

Decision No. 75.30

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of Stanley Berry for an order granting permission to sell and transfer half interest in stage and truck service between the cities of Eureka and Auto Rest, Humboldt County, to Carroll Harrington)

and)
application of Carroll Harrington for)
an order granting permission to purchase an undivided half interest in)
and to the passenger and express line)
operated by the above named Stanley)
Berry, between Eureka and Auto Rest,)
Humboldt County.)

ORIGINAL

APPLICATION NO.5596

By the Commission -

O R D E R

Stanley Berry and Carroll Harrington have made application petitioning the Railroad Commission for an order authorizing the transfer and sale of certain operative rights for the conduct of an auto passenger and freight service between Eureka and Auto Rest, both in Humboldt County, California, applicant Berry desiring to sell an undivided half interest therein and applicant Harrington desiring to purchase said undivided half interest and to enter into a co-partnership with applicant Berry and such co-partnership will hereafter operate said passenger and freight service. The rights and privileges proposed to be transferred are those acquired by applicant Berry by reason of declaration of public convenience and necessity contained in Decision No.7428 of the Railroad Commission, Application No.5545, decided April 15, 1920. Transfer of the rights and privileges is to be made in accordance with an agreement filed with the application in this proceeding.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted.

IT IS HEREBY ORDERED that the application be, and the same hereby is granted subject to the following conditions:

1- That applicants, Stanley Berry and Carroll Harrington, a co-partnership, will within twenty (20) days from the date of service hereof file with the Railroad Commission written acceptance of this order for transfer and the conditions set forth herein.

2- That applicant Berry will immediately cancel all tariffs and time schedules heretofore filed with the Railroad Commission, such cancellation to be made in accordance with the provisions of General Order No.51 and other regulations of the Railroad Commission.

3- Applicants Berry and Harrington, a co-partnership, will immediately file new tariffs and time schedules in their own name or adopt as their own the tariffs and time schedules heretofore filed with the Railroad Commission by applicant Berry, all rates to be identical with those heretofore filed with the Railroad Commission by applicant Berry, such new tariffs or adoption thereof to be in accordance with the provisions of General Order No.51 and regulations of the Railroad Commission.

4- The rights and privileges, transfer of which are hereby authorized, may not again be leased, transferred nor assigned unless the written consent of the Railroad Commission to such lease, transfer or assignment has first been secured.

5- No vehicle may be operated by applicants Berry and Harrington, a co-partnership, unless such vehicle is owned by them or leased by them under a contract or agreement satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 3^d day
of May, 1920.

Edwin O. Ely
H. D. Loveland
WALTER H. HARRIS
H. V. Brundage
COMMISSIONERS.