

Decision No. 35725

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

WILSON AND COMPANY, INCORPORATED,)
 Complainant,)
 vs.)
 ATCHISON, TOPEKA AND SANTA FE)
 RAILWAY COMPANY, SACRAMENTO NORTHERN)
 RAILWAY, SOUTHERN PACIFIC COMPANY,)
 Defendants.)

ORIGINAL

Case No. 4640

BY THE COMMISSION:

Appearances

- L. H. Stewart, for Wilson and Company, Incorporated.
- L. N. Bradshaw, for Sacramento Northern Railway.
- J. E. Lyons, for Southern Pacific Company.
- Starr Thomas, for The Atchison, Topeka and Santa Fe Railway Company.

ORDER OF DISMISSAL

In this proceeding complainant assailed the reasonableness, lawfulness and propriety of the rates observed by defendants for the transportation of livestock from Montezuma¹ to Los Angeles under tariffs filed with the Commission. A public hearing was had at San Francisco on August 11, 1942, before Examiner Mulgrew.

Evidence received at the outset of this hearing demonstrated, so counsel for complainant stated, that the complaint had been filed under a misapprehension of certain conditions surrounding the transportation in question. He therefore requested that the proceeding be dismissed.

¹ Montezuma is a point on defendant Sacramento Northern Railway's line 43 miles south of Sacramento.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the above entitled complaint be
and it is hereby dismissed.

Dated at San Francisco, California, this 18th day of
August, 1942.

James F. Green
J. R. King
T. Baker
Francis C. Hansen
Richard L. Locke
Commissioners