

BEFORE THE INTERSTATE COMMERCE COMMISSION

In the Matter of the Application  
of  
DEEP CREEK RAILROAD COMPANY for a  
Certificate of Public Convenience  
and Necessity for the Abandonment  
by Applicant of its Entire Line of  
Railroad and the Operation thereof,  
under Paragraphs (18) to (21),  
inclusive, of Section 1 of the  
Interstate Commerce Act.

Finance Docket No. 12307

233 100 387

RETURN TO QUESTIONNAIRE

Deep Creek Railroad Company, having made application to the Interstate Commerce Commission under Paragraph (18) of Section 1 of the Interstate Commerce Act, as amended, for a certificate of public convenience and necessity authorizing Applicant to abandon the whole of its railroad and the operation thereof, which application is filed in the office of the Commission in Finance Docket No. 12307, hereby affirms that the notice of the application has been published in the form prescribed by the Commission, at least once during each of three consecutive weeks, in the following newspapers:

Tooele Transcript-Bulletin; beginning Friday, February 3, 1939;  
Elko Independent, beginning Friday, February 3, 1939;  
Elko Free Press, beginning Friday, February 3, 1939;

that said newspapers are of general circulation in each of the following counties of the states named:

Nevada	Elko County	Elko Independent and Elko Free Press
Utah	Tooele County	Tooele Transcript-Bulletin

which are all of the states and counties in which the line of railroad proposed to be abandoned is situated; and the identified newspaper clippings hereto attached (as Exhibits A-1, A-2 and A-3) contain true copies of the notice as published in said newspapers. Applicant also submits the following information required by the Commission:

QUESTION 1. When, by whom, and for what purpose the line was constructed, and its proprietary history.

ANSWER 1. The line of railroad was constructed by Applicant, Deep Creek Railroad Company, a Utah corporation, in 1916-1917. It commenced operations in the spring of 1917. It was constructed in anticipation of the development of a mining center at and near Gold Hill, Utah, (principally copper mines), which development was contingent upon the construction into said territory of a rail carrier. The Western Pacific Railroad Company, an interstate railroad carrier whose main line of railroad runs from San Francisco, California, to Salt Lake City, Utah, passing through Wendover, Utah, caused Applicant to be organized. Ever since 1918 The Western Pacific Railroad Company has owned and held (subject to directors' qualifying shares) all of Applicant's capital stock. The proceeds from the sale at par of the capital stock of Applicant, \$450,000, was used to construct said railroad. The Western Pacific Railroad Company is the Debtor in a proceeding for its reorganization under Section 77 of the Federal Bankruptcy Act now pending in the United States District Court for the Northern District of California, Southern Division, and Messrs. T. M. Schumacher and Sidney M. Ehrman, Trustees of the properties of said The Western Pacific Railroad Company, appointed in said proceeding, are the successors of The Western

Pacific Railroad Company in the ownership of the stock of Applicant, which stock is subject to liens of the Western Pacific mortgages.

QUESTION 2. The investment cost of the line as shown by the Applicant's books, stated as nearly as possible according to the primary accounts prescribed by the Commission.

ANSWER 2. (See page 4).

Answer to Question 2

The Investment Cost of the Line as shown by the Applicant's books  
at December 31st, 1938, stated according to the Primary  
Accounts prescribed by the Commission

ROAD

(1) Engineering	\$	13,166.88	
(2) Land for transportation purposes		1,370.70	
(3) Grading		74,783.14	
(6) Bridges, trestles and culverts		6,621.89	
(8) Ties		96,893.87	
(9) Rails		172,916.06	
(10) Other track material		28,727.80	
(11) Ballast		17,280.71	
(12) Tracklaying and surfacing		57,945.21	
(13) Fences, snowsheds and signs		12.42	
(16) Station and office buildings		9,342.23	
(17) Roadway buildings		2,242.71	
(18) Water stations		6,592.03	
(26) Telegraph and telephone lines		6,693.03	
(37) Roadway machines		92.00	
(38) Roadway small tools		369.47	
(40) Revenues and operating expenses during construction	(red)	1,548.84	
Total Road			\$ 493,501.31

EQUIPMENT

(51) Steam locomotives	\$	5,223.56	
(54) Passenger train cars		2,441.13	
Total Equipment			\$ 7,664.69

GENERAL EXPENDITURES

(71) Organization expense	\$	382.85	
(72) General officers and clerks		3,320.29	
(73) Law		230.14	
(74) Stationery and printing		537.69	
(75) Taxes		1,310.40	
(77) Other expenditures-General		84.76	
Total General Expenditures			5,866.13

TOTAL INVESTMENT IN ROAD AND EQUIPMENT \$ 507,032.13

QUESTION 3. A copy of the Applicant's general balance sheet of the latest date available, and a copy of the Applicant's income account for each of the last five calendar years, and for that portion of the current year for which the information is available.

ANSWER 3. (See pages 6, 7 and 8).

## Answer to Question 3 - Part 1

General Balance Sheet of December 31, 1938A S S E T SINVESTMENTS:

701 Investment in Road & Equipment	\$ 507,032.13	
706 Investment in Affiliated Companies	<u>42.45</u>	
Total		\$ 507,074.58

CURRENT ASSETS:

708 Cash - E.C. Bates, Treasurer	\$ 3,332.90	
713 Traffic & Car Service Balances Receivable	141.50	
714 Net Balance Receivable from Agents and Condrs.	93.11	
715 Miscellaneous Accounts Receivable	477.43	
716 Material and Supplies	912.36	
719 Other Current Assets	<u>11.55</u>	
Total		4,968.85

UNADJUSTED DEBITS:

723 Insurance Premiums Paid in Advance	\$ 42.24	
727 Other Unadjusted Debits - Interline freight in Transit	<u>35.00</u>	<u>77.24</u>

GRAND TOTAL, \$ 512,120.67

## Answer to Question 3 - Part 1

General Balance Sheet of December 31, 1938L I A B I L I T I E SSTOCK

751 Capital Stock		\$ 450,000.00
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LONG TERM DEBT:

757 Non-negotiable Debt to Affiliated Companies		173,230.40
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CURRENT LIABILITIES:

759 Traffic and Car-Service Balances Payable	\$ 813.41	
760 Audited Accounts and Wages Payable	1,725.56	
761 Miscellaneous Accounts Payable	49.57	
762 Matured Interest Unpaid	15,236.07	
766 Unmatured Interest Accrued	600.00	
768 Prepaid Charges in Transit	11.55	
Total,		\$ 18,436.16

UNADJUSTED CREDITS:

771 Tax Liability	\$ 49.57	
776 Accrued Depreciation - Equipment	5,791.84	
778 Other Unadjusted Credits - Bills in Suspense	295.65	
Total,		6,137.06

CORPORATE SURPLUS:

779 Additions to Property thru Income and Surplus	\$ 1,446.54	
784 Profit and Loss Balance December 31, 1937 (red)	117,914.49	
784 Profit and Loss Balance January 1 to December 31st, 1938 (red)	19,215.00	
Total	(red)	135,682.95
GRAND TOTAL		\$ 512,120.67

ANSWER TO QUESTION 3 - PART 2  
INCOME ACCOUNT FOR EACH OF THE FIVE CALENDAR YEARS 1934 TO 1938, BOTH INCLUSIVE

	YEAR 1934	YEAR 1935	YEAR 1936	YEAR 1937	YEAR 1938
<u>OPERATING INCOME</u>					
Railway Operating Income					
Railway operating revenues	\$ 7,382.90	\$ 5,355.39	\$ 4,308.88	\$ 4,565.48	\$ 4,263.30
Railway Operating expenses	12,016.77	12,579.74	12,504.84	13,004.27	13,389.19
Net revenue from railway operations	\$ 4,633.87	\$ 7,224.35	\$ 8,195.96	\$ 8,438.79	\$ 9,125.89
Railway tax accruals	786.80	801.50	905.85	973.47	1,017.46
Railway Operating Income	\$ 5,420.67	\$ 8,025.85	\$ 9,101.81	\$ 9,412.26	\$ 10,143.35
<u>RENTS PAYABLE</u>					
Hire of freight cars-Debit balance	\$ 197.40	\$ 91.50	\$ 134.00	\$ 133.60	\$ 239.60
Rent for locomotives	-	-	-	-	350.00
Total Rents Payable	\$ 197.40	\$ 91.50	\$ 134.00	\$ 133.60	\$ 589.60
Net Railway Operating Income	\$ 5,618.07	\$ 8,117.45	\$ 9,235.81	\$ 9,545.86	\$ 10,732.95
<u>OTHER INCOME</u>					
Miscellaneous rent income	\$ 6.11	\$ 12.50	\$ 17.50	\$ 12.50	\$ 12.50
Total Income	\$ 5,624.18	\$ 8,104.95	\$ 9,218.31	\$ 9,533.36	\$ 10,720.45
<u>MISCELLANEOUS DEDUCTIONS FROM INCOME</u>					
None	\$ -	\$ -	\$ -	\$ -	\$ -
Income Available for Fixed Charges	\$ 5,624.18	\$ 8,104.95	\$ 9,218.31	\$ 9,533.36	\$ 10,720.45
<u>FIXED CHARGES</u>					
Interest on funded debt:					
(a) Fixed Interest	\$ 3,298.30	\$ 3,773.79	\$ 4,226.74	\$ 4,658.07	\$ 5,152.41
Interest on unfunded debt	-	.50	.61	12.96	.69
Total Fixed Charges	\$ 3,298.30	\$ 3,774.29	\$ 4,227.35	\$ 4,671.03	\$ 5,153.10
Income After Fixed Charges	\$ 8,922.48	\$ 11,879.24	\$ 13,445.66	\$ 14,204.39	\$ 15,873.55
<u>CONTINGENT CHARGES</u>					
None	\$ -	\$ -	\$ -	\$ -	\$ -
Net Income	\$ 8,922.48	\$ 11,879.24	\$ 13,445.66	\$ 14,204.39	\$ 15,873.55
Income Balance Transferred to Profit and Loss	\$ 8,922.48	\$ 11,879.24	\$ 13,445.66	\$ 14,204.39	\$ 15,873.55

NOTE: Information is not yet available for any portion of 1939.

NOTE:-Italics denote red.

QUESTION 4. The main physical characteristics of the line as to ruling grades, curvature, weight of rail, and state of maintenance.

ANSWER 4. The main physical characteristics of the line as to ruling grades, curvature, weight of rail, are as follows:

Ruling Grade - 3%.

Maximum Curvature - (14° 00' curves Wendover to Gold Hill.  
(20° 00' curves Gold Hill to end of main track.

Weight of Rail - 60# in main track; 45# in sidings.

The maintenance has been reduced to a minimum consistent with safety.

QUESTION 5. The estimated salvage value of the line, with a general statement of the basis of the estimate.

ANSWER 5. The total estimated salvage value of the line, including equipment, is \$12,600.00. The salvage value of rail and other track material is based on a scrap value of \$14.00 per gross ton, San Francisco, California, less freight, \$6.944 per gross ton Wendover, Utah, to San Francisco, less cost of recovery.

The estimated salvage value of other material consisting of furniture, section tools, push cars and telephone sets is \$17.00. Buildings will produce no salvage.

The estimated salvage value of one locomotive and tender and one combination coach and baggage car is \$305.00.

The salvage value of rail and other track material, f.o.b. San Francisco, in recent months has varied from \$14.00 to \$17.00 per gross ton.

There will be no cash realized from the sale of right of way as only 16 acres were actually purchased at a cost of \$100.00, the balance of the right of way having been donated or acquired from the U. S. Government.

QUESTION 6. The names of all railroads with which the line connects for interchange of traffic and the points of such interchange.

ANSWER 6. The sole connection of Deep Creek Railroad for interchange of traffic is with the Western Pacific Railroad at Wendover, Utah.

QUESTION 7. A brief description of the present train service on the line, and of important changes made in the past five years.

ANSWER 7. The present train service consists of a mixed train operated one day a week on the following schedule:

No. 81, mixed train, departing Wendover 5:15 P.M. each Friday, arriving Gold Hill 8:15 P.M. same date; returning No. 82, mixed train, departing Gold Hill 9:45 P.M. same date, arriving Wendover 1:00 A.M. Saturday.

No other scheduled trains have been operated on Deep Creek Railroad and no important changes made in service during the past five years except necessary changes in schedules from time to time on account of change in time of trains of its connection at Wendover.

QUESTION 8. The names of all stations on the line, stated in order with milepost numbers, with the approximate population of each, and the authority for the information, showing for each place the names of all other railroads by which it is served, or its distance by highway from the nearest other railroad. Distinguish non-agency stations.

ANSWER 8.

<u>M.P.</u>	<u>Names of Stations</u>	<u>Approximate Population 1930 Census</u>	<u>Estimated Population Jan. 1939</u>	<u>Names of Other Rail-roads by which served</u>	<u>Distance (Miles) by highway from nearest Other RRs.</u>
0.0	Wendover	205	200	W.P.R.R. Co.	
19.2	* Salt Springs	Not listed	0	None	54
30.6	* Dunlap	Not listed	0	None	48
36.7	* Garri-son Monster	Not listed	0	None	54
44.6	Gold Hill	152	75 °	None	60

\* Indicates non-agency stations.

° Estimated by P. J. Peckens, General Agent of the Western Pacific Railroad at Salt Lake City, Utah.

QUESTION 9. The approximate population of the territory served by the line, explaining how the limits of this territory are defined.

ANSWER 9. The limits of the territory served embrace the area bounded on the west by a line midway between Applicant's line and the Nevada Northern Railroad; on the east by a line 30 miles east of Applicant's line, and on the south by a line 50 miles south of Gold Hill.

The approximate population of the territory served is 530. This estimate is based on figures from the "Gazetteer" published by the R. L. Polk Co., in 1930, except that the Department of Interior figures are used for the Goshute Indian Reservation.

The present population is slightly less than in 1930.

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QUESTION 10. A detailed statement of the location and nature of the highways available for movement of the traffic now handled by the line, and of the common carrier truck and bus service on such highways, if any.

ANSWER 10. The location of roads available for movement of the traffic to and from Wendover, now handled by Applicant's railroad, is indicated on map, Exhibit "B", attached to application filed herein.

Normally, all traffic would move over the dirt road between Gold Hill, Dunlap and Salt Springs and junction with U. S. Highway 50 in Township 30 North, Range 68 East, M. D. B. & M., in Nevada; thence over paved Highway U. S. 50 between above mentioned junction and Wendover.

A portion of the traffic would be routed from Gold Hill over the through highway between Ely, Nevada, and Salt Lake City, Utah.

No regular common carrier truck or bus service is in operation over these highways to Gold Hill. Some trucking is performed by individuals or so-called itinerant truckers. An individual residing at Wendover, who operates a one-half ton truck capable of carrying one or two passengers, has a contract to handle mail to Gold Hill on Monday of each week. Special trips to Gold Hill can be arranged through garages at Wendover.

QUESTION 11. The nature of the industries in the tributary territory (such as farming, mining, lumbering, manufacturing, etc.), how long established and the extent to which each is dependent upon the line for transportation. State location and other facts concerning the most important plants served.

ANSWER 11. There are a number of lessees of mining property in the tributary territory. Some of the mines were established prior to 1900. At one time there was also a stamp mill at Gold Hill. However, the ore is in "pockets" and most of the mines have been worked out or the metal eroded. Except for a small tonnage taken out by lessees, the best property in the district has been closed most of the time. There is no

substantial activity or indications of potential tonnage at present. According to Salt Lake valley smelter operators, future mining operations in the district are not dependent upon the continuance of operations by the Deep Creek Railroad. Iron ore flux from the mine at Garrison Monster, which for some years moved in substantial volume, decreased considerably and during the last year amounted to only three cars.

No agricultural products are produced for shipment. There is no lumbering or manufacturing of any kind. There are no plants of any kind served by the Deep Creek Railroad. The only industry making any use of the tributary territory is livestock. The only potential traffic of this character consists of a few carloads of sheep to and from Gold Hill each spring and fall, the general practice being to trail the sheep herds unless during given years grazing conditions are poor or the animals are too weak to be driven.

The Goshute Indian Reservation at Ibapah receives a few small shipments on Government bills of lading at Gold Hill. However, the major portion of the Reservation shipments is trucked.

QUESTION 12. The passenger traffic handled on the line in each of the last five calendar years, giving separately the number of local and connecting line passengers (if the latter designation is applicable) and the revenue from each class.

ANSWER 12. (See page 14).

Answer to Question 12

The Passenger Traffic handled on the Line in each  
of the Five Calendar Years 1934 to 1938, both inclusive

<u>YEAR</u>	<u>LOCAL</u>		<u>INTERLINE</u>		<u>TOTAL</u>	
	<u>PASSENGERS</u>	<u>REVENUE</u>	<u>PASSENGERS</u>	<u>REVENUE</u>	<u>PASSENGERS</u>	<u>REVENUE</u>
1934	33	\$ 74.70	29	\$ 58.38	62	\$ 133.08
1935	19	31.20	16	39.48	35	70.68
1936	27	38.23	39	77.91	66	116.14
1937	48	41.85	41	37.35	89	79.20
1938	<u>33</u>	<u>30.00</u>	<u>36</u>	<u>29.10</u>	<u>69</u>	<u>59.10</u>
TOTAL	160	215.98	161	242.22	321	458.20

QUESTION 13. The freight tonnage handled by the line for each of the last five calendar years, showing the number of cars and the tonnage of carload freight, classified by principal commodities, and the tonnage of less-than-carload freight. Show in separate statements (a) local freight originated at and destined to points on the line (b) freight moved between points on the line and points beyond it, and (c) freight neither originated at nor destined to points on the line (overhead or bridge traffic).

ANSWER 13. (See page 16).

Answer to Question 13

Statement of the Freight Tonnage handled by the Line for each of the five Years 1934 to 1938, both inclusive, showing the number of cars and the tonnage of car load freight classified by principal commodities and the tonnage of less-than-carload freight

YEAR	PRODUCTS FOREST		PRODUCTS AGRICULTURE		PRODUCTS MINES		PRODUCTS ANIMALS		MISCELLANEOUS		L. C. L.	TOTAL	
	Cars	Tons	Cars	Tons	Cars	Tons	Cars	Tons	Cars	Tons	Tons	Cars	Tons
(a) Local freight originated at and destined to points on the line													
1934	-	-	-	-	-	-	-	-	6	227	9	6	236
1935	-	-	-	-	-	-	-	-	2	83	5	2	88
1936	-	-	-	-	-	-	-	-	1	42	3	1	45
1937	-	-	-	-	-	-	-	-	7	292	9	7	301
1938	-	-	-	-	-	-	-	-	3	125	1	3	126
TOTAL LOCAL	-	-	-	-	-	-	-	-	19	769	27	19	796
(b) Freight moved between points on the line and points beyond it													
1934	-	-	2	40	77	3087	55	640	1	12	144	135	3923
1935	-	-	2	55	61	2596	14	151	2	29	43	79	2874
1936	-	-	-	-	53	2279	21	210	-	-	72	74	2561
1937	-	-	3	73	45	1635	85	876	1	10	63	134	2657
1938	10	204	1	25	20	840	56	551	6	103	52	93	1775
TOTAL INT.	10	204	8	193	256	10437	231	2428	10	154	374	515	13790
(c) Freight neither originated at nor destined to points on the line (overhead or bridge traffic)													
N O N E													
GRAND TOTAL	10	204	8	193	256	10437	231	2428	29	923	401	534	14586

QUESTION 14. (1) If the line to be abandoned is less than the entire mileage operated by the Applicant, a statement showing the effect of the proposed abandonment on the net railway operating income of the Applicant. The statement should include for each of the last five calendar years and for that part of the current year for which the information is available:

- (a) The Applicant's railway operating revenue from traffic handled locally between points on the line proposed to be abandoned;
- (b) The Applicant's railway operating revenue from traffic originating on or destined to points on the line proposed to be abandoned and also handled on other parts of the Applicant's lines of railroad;
- (c) An estimate in detail of the total operating revenue that should be assigned to the line proposed to be abandoned and a statement of the reasons for such assignment;
- (d) The expense of operating the line proposed to be abandoned, stated by appropriate primary accounts, actual so far as possible and otherwise approximated, with a full statement of the method used;
- (e) Railway tax accruals with method of apportionment;
- (f) Other items entering into the Applicant's income account and assignable to the line proposed to be abandoned, with methods of assignment; and
- (g) The costs of moving the traffic on the line proposed to be abandoned beyond the limits of said line on other parts of the Applicant's lines, with method of determination.

Revenues from freight, passenger, and other service should be shown separately.

(2) If the Applicant's line is operated as part of a system under common control and management, a statement for the same period

as required in paragraph (1) showing the effect of the proposed abandonment on the net railway operating income of the system and the unit members thereof. This statement should show the revenues accruing to the system and its unit members from traffic moving to and from the line proposed to be abandoned and the costs of handling such traffic. The method of determining such costs also should be shown.

ANSWER 14. Inapplicable, as entire mileage of line is proposed to be abandoned.

QUESTION 15. If the volume of freight or passenger traffic of the line has decreased during recent years any reasons therefor.

ANSWER 15. The railroad was constructed in anticipation of the development of a mining center at or near Gold Hill. The history of the railroad is practically a history of the copper mines in said center, as until 1925 ore (principally copper) constituted from 75% to 90% of originating shipments, and throughout the life of the railroad approximately 85% of the business carried has originated on the line. The copper ore mined near Gold Hill developed a high arsenical content in the year 1925 and became so low grade as copper ore that it was no longer profitable to extract the copper. For a time the arsenical ore was marketed, but as the arsenic market of the world is very limited and sufficient arsenic is obtained as a by-product from the concentrating of ordinary, or good grade, copper to supply that market, it was not profitable to market ore solely for its arsenical content. Practically all of the large mining properties at or near Gold Hill have ceased operations altogether and there is no likelihood that there ever will be a substantial resumption of operations in the district.

Shipments of livestock, which have ranked next to ore in tonnage, have fallen off to practically nothing due to the practice at the present time of driving animals over the mountains to transcontinental rails instead of shipping them over the railroad. 98% of livestock shipped consists of shipments of sheep.

During the past nine years the number of sheep raisers has greatly decreased and the only shipments of sheep over the railroad occur when feed in the area is poor and the animals are too weak to drive over the mountains.

The total population served by the railroad is now estimated at 500 (due to the cessation of mining operations and the decrease in number of stock raisers), and the population travels by motor.

The territory now served by the railroad is, therefore, at a standstill so far as passenger traffic or shipments originating from or destined to it are concerned.

QUESTION 16. If the line is operated as a joint facility, and abandonment of the Applicant's operation only is proposed, state fully the facts as to operation by others and the extent to which it will supply the place of the operation it is proposed to abandon.

ANSWER 16. Inapplicable. Line is not operated as a joint facility.

QUESTION 17. State what effort has been made to dispose of the line so as to insure its continued operation, and what, if any, transportation service will remain or may be substituted for that proposed to be discontinued.

ANSWER 17. In an endeavor to insure its continued operation an effort was made to interest several of the large mine owners in either buying the railroad or leasing it for a nominal lease rental; however, such efforts were completely unsuccessful. The only interested inquirer as to the property was a Mr. Harry Joseph of Salt Lake City, but after lengthy negotiations he stated that he was unable to finance such purchase. If permit is granted, the railroad will be entirely abandoned and salvaged, and it is not proposed to substitute any other form of transportation for that to be discontinued.

QUESTION 18. A summary statement of the reasons for the application.

ANSWER 18. Applicant has operated its line of railroad for twenty-one full years. In that period of time the operations have resulted in a net profit for but three years, 1923, 1924 and 1925. The mining in said district is practically at a standstill, all of the large properties being closed without any anticipation of ever reopening, due to the copper ore being so low grade that it is no longer profitable to extract the copper. As the line of railroad was constructed to serve the mines and has always depended on mining for the great majority of its revenues, and as the territory traversed does not produce any traffic, the railroad now serves no useful purpose. Applicant's parent company, The Western Pacific Railroad Company, and, since 1935, the Trustees of said parent company have made advances on open book account to Applicant to make good the operating deficits, and until recent years the parent company's earnings on traffic interchanged with Applicant more than offset such annual deficits. However, during the last few years the parent company's earnings on traffic interchanged with Applicant's were less than Applicant's deficit in operating income and it is impractical and uneconomic for Applicant's parent company to continue making advances to offset Applicant's deficits and Applicant cannot operate in the absence of such advances.

EXHIBITS FURNISHED

Exhibits "A-1", "A-2" and "A-3", affidavits of publication of notice, are attached to original Return to Questionnaire.

Respectfully submitted,

DEEP CREEK RAILROAD COMPANY,

By CHARLES ELSEY  
President.

SS.

CHARLES ELSEY makes oath and says:

That he is the President of Deep Creek Railroad Company, Applicant herein; that he has been authorized by proper corporate action on the part of said Applicant to verify and file with the Interstate Commerce Commission the foregoing Return to Questionnaire of said Commission with respect of the application in Finance Docket No. 12307; that he has carefully examined all of the statements referred to in said return and the exhibits attached thereto and made a part thereof; that he has knowledge of the matters set forth in said return and that all such statements made and matters set forth therein are true and correct to the best of his knowledge, information and belief.

CHARLES ELSEY

Subscribed and sworn to before me  
this 3rd day of March, 1939.

FLORA HALL

(SEAL)

Notary Public

In and for the City and County of  
San Francisco, State of California.

My Commission Expires May 5, 1941.