

Decision No. 26656

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
EDNA MAGILL for a Motor Carrier Trans-
portation Agent's License.

} Application
No. 19139.

A. J. Stern for Applicant
H. C. Lucas and Orla St. Clair, by
Orla St. Clair, for Pacific Grey-
hound Lines, Inc. and Motor Car-
riers Association, Protestants
Robert Brennan & Wm. F. Brooks, by
Wm. F. Brooks, for The A.T. & S.F. Ry.
Company, Protestant
E. J. Hertel for Oakland Better Business
Bureau.

BY THE COMMISSION:

O P I N I O N

This is an application for a Motor Carrier Transportation Agent's License under the provisions of Chapter 390, Statutes of 1933.

Public hearings on this application were conducted by Examiner Handford at San Francisco, the matter was duly submitted and is now ready for decision.

Applicant has conducted a travel bureau at 392 Twelfth St., Oakland, as the St. Marks Hotel Travel Bureau.

Applicant was formerly a ticket agent for the United States Touring Association and also sold tickets for other stage lines from Oakland.

The record shows that applicant has not transacted any business in the travel bureau, in the St. Marks Hotel since October 16, 1933, although she has retained the office. Applicant claims to have sold no tickets or transacted any transportation business since that date.

Witnesses herein testified that a car containing passengers left the office of the applicant on October 6, 1933, one passenger being en route for Lebec, and the car being driven by a Mr. Green. Witnesses also testified as to arrangements made with a young man at the office for transportation to Los Angeles, arrangements being made on November 8, 1933. Telephone arrangements were also made on November 8, 1933, the arrangements being made with a party that answered the telephone as Miss Magill. Applicant contends that while the office was open to the public and she was paying a rental thereon, there was no transportation sold or arrangement for transportation and that she knew nothing of any such rate or arrangement being made by other parties who may have been in the office. Applicant has been arrested for alleged violation of law governing transportation and in one instance was found guilty and a suspended sentence was imposed.

It appears that telephonic and verbal arrangements for transportation have been made at the office which is rented by the applicant, although she claims no responsibility therefor or knowledge that such arrangements have been made.

We have carefully considered the record herein and are of the opinion that the applicant is not a fit and proper person

to be granted a Motor Carrier Transportation Agent's License.
The application should be denied.

O R D E R

Public hearings having been held on the above entitled application, the matter having been duly submitted and the Commission being now fully advised,

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

Dated at San Francisco, California, this 18th day of December, 1933.

C. L. Leary
Leon A. Leary
W. H. Leary
W. B. Leary
W. H. Leary
Commissioners.