

Decision No. 31038

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application )  
of William L. McCauley, as executor of )  
the Last Will and Testament of William )  
A. McCauley, Deceased, to sell and United )  
Boat Lines, a corporation, to purchase )  
designated floating equipment and to )  
exercise certain operating rights in con- )  
junction therewith for the transportation )  
of property as a public utility for )  
compensation between points in the State )  
of California )

Application No. 22035

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

By application filed June 16, 1938, William L. McCauley, as executor of the will of William A. McCauley, deceased, seeks authority to sell and United Boat Lines, a corporation, seeks authority to buy certain prescriptive rights and personal property theretofore owned and operated by said William A. McCauley as a common carrier by vessel under the fictitious name "Empire Barge Company."

The operative rights proposed to be transferred are those of said William A. McCauley, doing business as "Empire Barge Company", as defined and fixed in Decision No. 29778 of May 24, 1937 in Case No. 3824. The personal property consists of the diesel screw boat "Mildred" and equipment, and also a small office building and furniture. The consideration proposed to be paid is \$2,085.00, payable \$1,000.00 in cash and the balance to be evidenced by an unsecured promissory note payable in monthly installments of \$100.00.

United Boat Lines agrees to perform the service theretofore rendered by William A. McCauley under the rates, rules and

regulations shown in the tariffs of Empire Barge Company now on file with the Commission.

It appears this is not a matter in which a public hearing is necessary and that the application should be granted.

Therefore, good cause appearing,

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. William L. McCauley, as executor of the Last Will and Testament of William A. McCauley and United Boat Lines, a corporation, shall within twenty (20) days after the effective date of this order join in supplement to tariffs on file with the Railroad Commission in name of Empire Barge Company, applicant William L. McCauley, as executor of the Last Will and Testament of William A. McCauley, on the one hand withdrawing and applicant United Boat Lines on the other hand accepting and adopting as its own such tariffs 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 effective date of this order shall be ten (10) days

from the date hereof.

Dated at San Francisco, California, this 27th day  
of June, 1938.

Walter M. ...  
Leon ...  
James P. ...  
Robert ...  
Al & Riley

COMMISSIONERS