

Decision No. 9643

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 MRS. C. W. MINGUS as Administratrix :
 of the Estate of C. W. Mingus, Deceased, :
 to sell and H. E. SHRAINER to purchase)
 an automobile truck line and operative :
 right between Los Angeles and dairy :
 ranches located in the vicinity of)
 Van Nuys, Lankershim, Burbank, Glendale)
 and Tropicco.)

Application No. 7257

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BY THE COMMISSION,

ORDER

In this proceeding Mrs. C. W. Mingus, as Administratrix of the estate of C. W. Mingus, deceased, has applied to the Railroad Commission for an order authorizing her to sell and H. E. Shrainer for an order authorizing him to purchase and operate the automobile truck line heretofore owned and operated by C. W. Mingus, deceased, between Los Angeles and dairy ranches in the vicinity of Van Nuys, Lankershim, Burbank, Glendale and Tropicco.

The operative right herein proposed to be transferred was obtained by C. W. Mingus, deceased, through operation in good faith prior to May 1st, 1917 and continuously since that date. In addition to the operative right it is proposed to transfer one 1919 one-and-one-half ton auto car upon which applicant places a value of \$1,050.00. The total consideration to be paid for the property proposed to be transferred is given as the sum of \$1,250.00 of which amount \$200.00 represents the claimed value of the operative right and good will.

In authorizing the transfer of property as herein applied for, it will be distinctly understood that the Railroad Commission in no way passes upon the value of the property herein proposed to be transferred except insofar as is necessary for the purpose of

this proceeding.

It appearing to the Commission 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 above entitled application be, and the same hereby is granted subject to the following conditions:

1. That the consideration to be paid for the property herein proposed to be transferred shall never be urged before this Commission or any other rate fixing body, as a measure of value for rate fixing or any other purposes other than the transfer herein authorized.

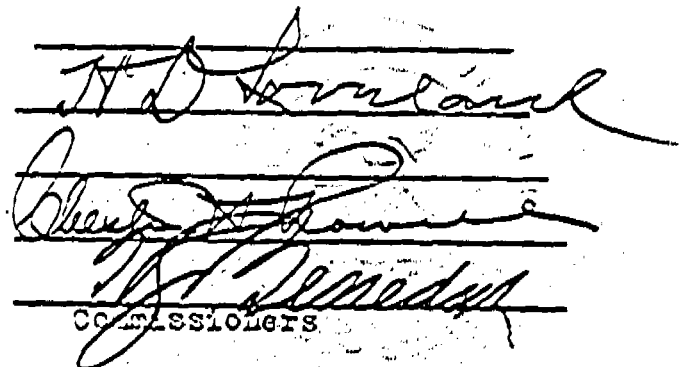
2. That the applicant Mrs. C. W. Mingus, as Administratrix of the Estate of C. W. Mingus, Deceased, shall immediately cancel all tariff of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission.

3. That the applicant E. E. Shreiner shall immediately file tariff of rates and time schedule, in duplicate, in his own name, or adopt as his own the tariff of rates and time schedules heretofore filed with the Railroad Commission by C. W. Mingus, Deceased, all rates and time schedules to be identical with those filed by C. W. Mingus, Deceased.

4. That the rights and privileges herein authorized to be transferred may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. That no vehicle may be operated by the applicant E. E. Shreiner, unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 26th day of October, 1921.



COMMISSIONERS