

Decision No. 6742

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

GLOBE OIL MILLS,

Complainants,

vs.

CALIFORNIA SOUTHERN RAILROAD COMPANY,

and

ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY.)

Defendants.

ORIGINAL

CASE No. 1221.

BY THE COMMISSION:

ORDER OF DISMISSAL

In this proceeding the Commission is requested to issue an order prescribing just and reasonable joint through rates on cotton seed from Blythe to Los Angeles.

The answer of defendant, Atchison, Topeka & Santa Fe Railway Company, denies jurisdiction of the Commission owing to such road having passed to federal control. The Supreme Court of the United States in the case of Northern Pacific Railway Company, et al. vs the State of North Dakota, et al., decided June 2, 1919, held that the power to prescribe intrastate rates for federal controlled carriers rests exclusively with the federal government and that the various States are without jurisdiction over such rates.

It therefore follows that in the absence of jurisdiction of this Commission in such matters, the case must be dismissed.

C R D E R

The Commission being without jurisdiction in the above entitled proceeding.

IT IS HEREBY ORDERED that the same be and it is hereby dismissed.

Dated at San Francisco, California, this 29 day of October, 1919.

Edwin C. Egan
H. D. Loveland
Frank D. ...

Commissioners.