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Decision No. 9944

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
JULIA LAITY Administratrix of the )  
Estate of J. T. Laity, deceased, to )  
sell and CHARLES E. SMITH to purchase ) Application No. 7427  
an automobile passenger and freight )  
line operated Truckee, via Hobart )  
Mills and Sierraville, California. )

BY THE COMMISSION,

O R D E R

In this proceeding Julia Laity as administratrix of the Estate of J. T. Laity, deceased, has filed a joint application with Charles E. Smith, in which they petition the Railroad Commission for an order authorizing the former to sell and the latter to purchase an automobile passenger and freight line operated between Truckee and Sierraville via Hobart Mills, California.

The operative right herein proposed to be transferred was obtained by J. T. Laity, deceased, due to operation in good faith prior to May 1st, 1917 and continuously since that date. The application recites that J. T. Laity, deceased, heretofore operated a passenger and freight line in connection with a contract which he held for the transportation of U. S. Mail; that since his death Charles E. Smith has furnished the necessary equipment and continued the operation of this line on behalf of the Estate and that it is now his desire to obtain the franchise in his own name.

The consideration to be paid for the property is given as the sum of \$200.00, which amount is to be paid by Charles E.

Smith to Julia Laity as administratrix of the Estate of J. T. Laity, deceased .

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 authorized to be transferred shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing or any purpose other than the transfer herein authorized.

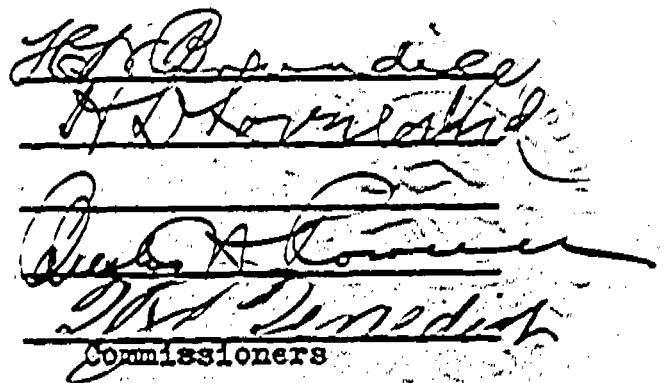
2. That the applicant Julia Laity, as administratrix of the Estate of J. T. Laity, deceased, shall immediately cancel all tariffs and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission.

3. That the applicant Charles E. Smith shall immediately file tariff of rates and time schedules, in duplicate, in his own name, or adopt as his own the tariffs and time schedules heretofore filed with the Railroad Commission by J. T. Laity, deceased, all rates to be identical with those filed by J. T. Laity, 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 applicant Charles E. Smith, 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 27th day of December, 1921.

  
Commissioners