

Decision No. 27547.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
J. H. CLARKSON, doing a public ware-)
house business under the name of)
CLARKSON & MORSE, and J. B. O'CALLA-)
GHAN, doing business as J. S. O'CALL-)
AGHAN WAREHOUSE CO., for an order)
authorizing transfer of rights and)
privileges of warehouseman.)

ORIGINAL

Application No. 19689.

BY THE COMMISSION:

OPINION AND ORDER

Applicants seek an order authorizing the transfer by J. H. Clarkson, doing business under the firm name and style of Clarkson & Morse, of the operative rights and equipment used in warehouse operation at No. 2325 Alameda Street, San Francisco, to J. B. O'Callaghan, doing business under the firm name and style of J. S. O'Callaghan Warehouse Company at No. 625 Folsom Street, San Francisco. The operative right herein proposed to be transferred was created by virtue of operation prior to the enactment of Section 50½ of the Public Utilities Act, which became effective on August 2, 1927. The transfer is to be in accordance with a Bill of Sale and Agreement signed and notaried on the 5th day of November, 1934, a copy of which is on file with the Commission.

The consideration to be paid for the property herein proposed to be transferred is \$300.00 and the assumption by the purchaser of all debts and liabilities contracted or owing by Clarkson & Morse prior to the date of the execution of the Bill of Sale and Agreement referred to above.

J. B. O'Callaghan will continue to operate the warehouse as a public utility at No. 625 Folsom Street, San Francisco, under the rates, rules and regulations shown in Warehouse Tariff No. 3, C.R.C. No. 3, filed in name of Clarkson & Morse. The proposed transfer will not result in any curtailment of service.

We are of the opinion that this is a matter in which a formal hearing is not necessary and that the application should be granted; therefore

IT IS HEREBY ORDERED that the above entitled application be and it is hereby granted, subject to the following conditions:

1. 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. J. H. Clarkson and J. B. O'Callaghan shall within twenty (20) days after the effective date of the order, join in supplement to tariff on file with the Railroad Commission in name of Clarkson & Morse, applicant J. H. Clarkson on the one hand withdrawing and applicant J. B. O'Callaghan on the other hand accepting and adopting as his own such tariff and all effective supplements thereto.
3. The rights and privileges herein authorized to be conveyed may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 26th day of November, 1934.

Leon A. Kelly

M. J. Co.

W. B. Harris

W. H. [unclear]

Frank [unclear]

Commissioners.