JLA

Decision No. 29252.



### BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of THE TRUCK OWNERS ASSOCIATION of Calif- ornia, a non-profit corporation, for the approval of minimum rates, rules and regulations, for the transportation of canned goods and dried fruits between San Joaquin Valley points and Stockton and San Francisco Bay points.)

Application No. 20745.

In the Matter of the Establishment of maximum or minimum, or maximum and minimum rates, rules and regulations of all Radial Highway Common Carriers and Highway Contract Carriers, operating motor vehicles over the public highways of the State of California, pursuant to Chapter 223, Statutes of 1935, for the transportation for compensation or hire of any and all commodities, and accessorial services incident to such transportation.

Case No. 4088. (Part "P")

In the Matter of the Investigation ) and Establishment of rates, charges, ) classifications, rules, regulations, ) contracts and practices, or any there-) of, of Common Carriers of property.

Case No. 4145. (Part "C")

#### APPEARANCES

For a list of appearances see Appendix "A".

BY THE COMMISSION:

#### OBINION

By Application No. 20745 The Truck Owners Association of California, a non-profit corporation hereinafter referred to as "the Association", seeks the approval of the rates, rules and regulations set forth in Exhibit "A" attached to the application as the

minimum rates to be charged and rules and regulations to be observed by the radial highway common and highway contract carriers it represents for the transportation of canned goods and dried fruits between certain San Joaquin Valley points on the one hand and Stockton, Sacramento, San Jose, Santa Clara, Sunnyvale and San Francisco Bay points on the other. In addition, applicant prays that the Commission issue an order directing all other highway common, radial highway common and highway contract carriers engaged in the transportation of canned goods and dried fruits between the points specified to appear and show cause why the proposed rates, rules and regulations should not be established as minima for all such carriers.

Thereafter the Commission assigned Part "P" in Case No.4088 and Part "C" in Case No. 4145 to that phase of these proceedings which relates to the transportation of cannod goods and dried fruits within the territory involved in the above application. The three proceedings were heard on a common record before Examiner Freas at San Francisco.

The rates, rules and regulations which the Association proposes for intrastate transportation are the same as the rates, rules and regulations filed with the Interstate Commerce Commission and in effect for interstate application by carriers represented by the Asso-

Case No. 4088 was instituted pursuant to the mandate of the legislature contained in Section 10 of the Highway Carriers' Act (Chapter 223, Statutes of 1935). A full discussion of its purposes, the procedure to be followed and other matters of general concern relating to this proceeding are contained in Decision No. 28761, dated April 27, 1936, in Part "A" of that case (39 C.R.C. 732). Case No. 4145 is an investigation on the Commission's own motion

Case No. 4145 is an investigation on the Commission's own motion into the rates, charges, classifications, rules, regulations, contracts and practices of common carriers of property for the purpose, tracts and practices of common carriers of property for such carriers, if it so finds, of establishing and prescribing for such carriers, such rates, etc., as will provide an equality of transportation rates between all competing agencies of transportation; and for the purpose of determining whether any rate or charge for the transportation of any commodity is lower than reasonable or sufficient.

ciation who are said to transport in excess of 90 per cent. of the traffic moving by motor truck in the territory here involved. 2

In support of the application a witness for the Association introduced a cost study purporting to show that the rates proposed as minima are with few exceptions less than the actual cost to the carrier of performing the service. He expressed the belief that they were on the same level as the rates of common carriers by rail, urged that interstate and intrastate rates be established on a uniform basis, and stressed the keen competition between the various types of transportation for the purpose of emphasizing the need for the firstion of rates on these commodities.

A review of the common carrier tariffs on file with this Commission, including those filed by highway common carriers, indicates that the proposed rates differ in many respects from the rates of common carriers, and the evidence is not sufficient to justify any change in the present common carrier rates. It does indicate, however, that stabilization of competitive conditions and ultimate uniformity in transportation rates require the establishment of minimum rates for radial highway common and highway contract carriers.

Pacific Southwest Freight Tariff Bureau Local Freight Tariff No. 9, MF-ICC 9 of John M. Desch, Agent. The teriff is not filed with this Commission, but was introduced into this record as Exhibit Pc-2.

Exhibit PC-1 shows an estimated truckload cost of \$2.53 per ton for a distance of 100 miles, with a rate of increment of \$.0209 per ton per mile. Exhibits A-1 and H-7, previously introduced in Parts ton per mile respectively, of Case No. 4088 were reintroduced.

The proposed rates are higher in some instances and lower in others, and are subject to both higher and lower minimum weight restrictions. Moreover, to the extent the proposed rates are based upon common carrier rates, depot-to-depot rates have largely been used without regard to the common carrier store-door rates, notwithstanding the fact gard to the common carrier store-door rates, notwithstanding the fact that store-door service is almost uniformly rendered by radial highway common and highway contract carriers.

Uniformity between interstate and intrastate rates is undoubtedly desirable. However, under Section 10 of the Highway Carriers' Act, recognition must be given, among other things, to the cost of performing the service. 5 To the extent the rates proposed and the current interstate rates are less than the cost of performing the service here involved, the suggested advantages of uniformity must yield to the necessity for a rate structure designed to enable each carrier to enjoy its fair share of the traffic, and earn a reasonable return on its investment. For this reason, the rates proposed by the Association must be modified so as to more nearly reflect the cost of performing the service as developed in the various studies of record and give reasonable consideration to the other factors ordinarily entering into rate making, observing as maxima the competitive common carrier rates.

Likewise, the intrastate common carrier rates cannot be accepted as a proper measure in fixing minimum rates for highway carriers on the traffic here involved, due to differences in territorial groupings in common carrier tariffs, the maintenance by common carriers of graded minimum weights for less than truckload shipments and

"In event the Commission established minimum rates for transportation services by highway carriers, such rates shall not exceed the current rates of common carriers for the transportation of the same kind of property between the same points."

In its Decision No. 28761 of April 27, 1936, in Part "A" of Case 4088 (39 C.R.C. 732) the Commission said, "It is clear from the (Highway Carriers') Act, and the evidence of record demands that minimum rates established by the Commission shall be sufficient in volume to return at least the cost of performing the service. Upon this premise, then, the Commission, in establishing minimum rates, may not under ordinary circumstances properly so below the cost of transportation."

Section 10 of the Highway Carriers' Act, supra, provides in part: " \* \* \* the Commission shall take into account and give due and reasonable consideration to the cost of all the transportation services performed, including length of haul, any additional transportation services performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service and the value of the commodity transported and the value of the facility reasonably necessary to perform such transportation ser-

of lower rates on canned fruits and vegetables than on other canned goods, and to the fact that the truckload rates include the accessorial services of loading and unloading.

The minimum rates for radial highway common and highway contract carriers approved and established in this order are lower in some instances and higher in others than those proposed by the Association. Where the truckload costs exceed the common carrier carload rates, such carload rates have been observed as maxima, but a differential of one cent per one hundred pounds has been added where the accessorial service of loading and unloading is performed by the carrier. It will be noted also that the rates herein established will apply only from San Joaquin Valley points, there being no evidence of record of any substantial movement in the opposite direction.

Upon consideration of all the facts of record, we are of the opinion and find that the minimum rates, rules and regulations set forth in Appendix "B" hereof for the transportation of canned goods and dried fruit as described in said Appendix "B", and canned fruits and vegetables, are justified as the just, reasonable and non-discriminatory minimum rates for the transportation of said commodities by radial highway common and highway contract carriers from and to the points shown in said appendix.

### ORDER

Public hearing having been held in the above entitled proceedings, and based upon the evidence received at the hearing and upon the conclusions and finding contained in the preceding opinion,

IT IS HEREBY ORDERED that the rates, rules and regulations set forth in Appendix "B" attached hereto and made a part hereof, be

and they are hereby established and approved, to become effective November 25, 1936, as the just, reasonable and non-discriminatory minimum rates to be charged, collected and observed by all radial highway common carriers and highway contract carriers as defined in Chapter 223, Statutes of 1935, for the transportation of canned goods and dried fruits as described in said Appendix "B", and canned fruits and vegetables, from and to the points for which rates are provided therein.

IT IS HEREBY FURTHER ORDERED that the minimum rates, rules and regulations herein established cancel and supersede the minimum rates established in Decision 28761 and the several supplemental orders in Case 4088, Part "A", for the same transportation of the same commodities between the same points.

mon carrier and highway contract carrier shall issue to the shipper, for each shipment received for transportation, a freight bill in substantially the form set forth in Appendix "C" hereto, but may include in said freight bill, in addition to the provisions appearing in said form such other reasonable and lawful provisions as may be deemed proper, and shall retain and preserve for reference, subject to the inspection of the Commission or its employees, a copy of said freight bill for a period of not less than three (3) years from the date of its issuance.

IT IS HEREBY FURTHER ORDERED that the Commission shall and it does hereby retain jurisdiction in these proceedings for the purpose of entering such further order or orders as may from time to time appear proper in the light of other or further evidence received herein.

Dated at San Francisco, California, this 9/2 day of

November, 1936.

William Commissioners.

# APPENDIX "A"

### APPEARANCES IN APPLICATION NO. 20745.

J. J. Duell; for the California Farm Bureau Federation. L. R. Keith, for the California Packing Corporation.

C. R. Schulz, for the California Prune and Apricot Grower's. Irving E. Lyons, for the Cannors' Loague of California'.

Trying A. Lyons, for the Cannors' Loague of California.

T. G. Diffording, for the Oakland Chamber of Commerce.

Edwin G. Wilcox, for the San Francisco Chamber of Commerce.

R. E. Wodokind, for Southern Pacific Company, Pacific Motor

Transport Company and Pacific Motor Trucking Company.

J. C. Somers, for the Stockton Traffic Bureau.

J. L. Ronoy; for Sussman, Wormser & Company.

G. E. Duffy, for The Atchison, Topoka and Santa Fe Railway

Company. L.J.McKim, for The River Lines.

L. N. Bradshaw and J. L. Amos, Jr., for The Western Pacific Railroad Company and Tidowater Southern Railway Company. Roy B. Thompson and Edward M. Borol, for the Truck Owners' Association of California. .

### APPEARANCES IN CASE NO. 4088.

In addition to the appearances shown in Decision No. 28761 in Case No. 4088, Part "A" (39 C. R. C. 732) the following appearances have been entered in this. proceeding:

H. J. Bischoff, for Certificated Highway Carriers. E. W. Hollingsworth, for Motor Carriers' Traffic Council. Olds and Olds, by Walter K. Olds, for Pescadero Farms Assn.,
Drayage Co., Half Moon Drayage Co.
H. C. Grundell, for Pacific Coast Ry.

J. M. Davis, for Santa Meria Valley Railroad Co.
J. E. Lyons, for Visalia Electric Railway Co. and Petaluma
& Santa Rosa Railroad Co. Walter K. Olds, for Pellegrini Draying Co.

B. Clark, for Clark Bros.

McCutchen, Olney, Mannon & Greene, by F. W. Meilke, for Napa Transportation Co., J. C. Stone. Secretary, Pier 5, San Francisco.

R. S. Meyers and G. S. Collins, for Southern Pacific Golden

Carl R. Schulz and J. E. McCurdy, for Poultry Producers of Central California. ..

Carl R. Schulz and Frank A. Somers, for San Francisco Crain Trade Assn.

Carl R. Schulz, for W. H. Riske and Otis Roe.

J. Richard Townsend, for Freighters, Inc. J. E. Lyons, for the Santa Maria Valley Railroad Co. and Pacific Electric Railway.

Berne Levy and G. E. Duffy, for the Alameda Belt Line.

J. L. Amos, Jr. and L. N. Bradshaw, for Delta Finance Co., Itd. Edwin G. Wilcox; for San Francisco Chamber of Commerce. C. S. Connolly, for Albers Bros. Milling Co. F. J. Coulter, for Mount Lassen Transit Co. McCarthy, Richards & Carlson, by Cameron wolfe, for Key System, East Bay Railways, Ltd., and Oakland Terminal Railroad Co. John P. McLoughlin, for Highway Drivers of California. R. F. McCarthy, for Globe Grain and Milling Co., California Grain and Milling Co., and Hart-Hill Grain Co. N. R. Moon and J. B. Costello, for Ira P. Lamb. E. J. Forman, for Los Angeles Grain Exchange, Southern California Millers Assn., California Hay, Grain and Feed Dealers Assn. F. A. Somers, for Grangers Business Assn. J. S. Granucchio, for Nevada California Transportation Co. and Nevada Commercial Motor Carriers of Nevada. E. R. Warren, for Schuler-O'Connell Grain Co. A. Larsson and H. L. Howland, for Quincy Railroad Co. Samborn & Roehl and Clair MacLeod, by Clair MacLeod, for California Western Railway & Nav. Co. W. H. Kessler, for Coast Line Stages, Inc. Chas. A. Bland, Board of Harbor Commissioners of Long Beach. Wm. Gissler, for Los Angeles & Long Beach Dispatch Line. H. W. Hendrick, for Facific Coastwise Conference. Elmer Westlake, for California & Hawaii Sugar Refining Corp., Ltd., and Western Sugar Refinery. Frank L. Chandler, for Richmond Chamber of Commerce. Walter A. Rohde, for the San Francisco Chamber of Commerce. R. E. Wedekind and James E. Lyons, for Southern Pacific Co., Pacific Notor Trucking Co., and Pacific Motor Transport Co. Sanborn & Roehl, by C. MacLeod, for Transportation System, Inc., Union Lumber Co., and Mendocino County Retail Lumber Co. Fred C. Hutchinson and Gwyn H. Baker, by Gwyn H. Baker, for City of Berkeley Manufacturers Assn. and Berkeley Chamber of Commerce. H. A. Lincoln, for The Independent Paper Co., Glass Containers, Inc., Chas. Harley and subsidiary companies. R. P. McCarthy, for Leslie-California Salt Co. and Globe Grain and Milling Co. R. O. Biedenbach, for M. J. B. Co. and Western Can Co. R. T. Boyd, for California State Brewers Institute, United-Commercial Co., Soule Steel Co. and W. S. Dickey Clay Manufacturing Co. John J. Parker, for Bemis Bros. Bag Co. S. J. Brown, for The Paraffine Companies, Inc. A. F. Walker, for Western Sugar Refinery and Spreckels Sugar Co. L. R. Bishop, for Motor Carriers Traffic Council. -2J. G. Breslin, for California & Hawaiian Sugar Refining Corp., Ltd. C. B. Hutchings, for Schwatzcher Co. F. B. Hartung, for Owens-Illinois Pacafic Coast Co. R. A. Auton, for Stokely Bros. Co. H. C. Cantelow, for Pacific Coastwise Conference. N. B. Wagner, for W. P. Fuller & Co. Donahue, Hymes & Hamlin, by L. S. McElwain, for National Exp. Co. H. J. Damon, for Ames-Harris-Neville Co. Lowe P. Siddons, for Holly Sugar Co. Jno. M. Desch, for Owens-Illinois Pocific Co. B. F. Bolling, for El Rey Products Co.
B. F. Bolling, for Pioneer-Tlintkote Co.
R. J. Beck, for El Rey Products Co.
Roy Banks, for Long Beach Paper & Notion Co. T. G. Differding, for Oakland Chamber of Commerce. F. F. Morgan, for Furniture Manufacturers Assn. of Los Angeles. F. W. Turcotte, for Latchford Glass Co. & Stauffer Chemical Co. Robert E. Hunt, for Coronado Transfer. Phil Jacobson for G. F. D. Lines, Inc. D. D. Rawley, for Automotive Purchasing Co., Inc. R. M. Grose, for Marine Terminal Assn. of Central California. W. K. Lane, for Guggenhime Co. E. D. Lyman, for Los Angeles Transfer Co. Carl Schulz, for California Prune & Apricot Growers. Joseph F. Vizzard, for Highway Transport, Inc., Intercity Transport Lines, Inc., and Holmes Express Co. Irving F. Lyons, for Dried Fruit Assn. of California.
Harold F. Hayes, for Pioneer Express.
Douglas Brookman, for United Parcel Service, San Francisco Bay
District, Valley and Coast Transit Co., and Coast Line Express.
G. J. Weiser, for Peerless Stages, Inc. F. C. Athearn, for United Parcel Service of Los Angeles, Inc. S. H. Green, for California Dairy Council. W. K. Downey, for Keystone Express Co. R. P. McCarthy, for Leslie-California Salt Co. and Globe Grain & Milling Co. w. C. Theis, for Johns-Manville Corp. Sanborn & Roehl and Clair MacLeod, for I. T. Ellington, Ellington Bros., Savage Transport Co., Inc., Savage Transportation Co., and E. J. Willig Truck & Trans. Co. H. M. Wade, for Wade Trans. Co. R. E. Wedekind, for Southern Pacific Company, Pacific Motor Transport Co., Pacific Motor Trucking Co., Northwestern Pacific Railroad Co., and San Diego & Arizona Eastern Railroad A. D. Poe, for Motor Truck Association of Southern California. H. L. Wolters, for Golden State Company, Ltd. and California Dairy Council. Edward Stern, for Railway Express Agency, Inc. E. F. Bolling, T. M. for Picneer Flintkote Co. A. R. Brashear, T. M., for Los Angeles Chamber of Commerce. H. J. Bischoff, for Southern California Freight Lines, and Southern California Freight Forwarders. -3~

D. G. Shearer, for Certificated Highway Carriers, Inc. R. S. Sawyer and R. E. Crandall, for Associated Jobbers and Manufacturers. T. F. McCue, for Crane Co. C. W. Cornell, W. C. Knoche and F. F. Willey, for Pacific Electric Railway Co. Merle Armour, for Anderson Theatre Service. W. Gormoldt, for California Dairy Council. Stuart Russell, for Southwestern Dairies Motor Operator. Martin H. Richards, for Richards Trucking and Warehouse Co. Wallace K. Downey, for Pacific Freight Lines and Keystone Express Co. C. G. Munson, for Los Angeles Warehousemen's Association. Charles A. Bland, for Board of Harbor Commissioners of Long Beach. E. E. Bennett and E. C. Renwick, for Union Pacific R. R. Thomas Wood, for Wm. Volker and Co. Julius Jay Alperin, for Pacific Interurban Transportation Co. C. H. Smith, for Davies Warehouse Co. C. L. Amidon, for California Packing Corporation and Libby, McNeill and Libby. Halverson, for Star Truck and Warehouse Co. Henry Deussen, for R. G. Knoll, Inc., Ltd. L. J. Happe, for A. J. Happe Transfer Co. G. E. Duffy, for Atchison, Topeka and Santa Fe Railway Co. and for Santa Fe Transportation Co. P. J. Arturo, for Swift and Co. Samuel H. Green, for California Dairy Council. William E. Swain, Jr., for Automotive Council of Orange Co. Douglas Brookman and F. G. Athearn, for United Parcel Service of L. A., Inc. Elmer Westlake, for Western Sugar Refinery and C & H Sugar Refining Corporation. F. P. Kensinger, for Loose Wiles Biscuit Co. George Rahe, for Los Angeles Soap Co. J. Nelson Kagarise in propria persona. J. J. Duell, for California Farm Bureau Federation. William Guthrie, for California Portland Cement Co. C. F. Reynolds, for Harbor Department of San Diego. APPEARANCES IN CASE NO. 4145. T. G. Differding, for Oakland Chamber of Commerce.
Decoto & St. Sure, by Ezra W. Decoto for Rampone Brothers. Edward M. Berol and Roy B. Thompson, for Truck Owners' Association of California. J. C. Somers, C. O. Burgin, and J. Richard Townsend, for Stockton Traffic Bureau, City of Stockton, Stockton Port District, Stockton Chamber of Commerce and San Joaquin County Farm Bureau Federation. W. Owen Pelkey, for Acme Fast Freight, Incorporated. Sarborn & Rochl and Clare W. McLeod, for Union Lumber Company, California Western Railroad and Navigation Company, and Mendocino County Retail Lumber Company. H. C. Grundell, for Pacific Coast Railway. R. P. McCarthy, for California Barrel Company, J. H. Baxter Company. Elmer C. Cardner; for Petrolia Stage Company. A. Larsson, for California Redwood Association and Larsson Traffic Service.

S. H. Wilson, for the National Wooden Box Association. H. C. Lucas and Guy Hill, for Pacific Greyhound Lines. William Geisler, for Los Angeles Long Beach Dispatch Line. K. W. Coplin, for Pacific States Express.

H. M. Hayes, for Intercity Transport and Pioneer Express Co.

R. E. Wedekind and James E. Lyons, for Northwestern Pacific Railroad Company, San Diego & Arizona Eastern Railroad Company, Southern Pacific Company, Visalia Electric Railway Company and O. G. Steele, receiver for the Yreka Western Railroad Company, Pacific Motor Trucking Company, and Pacific Motor Transport Company.

L. N. Bradshaw and J. L. Amos, Jr., for the Western Pacific Railroad Company, Sacramento Northern Railway Company, Tidewater Southern Railway Company, and Delta Finance Company, Limited. G. E. Duffy, for the Atchison, Topeka and Santa Fe Railway Company, Sunset Railway Company, Central California Traction Company, and Santa Fe Transportation Company. A. C. Woodress for Mertinez-Benicia Ferry and Transportation Company.
A. D. Poe, for Motor Truck Association of Southern California. . Wolters, for Golden State Company, Ltd., and California . Dairy Council. Edward Stern, for Railway Express Agency, Inc. B. F. Bolling, Traffic Manager, Pioneer Flintkote Company. H. R. Brashear, Traffic Manager, Los Angeles Chamber of . Commerce. T. A. L. Loretz, for Los Angeles Traffic Managers' Conference. H. J. Bischoff, for Southern California Freight Lines and Southern California Freight Forwarders. D. C. Shearer, for Certificated Highway Carriers, Inc. R. S. Sawyer and R. E. Crandall, for Associated Jobbers and Manufacturers. T. F. McCue, for Crane Company. C. W. Cornell, W. C. Knoche, and F. F. Willey, for Pacific Elec-Railway Company. Merle Armour, for Anderson Theatre Service. W. Gormoldt, for California Dairy Council. Stuart Russell, for Southwestern Dairies Motor Operator Martin H. Richards, for Richards Trucking & Warehouse Co. Wallace K. Downey, for Pacific Freight Lines and Keystone Express Company. C. G. Munson, for Los Angeles Warehousemen's Association. Charles A. Bland, for Board of Harbor Commissioners of Long Beach. E. E. Bennett and E. G. Renwick, for Union Pacific Railroad. Thomas Wood, for Wm. Volker & Co. Julius J. Alperin, for Pacific Interurban Transportation Co. U. H. Smith, for Davies Warehouse Company. C. L. Amidon, for California Packing Corporation and Libby, McNeill & Libby. H Halverson, for Star Truck & Warehouse Company. Henry Deussen, for R. G. Knoll, Inc., Ltd., L. J. Happe, for A. J. Happe Transfer Company. P. J. Arturo, for Swift & Company. Samuel H. Green, for California Dairy Council. -5William E. Swain, Jr., for Automotive Council of Orange County. Douglas Brookman and F. G. Athearn, for United Percel Service of Los Angeles, Inc. Elmer Westlake, for Western Sugar Refinery and C. & H. Sugar Refining Corporation.

F. P. Kensinger, for Loss Wiles Biscuit Company.
George P. Rahe, for Los Angeles Scap Co.
J. Nelson Kagarise in Propria Persona. J. J. Duell, for California Farm Bureau Federation. William Guthrei, for California Fortland Cement Co.
C. F. Reynolds, for Harbor Department of San Diego.
Edwin G. Wilcox, for the San Francisco Chamber of Commerce.
L. R. Keith, for the California Packing Corporation.
Irving F. Lyons, for Canners' League of California.
L. I. McKim, for The River Lines.
J. L. Roney, for Sussman-Wormser Company.

J. L. Roney, for Sussman-Wormser Company.

#### APPENDIX "B"

Naming Minimum Rates and Rules and Regulations
For the Transportation

01

Dried Fruits, Canned Fruits, Canned Vegetables and Canned Goods

as defined herein

From Points in the San Joaquin Valley

to

Stockton, Sacramento, San Jose, Santa Clara, San Francisco Bay Points and points intermediate thereto.

EXPLANATION OF TECHNICAL TERMS AND ABBREVIATIONS POINT OF ORIGIN means the precise location at which property is picked up or to be picked up and loaded in or on equipment of the carrier for transportation. POINT OF DESTINATION means the precise location at which property is discharged or to be discharged from the equipment of the carrier. SHIFMENT means a lot received from one shipper on one shipping order or one bill of lading at one point of origin at one time for one consignee at one destination. SPLIT PICK-UP SHIFMENT means a lot received on one shipping order or bill of lading from: (a) one consignor at two or more points of origin, providing the second and succeeding points of origin are intermediate boween the first point of origin and destination, to be delivered to one consignoe at one destination; (b) two or more consignors at a single point of origin or at points intermediate between the point of origin farthest from destination and dostination, to be delivered to one consigned at one destination. SPLIT DELIVERY SHIPMENT means a lot received on one shipping order or bill of lading from one consigner at one point of origin at one time, to be delivered to: (a) one consignoe at two or more points of destination, providing the first and succooding points of dostination are intermediate between the point of origin and the last point of destination; (b) two or more consignees at a single destination, or at points intormediate between the point of origin and the point of destination farthest from the point of origin. RULES AND REGULATIONS Rulo No. 5 - ASSESSMENT OF CHARGES: Charges will be assessed upon the gross weight of the shipment. No allowance or deductions will be made for the weight of containers. Rule No. 10- ACTUAL WEIGHT VERSUS MINIMUM WEIGHT: When the minimum charges accruing on a shipmont based upon actual weight exceed the minimum charges computed from a rate based upon the next greater unit of minimum weight, the latter will apply.

Rulo No. 15 - MINIMUM CHARGE: Excopt as otherwise provided. horoin, the minimum charge in connection with minimum rates named in this appondix shall be fifty cents (50¢). Rule No. 20 - APPLICATION OF RATES: (Intermediate Application) (a) Minimum rates from a point of origin not named in this appendix, which is located on the direct route to destination between two points of origin from which rates are named, will be the minimum rates applicable from the point of origin nearest to such unnamed point on the direct route to destination. (b) Minimum rates to a point of destination not named in this appondix, which is located between two points to which rates are named, will be the minimum rates applicable to the higher rated of the two points between which the unnamed point of destination is located. (Pick-up and Dolivory) (c) Except as otherwise provided, minimum rates named herein include pick-up and delivery service within the corporate limits of any named origin or destination station, or at any point located on the direct route from any named origin to destination. (d) Except as otherwise provided, minimum rates will also include pick-up service at points not named herein which are not intermediately situated between named points of origin to destination, subject to an additional charge of .2¢ (2/10) of one cent) per one hundred pounds per mile for the distance from such unnamed point to the nearest point from which specific rates are provided herein. For the purpose of applying this rule, points located within one (1) mile of the shortest highway route from the named point of origin to destination, and points located on any rail line extending from the named origin to destination, shall be deemed to be on the direct route to destination. Rule No. 25 - MIXED SHIPMENTS: When a number of different articles are shipped at one time, on one shipping order or one bill of lading, from one consigner to one consignee at one destination, they will be charged at the minimum rate applicable to the highest rated article, and the minimum weight shall be the highest provided for any of the articles in the shipment. Whon the aggregate charge upon the entire shipment is made lower by considering the articles as if they were divided into two or more separate shipments, the charges on each such separate ship-ment shall be based upon the rate applicable to the highest rated article therein, and the minimum weight for each such separate shipment shall be the highest provided for any of the articles therein.

Rule No. 30 - CHARGES FOR TRANSPORTING SPLIT PICK-UP AND SPLIT DELIVERY SHIPMENTS: Split pick-up and split delivery service may be rendered only when the entire let of property weighs 4,000 pounds or more. The minimum charges for such transportation services shall be computed on the following basis: (1) In split pick-up sorvice, the weight of each component part picked up from each consignor at the rate applicable for the entire let from the highest rated point of origin to destination plus a sum equal to 1 cent per 100 pounds for the weight of each pick-up but in no case less than 25 cents por pick-up. (2) In split delivery service, the weight of each component part of the entire let at the rate applicable for the entire let from point of origin to the highest rated point of destination of any part of the entire let plus a sum equal to lent per 100 pounds for the weight of each delivery but in no case less than 25 cents per delivery. Rulo No. 35 - C.O.D. CHARGES: (a) The following charges shall apply for collection and return of money on C.O.D. shipments: or fraction thereof. (b) Delivering carrier shall, immediately upon collection of any and all moneys, and in no event later than ten (10) days after delivery to the consigner, unless consigner, in writing, instructs otherwise, remit to the consigner all moneys collected by it on such shipmont. (Applies only to shipments Rule No. 40 - LOADING AND UNLOADING: on which the minimum weight is 30,000 pounds or greater) (a) Whore the shipper performs the leading without the assistance of the driver or other employee of the carrier, a deduction of a cent per one hundred pounds from the minimum rates herein established will be made. (b) Whore the consignee performs the unleading without the assistance of the driver or other employee of the carrier, a deduction of 2 cont per one hundred pounds from the minimum rates herein established will be made. Rulo No. 45 - MINIMUM RATES VERSUS COMMON CARRIER RATES: In the event the application of the common carrier intrastate rates, rules and regulations for the same transportation of the 4\_ .

Rulo No. 45 - MINIMUM RATES VERSUS COMMON CARRIER RATES: (Contd.) same shipment of property from and to the same points results in a lower aggregate charge than the charge resulting from the application of the minimum rates provided herein, such lower charge shall apply.

Rule No. 50 - TERRITORIAL RESTRICTION: Minimum rates named herein will not apply from points of origin more than 10 miles distant by public highway from the direct route from a named origin to destination.

#### COMMODITY RATES

ITEM 5: Description of Canned Goods.

Minimum rates making reference to this item shall apply on the following articles:

Canned Goods, Pickles, Preserves, viz .:

Beans and Pork Breads Brine Broths Butter, fruit or peanut Buttermilk (not Casein) Catsup Chili, ground Chowders Cocoanut Com Dressing, Salad Fish, cooked, pickled or preserved, with or without fruit or vegetable ingredients Fish Roe, cooked, pickled or preserved Hominy Jams . Jelly Juice, clam Juice (not syrup), fruit, unfermented Juice, tomato
Juice, vegetable Macaroni (prepared), with or without cheese, meat or veg-: etable ingredients Meats, cooked, cured or preserved, with or without cereal or vegetable ingredients Milk (condensed or evaporated); liquid Milk (not malted), dry or pow-: dered Mince meat Lolasses or Syrup (except coloring, flavoring, fruit, malt or medicated) Mustard, prepared Oil, olive or salad Olives Paste, tomato Pectin, fruit or vegetable

Pickles (Cauliflower, Cucumber, Dill Weed, Kraut, Mangoes, Onions and Tomato) Pie Preparations (fruit in syrup, or in paste form, compounded with flour or sugar and flavored) Piminentos (Canned Peppers) Puddings Pulp, fruit or vegetable Puree, tomato Ravioli (prepared) with or without cheese, meat or vegetable ingredient Rice and milk, cooked Sandwich spread Sauces, Condiments or Relishes, prepared Sausage. Soups Spaghetti (prepared), with or without cheese, meat or vegetable ingredients Syrups Vermicelli (prepared), with or without cheese, meat or vegetable ingredients Vinegar. Welsh Rarebit

### COMMODITY RATES (continued)

## RATES ARE IN CENTS PER 100 POUNDS

## FRUITS, DRIED, INCLUDING FIG PULP

FROM:	TO: San Francisc Emeryville, Richmond, Sa San Jose and	Alameda, inta Clara, il Sunnyvale  In lots In  Of not Of  I less I le  I than I th  I 20,000 I 30,  Ilbs.except I	lots: not: ss: an:	acramento In lots Inlots of not of less not than less an 20,000 than lbs. 30,000
Manteca Modesto Ceres Turlock Livingston Atwater Merced Chowwhilla Madera Clovis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemoore Tulare Corcoran Delano Bakersfield	35 35 39 50½(1)50 55½(1)55	12 15 15 15 15 15 15 15 15 15 15	11 (3)25 12 (3)27 12 (3)30 13 30 13 30 13 30 13 30 13 30 13 30 13 30 13 30 13 30 14 35 15 35 16 35 16 35 16 35 21 25 21 25 26 55	15 11 12 1-1 15 15 15 15 15 15 15 15 15 15 15 15 15

- (1) Applies to Santa Clara and San Jose, only.
- (2) Minimum weight 10,000 pounds.
- (3) Minimum charge 45 cents.

### COLMODITY RATES (continued)

## RATES ARE IN CENTS PER 100 POUNDS

## FRUITS, DRIED, INCLUDING FIG PULP

To:		Stockton	
from:	Any Quantity	In lots of not less than 20,000 lbs.except as	:In lots :of not : less : than :30,000 noted: lbs.
Manteca Modesto Ceres Turlock Livingston Atwater Merced Chowchilla Madera Clovis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemoore Tulare Corcoran Delano Bakersfield	(3)22 (4)18 (3)22 (4)20 (3)22 (4)22 (3)22 (4)22 (3)25 (4)26 (3)25 (3)25 (3)25 (3)35 35 35 35 35 35 35 35 35 35 35 35 35 3	122 122 15 15 15 15 15 15 15 15 15 15 15 15 15	56780012331313313131313131313131313131313131

- (2) Minimum weight 10,000 pounds.
- (3) Minimum charge 45 cents.
- (4) Minimum weight 4,000 pounds.

## COMMODITY RATES (continued)

## RATES ARE IN CHRITS PER 100 POUNDS

		FRUITS AN	D VLCETAI	BIES, CA	ANNED	
TO:	hmery Richm	ville, Ala ond, Santa ose and Su In lots: of not: less: than: 4,000:	nnyvale In lots: of not : less: than:	less than		of not less than
Manteca Modesto Ceres Turlock Livingston Atwater Merced Chowchilla Madera Clovis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemoore Tulare Corcoran Delano Bakersfield	13-14-14-12 00-00-00-00-00-00-00-00-00-00-00-00-00-		11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	244444444444444444444444444444444444444	121 123 155 155 155 155 155 155 155 155 155 15	11 11 13 13 13 13 13 13 13 13 13 13 13 1

<sup>(3)</sup> Minimum charge 45 cents.

## COMMODITY RATES (continued)

## RATES ARE IN CENTS PER 100 POUNDS

### FRUITS AND VECETABLES, CANNED

TO:				Stockton	: In lots
FROM: Am	y Quantity:	In lots : of not : less : than : 4,000 : lbs. :	In lots of not less than 8,000 lbs.	: In lots : of not : less : than : 20,000 : lbs.	of not less than 36,000
Manteca Modesto Ceres Turlock Livingston Atwater Merced Chowchilla Madera Clovis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemoore Tulare Corcoran Delano Bakersfield	2222558579999999991899950944 2322255857999999999950944 333335555666	18 18 18 18 18 18 18 18 18 18 18 18 18 1		122 123 135 155 155 155 155 155 155 155 155 15	56780001233333331331331331331331331331331331331

<sup>(3)</sup> Minimum charge 45 cents:

### COLOR DITY RATES. (continued)

### RATIO ARE IN CLAMS PER 100 PUTTOS

### FRUITS AND VEGITABLES, CAMPILD

:			A CTURNED	•		· • · • · ·
TC:	'Any Quantity	In Lot of not less than 14,000	MELTC s:In lots cf not less than 8,000	In lets: of not : less : than : 20,000 :	In lets of not less than 36,000 lbs.	1100
Manteca Modesto Ceres Turlcck Livingstcn Atwater Merced Chcwchilla Madera Clcvis Fresno Sanger Farlier Reedley Linuba Fowler Selma Kingsburg Visalis Exeter Lindsay Porterville Hantord Lemoore Tulare Corcoran Delano Bakersfield	257,055899999999999999999999999999999999999	14111555181111112555141200 3333 31111111555141200	111 000000 0 111111111 000055	15556780254677867805550055000	133	

<sup>(3)</sup> Minimum charge 45 cents.

### COMMODITY RATES (continued)

### RATES ARE IN CENTS PER 100 POUNDS

#### CAINID GOODS as described in Item 5 OTHER THAN FRUITS OR VEGETABLES, CANNUD

TC		Sen Jo In lot for not less than :4,000	se and Sussin lets of net less than	nnyvalé In lo no le	t· ss an	Richmond, :In lots :of not : less : than :36,000
FROM:	Any Cuantity	: lbs.	: 1bs.	: 1b	s.	<u> </u>
Manteca Modesto Ceres Turlock Livingston Atwater Merced	(3)30 <del>1</del> (3)30 <del>1</del> (3)30 <del>1</del> (3)304 (3)35 (3)35 (3)38	- - - - - - 35	30 <del>1</del> 30 <del>1</del> 30 <del>1</del> 30 <del>1</del>	194 (5)1 194 (5)1 194 (5)1 194 (5)1 234 234	2 (6)12 2 (6)12	11 11 11 13 13
Chowchilla Madera Clovis Fresno Sanger Parlier Reedley Dinuda Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemcore Tulare Corcoran Delano Bakersfield	4002 4002 4002 4002 4002 4002 4002 4002 4002 4002 55550 55550 555550 65550 65500 65550 65500	554 534 344 452 451 255 451 200 60	10050111110000500055 53333	222 222 232 233 333 343 444 222 222 232 232 233 333 343 444	(7)24 <sup>1</sup> (7)24 <sup>1</sup> (7)24 <sup>1</sup>	16 16

(3) Minimum charge 45 cents.
(5) Applies only on milk, canned.
(6) Applies only on milk, dry, flaked or powdered.
(7) Applies only on milk, dry, flaked or powdered, minimum weight 10,000 pounds.
(8) Applies only on clives, canned, minimum weight 10,000 pounds.

### COMMODITY RATES (continued)

### RATES ARE IN CINTS FER 100 POUNDS

CANNEL GO(DS as described in Item 5 OTHER THAN FRUITS OR VEGETABLES; CANNED

		CALACTERATOR	<b>3</b>		
FROM:	TO:  Any Quantity:	SACRAMENTO In lots: of not: less: than: 4,000: los:	In lots of not less then 8,000 lbs.	In lots: of not: less than 20,000:	In lots of not less than 36,000 los.
Manteca Modesto Ceres Turlock Livingsten Atwater Merced Chewchilla Madera Clevis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hantord Lemcore Tulare Corceran Delenc Bakersfield	55 55 55 60 65		1 1 1 3 3 3 3 3 3 1 1 1 1 1 1 1 5 5 5 5	######################################	12 13 (5)12 14 16 (5)14 17 (5)14 18 (5)14 21 22 22 22 22 22 22 22 22 22 22 22 22

<sup>(3)</sup> Minimum charge 45 cents.
(3) Applies only on milk, capped.

### COMMODITY RATES (concluded)

### RATES ARE IN CENTS PER 100 POUNDS

	CANNED GO OTHER THAN	ODS, as desc FRUITS OR V	ribed in	Item 5 S, CANNED	
FROM:	0:	In lots of not less than 4,000		In lots of not less than 20,000 lbs.	In lots: of not less: than: 36,000
Manteca Modesto Ceres Turlock Livingston Atwater Merced Chowchilla Madera Clovis Fresno Sanger Parlier Reedley Dinuba Fowler Selma Kingsburg Visalia Exeter Lindsay Porterville Hanford Lemoore Tulare Corcoran Delano Bakersfield	2222255583780800999901800033 (333333334408000999990180005500033 (3333333333333333333333333333	188802260545499-245-15594-200 188802260545499-245-15594-200 15545-1566		125 (7) 10 125 (7) 10 125 (7) 10 125 (8) 18 18 23 23 23 23 23 23 23 23 23 23 23 23 23	56780100123133131316688638444444444444444444444444

- (3) Minimum charge 45 cents.
- (7) Applies only on milk, dry, flaked or powdered, minimum weight 10,000 pounds.
- (8) Applies only on olives, canned, minimum weight 10,000 pounds.

D XITHRACTY

### SHIPPING ORDER AND FREIGHT BILL

· ;,		Name of Carrier m		hown on Permit)		Bill No.
Point of O	rigin			Dete	· · · · · · · · · · · · · · · · · · ·	, 193
Shipper			Consignee		······································	
Street Addi	ress		Street Addr	ess		
City			City			
Packages :	Kind :	Desc	ription of Commo	dities	:**Weight;	Rate: Charges
		•	•			; ; ; ; ;
Shipper			: Che	eck here	<u> </u>	<del></del>
By Received by	Show name Carrier in noted	n good condition		; Destination re :Term- :Store r :inal :Door : : : :	: C. O. D.	<b>!</b>
Recéived by except as Rv		in good condition	- : - : - : - :		* Advance * Other Charge	<del></del>
* Show eac	ch charge seems.	eparately and what harges, show per bo		ag, head, etc.	Prepaid Total to	collect