Orders of the Railroad Commission of California, Page 840), expressed the view that said expenditures were properly chargeable against the projectors of this enterprise if not successfully launched or carried forward, and

WHEREAS, it appears to this Commission that such costs as have been incurred as above stated, in the sum of \$265.65, should be borne by the projectors of this enterprise and not by the stock subscribers,

IT IS HEREBY ORDERED that said sum of \$375 held in trust for applicant's stock subscribers should be rateably returned to stock subscribers in full amount of their payments under said subscriptions.

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

Dated at San Francisco, California, this 15<sup>th</sup> day of July, 1916.

Max Shellen  
H. J. Howard  
Alvin G. ...

Commissioners.