

Decision No. 27088.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation on the)
Commission's own motion into the business) Case No. 3734
and operations of MISS VIOLET CHAPMAN as)
a Motor Carrier Transportation Agent.)

H. C. Lucas and Orla St. Clair, by Orla St. Clair,
for Pacific Greyhound Lines, Inc.
Orla St. Clair for Motor Carriers' Association.
Robert Brennan and Wm. F. Brooks, by Wm. F. Brooks,
for The Atchison, Topeka and Santa Fe Railway Co.
A. S. Groocox, for the Board of Public Utilities and
Transportation of the City of Los Angeles.
L. B. Speeth, for Better Business Bureau.
Violet Chapman, in propria persona, respondent.

BY THE COMMISSION:

O P I N I O N

ORIGINAL

This is an investigation upon the Commission's own motion into the business and operations of Violet Chapman 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.

Miss Violet Chapman, respondent herein, admitted that she had operated a travel bureau at the Morgan Hotel and acted as a Motor Carrier Transportation Agent without first having obtained a Motor Carrier Transportation Agent's license as required by Chapter 390, Statutes of 1933.

An order to cease and desist such unlawful operation 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 \$500.00, or he may be imprisoned for five (5) days, or both. C.C.P. Sec.1218; Motor Freight Terminal Co. v. Bray, 37 C.R.C. 224; re Ball & Hayes, 37 C.R.C. 407; Wernuth v. Stamper, 36 C.R.C. 458; Pioneer Express Co. 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 \$1000.00, or by imprisonment in the county jail not exceeding one year, or by both such 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 AS A FACT that Violet Chapman has operated as a Motor Carrier Transportation Agent and without a license to do so, as required by Chapter 390, Statutes 1933.

Based upon the finding herein and the opinion,

IT IS HEREBY ORDERED that Violet Chapman shall cease and desist, directly or indirectly, or by any subterfuge or device from continuing such operation.

IT IS FURTHER ORDERED that the Secretary of this Commission shall cause a certified copy of this decision to be personally served upon Violet Chapman, and that he cause a certified copy to be mailed to the District Attorney of the County of Los Angeles, 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, Violet Chapman.

Dated at San Francisco, California, this 21st day of May, 1934.

C. L. ...
Leon ...
M. A. ...
M. B. ...
...
COMMISSIONERS.