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Decision No. 965-9

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 FRED WALKER, J. E. ANDERSON, H. M. )  
 THOMPSON, HARRY POWELL, OSCAR LEE, :  
 for permission to sell and the BAY )  
 CITIES TRANSIT COMPANY, a corpora- ) Application No. 7284  
 tion, for permission to purchase the )  
 operative rights of the former and :  
 for permission to issue stock in )  
 exchange therefor. )

BY THE COMMISSION,

ORDER

In the present proceeding Fred Walker, J. E. Anderson, H. M. Thompson, Harry Powell and Oscar Lee have applied to the Railroad Commission for permission to sell and the Bay Cities Transit Company, a corporation, for permission to purchase the operative rights of the former permitting the operation of automobile passenger stages between Speedway and Windward Avenue, Venice, through Ocean Park, Santa Monica and Sawtelle to Old Soldiers Home. The Bay Cities Transit Company, a corporation, also applies for permission to issue five shares of its capital stock of the par value of \$1.00 per share, such stock to be issued one share each to the five individuals above named in exchange for the operative rights proposed to be transferred.

The operative rights herein proposed to be transferred were obtained by the five individuals above named through operation in good faith prior to May 1st, 1917, the effective date of Chapter 213, Statutes of 1917, as amended, and continuously since that date. Such individuals believing that their business can be carried on to greater advantage have caused to be organized the Bay Cities Transit Company, a corporation, with an authorized capital stock in the sum of \$50,000.00 divided into 50,000 shares of the par value of \$1.00 each.

In authorizing the transfer of the five operative rights owned individually to the corporation it will be distinctly understood that the Commission considers that such five operative rights are consolidated and that the corporation as such shall hold one individual right to operate between the points as hereinabove mentioned.

It appearing to the Railroad 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 Fred Walker, J. E. Anderson, H. M. Thompson, Harry Powell and Oscar Lee be, and they hereby are authorized to transfer to the Bay Cities Transit Company, a corporation, and the Bay Cities Transit Company, a corporation, be, and it hereby is authorized to acquire and operate under the operative right authorizing the operation of an automobile stage line for the transportation of passengers between Speedway and Windward Avenue, Venice, through Ocean Park, Santa Monica and Sawtelle to Old Soldiers Home, and

IT IS HEREBY FURTHER ORDERED that the Bay Cities Transit Company, a corporation, be, and it hereby is authorized to issue five shares of its capital stock of the par value of one dollar each, such stock to be issued one share each to Fred Walker, J. E. Anderson, H. M. Thompson, Harry Powell and Oscar Lee in exchange for the operative rights herein authorized to be transferred to the corporation.

Applicants Fred Walker, J. E. Anderson, H. M. Thompson, Harry Powell and Oscar Lee, as individuals, shall immediately cancel all tariffs 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.

Applicant Bay Cities Transit Company, a corporation, shall immediately file tariff of rates and time schedules, in duplicate, in its own name, or adopt as its own the tariffs of rates and time schedules heretofore filed with the Railroad Commission by applicants Fred Walker, J. E. Anderson, H. M. Thompson, Harry Powell and Oscar Lee.

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.

No vehicle may be operated by the applicant, Bay Cities Transit Company, a corporation, unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Applicant, Bay Cities Transit Company, a corporation, shall make written report to the Railroad Commission within thirty (30) days after the issuance of the stock hereinabove authorized, such report to show in detail the number of shares of stock issued and the names of individuals receiving same.

The authority herein granted authorizing the issuance of stock will apply only to such stock as may be issued on or before ninety (90) days from date hereof.

Dated at San Francisco, California, this 27<sup>th</sup> day  
of October, 1921.

H. B. Prudden  
H. L. ...  
Commissioners