

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

SENATE.

No. 49.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-SEVEN.

AN ACT to regulate Railroad Commerce in the State
of Maine.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. The provisions of this act shall ap-
2^rply to the transportation of passengers or property,
3 or to the receiving, delivering, storage or handling
4 of property wholly within this State, by any rail-
5 road corporation.

SECT. 2. All charges made for any service ren-
2 dered or to be rendered in the transportation of
3 passengers or property as aforesaid, or in connec-
4 tion therewith, or for the receiving, delivering,
5 storage, or handling of such property, shall be rea-

6 sonable and just; and every unjust and unreasona-
7 ble charge for such service is prohibited and de-
8 clared to be unlawful.

SECT. 3. That if any railroad company, subject
2 to the provisions of this act, shall directly, or indi-
3 rectly, by any special rate, rebate, drawback, or
4 other device, charge, demand, collect or receive from
5 any person, or persons, a greater or less compen-
6 sation for any service rendered, or to be rendered,
7 in the transportation of passengers or property,
8 subject to the provisions of this act, than it charges,
9 demands, collects or receives from any other per-
10 son, or persons, for doing for him, or them, a like
11 and contemporaneous service in the transportation
12 of a like kind of traffic, under substantially simi-
13 lar circumstances and conditions, such railroad
14 company shall be deemed guilty of unjust discrim-
15 ination, which is hereby prohibited and declared
16 unlawful. Nor shall any railroad company charge,
17 demand, collect or receive from any person, or
18 persons, a greater or less compensation for trans-
19 portation of such person, or persons, over any line
20 or branch of its road, than it charges, demands,
21 collects or receives from any other person, or per-
22 sons, for transportation over any of its lines or
23 branches, for a similar distance: *Provided*, that the

24 provisions of this act shall not apply to clergymen,
25 reporters of newspapers, or railroad officials or
26 employes.

SECT. 4. That it shall be unlawful for any rail-
2 road company, subject to the provisions of this
3 act, to make or give any undue, or unreasonable
4 preference or advantage to any particular person,
5 company, firm, corporation or locality, or any par-
6 ticular description of traffic, in any respect what-
7 soever, or to subject any particular person, compa-
8 ny, firm, corporation or locality, or any particular
9 description of traffic to any undue or unreasonable
10 prejudice or disadvantage, in any respect whatso-
11 ever. .

SECT. 5. That it shall be unlawful for any rail-
2 road company, subject to the provisions of this act,
3 to charge or recover any greater compensation, in
4 the aggregate, for the transportation of passen-
5 gers, or of like kind of property, under substan-
6 tially similar circumstances and conditions, for a
7 shorter, than for a longer distance over the same
8 line in the same direction, the shorter being includ-
9 ed within the longer distance.

SECT. 6. That in case any railroad company,
2 subject to the provisions of this act, shall do, cause
3 to be done, or permit to be done, any act, matter,

4 or thing in this act prohibited, or declared to be
5 unlawful, or shall omit to do any act, matter, or
6 thing in this act required to be done, such railroad
7 company shall be liable to the person, or persons,
8 injured thereby, in an action on the case, for the
9 full amount of damages sustained in consequence
10 of any such violation of the provisions of this act,
11 together with reasonable counsel or attorney's fee,
12 to be fixed by the court in every case of recovery,
13 which attorney's fee shall be taxed and collected as
14 a part of the costs in the case.

SECT. 7. The provisions of this act shall take
2 effect sixty days after approval by the Governor.

STATE OF MAINE.

IN SENATE, February 23, 1887.

Received from the House, referred to the Committee on Railroads, Telegraphs and Expresses, and pending reference in concurrence, on motion by Mr. GILBERT, laid on the table to be printed.

C. W. TILDEN, *Secretary.*