

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

Sixty-Fifth Legislature.

SENATE.

No. 15.

STATE OF MAINE.

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

AN ACT to amend Chapter fifty-one of the Revised Statutes,
and to regulate Railroad Rates and Fares.

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

SECTION 1. The term "railroad company" contained in
2 this act shall be deemed and taken to mean all corpora-
3 tions, companies or individuals owning or operating any
4 railroad in this State.

SECT. 2. All charges made by any railroad company
2 for any service rendered or to be rendered for the trans-
3 portation of passengers or property in this State, or for
4 receiving, delivering, storing or handling of such prop-
5 erty, shall be just and reasonable; and every unjust and
6 unreasonable charge for such service is hereby prohibited
7 and declared to be unlawful.

SECT. 3. Section nine of chapter fifty-one of the Revised Statutes is hereby amended so as to read as follows :

‘SECT. 9. *Any railroad company doing business in this State may establish and collect such tolls for the transportation of persons and freight over its road in this State as the directors deem just and reasonable, except as hereinafter provided; and shall have a lien on its freight therefor; but upon what shall at any time be deemed by the railroad commissioners a sufficient complaint by interested and responsible parties that tolls are unjust and unreasonable, said commissioners may revise and establish them, after due notice and hearing, for a time not exceeding one year; but the commissioners before directing such a hearing shall give an opportunity to the company complained of to reply to the charge.*’

SECT. 4. If any railroad company shall, directly or indirectly, by any special rate, rebate, drawback, or other device, demand, charge, receive or collect from any person or persons a greater or less compensation for any service rendered or to be rendered in the transportation of passengers or property, than it charges, demands, receives or collects from any other person or persons for doing a like and contemporaneous service in a like kind of traffic, or under like conditions and similar circumstances, such railroad company shall be guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful; provided, however, that it shall not be construed unjust discrimination by the transportation at a less rate per one hundred pounds in car lots than is charged for freight of the same kind in less than car lots.

SECT. 5. Any railroad company guilty of unjust discrimination, or that shall charge an unjust and unreason-

3 able rate for the transportation of property or passengers
4 over any railroad in this State, shall be liable in damages
5 to the party injured in an action upon the case.

SECT. 6. Every such railroad company shall furnish equal
2 opportunities for the transportation of all passengers upon
3 any such railroad; and no railroad company operating
4 fifty miles of main line of railroad in this State, or that
5 operates in this State or any other State or country
6 adjoining thereto, fifty miles of connecting main line of
7 railroad, and whose annual receipts for local passenger
8 traffic, according to its report as published in the Railroad
9 Commissioners' Report, of this State for the year 1890,
10 shall be in excess of \$1,000 per mile, shall charge or
11 receive a rate in excess of three cents a mile for the trans-
12 portation of any passenger over twelve years of age upon
13 any such railroad in this State; and no such railroad shall
14 charge in excess of one-half of that sum for any person
15 under twelve years of age; and every such railroad shall
16 convey free of charge for every such passenger above
17 twelve years of age not exceeding 150 pounds of baggage,
18 and for every such passenger under twelve years, not
19 exceeding seventy-five pounds of baggage; provided,
20 also, that no such railroad company shall be obliged to
21 sell any ticket for a less sum than five cents; provided,
22 also, that any such railroad company may charge for any
23 ticket or passage of any passenger paid upon its trains in
24 excess of the above rate fifteen cents for every ticket so
25 sold upon said trains, for which it shall give a receipt. and
26 for which receipt said company shall refund said fifteen
27 cents when the same is presented at any station where
28 tickets are sold by any such railroad company.

Every such railroad company shall also sell a mileage or
30 commutation ticket of not less than 1,000 miles commu-
31 tation upon any such railroad in this State, at the rate of
32 two cents per mile ; such mileage or commutation ticket
33 may be made in such form and manner as most convenient
34 to any such railroad company. Each passenger purchasing
35 said mileage or commutation ticket, and travelling upon
36 the same, shall be entitled to have transported without
37 extra charge, 150 pounds of baggage by such railroad
38 company.

'SECT. 7. To amend section 114 of chapter 51 of the
2 Revised Statutes, so that said section as amended shall
3 read as follows :

'Section 114. A majority of the Board annually between
5 the first day of April and October, and at any other time,
6 on application, or whenever they think necessary, shall
7 carefully examine the track, rolling stock, bridges,
8 viaducts and culverts of all railroads ; and shall give a
9 certificate thereof to the clerk of the corporation bearing
10 the state and condition of the road and rolling stock ; and
11 shall annually, in December, make a report to the Gov-
12 ernor of their official duties, with such facts concerning
13 said railroads and their rolling stock, as they deem of
14 public interest or which he may require. *And they shall*
15 *also make a report of all unjust and unreasonable tolls*
16 *charged by any railroad company in this State, or of any*
17 *unjust discrimination in the transportation of property*
18 *and passengers that may have come to their knowledge ;*
19 *they shall also recommend any deduction that, in their*
20 *judgment, may be necessary for a more just and reason-*
21 *able regulation for the transportation of passengers and*

22 *property upon any railroad in this State; and all persons*
23 *managing railroads shall give such Board such informa-*
24 *tion as they, at any time, request.'*

STATE OF MAINE.

IN SENATE, January 29, 1891.

Presented by Mr. HAINES of Kennebec and on motion by same senator,
laid on table to be printed, pending reference to the Committee on Rail-
roads, Telegraphs and Expresses.

KENDALL M. DUNBAR, *Secretary.*