

Decision No. 26952.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
on the Commission's own motion into)
the business and operation of WILLIE) Case No. 3742.
GRACE MEANY as a Motor Carrier Trans-)
portation Agent.)

H. C. Lucas and Orla St.Clair, by Orla St.Clair,
for Pacific Greyhound Lines, Inc.
Orla St.Clair for Motor Carriers Association.
Robt. Brennan and Wm. F. Brooks, by Wm. F.
Brooks, for The Atchison, Topeka and Santa
Fe Railway Company.
L. S. Groocox, for the Board of Public Utilities
and Transportation, City of Los Angeles.

BY THE COMMISSION:

O P I N I O N

This is an investigation on the Commission's own motion into the business of Willie Grace Meany as a Motor Carrier Transportation Agent.

A public hearing on this investigation was conducted by Examiner Handford at Los Angeles, the matter was duly submitted and is now ready for decision.

Evidence was introduced by two witnesses which showed clearly that respondent had conducted a travel bureau at the San Carlos Hotel, West Fifth and Olive Streets, Los Angeles, and had there negotiated for transportation to San Francisco over uncertificated lines without having first procured a license as a Motor

Carrier Transportation Agent as is required by Chapter 390, Statutes of 1933.

A cease and desist order should issue.

An order of this Commission finding an operation to be unlawful and directing that it be discontinued is in its effect not unlike an injunction issued by a court. A violation of such order constitutes a contempt of the Commission. The California Constitution and the Public Utilities Act vest the Commission with power and authority to punish for contempt in the same manner and to the same extent as courts of record. In the event a party is adjudged guilty of contempt, a fine may be imposed in the amount of \$500, or he may be imprisoned for five (5) days, or both. C.C. P. Sec. 1218; Motor Freight Terminal Co. vs. Bray, 37 C.R.C. 224; re Ball and Hayes, 37 C.R.C. 407; Wermuth v. Stamper, 36 C.R.C. 438; Pioneer Express Company v. Keller, 33 C.R.C. 571.

It should also be noted that under Section 8 of the Auto Truck Transportation Act (Statutes 1917, Chap. 213, as amended), a person who violates an order of the Commission is guilty of a misdemeanor and is punishable by a fine not exceeding \$1,000, or by imprisonment in the county jail not exceeding one year, or by both fine and imprisonment. Likewise a shipper or other person who aids or abets in the violation of an order of the Commission is guilty of a misdemeanor and is punishable in the same manner.

O R D E R

IT IS HEREBY FOUND that Willis Grace Meany has operated as a Motor Carrier Transportation Agent without a license so to do as required by the provisions of Chapter 390, Statutes of 1933.

Based upon the finding herein and the opinion,

IT IS HEREBY ORDERED that Willie Grace Meany shall cease and desist directly or indirectly or by any subterfuge or device from continuing such operation.

IT IS HEREBY FURTHER ORDERED that the Secretary of this Commission shall cause a certified copy of this decision to be personally served upon Willie Grace Meany, that he cause certified copies hereof to be mailed to the District Attorney of Los Angeles County and to the Board of Public Utilities and Transportation of the City of Los Angeles.

The effective date of this order shall be twenty (20) days after the date of service upon respondent.

Dated at San Francisco, California, this 16th day of April, 1934.

W. H. C.
Leonard
M. H. C.
M. B. C.
W. H. C.
COMMISSIONER