

said Rose and therefore operations now being conducted are not in harmony with the law or the rules and regulations of this Commission.

A witness of applicant announced that there was no desire to handle intermediate traffic and that the service to be rendered would be primarily for the through passengers between Martinez and Bay Point. Martinez is the county seat of Contra Costa County and testimony of the witnesses of applicant was all to the effect that citizens residing at Bay Point, Pittsburg, Antioch and other points in the vicinity were placed to great inconvenience in reaching Martinez especially in connection with legal matters and court proceedings, it being shown that under the present train schedules operated by the Southern Pacific Company it was necessary to spend practically the entire day at Martinez because of the fact that there was no train operating from Martinez to Bay Point between 9:42 A.M. and 5:55 P.M.

A large population resides in the vicinity of Bay Point, and the testimony also shows that a great number of passengers destined to Martinez would travel to Bay Point from Pittsburg and Antioch in connection with the San Francisco and Sacramento Railroad. It is the purpose of applicant to connect with the trains of the San Francisco and Sacramento Railroad, thus establishing a direct service between Martinez and points located east thereof served by the electric line.

The granting of the application was urged by the President of the Chamber of Commerce located at Martinez and also the President of the Chamber of Commerce located at Pittsburg. It was estimated that approximately one hundred and fifty men employed in the shipyards at Bay Point lived in Martinez and would find the automobile stage a great convenience especially if the

work required them to remain on duty overtime or report after the regular commutation trains of the Southern Pacific Company had departed.

The granting of this application was protested by the Southern Pacific Company, its witnesses showing that the trains operated on schedule time and were never overcrowded. It was shown, however, that there were only a limited number of trains in the service between these points and that such trains did not meet the requirements of the traveling public.

After careful consideration of all of the evidence in this proceeding, we are of the opinion that the public is entitled to the benefit of the service offered by this applicant, there being a necessity for direct and expeditious transportation at hours suiting the demands of the people which is not now offered by the Southern Pacific Company and which because of the small volume of traffic would not justify the establishment of additional trains, this fact being evidenced by an exhibit filed by the railroad company showing that there was a daily average of but twenty-six passengers between Martinez and Bay Point on its regular trains.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by Martinez-Bay Point Stage Company, a corporation, of an automobile stage line as a common carrier of passengers between Martinez and Bay Point. No transfer or assignment of the rights and privileges hereby granted may be made unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

IT IS HEREBY ORDERED that applicant, Martinez-Bay Point Stage Company, shall, within ten days from the date of service of this order, file with the Railroad Commission an acceptance

of the certificate hereby granted, such acceptance to state the date upon which operation of the line hereby authorized will commence, which date shall be within ninety days from the date of service of this order, unless the date be extended by supplemental order.

IT IS HEREBY FURTHER ORDERED that no vehicle may be operated under this certificate unless such vehicle is owned by the applicant herein or is leased by such applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

The Railroad Commission reserves the right to make such other and further orders in this proceeding as to it may seem just and proper or as in its opinion the public convenience and necessity may demand.

Dated at San Francisco, California, this 17th day of March, 1920.

Edwin C. Edgerton

Walter D. Smith
H. H. Bondage
Dwight Martin
COMMISSIONERS.